



Security Council

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Security Council Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya

Note verbale dated 23 August 2019 from the Permanent Mission of Portugal to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Portugal to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya and has the honour to transmit herewith the report of Portugal on the implementation of Council resolution [2362 \(2017\)](#) (see annex).



Annex to the note verbale dated 23 August 2019 from the Permanent Mission of Portugal to the United Nations addressed to the Chair of the Committee

Report of Portugal on the implementation of Security Council resolution 2362 (2017)

I. Introduction

The Government of Portugal is committed to implementing Security Council resolution 2362 (2017) and all preceding Council sanctions resolutions on Libya, namely, resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2016 (2011), 2017 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014), 2213 (2015), 2214 (2015), 2278 (2016), 2292 (2016) and 2357 (2017), as well as to fully cooperating with the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya.

Portugal has taken the necessary legislative and executive measures to implement all Security Council sanctions resolutions on Libya.

Portugal, as a member of the European Union, has also jointly implemented with the other States members of the European Union the restrictive measures imposed by the Security Council sanctions resolutions in the European Union legal order through the corresponding European Union decisions and regulations.

II. Background

Article 8 (3) of the Constitution of Portugal provides for the direct coming into force in the Portuguese legal framework of the norms issued by the competent bodies of international organizations, including the Security Council, on condition that this is laid down in the respective constituent treaties. Therefore, designations pursuant to resolution 2362 (2017) and preceding resolutions are directly applicable in Portugal.

Security Council resolutions are transposed into the Portuguese legal framework through decisions and regulations of the Council of the European Union. In accordance with European Union law, such decisions and regulations take immediate and direct effect in all member States' domestic law. European Union regulations have general application and are binding in their entirety on European Union citizens and businesses. Moreover, decisions are binding in their entirety on those to which they are addressed, namely, all member States (article 288 of the Treaty on the Functioning of the European Union). All European Union restrictive measures are published in the *Official Journal of the European Union*.

III. Measures taken to implement resolution 2362 (2017)

Portugal and the other States members of the European Union have jointly implemented the restrictive measures against Libya imposed under resolution 2362 (2017) by taking the following common measures:¹

¹ All common measures are published in the *Official Journal of the European Union*, which can be consulted through the following websites: <http://eur-lex.europa.eu/JOIndex.do?ihmlang=en> (published issues) and <http://eurlex.europa.eu/advanced-search-form.html?qid=1456325860845&action=update> (search form).

(a) Council Decision (CFSP) 2017/1427 of 4 August 2017 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya;

(b) Council Regulation (EU) 2017/1419 of 4 August 2017 amending Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya.

The above-mentioned Council regulations are binding in their entirety and directly applicable in all States members of the European Union.

IV. Information from Portuguese authorities

The application and implementation of Security Council sanctions and the corresponding European Union restrictive measures are regulated by Law No. 97/2017 of 23 August 2017. The law refers to competent national authorities, which are responsible for coordinating the implementation of restrictive measures and for providing information on the subject. More specifically, the competent national authorities disseminate updates to Council resolutions and European Union legal acts concerning restrictive measures, in order to ensure their effective implementation.

No private or public Portuguese entity responsible for the concrete implementation of restrictive measures has reported any violation or suspicion of violation of resolution [2362 \(2017\)](#).
