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Press Release SC/7868

Security Council
4820th Meeting (Part II) (AM)

SECURITY COUNCIL LIFTS SANCTIONS IMPOSED ON LIBYA AFTER TERRORIST BOMBINGS OF PAN AM 103, UTA 772

Resolution 1506 Adopted by Vote of 13 In Favour, with 2 Abstentions (France, United States)

After several delays in recent weeks, the Security Council this morning lifted decade-long sanctions against Libya, which were imposed after that country failed to cooperate with investigations into terrorist acts against Pan Am flight 103 over Lockerbie, Scotland, in 1988, and France's Union de transports aeriens (UTA) flight 772 over the Niger in 1989.

After postponing action on the issue last Tuesday in an effort to achieve consensus (see Press Release SC/7866 of 9 September), the Council adopted resolution 1506 today by a vote of 13 in favour with two abstentions (France, United States). The decision became possible after Libya accepted responsibility for the actions of its officials, renounced terrorism and arranged for payment of appropriate compensation for the families of the victims.

Libya also expressed its commitment to cooperate with any further requests for information in connection with the investigation. Those steps in compliance with relevant Council resolutions were recounted in a letter, dated 15 August, from Libya's Permanent Representative to the President of the Council (document S/2003/818).

Speaking after the vote, however, the representative of the United States said that his country had abstained in the vote, because it did not want its position to be misconstrued as a decision to modify its bilateral measures regardless of future Libyan behaviour. The United States' sanctions on that country would remain in full force.

While Libya had taken steps in compliance with relevant United Nations resolutions, the United States continued to have serious concerns about other aspects of Libyan behaviour, he said. These included its poor human rights record, its rejection of democratic norms and standards, its irresponsible behaviour in Africa, its history of involvement in terrorism and -- most importantly -- its pursuit of weapons of mass destruction and their means of delivery.

Referring to the agreement reached yesterday between representatives of the families of the victims of the UTA flight and the Gadhafi Foundation, France's representative said that agreement had enabled France to not oppose the lifting of sanctions. The conditions had been established for the equitable settlement of the painful matter that involved 17 nationalities.

Also speaking after the vote were the representatives of Germany, Bulgaria, Pakistan, Russian Federation, Syria, Spain and the United Kingdom. They pointed out that the lifting of sanctions was an important phase in the process of reintegrating Libya in the international community, emphasizing that such normalization presumed that Libya would continue to abide by its commitments. Several members of the

Council also called on Libya to take other measures, including an equitable settlement for victims of the La Belle night club bombing in Berlin in 1986.

Also by the text -- submitted by Bulgaria and the United Kingdom -- the Council decided to conclude its consideration of the "Letters dated 20 and 23 December 1991 from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America", removing that item from its agenda. [The last time the Council took such a decision was in 1996, when four items, including "Reports on the Strategic Trust Territory of the Pacific Islands" and Haiti, were removed from its agenda.]

In its 1991 letter (S/23306), France had requested Libya to: produce material evidence in the inquiry following a September 1989 attack on the UTA DC-10, which resulted in 171 deaths; facilitate the assembly of witnesses; and authorize Libyan officials to respond to any requests by the examining magistrate.

Regarding the Lockerbie investigation, the United Kingdom (S/23307) and the United States (S/23308) had requested that Libya surrender for trial those charged with the destruction of the Pan Am flight on 21 December 1988, resulting in 270 deaths. They further requested that Libya accept responsibility for the actions of its officials; disclose all it knew of the crime; and pay appropriate compensation. Those requests were included in resolution 731 (1992).

The sanctions were spelled out in resolution 748, adopted on 31 March 1992, and resolution 883, adopted on 11 November 1993, and included travel restrictions, an arms embargo, and financial sanctions excluding financial resources derived from the sale of petroleum products and agricultural products. Subsequently, the Council suspended the sanctions by its resolution 1192 (1998) after Libya agreed to hand over two suspects for trial before a Scottish court sitting in the Netherlands in connection with the Lockerbie bombing. One of them, Abdel Basset Al-Megrahi, has since been convicted and jailed for his role.

The meeting was called to order at 10:47 a.m. and adjourned at 11:15 a.m.

Resolution

The full text of resolution 1506 reads, as follows:

"The Security Council,

"Recalling its resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992, 883 (1993) of 11 November 1993 and 1192 (1998) of 27 August 1998, relating to the destruction of Pan Am flight 103 over Lockerbie, Scotland, and the destruction of Union de transports aeriens flight 772 over Niger,

"Recalling the statement by its President on 8 April 1999 (S/PRST/1999/10),

"Welcoming the letter to the President of the Council dated 15 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya, recounting steps the Libyan Government has taken to comply with the above-mentioned resolutions, particularly concerning acceptance of responsibility for the actions of Libyan officials, payment of appropriate compensation, renunciation of terrorism, and a commitment to cooperating with any further requests for information in connection with the investigation (S/2003/818),

"Also welcoming the letter to the President of the Council dated 15 August 2003 from the Permanent Representatives of the United Kingdom and the United States of America (S/2003/819),

"Acting under Chapter VII of the Charter of the United Nations,

"1. Decides to lift, with immediate effect, the measures set forth in paragraphs 4, 5 and 6 of its resolution 748 (1992) and paragraphs 3, 4, 5, 6 and 7 of its resolution 883 (1993);

"2. Decides further to dissolve the Committee established by paragraph 9 of resolution 748 (1992);

“3. *Decides also* that it has concluded its consideration of the item entitled “Letters dated 20 and 23 December 1991 from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America” and hereby *removes* this item from the list of matters of which the Council is seized.”

Background

The Security Council today was expected to hold a vote on the lifting of sanctions against Libya, which were introduced over 10 years ago after that country failed to cooperate with investigations into the bombings of Pan Am flight 103 and France’s Union de transports aeriens (UTA) flight 772. Action on a draft resolution on that matter (document S/2003/824) was postponed on Tuesday in order to allow more time to achieve consensus among the Council members (see Press Release SC/7866 of 9 September).

The Council had before it a letter from the Permanent Representative of Libya of 15 August (document S/2003/818) addressed to the President of the Council concerning acceptance of responsibility for the actions of Libyan officials, payment of compensations and renunciations of terrorism. It was also expected to consider a letter from the Permanent Representatives of the United Kingdom and the United States (document S/2003/819) indicating their preparedness to allow the lifting of sanctions.

Action on Draft

At the opening of the meeting, the President of the Council, EMYR JONES PARRY (United Kingdom), expressed his deepest sympathy regarding the tragic murder of the Swedish Foreign Minister this week.

The Council adopted the draft resolution by a vote of 13 in favour to none against, with two abstentions (United States, France).

Speaking in explanation of vote after the vote, JAMES CUNNINGHAM (United States) acknowledged the presence of more than 50 family members of Pan Am victims from several countries and said that the lives of 270 innocent men, women and children representing over 20 different nationalities had been tragically cut short when Pan Am flight 103 exploded over Lockerbie, Scotland. He then proceeded to describe the situation, which had led to the imposition of sanctions in 1992, after proof of Libya’s responsibility for the bombing had been uncovered, as well as the latest developments, which had allowed the Council to remove those measures.

Libya had now addressed the remaining United Nations requirements related to the Pan Am 103 bombing, he said. Although nothing could bring back the victims, the hundreds of family members who had suffered for the past 15 years could take some measure of solace from those long-awaited steps. In recognition of that fact, and to allow the families settlement to go forward, the United States had not opposed the formal lifting of the United Nations sanctions against Libya. His Government expected Libya to scrupulously adhere to the commitments it had made to the Council to cooperate with the international fight against terrorism and any further requests for information in connection with the Pan Am 103 investigation. Its decision, however, must not be misconstrued as a tacit acceptance by the United States that the Government of Libya had rehabilitated itself.

He said the United States continued to have serious concerns about other aspects of Libyan behaviour, including its poor human rights record, rejection of democratic norms and standards, its irresponsible behaviour in Africa, its history of involvement in terrorism and — most important — its pursuit of weapons of mass destruction and their means of delivery. Libya was actively pursuing a broad range of weapons of mass destruction and was seeking ballistic missiles, receiving foreign assistance in those efforts. Tripoli was actively developing chemical and biological weapons. The United States would intensify its efforts to end Libya’s threatening actions. That included keeping United States bilateral sanctions on that country in full force.

In its compensation settlement with the Pan Am 103 families, Libya had tied the payment of some of the available funds to changes in United States bilateral measures, something clearly outside the scope of the United Nations requirements. Furthermore, Libya had imposed an eight-month time limit during which those steps must be taken, unless it agreed otherwise. He hoped that by doing that, Libya was signalling that it intended to move quickly to address the concerns that underlay the United States measures.

He also urged Libya to do so in order for the families to receive the balance of the funds. Nonetheless, the United States could not guarantee that Libya would take the required steps, and it would not want its vote on the resolution to be misconstrued as a decision now to modify its bilateral measures regardless of future Libyan behaviour. After all, it had taken Libya almost 15 years to address Pan Am 103. For that reason, and because of the concerns he had explained, the United States had abstained in the vote on the text.

JEAN-MARC DE LA SABLIERE (France) said the agreement reached yesterday between representatives of the families of the UTA flight and the Gadhafi Foundation had enabled France to not oppose the lifting of sanctions. France welcomed the agreement. The conditions had been established for the equitable settlement of the painful matter that involved 17 nationalities, and the agreement had led to a joint statement communicated to the Council members.

The lifting of sanctions was an important phase in the process of reintegrating the country in the international community, he said. That normalization presumed that Libya would continue to make the necessary gestures beyond the requirements for the lifting of sanctions. France urged Libya to fully meet the commitments it had assumed. It also called on Libya to take other measures, in particular, to ensure an equitable settlement for the La Belle night club bombing in Berlin in 1986. France thanked the families of the Lockerbie flight for the understanding they had shown.

GUNTER PLEUGER (Germany) welcomed the fact that compensation would be paid to the families of the victims and that the steps taken by Libya had enabled the definitive lifting of sanctions against that country. A further important step, however, remained to be taken. The victims of the bombing of the La Belle discotheque in Berlin, where three people had been killed and 231 seriously wounded, including 56 American citizens, were still awaiting compensation. He called upon Libya to reach a satisfactory compensation settlement for the victims of that incident, as well.

STEFAN TAFROV (Bulgaria) welcomed the lifting of sanctions against Libya, with which his country maintained important relations. Bulgaria had co-sponsored today's resolution. Out of concern for equity, Bulgaria had always maintained that after the country had met the requirements of relevant resolutions, the sanctions should be lifted.

That was the case with Libya now, he said. In its letter, the country had informed the Council that the conditions had been met. He welcomed the fact that the lifting of sanctions would allow Libya to assume its role in international life, and he believed that today could mark a new step in its relations with the rest of the international community.

MASOOD KHALID (Pakistan) said he had voted in favour of the resolution, which would have the effect of dissolving the Libya sanctions committee. He was glad that a sad chapter on Lockerbie was coming to a close. Pakistan condemned terrorism, yet the people of Libya had paid a high price for the sanctions imposed on them. Sanctions had unintentional consequences, and he was happy that they were now coming to an end.

The Council had been faced with the issue of compensation for UTA victims, he continued. He understood the French position and was glad an agreement had been reached between France and the Libyan authorities. Nevertheless, the primary Charter responsibility of the Security Council was the maintenance of international peace and security. Matters such as compensation should rest with other appropriate United Nations bodies.

GENNADY GATILOV (Russian Federation) said he had voted in favour of the resolution on complete lifting of sanctions based on its position that restrictive measures under Chapter VII must be ceased immediately upon meeting all requirements by the Security Council.

In the last five years, Libya had turned over for trial two suspects in the Lockerbie matter and had provided French judiciary bodies with the necessary information for the UTA flight, he said. It had also signed a range of agreements to counter terrorism. As such, Libya had fully met its commitments under resolutions 748 and 883, creating the necessary prerequisites to fully close the issue. The fact that the question of lifting sanctions had been delayed had undermined the situation of the country. It was important that during the situation the Council had been able to take decisions to close the chapter on the issue.

FAYSSAL MEKDAD (Syria) welcomed the lifting of sanctions against Libya and said his delegation had voted in favour of the resolution, which had come as a result of an agreement among all those concerned. The brotherly people of Libya had suffered from the sanctions, and Syria believed that the Council should not impose sanctions that had an adverse impact on the population and caused suffering for civilians. That was against the Charter of the United Nations.

ANA MARIA MENENDEZ (Spain) recognized the presence of the families of the victims in the Council Chamber and welcomed the fact that the resolution had been adopted. The text had brought an end to the alienation of Libya and represented an improvement in international relations with that country.

Spain was committed to the fight against terrorism, and the lifting of sanctions was a source of great satisfaction to her country, she said. The lifting of sanctions against Libya showed that an element of international tension had been overcome. That should cause the Council to strive for improving the situation in other countries, as well.

Speaking in his national capacity, the President of the Council, EMYR JONES PARRY (United Kingdom), said that since the outrage of Lockerbie, his Government had worked to bring those guilty to trial. Sanctions being the only means of delivering justice, the Council had imposed them against the country. Now that Libya had taken steps in implementation of relevant resolutions, the Council had been able to lift those sanctions.

The United Kingdom welcomed Libyan cooperation in the fight against international terrorism, he said. For that reason, it had sponsored a resolution together with Bulgaria to lift sanctions against that country, and he expected Libya to abide by all its responsibilities. Terrorists and their sponsors would answer for their actions.

While nothing could bring back the dead, he continued, today's action would bring some measure of comfort to relatives and friends of the victims. The commitment of the international community, dialogue and cooperation had brought about today's action. The United Kingdom condemned terrorism in all its manifestation, and, in that context, he recalled the bombing of a disco in Berlin in 1986. Libya had made a continuing commitment to abide by the new standards of behaviour, and he urged that country to demonstrate that commitment by ensuring that the families of all victims were fully compensated.

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