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Letter dated 14 September 2023 from the Panel of Experts on Libya established pursuant to resolution 1973 (2011) addressed to the President of the Security Council

The Panel of Experts on Libya established pursuant to resolution 1973 (2011) has the honour to transmit herewith, in accordance with paragraph 13 of resolution 2644 (2022), the final report on its work.

The attached report was provided to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya on 7 August 2023 and was considered by the Committee on 18 August.

The Panel would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Yassine **Marjane**
Coordinator
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(*Signed*) Marina **de Ramon**
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Final report of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya

Summary

Armed groups in Libya have increased their capacity to create areas of immunity for their criminal activities and to influence national politics. The leaders of armed groups have used their position not only to affect the security situation but also to control various aspects of the socioeconomic life of Libya. The military operation conducted in Zawiyah at the end of May 2023 reflected the current dynamics among dominant armed groups in the west and demonstrated that they remain key players in the political process. The rise of Saddam Haftar as one of the most powerful stakeholders in the east further illustrates how the Haftar family has reinforced its grip over the group known as the Libyan Arab armed forces. Some of that group's elements who are based in the southern part of the country were involved in the transfer of ammunition and weaponry to the Sudanese armed group known as the Rapid Support Forces shortly after the armed conflict in the Sudan began in April 2023.

Despite national and regional efforts to expel foreign fighters from Libya, the security situation continues to be negatively affected by the presence of fighters from Chad, the Sudan and the Syrian Arab Republic, and by the presence of foreign private military companies.

Although counter-terrorism efforts have decreased the capacity of listed terrorist groups to carry out attacks in Libya, the country remains susceptible to terrorism because of its porous borders with some neighbouring countries and the security vacuum in the south.

Libyan armed groups continue to blatantly violate international humanitarian and human rights law without culpability. Violations include the systematic use of unlawful imprisonment, brutal mistreatment and denial of fair trial rights for detainees in official and secret detention facilities that are under their effective control. These violent acts are directed primarily against civilians perceived as being opposed to the territorial authority and economic interests of Libyan armed groups in Benghazi, Sirte and Tripoli. Civilians were also increasingly vulnerable to dangers from intensified armed hostilities between armed groups during the reporting period, in particular from the use of explosive weapons in densely populated areas of Tripoli and Zawiyah.

Human trafficking and migrant smuggling across the entire country posed a serious threat to the security and stability of Libya. Individuals belonging to eight Libyan armed groups, including three sanctioned individuals, have generated significant financial and other resources from complex human trafficking and smuggling operations along eight international routes through well-developed illegal enterprises that have increased their military capabilities and political influence over national and international stakeholders. While under the effective control of identified armed groups and private networks, migrants and asylum seekers have been regularly subjected to torture and sexual violence. Children have been particularly vulnerable to such abuses and used for slave labour.

Only one Member State is known to have initiated legal action against individuals and entities reported as violating the arms embargo and that meet the designation criteria. Any deterrent effect of the sanctions regime remains negligible and some Member States even ignore the relevant Council resolutions with impunity.

Armed groups continue to exploit all-terrain vehicles and smart, electronic fast-moving consumer goods, such as uncrewed aerial vehicles, for widespread military utility. Libyan maritime actors have evolved in their operational capability, owing to ongoing supply of maritime assets from outside Libya. Haftar affiliated forces continue to capture and ransom merchant vessels in maritime areas under their control.

The Panel conducted two field inspections of military materiel on two merchant vessels that had been seized by the European Union military operation in the Mediterranean. Both military shipments were destined for Benghazi. The Panel determined that one of the vessels had previously delivered materiel to Benghazi. Four foreign naval vessels of four Member States entered Libya during the reporting period. Although some of them delivered non-embargoed goods or services to Libya, the Panel continues to consider the entry of such mode of transportation into Libyan territory without prior approval from the Security Council Committee pursuant to resolution 1970 (2011) to be a violation of the arms embargo.

The resurgence of illicit banknote printing by the eastern branch of the Central Bank has resulted in a dysfunctional monetary policy in Libya and increased the risk of misappropriation of funds by third parties.

The Libyan Investment Authority (LYe.001) cannot comply with the International Financial Reporting Standards because it is not in a position to deliver consolidated financial statements. The Authority's relation to its subsidiaries continues to be problematic with regard to the implementation of the asset freeze measure, and a conflict of interest among its management increases the risk of diversion of assets.

Over the reporting period, the Panel identified 24 tankers taking on refined petroleum products in Benghazi. According to the National Oil Corporation and the Brega Petroleum Marketing Company, those were illegal exports. One of those tankers was seized, successively, by two Member States. Overland fuel smuggling also increased. The Committee's focal point pursuant to Security Council resolution 2146 (2014) was arrested in January 2023. Until June 2023, when a new focal point was nominated, there was no designated focal point who could have identified illicit exports of petroleum, at a time when such exports were rampant.

Contents

* Circulated in the languages of submission only and without formal editing.

I. Background

A. Introduction

1. The present report, provided to the Security Council Committee pursuant to paragraph 13 of resolution 2644 (2022), covers the period from the submission of the Panel's previous report (S/2022/427)[1] on 25 April 2022 until 17 July 2023.[2] It includes updates on ongoing investigations detailed therein. An overview of the evolution of the sanctions regime concerning Libya can be found in annex 1.[3] A table of abbreviations and acronyms can be found in annex 2.

2. In conducting its investigations, the Panel complied with the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997). The Panel maintained the highest achievable standard of proof.

3. The Panel relied on corroborated evidence and adhered to its standards in respect of the opportunity to reply.[4] Further information on methodology can be found in annex 3. The Panel has maintained transparency, objectivity, impartiality and independence in its investigations.

B. Cooperation with stakeholders and institutions

4. Member States, organizations and individuals consulted are listed in annex 4, and the correspondence records of the Panel are listed in annex 5. The Panel submitted nine letters with updates or analysis to the Committee on issues of interest. The Panel travelled to 21 Member States in the implementation of its mandate. The Panel also maintained contact with Member States and other interlocutors, including other Panels of Experts, through electronic platforms.

5. The Panel benefited from logistical support provided by the United Nations Support Mission in Libya (UNSMIL) and held exchanges with the Mission. The Panel also held exchanges with the European Union military operation in the Mediterranean (Operation IRINI), which facilitated Panel access to inspect seized materiel.

6. On 17 November 2022, after following up repeatedly over a period of nine months with the Libyan authorities responsible for granting visas, the Panel was issued a three-month visa. The Panel travelled to Libya from 8 to 16 January 2023, where it met the Tripoli-based authorities and other relevant interlocutors. The Panel's travel plan also included a mission to Benghazi, which had to be aborted because the airport authorities in Tripoli did not allow the Panel to board the UNSMIL aircraft. The Panel then applied for a new visa on 17 March 2023. Another three-month visa was issued nearly four months later on 10 July 2023. As a result, the Panel was unable to travel to Libya again prior to the drafting of the present report.

7. Following substantive engagements with various ministries in Tripoli, including the Ministries of Foreign Affairs and Defence, the Panel determined that key official correspondence submitted to the Permanent Mission of Libya to the United Nations in New York did not reach the relevant authorities in Tripoli. That correspondence

[1] All references to S/2022/427 should be understood to encompass S/2022/427/Corr.1.

[2] All hyperlinks accessed on 11 July 2023 (unless otherwise indicated).

[3] The annexes are being circulated in the language of submission only and without formal editing. Owing to the word limits on reports of monitoring mechanisms, the Panel provides details relating to several investigations in the annexes.

[4] Further information on methodology and the opportunity to reply can be found in annex 3.

included communications essential to the implementation of the arms embargo and the Panel's request for facilitation of its visit to Libya.

8. Haftar affiliated forces (HAF)[5] engaged with the Panel during the reporting period and provided 3,089 files in 832 folders that comprised 307 GB of information. Virtually all of this was open-source documentation and electronic media. None of the data provided any evidential information Panel of which it was not already aware. The review of the material in April 2023 exhausted the Panel's translation and interpretation budget for the year.

II. Acts that threaten the peace, stability or security of Libya or obstruct or undermine the successful completion of its political transition

A. Libyan armed group dynamics

1. Zawiyah, a centre of armed group dynamics in the western region

9. Zawiyah is an important centre for several organized criminal networks that dominate illegal activities in towns along the coast west of Tripoli (see annex 6), including Zuwarah, Sabratah and Warshafanah. These interconnected networks engage in various criminal activities, with their level of coordination dependent on the nature of the illicit operation. Their primary sources of revenue stem from fuel smuggling, migrant smuggling, trafficking in persons and drug trafficking. The main actors behind these criminal networks are armed groups that have attained a semblance of legitimacy through their security mandates from the State, which allows them to operate with impunity.

10. The entanglement between security forces and criminal activity in Zawiyah has steadily increased since 2020. By way of illustration, a notorious illicit narcotics market named "Sifaw for the sale of hashish and Bafra rolling papers" can be found on Google Maps (see annex 7). The head of the Anti-Drug Unit of the Ministry of the Interior in Zawiyah, Mohamed Sifaw, is openly associated with this location. The Panel has received confirmation from multiple sources that Ministry vehicles are trading in illicit narcotics under a bridge at this location.

11. The prevailing atmosphere of impunity prompted protests, which took place in Zawiyah on 12 and 22 May 2023 and during which protesters decried the authorities' inaction against criminality and lack of government measures. These protests were a factor in the decision by the Government to launch a military operation on 25 May 2023 in which uncrewed aerial vehicles were used to strike more than 20 targets, including infrastructure and small boats. The Office of the Prime Minister in Tripoli stated that this operation was a law enforcement initiative.[6]

12. Contrary to official communications, the Ministry of Defence did not lead the operation. The Panel confirmed that the Chief of Staff of the Ministry of Defence, General Mohamed al-Haddad, and the command of Government of National Unity

[5] These include the armed group previously referred to as Khalifa Haftar's Libyan National Army (now restyled as the Libyan Arab armed forces) and domestic and foreign armed groups. The Panel uses "Haftar affiliated forces" to cover all Haftar-affiliated armed groups. The lower case is used to refer to armed groups that refer to themselves as, for example, "Brigade" or "Battalion", to identify the group without providing them with the legitimacy of being a formed military unit of a government. Similarly, the lower case is used, if appropriate, when referring to the authorities in the east of Libya.

[6] https://twitter.com/dabaibahamid/status/1664365500200042501?s=46&t=AJSuGTvN8PWieUi-5AGhcQ (1 June 2023).

Armed Forces had no involvement in the decision-making process and in the execution of the operation.[7] Prime Minister Abdulhamid Al Dabiba, in his capacity as the Minister of Defence, personally authorized the use of uncrewed aerial vehicles and designated the targets. On 24 May 2022, a decree issued by Al Dabiba established the Electronic Aviation Authority, which directly supervises the use of uncrewed aerial vehicles.[8]

13. Many targets were selected primarily to weaken control of the Zawiyah refinery, which is currently held by a sanctioned individual, Mohamed Al Amin Al-Arabi Kashlaf (LYi.025), the commander of the Petroleum Facilities Guard in Zawiyah. Kashlaf does not answer to the Petroleum Facilities Guard hierarchy in Tripoli and directly oversees the fuel supply from the Zawiyah refinery.[9] During the operation, Kashlaf reportedly threatened to halt the supply chain if the operation continued. His authority over the Zawiyah refinery makes him a key figure in the lucrative fuel smuggling network in western Libya.[10] Notably, a ground operation against the refinery did not materialize and the refinery remained under Kashlaf's control.

2. Reorganization of military and security agencies in western Libya

14. Mohamed Bahrun (also known as Al Far) emerged as the principal actor on behalf of Government of National Unity Armed Forces during the Zawiyah uncrewed aerial vehicle operation. This operation showcased the close collaboration between Bahrun and Al Dabiba. At the commencement of the operation, Bahrun was head of the counter-terrorism unit for the western region in the Libyan Intelligence Service. The Panel determined that Bahrun has been working directly under the Office of the Prime Minister since 2 July 2023.

15. Bahrun's significant involvement further indicates that the operation primarily targeted the Busriba group and their allies' sphere of influence, including the so-called Zawiyah Network.[11] Ali Busriba is an influential member of the House of Representatives. His brother, Hassan Busriba, leads the Stability Support Apparatus in Zawiyah and is in direct competition with Mohamed Bahrun for control of the coastal road. Busriba commands the Stability Support Apparatus in Zawiyah in relative autonomy from the overall commander, Abdel Ghani Khalifa.[12] In addition, a member of Busriba's family, Issam Busriba, serves as the Minister of the Interior in the Sirte-based Government of National Stability. On 26 May 2023, the President of the High Council of State, Khaled Mishri, accused Al Dabiba of building up the security forces under the control of the Office of the Prime Minister in order to support his personal political ambitions (see annex 8).

16. Al Dabiba's new position as the direct commander of a security force is noteworthy. On 22 May 2023, the Cabinet issued a decision establishing the National Agency for Support Forces, a security force based in Tripoli that operates directly under Al Dabiba (see annex 9). The composition, mandate and capabilities of this new force remain vague. With the addition of the National Agency for Support Forces, control over the use of uncrewed aerial vehicles and the support of Bahrun's fighters in Zawiyah, Al Dabiba has positioned himself as the leader of a significant armed force.

[7] Confidential sources from the diplomatic community and the Libyan security sector.

[8] https://twitter.com/address_libya/status/1530183004638760960?s=46&t=AJSuGTvN8PWieUi-5AGhcQ (27 May 2022); and https://twitter.com/sholla_al7oria/status/1530070002598027265 (27 May 2022).

[9] S/2018/812, paras. 156–159.

[10] See also para. 60 for information regarding his trafficking in persons activities.

[11] See para. 60.

[12] Also known as Al-Kikli or Ghenewa.

17. In Tripoli, the Deterrence Apparatus for Combating Organized Crime and Terrorism, the Stability Support Apparatus and 444 Brigade remain the key powerbrokers in control of the Libyan capital (see annex 10). The Panel determined that, during a meeting held in February 2023, the leaders of the Stability Support Apparatus and the Deterrence Apparatus for Combating Organized Crime and Terrorism expressed strong opposition to Al Dabiba's intention, as part of the preparations for the forthcoming elections, to form a new government of national unity that includes individuals affiliated with Saddam Haftar's circle.[13] Nevertheless, the growing military capability under Al Dabiba increases his leverage over the other armed groups.

3. Haftar affiliated forces

18. Following the failure of the 2019 offensive on Tripoli, the immediate family of Haftar initiated a plan to consolidate control over the military, financial and strategic operations of the Haftar-affiliated Libyan Arab armed forces (LAAF). The effective control exercised by the Haftars, in particular Haftar's youngest son, brigadier Saddam Haftar, over key LAAF units, financial institutions and political bodies reached unprecedent levels during the reporting period. The Haftar family took control of most social and economic life in eastern Libya.

Saddam Haftar Command

19. Brigadier Khalid Haftar, the second oldest son of Khalifa Haftar, assumed command of 106 brigade, with 166 battalion and 155 battalion under the de facto command of Ayoub Bussif al-Farjani (son-in-law of Khalifa Haftar) and Bassem Al-Bouaishi (cousin of Khalifa Haftar), respectively. Those appointments not only reinforce the Haftar family's grip on LAAF, but also reduce the potential that a military figure outside the Haftar circle will rise within the ranks of LAAF. The most recent example of this strategy in action occurred on 3 May 2023, when Khalifa Haftar issued an order integrating 115 brigade into 106 brigade (see annex 11).[14] The order placed Abdulfatah al-Nadhuri, son of General Abdulrazek al-Nadhuri, directly under the supervision of Khalid Haftar. Abdulfatah al-Nadhuri tried to oppose the move and gather tribal support[15] without success. In certain areas under the control of HAF, such as Tubruq, local tribal leaders retained some level of autonomy and influence capable of challenging the authority of LAAF.[16] However, in the eastern part of Libya, there is currently no significant military force that operates outside the direct control of the Haftar inner circle.

20. After the signing of the ceasefire agreement in October 2020, Saddam Haftar emerged as a key figure within LAAF. The leaders of some armed groups in the west and some members of the international community portrayed him as a key interlocutor for any strategic dialogue with LAAF. Saddam Haftar commands the Tariq Ibn Ziyad (TBZ) brigade, which has been composed of a mixture of armed groups and fighters, not all with a military background. For example, 10 battalion is composed of Salafist fighters without a military background who participated in Operation Karamah in Benghazi from 2014 to 2018. The TBZ military base in Sidi Faraj in the east of Benghazi is effectively a small town with training facilities, weapons storage and detention facilities for both civilians and military personnel.

[13] Confidential sources from the diplomatic community and the Libyan security sector.

[14] On 8 July 2023, it was announced that the Tubruq-based Khaled Ben Walid brigade had also been placed under the 106 brigade.

[15] Abdulfatah and Abdulrazek al-Nadhuri are from the Orfa tribe (العُرفة).

[16] Security operation in June 2023.

21. The assassination of Mahmoud al-Warfalli, the commander of HAF group 50, on 24 March 2021[17] led to the reorganization of security forces in Benghazi. Those forces were gradually placed under the effective command of Saddam Haftar. Ali Al Mashai assumed command of group 20/20 (see para. 55), incorporating most of the members of group 50 into group 20/20. However, unlike Al-Warfalli, Al Mashai does not display the same charisma before LAAF troops and does not possess significant political power or tribal backing.[18] Al Mashai is essentially "Saddam's man". He is primarily involved in carrying out unlawful security operations, which are often justified as law enforcement or counter-migrant smuggling measures. Group 20/20 has also enforced the decision of HAF security to physically target influencers, social media activist and other critics, with the aim of controlling the narrative and embellishing Saddam Haftar's public image (see paras. 43 and 49). There was an unverified report in the media of a change in the branding and base of group 20/20,[19] but the Panel did not observe any significant on-the-ground indications that this was the case.

Economic influence and political involvement

22. Under Saddam Haftar's leadership, the "Tariq Ibn Ziyad Agency for Services and Production"[20] (TBZ Agency) was very active during the reporting period. The TBZ Agency is engaged in road maintenance, refuse collection and construction of public buildings in Benghazi, Sabha, Darnah and other areas under the control of LAAF. The TBZ Agency acts as a service provider that captures public contracts, which it often subcontracts to other companies. It has also been directly involved in the plan for the future expansion of the Benghazi metropolis (see annex 12). In addition, Saddam Haftar indirectly controls Berniq Airways[21] and maintains a strong network in the banking sector in Benghazi, providing him with easy access to credit lines.

23. Belgacem Haftar has actively strengthened the influence of the Haftar family within the House of Representatives and the Government of National Stability.[22] He has reportedly lobbied for stronger control by the Haftar family over the political institutions of eastern Libya.[23]

24. The Haftar family has built a significant patronage network that gives them the capacity to directly control promotions in the military, public sector and political decision-making. This means that the Haftar family has direct influence over the national political process, which cannot move forward without their acquiescence.

The short-lived support given by the Libyan Arab armed forces to the Rapid Support Forces in the Sudan

25. The armed conflict in the Sudan that started on 15 April 2023 has had very limited impact in eastern Libya. The Panel determined that some LAAF elements gave military support to the Rapid Support Forces (RSF) through the provision of military materiel at the beginning of the conflict.[24] An airbridge was established from Benghazi (Benina) airport (HLLB) to Kufrah airport (HLLK). Flights were operated on 16, 17 and 18 April 2023,[25] and there were reports that an Ilyushin IL-76 aircraft

[17] See S/2022/427, para. 16.
[18] Confidential documents related to security forces activities in Benghazi.
[19] https://www.facebook.com/OyaNewsPaper/posts/745483423670197/ (4 January 2023).
[20] جهاز طارق بن زياد للخدمات والإنتاج.
[21] https://berniq.aero/ar/en/.
[22] See S/2022/427, para. 11.
[23] Confidential document from a diplomatic source.
[24] The Panel consulted with the Panel of Experts established pursuant to resolution 1591 (2005).
[25] Confidential sources.

engaged in air activity at Kufrah airport (HLLK).[26] There was a flight on 16 April 2023 that did not originate from Benina airport (HLLB). However, the flight transited through that airport from a location outside Libya that the Panel has been unable to identify (see figure I).

26. Kufrah airport was reinforced in early April 2023 by LAAF 128 battalion,[27] which has many Sudanese nationals serving in its ranks. The military materiel was moved by road south towards the area of the Ayn Kazit border crossing point and into the Sudan, where the supplies were collected by RSF.[28] On 20 April 2023, LAAF officially closed the Ayn Kazit border crossing point[29] and control was handed over to RSF (see figure II).[30] This land route from Kufrah is a lucrative route for smuggling drugs, cars and, often, persons, making RSF one of the main trade partners of the local LAAF units.[31] The conflict in the Sudan has disrupted this smuggling route.

[26] https://twitter.com/joseph_ly7/status/1648066174259720192 (17 April 2023); and confidential aviation sources.

[27] The LAAF 128 battalion is commanded by brigadier Hassan Maatug Zedma. Confidential sources in the diplomatic community in Libya.

[28] Confidential sources in the diplomatic community in Libya.

[29] Usually controlled by the Kufrah-based Subul Al-Salam battalion of LAAF.

[30] https://www.facebook.com/Fawaselmedia/photos/a.155819376163364/819519316460030/ (19 April 2023); https://libyareview.com/33833/trade-suspended-near-libyan-sudanese-border/ (20 April 2023); and confidential source.

[31] Confidential sources in the diplomatic community in Libya; and https://www.aljazeera.com/news/2023/5/1/what-does-fighting-in-darfur-mean-for-sudans-western-frontier (1 May 2023).

Figure I
Rapid Support Forces and Libyan Arab armed forces operations, April 2023

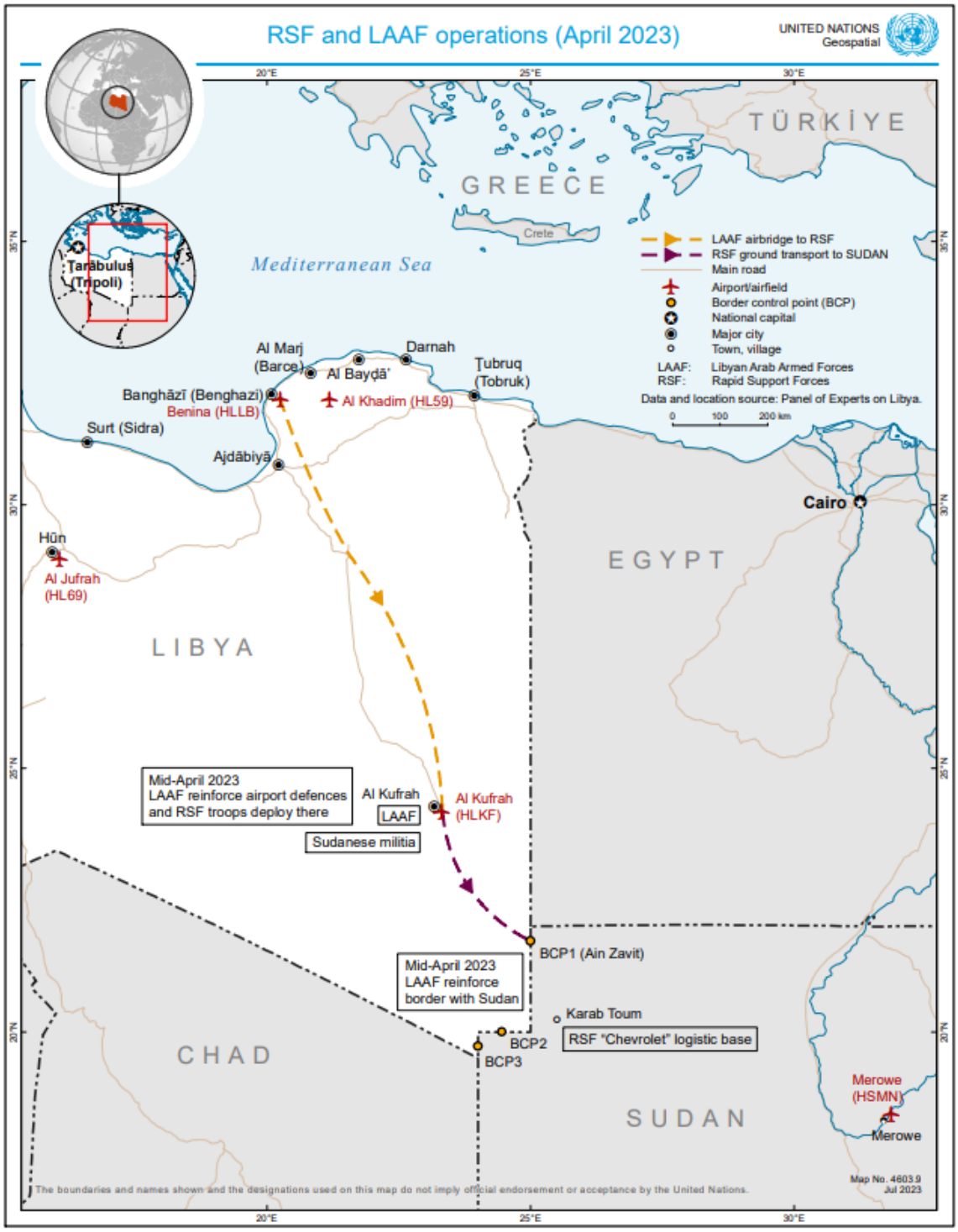
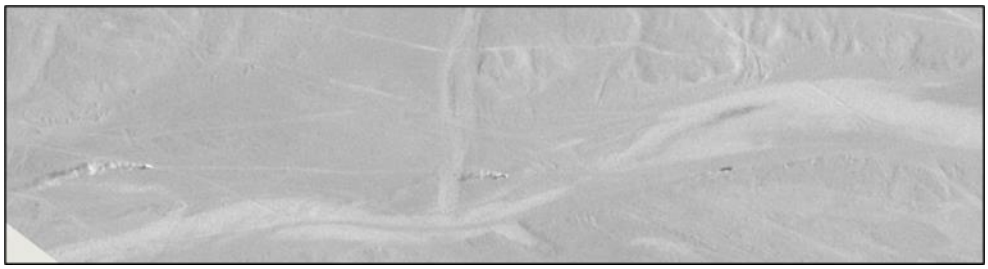


Figure II
Road traffic approaching the Ayn Kazit border crossing point area (1 May 2023)[32]



Source: Google Earth.

27. The Panel received confirmation that members of LAAF, at the very least, facilitated the transfer of military materiel from Kufrah airport to the Sudanese border using Sudanese fighters affiliated with 128 battalion. The Panel determined that a captain of RSF was instructed by his command to relocate from El Geneina (West Darfur, the Sudan) to the Libyan border in order to collect military materiel.[33] The timeline of his movement is consistent with the delivery of material mentioned in the previous paragraphs.

28. The military supplies were destined for RSF units involved in the fight for control of Merowe airport (HSMN) in the Sudan,[34] which is 800 km from the Libyan border. RSF had captured the airport on 15 April 2023, but the Sudanese Armed Forces regained control on 16 April 2023.[35] This operational activity occurred before the movement of military supplies identified by the Panel. The Sudanese Armed Forces then disrupted the supply chain from Libya by capturing the RSF logistics base known as “Shafir Lit” or “Chevrolet”, which is near Karab Toum,[36] on 20 April 2023.[37]

29. The Panel believes that Khalifa Haftar did not directly order this resupply operation, and that he ordered it to be shut down when he became aware of it.[38] This assessment is supported by a statement that the Commander-in-Chief of the Sudanese Armed Forces, General Abdel Fattah al-Burhan, made on 23 April 2023 indicating that Haftar was not supporting RSF.[39] The Panel believes that only some LAAF forces were involved as facilitators in this short-lived support operation and that their involvement does not indicate any long-term support to RSF by LAAF in the Sudan conflict.

30. LAAF elements of 128 battalion initially acted autonomously to provide support to RSF, probably on the basis of existing smuggling links between them. This illustrates that some units in the south of Libya do not need prior approval from LAAF headquarters for their smuggling operations.

31. The Panel finds that although some LAAF elements facilitated the internal movement of military materiel within Libya, there is no evidence that LAAF, as an

[32] 21° 43' 37.13" N, 24° 59' 1.28" E at 0826 UTC.
[33] Confidential source in a Sudanese armed group.
[34] 18°26'35" N, 31°50'35"E.
[35] https://www.youtube.com/watch?v=JL6zpY13fs0 (15 April 2023); and https://sudantribune.com/article273048/ (16 April 2023).
[36] 20°13'34.68"N, 25°30'7.99"E.
[37] https://tass.com/world/1606961 (20 April 2023).
[38] Confidential sources in the diplomatic community in Libya.
[39] https://english.ahram.org.eg/News/496267.aspx (22 April 2023); and https://en.alwasat.ly/news/libya/396435 (22 April 2023).

organization, physically transferred any military materiel out of Libya. Accordingly, the Panel cannot confirm a violation of the arms embargo.

32. The Panel finds that RSF violated paragraph 10 of resolution 1970 (2011) by procuring military materiel from Libya.

B. International terrorist groups and terrorist individuals

33. During the reporting period, Government of National Unity Armed Forces and HAF disbanded at least five terrorist cells and apprehended key members of terrorist groups across various locations in Libya (see annex 13). Ongoing patrols conducted by HAF in the southern region led to a decline in the operational capacities of terrorist groups in Libya. As a result, there were no claimed terrorist attacks during the reporting period. By contrast, HAF units in the south were repeatedly targeted in such attacks during the previous reporting period. The Libyan security entities responsible for counter-terrorism in the western region confirmed that the region, and in particular Bani Walid, previously known as a sanctuary for terrorists, has not experienced any terrorist attacks since Government of National Unity Armed Forces had begun counter-terrorism operations in that city. However, the threat of terrorism is still high given the porous nature of the borders of Libya and the increasing conflicts in some southern neighbouring countries.

1. Islamic State in Iraq and the Levant-Libya (QDe.165)

34. HAF conducted regular counter-terrorist operations in southern Libya, specifically targeting bases belonging to Islamic State in Iraq and the Levant-Libya (ISIL-Libya, QDe.165). Those operations not only compelled the group to relocate to different cities in the southern region, but also resulted in the elimination of key field commanders. One such figure was Mehdi Rajab Salem Dango (also known as Abu al-Barakat), a Libyan national, who was responsible for establishing the ISIL-affiliated terrorist organization known as the Army of the Sahara in 2016 in Libya.[40]

35. In the public summary of its global activities in 2022 (see annex 14), the ISIL leadership affirmed that its Libyan branch had maintained a low presence in Libya, where it had carried out only three attacks.[41] During the reporting period, ISIL-Libya did not claim responsibility for any terrorist attacks.

C. Regional issues

1. 5+5 Joint Military Commission

36. The 5+5 Joint Military Commission is still facing several challenges that are obstructing the effective withdrawal of foreign forces from Libya, including, inter alia, lack of unified command and control owing to the fragmented security landscape, lack of trust among the various Libyan actors and external influences and interests. At the time of writing, no foreign fighters, foreign forces or mercenaries affiliated with the conflicting parties had left Libya with the framework of the efforts made by the 5+5 Joint Military Commission.

[40] Press conference by the Office of the Attorney General presenting results of investigations on ISIL-Libya in 2017. Available at https://www.youtube.com/watch?v=_V22E2z0T3c (29 September 2017).

[41] See S/2022/427, annex 13, table 12.1.

2. Foreign armed groups and fighters

Syrian fighters

37. The Panel established that Turkish-backed Syrian fighters remained consistently present in different Government of National Unity Armed Forces military camps in the Tripoli region. For example, the Panel determined that a group of at least 300 Syrian fighters affiliated with the Sultan Suleiman Shah group were present at the Sidi Bilal military camp (see annex 15), where there has been regular training.[42] Throughout the reporting period, those Syrian fighters alternated between Libya and the Syrian Arab Republic. They remained in military camps while in Libya and did not engage in any military activities on the ground.

Chadian fighters

38. Chadian fighters from Front pour l'alternance et la concorde au Tchad, mainly belonging to the Tubu ethnic group, were previously involved in armed clashes against the TBZ brigade.[43] These fighters remain in the southern part of Libya and have been tolerated by HAF, including the TBZ brigade and 128 brigade based in Sabha. Elements of Front pour l'alternance et la concorde au Tchad were present on the border with the Niger, near the town of Qatrun, where they operated a checkpoint. The group's leadership has been based in a remote area close to the border with the Niger. They were allowed by HAF to resupply their forces in the town of Sabha.[44] The Panel has determined that the new HAF stance towards Front pour l'alternance et la concorde au Tchad has helped them to manage their relationship with Tubu tribes in the area and secure their control of the border and the roads in the area.

39. In early March 2023, at least 30 members of Front pour l'alternance et la concorde au Tchad reportedly returned from Libya to Chad and gave up their weapons upon their return, within the framework of the Chadian reconciliation process.[45] The Panel wrote to the Chadian authorities[46] requesting more information in that regard, but it has not received a response.

D. Acts that obstruct or undermine the successful completion of the political transition in Libya

40. The Panel continued to monitor any acts that would fall under the designation criteria contained in paragraph 11 of resolution 2644 (2022) and identify the perpetrators. Incidents that potentially meet those criteria were identified. Those incidents are still being investigated by the Panel, including, for example, the targeting of persons perceived as supporters of or associated with the candidacy of Saif al-Islam Qadhafi (LYi.017) for president.[47]

[42] The Syrian group Sultan Suleiman Shah demonstrating part of its training. Available at https://www.youtube.com/watch?v=oTzkXwTrdww (8 April 2023).

[43] See S/2022/427, paras. 26–27.

[44] Confidential sources from an armed group.

[45] https://www.alwihdainfo.com/D-ex-combattants-rebelles-du-FACT-regagnent-le-Tchad-dans-le-cadre-de-la-reconciliation-nationale_a121735.html (2 March 2023); and https://libyaobserver.ly/inbrief/chad-announces-return-rebel-group-libya (6 March 2023).

[46] 15 March 2023.

[47] See annex 17.

E. Acts that violate applicable international human rights law or international humanitarian law or that constitute human rights abuses

41. Pursuant to paragraph 11 (a) of resolution 2213 (2015) and subsequent resolutions, the Panel investigated violations of international humanitarian law and international human rights law and human rights abuses committed in Libya.

42. During the reporting period, the Panel identified 22 incidents of armed hostilities between armed groups in the densely populated areas of Tripoli and Zawiyah. Those hostilities resulted in: (a) the death or injury of over 130 civilians; (b) damage to and, in some instances, destruction of civilian objects; (c) displacement of the local civilian population; and (d) a significant risk of civilian losses from unexploded ordnance. This substantial harm to civilians was primarily caused by the use of explosive weapons in predominantly civilian residential areas and an overall failure of belligerents to take all feasible precautions to avoid or at least minimize incidental harm to civilians. Although the Panel identified parties to these incidents, considerable investigative challenges hampered the Panel in its assessment of the legality of each attack and potential culpability therefor under international humanitarian law. These challenges include: (a) lack of physical access to affected sites and persons; (b) limited availability of corroborated information related to attacks on objects; (c) insufficient linkage evidence to verify the accuracy of the attack impact analysis owing to the similarity of the modus operandi of the parties involved; and (d) the absence of credible information on the process of planning and deciding attacks, if any. Accordingly, at this stage of the investigation, it is not possible to determine whether the evidential threshold necessary to attribute the potential unlawful conduct to responsible entities and individuals has been met.

1. Violations of international humanitarian law and international human rights law committed in the context of deprivation of liberty

43. The Panel identified 14 cases of violation of international humanitarian law and international human rights law that occurred in the Tripoli detention facility controlled by the Deterrence Apparatus for Combating Crime and Terrorism and in HAF-controlled detention facilities[48] located in Ajdabiyah, Bayda', Benghazi and Sirte.[49] These armed groups systematically used detention operations to: (a) punish targeted civilians for their perceived dissent against the territorial authority of the armed groups' leadership; (b) terrify the civilian population of specific residential neighbourhoods as a measure of securing control and forcing obedience; (c) incapacitate persons perceived to pose a threat to the armed groups' illegal economic activities; (d) settle personal scores that members of armed groups had with targeted civilians; and (e) demonstrate territorial and administrative autonomy from official national institutions responsible for the judicial review of identified detention cases.

Deterrence Apparatus for Combating Crime and Terrorism

44. The Panel investigated six incidents of arbitrary and unlawful detention, cruel, inhuman and degrading treatment, and serious violations of the fair trial rights of detainees deprived of liberty in the Mitiga detention facility controlled by the Deterrence Apparatus for Combating Crime and Terrorism[50] in Tripoli.[51] In those

[48] Known locations of all established detention facilities and other places used for detention can be found in annexes 16, 18, 19, 20 and 21.

[49] As of 30 September 2020.

[50] 32°54'05.2"N, 13°16'10.0"E.

[51] Articles 9 and 14 of the International Covenant on Civil and Political Rights.

incidents, the detaining authorities blatantly deprived the six detainees of core procedural and judicial guarantees. In particular, they intentionally deprived detainees of the protection of the law by repeatedly refusing to implement official judicial decisions, including court orders to bring detainees before a judge (see annex 16). This consistent pattern of the deliberate isolation of detainees and the exercise of autonomous control of detainees' access to protection, a matter on which the Panel has reported regularly since 2015,[52] has turned the Mitiga detention facility into a tool of systemic mistreatment.

Libyan Arab armed forces

45. The Panel identified nine incidents of unlawful confinement, enforced disappearance, torture, cruel, inhuman and degrading treatment of civilians in two unofficial detention facilities under the control of the TBZ brigade:

(a) A detention facility located in the brigade's military base in Sidi Faraj, Benghazi;[53]

(b) A detention section within the Gernada detention facility in Bayda'[54] that is being developed into a larger, stand-alone facility (see annex 16).[55]

46. Detainees were consistently subjected to: (a) brutal beatings with plastic tubing and metal objects; (b) severe sensory deprivation for lengthy periods of time of up to 30 days; (c) prolonged incommunicado detention in degrading and humiliating conditions without access to toilet and clean clothes; and (d) constant harassment and intimidation while being exposed to the sounds of beatings and the screams of other detainees. Physical and psychological methods of torture and other ill-treatment were used against detainees with particular cruelty, causing them psychological trauma and anxiety.[56]

47. Based on consistent testimonial and documentary evidence, the Panel determined that the head of the TBZ brigade detention section in the Gernada facility, Mohammed Salim Mustafa Alhaj Idrees (also known Mohamed al Tagouri), has been directly responsible for supervising regular mistreatment of detainees in his charge since 2021.

Response of the Libyan Arab armed forces to the findings of the Panel

48. LAAF command, in their opportunity to reply to the Panel, contested the findings with regard to: (a) the existence of the two unofficial detention facilities; (b) the violations of international humanitarian law and international human rights law that were identified; and (c) the responsibility of the HAF units involved and their members, including the head of the Gernada detention section, Mohamed al-Tagouri.[57]

49. First, LAAF command maintained that the detention facilities at the TBZ brigade's military base in Sidi Faraj are exclusively for its military personnel. It also maintained that there are no facilities within the base for holding or detaining civilians. With regard to the Gernada detention facility, they stated that the facility

[52] See, for example, S/2015/128, para. 82; S/2016/209, para. 91; S/2018/812, para. 40; S/2021/229, para. 35; S/2022/427, para. 39; and annex 21.

[53] 32°04'02.0"N, 20°12'56.9"E.

[54] 32°43'32.4"N, 21°54'00.4"E.

[55] Common article 3 of the four Geneva Conventions of 1949; and articles 7 and 9 of the International Covenant on Civil and Political Rights.

[56] Panel interviews with eyewitnesses (international humanitarian law confidential sources 28, 29, 30, 33, 34, 73, 74 and 128).

[57] LAAF general command responses of 7 July 2022 and 26 June 2023; and Panel online meeting with LAAF general command (9 July 2023).

and all its sections fall exclusively under the authority of the ministry of the interior, and that there is no separate detention wing under the command of the TBZ brigade.

50. Second, LAAF command stated that there has been no mistreatment of detainees at the Gernada detention facility, which is equipped to provide regular medical care to detainees in need, and that independent humanitarian monitors are regularly granted access to the facility.

51. Third, LAAF command claimed that Mohamed al-Tagouri had no responsibility for detention-related or any other matters in the Gernada detention facility because he is a member of the LAAF military police, which is responsible for providing external security outside the premises of the Gernada detention facility. In his opportunity to reply to the Panel's findings, Al-Tagouri confirmed that: (a) there is no detention section under the control of the TBZ brigade in the Gernada detention facility; (b) he is a member of the LAAF military police without any command function; and (c) in his role as a member of the military police, he carries out such regular security tasks as guarding the Gernada detention facility and escorting detainees between places of custody and the courts.[58]

52. Neither LAAF command nor Al-Tagouri provided any supporting evidence to convince the Panel of the veracity of their statements. In fact, the Panel has extensive independent documentary and testimonial evidence to corroborate its findings (see annex 16).

2. Attacks against human rights defenders, other members of civil society and journalists

53. The Panel investigated 21 incidents of attacks against human rights defenders, humanitarian workers, social activists, academics and journalists in Ajdabiyah, Bayda', Benghazi, Sirte and Tripoli.[59] The targeted individuals were deprived of their freedom of expression through: (a) violent acts of unlawful deprivation of physical liberty, mistreatment and burning and destruction of their private property; (b) verbal abuse; and (c) direct threats to them and their immediate family members of inflicting and repeating these violent acts against them if they disobeyed the attackers' orders.[60] The attackers deliberately misused national laws to characterize victims as "criminals", "drug dealers", "apostates" and "spies" in an attempt to justify and obtain public support for the acts of violence and intimidation directed against the targeted persons.

54. The entities principally responsible for the attacks included the Internal Security Agency office in Tripoli, the HAF-controlled internal security agency branches in Benghazi and Tubruq, the TBZ brigade and group 20/20. Members of those entities identified the targeted persons through surveillance of their political, social and professional activities or during violent raid operations. They then attacked them with the purpose of establishing complete control over their actions (see annex 17).

Response of the Libyan Arab armed forces to the findings of the Panel

55. LAAF command also contested the Panel's findings regarding the responsibility of group 20/20 and its commander, Ali Al Mashai (also known as Ali Abdel Salam Ahmed), for unlawful security operations and related violations of international human rights law against civilians in Sirte in August 2022.[61] In his reply, Ali Al Mashai claimed: (a) that a group 20/20 does not exist within HAF, but that he was

[58] Panel online meeting with Mohamed Al-Tagouri (9 July 2023).

[59] Panel interviews with eyewitnesses (confidential sources 31, 32, 62, 63, 64, 79, 83 and 127).

[60] Articles 7, 9 and 19 of the International Covenant on Civil and Political Rights.

[61] LAAF general command responses of 26 June 2023; and Panel online meeting with LAAF general command (9 July 2023).

aware of a military unit of the same name based in Tripoli; and (b) that he is a sergeant in the TBZ brigade with no command function.[62] Neither LAAF command nor Ali Al Mashai provided any supporting evidence to convince the Panel of the veracity of their statements. In fact, the Panel has extensive independent, corroborative documentary and testimonial evidence of its findings (see annex 17).

3. Attack against United Nations personnel

56. The Panel identified an incident in which three staff members of the United Nations Support Mission in Libya (UNSMIL) on official duty were arbitrarily and unlawfully deprived of their liberty on 1 June 2023 by members of LAAF in control of Benghazi (Benina) airport. The detaining authorities violated the UNSMIL staff members' procedural rights and subjected them to inhuman and degrading treatment while in custody.[63] The Panel finds that, in addition to the acts listed in paragraph 11 (a) of resolution 2213 (2015), this conduct on the part of those responsible meets the designation criteria for planning, directing and participating in an attack against United Nations personnel under paragraph 11 of resolution 2441 (2018).

4. Violations of international humanitarian law and international human rights law committed against migrants and asylum-seekers

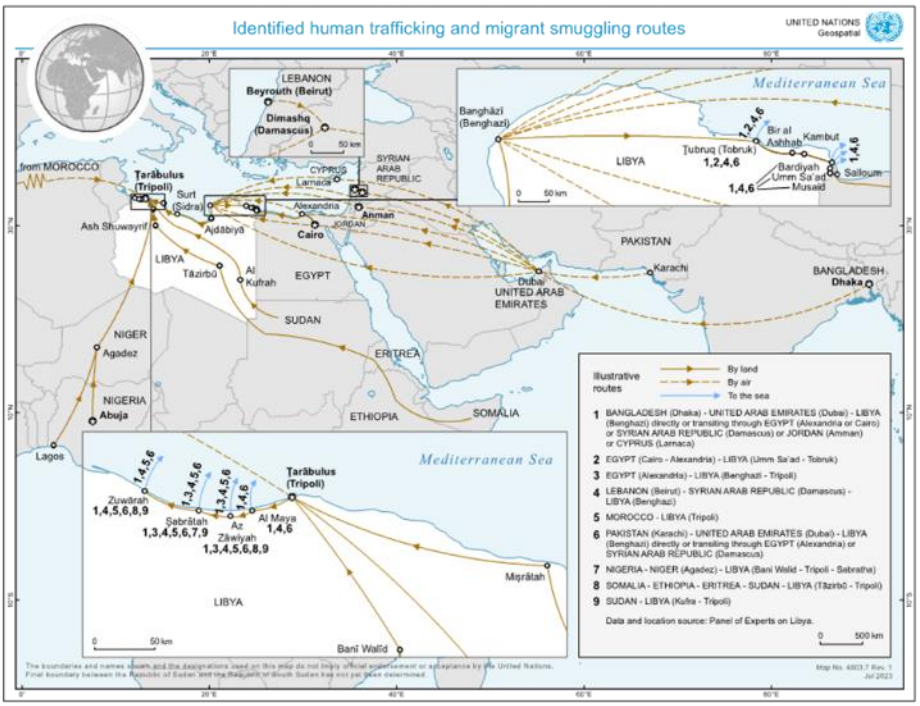
57. The Panel identified eight human trafficking and migrant smuggling routes in Libya. Those routes are operated by Libyan networks of human traffickers and smugglers with international and regional elements in 17 countries, including Bangladesh, Egypt, Eritrea, Ethiopia, France, Germany, Italy, Lebanon, Morocco, the Niger, Nigeria, Pakistan, Portugal, Somalia, the Sudan, the Syrian Arab Republic and the United Arab Emirates. The key parameters of those routes can be found in annex 18.

58. The Panel investigated 64 cases of human rights violations against migrants, including 26 children, who were trafficked and deprived of liberty in illegal places of detention along the routes (see figures III and IV). Victims were constantly subjected to acts of enslavement, rape, sexual slavery, enforced prostitution, deliberate starvation and torture, as well as cruel and extremely degrading treatment (see annex 18). The Panel found that these human rights abuses were committed in the course of organized criminal operations. These private trafficking networks were operated in collaboration with Libyan armed groups and used well-developed illegal enterprises in Libya and abroad with the aim of generating significant financial profits and other benefits for these actors.

[62] Panel online meeting with Ali Al Mashai (9 July 2023).

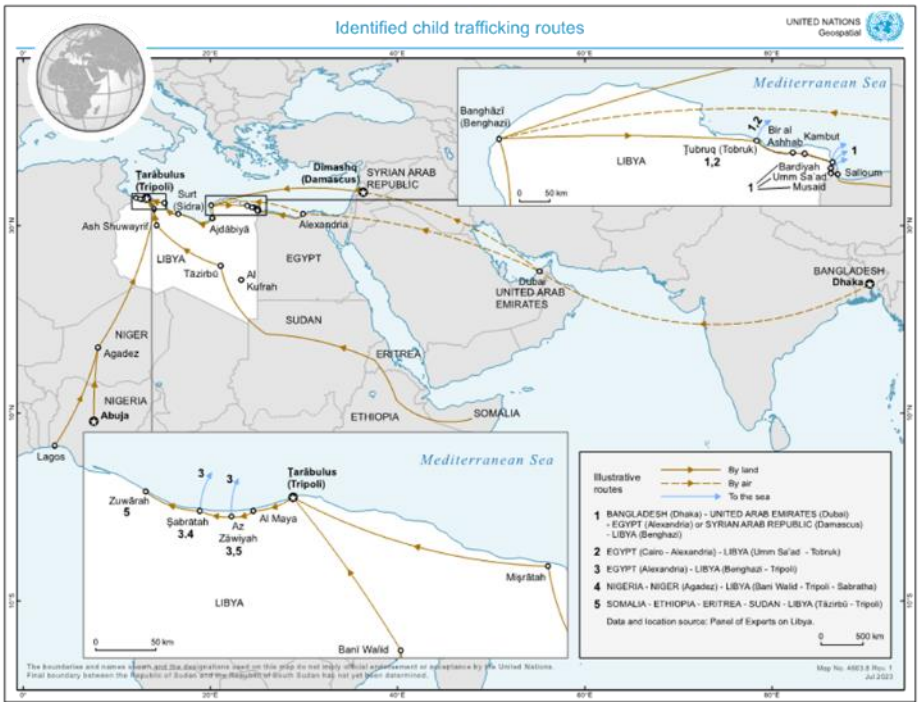
[63] Panel interviews with confidential sources 08, 61 and 64. Articles 7 and 9 of the International Covenant on Civil and Political Rights.

Figure III
Identified human trafficking and migrant smuggling routes



Source: Confidential sources 18, 25–27, 37–72, 80–82 and 88–123.

Figure IV
Identified child trafficking routes



Source: Confidential sources 18, 37–39, 41–43, 45–58 and 107–113.

59. The Panel identified three such illegal enterprises that have been operating in Libya since at least 2021:

(a) The trafficking and smuggling enterprises owned and controlled by the Zawiyah Network;[64]

(b) An illegal business scheme developed and operated by individual guards and members of 42 Brigade in detention centres for migrants in Tripoli that are under the authority of the Directorate for Combating Illegal Migration; and

(c) Racketeering-based operations run by individual members of LAAF and HAF in Bardiyah, Benghazi, Musa'id, Tubruq and Umm Sa'd.

Expanded Zawiyah Network

60. The Panel determined that the commander of the Petroleum Facilities Guard in Zawiyah, Mohamed Al Amin Al-Arabi Kashlaf (LYi.025), and the commander of the Libyan Coast Guard in Zawiyah, Abd al-Rahman al-Milad (LYi.026), together with Osama Al-Kuni Ibrahim (LYi.029), continue to run a large trafficking and smuggling network in Zawiyah. Since the two commanders were listed in 2018, they have further expanded that network by including armed entities operating in the Warshafanah, Sabratah and Zuwarah areas. The expanded Zawiyah Network now encompasses elements of 55 Brigade, the Stability Support Apparatus command in Zawiyah, and in particular its maritime units, and individual members of the Libyan Coast Guard, all operating with a view to executing the Network's common plan of gaining substantive financial and other assets from human trafficking and migrant smuggling activities.

61. This plan encompasses: (a) racketeering and controlling private networks of human traffickers and migrant smugglers operating in areas under the Network's territorial and maritime control; (b) extorting money from detained migrants under their control through acts of brutal mistreatment; (c) exploiting detained migrants under their control by deploying them as forced labour force to carry out construction work at boat factories, households and other facilities owned by the Network; and (d) creating business opportunities and deals with local armed groups in order to facilitate their criminal enterprise of trafficking and smuggling illicit items and persons.[65]

62. The Network has established an irregular detention system that comprises the Al-Nasr, Al-Maya and Al-Zahra detention centres for migrants, as wells multiple temporary detention places in the areas of Zawiyah and Harsha, where elements of the Network committed serious violations of international humanitarian law and international human rights law against 34 detainees.[66] This detention system has enabled the Network to exercise physical control of trafficked or smuggled persons for the purpose of gaining financial and other profits for the benefit of its members. This enterprise encompassed several operational phases: (a) the pre-detention phase; (b) the capture and return phase; (c) the detention phase; and (d) the release phase, where applicable (see figure V). When individual members of the Libyan Coast Guard and/or Stability Support Apparatus maritime units captured migrants at sea and returned them to shore, the detaining authorities screened the captured migrants based on gender, nationality and ethnicity in order to determine a migrant's capacity to pay for his or her release. Those migrants who were identified as being able to pay higher

[64] S/2018/812; and S/2019/914, para. 57.

[65] Panel interviews with former detainees (confidential sources 27, 55, 58 and 122).

[66] Common article 3 of the four Geneva Conventions; articles 4 and 5 of Protocol II Additional to the four Geneva Conventions of 12 August 1949; articles 7, 8 and 9 of the International Covenant on Civil and Political Rights; and article 37 of the Convention on the Rights of the Child.

release fees, the vast majority of whom were from Bangladesh and Pakistan, were separated and transferred in trucks to the Al-Nasr detention centre or the Al-Zahra detention centre. Others were taken to the Al-Maya detention centre (see annex 19).

Al-Nasr branch

63. The Zawiyah Network continues to be centralized in the Al-Nasr detention facility[67] for migrants in Zawiyah managed by Osama Al-Kuni Ibrahim (LYi.029).[68] Based on extensive evidence of a consistent pattern of human rights abuses, the Panel found that Abd al-Rahman al-Milad (LYi.026) and Osama al-Kuni Ibrahim (LYi.029) continue to be responsible for acts of torture, forced labour and other ill treatment of persons unlawfully confined in the Al-Nasr detention centre inflicted on those persons for the purpose of extorting large sums of money from them and as punishment.

Al-Maya branch

64. The Panel received further evidence of ongoing human rights violations committed against detainees in the Al-Maya detention centre,[69] including unlawful deprivation of liberty, torture, brutal beatings and horrendous conditions of detention that severely degraded and traumatized 24 detainees, including 2 children. Eleven eyewitnesses recognized Muammar al-Dhawi, the commander of 55 Brigade, and Mohamed Al-Kabouti, the de facto commander of the Al-Maya detention facility, as being among the individuals most responsible for the systematic abuse of detainees in that detention facility.

65. The Panel identified the same pattern of violent acts committed in a secret detention facility for migrants, namely, the Al-Zahra detention centre, known as "Prison 55", in Warshafanah.[70] Mohamed Al Kabouti operated this facility together with other individuals running the Zawiyah Network, including Abd al-Rahman al-Milad (LYi.026), during the period April 2021 to November 2022 (see annex 19).

Harsha branch

66. The Panel further found that Abd al-Rahman al-Milad (LYi.026) and another Libyan Coast Guard officer, Haytham al-Tumi, abused their positions by unlawfully capturing migrants at sea and returning them to irregular detention sites under Al-Tumi's effective control as part of their private profit-making business of trafficking and smuggling persons. This scheme was coordinated with local human traffickers and smugglers in the coastal areas of Sabratah, Zawiyah and Zuwarah. While unlawfully detained, four children were systematically used for slave labour in boat construction factories located in Harsha and Zawiyah that are owned and managed by Abd al-Rahman al-Milad (LYi.026) and Haytham al-Tumi.[71]

[67] 32°46'18.5"N, 12°41'46.7"E.

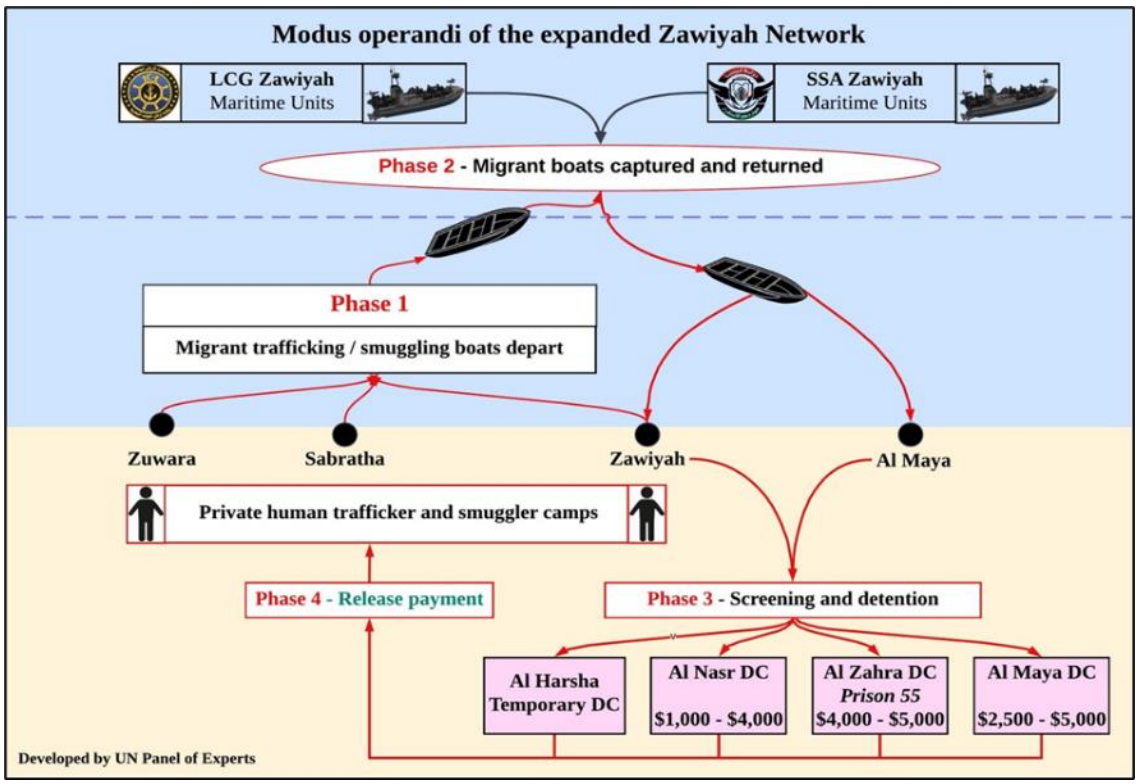
[68] S/2021/229, para. 46; and Panel interviews with former detainees (confidential sources 65, 66, 67, 68 and 122).

[69] S/2022/427, paras. 50 and 51.

[70] 32°41'34.7"N, 12°52' 08.2"E.

[71] Panel interviews with former detainees (confidential sources 52, 53, 54 and 55).

Figure V
Modus operandi of the expanded Zawiyah Network



Directorate for Combating Illegal Migration

67. During the reporting period, the Panel identified an increased consolidation of the supervision and coordination functions exercised by Directorate for Combating Illegal Migration headquarters in Tripoli over the official detention system for migrants in Libya. The Directorate for Combating Illegal Migration administration has recently enlarged its system, with six (re)opened detention centres in the west and the south of Libya.[72] The detention system for migrants now comprises 30 detention centres holding approximately 6,570 migrants.[73]

68. Since May 2023, the migrant population in Directorate for Combating Illegal Migration detention centres has increased by 41 per cent as a result of mass arbitrary arrests and detention of migrants by Libyan security actors and HAF in multiple locations in western and eastern parts of Libya, including in Tripoli, Tubruq and Zuwarah.[74] Detained migrants continue to be without legal and humanitarian protection, and do not have regular access to internal administrative and judicial inspections and independent humanitarian monitors.[75]

69. In this context, the Panel identified systemic detainee abuse committed in the period March to November 2022[76] by: (a) individual guards at three detention centres under the authority of the Directorate for Combating Illegal Migration – Ayn Zarah,

[72] Baten al Jabal, Daraj, Ghat, Sabha, Sirte and Tariq al-Matar detention centres.
[73] The Panel notes that the exact number of detained migrants and asylum seekers, as well as the number and status of Directorate for Combating Illegal Migration detention centres, fluctuates frequently. The figure given was as at 25 June 2023.
[74] For information on mass arrest operations targeting migrants in eastern parts of Libya, see annex 21.
[75] Panel interviews with confidential sources 04, 05, 08, 09 and 132. See also S/2022/427, annex 24.
[76] Panel interviews with former detainees (confidential sources 38, 39, 99, 101, 110 and 114).

Tariq al-Matar and Tariq al-Sikkah detention centres – and in the unofficial section of the Ayn Zarah detention centre; and (b) the de facto leadership of the official and unofficial Ayn Zarah detention facilities. That abuse was committed as part of the illegal business scheme that this network operated for the purpose of obtaining financial and other gains from migrants who were unlawfully detained in those facilities. Five detainees, including two unaccompanied 12- and 13-year-old boys, gave consistent accounts of being transferred between these detention centres as part of the scheme, where individual guards had subjected them and other detainees to regular beatings and had kept them in inhumane living conditions until the detainees' families paid for their release through hired intermediaries.[77]

70. Among the responsible individuals, Abdul Hakim al-Ramadan al-Sheikh, a de facto manager of the Ayn Zarah detention centre and commander of 42 Battalion,[78] was identified by four eyewitnesses as being directly responsible for supervising the scheme in the official and unofficial wings of the Ayn Zarah detention centre and directing forced labour of detainees on construction sites in the vicinity of the detention centre.

71. The scheme encompassed four operational phases: (a) search and return[79] of migrants at sea; (b) transfer from disembarkation points to Directorate for Combating Illegal Migration detention centres; (c) abuse of detainees in those detention centres; and (d) release of abused detainees (see annex 20).

Haftar affiliated forces

72. Since late 2020, individuals belonging to HAF have used a growing number of human trafficking and smuggling networks in eastern Libya to develop and control a system of racketeering these networks in return for allowing them to use: (a) Benghazi (Benina) airport as an entry point into Libya; (b) temporary camps and other facilities in locations under the territorial control of HAF; and (c) exit points out of Libya for migrant boats attempting to reach international waters and head for European ports (see annex 21). Members of HAF units who regularly collected the payment fees for these services included: (a) members of LAAF controlling Benghazi (Benina) airport; (b) members of the Libyan Coast Guard-East "Frogman" unit (Al-Dafadi' al-Bashariyah), in coordination with maritime units of group 20/20 in Tubruq and Musa'id; and (c) elements of the TBZ brigade in Umm Sa'd.[80]

Response of the Libyan Arab armed forces to the Panel's findings

73. LAAF command contested the Panel's findings regarding the involvement of HAF group 20/20 or other LAAF or HAF units in human trafficking and migrant smuggling activities and related violations of international human rights law committed against migrants held in locations under the effective control of HAF in cases identified by the Panel. LAAF command argued that all matters related to the situation of migrants, including law enforcement and similar security operations, are the responsibility of the ministry of the interior and in particular the offices of the Directorate for Combating Illegal Migration in the east.[81] LAAF command did not provide any supporting evidence to convince the Panel of the veracity of their

[77] Articles 7, 8 and 9 of the International Covenant on Civil and Political Rights; and article 37 of the Convention on the Rights of the Child.

[78] He has also represented the Deterrence Apparatus for Combating Crime and Terrorism at the meetings of the joint 6+6 committee.

[79] For definitions of the terms "search and return" and "search and rescue", see annex 22.

[80] Panel interviews with eyewitnesses (confidential sources 25–27, 47–51, 88–95, 96–99, 104, 105 and 106).

[81] LAAF general command response of 26 June 2023; and Panel online meeting with LAAF general command (9 July 2023).

statements. In fact, the Panel has extensive independent documentary and testimonial evidence to corroborate its findings (see annex 21).

III. Implementation of the arms embargo

74. Pursuant to paragraphs 9 to 13 of resolution 1970 (2011), as modified by subsequent resolutions, the Panel continued to monitor, investigate and identify violations of[82] and non-compliance[83] with the arms embargo. The Panel continued to refine and use the maritime and air delivery profile indicators to assist in determining the likelihood of violations and occurrences, and thus determine the focus of Panel investigations and reporting (see annex 23). Multiple indicators are required before a vessel, aircraft or airline is classified as of interest to the Panel or reported as being in violation or non-compliant.

75. The arms embargo will continue to be totally ineffective while Member States control the logistic flow and supply chains to the parties to the conflict that Member States are supporting. Apart from seizures of some materiel, no action has been taken against individuals and entities reported as violating the arms embargo, and which meet the designation criteria in paragraph 11(e) of resolution 2213 (2015). Accordingly, any deterrent effect that the sanctions regime has remains negligible and the relevant Council resolutions are ignored with impunity.

76. On 9 June 2023, Libya updated the 2018[84] list of authorized signatories for end-user certificates, pursuant to footnote 3 of the Committee's Implementation Assistance Notice No. 2 of 11 September 2014.[85] Despite regular requests from the Committee to Libya, the list of units declared to be under the control of the Government of Libya pursuant to paragraph 6 of resolution 2278 (2016), and as reiterated in the preamble of resolution 2292 (2016) and reflected in paragraph 6 of resolution 2362 (2017), has not been updated since 30 May 2017.[86] At the time of writing, the forces declared to be under the control of the Government continue to be the Libyan Coast Guard, the explosive ordnance disposal units and the Presidential Guard of the Government of National Accord, which is no longer a formed unit (see annex 24). This significantly curtails the options available to the Government of Libya for procuring military materiel in conformity with the arms embargo. [Recommendation 1].

77. More than 12 years have passed since restrictive measures on the supply and transfer of arms and military materiel into Libya were imposed pursuant to resolution

[82] The Panel considers that a "violation" has occurred when there has been a physical transfer of arms and military materiel, training or the provision of materiel support. The Panel previously used the term "technical violation" for the temporary transfer of military materiel into Libya, such as naval vessels and military cargo aircraft, where there is no actual or credible intent to provide military capability to parties to the conflict; for example, the use of military aircraft or vessels by Member States to resupply diplomatic missions, deliver humanitarian items or provide humanitarian assistance. The Panel's recommendation regarding these sorts of cases in S/2022/427 (para. 60 and recommendation 1) was not adopted. Accordingly, such incidents are now reported as "violations" because the term "technical violation" was not adopted.

[83] "Non-compliance" refers to those instances where an entity has not taken the appropriate action, as contained in the resolution, for example, to prevent a violation by not inspecting aircraft or vessels bound for Libya, or to provide required or requested information to the Committee and/or its Panel. "Technical non-compliance" refers to the few situations where the responsible party could not reasonably be expected to know at the time of transfer that it would be constitute non-compliance and should take action to improve its due diligence protocols and procedure.

[84] 21 December 2018.

[85] Available at https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970_ian2.pdf.

[86] 27 October 2020, 25 May 2021 and 31 March 2023. See also S/2022/427, para. 67 and recommendation 2.

1970 (2011). A summary of the types of arms and military materiel that have been transferred into Libya over that period in violation of paragraph 9 of that resolution can be found in annex 25. The summary illustrates the variety and technical complexity of the weapons and military materiel now available in Libya and serves as a baseline to assist in the identification of any future violations.

78. In paragraph 19 of resolution 2213 (2015), the Security Council called upon Member States to inspect in their territory vessels and aircraft bound to or from Libya, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items that are prohibited under paragraph 9 of resolution 1970 (2011). The Panel believes that the details contained in the letters it sent to the Member States concerned, together with extensive open-source information, provided sufficient justification in many cases for inspections to be conducted. The Panel therefore finds Egypt, Jordan, the Syrian Arab Republic and the United Arab Emirates to be in non-compliance with paragraph 19 of resolution 2213 (2015), because they did not inspect the cargo of suspicious commercial vessels or aircraft destined for Libya that originated in or passed through their territory and for which there were reasonable grounds to do so.

A. Maritime violations, non-compliance and other maritime issues

1. Libyan maritime actors

79. Since the Panel's previous report,[87] the capability and chains of command of the Libyan maritime actors have evolved. The maritime unit of the Stability Support Apparatus was formally integrated into the General Administration for Coastal Security under the control of the Ministry of the Interior.[88] The Stability Support Apparatus grew its fleet by at least four small civilian-type vessels. The General Administration for Coastal Security received six 900 PRO DPS rigid-hulled inflatable boats from Italy as part of a project funded by the European Union.[89] Italy informed the Panel on 1 June 2023 that it would also deliver three Class 300 search-and-rescue vessels to the Libyan Coast Guard as part of that same project. In that connection, Italy provided the Panel with technical specifications and details of the two types of vessels. The Panel is satisfied that neither fall under the scope of the arms embargo. The Panel continued its investigations into the supply of vessels it categorizes as military materiel (see annex 26).

2. MV *Luccello*/*Victory RoRo*

80. In S/2022/427, the Panel reported on the transfer of 100 Spartan-2 military armoured vehicles delivered to Benghazi on 4 March 2022[90] by the MV *Luccello* (International Maritime Organization (IMO) No. 7800112)[91] in violation of the arms embargo. On 2 May 2022, 50 of those military armoured vehicles were transferred from Benghazi to Tripoli by the same vessel,[92] but under a new name, MV *Victory RoRo*, and flag State.[93] During the voyage, the vessel left and then re-entered Libyan territorial waters, thus violating the arms embargo again. An open-source image shows the vehicles moving east from Tripoli harbour (see annex 27). A subsequent arms shipment to Libya on the MV *Victory RoRo* was interdicted on 18 July 2022 (see para. 103).

[87] S/2022/427, para. 65.
[88] See also annex 19.
[89] Support to the Integrated Border and Migration Management in Libya programme, within the framework of the European Union Emergency Trust Fund for Africa.
[90] See S/2022/427, table 1 and annex 30.
[91] Sailing under the flag of the Comoros.
[92] Maritime databases and interview with a crew member of MV *Victory Roro* (28 July 2022).
[93] Equatorial Guinea.

3. Foreign naval vessels

81. During the reporting period, naval vessels from third-party countries continued to enter Libyan territorial waters, including to deliver items or carry out activities that are excepted or have been exempted from the arms embargo (see table 1). The Panel continues to follow past Committee and Panel practice regarding the interpretation of the arms embargo, including the understanding that exceptions to the embargo do not explicitly apply to the means of delivery of excepted items or activities.[94] Neither the relevant resolutions nor any guidance issued by the Committee explicitly allows the entry of a vessel, aircraft or vehicle that by itself falls under the arms embargo in cases where such vessel, aircraft or vehicle is used to deliver items or engage in activities that do not fall under the arms embargo. In the Panel's assessment, the entry of such mode of transportation into Libyan territory without prior Committee approval, even if for a limited duration, represents a violation[95] of the arms embargo (see annex 28). The Panel will therefore continue to report on foreign naval vessels entering Libyan territory (see table 1 and annex 29).

Table 1
Foreign naval vessels entering Libyan territory

Country	*Naval vessel*	*Items or activity delivered*
Italy	*Tremiti* (A5348), coastal transport ship	• Observed by the Panel in Abu Sitta naval base in January 2023 • One of three Gorgona-class vessels present in Abu Sitta on rotating basis since 2018
Malta	Offshore patrol vessel	• (P 61) Exemption request under paragraph 9 (c) of resolution 1970 (2011) for materiel for diplomatic mission and mode of delivery (naval vessel) • Committee-approved exemption request; Malta again notified use of a naval vessel before delivery
Türkiye	Gabya class (G-class) frigates	• As many as two G-class frigates berthed on a rotating basis at Khums military harbour and shipyard over the span of several months
United Kingdom of Great Britain and Northern Ireland	*HMS Albion* (L 14), amphibious transport dock	• Visit for delivery of training excepted under paragraph 10 of resolution 2095 (2013) • No exemption request submitted to Committee for entry of the naval vessel into Libyan territorial waters

4. Haftar affiliated forces "no-sail" and "prohibited" zones

82. In S/2022/427, the Panel reported on the activities of individuals belonging to a HAF maritime unit and on unlawfully declared HAF maritime zones.[96] On 9 June 2022, the president of the Libyan Ports and Maritime Transport Authority informed the International Maritime Organization (IMO) that the area the Panel had referred to as a "prohibited zone" had "recently been cancelled" (see the letter in annex 30). The

[94] S/2022/427, para. 60 and recommendation 1.
[95] This represents what the Panel previously referred to as a "technical violation". In S/2022/427, para. 60 and footnote 82, the Panel covered the issue of "technical violations". The related recommendation was not adopted. Given that recommendation and the term "technical violation" are intrinsically linked, the term can no longer be reasonably used by the Panel in relation to use of military vessels and aircraft for delivering non-embargoed items or activities to Libya.
[96] Paras. 68–71.

Authority then attempted to re-establish the zone through the Permanent Mission of Libya to IMO, but later withdrew the request.

83. On 7 October 2022, Antigua and Barbuda submitted a complaint to IMO that, on 24 May and 21 September 2022, two of its flagged vessels, MV *Corona J* (IMO No. 9238686)[97] and MV *Rogaland* (IMO No. 9505596), had been subjected to acts that the Panel qualified as piracy (see annex 31).[98] The interception points were outside both the territorial waters of Libya and the "prohibited zone".

84. The Panel continues to investigate the supply chain of the rigid-hulled inflatable boats used by HAF maritime units implicated in previously reported cases (see annex 26).

B. Arms transfer and military training violations

1. Background

85. The Panel determined that 12 incidents of arms transfer[99] and seven military training activities[100] that were in violation of paragraph 9 of resolution 1970 (2011) occurred during the current mandate. The Panel also identified five arms transfer and two training violations that occurred and went unreported during previous reporting periods; they are included in the present report to provide evidence for the baseline data in annex 25. The Panel has also been able to attribute responsibility for two cases reported as unidentified in its S/2021/229.

86. For ease of reference, violations are presented in chronological order and in tabular format (see annex 32). Infographics for the violations can be found in annexes 33 to 57.

2. Military training provided to Government of National Unity Armed Forces by Türkiye

87. In S/2022/427, the Panel reported on the training provided to Government of National Unity Armed Forces by the Turkish Armed Forces.[101] Such training continued to take place during the reporting period in both Libya and Türkiye, albeit less frequently. The Panel continues to hold the view that while some specialized training provided by Türkiye, for example, in explosive ordnance disposal,[102] falls under the humanitarian training exemption provided for in paragraph 9 of resolution 2095 (2013), the remainder, and the majority, of the military training provided by Türkiye to Government of National Unity Armed Forces is a clear violation of paragraph 9 of resolution 1970 (2011).

[97] See also S/2022/427, annex 28, for information on an incident in 2021 involving the same vessel.
[98] Ibid.
[99] "Transfer" relates to the transfer of arms and military equipment.
[100] "Training" relates to training provided by a third party and relating to military activities.
[101] Para. 76.
[102] See https://twitter.com/tcsavunma/status/1475029180207271942 (26 December 2021); and https://twitter.com/Oded121351/status/1475831938514575365 (28 December 2021).

3. Special forces training agreement with Italy

88. The Panel noted that the official social media of Government of National Unity Armed Forces[103] and open-source media[104] reported that a technical agreement was signed on 20 March 2023 in Rome between senior representatives of Italy and Libya relating to the training of Libyan special forces. The Panel requested information from Italy and Libya on the type of training to be provided,[105] so that it could reassure itself that the training does not fall within the scope of paragraph 9 of resolution 1970 (2011). On 31 May 2023, Libya responded that although the agreement did not include arms, it covered training for the Libyan Armed Forces. Libya did not provide sufficient information to reassure the Panel that such training would not be a violation of paragraph 9 of resolution 1970 (2011). Italy has not yet responded.

4. Ant-trafficking

89. The ant-trafficking that the Panel reported on in S/2022/427[106] continued, although seizures remained rare. During the reporting period, a single seizure, involving 32 weapons, was reported in Egypt on 9 May 2022 near the Siwa oasis.[107] Tracing was not possible because the serial numbers had been obliterated, which, in the Panel's view, suggests that the weapons were used by organized criminal groups.

C. Aviation violations and non-compliance

1. Military cargo aircraft[108]

90. Military aircraft from Member States continue to use Libyan airfields, albeit at much reduced levels in comparison to 2021 and 2022. The Panel requested clarification in November 2022 as to the purpose of these flights from the four Member States that most frequently landed military aircraft in Libya:

(a) The Russian Federation responded on 14 December 2022 that "aircraft of the Russian Federation Armed Forces do not deliver cargo, falling under the arms embargo, to Libya";

(b) Türkiye responded on 30 December 2022 that "these flights are used to transport provisional material for the use of Turkish military advisers stationed in Libya and their periodic staff rotation." Türkiye added that the flights were undertaken within the scope of the 27 November 2019 Memorandum of Understanding on Security and Military Cooperation between Türkiye and Government of National Accord Armed Forces;[109]

(c) The United Kingdom of Great Britain and Northern Ireland responded on 14 January 2023 "that [they] have reviewed the cargo manifests for these flights and can confirm that the cargo of these flights were compliant with paragraph 9 of resolution 1970 (2011)". The United Kingdom stated that, for the purpose of

[103] See https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/pfbid02vKqmsCLVseooiiDrTCdjma4Mkb4aM1HNqFbwggNQ78HKfSVniVrdKpbT97CX5ZiFl?_rdc=1&_rdr (20 March 2023).

[104] See https://www.agenzianova.com/en/news/Difesa-Italia-will-train-Libya%27s-special-forces/ (22 March 2023); and https://libyareview.com/32961/italy-libya-sign-agreement-to-train-special-forces/ (23 March 2023).

[105] Letter of 23 March 2023.

[106] Para. 78.

[107] Twitter.com, EgyArmySpox (9 May 2022). Confirmed by a Member State.

[108] S/2022/427, para. 60 and recommendation 1.

[109] See https://www.resmigazete.gov.tr/eskiler/2019/12/20191226-3.pdf (26 December 2019).

transparency, it would now provide good-faith reports to the Committee immediately after such flights;[110]

(d) The United States of America has yet to respond.

91. The Panel made a similar request to Italy, on 13 February, and also to Morocco, on 23 June 2023. Italy responded on 28 April 2023 that the flights "transported equipment, personal effects and food supplies […] equipment and materials for the Italian military contingent […] personnel transportation". Morocco responded on 27 June 2023 that the flight it operated was to transport a football team to Benghazi for a sports trip.[111]

92. Out of all the Member States that responded to requests for information regarding this issue, only Morocco was prepared to share the documentation requested by the Panel, such as air waybills or cargo manifests, to provide clarification of the purpose of these flights.

93. Their responses notwithstanding, those Member States are all in violation of paragraph 9 of resolution 1970 (2011). This issue has repeatedly been raised by the Panel[112] and its rationale for doing so is further explained in annex 28.

2. Aviation-related violations and non-compliance

94. The Panel has identified the continued presence of aircraft on airfields under the control of armed groups affiliated to Khalifa Haftar that are displaying what are almost certainly fake registration numbers. Some of these aircraft have also been observed using Egyptian and Jordanian airfields. Investigations into the flights conducted by these aircraft continue. The data of those aircraft are set out in table 2.

Table 2
Aviation violations and non-compliances (including updates)

Date identified	*End user*	*Aircraft*	*Details of violation or non-compliance*	*Responsible*	*Remarks/Source*
24 January 2021	HAF	AN-12A (2340806)[a]	The Panel is now in agreement that Jupiter Jet LLC painted over AN-220 markings prior to hand over to Space Cargo Inc	Jordan HAF Space Cargo Inc	Confirmed as flying under fake Burundi 9U-BBD markings See S/2022/427, annexes 26, 89 and 97 See annex 58 of the present report
29 March 2021	HAF	AN-26 (14209)	Identified as operating from Khadim (HL59) airport in Libya after breaking a contract with an African airline	HAF Arden Aviation Group	Highly likely flying under fake Burundi 9U-BBB markings See annex 59 of the present report
12 February 2022	HAF	AN-12BP (5342908)	Identified operating in support of HAF at Cairo International Airport	Egypt HAF Space Cargo Inc	Confirmed as flying under fake Burundi 9U-BBC markings

[110] 13 March and 15 May 2023, covering a total of four flights.
[111] The Forces Armées Royales team lost the Arab Club Champions Cup football game 3–1, but qualified for the second round 5–4 on aggregate.
[112] S/2022/427, para. 60 and recommendation 1.

Date identified	*End user*	*Aircraft*	*Details of violation or non-compliance*	*Responsible*	*Remarks/Source*
					See S/2022/427, annexes 26, 89 and 97 See annex 60 of the present report
24 Jun 2022	HAF	IL-76TD (63471147) (EX-76005)	BU Shames FZE identified as aircraft operator	BU Shames FZE	See S/2022/427, table 93.3 and annex 97 Flying as EX-76005 See annex 61 of the present report
13 Nov 2022	HAF	IL-76TD	Identified as operating within Jordanian airspace on common flight tracks used for Libya as 9U-ILO. In March 2023, the aircraft changed its displayed number to 9U-BVU		Highly likely flying under fake Burundi 9U-ILO and then 9U-BVU markings See annex 62 of the present report
16 Apr 2022	HAF	IL-76TD (1023411368) (EX-76006)	Identified as operating from the United Arab Emirates (OMAA) to Benghazi (HLLB) using false flight documentation.	FlySky Airlines (FSQ)	See annex 63 of the present report

[a] Manufacturer's serial number.

3. Use of business jets by Haftar

95. The Panel monitored the use of chartered business jets by Khalifa Haftar over its three previous reporting periods. The Panel now considers that such aircraft are often providing military support to HAF. For example, they were used to transport Khalifa Haftar and his military staff to military events, such as the military parade held at Sabha airport on 18 October 2022 (see annex 64).[113]

96. The aircraft are supplied by Falcon Wings LLC of the United Arab Emirates.[114] The company is fully controlled by Haitem M A Albuashi, a Libyan national who resides in the United Arab Emirates and has close familial, tribal and business links to Khalifa Haftar (see annex 65). In communications dated 24 November and 28 December 2022, the Panel offered Falcon Wings LLC an opportunity to reply through its appointed advisers, GA Political Limited (United Kingdom).[115] On 10 March 2023, GA Political replied to the Panel that, "[a]fter checking with our lawyers, we are not under any legal investigation, and I cannot comply with your requests". The Panel considers the provision by Falcon Wings LLC of these aircraft to HAF to be a violation of paragraph 9 of resolution 1970 (2011) under the provision concerning other assistance related to military activities. The Panel also found Falcon Wings LLC in non-compliance with paragraph 14 of resolution 2644 (2022) for

[113] Other flights include P4-BAR from Benghazi to Italy on 3 March 2023 taking Khalifa Haftar to meetings with Italian authorities in Rome.

[114] https://www.falconwings.com/en/.

[115] GA Political claims to be the "legal advisers" of Falcon Wings LLC, but its registration in the United Kingdom (registration No. 11882064) indicates that the nature of its business is "activities of political organizations". See https://ga-political.com.

failing to cooperate fully with the Panel by not supplying any information that was at its disposal.

D. Violations by private military companies

1. Update on “Project Opus”

97. In S/2021/229, the Panel indicated that “Project Opus” had deployed one Pilatus PC-6, three AS332L Super Puma helicopters and three SA341 Gazelle helicopters.[116] The Panel has determined that all those aircraft are now all fully operational and in use by HAF (see annex 66). The company Lancaster-6 DMCC (also known as L-6 FZE) has not responded to any further Panel requests for information sent through its lawyers. The Panel wrote to the United Arab Emirates on 25 May 2023 requesting clarification regarding the “Project Opus” companies, but it has not yet received a response.

98. The Panel also received imagery of an inspection conducted in October 2021 in Cyprus of a LASA T-Bird aircraft (registration YU-TSH), the last known owner of which is L-6 FZE (United Arab Emirates). The imagery confirmed that the necessary hard points had been fitted to the wings of the aircraft for the carriage and deployment of weapons, thus defining it as military equipment under the auspices of the arms embargo. The Panel has confirmed that Opus Capital Assets Limited FZE[117] sent instructions to a Cypriot aviation company to add markings to the aircraft in order to give it a more civilian look. The aviation support company in Cyprus has been paid €106,810 for maintenance and hangar fees since October 2019. That amount includes payments from 8LANG DMCC[118] (also known as 8-LANG DMCC), a United Arab Emirates company that is licensed in the name of Christian Paul Durrant. This company has not been identified in connection with this aircraft before and took over the payments in Cyprus from Lancaster 6 DMCC on or about October 2020 (see annex 67).[119]

2. ChVK Wagner organization

99. A joint investigation with the Panel of Experts for the Central African Republic established pursuant to resolution 2127 (2013) has identified that cargo aircraft operated by ChVK Wagner[120] have been using Libyan military airfields[121] en route from Ladhiqiyah airport (OSLK) in the Syrian Arab Republic to Bangui M’Poko airport (FEFF) in the Central African Republic.[122] The Panel reported on these aircraft in S/2022/427.[123] Updated information about them can be found in annexes 68 and 69.

E. Responses to attempted arms embargo violations

1. Libya

100. On 4 March 2023, authorities in Misrata seized 12,000 pistols hidden among household items in a shipping container. The Panel obtained confidential shipping documentation and established that the pistols included Retay Falcon 9 mm blank-

[116] S/2021/229, annex 76.
[117] Ibid.
[118] www.8-lang.com/.
[119] The Panel found that both Durrant and Lancaster 6 DMCC had violated para. 9 of resolution 1970 (2011). See S/2021/229, para. 86 and annex 76.
[120] IL-18 (TL-KBR) and IL-76 (TL-KMZ).
[121] Al Khadim (HL59) and Al Jufra (HL69).
[122] S/2023/87, paras. 46–48; and S/2023/360, paras. 97–100.
[123] See annex 95.

firing pistols.[124] The container was initially destined for a consignee in Saint Kitts and Nevis, but was diverted to Misrata en route upon request by the Turkish seller, Capra Arms Savunma Ve Silah Sanayi San Tic Ltd. The new consignee was Al-Takamul Al-Afriqii Company in Misrata. While the initial export and loading documentation had properly identified the blank-firing pistols, the cargo documents issued after the diversion omitted them. Neither the company nor Libya responded to the Panel's letters (see annex 70).

2. Malta

101. On 10 December 2022, Malta took action, in accordance with paragraph 9 of resolution 1970 (2011), to ensure that a planned training activity involving an armed group[125] that had been requested by the Government of National Stability[126] would not violate the arms embargo. Eight private military operatives were temporarily prevented from boarding a charted private jet to Benghazi until further clarification of their activities had been received. They received clearance for travel three days later, but they have since delayed their activities in Libya.

3. Regional response

102. By its resolutions 2635 (2022) and 2684 (2023), the Council extended the authority for the inspection of vessels on the high seas off Libya until 3 June 2023 and 2 June 2024, respectively.[127] Regular inspections were undertaken during the reporting period by Operation IRINI, leading to two seizures of military materiel (see paras. 103 to 110 below).

MV Victory RoRo (formerly MV Luccello)

103. On 18 July 2022, Operation IRINI boarded the Equatorial Guinea-flagged MV *Victory RoRo* (IMO No. 7800112) as it was on its way from Aqabah, Jordan, to Benghazi and seized 107 of the vehicles that were being transported on it. The Panel inspected the vehicles in the port of diversion and noted that the vehicles had been modified in such a way that they would have been within the scope of paragraph 9 of resolution 1970 (2011) had they been delivered to Benghazi. The Panel established that at least 13 of the vehicles had been armoured by VIP Armouring Industry Company, based in Amman, Jordan. Neither the company nor Jordan responded to the Panel's letters.

104. The MV *Victory Roro*, previously sailing as MV *Luccello* (see para. 80), was owned and operated by Yildirim Shipping Co., registered in Liberia but using almost the same address in Mersin, Türkiye, as the MV *Luccello's* owner and operator, Medred Ship Management Co. Ltd.[128] Several indicators point to another company in Mersin, Legend International Logistic Co. Ltd., as an associated or parent company of both companies.

105. The base vehicles were sold by two manufacturers in civilian configuration to seven distributors in five Gulf countries. Those distributors resold the vehicles to fleet resellers, followed by further sales to other resellers. The Panel has so far been able

[124] The Panel has reported extensively on previous imports of blank-firing weapons for modification into live-fire weapons and possible re-export from Libya. See S/2017/466, annex 46; S/2018/812, para. 123 and annex 35; S/2019/914, para. 65 and annexes 29 and 30; and S/2022/427, annex 60.

[125] Referred to in the supporting documentation from Libya as "Libyan Special Forces".

[126] S/2022/427, footnote 13.

[127] Authority first granted in resolution 2292 (2016), paras. 3 and 4.

[128] S/2022/427, tables 2 and 3.

to trace 41 vehicles to Jordan, including the 13 mentioned above. The Panel continues to investigate the supply chain (see annex 71).

MV Meerdijk

106. On 11 October 2022, Operation IRINI boarded the Netherlands-flagged MV *Meerdijk* (IMO No. 9377925) as it was on its way from Jebel Ali, United Arab Emirates, to Benghazi and seized 41 vehicles that were being transported on the vessel. The Panel inspected the vehicles in the port of diversion and noted that they had features consistent with armoured military vehicles produced by The Armored Group (TAG). The Panel later established that the vehicles were BATT UMG military armoured vehicles produced by TAG Middle East FZC, a company registered in the United Arab Emirates, which is part of the global marketing structure of TAG LLC (United States).

107. The cargo documentation and a crew member who was interviewed by the Panel indicated Benghazi as the final destination of the vehicles. The Netherlands-based owner and operator of the MV *Meerdijk*, Shipping Company Groningen, did not respond to the Panel's letter. The Netherlands informed the Panel that its authorities had started a criminal investigation and could therefore not yet provide any further information.

108. The United Arab Emirates provided the Panel a copy of an invalid[129] end-user certificate dated 12 December 2021 that was issued by the "Libyan Ministry of Defence". The invalid end-user certificate names the Ministry of Defence in Tripoli as final destination for the vehicles and bears the signature of Abdulhamid Al Dabiba, in his capacity as Minister of Defence. During an official meeting with the Panel on 12 January 2023, senior officials of the Libyan Ministry of Defence informed the Panel that they were unaware of the procurement or any end-user certificate. Upon their request, the Panel shared all letters relating to the arms embargo from January 2022 with the Ministry. Libya did not reply to the Panel's letters.

109. TAG Middle East FZC stated that it had sold the vehicles to the Ministry of Defence of the Government of National Unity. Following the receipt of the invalid end-user certificate, which indicated that the vehicles would be used "in southern Libya for the internal security role of supporting operations countering illegal immigration, terrorism and organized crime", the company received export clearance from the United Arab Emirates. According to the company, the vehicles departed from Jebel Ali, bound for Benghazi.

110. Both the United Arab Emirates and the company hold the inaccurate view that the export falls under the exception set out in paragraph 13 (a) of resolution 2009 (2011), as modified by paragraph 10 of resolution 2095 (2013), allowing the supply of non-lethal military equipment to the Government of Libya when intended solely for security or disarmament assistance. The Panel does not share this view. Based on cargo documentation, the crew member interview and confirmation provided by TAG Middle East FZE, the Panel believes that, contrary to what is indicated in the invalid end-user certificate, the vehicles were supposed to be delivered to Benghazi. Such a delivery would have fallen within the scope of paragraph 9 of resolution 1970 (2011), as no units in Benghazi have been declared to be under the control of the Government of Libya. Accordingly, the exception relating to the provision of security and disarmament assistance to the Government of Libya cannot apply in this case (see para. 76 and annexes 24 and 72).

[129] See para. 76 and annex 24.

F. Summary of violation and non-compliance responsibilities

111. The Panel finds the Member States, entities or individuals listed in table 3 are:

(a) In violation of paragraph 9 of resolution 1970 (2011); and/or

(b) In non-compliance with paragraph 19 of resolution 2213 (2015) for failing to properly inspect vessels and/or aircraft bound to or from Libya; and/or

(c) In non-compliance with paragraphs 14 and/or 15 of resolution 2644 (2022) by not supplying information at their disposal on the implementation of the measures, and/or failing to provide unhindered access to documents that the Panel deems relevant to the execution of its mandate.

Table 3
Summary of responsibility for violations and/or non-compliance

Country/entity[a]	*Violation of resolution 1970 (2011), para. 9*	*Non-compliance with resolution 2213 (2015), para. 19*	*Non-compliance with resolution 2644 (2022), para. 14 or 15*[b]	*Reason*
Country				
Burundi			✓	
Egypt		✓	✓	• Failure to inspect on arrival aircraft used to provide military support to HAF
Italy	✓		✓	• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft flights and naval vessels
Libya (Government of National Unity Armed Forces)	✓		✓	• Procurement of arms and related materiel while failing to request advance approval by the Committee
Jordan		✓	✓	• Failure to inspect aircraft on arrival used to provide military support to HAF • Failure to inspect on departure vessels used to transfer arms and related materiel to Libya
Morocco	✓			• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft flights
Russian Federation	✓			• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft flights
Syrian Arab Republic		✓		• Failure to inspect on departure vessels and aircraft used to transfer foreign fighters to Libya
Türkiye	✓			• Transfer of arms and related materiel into Libya for use by Government of National Unity Armed Forces • Provision of training related to military activities to Government of National Unity Armed Forces

Country/entity[a]	*Violation of resolution 1970 (2011), para. 9*	*Non-compliance with resolution 2213 (2015), para. 19*	*Non-compliance with resolution 2644 (2022), para. 14 or 15*[b]	*Reason*
				• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft and naval vessels
United Arab Emirates	✓	✓	✓	• Transfer of arms and related materiel into Libya for use by HAF
				• Failure to inspect on departure vessels used to transfer arms and related materiel to forces not under the control of the Government of Libya
United Kingdom	✓			• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft flights
				• Deployment of *HMS Albion* to Tripoli
United States	✓		✓	• Routine transfer of related materiel in and out of Libya, specifically military cargo aircraft flights
Entity				
Arden Aviation Group DOO (Bulgaria)	✓		✓	• Flight operations for the direct, and indirect, supply of military equipment and other assistance to Libya
HAF (eastern Libya)	✓	✓	✓	• Procurement of arms and related materiel
				• Failure to inspect on arrival vessels and aircraft used to transfer arms and related materiel to Libya
Al-Takamul Al-Afriqii Company (Libya)	✓		✓	• Procurement of arms and related materiel
Capra Arms Savunma Ve Silah Sanayi San Tic Ltd. (Türkiye)	✓		✓	• Transfer of arms and related materiel to Libya
Falcon Wings LLC (United Arab Emirates)[c]	✓		✓	• Flight operations for the direct supply of other assistance to HAF
Fly Sky Airlines (FSQ)[d] (Kyrgyzstan)	✓			• Flight operations for the direct supply of other assistance to HAF
Jordan VIP Armouring Industry Company (Jordan)			✓	
Lancaster-6 DMCC/L-6 FZE (United Arab Emirates)			✓	
Legend International Co. Ltd. (Türkiye)			✓	
Metatek Group (United Kingdom)[e]			✓	• Formerly Bridgeporth Limited (United Kingdom)

Country/entity[a]	*Violation of resolution 1970 (2011), para. 9*	*Non-compliance with resolution 2213 (2015), para. 19*	*Non-compliance with resolution 2644 (2022), para. 14 or 15*[b]	*Reason*
Minerva Special Purpose Vehicles LLC (United Arab Emirates)			✓	
SAKO Limited (Finland)			✓	
Shipping Company Groningen (Netherlands)			✓	
Yildirim Shipping Company (Liberia)			✓	• Transfer of military armoured vehicles to Libya • Attempted transfer of armoured military vehicles to Libya

[a] Listed alphabetically by generic group.
[b] For failure to provide information to the Panel on request.
[c] https://www.falconwings.com/en/.
[d] https://flysky.kg.
[e] www.metatek-group.com.

IV. Unity of State institutions

112. This issue was examined in the light of the requirements of paragraph 5 of resolution 2509 (2020).

A. Central Bank of Libya

113. On 22 November 2022, the House of Representatives removed the Deputy Governor of the Central Bank, Ali Al-Hibri,[130] and ordered his replacement by Marei Rahil al-Barassi.[131] This information was confirmed at the time by several of the Panel's confidential sources. In April 2022, official meetings between both branches regarding reunification were abandoned. Since that time, as the Governor of the Central Bank, Sadiq al Kebir, confirmed to the Panel in January 2023, only informal operational exchanges have taken place. However, on 20 August 2023, Governor Kebir and Deputy Governor Al-Barassi announced the reunification of the Bank.[132] The Panel will now investigate the implications of this announcement, which will include the examination of such issues as the presence of counterfeit banknotes in the national money supply and the reunification of the settlement system and bank deposits.

[130] Confirmed by sources in Libya. See also https://libyaobserver.ly/inbrief/hor-dismisses-parallel-cbl-chief-al-hibri (23 November 2022).
[131] Al-Barassi is a former chair of the Al Wahda Bank in Darnah.
[132] Central Bank of Libya, "Central Bank of Libya reunified after almost a decade", 20 August 2023. Available at https://cbl.gov.ly/en/2023/08/20/both-the-governor-and-his-deputy-have-announced-that-the-central-bank-of-libya-has-returned-as-a-unified-sovereign-institution-and-will-continue-to-make-efforts-to-deal-with-the-effects-that-resulted/. See also United Nations Support Mission in Libya (UNSMIL), "UNSMIL welcomes the announcement of the reunification of the Central Bank of Libya", 20 August 2023. Available at https://unsmil.unmissions.org/unsmil-welcomes-announcement-reunification-central-bank-libya.

B. National Oil Corporation

114. On 7 July 2002, the Board of Directors of the National Oil Corporation was reconstituted. The Board replaced Mustafa Sanalla, who had served as its Chair since 2014, with Farhat Bengdara. Sanalla challenged his removal before the courts and, at the time of writing, the case was pending before the Supreme Court of Libya. The appointment of Bengdara was soon followed by the lifting of force majeure and the reopening of oil installations that had been subject to recurring blockades before his appointment.[133] Daily crude production rates returned to 1.2 million barrels per day and remained stable at that level over the reporting period,[134] which was marked by the absence of oil installation blockades. Disagreements initiated by the eastern authorities about the use of the National Oil Corporation oil proceeds started to resurface in late June 2023.[135] On 6 July 2023, a stakeholders' committee was formed to address these issues (see annex 73), but it is too early to assess its impact.

115. During this mandate, communications between the Panel and the National Oil Corporation suffered from: (a) the Panel's very limited access to Libya (see para. 6); (b) the absence of a focal point pursuant to resolution 2146 (2014) for six months (see para. 125); and (c) what the Panel perceived as a reluctance to engage on the part of the National Oil Corporation. In late June 2023, the Panel re-established a channel of communication with the National Oil Corporation.

V. Prevention of illicit exports or illicit imports of petroleum

A. Illicit exports of crude oil

116. No vessels have been designated pursuant to paragraph 11 of resolution 2146 (2014). No attempts to illicitly export crude oil from Libya have been brought to the Panel's attention.

B. Illicit exports of refined petroleum products

1. Benghazi old harbour

117. On 9 May 2022,[136] the focal point pursuant to resolution 2146 (2014) informed the Committee of an illicit export from Benghazi of subsidized gasoil[137] by the Tuvalu-flagged merchant tanker (MT) *TSM Dubhe* (IMO No. 9249594). He also referred to two additional vessels, the Palau-flagged MT *Queen Majeda* (IMO No. 9117806) and the Türkiye-flagged MT *Aqua Marine* (IMO No. 9179488), that had "illegally loaded from Benghazi", without specifying the cargo. The Committee responded to the focal point by requesting more information, including, in particular, whether the flag State had been contacted. No response was received.

118. Since May 2022, a total of 24 small tankers (500 to 20,000 dead weight tons), mostly operating without their automatic identification system activated and without

[133] S/2022/427, para. 103.

[134] Production levels are regularly updated on the official Facebook page of the National Oil Corporation. Available at https://www.facebook.com/noclibya.

[135] https://www.reuters.com/world/middle-east/eastern-libya-administration-threatens-oil-blockade-2023-06-24/ (24 June 2023); and https://twitter.com/Eljarh/status/1674159113779945480 (28 June 2023).

[136] This date falls within the previous reporting period, but the Panel's previous report (S/2022/427) had already been finalized by then.

[137] This is gasoil imported by the National Oil Corporation, which is then distributed at a price that is lower than the import price.

having registered port calls, have approached Benghazi and docked at the old harbour.[138] This part of the port was previously used for illicit exports of scrap metal.[139] It lies immediately next to the Brega Petroleum Marketing Company's Ra's al-Minqar marine oil terminal.[140] That terminal has been used to supply fuel to the Company's Benghazi depot.[141] From there, tanker trucks load the fuel and make the approximately 13 km trip back to Benghazi old harbour, where they load the waiting vessels. Satellite imagery shows how the old harbour has gradually been converted into an improvised fuel terminal (see annex 74).

119. The Panel has identified three modi operandi in use by the fuel smuggling networks, but it has yet to identify the scale of each:

(a) Vessels load in Benghazi and sail to international waters, in particular around Hurds Bank, an offshore bunkering location east of Malta. There, ship-to-ship transfers occur. The vessels then return to Benghazi to be loaded again;

(b) Vessels load in Benghazi and sail to other Member States to discharge their cargo, using illicit export certificates. One example being the MT *Queen Majeda* (IMO No. 9117806) (see annex 75), whose cargo was seized by Italy on 24 May 2022. After the vessel was released, it continued its voyages to Benghazi and was ultimately seized on 12 September 2022 by Albania, where it remains pending the conclusion of investigations by the Albanian authorities. Among the cargo documentation for several gasoil delivery voyages are forged certificates of origin issued with the letterhead of the National Oil Corporation and "Brega Petrolium" (sic) (see annex 75);

(c) Vessels load fuel in Member State A to below capacity, declare a delivery destination as Member State B, which is on the other side of the Mediterranean Sea. They then make an unregistered stopover in Benghazi, where they load to capacity or even over capacity. Then they continue to Member State B and present cargo documentation from Member State A, with or without the correct cargo quantity.

2. Smuggling by sea from the west

120. The Panel determined that maritime fuel smuggling from the areas around Zawiyah and Zuwarah continues.[142] The Panel had identified the fuel smuggling locations in its previous reports.[143] Of those locations, the Panel established that Sidi Ali[144] has been reactivated in response to increasing oil prices (see annex 76). The Panel has investigated four smuggling incidents, including the one involving the Saint Kitts and Nevis-flagged MT *Serdar* (IMO No. 9062398), which was seized by the Libyan authorities for fuel smuggling (see annex 77).

3. Overland fuel smuggling

121. Overland fuel smuggling, mainly across the southern and western borders of Libya, as well as fuel diversions within Libya, increased during the current reporting period. For example, fuel supplies to the Sabha distribution point have gradually increased from around 600,000 litres to 1.2 million litres per day since August 2022, which is not in line with actual market needs.[145] This differential increase indicates the scale of cross-border fuel smuggling.

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[138] 32°07'16.07"N, 20°03'0.68"E.
[139] S/2021/229, annex 12, appendix A, figure 12.A.6.
[140] 32°07'05.27"N, 20°02'55.15"E.
[141] 32°10'23.22"N, 20°08'36.09"E.
[142] Confidential sources in Libya.
[143] S/2018/812, para. 165; and S/2019/914, para. 166.
[144] 33°2'19.37"N, 11°55'1.42"E.
[145] Panel meeting with the Brega Petroleum Marketing Company, Tripoli (12 January 2023).

4. Legality of fuel exports from Libya

122. The refineries of Libya cover 10 per cent of domestic gasoline requirements and 30 per cent of domestic diesel requirements. Only aviation fuel is refined in sufficient quantities to cover local market requirements. Trade data show that aviation fuel has also been exported.[146] Heavy fuel oil, or light mazut, is exported from Zawiyah whenever the domestic market is oversupplied. The National Oil Corporation has the monopoly on the import and export of crude oil and refined petroleum products. The National Oil Corporation confirmed to the Panel that it does not export gasoil, diesel or gasoline, as these products are mostly imported and then subsidized, which would lead to a financial loss if exported. The National Oil Corporation emphasized that any export of these products is illegal under Libyan legislation.[147]

123. The responsibility to store and distribute fuel for the domestic market lies with the Brega Petroleum Marketing Company. Fuel is held in the Company's storage centres and then distributed through eight companies that are licensed by the Ministry of Economy and Trade. The Company emphasized to the Panel that it does not undertake any exports.[148]

C. Focal point pursuant to Security Council resolution 2146 (2014)

124. On 12 January 2023, the Panel was informed by the Minister of Oil and Gas, Mohamed Aoun, about a letter dated 29 November 2022 in which the Ministry of Foreign Affairs is requested to inform the Committee of the nomination of Mustafa Abdullah Bin Issa as the new focal point pursuant to resolution 2146 (2014).[149] The Panel informed the Committee accordingly, but noted that it must continue to engage with the officially notified focal point, Imad Ben Rajeb, until the nomination had been officially communicated to the Committee. It was not until five months later, on 16 June 2023, that the Permanent Representative of Libya to the United Nations officially informed the Committee of Bin Issa's appointment. The Panel notes that the focal point does not work for the National Oil Corporation and has no overview of the Corporation's daily import and export operations. This situation will complicate technical and time-sensitive exchanges with the Committee and the Panel.

125. During this mandate, the previous focal point pursuant to resolution 2146 (2014), Imad Ben Rajeb, gradually reduced his level of engagement with the Panel. He stated that this was partly on instructions from National Oil Corporation leadership and partly because of his concerns for his own safety. The Panel's visit to Libya coincided with his arrest on 10 January 2023, two days before the Panel was scheduled to meet with him at National Oil Corporation premises. The National Oil Corporation then cancelled the meeting and deliberately declined further requests to meet in Tripoli or online without reasonable excuse, until an online meeting was arranged for 26 June 2023. At that meeting, the National Oil Corporation confirmed an open channel of communication would now be available. The Panel notes, however, that the six-months silence by the National Oil Corporation had effectively left the Committee and the Panel without a focal point pursuant to resolution 2146 (2014) (see annex 78).

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[146] S&P Global, Global Trade Analytics Suite.

[147] Multiple Panel meetings with the focal point pursuant to resolution 2146 (2014), including at the time of notification; and a Panel online meeting with the National Oil Company (26 June 2023).

[148] Panel meeting with the Brega Petroleum Marketing Company, Tripoli (12 January 2023); and Panel online meeting with the National Oil Company on 26 June 2023.

[149] Mustafa Abdullah Bin Issa is the Director General of Technical Affairs at the Ministry of Oil and Gas and also serves as Governor for Libya at the Organization of Petroleum Exporting Countries.

D. An effective response to smuggling

126. Each actor in the fuel supply chain that the Panel met with during the current reporting period (the Ministry of Oil and Gas, the National Oil Corporation and the Brega Petroleum Marketing Company) recognized that fuel smuggling from Libya was detrimental to the country's stability. The Panel determined that no appropriate stakeholder would accept the lead or a significant role in combating the illicit fuel exports. The Panel believes that only a coherent, integrated response by all relevant national stakeholders will address the issue effectively.

VI. Implementation of the assets freeze on designated entities

A. Libyan Investment Authority (LYe.01)

1. Overview

127. Throughout the reporting period, the Panel noted that the Libyan Investment Authority demonstrated increasing cooperation and availability to facilitate most of the requested information. However, the Panel still finds that the Libyan Investment Authority is not in a position to offer an accurate consolidated financial statement according to international standards, nor to provide financial statements for its subsidiaries.

2. Management issues

Deficiencies evident in an audit of the Libyan Investment Authority

128. In S/2021/219,[150] it is noted that the Libyan Investment Authority committed to implement various recommendations received from Oliver Wyman Limited (United Kingdom) as part of its transformation strategy, and that it also committed to complying with the Santiago Principles for sovereign wealth funds.[151] Ernst and Young Global Limited (United Kingdom) is assisting in the audit of the financial statements of the Libyan Investment Authority for 2018 and 2019 in accordance with the International Financial Reporting Standards. Those audited financial statements are the latest available.

129. Although the Panel has seen the conclusions of the Ernst and Young audit report, it has not seen the full report and is therefore unable to draw any conclusions from the findings. For example, the auditors' summary of assets was not prepared on a consolidated basis. The report indicates that the investment in subsidiaries was $27.1 billion at the end of 2018 and $8.4 billion at the end of 2019. Given these large numbers, it is crucial to have consolidated statements in order to be able to assess the management of the subsidiaries (see para. 132).

130. The Panel has identified some key ongoing issues. First, the 2018 and 2019 "audits" breach the Santiago Principle 11, which requires "an annual report and accompanying financial statements to be prepared in a timely fashion". In this regard, under article 11.7 of Libyan Law No. 13 of 2010,[152] the directors of the Libyan Investment Authority are obliged to prepare the final accounts and annual balance sheet within a period of no more than three months from the end of the financial year. This was not done. Second, the standard wording of an audit report contains a

[150] Paras. 133–134.
[151] See https://www.ifswf.org/santiago-principles-landing/santiago-principles.
[152] See https://lia.ly/wp-content/uploads/2021/08/LAW-13-Lia.pdf.

definition of financial statements.[153] The 2018 and 2019 audit reports appear to contain only a summary of the Authority's overall assets. Accordingly, they are missing all four of the key supporting reports: (a) a statement of income; (b) a statement of financial position; (c) a statement of changes in equity; and (d) the related notes.

131. In summary, the Panel considers that while there may have been some limited improvement in financial reporting, the Libyan Investment Authority is not in a position to ensure compliance with the applicable international standards. Until the Authority is fully compliant with those standards, the Panel's investigations related to any potential violations of the Authority's frozen assets are hampered.

Conflicted decision-making process in the Libyan Investment Authority and its subsidiaries

132. On 16 June 2023, one of the directors of the Libyan Investment Authority was appointed president of a subsidiary (Compagnie des Exploitations Réunies). As a result of that appointment, an individual involved in the top-level management of a designated holding company also has effective direct control over a subsidiary. Although this is a common practice, it has the potential to affect decision-making processes. Under the Committee's Implementation Assistance Notice No. 1,[154] subsidiaries are not subject to the asset freeze measure, whereas the Libyan Investment Authority is. The Panel considers that such a management conflict of interest could increase the risk of asset diversion. The Panel previously addressed this situation in S/2021/229.[155] The Panel reiterates its view that the asset freeze measure should also apply to subsidiaries.

3. Legal issues

External legal issues: the Euroclear court case in Belgium

133. The Panel continues to monitor the judicial proceedings in relation to the Euroclear case in Belgium. This case involves a judicially ordered diversion of a settlement payment in the amount €16 billion that was supposed to be transferred to a frozen account belonging to the Libyan Investment Authority in Bahrain. Instead, the payment was officially seized and confiscated in Belgium as part of a criminal investigation into embezzlement and money-laundering involving €2 billion of frozen funds belonging to the Libyan Investment Authority. On 7 July 2023, a Belgian court rejected the Authority's request to close the file and lift the seizure.

Internal legal issues: the Mohsen Derrigia court case against the Libyan Investment Authority

134. On 20 March 2019 the Libyan Supreme Court ruled in favour of Mohsen Derrigia in a case against the Board of Trustees of the Libyan Investment Authority regarding his dismissal, and it provided legal direction to the Administrative Circuit of the Appeals Court of Tripoli. The Appeals Court ruled on 16 June 2021 that Derrigia had been illegally removed as Chair of the Libyan Investment Authority before the end of his three-year term and annulled the resolution on his removal. The Appeals Court found that there was no legal reason for his dismissal as a public

[153] According to the International Financial Reporting Standards and International Accounting Standards, "financial statements comprise the statement of income (often referred to as profit and loss account), the statement of financial position (often referred to as a balance sheet), the statement of changes in equity, the statement of cash flows and the related notes".

[154] Implementation Assistance Notice No. 1 provides that "the subsidiaries of the Libyan Investment Authority and the Libyan Africa Investment Portfolio are not subject to the asset freeze measure".

[155] Paras. 135–137.

servant by the Board of Trustees of the Libyan Investment Authority. The Authority's Chair, Ali Mahmoud, challenged the decision, but the Appeals Court again ruled on 22 December 2021 that its judgment be implemented. On 10 August 2022, the Libyan Supreme Court supported the Appeals Court ruling. The Supreme Court ruling has not yet been implemented and Ali Mahmoud remains the Chair of the Authority (see annex 79).

4. Printing of counterfeit banknotes

135. The Governor of the Central Bank of Libya, Sadiq al-Kebir, informed the Panel that the Central Bank was aware that the eastern branch of the Central Bank had resumed production of new banknotes. He also informed the Panel that the Central Bank had referred the case to the Office of the Attorney General for investigation (see annex 80).

136. On 3 January 2023, De La Rue Limited (United Kingdom) produced a counterfeit analysis technical report for the Central Bank. In that report, De La Rue concluded that "the level of sophistication needed to produce these counterfeits indicate that this is the work of a professional counterfeiter, requiring specialized inks, foils and equipment, possibly part of an organised criminal group".

137. The Panel determined that, until 2020, the Board of Directors of the eastern branch had approved the production of 18 billion[156] Libyan dinars. Article 30 of the Libyan Banking Law provides that new currency may only be produced with the approval of the Board of Directors. The Panel notes that the Board of Directors of the Tripoli branch of the Central Bank had not approved the production of these bank notes. Accordingly, in the absence of consensus between the branches of the Central Bank, such production is illegal under Libyan banking laws.

138. This unilateral printing of currency, which differs from the "official" currency produced by the Tripoli branch of the Central Bank, means that a coherent monetary policy cannot be implemented throughout Libya as there is no central control of the money supply. More importantly, this illegal currency is being produced in the Haftar-dominated part of the country. There is a real risk that the illegal currency will be used to finance activities by armed groups that compromise the stability and security of Libya.

VII. Implementation of the asset freeze and travel ban on designated individuals

A. Sayyid Mohammed Qadhaf Al-Dam (LYi.003)

139. The Panel determined that Sayyid Mohammed Qadhaf Al-Dam (LYi.003) had died on 16 March 2023. Egypt, which is given as his country of residence in his list entry, confirmed that he died in the city of Gizah, Egypt, at the age of 75 years. His death certificate can be found in annex 8 (see recommendation 2).

B. Saadi Qadhafi (LYi.015)

140. The Panel has confirmed that Saadi Qadhafi intends to sell a disputed property in Canada. To facilitate the sale, Saadi Qadhafi signed a power of attorney, which was registered at the Consulate of Libya in Istanbul, Türkiye, on 11 November 2022 under reference No. 75/1. In the power of attorney, Saadi Qadhafi declared that he resided

[156] S/2017/466, para. 213 and annex 56.

in Istanbul at the time (see annex 82). On 27 June 2023, the Panel wrote to Türkiye regarding the implementation of the asset freeze and travel ban measures. No response has been received.

141. In its S/2022/427, the Panel reported that Saadi Qadhafi head left Libya for Türkiye. At that time, the Panel could not establish if he had remained in Türkiye or had transited to a third country.[157] The Panel now considers that his signature of the power of attorney, containing a legal declaration of residence in Türkiye, provides evidence of non-compliance by Türkiye with the travel ban measure pursuant to paragraph 15 of resolution 1970 (2011) (see recommendation 3).

C. Mohammed Al Amin Al-Arabi Kashlaf (LYi.025)

142. The Panel determined that Petroleum Facilities Guard in Zawiyah is an entity that is nominally under the control of the Government of National Unity. In order to clarify the employment status of Mohammed Al Amin Al-Arabi Kashlaf (LYi.025) (also known as Al-Qasab), the Panel requested that the Libyan authorities provide updated information on the implementation of the assets freeze and travel ban regarding this individual, including details on the current status and chain of command of Petroleum Facilities Guard in Zawiyah, as well as his personal financial assets and economic resources. The Libyan authorities have not yet responded.

D. Abd al-Rahman al-Milad (LYi.026)

143. The Panel has determined that Abd al-Rahman al-Milad (LYi.026) (also known as Al-Bija) has used forged United Nations paperwork in an effort to lift the travel ban and asset freeze sanctions imposed on him as a designated individual in Libya. These efforts have been directed at Government of Libya entities and private interlocutors within Libya, with the aim of garnering support from the Government of Libya for his delisting request.

144. The Panel is possession of an official Libyan document, issued on 28 September 2022 by the Office of the Attorney General, in which the responsible authorities are ordered to remove Al-Milad's name from the national arrivals and departures monitoring system. The Panel finds that this action would allow Al-Milad to leave Libya with assets in his possession, in violation of the assets freeze measure.

145. On 25 January 2023, the Panel requested that the Libyan authorities provide updated information on the effective implementation of the assets freeze and travel ban on Al-Milad. The request was made following the resumption of his professional functions in the Libyan armed forces, including an appointment as an official at the Naval Academy in Janzour following his release from pretrial custody on 11 April 2021 (see annex 83).[158] Such an appointment means that he receives a military salary from the Government, which is a violation of the asset freeze measures unless the funds are deposited into a frozen account. The Libyan authorities have not yet responded.

E. Updates on designated individuals

146. The Panel provides additional identifying or updated information for three listed individuals in annex 84 (see recommendation 4).

[157] Para. 126.
[158] S/2022/427.

VIII. Recommendations

147. The Panel recommends:

To the Security Council:

Recommendation 1. To recall paragraph 6 of resolution 2278 (2016) requesting the Government of Libya to provide updated information relevant to the Committee's work on the structure of the security forces under its control. [see para. 76]

To the Committee:

Recommendation 2. To update the sanctions list entry of Sayyid Mohammed Qadhaf Al-Dam (LYi.003) to reflect his death. [see para. 139]

Recommendation 3. To update the sanctions list entry of Saadi Qadhafi (LYi.015) to reflect his new address (Türkiye). [see para. 141]

Recommendation 4. To update the sanctions list entries of Mohammed Al Amin Al-Arabi Kashlaf (LYi.025), Abd al-Rahman Salim Ibrahim al-Milad (LYi.026) and Osama Al-Kuni Ibrahim (LYi.029) with updated information provided by the Panel. [see para. 146]

Recommendation 5. To consider the information provided separately by the Panel during the current reporting period on individuals meeting the designation criteria, as contained in the relevant Security Council resolutions.

Table of contents

Annex 1 Overview of the evolution of the Libya sanctions regime

1. By resolution 1970 (2011), the Council expressed grave concern at the situation in Libya, condemned the violence and use of force against civilians and deplored the gross and systematic violation of human rights. Within that context, the Council imposed specific measures on Libya, under Chapter VII of the Charter of the United Nations, including the arms embargo, which relates to arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, in addition to the provision of armed mercenary personnel. The arms embargo covers both arms entering and leaving Libya. The Council also imposed travel ban and asset freeze measures, and listed individuals as subject to one or both measures, in the resolution. Furthermore, the Council decided that the travel ban and the asset freeze were to apply to the individuals and entities designated by the Committee established pursuant to resolution 1970 (2011) concerning Libya involved in or complicit in ordering, controlling or otherwise directing the commission of serious human rights abuses against persons in Libya.

2. By resolution 1973 (2011), the Council strengthened the enforcement of the arms embargo and expanded the scope of the asset freeze to include the exercise of vigilance when doing business with Libyan entities, if States had information that provided reasonable grounds to believe that such business could contribute to violence and use of force against civilians. Additional individuals subject to the travel ban and asset freeze were listed in the resolution, in addition to five entities subject to the freeze. The Council decided that both measures were to apply also to individuals and entities determined to have violated the provisions of the previous resolution, in particular the provisions concerning the arms embargo. The resolution also included the authorization to protect civilians and civilian populated areas under threat of attack in Libya. In addition, it included a no-fly zone in the airspace of Libya and a ban on flights of Libyan aircraft.

3. On 24 June 2011, the Committee designated two additional individuals and one additional entity subject to the targeted measures. By resolution 2009 (2011), the Council introduced additional exceptions to the arms embargo and removed two listed entities subject to the asset freeze, while allowing the four remaining listed entities to be subjected to a partial asset freeze. It also lifted the ban on flights of Libyan aircraft.

4. By resolution 2016 (2011)), the Council terminated the authorization related to the protection of civilians and the no-fly zone. On 16 December 2011, the Committee removed the names of two entities previously subject to the asset freeze.

5. In resolution 2040 (2012), the Council directed the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures with regard to the two listed entities – the Libyan Investment Authority and the Libyan Africa Investment Portfolio – and decided that the Committee was, in consultation with the Libyan authorities, to lift the designation of those entities as soon as practical.

6. In resolution 2095 (2013), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.

7. By resolution 2144 (2014), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.

8. By resolution 2146 (2014), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.

9. By resolution 2174 (2014), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability of security of Libya or obstructing the completion of the political transition. The resolution strengthened the arms embargo, by requiring prior approval of the Committee for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya intended for security or disarmament assistance to the Libyan government, with the exception of non-lethal military equipment intended solely for the Libyan government. The Council also renewed its call upon Member States to undertake inspections related to the arms embargo, and required them to report on such inspections.

10. By resolution 2213 (2015), the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil from Libya until 31 March 2016. The resolution further elaborated the designation criteria listed in resolution 2174 (2014).

11. By resolution 2214 (2015), the Council called on the 1970 Committee on Libya to consider expeditiously arms embargo exemption requests by the Libyan government for the use by its official armed forces to combat specific terrorist groups named in that resolution.

12. By resolution 2259 (2015), the Council confirmed that individuals and entities providing support for acts that threaten the peace, stability or security of Libya or that obstruct or undermine the successful completion of the political transition must be held accountable, and recalled the travel ban and asset freeze in this regard.

13. By resolution 2278 (2016) the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil, while calling on the Libyan Government of National Accord (GNA) to improve oversight and control over its oil sector, financial institutions and security forces.

14. By resolution 2292 (2016), the Council authorized, for a period of twelve months, inspections on the high seas off the coast of Libya, of vessels that are believed to be carrying arms or related materiel to or from Libya, in violation of the arms embargo.

15. By resolution 2357 (2017), the Council extended the authorizations set out in resolution 2292 (2016) for a further 12 months.

16. By resolution 2362 (2017), the Council extended until 15 November 2018 the authorizations provided by and the measures imposed by resolution 2146 (2014), in relation to attempts to illicitly export crude oil from Libya. These measures were also applied with respect to vessels loading, transporting, or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya.

17. By resolution 2420 (2018), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolution 2357 (2017), for a further 12 months from the date of adoption of the resolution.

18. By resolution 2441 (2018), the Council extended until 15 February 2020 the authorizations provided by and the measures imposed by resolution 2362 (2017), in relation to attempts to illicitly export crude oil from Libya.

19. By resolution 2473 (2019), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017) and 2420 (2018), for a further 12 months from the date of adoption of the resolution.

20. By resolution 2509 (2020), the Council extended until 30 April 2021 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017) and 2441 (2018), and modified the designation period in paragraph 11 of resolution 2146 (2014) to be one year, and requested the Panel to report any information relating to the illicit export from or illicit import to Libya of petroleum, including crude oil and refined petroleum products.

21. By resolution 2526 (2020), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), and 2473 (2019), for a further 12 months from the date of adoption of the resolution.

22. By resolution 2571 (2021), the Council extended until 30 July 2022 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017), 2441 (2018) and 2509 (2020), in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya.

23. By resolution 2578 (2021), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), and 2526 (2020) for a further 12 months from the date of adoption of the resolution.

24. By resolution 2635 (2022), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020) and 2578 (2021) for a further 12 months from the date of adoption of the resolution.

25. By resolution 2644 (2022), the Council extended until 30 October 2023 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017), 2441 (2018), 2509 (2020) and 2571 (2021) in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya.

26. By resolution 2684 (2023), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020), 2578 (2021) and 2635 (2022) for a further 12 months from the date of adoption of the resolution.

27. To date the Committee has published six implementation assistance notices which are available on the Committee's website.[159]

[159] http://www.un.org/sc/committees/1970/notices.shtml.

Annex 2 Abbreviations and acronyms

AGO	Attorney General's Office
AIS	Automatic Identification System
a.k.a	Also known as
BPD	Barrels Per Day
BCP	Border Crossing Point
CBL	Central Bank of Libya
ChVK	Russian language abbreviation for private military enterprise
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
CRC	Convention on the Rights if the Child
DACOT	Deterrence Apparatus for Combating Crime and Terrorism
DC	Detention Centre
DCIM	Directorate for Combating Illegal Migration
DOB	Date of Birth
DWT	Deadweight Tonnage
EOD	Explosive Ordnance Disposal
EU	European Union
EUBAM	EU Border Assistance Mission in Libya
EUNAVFOR MED IRINI	European Union Naval Force Mediterranean Operation Irini
EUC	End-user Certificate
EUR	Euro
FACT	Front pour l'Alternance et la Concorde au Tchad
FZC	Free Zone Company
FZE	Free Zone Enterprise
GACS	General Administration for Coastal Security
GNA	Government of National Accord
GNA-AF	Government of National Accord - Armed Forces
GNU	Government of National Unity
GNS	Government of National Stability
HAF	Haftar affiliated forces
HFO	Heavy Fuel Oil
HoR	House of Representatives
IAN	Implementation Assistance Notice
IFRS	International Financial Reporting Standards
ICCPR	International Covenant on Civil and Political Rights
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMO	International Maritime Organization
IAN	Implementation Assistance Notice
ISA	Internal Security Agency
ISIL	Islamic State in Iraq and the Levant
JMC	Joint Military Commission
Km	Kilometre(s)
LAAF	Libyan Arab armed forces
LAIP	Libyan Africa Investment Portfolio
LCG	Libyan Coast Guard
LIA	Libyan Investment Authority
LIS	Libyan Intelligence Service
LLC	Limited Liability Company
LYD	Libyan Dinar(s)
m	Metre(s)
MOI	Ministry of Interior
MT	Motor Tanker
MV	Motor Vessel

NFSA	National Support Force Authority
nm	Nautical Miles
NOC	National Oil Corporation
OHCHR	Office of the UN High Commissioner for Human Rights
OPEC	Organization of Petroleum Exporting Countries
Panel	Panel of Experts on Libya
PFG	Petroleum Facility Guard
PMC	Private Military Company
RHIB	Rigid Hulled Inflatable Boats
RSF	Rapid Support Forces
SAF	Sudanese Armed Forces
SAR	Search and Rescue
SARU	Search and Return
SF	Special Forces
SSA	Stability Support Apparatus
TAG	The Armored Group
TBZ	Tariq Ibn Ziyad (brigade)
UAE	United Arab Emirates
UAV	Uncrewed Aerial Vehicle
UN	United Nations
UNODC	UN Office on Drugs and Crime
UNSMIL	UN Support Mission in Libya
USD	United States Dollars

Annex 3 Methodology

1. The Panel ensured compliance with the methodological standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997). Those standards call for reliance on verified, genuine documents and concrete evidence and on-site observations by the experts, including taking photographs, wherever possible. When physical inspection is not possible, the Panel will seek to corroborate information using multiple, independent sources to appropriately meet the highest achievable standard, placing a higher value on statements by principal actors and first-hand witnesses to events.

2. The Panel used satellite imagery of Libya procured by the United Nations from private providers to support investigations, as well as open-source imagery. Commercial databases recording maritime and aviation data were referenced. Public statements by officials through their official media channels were accepted as factual unless contrary facts were established. Any mobile phone records from service providers were also accepted as factual. While the Panel wishes to be as transparent as possible, in situations in which identifying sources would have exposed them or others to unacceptable safety risks, the Panel decided not to include identifying information in this document and instead placed the relevant evidence in United Nations secure archives.

3. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, to appropriately meet the highest achievable standard of proof.

4. The spelling of toponyms within Libya often depends on the ethnicity of the source or the quality of transliteration. The Panel has adopted a consistent approach in the present update. All major locations in Libya are spelled or referenced as per the UN Geographical Information System (GIS) map at appendix 3.A.

5. The Panel has placed importance on the rule of consensus among the Panel members and agreed that, if differences and/or reservations arise during the development of reports, it would only adopt the text, conclusions and recommendations by a majority of five out of the six members. In the event of a recommendation for designation of an individual or a group, such recommendation would be done based on unanimity.

6. The Panel is committed to impartiality in investigating incidents of non-compliance by any party.

7. The Panel is equally committed to the highest degree of fairness and has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this update. Their response has been taken into consideration in the Panel's findings. The methodology for this is provided in appendix 3.B.

8. The Panel's methodology, in relation to its investigations concerning IHL, IHRL and human rights abuses, is provided in appendix 3.C.

Appendix A to Annex 3: UN GIS place name identification

Figure 3.A.1
UN GIS place names Libya

Appendix B to Annex 3: 'The opportunity to reply' methodology used by the Panel

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity[160] in a Panel's report could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/materiel in support. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the 'opportunity to reply'.

2. The Panel's methodology on the opportunity to reply is as follows:

(a) Providing an individual with an 'opportunity to reply' should be the norm;

(b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:

(i) Result in the individual moving assets if they get warning of a possible recommendation for designation;

(ii) Restrict further access of the Panel to vital sources;

(iii) Endanger Panel sources or Panel members;

(iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or

(v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.

3. If the circumstances set forth in 2 (b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.

4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.

5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.

6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.

The individual, on the other hand, in making their determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representative or his/her government) to communicate on his/her behalf on subsequent interactions with the Panel.

[160] Hereinafter just the term individual will be used to reflect both.

Appendix C to Annex 3: Violations relating to IHL, IHRL, and acts that constitute human rights abuses investigative methodology

1. The Panel's methodology, in relation to its investigations concerning IHL, IHRL and human rights abuses, is set out as below:

(a) All Panel investigations are initiated based on verifiable information being made available to the Panel, either directly from sources or from media reports.

(b) In carrying out any investigations on the use of explosive ordnance against the civilian population, the Panel will rely on at least three or more of the following sources of information:

(i) At least two eye-witnesses or victims;

(ii) At least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) If there are casualties associated with the incident, and if the casualties are less than ten in number, the Panel obtains copies of death certificates and medical certificates. In incidents relating to mass casualties, the Panel relies on published information from the United Nations and other organizations;

(iv) Technical evidence, which includes imagery of explosive events such as the impact damage, blast effects, and recovered fragmentation. In all cases, the Panel collects imagery from at least two different and unrelated sources. In the rare cases where the Panel has had to rely on open-source imagery, the Panel verifies that imagery by referring it to eye or by checking for pixilation distortion;

a. In relation to air strikes, the Panel often identifies the responsible party through crater analysis or by the identification of components from imagery of fragmentation; and

b. The Panel also analyses imagery of the ground splatter pattern at the point of impact from mortar, artillery, or free flight rocket fire to identify the direction from which the incoming ordnance originated. This is one indicator to assist in the identification of the perpetrator for ground fire when combined with other source information.

(v) The utilisation of open source or purchased satellite imagery wherever possible, to identify the exact location of an incident, and to support analysis of the type and extent of destruction. Such imagery may also assist in the confirmation of timelines of the incident;

(vii) Access to investigation reports and other documentation of local and international organizations that have independently investigated the incident;

(vii) Other documentation that supports the narrative of sources, for example, factory manuals that may prove that the said factory is technically incapable of producing weapons of the type it is alleged to have produced;

(viii) In rare instances where the Panel has doubt as to the veracity of available facts from other sources, local sources are relied on to collect specific and verifiable information from the ground. (For example, if the Panel wished to confirm the presence of an armed group in a particular area);

(ix) Statements issued by or on behalf of a party to the conflict responsible for the incident; and/or

(x) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.

(c) In carrying out its investigations on deprivation of liberty and associated violations the Panel relies on the following sources of information:

(i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;

(ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;

(iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iv) Medical documentation and, where applicable, death certificates;

(v) Documentation issued by prison authorities;

(vi) Interviews with medical personnel who treated the victim, wherever possible;

(vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;

(viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;

(ix) Statements issued by the party to the conflict responsible for the incident; and/or

(x) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.

(d) In carrying out its investigations on other violations, which can include forced displacement and threats against medical workers, the Panel relies on information that includes:

(i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;

(ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) Documentation relevant to verify information obtained;

(iv) Statements issued by the party to the conflict responsible for the incident; and/or

(v) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.

(e) Upon completion of its investigation, wherever possible, the Panel provides those responsible with an opportunity to respond to the Panel's findings in so far as it relates to the attribution of responsibility. Detailed information on incidents will not be provided when there is a credible threat that would threaten Panel sources.

(f) If a party does not provide the Panel with the information requested, as called upon by paragraphs 14 and 15 of resolution 2644 (2022), the Panel may consider this for reporting to the Committee.

2. The Panel will not include information in its reports that may identify or endanger its sources. Where it is necessary to bring such information to the attention of the Council or the Committee, the Panel may include more source information in confidential annexes.

3. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: (a) with the specific permission of the sources; and (b) where the Panel is, based on its own assessment, certain that these individuals would not suffer any danger as a result. The Panel stands ready to provide the Council or the Committee, on request, with any additional imagery and documentation to supports the Panel's findings beyond that included in its reports. Appropriate precautions will be taken though to protect the anonymity of its sources.

Annex 4 Member States, organizations and institutions consulted

1. This list excludes individuals and certain organisations or entities with whom the Panel met, in order to protect source(s) confidentiality.

Table 4.1
Member States, organizations and institutions consulted [a b c]

Country/ Location	*Government*	*Representative or International Organization*	*Institution / NGO*
Albania [b]	Ministry of Interior, Finance, Justice, Transport Permanent Mission		
Australia	Australian Federal Police [d]		
Austria	Ministry of Foreign Affairs [d]	UNODC [d]	
Bangladesh	Ministry of Foreign Affairs		
Belgium	Permanent Mission	European Commission	
Brazil [c]	Permanent Mission		
Burundi	Permanent Mission		
China [a]	Permanent Mission		
Cyprus	Ministry of Foreign Affairs		
Egypt	Ministries of Foreign Affairs, Interior, Defence, Justice, and Civil Aviation Permanent Mission		
France [a]	Ministries of Foreign Affairs, Finance and Defence Permanent Mission		NGOs
Greece	Ministries of Foreign Affairs, Finance and Defence Permanent Mission		
India [b]	Permanent Mission		
Ireland [b]	Permanent Mission		
Italy	Ministry of Foreign Affairs, Interior, Finance, Defence and Justice Permanent Mission		EUNAVFOR MED Op IRINI NGOs
Japan [c]	Permanent Mission		
Jordan	Ministries of Foreign Affairs and Finance Permanent Mission		LTP
Liberia	Permanent Mission		Liberian Shipping Registry [d]
Libya	Ministry of Foreign Affairs, Defence, Justice, Oil and Gas CBL SSA	EU Delegation Turkish Embassy UNSMIL	Brega Petroleum Marketing Company LIA NOC [d] NGOs
Liechtenstein			FAST Initiative [d]
Malta [c]	Ministry of Foreign Affairs [d] Permanent Mission		

Country/ Location	*Government*	*Representative or International Organization*	*Institution / NGO*
Mexico [b]	Permanent Mission		
Morocco	Permanent Mission		
Mozambique	Permanent Mission		
Netherlands	Permanent Mission		
Niger	Permanent Mission		
Russian Federation [a]	Ministry of Foreign Affairs Permanent Mission		
Spain	Ministry of Foreign Affairs	World Bank	
Switzerland [c]	Ministry of Foreign Affairs Permanent Mission	OHCHR Special Rapporteur [e]	NGOs
Tunisia	Ministry of Foreign Affairs and Interior	EUBAM German Embassy Netherlands Embassy Switzerland Embassy United States Embassy	NGOs
Türkiye	Permanent Mission		
United Arab Emirates [b]	Ministry of Foreign Affairs, Interior and Justice Permanent Mission		
United Kingdom [a]	Ministry of Foreign Affairs [d] Treasury Permanent Mission	IMO	NGOs
USA [a]	State Department and Treasury Mission		

[a] Countries indicated '[a]' are permanent members of the Security Council.
[b] Countries indicated '[b]' are elected members of the Security Council (2022).
[c] Countries indicated '[c]' are elected members of the Security Council (2023).
[d] Via VTC or other electronic platform.
[e] Violence against Women and Girls

Annex 5 Summary of Panel correspondence (2571 (2021) and 2644 (2022)) mandates[161]

Table 5.1
Correspondence with Member States (2571 (2021) Mandate)
(27 April 2022 to 12 July 2022) [a]

Member State / country	*# letters sent by the Panel*	*# replies from Member State*	*# awaiting reply from Member State*
Belarus	1	0	1
Burundi	1	0	1
Central African Republic	2	0	2
Egypt	3	3	0
Equatorial Guinea	1	0	1
Italy	1	1	0
Japan	1	1	0
Jordan	1	0	1
Libya	2	0	2
Republic of South Africa	1	0	1
Syrian Arab Republic	1	1	0
Tanzania	1	0	1
Tunisia	2	0	2
Türkiye	1	0	1
Ukraine	1	1	0
United States of America	1	0	1
Total	**21**	**7**	**14**

[a] 27 April 2022 being the last date that letters were included in annex 5 to S/2022/427 and 12 July 2022 being the end of the resolution 2571 (2021) mandate.

Table 5.2
Correspondence with Member States (2644 (2022) Mandate)
(13 July 2022 to 17 July 2023) [a]

Member State / country	*# letters sent by the Panel* [b]	*# replies from Member State*	*# awaiting reply from Member State*
Albania	1	1	0
Bangladesh	1	1	0
Belgium	1	1	0
Bulgaria	4	4	0
Burundi	4	0	4
Central African Republic	1	0	1
Chad	1	0	1
Cyprus	1	1	0
Egypt	8	6	2
Finland	1	0	1

[161] Excluding updates to the Committee, letters to the Chair or visit/visa requests to Member States.

Member State / country	*# letters sent by the Panel* [b]	*# replies from Member State*	*# awaiting reply from Member State*
France	2	2	0
Greece	2	2	0
Italy	6	4	2
Japan	1	1	0
Jordan	5	2	3
Kyrgyz Republic	2	2	0
Liberia	1	0	1
Libya	20	2	18
Morocco	2	2	0
Netherlands	2	2	0
Poland	1	0	1
Republic of South Africa	1	0	1
Russian Federation	3	1	2
Tunisia	2	0	2
Türkiye	18	4	14
Ukraine	2	2	0
United Arab Emirates	3	1	2
United Kingdom of Great Britain and Northern Ireland	4	4	0
United States of America	8	2	6
Total	**108**	**47**	**61**

[a] 13 July 2022 being the commencement of the resolution 2644 (2022) mandate and 17 July 2023 being the last date for which replies were requested and could be included in the final report.
[b] Includes all letters sent with a requested reply date by 17 July 2023.

Table 5.3
Correspondence with regional organizations and other entities (2571 (2021) Mandate) (27 April 2022 to 12 July 2022) [a]

Organization or entity	*# letters sent by the Panel*	*# replies*	*# awaiting reply*
European Union	1	1	
Euro Control	2	2	
Total	**3**	**3**	**0**

[a] 27 April 2022 being the last date that letters were included in annex 5 to S/2022/427 and 12 July 2022 being the end of the resolution 2571 (2021) mandate.

Table 5.4
Correspondence with regional organizations and other entities (2644 (2022) Mandate) (13 July 2022 to 17 July 2023) [a]

Organization or entity	*# letters sent by the Panel*	*# replies* [b]	*# awaiting reply*
Attorney General's Office (Libya)	2	0	2
Euro Control	2	2	0
International Atomic Energy Agency	1	1	0

Organization or entity	*# letters sent by the Panel*	*# replies* [b]	*# awaiting reply*
HAF	6	3	3
Judiciary (Belgium)	1	0	1
National Oil Corporation (Libya)	1	1	0
Total	**13**	**7**	**6**

[a] 13 July 2022 being the commencement of the resolution 2644 (2022) mandate and 12 July 2023 being the last date for which replies were requested and could be included in the final report.
[b] Includes all letters sent with a requested reply date by 17 July 2023.

Table 5.5
Correspondence with commercial companies (2571 (2021) Mandate) (27 April 2022 to 12 July 2022) [a]

Organization or entity	*# letters sent by the Panel*	*# replies*	*# awaiting reply*
Barrett Firearms Manufacturing Inc (USA)	1	1	0
Minerva Special Purpose Vehicles LLC (UAE)	1	0	1
SAKO Limited (Finland)	1	0	1
Zaiwalla and Co (UK)	1	1	0
Total	**4**	**2**	**2**

[a] 27 April 2022 being the last date that letters were included in annex 5 to S/2022/427 and 12 July 2022 being the end of the resolution 2571 (2021) mandate.

Table 5.6
Correspondence with commercial companies 2644 (2022) Mandate) (13 July 2022 to 12 July 2023) [a]

Organization or entity	*# letters sent by the Panel*	*# replies* [b]	*# awaiting reply*
Abdul Latif Jameel Import and Distribution Co., Ltd. (Saudi Arabia)	1	1 [c]	0
Accuracy International Limited (UK)	1	1	0
Air Libya (Libya)	1	0	1
Al Futtaim (UAE)	1	1	0
Al Rajeeb and Al Refai for Cars (Kuwait)	1	1	0
Al-Takamul Al-Afriqii Company (Libya)	1	0	1
Almutakss Cars FZE (UAE)	1	1	0
Amsterdam Global Shipping (Netherlands)	1	1	0
Aviation Company (South Sudan)	1	1	0
Boies Schiller Flexner LLP (USA)	4	1	3
Boustany United Machineries Co, S.A.L. (Lebanon)	1	0	1
Capra Arms Savunma ve silah sanayi tic. Ltd. (Turkiye)	1	0	1
Daimler Truck AG (Germany)	1	1	0
Ebrahim K. Kanoo B.S.C. (Bahrain)	1	0	1
Falcon Wings LLC (UAE)	1	1	0
Ford Motor Company (USA)	1	1	0
Fursan Al Khaleej (Kuwait)	1	1	0

Organization or entity	*# letters sent by the Panel*	*# replies* [b]	*# awaiting reply*
General Motors Limited (USA)	1	1	0
Hilton Group (USA)	2	1	1
Holman Fenwick Willam MEA LLP (UAE)	2	0	2
Kratol Aviation FZC (UAE)	1	1	0
M&A Shipping and Trading (Marshall Islands)	1	0	1
Mercedes-Benz Group AG (Germany)	1	1	0
Mohamed Saud Bahwan Trading (FZC) LLC (Oman)	1	0	1
Muthana Al Battawi Motors (UAE)	1	1	0
SILC (Japan)	1	0	1
Shipping Company Groningen (Netherlands)	1	0	1
Squire Patton Bogs (MEA) LLP	1	1	0
Streit Group (UAE)	1	0	1
The Armored Group (UAE)	1	1	0
The Armored Group (USA)	1	1	0
VIP Armouring Industry Company (Jordan)	2	0	2
Yildirim Shipping (Türkiye)	1	0	1
Zaiwella and Co (UK)	2	2	0
Total	**41**	**22**	**19**

[a] 13 July 2022 being the commencement of the resolution 2644 (2022) mandate and 12 July 2023 being the last date for which replies were requested and could be included in the final draft report.
[b] Includes all letters sent with a requested reply date by 17 July 2023.
[c] Member State was copied on letter responded to the Panel.

Annex 6 Context of Zawiyah since August 2022

1. Zawiyah represents one of the main hubs for migrant smuggling and human trafficking in western Libya. The criminal networks based in the Zawiyah area are supported by armed groups and individuals with State legitimacy and political influence. These networks formed links with criminal groups based in the south of the country, increasing their reach to essentially enhance their revenues. Their influence over the governmental authorities gave them an important level of impunity that enabled them not only to prevent armed group members from facing prosecution, but also to develop a business model based on systematic human rights abuses aimed at generating revenue and facilitate transportation by land or sea, for the conduct of other criminal activities, such as drug trafficking and fuel smuggling.

2. The Panel met with individuals trafficked or smuggled through Libya, who at some point of their journey had fallen victim to the criminal networks based in Tripoli, Sabratah and Zawiyah.[162] Their accounts provide evidence of un-uniformed armed actors openly carrying weapons and driving vehicles mounted with machine guns and holding the victims against their will in large warehouses, subjected to various forms of human rights violations (see annex 19).

3. In addition, fighters from the al-Nawasi Brigade and 777 Brigade who were not incorporated in other Tripoli-based armed groups arrived in the Zawiyah area following the August 2022 clashes in Tripoli (see annex 10). Their presence contributed to the deterioration of the security situation as they have been hosted by local armed groups involved in human trafficking, migrant smuggling and fuel smuggling.[163]

4. Rival armed groups based in Zawiyah took opposing stands during those clashes in Tripoli. They did not directly participate in the fighting, but Dbeibah's prevalence had an impact on their respective influence on the authorities in Tripoli. Mohammed Bahrun (a.k.a al-Far), who supported Dbeibah, has since used his position[164] to reduce the influence of rival armed groups led by Hassan Busriba.[165]

[162] E.g. Panel interviews with former detainees (IHL Confidential Sources (CS) 25-27, 52-58, 65-72).
[163] Panel Meetings of 6 and 12 October 2022, and 10 and 17 January 2023.
[164] As head of the Office of Combatting Terrorism and Subversive Activities in the Western Region.
[165] Panel Meetings with Armed group representatives and actors from the security sectors of 10, 12 and 17 January 2023. Busriba was named deputy commander of the SSA by former Prime Minister Fayez al-Sarraj in 2021.

Annex 7 Narcotics Marketplace in Zawiyah

1. On Google Maps, the marketplace is labelled Sifaou after Mohamed Sifaou. Mohamed Sifaou is the head of the Ministry of Interior (MoI) Anti-Drug Unit in Zawiyah, who is openly associated with this location. The Panel has received confirmation from multiple sources that MoI vehicles are trading in illicit narcotics under a bridge called the "Bir Al ghanam Bridge" (كوبري بئر الغنم) at this location.

Annex 8 Declaration of the High Council of State on Zawiyah Operation

STATE OF LIBYA
THE HIGH COUNCIL OF STATE

دولة ليبيا
المجلس الأعلى للدولة

بيان رئيس المجلس الأعلى للدولة بشأن قصف الطيران المسير لبعض المناطق بمدينة الزاوية

إننا نؤكد رفضنا التام والقاطع لكل أشكال التهريب والجريمة بأنواعها، ونؤكد على أن مواجهة هذه الجرائم تتم عبر سلسلة من الإجراءات والخطوات، التي منها أن يتم استبدال الدعم السلعي بالدعم النقدي، والحكومة المتخصصة بالصرف فقط لم تتخذ أية خطوات إصلاحية في هذا الشأن، علماً أن تهريب النفط والوقود يتم على مستوى كبير وواسع وبشكل شبه رسمي عن طريق شخصيات ومستشارين لرئيس الحكومة.

إن القصف بالطيران المسير لبعض مناطق مدينة الزاوية جاء بعد أيام قليلة من حراك شباب وأهالي الزاوية الرافض لانتشار الجريمة، وتقصير الحكومة الذي نتج عنه تشكيل لجنة من الحكماء والأعيان والجهات العسكرية والأمنية وشباب الحراك بمدينة الزاوية لإطلاق خطة لمكافحة الجريمة والتهريب، كما أنه بعد التواصل تبيّن لنا أن القصف تم بدون علم المجلس الرئاسي بصفته القائد الأعلى للجيش الليبي وبدون علم رئاسة الأركان والمنطقة العسكرية الغربية واللجنة العسكرية والأمنية التي تم تشكيلها مؤخراً.

كما أننا نعلن رفضنا لتوظيف السيد عبد الحميد الدبيبة، بصفته وزير الدفاع، لسلاح الطيران المسير لتصفية حسابات سياسية ضد أطراف مختلفة معه سياسياً بحجة نبيلة كمكافحة الجريمة.

صدر في طرابلس،
26 مايو 2023.

2\1

STATE OF LIBYA
THE HIGH COUNCIL OF STATE

دولة ليبيا
المجلس الأعلى للدولة

نحن نطالب المجلس الرئاسي بصفته القائد الأعلى للجيش الليبي بسحب صلاحيات الطيران المسير وقيادته من رئيس الحكومة الذي أصبح يستغله سياسياً لإرهاب خصومه السياسيين ومواجهتهم.

ونؤكد على أن إدارة الطيران المسير لا علاقة لها بالأشقاء في تركيا، وأنه يدار بشكل مباشر من قبل وزير الدفاع عبدالحميد الدبيبة، وأنه يسوق لهذا الأمر للزج بالحليف التركي في الصراع الداخلي، ونرفض أي إشارة من أي طرف تمس بحياد الحليف التركي.

خالد عمار المشري
رئيس المجلس الأعلى للدولة

صدر في طرابلس،
26 مايو 2023.

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Source: https://twitter.com/MuhammedAhmedJ2/status/1662165334722215951/photo/3, 26 May 2023.

Official UN translation
Reference no 2314271E
Translated from Arabic

Statement of the President of the High Council of State on the drone bombardment of certain areas in the city of Zawiyah

We affirm that we categorically reject all forms of smuggling and crimes of any kind. Confronting such crimes should be done through a series of measures and steps that would include replacing commodity subsidies with cash subsidies. The government, which specializes in disbursal only, has not taken any reform steps in this connection. It is well known that oil and fuel are smuggled on a wide scale and semi-officially through prominent personages and advisers to the Prime Minister.

The drone bombardment of certain areas of the city of Zawiyah came a few days after the stirrings of a movement by the youth and people of Zawiyah to reject the spread of crime and government negligence. It led to the formation of a committee of elders, notables, military and security parties, and activist youth in the city of Zawiyah to launch a plan to combat crime and smuggling. After making some contacts, it became clear to us that the bombing took place without the knowledge of the Presidency Council, which functions as the Commander-in-Chief of the Libyan army, and without the knowledge of the Chief-of-Staff, the western military zone command or the recently formed military and security committee.

We declare that we reject the use of drones by Minister of Defence Abdulhamid Al Dabiba to settle political scores with political parties that differ with him under the noble pretext of fighting crime.
We call on the Presidency Council, in its capacity as Commander-in-Chief of the Libyan army, to take command and control of drones away from the Prime Minister, who been using that power to terrorize and confront his political opponents.

We stress that drone oversight has nothing to do with our brothers in Turkey. It is done directly by Defence Minister Abdulhamid Al Dabiba. He is using this issue to drag our Turkish ally into the internal conflict. We reject any suggestion from any party that impugns the neutrality of our Turkish ally.

Khalid Ammar Al-Mashri
President of the High Council of State

Issued in Tripoli
26 May 2017

Annex 9 Decree establishing the National Force Support Authority (NFSA)

قرار مجلس الوزراء
رقم (313) لسنة 2023 ميلادية
بإنشاء الجهاز الوطني للقوى المساندة

مجلس الوزراء :

بعد الاطلاع على الإعلان الدستوري الصادر بتاريخ 3/ أغسطس /2011 م، وتعديلاته.

- وعلى الاتفاق السياسي الليبي الموقع بتاريخ 17 ديسمبر/ 2015 ميلادي.
- وعلى مخرجات ملتقى الحوار الليبي المنعقد بتاريخ 9/ نوفمبر/2020م.
- وعلى قانون النظام المالي للدولة ولائحة الميزانية والحسابات والمخازن وتعديلاتهما.
- وعلى القانون رقم "40" لسنة 1974 م بشأن الخدمة بالجيش الليبي وتعديلاته.
- وعلى القانون رقم (12) لسنة 2010 م، بشأن إصدار قانون علاقات العمل
- وعلى ما قرره مجلس النواب في 10/مارس /2021م بمنح الثقة لحكومة الوحدة الوطنية.
- وعلى كتاب أمين شؤون مجلس الوزراء رقم (10284) المؤرخ في 22/05/2023م.
- وعلى اجتماع مجلس الوزراء العادي الثالث لسنة 2023م.

قـــرر

مادة (1)

ينشأ جهاز يسمى الجهاز الوطني للقوى المساندة يتبع مجلس الوزراء يتمتع بالشخصية الاعتبارية والذمة المالية المستقلة مقره الرئيسي طرابلس.

مادة (2)

يضم الجهاز أفراد القوى المساندة من تشكيلات وكتائب ثوار 17 فبراير لإعادة تنظيمها وتنظيم تحركها ووضع الآليات والأسلحة والذخيرة الموجودة بحوزتها وفق إجراءات إدارية وقانونية وتشريعات معمول.

مادة (3)

يعني بأفراد القوى المساندة :-

1. ثوار 17 فبراير .
2. المشاركين في العمليات العسكرية للدفاع عن الوطن من المدنيين.
3. المدربين من العسكريين والأجهزة الأمنية الذين سيتم ندبهم للجهاز .

مادة (4)

يتولى الجهاز الاختصاصات الآتي :-

1. المحافظة على أهداف ثورة 17 فبراير وفق التشريعات القانونية المعمول بها بالدولة الليبية.
2. حماية شرعية الدولة والمؤسسات السيادية والمحافظة على أمن واستقرار البلاد وأمنها القومي.

3. مساندة الجيش وفق ما تتطلبه الضرورة للمساعدة في تأمين وحماية الحدود الليبية والمنافذ وتأمين الأهداف والمنشآت الحيوية والإستراتيجية.
4. مساندة وزارة الداخلية عند الحاجة في حماية المقار السيادية ومقرات البعثات الدبلوماسية.
5. المساندة في حالات الطوارئ والكوارث الطبيعية وعمليات الإنقاذ.
6. المساندة في تأمين مشروعات البنية التحتية والمواقع الأثرية والسياحية.
7. أي اختصاصات تسند للجهاز لاحقا.

مادة (5)

يدار الجهاز برئيس يصدر بتسميته قرار من رئيس مجلس الوزراء.

مادة (6)

يكون للجهاز فروع تتبعه بالمدن الليبية وفق اقتراح يعرض من رئيس الجهاز ويصدر بشأنه قرار من رئيس مجلس الوزراء.

مادة (7)

يعتبر رئيس الجهاز مسئولا عن تنفيذ المهام وفق اختصاصات هو اختصاصات الجهاز كما يعتبر مسئولا أمام القانون عن ما يتعارض ومهام الجهاز وفق التشريعات القانونية.

مادة (8)

تتكون الموارد المالية للجهاز مما يلي :-

1- ما يخصص له من مبالغ مالية بالميزانية العامة للدولة.

2- أي موارد أخرى يرخص له في الحصول عليها قانونا.

مادة (9)

يكون للجهاز حساب مصرفي أو أكثر بأحد المصارف العاملة في ليبيا تودع فيه أمواله وفقا للتشريعات النافذة.

مادة (10)

يعمل بهذا القرار من تاريخ صدوره، وعلى الجهات المختصة تنفيذه.

رئيس مجلس الوزراء

حكومة الوحدة الوطنية
القرارات
الإدارة العامة لشؤون القانونية والمحفوظات

صدر في : 2 ذو القعدة 1444 هجري
الموافق : 5/22/ 2023 ميلادي

Source: Panel interlocutor on 15 June 2023

Official UN translation
Reference no 2311914E
Translated from Arabic

Government of National Unity
Cabinet Decision No. 313 (2023) establishing a National Support Forces Authority

The Cabinet,

Having considered the following:

- The Constitutional Declaration and amendments thereto;
- The Libyan Political Agreement signed on 17 December 2015;
- The outcomes of the Libyan Dialogue Forum held on 9 November 2020;
- The Act concerning the State financial system and regulations for the budget, accounts and reserves, and amendments thereto;
- Act No. 40 (1974) concerning service in the Libyan army, and amendments thereto;
- Act No. 12 (2010) concerning labour relations;
- The decision taken by the House of Representatives 10 March 2021 to grant confidence to the Government of National Unity;
- Secretary of Cabinet Affairs letter No. 10284 dated 22 May 2023;
- The third ordinary meeting of the Cabinet of 2023,

Does hereby decide the following:

Article 1
An Authority to be called the National Support Forces Authority shall be established subsidiary to the Cabinet with a legal personality and financial resources, with headquarters in Tripoli.

Article 2
The Authority shall bring together members of support forces and the 17 February Revolutionaries' Brigades with a view to restructuring them and regulating their movements and the deployment of their vehicles, weapons and munitions in accordance with administrative and legal measures and legislation in force.

Article 3
"Members of the support forces" shall mean the following:

1. The 17 February Revolutionaries;
2. Civilians who take part in military operations to defend the homeland;
3. Trainers from the military and security services assigned to the Authority.

Article 4
The Authority shall have the following competencies:

1. Preserving the objectives of the 17 February revolution in accordance with legislation in force in the Libyan State;
2. Protecting the legitimacy of the State and sovereign institutions, and maintaining the security and stability of the country and national security.
3. Supporting the army as needed to help secure and protect the Libyan border and entry points, and securing vital and strategic targets and facilities;
4. Supporting the Ministry of Interior as needed in protecting sovereign installations and the premises of diplomatic missions;
5. Providing support in emergencies, natural disasters and rescue operations;
6. Providing support in securing infrastructure projects and archaeological and tourist sites;
7. Any other competencies assigned to the Authority at a later date.

Article 5
The Authority shall be managed by a chief nominated by decision of the Prime Minister.

Article 6
The Authority shall have subsidiary branches in Libyan cities in accordance with proposals submitted by the chief of the Authority and decisions issued by the Prime Minister.

Article 7
The chief of the Authority shall be responsible for implementing tasks under the Authority's terms of reference and shall be responsible before the law for any violations by the Authority of the law.

Article 8
The financial resources of the Agency shall consist of the following:

1. What is allocated to it in the general budget of the State;
2. Any other resources that it is legally authorized to receive.

Article 9
The Agency shall have one or more bank accounts in one of the banks operating in Libya in which its funds shall be deposited in accordance with legislation in force.

Article 10
The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(Signed) [Illegible]
[Prime Minister]

Done on 9 Dhu al-Qa'dah A.H. 1444
22 May 2023

Annex 10 Tripoli-based armed groups since August 2022

1. On 27 and 28 August 2022, armed groups supporting the installation of Fathi Bashagha as Prime Minister attempted to press for the resignation of the Abdul Hamid Dbeibah government, triggering intense clashes in Tripoli. The fighting resulted in the withdrawal from Tripoli of the armed groups supportive of Bashagha. Those events marked changes in the armed groups' balance of power in the Libyan capital.

2. The aftermath of the clashes led to the dismantling of the Al-Nawasi Brigade and 777 Brigade, formerly the Tripoli Revolutionary Brigade (TRB), and the departure of their respective leaders, Mustafa Qaddour and Haitham Al-Tajouri, from Tripoli. Osama Al-Juwaili, former commander of the western military region, also had to relocate to his stronghold of Zintan after his participation in the pro-Bashag**h**a offensive on Tripoli. Following the clashes, most of the Al-Nawasi brigade fighters were integrated in other security forces supporting the government, mainly the Stability Support Apparatus (SSA) and the Deterrence Apparatus for Combating Organized Crime and Terrorism (DACOT), formerly known as Special Deterrence Force (SDF). While the process of re-affiliation remains unclear at the moment, the Panel noted the considerable increase of territory under SSA and DACOT control, making them key actors for any future political process. The Panel assessed that Tripoli-based armed groups not only control the security forces in their territories, but also the local authorities that are likely to play a key role in the organization of future elections.

3. The posture of 444 Brigade also had an impact on the current security dynamics in Tripoli. The brigade is officially under the authority of the Minister of Defence. The brigade commander and former DACOT officer, Colonel Mahmud Hamza, presented to the Panel the brigade as a neutral military force willing to be a buffer between armed groups to avoid clashes in the city. It played a major role in the retreat of the Bashagha-affiliated forces in August 2022. 444 Brigade also extended its operational area to Bani Walid, which serves as a patrol base for its operations to the south.

4. Except for the clashes that occurred on 15 January 2023 at the defunct Tripoli International Airport (HLLT), and the ones on 28 May 2023 between 444 Brigade and DACOT, no significant clashes occurred in Tripoli after August 2022. The remaining armed groups based in the capital were keen to secure control over their territories and avoid being perceived as factors of destabilization.

Annex 11 Official LAAF orders reinforcing 106 brigade

Figure 11.1
Order to integrate 116 unit into 106 brigade

القيادة العامة للقوات المسلحة الليبية

القرارات

قـــــرار

القائد العام للقوات المسلحة العربية الليبية

رقم (170) لسنة 2023م بشأن ضم وحدة إلى اللواء 106 مجحفل

القائد العام للقوات المسلحة

بعد الاطلاع على :-

- قانون رقم (40) لسنة 1974 م بشأن الخدمة بالقوات المسلحة وتعديلاتها.
- وعلى القانون رقم (01) لسنة 2000 بإصدار قانون الإجراءات الجنائية العسكرية وتعديلاته.
- قانون رقم (01) لسنة 2015م بشأن تعديل القانون رقم (11) لسنة 2012م بشأن تحديد صلاحيات المستويات القيادية بالقوات المسلحة العربية الليبية.
- قرار مجلس النواب رقم (20) لسنة 2014 م بشأن تفويض رئاسة مجلس النواب باختصاصات القائد الأعلى.
- قرار القائد الأعلى رقم (20) لسنة 2015 م بشأن تعيين قائداً عاماً للقوات المسلحة العربية الليبية.

قـــرر

مادة (1)

تضم الكتيبة 115 مشاة مجحفلة إلى اللواء 106 مجحفل وذلك بكامل قوتها العمومية من أفراد وآليات وأسلحة وذخائر ومهمات.

مادة (2)

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المعنية تنفيذه.

المشير أركان حرب //
خليفة أبو القاسم حفتر
القائد العام للقوات المسلحة العربية الليبية

القيادة العامة للقوات المسلحة العربية الليبية
القرارات

في الرجمة / بتاريخ 03 / 05 / 2023م

Source: Confidential

OFFICAL UN TRANSLATION
Reference no. 2311914E
Translated from Arabic

General command of the Libyan Arab armed forces

Decision of the general commander of the Libyan Arab armed forces No. 170 (2023) concerning integration of a unit into the 106th brigade group

The General commander of the armed forces,
Having considered the following:

- Act No. 40 (1974) concerning service in the armed forces and amendments thereto;
- Act No. 1 (2000) promulgating the Code of Military Criminal Procedure and amendments thereto;
- Act No. 1 (2015) amending Act No. 11 (2012) concerning the powers and leadership ranks of the Libyan arab armed forces;
- House of Representatives Decision No. 20 (2014) concerning delegation by the Office of the Speaker of the House of Representatives of the competences of the commander-in-chief of the Libyan army;
- And Commander-in-Chief Decision No. 20 (2015) appointing a general commander of the Libyan Arab armed forces,

Does hereby decide as follows:

Article 1
The 115th infantry battalion shall be integrated into 106 brigade group, with its full general force of personnel, vehicles, weapons, ammunition and missions;

Article 2
The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(Signed) Khalifah Abulqasim Haftar
Staff field marshal
general commander of the Libyan Arab armed forces

Figure 11.2
Order to integrate Khaled Ben Walid brigade into 106 brigade

القائد العام للقوات المسلحة العربية الليبية

القرارات

قـــــرار

القائد العام للقوات المسلحة العربية الليبية

رقم (220) لسنة 2023 م بشأن إنشاء رئاسة أركان الوحدات الأمنية

القائد العام :-

بعد الاطلاع على :-

- قانـــون رقم (40) لسنة 1974 م بشـــان الخدمـــة بالقـوات المسلحـــة وتـعديلاتـــــه .
- قانون رقم (1) لسنة 2015م بشأن تعديل القانون رقـم (11) لسنـــة 2012م بشـــأن تحديـــد صلاحيـــات المستويـــات القياديـــة بالقـــوات المسلحـــة العربيـــة الليبيـــة .
- قرار القائد الأعلى رقـم (20) لسنة 2015 م بشان تعيين قائداً عاماً للقوات المسلحـة العربيـــة الليبية .

قـــــرر

مادة (1)

تُنشأ بالقوات المسلحة العربية الليبية رئاسة تسمى [رئاسة أركان الوحدات الأمنية] وتكون تبعيتها للقيادة العامة.

مادة (2)

تضم الوحدات التالية إلى رئاسة أركان الوحدات الأمنية

1- اللّواء 106 مجحفل	2- اللّواء خالد بن الوليد

مادة (3)

يُعيّـــن الرقـــم: 37825/ عميـــد ركن/ خالد خليفـــة أبـــو القاســـم أمـــراً لهـــا.

مادة (4)

علـــى هيئـــة العمليـــات إعـــداد الهيكـــل التنظيـــمي لهـــا

مادة (5)

يعمـــل بهـــذا القـــرار مـــن تـــاريـــخ صـــدوره وعلـــى الجهـــات المختصـــة تنفيـــذه.

المشير أركان حرب //
خليفـــة أبـــو القاســـم حفتـــر
القائد العام للقوات المسلحة العربية الليبية

صدر في: الرجمة / بتاريخ: 8 / 7 / 2023م

Source: https://twitter.com/wady_dynar/status/1678508865346781189?s=46&t=AJSuGTvN8PWieUi-5AGhcQ, 10 July 2023.

OFFICAL UN TRANSLATION
Reference no 2313572E
Translated from Arabic

General commander of the Libyan Arab armed forces **Decisions**

Decision of the General commander of the Libyan Arab armed forces No. 220 (2023) concerning the establishment of an Office of chief of staff of Security Units

The general commander,

Having considered the following:

- Act No. 40 (1974) concerning service in the armed forces and amendments thereto;
- Act No. 1 (2015) amending Act No. 11 (2012) concerning the powers and leadership ranks of the Libyan arab armed forces;
- And commander-in-chief Decision No. 20 (2015) appointing a general commander of the Libyan arab armed forces,

Does hereby decide the following:

Article 1
The Libyan Arab armed forces shall establish an office to be called the Office of chief of staff of Security Units, which shall be subordinate to the general command.

Article 2
The following units shall be included in the Office of chief of staff of Security Units

1. The 106th brigade group	2. The Khalid ibn al-Walid army

Article 3
Staff brigadier Khalid Khalifah Abu al-Qasim (no. 37825) is hereby appointed as its commander.

Article 4
The Operations Authority shall design its organizational structure.

Article 5
The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(*Signed*) Khalifah Abu al-Qasim Haftar
Staff field marshal
general commander of the Libyan Arab armed forces

Done at Rajmah on 8 July 2023

Annex 12 TBZ Agency activities in LAAF controlled territories.

1. Sample of the news report titled "وصول معدات حديثة لكنس الشوارع تابعة لجهاز طارق بن زياد للخدمات والإنتاج -بنغازي". The Panel translates this as "The arrival of modern equipment for sweeping streets belonging to the Tariq Bin Ziyad Agency for Services and Production – Benghazi".

Figure 12.1
Road Maintenance in Benghazi

Source: https://www.youtube.com/watch?v=-rpwdhYut6gM, 7 May 2023.

2. Sample of the news report titled "جهاز طارق بن زياد يواصل عمليات الصيانة والنظافة في سبها". The Panel translates this as "Tariq bin Ziyad Agency continues maintenance and cleaning operations in Sebha."

Figures 12.2 - 12.3
Waste Management in Sebha

Source: https://www.youtube.com/watch?v=KvXGIB1dwVA, 17 May 2023.

3. Sample of a news report titled " جهاز طارق بن زياد للخدمات والإنتاج التابع للقيادة العامة ينتهي من إنجاز مشروع توسعة و تطوير و إعادة رصف طريق المطار". The Panel translates this as "The Tariq bin Ziyad Service and Production Agency of the General Command finishes the completion of the project of expanding, developing and re-paving the airport road."

Figures 12.4 - 12.5

Road Building in Benghazi

Source: https://www.libyaakhbar.com/breaking/2081637.html, 14 February 2023.

4. Sample of the news report titled "لدعم قطاع الصحة جهاز طارق بن زياد للخدمات والإنتاج يفتتح مُستشفى بنغازي التخصصي". The Panel translates this as "To support the health sector, the Tariq Bin Ziyad Agency for Services and Production opens the Benghazi Specialized Hospital".

Figures 12.6 - 12.7

Construction of a hospital in Benghazi inaugurated by the head of the TBZ Agency, Jibril Daoud Al Badri

Source: https://www.youtube.com/watch?v=dvdgBB-r9Xc, 6 May 2023.

5. Sample of the news report titled "شهدت مدينة درنة حملة خدمية كبيرة تحت تنفيذ "جهاز طارق بن زياد" للخدمات والإنتاج". The Panel translates this as “"The city of Derna witnessed a large service campaign under the implementation of the "Tariq bin Ziyad Agency" for services and production.”

Figures 12.8

Road extension in Derna

Source: https://twitter.com/alsaaa24/status/1588988508101828612?s=46&t=AJSuGTvN8PWieUi-5AGhcQ, 5 November 2023.

6. Sample of a report from LAAF media titled " جانب من زيارة وفد القيادة العامة على راسه العميد صدام حفتر إلى مدينة سبها للاطلاع على المشاريع". The Panel translates this as “Excerpt of the visit of the General Command delegation, headed by brigadier general Saddam Haftar, to the city of Sebha to see the projects”.

Figures 12.9 - 12.10

Saddam Haftar’s visit to Sebha to see TBZ agency work

Source: https://www.youtube.com/watch?v=nplloMyW18E, 30 May 2023.

Annex 13 Reported counterterrorism related events in Libya

Table 13.1
Reported counterterrorism related events in Libya

Date	*Event*
18 Jun 2022	The GNU-AF 444 Brigade announced the arrest, in Bani Walid, of an alleged leader of ISIL-Libya named Mustafa bin Dallah, against whom an arrest warrant was issued in 2016 by the AGO.[a]
28 Jul 2022	The GNU-AF Counter Terrorism Force (CTF) reportedly arrested, in Gharyan, an Iraqi individual suspected of being a member of ISIL-Libya.[b]
8 Aug 2022	The Libyan judicial authorities in Misrata initiated the trial of 56 individuals suspected of being ISIL-Libya members.[c]
7 Sep 2022	The HAF Tareq Bin Ziyad brigade (TBZ) announced the killing of Mehdi Dango, a senior ISIL-Libya operative, during a security operation in Qatrun. Dango is responsible for the killing of the Egyptian Copts in Sirte, in 2015.[d]
16 Nov 2022	HAF's spokesperson Ahmed al-Mismari announced that the LAAF's Southwestern Security Operations Room had conducted a security operation against suspected ISIL-Libya operatives south of Qatrun, near the Libyan-Chadian border. According to the spokesperson, the operation resulted in the reported killing seven alleged ISIL-Libya members and two arrests.[e]
21 Nov 2022	The GNU-AF "information, investigation and apprehension unit" published a video of recently captured ISIL-Libya members who were active in different cities of Libya since 2016 according to their recorded testimonies.[f]
27 Nov 2022	The trial of suspected ISIL-Libya members accused of involvement in the occupation of Sirte in 2016 resumed in Misrata. 12 suspects, field commanders, witnesses gave statements to judges.[g]
19 Dec 2022	Tripoli Criminal Court issued sentences against 41 people, including death sentences against 17 of them, who were convicted of joining ISIL-Libya, committing murders, kidnappings, and vandalizing public property in the city of Sabratha and its environs.[h]
1 Jan 2023	Libya's Missing Persons Authority reported that 18 bodies were found buried in a mass grave in the Sabaa area of Sirte, a former stronghold of ISIL-Libya.[i]
8 Jan 2023	ISIL published the results of its terrorist operations in the world for the year 2022, including in Libya. ISIL admitted in its report having a small presence in Libya and reported to have carried three attacks in Libya, in 2022, which would have resulted in a total of 9 casualties.[j]
26 Feb 2023	The Misrata Court of Appeal held the eleventh session, and the first in 2023, to try more than forty accused of belonging to ISIL-Libya. The verdict was postponed to a later date.[k]
5 May 2023	Tunisia has received four women and five children, wives and children of ISIS fighters from Libya, at the Ras Jedir border crossing. The women had been acquitted by the Libyan judiciary while nine others were sentenced to twelve years in prison.[l]
29 May 2023	The Misrata Court of Appeal sentenced to death at least 35 ISIL-Libya suspects, both Libyans and foreign nationals; others were sentenced to life in prison. The sentences relate to incidents attributed to ISIL in 2015 and 2016 in cities like Zliten and Sirte.[m]

[a] https://ar.libyaobserver.ly/article/19649, 18 June 2022.
[b] https://lana.gov.ly/post.php?lang=ar&id=249993, 28 July 2022.
[c] https://arabic.euronews.com/2022/08/08/libya-misrata-tries-dozens-suspected-belonging-daesh-group-jihadist-killings, 8 August 2022.
[d] https://www.alarabiya.net/north-africa/2022/09/08/اعتقال-3-جزائريين-وسوداني-بعملية-تصفية-زعيم-داعش-في-ليبيا, 7 September 2022.
[e] https://www.aa.com.tr/ar/2740418/الدول-العربية/ليبيا-قوات-حفتر-تعلن-مقتل-7-مسلحين-من-داعش-وأسر-2/, 16 November 2022.
[f] https://www.facebook.com/100323058386315/videos/508062901380547, 21 November 2022.
[g] https://arabic.euronews.com/2022/08/08/libya-misrata-tries-dozens-suspected-belonging-daesh-group-jihadist-killings, 27 November 2022.
[h] https://arabic.rt.com/middle_east/1418568-داعش-تنظيم-إلى-الانضمام-بتهمة-شخصا-17-بإعدام-تقضي-طرابلس-جنايات-ليبيا/, 19 December 2022.
[i] http://arabic.news.cn/20230102/3debb2ef85ac4f62a91f6e3c809f6950/c.html, 1 January 2023.

[j] https://libyaobserver.ly/news/isis-admits-faltering-activities-libya, 8 January 2023.
[k] https://libyaalhadath.net/?p=152712, 26 February 2023.
[l] https://www.alaraby.co.uk/society/تونس-تستعيد-دفعة-من-أطفال-ونساء-مقاتلي-داعش-في-ليبيا, 5 May 2023.
[m] https://www.maghrebvoices.com/cve/2023/05/29/أدينوا-بارتكاب-جرائم-قتل-حكم-قضائي-بإعدام-35-عضوا-بداعش-في-ليبيا, 29 May 2023.

Annex 14 2022 ISIL's summary of terrorist activities in the world

Figure 14.1
Summary of ISIL activities in different countries during 2022

NOTE: Framed in red, claim of three attacks in Libya, resulting in the killing and wounding of nine people.

Source: https://ent.siteintelgroup.com/Jihadist-Threat-Statements/is-amaq-tallies-over-2000-attacks-in-2022-more-than-6800-casualties-in-22-countries.html, 8 January 2023.

Annex 15 Syrian Presence in Libya

Sidi Blal Camp, Tripoli
(32°49'09.1"N 12°57'02.8"E)
(15 April 2023)

On 15 April 2023, the official Youtube page of the Syrian group *Sultan Suleiman Shah* published a video of a large number of its members marching and demonstrating in Sidi Blal camp in the area of Janzour in Tripoli, in celebration of the 12th year of the "Syrian revolution".

Primary sources

1. https://www.youtube.com/watch?v=E0sZrTQiYv4, 15 April 2023
2. Confidential satellite imagery.

Annex 16 Incidents of violations of international humanitarian law (IHL) and international human rights law (IHRL) committed in the context of deprivation of liberty

1. This annex presents evidence of serious violations of IHL and IHRL against individuals detained: (a) in the detention centre under the control of the DACOT (appendix 16.A); and (b) in detention centres under the control of HAF (appendix 16.B and confidential appendix 16.C).

Appendix A to Annex 16: Violations of international human rights law committed in the detention centre under the control of DACOT

1. The Panel identified six incidents of arbitrary and unlawful detention, and serious violations of fair trial rights of detainees deprived of liberty in the Mitiga detention facility (see figure 16.A.1) in Tripoli under the control of the DACOT.[166] Five out of six detainees were consistently: (a) detained over a period of months without any judicial review of their detention; (b) denied adequate access to legal assistance; (c) denied access to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law; and (d) not given the opportunity to examine and have examined witnesses in court proceedings against them.[167] The detaining authority blatantly deprived detainees of these judicial guarantees and repeatedly refused to implement court orders to bring detainees before a judge, and in one case to enforce the Attorney General's order for release. This unlawful conduct is consistent with accounts of four Panel witnesses who testified that the DACOT detaining authorities have regularly refused to execute official judicial orders in violation of detainees' rights to a fair trial, and to liberty and security of the person.[168]

2. This consistent pattern of a deliberate isolation of detainees and an exercise of an autonomous control of their access to protection, on which the Panel has reported regularly since 2015,[169] has turned the Mitiga detention facility into a systemic tool of mistreatment itself. Allied armed actors have increasingly utilised this punitive function to transfer civilians under their control to the Mitiga facility with the knowledge that judicial authorities would have been unable to enforce orders for release in those cases.

Figure 16.A.1
Satellite imagery of the Mitiga detention facility in Tripoli

Source: Google Earth.

[166] Articles 9 and 14 of the International Covenant on Civil and Political Rights. *See also* S/2022/427, paragraph 39 and annex 21.
[167] Panel interviews with eyewitnesses (CS 61, 62 and 63).
[168] Panel interviews with family members (CS 20, 24 and 127) and eyewitnesses (CS 31 and 64). See also annex 20 of S/2022/427.
[169] *See e.g.* 1) S/2015/128, paragraph 82; 2) S/2016/209, paragraph 91; 3) S/2018/812, paragraph 40; 4) S/2020/229, paragraph 35; and 5) S/2022/427, paragraph 39 and annex 21.

Appendix B to Annex 16: Violations of IHL and IHRL committed in detention centres under the control of HAF

1. The Panel interviewed nine victims and their family members[170] in regard to alleged violations of IHL and IHRL that took place during the period from October 2020 to August 2022 in two unofficial places of detention under the exclusive responsibility and control of the TBZ brigade:

(a) The detention facility in the military base of the TBZ brigade in Sidi Faraj in Benghazi (see figures 16.B.1 and 16.B.2); and

(b) The detention section within the Gernada detention facility in Al Bayda' currently being expanded into a larger stand-alone building (see figures 16.B.3 and 16.B.4).[171]

2. The detention facility located inside the military base of the TBZ brigade in Sidi Faraj[172] included: (a) a building divided in compartments with rooms and a section with solitary confinement cells; (b) a prison yard inside the detention compound; and (c) a detention wing with specialised dark isolation cells where detainees were held as part of a designed method of torture (see below paragraph 4). The detention section within the building of the Gernada detention facility had two blocks of cells. Block A contained group rooms while block B was reserved for solitary confinement cells. Summary information is at the confidential table 16.C.1.

3. The TBZ brigade used the two facilities for the detention of civilians who were unlawfully abducted and in other ways deprived of liberty by armed units under the control and command of LAAF and other HAF in multiple locations in Ajdabiya, Benghazi, and Sirte; and transferred to the two facilities either directly upon the arrest or from other detention facilities under HAF control, including the HAF internal security agency premises in Ajdabiya and Benghazi, the Kweifiya detention facility in Benghazi, and the Gernada detention facility in Al Bayda'. Two detainees were transferred from Sirte to Benghazi by military cargo airplanes administrated by Russian private military operatives while under the complete control of the detaining authorities. The Panel received a list of names of another eight civilians who were in the same manner transferred to the two detention facilities under the control of TBZ, after they were unlawfully deprived of liberty by HAF group 20/20 in the context of raids on local civilians' dwellings in the area of Sirte (see annex 17).

4. Two detainees were severely beaten with plastic tubes and metal objects (see confidential figures 16.C.2 and 16.C.3), suspended by the wrists, denied access to food and potable water, and held in prolonged incommunicado detention. Four detainees were confined in a special detention wing of the military base in Sidi Faraj in Benghazi in a dark isolation cell for lengthy periods of time intentionally designed as a method of psychological torture. They testified to the Panel that the cell resembled a sealed black box without windows and with walls and the ceiling painted in black colour to induce the painful effects of prolonged sensory deprivation. While in there, detainees were periodically exposed to the repeated sound of a ventilator hitting a plastic bottle intentionally placed against it. This manipulation of sensory environment disoriented, traumatized and caused mental harm to the four detainees.

5. The Panel found that the TBZ detaining authorities were responsible for:

(a) Violating detainees' right to liberty and security of person by arresting and imprisoning them on arbitrary and unlawful grounds; and intentionally depriving them of core procedural guarantees; and

(b) Acts that amounted to torture, cruel and degrading treatment.[173]

[170] Where a victim was deceased or unable to give testimony due to an ongoing detention, the Panel interviewed an immediate family member.

[171] Panel interviews with former detainees (CS 28, 29, 30, 34, 73, and 74) and family members (CS 22, 33 and 128).

[172] 32°04'02.0"N, 20°12'56.9"E.

[173] Common Article 3; Articles 7, 9 and 14 of the ICCPR; UN Human Rights Committee, *General Comment No. 35*, CCPR/C/GC/35, 16 December 2014.

LAAF response to the Panel's findings

6. In their opportunity to reply, the LAAF command contested the Panel's findings with regard to: (a) the existence of the two unofficial detention facilities; (b) the identified IHL and IHRL violations; and (c) the responsibility of involved HAF units and their members, including the head of the Gernada detention section, Mohamed Al-Tagouri.[174]

7. Firstly, the LAAF command argued that the military base of the TBZ brigade in Sidi Faraj has detention facilities exclusively reserved for its military personnel. No facilities for the holding or detention of civilians existed within the base. They stated that with regard to the Gernada detention facility, the facility and all its sections fall exclusively under the authority of the ministry of interior. No separate detention wing under the TBZ brigade's command existed.

8. Secondly, focusing on the Gernada detention facility, the LAAF command stated that no mistreatment of detainees has taken place in this facility, which is equipped to provide regular medical care to detainees in need, and regular access is granted to independent humanitarian monitors.

9. Thirdly, the LAAF command claimed that Mohamed Al-Tagouri had no responsibility for detention-related or any other matters inside the Gernada detention facility. They stated that this is because he is in the LAAF military police with responsibility for providing external security outside the premises of the Gernada detention facility. In his statement of reply to the Panel's findings, Al-Tagouri confirmed that: (a) there is no detention section under TBZ control within the Gernada detention facility; (b) he is in the LAAF military police without any command function; and (c) in his role as a member of the military police, he carries out regular security tasks such as guarding the Gernada detention facility and escorting detainees between custody and court.[175]

10. Neither the LAAF command or Al-Tagouri provided any supporting evidence to convince the Panel of the veracity of their statements. To the contrary, the Panel has extensive independent, corroborative documentary and testimonial evidence to support its findings.

11. Having examined the relevant testimonial and documentary evidence, the Panel is persuaded by the consistent, detailed and credible statements of six former detainees who were detained in concerned locations for prolonged periods of time, and family members of other three detainees who were unable to provide their evidence because they were deceased or due to an ongoing detention. The Panel corroborated these testimonies with independent sources and available documentary evidence, including satellite and other imagery, that confirmed the location and the description of the two facilities, and the patterns of mistreatment there.

Figures 16.B.1 and 16.B.2
Satellite imagery of the detention wing in the military base under the TBZ control in Sidi Faraj, Benghazi

Source: Google Earth.

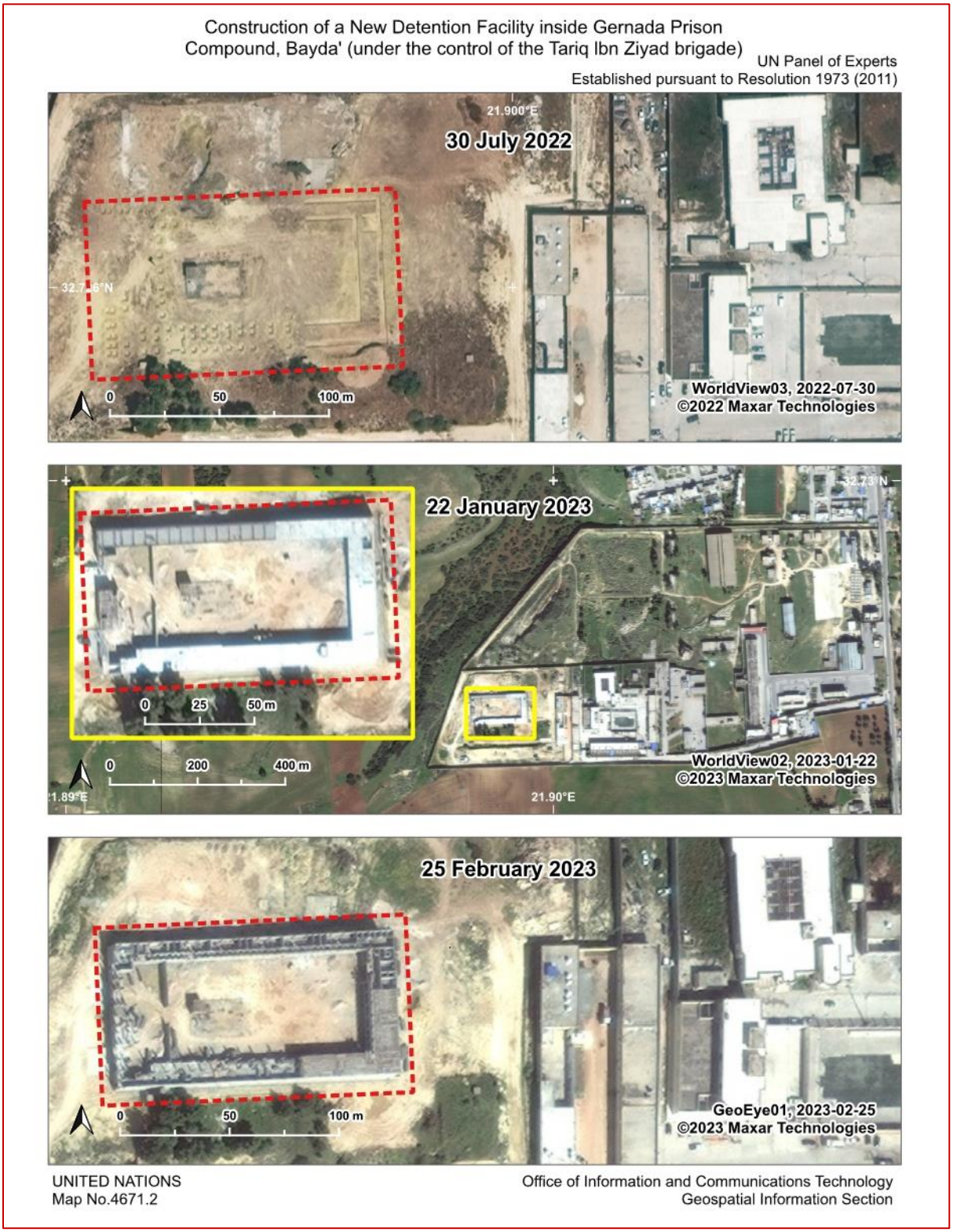
[174] 1) LAAF general command responses of 7 July 2022 and 26 June 2023; and 2) Panel online meeting with LAAF general command, 9 July 2023.

[175] Panel online meeting with Mohamed Al-Tagouri, 9 July 2023.

Figure 16.B.3
Satellite imagery of the detention section in the Gernada facility under the TBZ control in Al Bayda'

Source: Google Earth.

Figure 16.B.4
Satellite imagery of the construction of the new TBZ detention section within the Gernada facility in Bayda



CONFIDENTIAL Appendix C to Annex 16: Summary of investigated incidents

Annex 17 Targeted attacks against members of civil society and journalists

1. The Panel investigated 21 incidents of attacks against human rights defenders, humanitarian workers, social and political activists, and journalists, in Ajdabiya, Al Bayda', Benghazi, Sirte, and Tripoli.[176] Individuals belonging to the Internal Security Agency (ISA) office in Tripoli, and HAF ISA offices in Benghazi and Tobruk, the TBZ brigade, group 20/20, deprived targeted persons of their freedom of expression through violent acts of unlawful deprivation of physical liberty, mistreatment in detention, denial of fair trial rights, burning and destruction of their private property, and intimidation.[177] Samples of documentary evidence of these attacks are presented in confidential appendix 17.A.

2. The Panel identified a consistent pattern of these human rights abuses targeting persons: (a) who were engaged in community-based human rights or political projects unapproved by the leadership of the above involved entities; or (b) who publicly criticised various components of local governance institutions affiliated with those entities.[178] The attackers identified individuals through the surveillance of their digital or offline public activities and attacked them with the purpose of establishing complete control over their actions. Upon identification, 85% of cases investigated by the Panel resulted in arbitrary detention and transfer of targeted persons to the detention facilities under the control of HAF in Benghazi or the DACOT in Tripoli where they were subjected to ill-treatment and deplorable material conditions (see annex 16).

3. The attackers further organised and directed a public defaming campaign against the victims that was primarily based on a misuse of national legislation to characterise victims as "criminals", "drug dealers, "apostates", and "spies" in an attempt to justify and obtain public support for the acts of violence and intimidation inflicted against the targeted persons. Female human rights defenders and social activists were particularly vulnerable to such stigmatisation in the context of detrimental gender stereotypes and discrimination. Having been subjected to these violent acts that imposed immediately danger to their and their immediate family members' lives and wellbeing, four targeted persons were forced to withdraw from their participation in public life and to displace from their immediate communities out of fear that the attackers would repeat or escalate violent acts against them and their relatives.

4. In this context, the Panel identified an emerging pattern of attacks since August 2022, found in nine incidents of unlawful abductions of persons perceived as supporters of or associated with the candidacy of Saif al-Islam Qadhafi to the presidential elections. Individuals belonging to the HAF ISA, the TBZ brigade and HAF group 20/20 targeted victims on political grounds as a direct infringement upon their freedoms of expression.[179] They carried out these attacks in an organised manner reflected in coordination of joint raids and other operational activities between designated units, including regular transfers of abducted persons from the custody of one HAF unit to the other (see also annex 16). Two outspoken individuals were attacked in the context of raids on civilians' houses that HAF group 20/20 under the command of Ali Al Mashai (a.k.a. Ali Abdel Salam Ahmed) and the TBZ brigade carried out jointly as a form of punishment against persons belonging to the Qadhafa tribe.

LAAF response to the Panel's findings

5. The LAAF command also contested the Panel's findings regarding the responsibility of group 20/20 and its commander, Ali Al Mashai (a.k.a. Ali Abdel Salam Ahmed), for unlawful security operations and related violations of international human rights law against civilians in Sirte in August 2022.[180] In his statement of reply, Ali Al Mashai claimed: (a) that group 20/20 does not exist within HAF but he is aware of a military unit of the same name based in Tripoli; and (b) that he is a sergeant in the TBZ brigade with no command function.[181] Neither the LAAF command or Ali Al Mashai provided any supporting evidence to convince the Panel of the veracity of their statements. To the contrary, the Panel has extensive independent, corroborative documentary and testimonial evidence to support its findings.

[176] Panel interviews with eyewitnesses (CS 31, 32, 62, 63, 64, 79, 83 and 127).
[177] Articles 7, 9, 14 and 19 of the ICCPR.
[178] See also paragraph 44 of S/2022/427.
[179] Article 19 of the ICCPR.
[180] 1) LAAF general command response of 26 June 2023; and 2) Panel online meeting with LAAF general command, 9 July 2023.
[181] Panel online meeting with Ali Al Mashai, 9 July 2023.

CONFIDENTIAL **Appendix A to Annex 17**

Annex 18 Human trafficking and migrant smuggling routes in Libya under the Panel investigation

1. The Panel identified eight human trafficking and migrant smuggling routes in Libya operated by Libyan networks of human traffickers and smugglers with regional and international elements in seventeen countries, including Bangladesh, Egypt, Eritrea, Ethiopia, France, Germany, Italy, Lebanon, Morocco, Niger, Nigeria, Pakistan, Portugal, Somalia, Sudan, Syria, and the United Arab Emirates. Key parameters of these routes are presented in table 18.1.

Table 18.1
Key parameters of international and regional human trafficking and migrant smuggling routes with operations centres in Libya[182]

Departure point	*Means of transport*	*Transit countries*	*Entry points Libya*	*Transit points Libya*
Bangladesh (Dhaka)	Aircraft	United Arab Emirates (Dubai); Syria (Damascus); Kuwait (Kuwait City); Jordan (Amman); Cyprus (Larnaca); Egypt (Alexandria or Cairo); Qatar (Doha).	Benghazi (Benina airport)	Misrata, Tripoli, Sabrathah, Zawiyah, Zuwarah
Egypt (Alexandria)	Aircraft	Direct route to Libya	Benghazi (Benina airport)	Tobruk, Sabrathah, Zawiyah, or Zuwarah
Egypt (Cairo - Alexandria)	Land	Direct route to Libya	Salloum	Umm Sa'ad, Bir al Ashhab, Bardiyah, Musaid, Kambut, Tobruk, Derna, Kufra, Sabrathah, Zawiyah, or Zuwarah
Lebanon (Beirut)	Aircraft	Syria (Damascus)	Benghazi (Benina airport)	Tripoli, Sabrathah, Zawiyah, Zuwarah
Morocco (multiple locations)	Aircraft	Direct route to Libya	Tripoli (Mitiga airport)	Tripoli, Zawiyah, Zuwarah
Nigeria (multiple locations)	Land	Niger	Tazirbu, Kufra	Bani Walid, Tripoli, Sabrathah
Pakistan (Karachi)	Aircraft	United Arab Emirates (Dubai)	Benghazi (Benina airport)	Tobruk, Bardiyah, Musaid, Sabrathah, Zawiyah, or Zuwarah
Syria (Damascus)	Aircraft	Direct route to Libya	Benghazi (Benina airport)	Tripoli, Sabrathah, Zawiyah, Zuwarah
Somalia (multiple locations)	Land	Ethiopia, Eritrea, Sudan	Tazirbu, Kufra	Bani Walid, Shuwayrif desert, Tripoli
Sudan (multiple locations)	Land	Direct route to Libya	Tazirbu, Kufra	Bani Walid, Tripoli, Sabratha, Zawiyah, Zuwarah

2. The Panel interviewed 64 witnesses, including 26 children, who were trafficked along these routes. 56% of them, and in particular those on routes from Bangladesh, Egypt, Morocco, Pakistan, and Syria, started their journey in the context of migrant smuggling schemes. These schemes were organised by local elements of the investigated trafficking and smuggling networks responsible for the recruitment and logistics in the country of origin. In these cases, the principle motive of the migrants for deciding to take the journey was for economic gain. Migrants were lured into believing that that they would

[182] Panel interviews with CS 19, 25-27, 37-72, 80-82, and 88-123.

have access to labour opportunities in the destination country - Libya or one of the European countries - that would have generated sufficient earnings to financially support their immediate family members back home. Having departed from the country of origin, smuggled migrants came, however, under the full control of well-organised human trafficking organisations and deprived of their liberty. Those who wanted to return were coerced to continue the journey under the threat of death. The other 44% were victims who were vulnerable to human trafficking in their countries of origin primarily due to the situations of protracted armed conflicts and other coercive factors that put them at the real risk of serious human rights abuses.

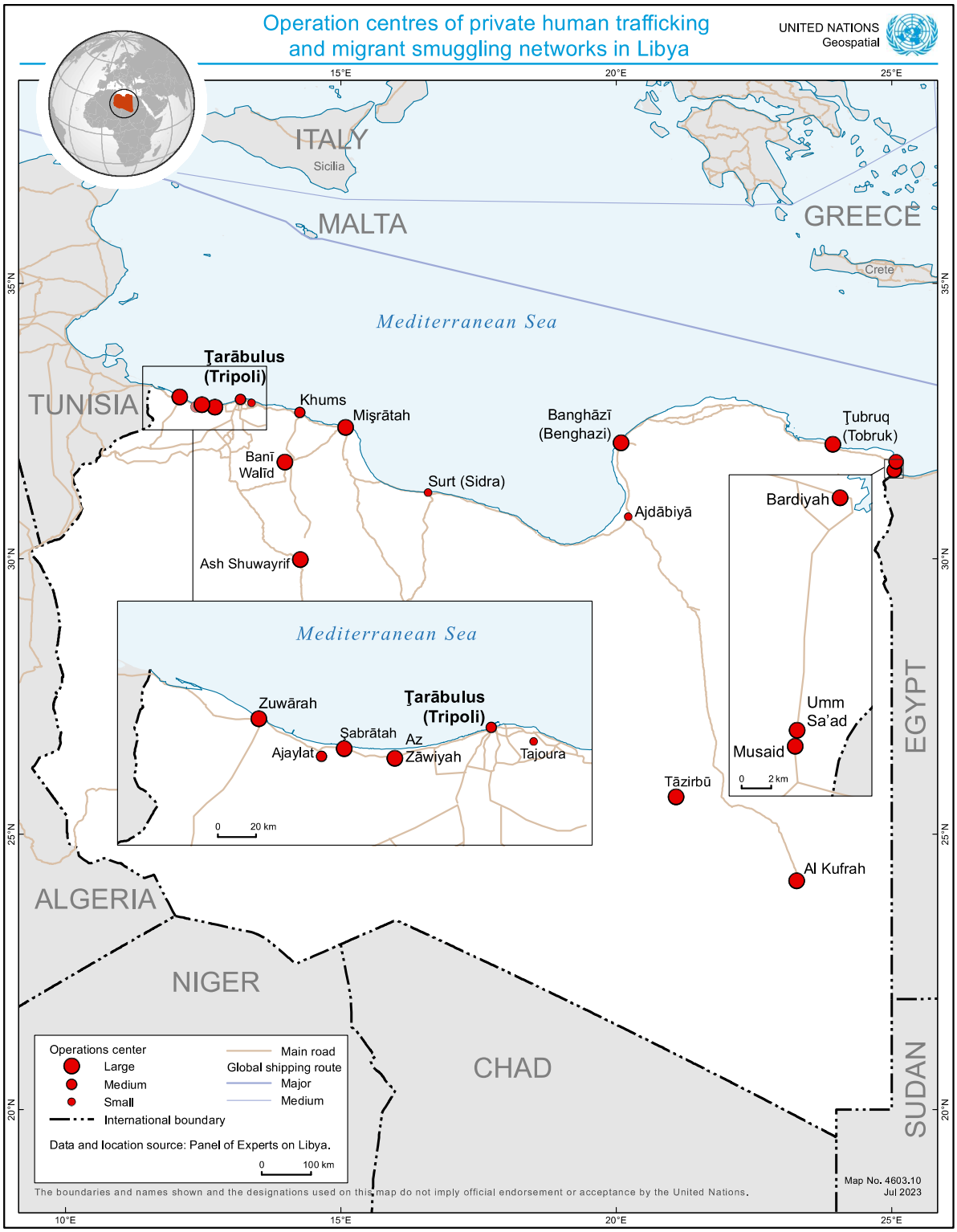
3. The Panel identified nineteen locations of operation centres run by human trafficking and migrant smuggling networks in the south, the west and the east of Libya: Ajaylat, Ajdabiya, Al-Khums, Bani Walid, Bardiyah, Benghazi, Kufra, Misrata, Musaid, Sabrathah, Shuwayrif desert, Sirte, Tazirbu, Tripoli, Tajoura, Tobruk, Umm-Sa'ad, Zawiyah, and Zuwarah (see figure 18.1). These centres were used as: (a) coordination points from where network leaders coordinated the operational phases of the trafficking scheme using elements of the network in multiple locations inside and outside Libya; (b) logistic bases where drivers changed vehicles and other transportation resources necessary to continue the journey; and (c) short and long-term detention places where trafficked migrants were unlawfully deprived of liberty and subjected to acts of torture and other ill-treatment for the purpose of sexual and labour exploitation, extortion of money and/or disciplinary control over detainees. Depending on the size of the operation centre, such detention places ranged from temporary spaces, such as houses and apartments belonging to the network's leaders, to more permanent facilities in the form of warehouses.

4. The detention was consistently characterized by inhuman and degrading treatment, unhygienic conditions, overcrowding, and starvation. Illegal detention facilities in Bani Walid, Tazirbu and Shuwayrif desert were particularly notorious for inhuman and degrading conditions of life, brutal beatings and severe sexual violence, including rape, sexual enslavement and enforced prostitution.[183] Two witnesses, identified by the pseudonyms CS42 and CS43, 16 and 17 year old boys at the time, testified to the Panel that elements of the private networks operating centres in Bani Walid and Shuwayrif desert repeatedly subjected them to extremely violent acts of physical and psychological torture, slavery, and starvation for the purpose of extorting amounts of around USD 12,000 – USD 12,500 per person during the period of nine months in 2020. The regularly applied methods of torture included stress positions for prolonged periods of time, beatings, *submarino*,[184] sleep deprivation, applied cumulatively with deprivation of food and water, verbal abuse, and intimidation. Witnesses were further forced to clean, cook and serve the elements of the network running the detention facility. CS42 was raped daily by multiple perpetrators.

5. The Panel notes that the majority of identified survivors of torture and rape had limited, if any, access to adequate medical or psychological support in countries of origin or temporary residence. The lack of such specialized rehabilitation programmes has caused a serious protection gap that has left the victims feeling traumatised, disoriented, depressed, and often ashamed of the violence and abuse to which they were subjected.

[183] Panel interviews with former detainees (CS 41, 42, 43, 70, 71 and 72). See also paragraph 46 of S/2022/427.
[184] Detainee's head was dunked into a toilet bowl filled with water and excrement.

Figure 18.1.
Operation centres of private human trafficking and migrant smuggling networks in Libya



Annex 19 IHL and IHRL violations associated with the operating methods of the expanded Zawiyah Network in Zawiyah and Warshafana

1. The Panel previously reported on six incidents of unlawful deprivation of life and liberty, torture and other severe ill-treatment, and forced labour, committed in the Al-Maya DC, and identified Mohamed Al-Kabouti as directly responsible for the said human rights abuses.[185] During the reporting period, the Panel identified additional eighteen incidents of unlawful and arbitrary detention, torture and other ill-treatment committed in the Al-Maya detention centre (Al-Maya DC). This DC is located in a former medicine factory in the coastal area of Wershafana under the direct command and control of 55 Brigade.[186] The Panel also identified the existence of a secret detention facility for migrants known as "Prison 55" (or Al-Zahra DC) that the leadership of 55 Brigade ran in Al-Zahra during the period from April 2021 until November 2022.

2. The Panel established that Muammar al-Dhawi, the commander of 55 Brigade, Mohamed Al-Kabouti, and their subordinates were responsible for the management and operation of the Al-Maya DC and Prison 55. The Panel found that since October 2021 these individuals were directly responsible for acts committed against detained migrants under their effective control in the two detention facilities that violated applicable IHRL and IHL.[187]

3. The leadership of 55 Brigade operated the Al-Maya and Al-Zahra DCs as part of the illegal detention system for migrants established and controlled by individuals within the core Zawiyah network. These individuals include Abd Al Rahman al-Milad (LYi.026), Mohamed Al Amin Al-Arabi Kashlaf (LYi.025) and Osama Al-Kuni Ibrahim (LYi.029). Other detention centres for migrants in Zawiyah and Al-Harsha – Al-Nasr DC and temporary detention facilities in Al-Harsha – were operated by the Network for the purpose of executing a common plan to gain substantive financial assets from criminal activities related to trafficking and smuggling in persons in and through Libya.

4. This plan entailed: (a) racketeering and controlling private networks of human traffickers and migrant smugglers operating in areas under the Network's territorial and maritime control; (b) extorting money from detained migrants under their control through acts of brutal mistreatment; (c) exploiting detained migrants under their control by deploying them as forced labour force to carry out construction work at boat factories, households and other facilities owned by the Network; and (d) creating business leverages and deals with local armed groups in control of areas in western and eastern parts of Libya to facilitate their criminal activities of trafficking and smuggling illicit items and persons, including by selling them boats and other necessary equipment.[188]

The establishment of the Al-Maya DC

5. The Panel identified that the Al-Maya DC had several functions in support of 55 Brigade and its military coalition in Zawiyah, including: (a) generating regular financial profits through extorting remittance from detained migrants by acts of torture and other ill-treatment; (b) exploiting detained migrants through forced labour for the logistic needs of 55 Brigade and allied local armed groups, such as construction work, everyday maintenance tasks, and domestic labour; (c) supporting interdiction maritime operations under SSA command in Zawiyah with the necessary infrastructure and logistics, in particular when capturing migrants at sea and returning them to detention locations under 55 Brigade's command and control; (d) strengthening the ability of 55 Brigade's internal capabilities to exercise effective control over strategic territorial points in Zawiyah for protracted time periods; and (e) serving as a façade for the 55 Brigade leadership to gain political influence and legitimacy among the national and international stakeholders as a relevant security actor combating human trafficking and migrant smuggling in Libya.

[185] S/2022/427, paragraph 51.
[186] S/2022/427, paragraphs 50 – 51. 55 Brigade may also now appear under the name of 55 Infantry Battalion integrated in the military structures of the Libyan Ministry of Defence on 28 November 2022. Ministry of Defence Decision No. 32 of 2022 regarding the establishment of an infantry battalion.
[187] Common Article 3; articles 4, 5 and 13 of Additional Protocol II; articles 6, 7, 8, 9, of the ICCPR, and article 37 of the CRC.
[188] Panel interviews with former detainees (CS 27, 55, 58 and 122).

6. Between December 2021 and February 2023, the Al-Maya DC operated under an unofficial institutional framework of the SSA-controlled Department for Combating Settlement and Illegal Immigration (DCSII),[189] which existed in parallel with the Libyan government's detention system for migrants under the authority of the Department for Combatting Illegal Migration (DCIM).[190] On 2 February 2023, the SSA commander, Brigadier Abdel Ghani Belgasim Khalifah (a.k.a. Ghenewa or al-Kikli), issued an order to close down the Al-Maya DC for the reason that "it overstepped its mandate several times and owing to lack of coordination and failure to respond to the relevant communications of the Director of the Apparatus" (see figure 19.3).[191] Shortly after, on 8 March 2023, Major General Issam Busriba, the Minister of Interior in the Government of National Stability (GNS) and a family member of Hassan Busriba – the SSA deputy commander in charge of the SSA Zawiyah command - issued an executive decision to re-establish the Al-Maya DC under GNS auspices in an attempt to provide this detention facility with some semblance of legitimacy (see figure 19.4). The Al-Maya DC is operational to this date.

Description of the Al-Maya DC

7. The Al Maya detention facility[192] is located in the north-west of Libya in the al-Mayah coastal area of Wershafana, around 27 km west of Tripoli (see figures 19.5 and 19.6). In October 2021, at around the time when the Al-Maya DC officially opened, it consisted of a large warehouse exclusively utilised for the detention of around 1,500 – 2,000 migrants. By March 2023, the DC developed into a detention complex with an additional six to seven large barracks and warehouses detaining in total between 3,500 and 4,000 migrants.[193] 55 Brigade forced detainees to build these expanded components of the compound under deplorable material conditions.

Description of Prison 55

8. Prison 55 was part of a military compound located in al-Zahra, Wershafana[194] that served as 55 Brigade's military quarters until November 2022 (see figure 19.7). The compound comprised of several barracks and buildings with an old alley road dividing the compound in two parts ("part A" and "part B"). The functional military quarters buildings were located in part A while most of the barracks and buildings located in part B were used as detention locations for migrants. At the entrance gate, on the left side was a guardroom and on the right was a room with toilets and showers. A large two-storey building was located in the centre of the compound ("Main Building"). Four rooms on the ground floor of the Main Building were used for detention of migrants, while Mohamed Al-Kabouti's offices were located on the second floor.[195] Beside the Main Building was a weapon storage area. To the north-west, beside the wall, another small building was used for detention of migrants. On the other side of the alley road, in Part B, around five minutes walking distance from the Main Building, was an abandoned building under construction ("Isolated Building") and a long metal building with several rooms ("Hangar"). A plan of the compound indicating the layout of Prison 55 is at figure 19.8.

The arrival, management and release of detainees

9. The two detention facilities, the Al Maya DC and Prison 55, were at the heart of the expanded Zawiyah Network's modus operandi. These facilities enabled the Network to exercise physical control of trafficked or smuggled persons for the purpose of gaining from them financial and other profits for the benefits of the Network's members. This enterprise model encompassed several operational phases: (Phase 1) *pre-detention;* (Phase 2) *capture and return*; (Phase 3) *detention*; and (Phase 4) *release*, where applicable (see figure 19.1).

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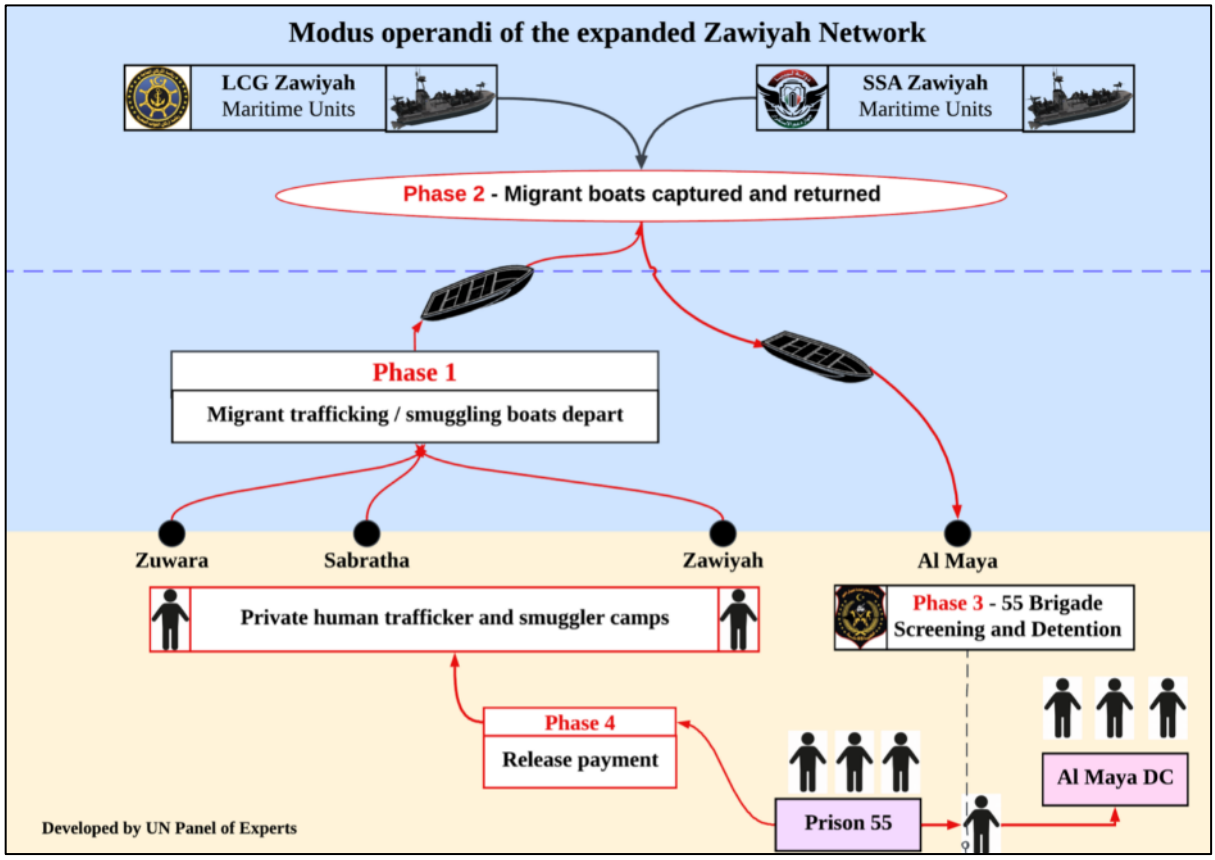
[189] Official DSCII webpage is available at: https://www.facebook.com/profile.php?id=100076437379692&ref=page_internal.
[190] S/2022/427, paragraph 47.
[191] Decision No. (17) of 2023 of the Director of the Stability Support Apparatus concerning the operations of the Department for Countering Settlement and Illegal Migration shelter in Mayah, 1 February 2023, Article 1. Under the same order, the SSA central command closed the entire DCSII and excluded the SSA maritime units from its military structure. As of May 2023, the SSA maritime units have been integrated into the Libyan General Administration for Coastal Security (GACS) under the authority of the Libyan Ministry of Interior.
[192] 32°80'83.67"N, 12°90'07.51"E.
[193] Panel interviews with former detainees (CS100 and 122).
[194] 32°41'34.7"N, 12°52' 08.2"E.
[195] Following heavy armed clashes with a rival local armed group on 30 July 2021, Al-Kabouti moved his offices to a small building behind the Main Building.

Figure 19.1
Expanded Zawiyah Network's modus operandi



Sources: CS 08, 19, 25-27, 55, 58, 84-100, 122-125.

10. *Phase 1 Pre-detention:* Private networks of human traffickers and smugglers, operating migrant camps mainly in Zawiyah, Zuwarah and Sabratha, played a key role in facilitating the Network's access to migrants. As part of their trafficking and smuggling operations, these networks regularly arranged transportation and other logistics for migrant boats destined to European ports via the Mediterranean Sea. Once migrants embarked and started the journey, the networks tipped off the migrant boats' location to the responsible individuals of the Network belonging to the Libyan Coast Guard (LCG) and/or SSA maritime units stationed in the coastal areas of Zawiyah and al-Mayah (see also annex 18).

11. *Phase 2 Capture and return:* Shortly after the departure, in a time range between 30 minutes and several hours, individual members of the LCG and/or SSA maritime units (see figures 19.9 and 19.10): (a) interdicted the migrant boat in question; (b) physically captured the boarded migrants; and (c) returned them to shore. These units most often used a disembarkation point close to the Al-Maya DC. Upon disembarkation, captured migrants were searched for personal belongings and other valuables that the detaining authorities unlawfully confiscated. Females were separated from males. The detaining authorities further screened males for their nationality and ethnical background, on which basis they determined the detained migrants' capacity to pay for the release. Those migrants who were identified as able to pay higher release fees, of whom the vast majority were from Bangladesh and Pakistan, were separated and transferred in trucks to Prison 55. Others were taken to the Al-Maya DC.

12. Captured females were either transferred to unknown locations or were kept in separate barracks within the Al-Maya DC compound. The Panel has yet to determine whether the selection of females allocated to Al-Maya DC was systematic in nature.

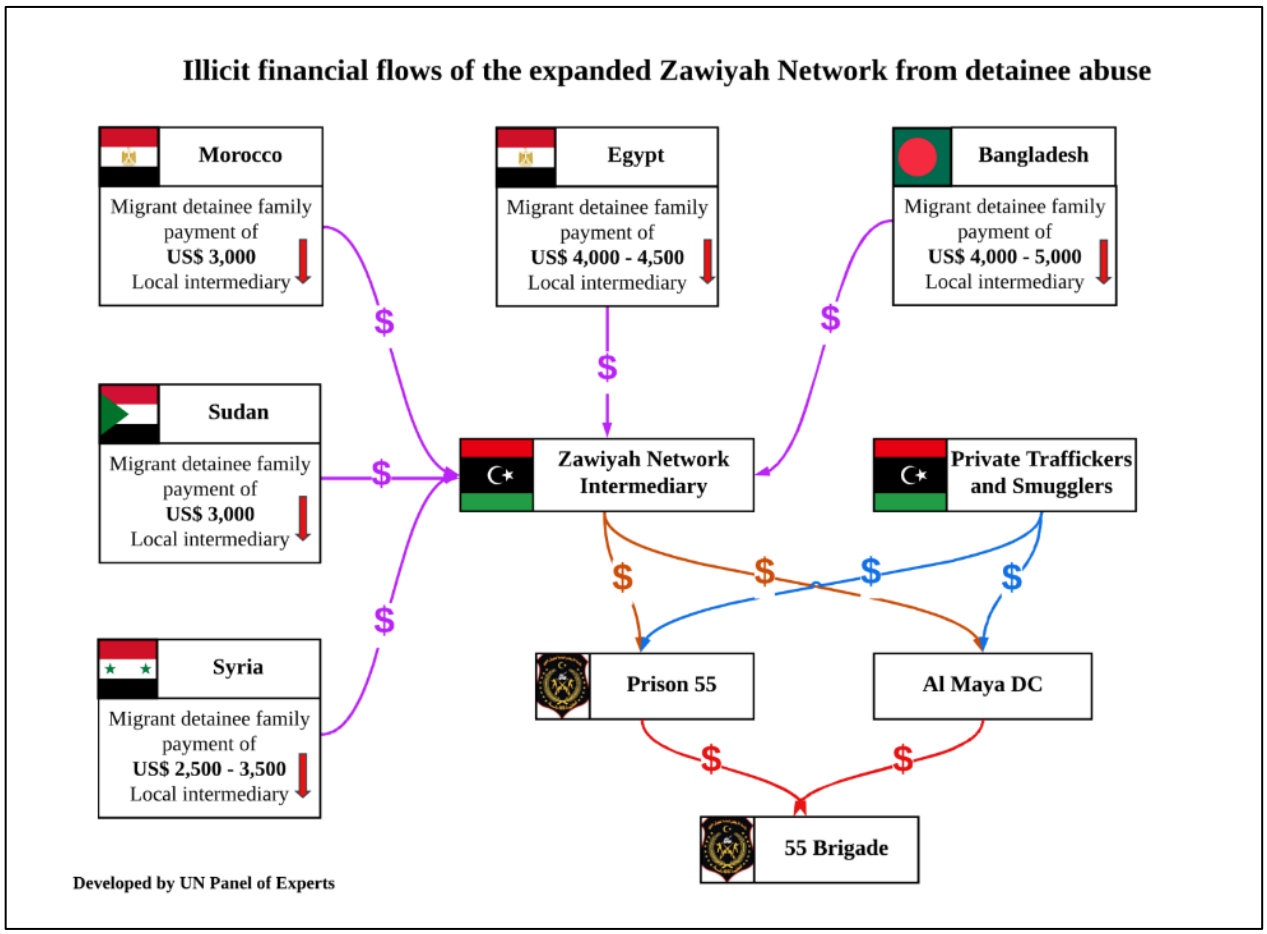
13. *Phase 3 Detention:* Detainees were not afforded any procedural safeguard throughout the entire duration of their detention. In the Al-Maya DC, migrants from the region of Sub-Saharan Africa were held separately from migrants coming from Arab countries such as Egypt, Morocco, Sudan and Syria. On average, around 600 - 700 migrants were placed in each of the six storehouses without windows and only two toilets. Twenty-seven former detainees and eyewitnesses consistently testified to the brutality and extreme violence to which detainees were directly subjected and which they witnessed daily. Each group of migrants divided per nationality was assigned a foreign national, often from the same ethnical or national background, tasked to mistreat detainees until the breaking point of agreeing to pay for the release. Three detainees described incidents where senior guards deliberately left dead bodies of detainees killed from beatings and other acts of torture or starvation to lie on the floor in front of other detainees for lengthy time periods, with the intention to induce an atmosphere of terror and despair among detainees that would force them to pay their way out.[196]

14. Phase 4 *Release:* The release system in the Al-Maya DC and Prison 55 was essential to the Network's ability to generate substantive financial revenue from detainee abuse. Detainees were released from the Al-Maya DC: (a) after their relatives paid the requested amount, which varied based on the detainees' nationality in a range between USD 2,500 and 5,000 (see figure 19.2); or (b) when they were sold to private smugglers and traffickers who were paid by the detainees' families to arrange the release. Payments were made in cash to an intermediary located in the detainee's country of origin (Intermediary 1) and further channelled to an intermediary located in Libya (Intermediary 2) directly working for the Al-Maya DC and Prison 55 management (see figure 19.2). The Panel identified only one exceptional case where a group of 262 Bangladeshi nationals was released upon the intervention of the Bangladeshi Embassy in Libya in 2022. In a few sporadic cases, detainees managed to escape from the detention facility.

15. As a matter of illustration, based on the evidence of 24 identified cases, the Panel estimates that 55 Brigade profited by approximately USD 500,000 from the release payments of around 130 detainees over the period of six months.

[196] Panel interviews with former detainees (CS 55, 114 and 122).

Figure 19.2
Expanded Zawiyah Network's illicit financial flows from detainee abuse



Source: CS 19, 25-27, 55, 58, 89-100, 114, 122-123.

16. Twenty-one survivors gave consistent accounts of severe mistreatment and extremely inhumane living conditions to which the detention management of the Al-Maya DC and Prison 55 facilities under Muammar al-Dhawi's and Mohamed Al-Kabouti's command subjected them.[197] They suffered acute hunger and exhaustion from being deprived of adequate food and potable water, sleeping and toilet facilities. When the food was provided, it was of poor quality and often inedible.[198] Detainees endemically suffered from skin diseases and stomach infections caused by rotten food and poor hygiene without access to medical assistance.[199] Among the victims, the Panel identified two 16-year-old boys.

17. Detainees were routinely beaten several times a day and in particular when they cried out for food and water. The Panel identified two senior guards under Al-Kabouti's direct command known for particularly brutal beatings of detainees - "Abd al-Sattar" and "Ashkara". Guards often used plastic pipes to inflict physical pain upon detainees, causing permanent physical injuries to their bodies. Other methods of torture and cruel treatment included the use of stress positions, exposing detainees to extreme temperatures for prolonged hours,[200] and mock executions. In three identified cases, detainees died under acts of torture.[201]

[197] Panel interviews with former detainees (CS 26, 27, 28, 55, 58, 85-100, 114, 122-123) and eyewitnesses (CS 04, 09, 19 and 124).
[198] For instance, witness CS95 lost 20 kilogrammes in several months of his detention at the Al-Maya DC.
[199] Panel interviews with former detainees (CS 25-27, 93-95, 100, 122 and 123) and eyewitnesses (CS 19 and 124).
[200] Panel interviews with former detainees (CS 93 and 122).
[201] S/2022/427, paragraph 51.

18. Three eyewitnesses confirmed that rape and other sexual violence of detained females was systematic in Al-Maya DC.[202] CS 122 testified that he regularly heard cries of women being raped and tortured in the DC as a "normal practice", and that women were often "offered to guards and other men who worked there". The Panel further identified one case of rape of a male detainee with a wooden stick as a form of punishment for an attempted escape from Prison 55.

19. By being deliberately placed in the proximity of legitimate military targets, detainees were constantly exposed to the dangers of armed attacks that belligerent armed groups occasionally carried out against 55 Brigade's military positions within the Prison 55 compound and in a close vicinity of the Al-Maya DC.[203]

[202] Panel interviews with witnesses (CS 08, 100 and 122).
[203] *See e.g.* paragraphs 11 - 13 of the Report.

Figure 19.3.1
Decision no. 17 of the SSA command to close down the Al-Maya DC – part 1


State of Libya
LIBYAN PRESIDENTIAL COUNCIL
Stability Support

مجلس الرئاسي
جهاز دعم الاستقرار

قرار رئيس جهاز دعم الاستقرار
رقم: 17 لسنة 2023 ميلادية
بشأن نقل مركز الإيواء بإدارة مكافحة التوطين والهجرة غير القانونية بالعاية

رئيس الجهاز:

- بعد الإطلاع على قانون النظام المالي للدولة ولائحة الميزانية والحسابات والمخازن وتعديلاتهما.
- وعلى القانون رقم 5 لسنة 2018م، والمعدل بالقانون رقم 6 لسنة 2019م بشأن هيئة الشرطة وتعديلاته.
- وعلى القانون رقم 40 لسنة 1974م، بشأن الخدمة العسكرية وتعديلاته.
- وعلى القانون رقم 12 لسنة 2010م بشأن علاقات العمل ولائحته التنفيذية.
- وعلى القانون رقم 13 لسنة 1980م بشأن الضمان الإجتماعي وتعديلاته.
- وعلى قرار المجلس الرئاسي رقم 4 لسنة 2016 بشأن تشكيل حكومة وفاق وطني.
- وعلى قرار المجلس الرئاسي رقم 36 لسنة 2021 بشأن إنشاء جهاز دعم الإستقرار.
- وعلى قرار المجلس الرئاسي رقم 38 لسنة 2021 بشأن تكليف بمهام
- وعلى قرار المجلس الرئاسي 40 لسنة 2021م، بتقرير حكم بشأن قرار المجلس الرئاسي بحكومة الوفاق الوطني رقم 36 لسنة 2021م، بشأن انشاء جهاز دعم الإستقرار.
- وعلى قرار المجلس الرئاسي رقم 92 لسنة 2021 بشأن اعتماد الهيكل التنظيمي لجهاز دعم الإستقرار وتنظيم جهازه الإداري.
- وعلى قرار المجلس الرئاسي رقم 20 لسنة 2022م، بشأن تعديل القرار رقم 92 لسنة 2021م، واعتماد الهيكل التنظيمي لجهاز دعم الإستقرار وتنظيم جهاز الإداري.
- وعلى كتاب رئيس الجهاز دعم الإستقرار رقم 894.A.2 المؤرخ في 2022.09.29م، الموجه إلى السيد رئيس المجلس الرئاسي، بشأن الإفادة عن الأوضاع الإنسانية للمهاجرين داخل مقرات الإحتجاز التابعة للجهاز.
- وعلى ماعرضه مدير مكتب شؤون الجهاز.
- وعلى ما تقتضيه مصلحة العمل.

"قرر"

مادة (1)

يعمل بأحكام هذا القرار يُقفل مركز الإيواء للمهاجرين غير القانونيين بالعاية والتابع لإدارة مكافحة التوطين والهجرة غير القانونية، نظراً لتعديد من التجاوزات الخارجة عن مهامه المكلف بها ولعدم التنسيق والردود على مكاتبات رئاسة الجهاز في هذا الشأن.

مادة (2)

يلغى كل حكم المادة الأولى من هذا القرار تلغى جميع التصريحات والموافقات بشأن استعمال القوارب المسجلة باسم الجهاز التي بحوزة إدارة مكافحة التوطين والهجرة غير الشرعية واعتبارها كأن لم تكن.

مادة (3)

يأحكام المادتين (1) و(2) من هذا القرار يتم إيقاف إدارة مكافحة التوطين والهجرة غير القانونية عن مزاولة أعمالها، وتتولى إدارة الشؤون الإدارية بالجهاز معالجة الأوضاع الوظيفية للعاملين بالمركز وإدارة وفقاً للتشريعات النافذة.

يعمل بهذا القرار من تاريخ صدوره على الجهات المعنية تنفيذه

عبد الغني بلقاسم خليفة
رئيس جهاز دعم الإستقرار

الرئيس
جهاز دعم الإستقرار

9 رجب
3/1

فلاح بتقرب من الإدارة العامة المرور

ssa.ly

Source: https://twitter.com/nchr_ly/status/1627611203349381120?s=20, (authenticated with the SSA command), 20 February 2023.

Official UN Translation
Reference 2304210E
Translated from Arabic

State of Libya
Presidency Council
Stability Support Apparatus

Decision No. (17) of 2023 of the Director of the Stability Support Apparatus concerning the operations of the Department for Countering Settlement and Illegal Migration shelter in Mayah

The Director of the Apparatus,

- Having reviewed the act concerning the financial system of the State and the regulations for the budget, accounts and reserves, and the amendments thereto;
- Act No. 5 (2018), as amended by Act No. 6 (2019), concerning the Police Service, and the amendments thereto;
- Act No. 40 (1974) concerning military service, and the amendments thereto;
- Act No. 12 (2010), concerning labour relations, and its implementing regulations;
- Act No. 13 (1980) concerning social insurance, and the amendments thereto;
- Presidency Council decision No. 4 (2016) concerning the formation of a government of national accord;
- Presidency Council decision No. 26 (2021) concerning the establishment of the Stability Support Apparatus;
- Presidency Council decision No. 32 (2021) concerning the assignment of duties;
- Presidency Council decision No. 40 (2021) concerning a ruling on Presidency Council decision No. 26 (2022) regarding the establishment of the Stability Support Apparatus;
- Presidency Council decision No. 92 (2021) concerning the adoption of the organizational structure of the Stability Support Apparatus and its management structure;
- Presidency Council decision No. 20 (2022) concerning the amendment of decision No. 92 (2021) on the organizational structure of the Stability Support Apparatus and its management structure;
- Communication No. 894.4.2 dated 29 September 2022 from the Director of the Stability Support Apparatus addressed to the President of the Presidency Council concerning reporting on the humanitarian conditions of migrants in Apparatus detention facilities;
- The presentation of the Director of the Office of Apparatus Affairs;
- Operational requirements;

Decides

Article 1
Pursuant to the provisions of the present decision, the shelter for illegal migrants in Mayah operated by the Department for Countering Settlement and Illegal Migration shall be closed because has it overstepped its mandate several times and owing to lack of coordination and failure to respond to the relevant communications of the Director of the Apparatus.

Article 2
Further to the provisions of article 1 of the present decision, all authorizations and approvals for the use of boats registered in the name of the Apparatus and that are in the possession of the Department for Countering Settlement and Illegal Migration are hereby cancelled and considered to be null and void.

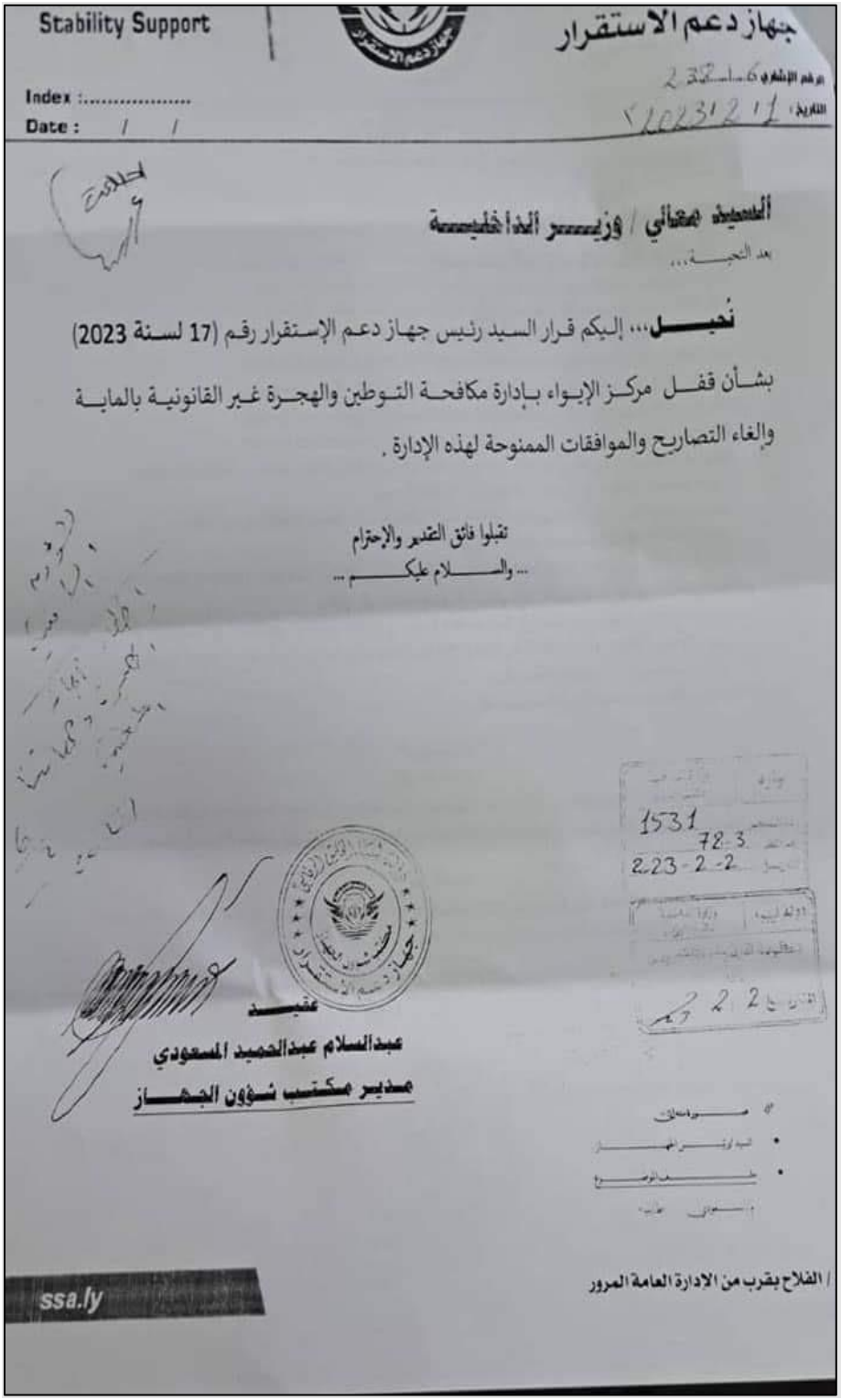
Article 3
Pursuant to the provisions of articles 1 and 2 of the present decision, the operations of the Department for Countering Settlement and Illegal Migration shall be suspended, and the Administrative Affairs Department of the Authority shall address the employment situation of the staff of the shelter and the Department [for Countering Settlement and Illegal Migration], in accordance with the laws in force.

The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(*Signed*) [illegible]
Brigadier Abdulghani Belgasim **Khalifah**

Director, Stability Support Apparatus

Figure 19.3.2
Decision no. 17 of the SSA command to close down the Al-Maya DC – part 2



Source: https://twitter.com/nchr_ly/status/1627611203349381120?s=20, (authenticated with the SSA command), 20 February 2023.

Official UN Translation
Reference 2304210E
Translated from Arabic

State of Libya
Presidency Council
Stability Support Apparatus

Ref.: 238-1-6
Date: 1 February 2023

To: His Excellency the Minister of the Interior

Sir,

We transmit to you decision No. (17) of 2023 of the Director of the Stability Support Apparatus concerning the closure of the shelter operated by the Department for Countering Settlement and Illegal Migration in Mayah and the cancellation of all authorizations and approvals given to the Department.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) [illegible]
Colonel Abdulsalam Abdulhamid **al-Mas'udi**
Director of the Office of Apparatus Affairs

Figure 19.4
Decision no. 57 of the GNS Minister of Interior to reopen the Al-Maya DC

وزارة الداخلية
القرارات

قرار وزير الداخلية
رقم (57) لسنة 2023م 1444هـ
بشأن إنشاء مركز إيواء للمهاجرين غير الشرعيين

وزير الداخلية

- بعد الاطلاع على الإعلان الدستوري الصادر في (3) أغسطس 2011م وتعديلاته
- وعلى القانون رقم (12) لسنة 2010م بشأن علاقات العمل واللائحة التنفيذية
- وعلى القانون رقم (5) لسنة 2018م المعدل بالقانون رقم (6) لسنة 2019م بشأن هيئة الشرطة
- وعلى قرار مجلس النواب رقم (1) لسنة 2022م بشأن تكليف رئيس للحكومة الليبية
- وعلى قرار مجلس النواب رقم (2) لسنة 2022م بشأن اعتماد التشكيلة الوزارية
- وعلى قرار اللجنة الشعبية العامة سابقا رقم (106) لسنة 2007م بشأن إنشاء مديريات أمن بالنطاق الإداري
- وعلى قرار مجلس الوزراء رقم (145) لسنة 2012م باعتماد الهيكل التنظيمي واختصاصات وزارة الداخلية وتنظيم جهازها الإداري
- وعلى قرار السيد وزير الداخلية رقم (982) لسنة 2012م باعتماد التنظيم الداخلي لوزارة الداخلية
- وعلى قرار مجلس الوزراء رقم (386) لسنة 2014م بشأن إنشاء جهاز مكافحة الهجرة غير الشرعية
- ولمقتضيات المصلحة العامة

قرر

مادة (1)

ينشأ بموجب أحكام هذا القرار مركزا لإيواء المهاجرين غير الشرعيين بالمنطقة الغربية ويكون مقره بمنطقة الماية

مادة (2)

يمارس المركز اختصاصاته وفقا للتشريعات النافذة

مادة (3)

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المختصة تنفيذه

لواء أ/
عصام محمد أبوزريبة
وزير الداخلية

صدر في 16 شعبان 1444هـ
الموافق 08/03/2023م

Source: CS125.

Official UN Translation
Reference no. 2308679E
Translated from Arabic

Ministry of the Interior
Decisions

Decision of the Minister of the Interior
Decision No. 57 (A.D. 2023 / A.H. 1444) concerning the establishment of a shelter for illegal migrants
The Minister of the Interior

Having considered the following: The Constitutional Declaration of 3 August 2011 and amendments thereto;

- Act No. 12 (2010) concerning employment relations and implementing regulations thereto;
- Act No. 5 (2018), as amended by Act No. 6 (2019), concerning the Police Service, and the amendments thereto;
- House of Representatives Decision No. 1 (2022) concerning the appointment of a Head of the Libyan Government;
- House of Representatives Decision No. 2 (2022) concerning the adoption of the ministerial structure of the Government of Libya;
- Former General People's Committee Decision No. 106 (2007) concerning the establishment of the security directorates for administrative purposes;
- Cabinet Decision No. 145 (2012) concerning the adoption of the organizational structure, responsibilities and administrative system of the Ministry of Interior;
- Cabinet Decision No. 982 (2012) concerning the adoption of the internal structure of the Ministry of Interior;
- Cabinet Decision No. 386 (2014) concerning the establishment of the Directorate for Combating Illegal Migration;

Mindful of public interest considerations;

Hereby decides as follows:

Article 1A shelter for illegal immigrants shall be established in the western region pursuant to the present Decision. It shall be located in the Mayah area.

Article 2
The shelter shall operate in accordance with the laws in force.

Article 3
The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(*Signed*) Major General Isam Muhammad **Abu Zaribah**
Minister of the Interior

16 Sha'ban, A.H. 1444
8 March, A.D. 2023

Figure 19.5
Satellite imagery of Al-Maya DC[a]

Figure 19.6
Exterior of Al-Maya DC[b]

[a] Source: Google Earth.
[b] Source: https://www.youtube.com/watch?v=Lv9ZuX36ggU (authenticated), 11 February 2022.

Figure 19.7
Panel spatial analysis of Prison 55 geolocation

Source of photographs of 55 Brigade headquarters used in the spatial analysis to corroborate witnesses' description of Prison 55: https://www.facebook.com/photo/?fbid=299295555093231&set=pcb.299296671759786, 9 May 2021.

Figure 19.8
Plan of Prison 55

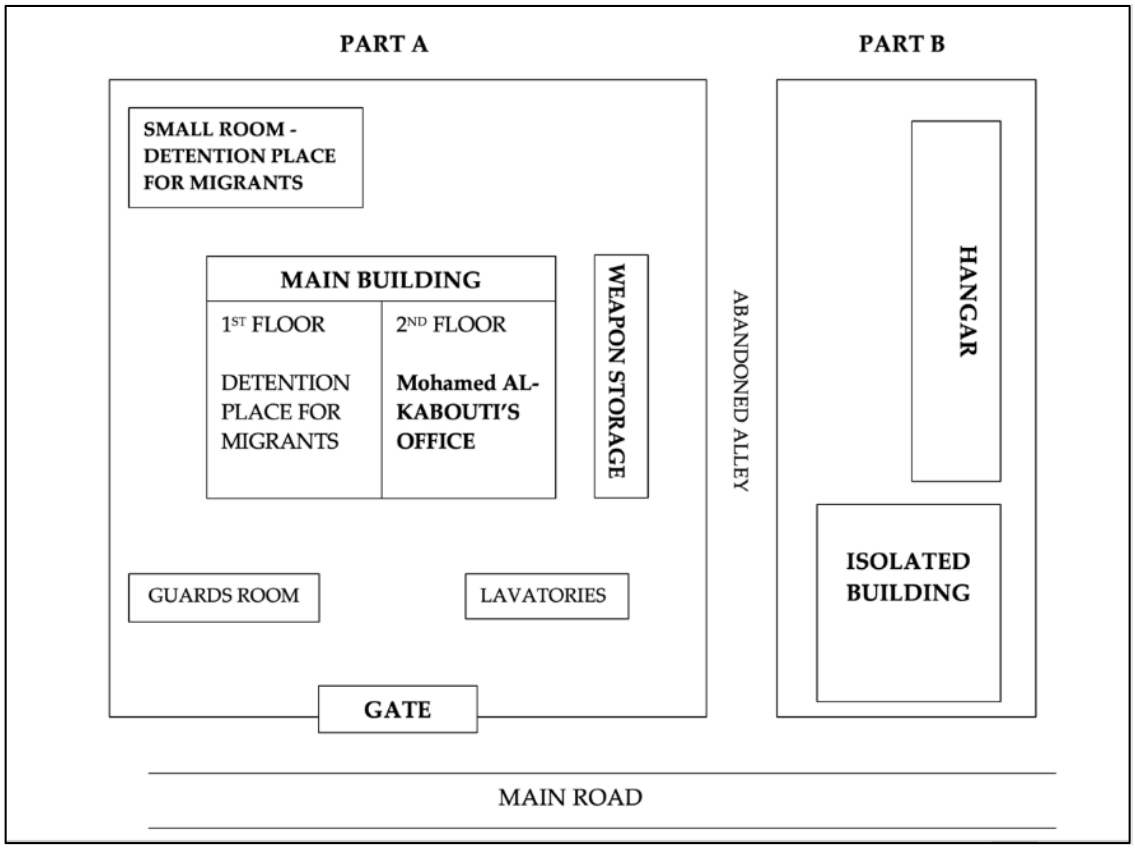


Figure 19.9
SSA Lambro Olympic D74 Fast Patrol Boat[a]

Figure 19.10
SSA Alqayid 1[b]

Figure 19.11
SSA Alqayid 2[c]

Figure 19.12
LCG Bigliani Class Patrol Boat hull no. 656 "Zawiyah"[d]

[a] Source: Confidential; see also S/2022/427, annex 27. Recognised by CS 91, 92 and 93.
[b] Source: https://twitter.com/SARwatchMED/status/1485711494633472000, 24 January 2022; see also S/2022/427, annex 27. Recognised by CS 88-93.
[c] Source: https://twitter.com/SARwatchMED/status/1485711494633472000, 24 January 2022; see also S/2022/427, annex 27. Recognised by CS 88, 89 and 90.
[c] Source: Confidential; recognised by CS 91 and 122.

Annex 20 Detainee abuse of migrants in detention centres under the authority of the Directorate for Combating Illegal Migration (DCIM)

1. During the reporting period, the Panel identified an increased unification of the supervision and coordination functions exercised by the Headquarters of the Directorate for Combating Illegal Migration (DCIM) in Tripoli over the official detention system for migrants in Libya. The DCIM administration has recently enlarged this system with six (re)opened detention centres (DCs) in the west and the south of Libya.[204] Until July 2023, the detention structure for migrants was composed of 30 DCs holding approximately 6,570 migrants.[205]

2. Since May 2023, the migrant population in DCIM DCs has increased by 41% as a result of mass arbitrary arrests and detentions of migrants by Libyan security actors and HAF in multiple locations in western and eastern parts of Libya, including in Tripoli, Tobruk, and Zuwarah (see also annex 21). Detained migrants remained left outside the legal and humanitarian protection without a regular access to internal administrative and judicial inspections, and independent humanitarian monitors.[206]

3. In this context, the Panel identified systemic detainee abuse committed by: (a) individual guards of three DCs under the authority of the DCIM – Ain Zarah, Tarik Al Matar, and Tarik al-Sikka DCs, and in the unofficial section of Ain Zarah DC; and (b) the *de facto* leadership of the official and unofficial Ain Zarah detention facilities, as part of the illegal business scheme that this network operated with the purpose of obtaining financial and other gains from unlawfully detained migrants in the identified detention facilities. This scheme encompassed four operational phases: (Phase A) *search and return (SARU)*[207] of migrants at sea; (Phase B) *transfer* from disembarkation points to DCIM detention centres; (Phase C) *detainee abuse* in the said detention centres; and (Phase D) *release* of abused detainees (see figure 20.1 later).

4. The leadership of Ain Zarah DC under the *de facto* authority of Abdul Hakim al-Ramadan al-Sheikh, the commanding officer of the 42nd Battalion, operated an advanced model of this illegal business plan that encompassed an additional phase of *transfer* (Transfer 1) from disembarkation points to the unofficial part of the Ain Zarah DC, where migrants were unlawfully detained until they paid to be transferred to the official part of that DC (Transfer 2). In addition, migrants were occasionally transferred between the three official DCs without any established transfer standards or regulatory procedures.

5. *SARU* phase: all victims were searched and returned to Libya by the LCG units. Their eyewitness accounts also confirmed the same pattern of conduct in cases of detainees who were held with them in the identified DCIM detention facilities. The Panel notes that during this phase, the type of maritime operation may also involve search and rescue (SAR) operation if a migrant boat was in distress. The Libyan maritime actors mandated to carry out SARU or SAR activities other than the LCG included the Libyan Navy and the GACS.[208]

6. *Transfer 1* phase: from the official disembarkation points, detained migrants were transferred in buses to either Tarik al-Sikka, Ain Zarah or Tarik Al Matar DCs in Tripoli. Three victims testified that buses transporting migrants to Tarik al-Sikka stopped at this DC to unload migrants from specific national backgrounds, including those that had some level of consular protection in Libya through their respective diplomatic representations in Tripoli, such as Bangladeshi nationals. Others remained on the buses and were then transferred to the unofficial section of the Ain Zara DC.

7. *Detainee abuse* phase: Upon arrival in all three official DCIM DCs and in the unofficial section of the Ain Zarah DC, detaining authorities unlawfully confiscated personal belongings from detained migrants and subjected them to acts that amounted to unlawful detention, cruel, inhuman and degrading treatment, and forced labour.[209] This treatment was found in regular beatings of detainees by individual guards, deliberate deprivation of adequate food and potable water, and other forms of horrendous material conditions. The systemic detainee abuse in the unofficial part of Ain Zarah DC was particularly characterised by systematic forced labour. Detained migrants were forced to work on construction and reconstruction sites nearby the detention facility under a constant threat of physical violence and other forms of intimidation.

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[204] Baten al Jabal, Daraj, Ghat, Sabha, Sirte, and Tarik Al-Matar DCs.

[205] The Panel notes that the exact number of detained migrants and asylum seekers as well as the number and status of DCIM detention centres fluctuates on a regular basis. As at 25 June 2023.

[206] Panel interviews with CS 04, 05, 08, 09, and 132. *See also* S/2022/427, annex 24.

[207] For definitions of terms “search and return” and “search and rescue”, see annex 22.

[208] For protection and operational challenges, *see* S/2022/427, paragraph 52.

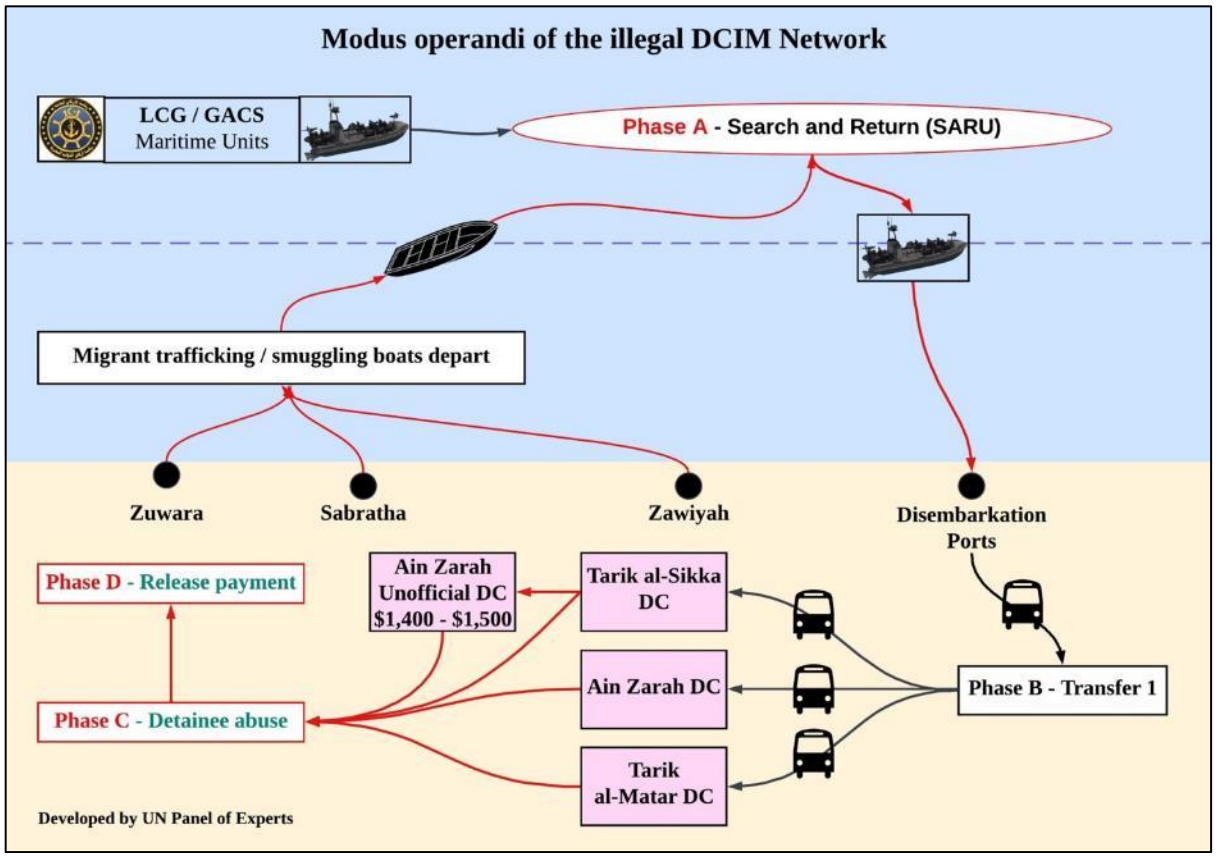
[209] Articles 7, 8 and 9 of the ICCPR, article 37 of the CRC.

8. Witnesses also gave consistent accounts that individual guards diverted humanitarian aid provided by international and local humanitarian actors to the DCs for detainees with the purpose of selling the embezzled items, including food items, blankets, and hygienic kits, on the black market; and/or keeping these items for their personal use.[210] Because of these systemic illegal practices, the majority of detainees: (a) suffered from malnutrition; (b) had no bed or even a mattress, with insufficient blankets; and (c) lived in poor hygienic conditions with sporadic access to baths or showers due to insufficient hygienic products and toiletries.

9. *Transfer 2* from the unofficial to the official section of Ain Zarah DC: detainees held in the unofficial section of Ain Zarah DC were forced to pay on average between USD 1,400 and USD 1,500 to an intermediary who was tasked by the facility's *de facto* leadership to collect extortion payments for the release. After their relatives paid the requested amount through the informal *hawala* system, detainees were moved to the official part of the Ain Zarah DC from where they either: (a) had to again pay for the release to individual guards (see paragraph 10); or (b) were released without the addition payment.[211]

10. *Release* phase: individual guards in the three official DCIM DCs applied a well-organised scheme of paid releases of detainees through Libyan intermediaries hired by detainees' family members. The intermediaries followed an agreed scenario as they: (a) physically entered the DC in question; (b) paid the involved guards for the release in cash; (c) enter the detention cell; (d) identified the detainee by name and photograph; and (e) physically released the detainee from the detention facility to freedom.

Figure 20.1
Modus operandi of the illegal DCIM Network



[210] Panel interviews with CS 37, 38, 75, 101, 114, and 132.
[211] Panel interviews with CS 37, 38, 62, 101, and 114.

Annex 21 HAF racketeering system of human trafficking and migrant smuggling networks in Libya

1. The Panel identified that HAF units operating in Benghazi, Tobruk and the surrounding coastal areas, including in Bardiyah, Musaid, and Um Sa'ad, developed and now run an organised system of racketeering private human trafficking and migrant smuggling networks (private networks) active in these locations as a significant source of their funding. In return for paying the racket fee, the private networks were permitted to use for their criminal activities: (a) entry points into Libya through Benghazi (Benina) airport; (b) temporary camps and other facilities in locations under the HAF territorial control; and (c) exit points out of Libya for migrant boats to reach international waters into the direction of European ports. Elements profiting from the racket belonged to HAF units controlling the Benina airport in Benghazi; and HAF maritime and land units, including "Frogman" personnel of LCG East ("Dafadaa' al-Bashariya"), group 20/20 and the TBZ brigade.[212]

HAF individuals controlling the Benghazi airport

2. Individuals of HAF controlling the Benghazi (Benina) airport received regular payments from operative elements of private networks in Benghazi to permit trafficked and smuggled migrants to enter Libya through the Benina airport since at least June 2021. Migrants were trafficked and smuggled along the routes originating from Bangladesh, Egypt, Pakistan, and Syria (see annex 18).

3. Elements of the networks responsible for organizing the travel of trafficked and smuggled nationals of Bangladesh, Egypt and Pakistan, followed a similar pattern of securing the necessary travel documentation, including the flight tickets and visa, in countries of their operations. Bangladeshi and Pakistani nationals were provided with this documentation in the transiting hubs in Dubai (UAE), where they were deprived of their liberty in rented apartments and buildings until the visa papers were issued in the period between several days to up to two weeks. Costs for this documentation were included in the initial smuggling fee that ranged on average between USD 4,000 and USD 6,000 for Bangladeshi nationals; and between USD 8,000 and USD 8,800 for nationals of Pakistan. Egyptian nationals obtained the required documentation directly from elements of the networks operating in Egypt (Alexandria or Cairo).[213] All payments were made in cash.

4. Syrian migrants consistently used a smuggling scheme facilitated by the Cham Wings offices in Damascus and Beirut to book direct flight tickets with this airline company and obtain the visa papers. For those services, Syrian nationals paid between USD 1,700 and USD 2,000 at the official Cham Wings offices. Syrian nationals who entered Lebanon by land without travel documents paid USD 7,000 for a package that included forged Syrian national passports, in addition to the flight tickets and visa papers.

5. In all investigated cases, migrants were issued questionable Libyan visas on a piece of paper that stated their name and passport number without a photograph and that did not resemble the official Libyan visa stamp. Syrian and Egyptian nationals used direct flights to Benghazi. Some Bangladeshi and Pakistani nationals were trafficked and smuggled further from Dubai through Damascus (Syria) into Benghazi on flights operated by Cham Wings; or through Alexandria (Egypt) on charter flights operated by Air Libya, at least in the period from June 2022 until March 2023, without an adequate border control.[214]

6. Once migrants on these routes reached Benina airport, individuals belonging to HAF retained the visa papers and confiscated the migrants' passports until elements of the network based in Benghazi[215] paid an unspecified amount to involved HAF. Upon payment, the identity documents were returned with an entry stamp into Libya and the networks were enabled to continue the next phase of their trafficking and smuggling operation.[216]

[212] Panel interviews with eyewitnesses (CS 15, 16, 17, 18-21, 102-106, and 111-121).
[213] Egyptian nationals that entered Libya either by air or land paid a fixed smuggling fee of approximately USD 4,500 [EGP 140,000] to the private networks in eastern Libya for the boat trip to one of the European ports.
[214] For other transiting hubs on the trafficking and smuggling routes originating from Bangladesh and Pakistan, see annex 18.
[215] Elements of the private networks based in Benghazi were responsible for coordination and logistics of that phase of the trafficking and smuggling operations.
[216] Samples of Libyan entry stamps produced by HAF are on record with the Panel.

HAF maritime and land units

7. From Benghazi, migrants were transferred to isolated warehouses, private dwellings and similar facilities in the areas of Bardiyah, Musaid, Tobruk, and Um Sa'ad (see figures 21.1, 21.1 and 21.3). These locations were also used to smuggle: (a) Egyptian nationals who enter into Libya by land (see annex 18); and (b) migrants of various nationalities who fled trafficking and smuggling hubs in the western coastal areas, including Tripoli, Zawiyah, Zuwarah and Warshafana, where they were at real risk of serious human rights violations (see annexes 19 and 20).

8. Elements of the private networks kept migrants deprived of liberty in temporary facilities in intolerably unhygienic conditions and subjected them to regular physical mistreatment primarily in a form of beatings that the traffickers used as a control measure to impose discipline (see figures 21.4 and 21.5). Migrants were forced to stay there for periods of several days to up to several weeks until the trafficking and smuggling boats were prepared for departure from nearby embarkation points.

9. Racketeering fees varied based on the temporal framework of the payment, the size of the migrant boats, and the HAF unit involved. To grant a free passage for larger fishing boats from Tobruk and Musaid into international waters, before the boat's departure, individuals of HAF LCG were paid around USD 100 [LYD 500] in local currency per migrant under the condition that not more than 250 migrants were carried on the boat. This limitation was often not respected and for an additional fee, the traffickers and smugglers were permitted to embark on average between 300 and 550 persons per boat in life-threatening conditions (see figures 21.6 and 21.7). Individuals belonging to the group 20/20 maritime units demanded around USD 80,000 [LYD 400,000] in local currency to provide security for larger fishing boats carrying migrants.[217]

10. Those boats, mainly smaller in size, for which the traffickers and smugglers did not pay the racket fee prior to departure, were interdicted by the LCG East or group 20/20 maritime units and returned to the port of Tobruk or the surrounding disembarkation sites. Individuals belonging to involved HAF maritime units unlawfully confiscated personal belongings and valuables of migrants and unlawfully deprived them of liberty for several hours on shore until the responsible traffickers and smugglers arrived to pay the racket fee and collected the captured migrants.[218] The racket fee for the release of all migrants was on average USD 4,500 per boat. Upon payment, traffickers and smugglers returned the migrants to the initial locations of warehouses where they waited for the next trafficking operation.

11. As of May 2023, trafficking and smuggling operations from the eastern coastal sites towards European ports have subsided in numbers in comparison to the previous months of 2023. This decrease is partially a result of land and maritime interdiction operations carried out by the same HAF units involved in facilitating the trafficking and smuggling of persons through the above racketeering system, including the TBZ brigade and group 20/20, triggered by the tribal conflict in areas under their effective control over the killing of an Egyptian boy in May 2023. These operations were in particular characterised by arbitrary arrests and detention of migrants in the DCs under the authority of the DCIM in the east, and collective expulsions of Egyptian migrants to Egypt.[219] Yet, the HAF racketeering system has continued to function under the general agreement between individuals belonging to HAF units and the private networks in Tobruk. The agreement entailed that the networks would operate a lower number of trafficking and smuggling boats per week from the port of Tobruk. The Panel has yet to determine the operational patterns and variations in the implementation of this agreement.

LAAF response to the Panel's findings

12. LAAF general command contested the Panel's findings on the involvement of HAF group 20/20 or other LAAF or HAF units in the human trafficking and migrant smuggling activities and related violations of international human rights law committed against identified cases of migrants in locations under the HAF effective control. The LAAF general command argued that all matters related to the situation of migrants, including law enforcement and similar security operations, are the responsibility of the ministry of interior and in particular the DCIM offices in the east.[220] The LAAF general command did not provide any supporting evidence to convince the Panel of the veracity of their statements.

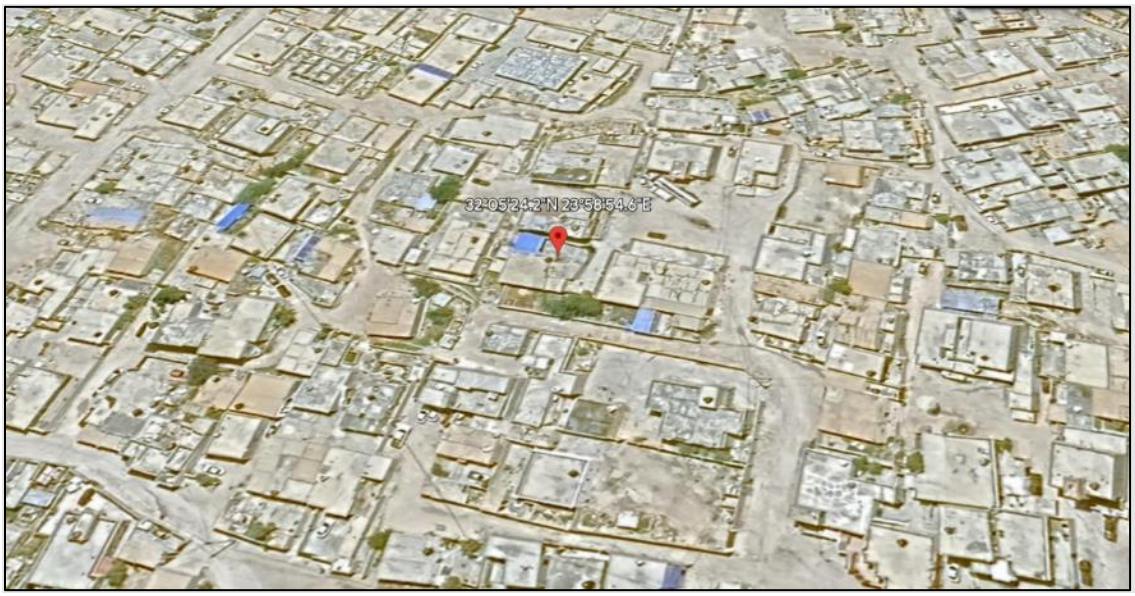
[217] Panel interviews with CS 102, 104, 105 and 106.
[218] Article 9 of the ICCPR.
[219] *See e.g.* 1) https://twitter.com/ConflictTR/status/1664621578682867712?t=EtAZipn6lqUfYLqHFdeP9w&s=08, 2 June 2023; and 2) https://www.facebook.com/Tkyroogklshytk/videos/1962646380787550/?extid=WA-UNK-UNK-UNK-AN_GK0T-GK1C&mibextid=2Rb1fB (corroborated with Panel sources witnessing the events), 30 May 2023.
[220] 1) LAAF general command response of 26 June 2023; and 2) Panel online meeting with LAAF general command, 9 July 2023.

13. On the contrary, the Panel based its findings on the testimonies of 24 victims and eyewitnesses and over 20 elements of documentary evidence, including imagery, that provided consistent, detailed, and verifiable accounts of identifying the responsible HAF units for facilitating human trafficking and migrant smuggling activities in locations under their territorial control; and engaging in acts that violate applicable international human rights law in Libya.

Figure 21.1
Satellite imagery of the trafficking and smuggling facilities near Kambut, eastern Libya

Source: Google Earth.

Figure 21.2.
Satellite imagery of the trafficking and smuggling facilities in Tobruk, eastern Libya



Source: Google Earth.

Figure 21.3
Satellite imagery of the trafficking and smuggling facilities in Um Sa'ad, eastern Libya

Source: Google Earth.

Figures 21.4 and 21.5
Sample of imagery of poor living conditions in trafficking and smuggling facilities in eastern Libya

Source: CS119.

Figures 21.6 and 21.7
Sample of imagery of fishing boats[221] used for trafficking and smuggling migrants from Bardiyah

Source: Panel of Experts, 30 March 2023.

[221] Both fishing boats in the photographs originated from Egypt.

Annex 22 Law enforcement and other maritime operations in the context of human trafficking and migrants smuggling in Libya

1. The Panel identified three categories of maritime activities conducted by multiple Libyan authorities in relation to vessels carrying migrants and asylum seekers at sea: (a) search and rescue (SAR) operations related to vessels in distress conducted by the Libyan Coast Guard (LCG), the Libyan Navy and the General Administration for Coastal Security (GACS), (b) search and return (SARU) operations in relation to vessels not in distress carried out by the LCG, the Libyan Navy, and the GACS,[222] and (c) illegal maritime activities in relation to either vessels in or not in distress conducted by individual members of the LCG, the SSA and the HAF as part of illegal business schemes of human trafficking and migrant smuggling operations in multiple locations in the western and eastern coasts of Libya (see annexes 18, 19 and 21).

2. The Panel defines the terms "human trafficking"; "migrant smuggling"; "search and rescue"; and "search and return" as follows:

(a) *"Human trafficking"* or *"trafficking in persons"* is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.[223]

(b) *"Migrant smuggling"* or *"smuggling of migrants"* is the facilitation, for financial or other material gain, of irregular entry into a State of which the person is not a national or a permanent resident.[224]

(c) *"Search and rescue"* (SAR) is an operation using available personnel and facilities to locate and retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety.[225] The Panel received consistent evidence that shows that rescued persons were often not delivered to a place of safety but to a place where they were at a real risk of human rights abuses (see annex 20).[226]

(d) *"Search and return"* (SARU) is an operation using available personnel and facilities, normally conducted by Libyan law enforcement agencies and naval forces, to locate and return persons not in distress to a place of departure where the returned persons are deprived of their liberty pending legal or administrative proceedings.[227] The Panel received consistent evidence that shows that returned persons were often transferred to detention centres for migrants where they were at a real risk of human rights abuses (see annex 20).[228]

[222] S/2022/427, paragraph 52.
[223] Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).
[224] Article 3(a) of the Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organised Crime (2000).
[225] Chapter 1 of the SAR Convention (1979).
[226] See *e.g.* S/2022/427, paragraph 48.
[227] Panel definition. While primarily maritime focused, SARU operations may also encompass land activities (e.g. border patrols' activities).
[228] See *e.g.* S/2022/427, paragraph 48.

Annex 23 Maritime and air delivery non-compliance profile indicators

1. The Panel has continued to use a set of profile indicators[229] of suspicious activities and documentation that, when considered collectively, indicate that a vessel or aircraft is likely to be carrying illicit cargo (see tables 23.1 and 23.2). Multiple indicators are required before a vessel, aircraft or airline is classified as of interest to the Panel or reported as being a violation of or non-compliance with the arms embargo. This annex summarises these indicators.

Table 23.1
Maritime non-compliance profile indicators

#	*Type*	*Indicator*	*Remarks*
1	Visibility	Automatic Identification System(AIS)[a]	▪ "Dark activity" periods.
2	Route(s)	Destination Ports and routing	▪ False declaration of destination. ▪ Unusual routing from past voyages. ▪ Uneconomical routing.
3	Ownership	Frequent change of vessel's owners	▪ Single-fleet owner ▪ Lack of corporate on-line presence.
4	Operators/managers	Frequent change of vessel's operators/managers	▪ Single-fleet operator/manager ▪ Lack of corporate on-line presence.
5	Vessel Name	Frequent change of vessel's name	
6	Vessel Tonnage	Tonnage Range	▪ Comparison to historical tonnage of non-compliant vessels .
7	Vessel Draught	Change of Draught	▪ Comparison of draught at loading and discharge. ▪ No registered draught change despite confirmed loading activities.
8	Commercial Relationships	Linkages	▪ Links between owners / operators / managers.
9	Commercial Activity	Uneconomic behaviour	▪ Low utilization profile
10	Flag of Registry	Flags of convenience and multiple flag changes	▪ Registration overlaps. ▪ Operation under false flag. ▪ Includes Flag refusal to allow inspections when requested.
11	Documentation	Accuracy and appropriateness	▪ Transparency in information supplied to Panel. ▪ Accuracy of completion.
12	Cargo Shielding	Container layout on weather deck Container layout on port dock Cargo cover	▪ Containers used to line the edge of the weather deck to shield the remainder of the deck from external view. ▪ Containers used to shield offloading sites at ports from external view. ▪ Other cargo or tarps used to conceal cargo.
13	Cargo Analysis	Volumetric and mass analysis	▪ Do reported weight and packaging match declaration on documentation?

[229] First developed for use in S/2021/229.

#	*Type*	*Indicator*	*Remarks*
14	Vessel compliance history	Sanctions designated or reported vessel	▪ Previous reports by other UN Panels and Monitoring Groups. ▪ Sanctions notices by subscription-based resources.

[a] Or Long-Range Identification and Tracking system (LRIT).

Table 23.2
Profile indicators of airbridge and air delivery

#	*Activity*	*Details*	*Remarks*
1	Flight volume	The number of unscheduled flights on a previously little used route	▪ For example, a significant number of flights over a short period indicates a centrally organized supply chain.
2	Flight timings	Most flights are planned so that the cargo aircraft are unloaded during darkness	▪ Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.
3	Flight routing	The flights often take off from a civilian airport, then land at a military airbase before departing on a flight track directly towards Libya	▪ Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist. ▪ Indicative of the loading of military related equipment.
4	Flight safety	Signals from the aircraft ADS-B[a] transponders are not visible on open-source ADS-B monitoring shortly after entering Egyptian airspace	▪ Airline captains sometimes “go dark” when approaching Libyan airspace as a countermeasure against being targeted by air defence systems, but usually not for the majority of the flight. ▪ Deliberately switched off due to the covert nature of these flights. ▪ Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).
5	Flight safety	Signals from the aircraft ADS-B transponders are switched to MLAT (multi-lateration) mode[230] for the whole flight	▪ MLAT mode only transmits aircraft code, heading, altitude and speed but NOT current location.
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights	▪ Airlines have utilised a “blocking” service provided by some of the open-source ADS-B monitoring providers. ▪ A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.

[230] Aircraft without, or that are not broadcasting on, ADS-B transponders do not broadcast their latitude/longitude, so flight monitoring software uses multi-lateration of 1090 MHz Mode S transponder signals to determine the aircraft's location by using the time difference of arrival (TDOA) when an aircraft is detected across four or more receivers/ground stations.

#	*Activity*	*Details*	*Remarks*
7	Flight availability	Scheduled or non-scheduled route	▪ Ticket unavailability from the air operator for passenger aircraft flights suggests movement of military personnel. For example: Cham Wings flights from Syria to Benghazi.
8	Aircraft documentation	The use of fake Air Operating Certificates (AOC)	▪ The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.
9	Flight documentation	The submission of incomplete or inaccurate Cargo Manifests and Air Waybills The lack of detailed flight documentation submitted	▪ Fake consignees listed. ▪ Fake consignors listed. ▪ Used to disguise the true nature of the actual cargo. ▪ Customs value listed as zero. ▪ Failure to supply, for example: 1) Flight Plan; 2) Aircraft Technical Logbook; 3) Journey Flight Log; 4) Weight and Balance Report; 5) Take-off and Landing Balance; and 6) General Declaration.
10	Air operator transparency	Limited, inaccurate or no information provided to requests for information	▪ Indicative of covert or illicit activity.
11	Air operator web presence	Lack of corporate website or very limited contact information on website	▪ A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.
12	Cargo agency web presence	Lack of corporate website	▪ A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.
13	Air operator’s relationships	Corporate links	▪ Change of ownership or operating conditions for aircraft between linked companies.
14	Sanctions Listings	Current or previous listings of owner, operator, or aircraft	▪ Previous reports by other UN Panels and Monitoring Groups. ▪ Sanctions notices by subscription databases.

Annex 24 Procedural history of Libyan declaration of forces under government control and authorized signatories for EUCs

A. Structure of security forces under the control of the Libyan government

1. On 7 July 2016, the Presidency Council of the Government of National Accord issued a decree appointing Elmahdi Al-Barghathi, the then Minister of Defence of Libya, as the focal point pursuant to paragraph 6 of resolution 2278 (2016). On 17 April 2017, the Presidency Council replaced Al-Barghathi with Mohamed Siala, then Minister of Foreign Affairs. On 27 May 2017, Siala briefed the Committee in writing pursuant to paragraph 6 of resolution 2278 (2016).

2. That briefing declared three forces as under the control of the Government of National Accord, including their chains of command and structures. These units were:

(a) The Libyan Coast Guard (LCG) under the Ministry of Defence, consisting of the Central Sector (LCG Misrata), Tripoli Sector (Tripoli naval base), and Western Sector (LCG Zawiyah);

(b) Explosive Ordnance Disposal (EOD) Units, consisting of

- 12 teams (60 operators) of the National Safety Authority under the Ministry of Interior;
- the EOD and Improvised Explosive Device Disposal (IEDD) Bureau under the command of the Criminal Investigation Department Forensics Unit, under the Ministry of Interior;
- the Organized Crime Fighting Unit under the Ministry of the Interior;
- 4 teams (12 operators) of the Misrata EOD section of the General Intelligence Service under the Presidency Council; and
- The Military Engineering Corps under the Ministry of Defence;

(c) The (then existing) Presidential Guard under the Presidency Council, which was tasked with securing key government installations in Tripoli.

3. In paragraph 6 of resolution 2362 (2017) the Security Council welcomed the appointment by the Government of National Accord of a focal point pursuant to paragraph 6 of resolution 2278 (2016), and took note of the briefing provided by the focal point to the Committee on the structure of the security forces under its control.

4. The Committee has received no further update from the Libyan government in this regard.

B. Authorised signatories for end-user certificates (EUC)

5. A further guidance document for the arms embargo is Implementation Assistance Notice (IAN) No. 2.[231] It mainly provides details to exemption requests under the arms embargo. One element covers EUCs. In order to assist the Committee and Member States to establish the veracity of EUCs issued by Libya, Libya provided names and signature samples of the officials authorized to sign EUCs. The IAN's footnote 3 refers to the Libyan focal points that had been identified by the government as authorized to sign such certificates. Over the years, the list was periodically updated by the Libyan government and included signatories from different ministries, however always named specific individuals in their official capacity rather than identifying only the position the individual held. Despite the GNU having taken over government duties from the GNA, no update was submitted to the Committee between 21 December 2018 and 9 June 2023. On 21 December 2018, the Permanent Mission of Libya to the United Nations informed the Committee that only Faiez Serraj, in his capacity as Minister of Defence, and Major-General Ayad Abudher, the director of the Military Procurement Department, were authorized to sign EUCs. On 9 June 2023, the Permanent Representative of Libya to the United Nations informed the Committee that Abdulhamid Dbeibah, in his capacity as Minister of Defence, was the new authorized signatory for EUCs.

6. From this follows that in the time period from the formation of the GNU in March 2021 until 9 June 2023, Libya could *de jure* not issue EUCs that would have been compliant with the arms embargo.

[231] https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970_ian2.pdf, 11 September 2014.

Annex 25 Baseline summary of arms embargo equipment violations (26 Feb 2011 – 10 July 2023)

1. Tables 25.1 and 25.2 summarise confirmed arms and military materiel transferred into Libya in violation of paragraph 9 of resolution 1970 (2011), as modified by subsequent resolutions.[232] It does not include arms and military materiel transferred to Libya for which exemptions were provided for by the Committee.

Table 25.1
Confirmed arms and military materiel transferred to Libya (26 Feb 2011 - 10 July 2023) (weapon systems and equipment) [233]

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
Aircraft (FGA)[234]	IOMAX AT-802i	S/2017/466	UAE	▪
	Dassault *Mirage 2000/9*	S/2021/229	UAE	▪ Operated from Sidi Barani airbase in Egypt.
	General Dynamics F-16	S/2021/229	Türkiye [235]	▪ Overflight.
	** MiG-21MF	S/2015/128 S/2016/209	Egypt	▪
	MiG-23ML(D)	S/2022/427 [236]	UID[237]	▪ Identification from 2017 imagery and unreported by Panel. ▪ Other aircraft restored to flight status by cannibalization.[238]
	MiG-29	S/2021/229	Russian Federation	▪
	Su-24	S/2021/229	Russian Federation	▪
Aircraft (ISR)[239]	*Pilatus* PC-6	S/2021/229	Lancaster6	▪ UAE based. ▪ Project Opus.
Aircraft (Rotary Wing)	** AS332L *Super Puma* Medium Utility	S/2021/229	Lancaster6	▪ Project Opus.
	Mi-8	S/2015/128 S/2016/209	Egypt	▪
	Mi-24	S/2016/209	Sudan	▪
	Mi-24V	S/2016/209	UID	▪
	Mi-24P	S/2017/466	UAE	▪
	SA341 *Gazelle* Light Utility	S/2021/229	Lancaster6	▪ Project Opus.
	UH-60M *Blackhawk*	S/2017/466	UAE	▪
Aircraft (Transport)	Airbus A400B *Atlas*	S/2021/229	Türkiye	▪ For transfer of military materiel into Libya.

[232] This annex updates and clarifies information within the previous original work at https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html, 23 March 2021.
[233] Items marked ** appeared in the 29 May 2021 7th Anniversary of Operation Dignity parade in Benghazi. https://www.youtube.com/watch?v=mbIDXxITPa0.
[234] Fighter Ground Attack.
[235] On 4 December 2021 the President announced that his country's name would subsequently be referred to as Türkiye. Thus all events in this report post 4 December 2021 will use Türkiye.
[236] https://medium.com/war-is-boring/it-looks-like-russia-gave-a-fighter-jet-to-libyas-warlord-1a564098b223, 1 March 2017. Although the imagery shows the MiG-23 in Libya the Panel does not endorse the supply chain in the article.
[237] UID, in all uses, means unidentified, or low evidential levels, and responsibility has yet to be attributed by the Panel.
[238] https://www.africanmilitaryblog.com/2019/08/libya-frankenstein-mig-23-flogger-fighter-jet-take-flight, 3 August 2019.
[239] Intelligence, Surveillance and Reconnaissance.

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
	Antonov AN-12A [#2340806][240]	S/2022/427	Space Cargo Inc	▪ Operating in Libya in direct support of HAF. ▪ UAE based.
	Antonov AN-12BP [#5342908]	S/2022/427	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-12BP [#5343005]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-26 [#503]	S/2017/466 S/2019/914	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-32B [#2009]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	C-17A *Globemaster*	S/2021/229	Türkiye	▪ For transfer of military materiel into Libya.
	C-130E *Hercules*	S/2015/128 S/2016/209	Sudan	▪ For transfer of military materiel into Libya.
	C-130E *Hercules*	S/2021/229	Türkiye	▪ For transfer of military materiel into Libya.
	Ilyushin IL-18D [#172001401]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Ilyushin IL-18D [#187009903]	S/2017/466	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Ilyushin IL-76TD [#73479367]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Ilyushin IL-76TD [#1013405167]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Ilyushin IL-76TD [#1013409282]	S/2021/229	Green Flag Aviation	▪ Operating in Libya in direct support of HAF. ▪ Sudan based
	Ilyushin IL-76TD [#1023411378]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	** Ilyushin IL-76TD [5A-ILA]	S/2022/427	UID	▪
	Ilyushin IL-76TD Various	S/2021/229	Russian Federation	▪ For transfer of military materiel into Libya.
Air Defence (Guns)	** 23mm ZSU-23-2CP	S/2022/427	UID	▪
	35mm *Korkut* Cannon	S/2021/229	Türkiye	▪
Air Defence (Missiles)	MIM-23 *Hawk*	S/2021/229	Türkiye	▪
	MIM-104 *Patriot*	S/2022/427 [241]	UAE	▪
	Pantsir S1	S/2021/229	Russian Federation	▪ On KaMAZ platform.
	Pantsir S1	S/2021/229	UAE	▪ On MAN platform.
Anti-Tank (ATGW)[242]	9K115-2 *Metis-M*	S/2019/914	UID	▪ With GNU-AF.
	9M133 *Kornet*	S/2019/914	UID	▪ With GNU-AF.
	Dehleyvah	S/2021/229	UID	▪ With GNU-AF.
Armoured Vehicles (APC)[243]	AMN 233114 *Tigr-M*	S/2022/427	UID PMC	▪ Likely Russian Federation based.
	Irigiri 4x4	S/2019/914	UID	▪ First seen 2015.
	Inkas *Titan-DS* 4x4	S/2021/229	UAE	▪

[240] These are the manufacturer's serial numbers (MSN).
[241] In a single open-source report in https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html, 23 March 2021. A confidential source informed the Panel that the system was only very briefly deployed to Libya and soon withdrawn.
[242] Anti-Tank Guided Weapon.
[243] Armoured Personnel Carriers. Sometimes also referred to as Protected Patrol Vehicles (PPV).

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
	Inkas *Titan-S* 6x6	S/2022/427	UID	▪
	** KADDB *Al Wahsh* 4x4	S/2016/209	Jordan	▪
	KADDB *Al Wahsh* 4x4	S/2018/812	Jordan	▪ "Snake Head" Turret fitted.
	Katmerciler *Kirac*	S/2022/427	Türkiye	▪
	LC79 *SH Fighter-2* 4x4	New	UID	▪
	Lenco *Bearcat G3* 4x4	S/2021/229	UID	▪ With GNU-AF.
	Mezcal *Tygra* 4x4	S/2017/466	UAE	▪
	MIC VPK *Tigr-M*	S/2021/229	UID PMC	▪ Likely Russian Federation based.
	** MSPV *Panthera T6* 4x4	S/2016/209 S/2017/466 S/2018/812 S/2021/229	UAE	▪ From different shipments.
	MSPV *Panthera T8* 4x4	New	UID	▪
	MSPV *Panthera F9* 4x4	S/2018/812	UAE	▪
	** Streit *Cobra* 4x4	S/2016/209	UAE	▪ Transferred in 2012.
	Streit *Cougar* 4x4	S/2016/209	UAE	▪ Transferred in 2012.
	** Streit *Cougar* 4x4	S/2019/914	Jordan	▪ "Snake Head" Turret fitted.
	Streit *Spartan* 4x4	S/2016/209 S/2018/812 S/2021/229 New	UAE	▪ From different shipments.
	TAG BATT APC	S/2022/427	UID	▪
	** TAG *Terrier LT-79* 4x4	S/2021/229	UAE	▪
	Tundra Variant	S/2021/229	UID	▪
Armoured Vehicles (IAFV)[244]	FNSS *ACV-15*	S/2021/229	Türkiye	▪
	KADDB *Mared* 8x8	S/2019/914	Jordan	▪
	** KADDB *Mared* 8x8	S/2021/229	Jordan	▪ "Snake Head" Turret fitted.
	Paramount *Mbombe* 6x6	S/2019/914	UID	▪ With HAF.
	Ratel-60	S/2019/914	UID	▪ With HAF.
Armoured Vehicles (MRAP)[245]	BAe *Cayman*	S/2016/209	UID	▪ First seen 2012.
	BMC *Kirpi* 4x4	S/2019/914	Türkiye	▪
	BMC *Vuran* 4x4	New	Türkiye	▪ See annex AEX.
	Evro-Polis Valkyrie 4x4	S/2021/229	ChvK Wagner	▪ Based on a Ural-432007 platform. ▪ New attribution. ▪ Russian Federation based.
	NIMR *Jais* 4x4	S/2016/209	UAE	▪ First seen 2013.
	Streit *Typhoon* 4x4	S/2022/427	UID	▪

[244] Infantry Armoured Fighting Vehicles.
[245] Mine Resistant Armoured Protected.

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
Artillery (Towed)	** 122mm M1938 M-30 Howitzer	S/2022/427	UID	▪ This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.[246] ▪ Identified with HAF 106 brigade.
	** 155mm G5 Howitzer	S/2021/229	UID	▪ With HAF.[247]
Artillery (Self-Propelled)	155mm *Firtina* T-155	S/2021/229	Türkiye	▪
Artillery (MLRS)	** 128mm LSRVM *Morava*	S/2021/229	UID	▪ Now confirmed from imagery.[248]
	Rocketsan 122mm *Sakarya* T-122	S/2021/229	Türkiye	▪
	** 128mm LSRVM *Morava*	S/2021/229	UID	▪
	122mm Hybrid Version	S/2022/427	UAE	▪
Logistic Vehicles	** CFORCE All-Terrain Vehicle	S/2022/427	UID	▪
	** Jeep Gladiator	S/2022/427	UID	▪ Militarised.
	KamAZ 6x6 Truck	S/2022/427	UID	▪ Identification from 2018 and unreported by Panel. ▪ Also delivered to Libya on *MV Fehn Calypso* in 2020.[249]
	KamAZ 8x8 Truck	S/2021/229	UID PMC	▪ Identified as the mobility platform for the ChVK Wagner operated Pantsir-1. ▪ Russian Federation based.
	Militarised Toyota Land Cruiser 79 4x4	S/2022/427	UID	▪
	** Toyota 6x6 Light Utility Vehicle	S/2022/427	UID	▪
	UAZ-469 Light Communications Vehicle	S/2022/427	UID	▪
	Ural-4320 Truck	S/2022/427	UID	▪ Some identified on deck of *MV Fehn Calypso* on 25 April 2020 during transit of Bosporus, but these offloaded in Alexandria according to shipping company.
	Ural-4320 Truck (Armoured)	S/2022/427	UID	▪
Mortars (Field)	120mm 120-PM-43 M1943	S/2022/427	UID	▪
	120mm M-74	S/2022/427	UID	▪ With HAF Tariq bin Ziyad brigade.
Naval Vessels	*Corrubia* Class patrol boats	S/2019/914	Member State	▪ Converted to naval vessels post-delivery.
	Damen Stan Patrol 1605 Class patrol boats	S/2018/812		▪
	Gabya Class Frigates	S/2021/229	Türkiye	▪

[246] Pre-2011 Libyan inventory based on that equipment reported in Jane's publications and the IISS Military Balance (https://www.iiss.org/publications/the-military-balance-plus).
[247] Also https://twitter.com/Oded121351/status/1328016339072638978, 15 November 2020.
[248] https://www.oryxspioenkop.com/2022/08/photo-report-haftars-last-parade.html, 27 August 2022.
[249] Information from shipping company.

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
	Lambro Olympic D74 Fast Patrol Boat	S/2022/427	Libya SSA	▪ In use with SSA ▪ a.k.a. *Javelin* Class.
	MRC-1250 Rigid Hulled Inflatable Boats	S/2021/229	Lancaster6	▪ Project Opus.
	Offshore Patrol Vessel *Alkarama*	S/2018/812 S/2019/914	Universal Satcom Services	▪ UAE based.
	Patrol Boat *Alqayid Saqar*	S/2022/427	Libya SSA	▪ Type UID. ▪ Classed as military as dual use and subsequently armed.
	Raidco RPB 20 class patrol boats	S/2019/914	Member State	▪ Converted to naval vessels post-delivery.
Radars and EW	Aselsan *Koral* Electronic Warfare System	S/2021/229	Türkiye	▪
	** 1RL131 P-18 Early Warning Radar	S/2022/427	UID	▪
	LEMZ 96L6/E Target Acquisition Radar	S/2021/229	UID	▪
	Samel-90 Mobile IED Jammer	S/2019/914	UID	▪
	Aselsan *Ihasavar* UAV Jammer	New	Türkiye	▪
Small Arms and Light Weapons	5.56mm AK-103 Assault Rifles	S/2022/427	UID PMC	▪ Russian Federation based.
	5.56mm JAWS-556 Assault Rifles	S/2022/427	Jordan	▪
	5.56mm MFR Multi-Functional Rifles	S/2022/427	Türkiye	▪
	5.56mm MPT 55K Assault Rifles	S/2022/427	Türkiye	▪
	5.56mm KCR 556 7.5” infantry rifle	New	Türkiye	▪
	7.62 x 39mm AK-103-1 Assault Rifles	S/2022/427	UID	▪
	7.62 x 39mm AR-M9F Assault Rifles	S/2016/209	UAE	▪
	7.62 x 39mm Type 63-1 Assault Rifle	S/2022/427	UID	▪
	7.62 x 51mm FN FAL Assault Rifle	S/2013/99	UAE	▪
	7.62 x 51mm JNG-90 *Bora -12* Sniper Rifle	S/2022/427	Türkiye	▪
	7.62mm KNT-76 Sniper Rifle	New	Türkiye	▪
	7.62 x 51mm MPT 76 Assault Rifles	S/2022/427	UID	▪
	7.62 x 54mmR Type-80 General Purpose Machine Gun [250]	S/2022/427	UID	▪
	0.308" *Accuracy International* AW308 Sniper Rifle	New	UID	▪
	0.308" *Sako* TRG 22 Sniper Rifles	New	UID	▪
	0.338 *Orsis* T-5000 Sniper Rifle	S/2022/427	UID	▪ Chambered for *Lapua* rounds.

[250] https://twitter.com/r_u_vid/status/1221227142911905793, 26 January 2020.

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
	0.338 *Steyr* SSG-08 Sniper Rifle (Variant or Copy)	S/2022/427	UID PMC	▪ Chambered for *Lapua* rounds. ▪ Russian Federation based.
	0.50" Barrett M82 Anti Material Rifle	New	UID	▪
	9mm Caracal F Pistols	S/2015/128	UAE	▪
	9mm *EKOL* P29 Blank Firing Pistols	S/2019/914	UID	▪
	9mm *SUR* BRT M9 Blank Firing Pistols	S/2022/427	UID	▪
	12.7 x 108mm W-85 Heavy Machine Gun	S/2022/427	UID	▪
	AGS 30mm Grenade Launcher	S/2021/229	UID PMC	▪ Either AGS-17 or AGS-30 based on ammunition recovered. ▪ Russian Federation based.
	VOG-25 40mm Grenade Launcher	S/2021/229	UID PMC	▪ Based on ammunition recovered. ▪ Russian Federation based.
	40 x 46mm *Akdas* AK-40-GL Grenade Launchers	S/2022/427	Türkiye	▪
	RPG-32 *Nashbab* Rocket Launcher	S/2019/914	Jordan	▪
	** SPG-9 73mm Recoilless Rifle	S/2022/427	UID	▪
	Type-69 85mm Rocket Launcher	S/2022/427	UID	▪
Tanks (MBT)	M-60 *Patton* [251]	S/2022/427	Türkiye	▪
	T-62MV	S/2021/229	UID PMC	▪ Also see annex 56. ▪ Russian Federation based.
Uncrewed Aerial Vehicles (UAV)	Adcom *Yabhon-HMD*	S/2019/914	UAE	▪
	Aeryon *Scout Micro*	S/2013/99	Zariba Security Corporation	▪ Canadian based.
	Aselsan *Serce-2* UAV	New	Türkiye	▪
	Chilong CL-11 VTOL	S/2019/914	UID	▪ Dual use system.
	** DJI Inspire	S/2022/427	UID	▪
	Mohajer-2	S/2019/914	UID	▪
	Orbiter-3	S/2019/914	GNA-AF	▪ Dual use system.
	Orlan-10	S/2019/914	HAF	▪ Possibly from ChVK Wagner.
	Schiebel Camcopter S-100	S/2017/466	UID	▪ With a UID Militia.
	Xiamen *Mugin 4450*	S/2021/229	UID	▪ Dual use system.
	Zala 421-16E	S/2022/427	UID	▪ With HAF.
UAV (Loitering Munition)	IAI *Harpy*	S/2021/229	UID	▪ With GNU-AF.
	STM *Kargu-2*	S/2021/229	Türkiye	▪
	WB *Warmate*	S/2021/229	UID	▪

[251] Also https://twitter.com/MiddleEastWatc1/status/1281616199957323776, 10 July 2020.

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
Uncrewed Aerial Combat Vehicles (UACV)	Bayraktar TB2	S/2019/914	Türkiye	▪
	TAI *Anka*	S/2021/229	Türkiye	▪
	Wing Loong I	S/2017/466	UAE	▪
	Wing Loong II	S/2019/914	UAE	▪
Miscellaneous	AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL)	S/2022/427	UID	▪
	AN/PVS-7 Night Vision Goggles	S/2022/427	UID	▪
	Aselsan A100 Night Vision Monocular	S/2022/427	Türkiye	▪
	Aselsan A940 Night Vision Weapon Sights	New	Türkiye	▪
	Aselsan A940 Weapon Sights	New	Türkiye	▪
	Dahua DHI-UAV-D-1000JHV2 Anti Drone Gun	S/2021/229	UID	▪
	Holographic Weapon Sights (HWS)	S/2022/427	Türkiye	▪
	Sordin Supreme Pro-X Hearing Protectors	S/2022/427	UID	▪

Table 25.2
Confirmed arms and military materiel transferred to Libya (26 Feb 2011 - 10 July 2023) (ammunition and explosive ordnance)

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
Air to Ground Missiles (AGM)	BA-7 Blue Arrow	S/2019/914	UAE	▪
Anti-Tank (ATGM)	FGM-148 *Javelin*	S/2019/914	Member State	▪ Present under resolution 2214 (2015).
	Rocketsan UMTAS	S/2021/229	Türkiye	▪
Anti-Tank (Rockets)	M-79 Osa	S/2022/427	UID	▪
Engineer Stores	ML-8 anti-lift initiators	S/2021/229	UID PMC	▪ Russian Federation based.
Free Flight Rockets (FFR)	122mm *Rocketsan* FFR	S/2022/427	Türkiye UAE	▪
Grenades	F1 Fragmentation	S/2022/427	ChVK Wagner	▪
	30mm VOG-17M Grenades	S/2021/229	ChVK Wagner	▪
	40mm OGi-7MA projected grenades	New	UID	▪
	40mm VOG-25 Grenades	S/2021/229	ChVK Wagner	▪
	Tanin TBG-7 Thermobaric Grenade	New	HAF	▪
Laser Guided Bombs (LGB) or Smart Micro Munition (SMM)	GBU-12 *Paveway* II	S/2017/466	UAE	▪
	Rocketsan MAM-C	New	Türkiye	▪
	Rocketsan MAM-L	New	Türkiye	▪
Laser Guided Projectiles (LGP)	155mm GP-1A	S/2017/466 S/2018/812	UAE	▪
	155mm GP-6	S/2019/914	UAE	▪
Mines (Anti-personnel)	MON-50	S/2022/427	ChVK Wagner	▪

Generic type	*Nomenclature / Calibre*	*Panel Report*	*Responsible*	*Remarks*
	MON-90	S/2022/427	ChVK Wagner	▪
	MON-200	S/2022/427	ChVK Wagner	▪
	OZM-72	S/2022/427	ChVK Wagner	▪
	PMN-2	S/2021/229	ChVK Wagner	▪
	POM-2R	S/2021/229	ChVK Wagner	▪
Mines (Anti-Tank)	TM-62M	S/2022/427	UID PMC	▪ Russian Federation based.
Mortar Bombs	120mm high explosive	S/2021/229	UID	▪
	120mm M62P8 high explosive	S/2021/229	UAE	▪
	120mm M62P10 high explosive	S/2022/427	UAE	▪
Small Arms and Cannon Ammunition	7.62 x 39mm	S/2015/128 S/2016/209	Belarus UID	▪ For Ministry of Interior. ▪
	7.62 x 39mm	S/2016/209	Sudan	▪
	7.62 x 39mm TulAmmo	S/2021/229	UID PMC	▪ Lot A421/2019. ▪ Russian Federation based.
	7.62 x 51mm M80	S/2016/209	Qatar	▪
	7.62 x 54Rmm	S/2016/209	UID	▪ Manufactured in 2012.
	12.7 x 108mm	S/2013/99 S/2015/128	UAE Belarus	▪ ▪ For Ministry of Interior.
	14.5 x 114mm	S/2015/128	Belarus	▪ For Ministry of Interior
	23 x 115mm	S/2015/128	Belarus	▪ For Ministry of Interior.
Thermobaric Munitions	KBP RPO-A *Shmel*	S/2021/229	ChVK Wagner	▪

2. Tables 25.3 and 25.4 summarise arms and military materiel that have been reported in open-sources as new transfers. The Panel is still investigating these alleged transfers as: (a) in some cases the arms and military materiel were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo; and/or (b) the imagery was not of high enough resolution to identify serial numbers or lot/batch numbers to confirm post-2011 manufacture, and thus enable the initiation of tracing requests to identify supply chains. The Panel continues to investigate to find confirmatory information to the appropriate evidential standards.

Table 25.3

Reported but not yet confirmed arms and military materiel transferred to Libya (26 Feb 2011 – 10 July 2022) (weapon systems and equipment) [252]

Generic type	*Nomenclature / Calibre*	*Remarks*
Air Defence (Missiles)	S-125 (SA-3)	▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ Reports in June 2020 of supply from Ukraine to Türkiye,[253] and then deployed to Al Watiya.[254] No S-125 appear on satellite imagery of Al Watiya at that time, only *HAWK* MIM.
Anti-Tank (ATGW)	9M113 *Konkurs* [255]	▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ Also seen with HAF 106 brigade in November 2020 exercise, but resolution of imagery insufficient to identify if post-2011 production. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.

[252] Listed primarily in https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html, 23 March 2021.
[253] https://avia-pro.net/news/na-vooruzhenii-livii-poyavilis-ukrainskie-s-125-protiv-rossiyskih-mig-29-i-su-24, 8 July 2020.
[254] https://www.youtube.com/watch?v=_mPg5CTUJHQ, 12 July 2020.
[255] Reported capture. https://twitter.com/AnalystMick/status/1249681644933599233,13 April 2020.

Generic type	*Nomenclature / Calibre*	*Remarks*
Armoured Vehicles (APC)	*NIMR* II [256]	▪ This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. The unit badge on the vehicle dates back to 1970. ▪ Supplied under a contract signed in 2009 between Libya and the Bin Jamr Group, UAE.[257] ▪ The imagery was not sufficient to allow for confirmation of a new transfer to Libya without other confirmatory evidence.
Armoured Vehicles (IAFV)	BRDM-2	▪ This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ S/2016/209 reported the transfer of these APC types from Libya to Mali. ▪ Ukraine sold 108 BRDM to a UAE customer in 2017.[258] ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Artillery (Towed)	** 122mm D-30 Howitzer [259]	▪ This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
	152mm 2A65 Msta-B Howitzer	▪ This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ The open-source imagery that initially referred to this weapon was later updated to attribute the gun as a G5 Howitzer.[260] ▪ The Panel has yet to find any imagery of the weapon system deployed in Libya.
	155mm Norinco AH4 Gun-Howitzer	▪ This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ Procured by UAE in 2019.[261] ▪ Ammunition for the weapon system reported in S/2017/466, S/2018/812 and S/2019/914, but this may be compatible with the 155mm G5 Howitzer known to have been transferred. ▪ The Panel has yet to find any imagery of the weapon system proving deployment in Libya.
Artillery (MLRS)	107mm LSRVM *Morava*	▪ The 128mm version was reported in S/2021/229. ▪ Also see table 26.1.
	107mm *Taka*	▪ Copy of Chinese Type-63 manufactured in Sudan. ▪ The single source imagery cannot confirm the weapon type, nor deployment in Libya.[262]
Logistic Vehicles	Safir Light Utility Vehicle	▪ This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Mortars (Field)	60mm Type-32	▪ Image resolution insufficient for 100% identification. [263]
	82mm 82-BM-37 [264]	▪ This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Mortars (Self-propelled)	120mm *Boragh* Armoured Mortar Vehicle	▪ The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.[265]

[256] https://twitter.com/oded121351/status/966794267585925120, 22 February 2018.
[257] http://www.army-guide.com/eng/product.php?prodID=3936&printmode=1. Accessed 21 January 2022.
[258] https://defence-blog.com/ukraine-sold-108-brdm-2-armoured-reconnaissance-vehicles-to-uae/, 1 August 2017.
[259] https://twitter.com/Oded121351/status/1328016339072638978, 15 November 2020.
[260] https://twitter.com/Oded121351/status/1328016339072638978/photo/1, 15 November 2020; and https://twitter.com/darksecretplace/status/1328024363887595520, 15 November 2020.
[261] https://www.armyrecognition.com/march_2019_global_defense_security_army_news_industry/norinco_ah4_155_mm_howitzers_for_united_arab_emirates_army.html, 1 March 2019.
[262] https://postlmg.cc/fkz4Rqhp, undated. Accessed 23 January 2022.
[263] https://twitter.com/libyatogether20/status/1378031351132254209, 2 April 2021.
[264] https://twitter.com/Oded121351/status/1328012799948312576, 15 November 2020.
[265] https://twitter.com/tariqgibrel/status/601900388267208704, 23 May 2015; and https://postimg.cc/4K7MjjVH, undated. Accessed 23 January 2022.

Generic type	*Nomenclature / Calibre*	*Remarks*
Radars and EW	Grozna-S Counter UAV	▪ The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.[266]
	Grozna-6	▪ The single source image is of a Grozna-6 deployed in the UAE, [267] but the Panel has yet to see imagery of the system deployed in Libya.[268]
	Krasuha	▪ Single source on 18 May 2020 with no supporting high-resolution imagery to allow for confirmation of type or location in Libya. [269]
Small Arms and Light Weapons	7.62 x 54mmR PKM General Purpose Machine Gun	▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Tanks (MBT)	T-55E	▪ The T-55 was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ HAF official social media showed a T-55 variant with the Tariq bin Ziyad brigade in 2020.[270] ▪ ChvK Wagner personnel also repaired 16 and overhauled 31 T-55 variants in 2019, so possible these are from that work.[271] ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
	T-62M	▪ T-62 variants were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ ChvK Wagner personnel also repaired 4 and overhauled 9 T-62 variants in 2019.[272] ▪ The imagery was not sufficient to allow for confirmation of a new transfer to Libya.
UAV	Ababil-2	▪ Reported as operated by HAF. ▪ Image resolution insufficient for 100% identification of type or location. [273]
	Zagil	▪ The Panel has identified a single-source report alleging Sudan supplied this UAV type in 2014.[274] The imagery shows Libyan officers but is insufficient to prove the presence of this UAV type in Libya. ▪ No open-source imagery of a "Zagil" UAV could be found to allow for confirmation of UAV type.

Table 25.4

Reported but not confirmed arms and military materiel transferred to Libya (26 Feb 2011 – 10 July 2023) (ammunition and explosive ordnance)

Generic type	*Nomenclature / Calibre*	*Remarks*
Artillery	155mm 2K25 Krasnopol laser guided projectile.	▪ Reported as being for the 152mm 2A65 Msta-B Howitzer (see table 26.3), so possible calibre error in report. ▪ Imagery insufficient to confirm calibre or transfer to Libya. [275] ▪ The imagery could equally be of a GP1, which is a direct copy.[276] GP1 reported in in S/2017/466 and S/2018/812.
Engineer Stores	Fateh-4 mine clearance line charge	▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.[277]

[266] https://twitter.com/towersight/status/1292885386902069249, 10 August 2020.
[267] https://www.menadefense.net/mideast/les-emirats-arabes-unis-se-dotent-de-brouilleurs-bielorusses-groza-6/, 25 June 2020.
[268] https://army-tech.net/forum/index.php?threads/groza-منظومة-الحرب-الالكترونية-البيلاروسية-العاصفة-أو-18194/, 25 April 2020.
[269] https://libya.liveuamap.com/en/2020/18-may-gna-turkish-uav-airstrike-on--electronic-warfare-system, 20 May 2020.
[270] https://www.youtube.com/watch?v=LXt5d1iacEk, 14 November 2020. [14min 29sec].
[271] Table 77.2 to S/2021/229.
[272] Table 77.2 to S/2021/229.
[273] https://postlmg.cc/3dNhpry1. Accessed 23 January 2022.
[274] https://m.facebook.com/1445146409065850/photos/a.1445154462398378/1484269561820201/?type=3&source=54, 9 August 2014.
[275] https://twitter.com/lostweapons/status/1243787785724542976?lang=he, 28 March 2020.
[276] Confidential source analysis.
[277] https://vk.com/wall-98555648_224885?lang=en, 10 August 2021.

Generic type	*Nomenclature / Calibre*	*Remarks*
Mines (Anti-personnel)	MON-100	▪ The Libyan Mine Action Centre (LibMAC) have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.[278] ▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.[279]
Mines (Anti-Tank)	TM-83	▪ LibMAC have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.[280] ▪ The single source imagery is insufficient to confirm type or transfer to Libya.[281]

[278] Email to Panel of 25 January 2022.
[279] https://www.libyaobserver.ly/news/libyas-interior-ministry-urges-south-tripoli-residents-not-return-home-just-yet?qt-libya_weather=1&qt-sidebar_tabs=1, 8 June 2020.
[280] Ibid.
[281] https://twitter.com/analystmick/status/1125785280626200576, 7 May 2019.

Annex 26 Supplies of maritime assets to Libyan armed groups

A. Lambro Olympic D74

1. In S/2022/427,[282] the Panel reported on a patrol boat in use by the GNU-affiliated Stability Support Apparatus (SSA) maritime units based in Zawiyah with design features consistent with the Lambro Olympic D74 (Javelin 74) fast patrol boat. The Panel established that the vessel is a former Hellenic Coast Guard vessel.

2. The vessel was one of three Lambro Olympic D74 fast patrol boats decommissioned by the Hellenic Coast Guard between 2014 and 2021, namely vessel "ΠΛΣ 194". The Greek authorities told the Panel that the vessels never had weapons systems, and that the decommissioning comprised the removal of communications and electronic systems. No structural changes had been made to its glass-reinforced plastic hull. All three vessels had been auctioned off. Vessel ΠΛΣ 194, was auctioned to a Greek national.

3. On 15 January 2022, the vessel, then registered as a civilian vessel under the flag of Palau and named LS *Marta*, sailed from the port of Pilos, Greece with a destination of Libya. There were three individuals on board, including the abovementioned Greek national who had purchased the vessel at the auction.[283] Four days later, on 19 January 2022, the vessel was first identified by eyewitnesses in use by the SSA units based in Zawiyah.[284] This timeline indicates that the three individuals were involved in the transfer of the vessel to Libya.

4. On 2 June 2023, the Panel wrote to Greece and requested the technical specifications of the Lambro Olympic D74, in particular, details of its hull construction and any hardening or damage control design features for naval tasks. While Greece replied to the Panel's letter, the requested information was not provided to a level of detail that would enable the Panel to assess the vessel as civilian in nature. The Panel therefore relies on the initial build purpose of the vessel as a main indicator, which was naval in nature. The Panel continues to consider the vessel as non-lethal military materiel. Such materiel can only be transferred to forces declared under the control of the Libyan government. The SSA is not part of these forces. The transfer of this vessel therefore is, in the Panel's assessment, a violation of paragraph 9 of resolution 1970 (2011). This updates table 1 of S/2022/427, which registered the violation as "highly probable". The Panel's investigations into the identification of individuals and entities responsible for the transfer continues.

B. Haftar-affiliated forces rigid-hulled inflatable boats (RHIB)

1. RHIBs identified at HAF parade

5. In S/2022/427,[285] the Panel reported on naval-type RHIBs in use by a HAF maritime unit. In video footage of a 2021 parade by the Libyan Arab armed forces (LAAF).[286] The Panel observed four RHIBs with plaques with a logo of the "Pisces" zodiac sign and the word "Apollon" in Greek letters, as well as the writings "*Apollon 1*", "*Apollon 11*" and "*Apollon 14*" on the right tube.[287] The Panel established that the RHIBs had design features identical to RHIBs produced by Double Action Defense, based in Greece.[288] On its Facebook page, the company links to a YouTube video showcasing its RHIBs,[289] among them one with identical design features with that shown during the HAF parade (appendix 26.A).

6. Owing to their design (colour, seating arrangements, communications suite, weapons mounts), the Panel considers the RHIBs in question as arms and related materiel. The transfer of these RHIBs was a violation of paragraph 9 of resolution 1970 (2011). The Panel's investigation into the identification of individuals and entities responsible for the transfer continues.

[282] Paragraph 68.
[283] The identity of the other two individuals is known to the Panel. The Panel has not yet been able to contact them for the purpose of an opportunity to reply.
[284] S/2022/427, annex 24, appendix C, figure 24.C.3.
[285] Paragraph 66, table 1 and annex 27.
[286] Starting at minute 2:14:34 here: https://www.youtube.com/watch?v=mbIDXxITPa0, 31 May 2021.
[287] Marking of forth vessel of the same type not legible.
[288] https://doubleaction.gr.
[289] 1) https://www.facebook.com/doubleactionshop/posts/welcome-aboard-genesis-12-by-double-action-defence/2433710443421658/, 19 December 2019; and 2) https://www.youtube.com/watch?v=yT2P_EJv4ho, 19 December 2019.

2. RHIB "*Apollon 15*" and arms and related materiel transfer

7. In the late hours of 1 July 2020, the Hellenic Coast Guard stopped a Panama-flagged RHIB by name of "*Apollon 15*" west of Crete, with a crew of seven (six Greek nationals, one Spanish national).[290] From the documents on the vessel it appeared that the Greek captain had sailed from Lavrio, Greece, with destination Egypt on 12 May 2020, without declaring any passengers. The captain stated to the Hellenic Coast Guard that he had sailed from Ras El Hilal, Libya, on 1 July 2020, with destination Porto Rafti, Greece. Upon inspection of the vessel, the Hellenic Coast Guard found two pistols, including one Glock, small arms magazines of different types, small amounts of various small arms ammunition and contraband. The crew was arrested, and the vessel was confiscated. Greece informed the Panel that the trial of the case had started on 14 October 2022 in the Plenipotentiary Court of Chania, Greece.

8. Having independently investigated the incident, the Panel identified among the arrested crew members an individual acting on behalf of Double Action Defense. On at least one occasion, that individual travelled to Libya where he met with personnel of the Libyan navy. The Panel's documentary evidence shows the individual armed with a holstered pistol with design features identical to a Glock pistol. That is consistent with the inspection report by the Hellenic Coast Guard (see figure 26.B.1).

9. The Panel further determined that the identified individual, in a representative role for Double Action Defense, developed business relations with the International Golden Group, based in the United Arab Emirates (appendix 26.B).[291] Given that the International Golden Group has previously been identified by the Panel for repeated arms embargo violations, the Panel continues to investigate potential culpability for violations of the arms embargo that may have resulted from this cooperation between the two entities.[292]

10. On 30 September 2020, the vessel "*Apollon 15*" was assigned to an attorney and on 23 December 2020 sailed from the port of Chora Sfakion, Greece, with new shipping documents and a crew of two with destination Egypt. Greece informed the Panel on 30 June 2023 that the location of the released "*Appollon 15*" RHIB was unknown.

11. Owing to their design (colour, seating arrangements, communications suite, weapons mounts), the Panel considers the RHIBs in question as arms and related materiel. The entry into Libyan territorial waters by the "*Apollon 15"* RHIB was a violation of paragraph 9 of resolution 1970 (2011).

12. The Panel's investigation into the current whereabouts of the released "*Appollon 15"* RHIB continues. The Panel noted on satellite imagery of May 2021 that two vessels of around 11 metres length with the same colour and shape as the Apollon RHIBs were moored in Ras El Hilal. That harbour is close to the two interception points of MV *Corona J* and MV *Rogaland* (see paragraph 83 of the report, annex 31, and appendix 26.C). The Panel also continues its investigation into whether, based on the seizure of arms and related materiel from "*Appollon 15*" on 1 July 2020, the crew also violated paragraphs 9 or 10 of resolution 1970 (2011) for transferring arms and related materiel to Libya or exporting arms and related materiel from Libya.

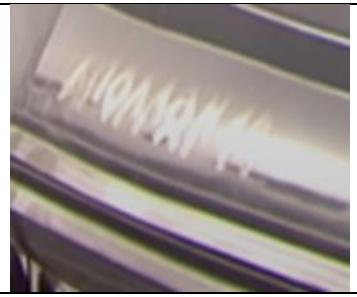
[290] Meeting with Greek authorities, 22 November 2023.

[291] The Panel's confidential eyewitness recognised the individual on relevant photographs: 1) with a member of the Libyan Navy in Libya, https://1.bp.blogspot.com/-If733jaLePQ/Xwnkqa928TI/AAAAAAAAAyQ/g4zSth1gai8zfhBsAGESlNAGL3hpAnM7ACLcBGAsYHQ/s1600/unnamed.png; and 2) while signing a document with a representative of the International Golder Group, https://doubleaction.gr/international-presence/. Double Action Defense also lists that company as one of its international partners; https://doubleaction.gr/en/the-company/.

[292] 1) S/2013/99, paragraphs 79 to 81; and figure 3; 2) S/2016/209, annex 27, paragraph 4; and 3) S/2022/427, annex 42.

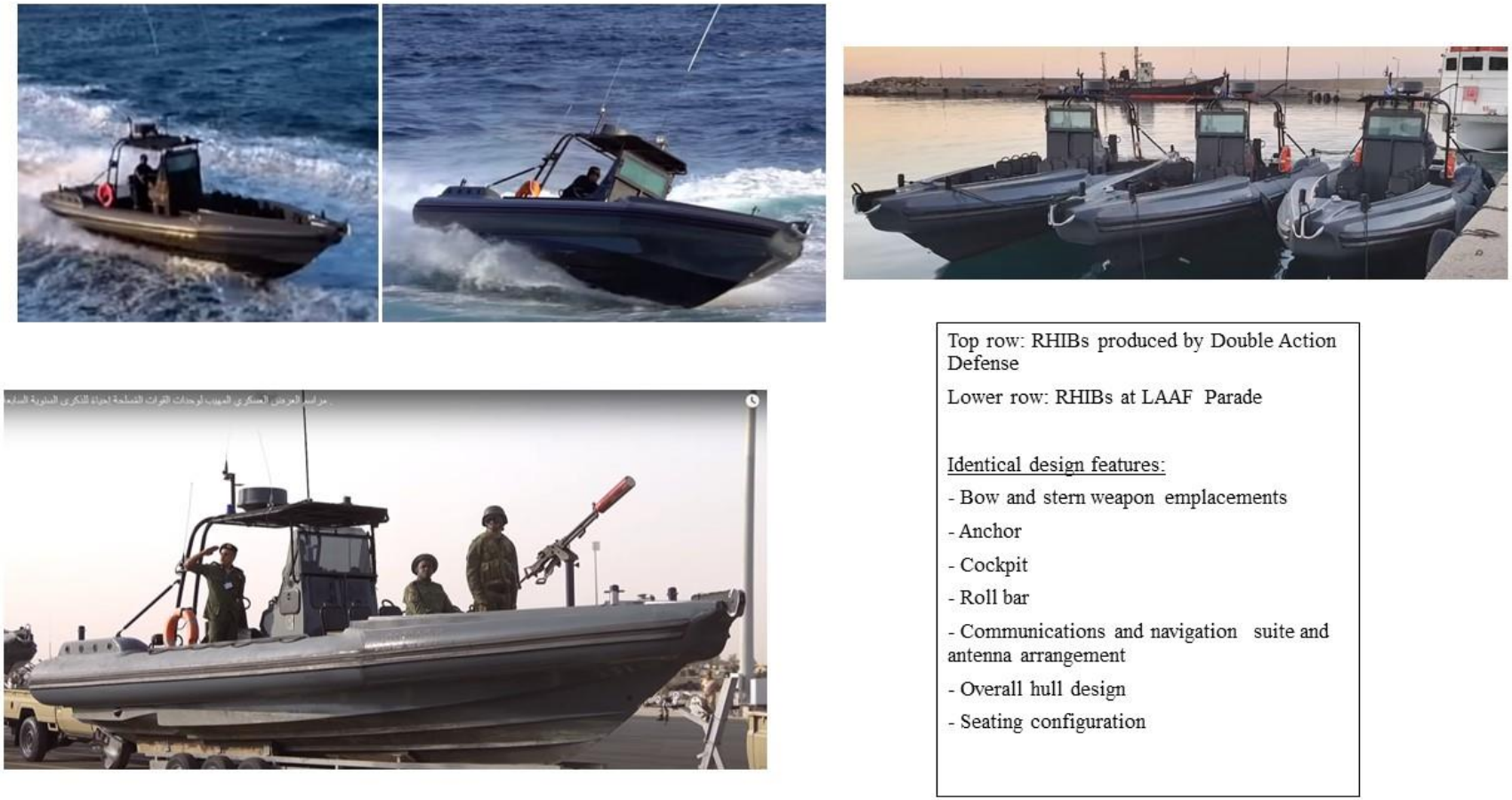
Appendix 26.A

Figure 26.A.1
RHIBs at LAAF parade

		Apollon 1
		Apollon 11
		Apollon 14 and second boat with unidentified name in the background

Source: https://www.youtube.com/watch?v=mbIDXxITPa0, 31 May 2021, starting at 2:14:34.

Figure 26.A.2
Comparison RHIBs LAAF parade and Double Action Defense



Top row: RHIBs produced by Double Action Defense

Lower row: RHIBs at LAAF Parade

Identical design features:

- Bow and stern weapon emplacements
- Anchor
- Cockpit
- Roll bar
- Communications and navigation suite and antenna arrangement
- Overall hull design
- Seating configuration

Sources: 1) https://www.youtube.com/watch?v=mbIDXxITPa0, 31 May 2021, at 2:14:41; and 2) https://www.youtube.com/watch?v=yT2P_EJv4ho, 19 December 2019, starting at 2:14.

Figure 26.A.3
Comparison logo plaque RHIB displayed on LAAF parade (top) and displayed in Double Action Defense promotional video (bottom)

Sources: 1) https://www.youtube.com/watch?v=mbIDXxITPa0, 31 May 2021 @ at 2:14:58; and 2) https://www.youtube.com/watch?v=yT2P_EJv4ho, 19 December 2019, @ 2:35 minutes.

Appendix 26.B

Figure 26.B.1
Individual representing Double Action Defense with Libyan naval officer (left) and signing a document on a table with International Golden Group logo (right)

Sources: 1) https://1.bp.blogspot.com/-If733jaLePQ/Xwnkqa928TI/AAAAAAAAAyQ/g4zSth1gai8zfhBsAGESlNAGL3hpAnM7ACLcBGAsYHQ/s1600/unnamed.png; and 2) https://doubleaction.gr/en/the-company/.

Annex 27 Renewed transport of Spartan-2 MAV by MV *Luccello* / MV *Victory RoRo*

1. In S/2022/427,[293] the Panel reported on the 4 March 2022 delivery of 100 Spartan-2 military armoured vehicles (MAV) to Benghazi, in violation of paragraph 9 of resolution 1970 (2011), by the MV *Luccello* (IMO: 7800112; flag State: Comoros). The Panel continues to investigate the supply chain of these vehicles.

2. Following the delivery of the vehicles to Benghazi, the vessel sailed to Mersin, Türkiye, where it stayed at the anchorage area off the port (TRMER) for a little under two days. She then sailed to international waters off Latakia, Syrian Arab Republic, where she "went dark" by turning off its Automatic Identification System (AIS) between 12 and 19 March 2022. During that time frame, the vessel changed its name, flag State, owner and operator.

3. The vessel's name changed from *Luccello* to *Victory RoRo*. Its flag changed from the Comoros to Equatorial Guinea. Its owner and operator changed from Medred Ship Management Co. Ltd. (Türkiye) to Yildirim Shipping Co. (Liberia). Like Medred, Yildirim only owns and operates one vessel.

4. Yildirim Shipping Company is incorporated in Liberia, but uses an address in Mersin, Türkiye. The company uses an email address that is hosted on the domain of Legend Logistic. Under the section "news" on Legend Logistic's web presence, two postings dated 24 November and 2 December 2021, respectively, refer to activities of the MV *Luccello*, the MV *Victory RoRo*'s previous name.[294] Furthermore, according to Legend Logistic's website and maritime databases, Yildirim Shipping Company and Legend Logistic have almost identical addresses at 5306 Sokak, Yeni Mah, Akedniz, Mersin, Türkiye.[295] Legend Logistic has the same address as the previous registered owner and operator of the vessel, Medred Ship Management Co Ltd., which the Panel reported as having previously violated the arms embargo.[296] The founder of Legend Logistic (a.k.a. Legend Logistic International or Legend Logistics) is Murat Yildirim.[297] This suggests that Yildirim Shipping Company and Medred Ship Management Co Ltd are both subsidiaries of Legend Logistic.

5. After these changes, the vessel, then sailing as MV Victory Roro, sailed back to Mersin, Türkiye, and called at the port on 19 March 2022, where she remained for about eight hours. The address of the vessel's owner and operator is in the port area. A crew member told the Panel that the new and the old owner of the vessel were identical. After changing the vessel's name and flag, the owner removed from the vessel all documents related to the vessel's voyages under her old identity.

6. The vessel then sailed to Crete, Greece, where she failed technical inspections and remained at Heraklion port (GRHER) for repairs, until 15 April 2022. She then called at Tobruk (LYTOB), Khoms (LYKHM), Misrata (LYMIS), before sailing to Benghazi (LYBEN) on 26 April 2022, where she loaded 50 of the 100 vehicles she had offloaded there on 4 March 2022.

7. She left Benghazi in the evening of 30 April 2022 in a north-eastern direction and left Libyan territorial waters in the early morning of 1 May 2022. She proceeded eastwards and re-entered Libyan territorial waters in the early morning of 2 May 2022 [at 33°06'11"N, 13°20'46"E]. This represents another violation of paragraph 9 of resolution 1970 (2011). She entered Tripoli port (LYTIP) in the morning of 2 May 2022, where she unloaded the vehicles. She left Tripoli on 3 May 2022 and returned to Mersin. In July 2022, the vessel was again used in an attempt to deliver armoured vehicles to Benghazi, but was stopped by EUNAVFOR Operation Irini, see paragraph 103 of the report and annex 71.

8. A summary of events and obfuscation techniques used for the vessel are in annex 71, table 71.1. The voyage from Benghazi to Tripoli is in figure 27.1. Open-source imagery of the *Spartan-2* MAV in Tripoli is at figure 27.2 and annex 36.

[293] S/2022/427, table 1 and annex 30.
[294] 1) https://legend-logistic.com/1396-2/; and 2) https://legend-logistic.com/1433-2/.
[295] Yildirim Shipping Company is at 2/7 whereas Legend Logistic is at 1/5.
[296] S/2022/427, tables 2 and 3 and annex 30.
[297] https://legend-logistic.com/?page_id=415.

Figure 27.1
MV Victory Roro (ex- Luccello) (IMO: 7800112) delivers 50 Spartan-2 MAV from Bengazi to Tripoli (26 April – 2 May 2022)

Source: S&P Maritime.

Figure 27.2
Movement of Spartan-2 MAV from Tripoli port eastwards (2 May 2022)

2 May 2022

32°54'3.60"N, 13°12'54.58"E

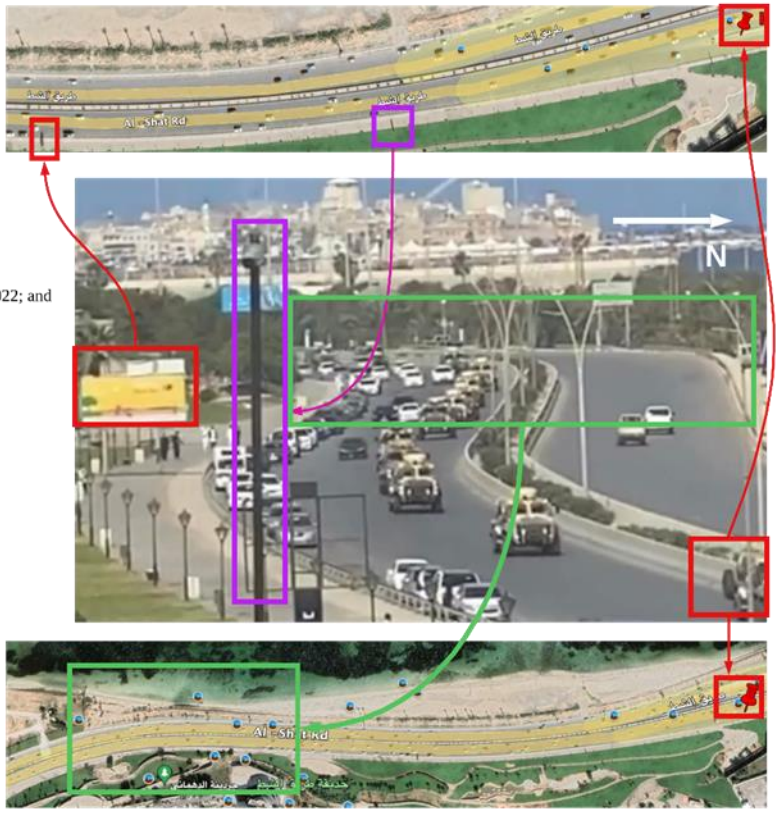
The MV Victory RoRo docked in Tripoli port on 2 May 2022.

A convoy of STREIT Spartan-2 MAVs was identified leaving the port area on 2 May 2022.

Primary sources:

1. https://www.lj-bc.tv/2022/05/172986.html, 2 May 2022; and
5. Google Earth Pro.

Developed by Panel of Experts (20 January 2020)



Annex 28 Deliveries of items or activities not subject to the arms embargo by vessels, aircraft or vehicles subject to the embargo

1. Paragraph 9 of resolution 1970 (2011) contains three elements for application of the arms embargo: supply, sale, and transfer to Libya. Paragraph 10 of the same resolution speaks of "export" and "procurement" from Libya. "Supply", "sale", "export" and "procurement" all insinuate some form of change of possession, ownership or control. "Transfer", on the other hand, is a more open concept, and, by definition, can also refer to a change in location without a change of possession, ownership, or control.[298] This interpretation is also reflected by past Committee and Panel practice. There are numerous examples of past Committee approvals under paragraph 9 (c) for temporary transfers to Libya of arms and related materiel for diplomatic missions or demonstration purposes. The Panel has also consistently reported on temporary entries of military materiel, including on military overflights, deliveries by military cargo flights, and entry of naval vessels into Libyan territory.

2. At first glance there appears to be an innate shortcoming of the "catch-all" exemption of paragraph 9 (c), namely that it contains the words "sales and supply" but not the word "transfer". This would suggest that the exemption cannot be requested for temporary transfers. But past Committee practice, as noted above, and the wording of Implementation Assistance Notice number 2,[299] which explicitly refers to "transfers" also in the context of advance approval by the Committee, suggest otherwise. Paragraph 9 (c) is therefore a suitable vehicle to request Committee approval for temporary transfers, i.e. where the embargoed vessel, aircraft or vehicle serves as a means of delivery.

3. The Panel therefore disagrees with any interpretation of the term "transfer" that would: 1) require a change in possession, ownership, or control, and/or 2) introduce a temporal element, which would require arbitrariness on part of the Panel to determine when a transfer would be limited in time and when it would have to be considered permanent.

4. The Panel last highlighted the issue in S/2022/427.[300] Since the Panel's last report, similar cases arose, some of which are presented in annex 29; this demonstrates the relevance of the issue.

[298] https://www.merriam-webster.com/dictionary/transfer.
[299] https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970_ian2.pdf.
[300] Paragraph 60, recommendation 1 and annex 31.

Annex 29 Naval vessels entering Libya

A. Overview

1. During the reporting period, several naval vessels entered Libyan territory, including to deliver items or undertake activities that are not subject of the arms embargo. The Panel continues to monitor such entries as potential violations[301] of the arms embargo if they are undertaken without prior Committee approval.

B. Italian Gorgona-class vessel

2. In S/2022/427,[302] the Panel reported on rotating Italian Navy Gorgona-class vessels in Abu Sitta port, Tripoli [32°54'24.68"N, 13°13'12.48"E]. On 12 January 2023, during its last visit to Tripoli, the Panel visited Abu Sitta and observed the Gorgona-class coastal transport vessel *Tremiti* (pennant number: A5348) moored there.

3. The Panel followed up with Italy on 16 June 2023 on an unanswered 21 March 2022 letter on this subject. No response was received. In the Panel's view, the entry of the vessel a violation of paragraph 9 of resolution 1970 (2011).

C. Maltase armed forces vessel

4. By letter dated 11 October 2022, the Permanent Mission of the Republic of Malta submitted an arms embargo exemption request, invoking paragraph 9 (c) of resolution 1970 (2011), to the Committee. Malta requested approval for transfer to Libya of arms and related materiel for the protection of Malta's diplomatic mission in Tripoli. Malta provided elements regarding the delivery, in line with Implementation Assistance Notice number 2. This included that the materiel would be delivered to Tripoli port by a naval vessel in the first week of January 2023. The Committee approved the exemption request. The items were delivered on 8 January 2023 on board the Maltese armed forces vessel P61.

5. In the Panel's view, Malta was in full compliance with the arms embargo by seeking and obtaining approval from the Committee under paragraph 9 (c) of resolution 1970 (2011), both for the arms and related materiel and for the means of delivery by naval vessel.

D. Turkish G-class frigates

6. The Panel has obtained confidential satellite imagery showing one or two vessels at a time with the characteristics of Turkish Gabya (G-class) frigates berthed at Al-Khoms port, Libya (LYKHM) [32°41'10.05"N, 14°14'42.97"E] between November 2022 and 12 February 2023 (table 29.1)

Table 29.1
Turkish G-class frigates in Al-Khoms

Date observed	*Number of vessels*
5 Nov 2022	2 vessels
7 Feb 2023	2 vessels
9 Feb 2023	2 vessels
12 Feb 2023	2 vessels
14 Mar 2023	1 vessel

7. The Panel wrote to Türkiye on 26 May 2023 on this issue. No response was received. In the Panel's view, the entry of these vessels are violations of paragraph 9 of resolution 1970 (2011).

[301] This includes what the Panel previously referred to as a "technical violation". In paragraph 60 and FN 82 of S/2022/427, the Panel covered the issue of "technical violations". The related recommendation was not adopted, and since that recommendation and the term of "technical violation" are intrinsically linked, the term can no longer be reasonably used by the Panel for use of military vessels and aircraft delivering non-embargoed items and undertaking non-embargoed activities.
[302] Paragraph 72.

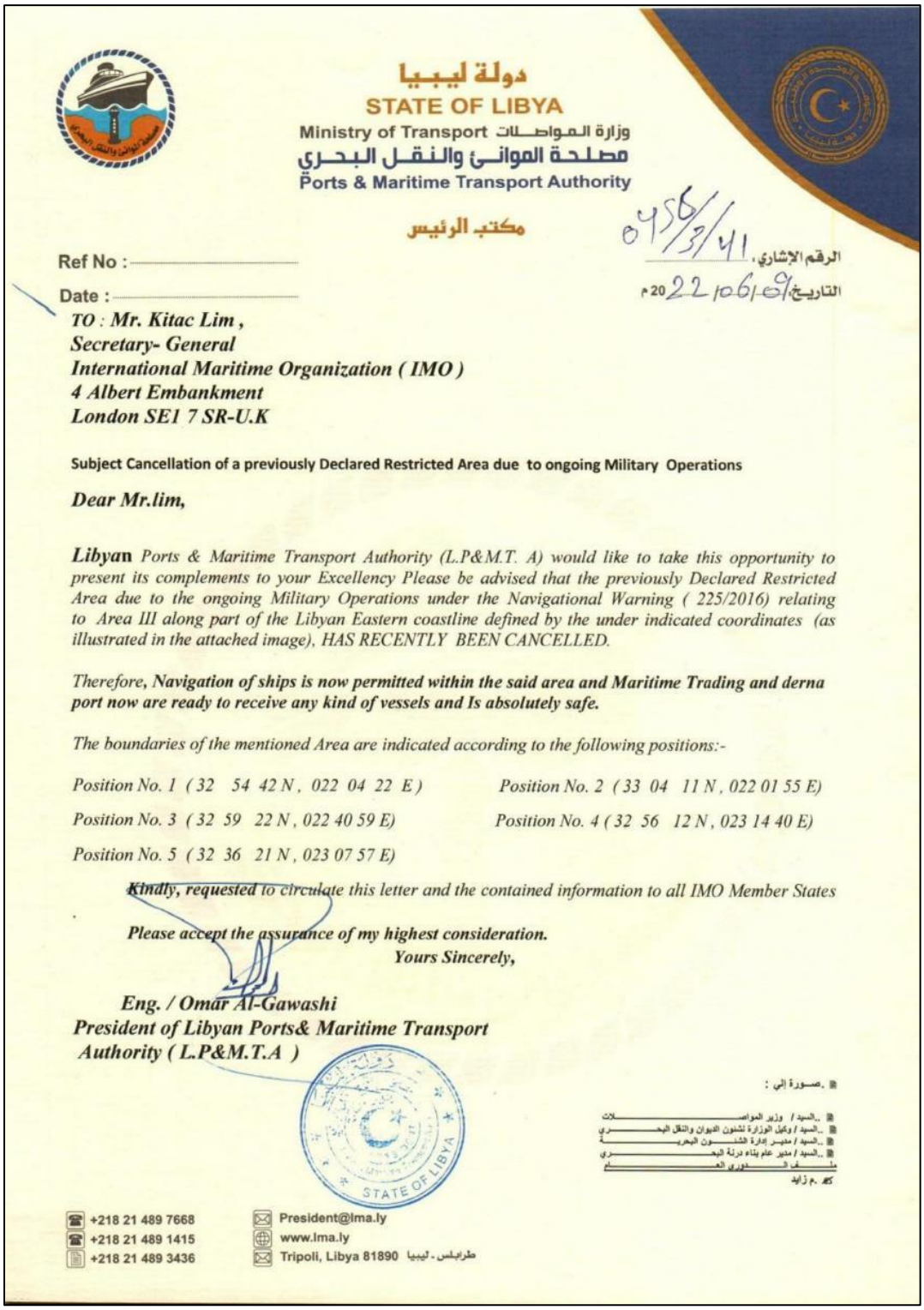
E. HMS *Albion*

8. On 28 September 2022, the United Kingdom's Amphibious Transport Dock HMS Albion (pennant number: L14) entered Tripoli commercial port (LYTIP) for a day-long visit. The United Kingdom informed the Panel that "*the ship's visit was used to enhance the goodwill between the mariners of both our countries, as well as to enhance diplomatic relations*". During the visit, the crew also "*conducted training and shared best practices with the Libyan Navy covering the maritime safety topics of hydrography, seamanship, navigation and marine engineering*", and conducted medical training "*regarding patient management and health procedures*". The United Kingdom further informed the Panel that no cargo or personnel had been embarked or disembarked.

9. In its letter to the Panel, the United Kingdom holds that they "take note of the Panel of Expert's final report (*S/2022/427*), in particular paragraph 60, recommendation 1 and Annex 31, which states that, in relation to an Italian vessel, in the Panel's view "the entering and exit of Libyan territory by the vessel is by itself a technical violation of paragraph 9 to resolution *1970 (2011)*, even if there is no intent to transfer arms and related materiel to Libya". We take this opportunity to clarify that the United Kingdom does not share the Panel of Expert's interpretation in this regard. Specifically, HMS Albion's visit did not involve the direct or indirect supply, sale or transfer to Libya of arms or related materiel. Further, paragraph 10 of resolution *2095 (2013)* exempted the provision of training to the Libyan government without the need for notification. We also take this opportunity to recall that the Security Council has not acted upon recommendation 1 in the Panel of Experts final report (S/2022/427)."

10. The explanation given by the United Kingdom, however, does not address the fact that HMS Albion itself falls under the category of arms and related materiel. Neither the relevant resolutions, nor the implementation assistance guidance issued by the Committee provide a basis for extending the delivery of non-embargoed goods or services by an embargoed mode of transportation (see annex 28). The Panel is satisfied that the training provided by the crew of the HMS Albion falls under the exception of paragraph 10 of resolution 2095 (2013). However, the entry of the vessel itself, does, in the Panel's view, not fall under the same exception, but represents a violation of paragraph 9 of resolution 1970 (2011).

Annex 30 Libyan Maritime Authority cancels “prohibited zone” - Attachment to IMO Circular Letter no. 4585 (10 June 2022)



دولة ليبيا
STATE OF LIBYA
Ministry of Transport وزارة المواصلات
مصلحة الموانئ والنقل البحري
Ports & Maritime Transport Authority
مكتب الرئيس

الرقم الإشاري: 456/3/41
التاريخ: 09/06/2022 م

Ref No :
Date :

TO : Mr. Kitac Lim ,
Secretary- General
International Maritime Organization (IMO)
4 Albert Embankment
London SE1 7 SR-U.K

Subject Cancellation of a previously Declared Restricted Area due to ongoing Military Operations

Dear Mr.lim,

Libyan *Ports & Maritime Transport Authority (L.P&M.T. A) would like to take this opportunity to present its complements to your Excellency Please be advised that the previously Declared Restricted Area due to the ongoing Military Operations under the Navigational Warning (225/2016) relating to Area III along part of the Libyan Eastern coastline defined by the under indicated coordinates (as illustrated in the attached image), HAS RECENTLY BEEN CANCELLED.*

Therefore, ***Navigation of ships is now permitted within the said area and Maritime Trading and derna port now are ready to receive any kind of vessels and Is absolutely safe.***

The boundaries of the mentioned Area are indicated according to the following positions:-

Position No. 1 (32 54 42 N , 022 04 22 E)
Position No. 2 (33 04 11 N , 022 01 55 E)
Position No. 3 (32 59 22 N , 022 40 59 E)
Position No. 4 (32 56 12 N , 023 14 40 E)
Position No. 5 (32 36 21 N , 023 07 57 E)

Kindly, requested *to circulate this letter and the contained information to all IMO Member States*

Please accept the assurance of my highest consideration.
Yours Sincerely,

Eng. / Omar Al-Gawashi
President of Libyan Ports& Maritime Transport Authority (L.P&M.T.A)

صورة إلى :
السيد / وزير المواصلات
السيد / وكيل الوزارة لشئون الديوان والنقل البحري
السيد / مدير إدارة الشئون البحرية
السيد / مدير عام بناء درئة البحري
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Source: International Maritime Organization

Annex 31 Antigua and Barbuda complaint as flag State - attachment to IMO Circular Letter no. 4641 (12 October 2022)

THE OFFICE OF THE PERMANENT REPRESENTATIVE TO THE
INTERNATIONAL MARITIME ORGANIZATION (IMO)
GOVERNMENT OF ANTIGUA & BARBUDA

October 07, 2022

HIS EXCELLENCY KITACK LIM
Secretary-General
International Maritime Organization (IMO)
4 Albert Embankment
London SE1 7SR

URGENT:
Incidents of questionable interception and detention of Antigua & Barbuda flagged ships off the coast of Libya.

Dear Secretary General,

On behalf of the government of Antigua and Barbuda, I would like to draw your kind attention to two incidents involving our ships transiting off the coast of Libya, which we have deemed to be deliberate violations of the International Law of the Sea and applicable IMO Conventions.

The first incident occurred on 24 May 2022 at around 09:00 UTC, the Antigua and Barbuda flagged vessel M/V Corona J (IMO 9238686) was at 33-14.5N, 22-17.3E, enroute from Port Said, Egypt to the port of Misrata, Libya. The vessel was approached and boarded by armed forces claiming to be the Libyan Coast Guard. The guards accused the vessel of entering a military restricted area and proceeded to seize all the passports and ship documents and certificates. The vessel was ordered to anchor at 32-54N, 022-11E, and the crew was detained on the bridge under the supervision of two armed guards while other guards conducted a search of the vessel. The vessel had to pay a "fine" of USD 41,000 for the release of the vessel and the return of crew passports and ship documents.

The second incident was on 21 September 2022 at around 10:20 UTC, the Antigua and Barbuda flagged vessel M/V Rogaland (IMO 9505596) was at 33-09.3N, 021-59.4E, approximately 13nm from the coast of Libya enroute from the port of Alexandria, Egypt, to the port of Zarzis, Tunisia. The vessel was approached and boarded by armed forces claiming to be the Libyan Coast Guard who alleged that there were problems with the paperwork although the master was not given any specific details on the alleged issues. The ship documents and all the passports of the crew were forcibly seized by the group and the vessel was ordered to proceed to the port of Benghazi "to clarify the matter". The operators and P&I Club opted to settle the matter by paying a fine of USD 41,600 to secure the release of the vessel and return of the ship and crew documents.

Based on the amplified information presented in the appendix to this missive, Antigua and Barbuda consider that these actions pose a significant threat to the safety and security of shipping transiting this area. Further, as an IMO member State, we strongly condemn these incidents and kindly ask that this information is brought to the attention of all IMO Member States, Intergovernmental Organizations, and Non-governmental Organization in consultative status.

Please accept the assurances of my highest consideration.

Yours sincerely,

Dwight C. R. Gardiner OBE
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Antigua and Barbuda to the IMO

Appendix

Incidents of questionable interception and detention of Antigua & Barbuda flagged ships off the coast of Libya.

BACKGROUND

There have been two unusual incidents this year involving Antigua & Barbuda flagged vessels operating in the Mediterranean Sea around the State of Libya. The incidents involved the boarding and detention of the vessels by armed personnel claiming to be officers of the Libyan Coast Guard.

The first incident was on 24 May 2022 at around 09:00 UTC, the Antigua and Barbuda flagged vessel M/V Corona J (IMO 9238686) was at 33-14.5N, 22-17.3E, enroute from Port Said, Egypt to the port of Misrata, Libya.

The vessel was approached and boarded by armed forces claiming to be the Libyan Coast Guard. The guards accused the vessel of entering a military restricted area and proceeded to seize all the passports and ship documents and certificates. The master was aware of the restricted zone and the vessel had in fact passed approximately 10nm north of the zone. The vessel was ordered to anchor at 32-54N, 022-11E, and the crew was detained on the bridge under the supervision of two armed guards while other guards conducted a search of the vessel. It was later discovered by the crew that all their money as well as other personal belongings were missing.

The master then informed the operating company and European Naval Forces (EUNAVFOR) of the incident. The operator contacted the P&I Club agent in Benghazi who then contacted the Libyan Coast Guard to inquire. The agent was informed that the vessel had to pay a "fine" of USD 41,000 for the release of the vessel and the return of crew passports and ship documents. When the guards were questioned on whether any money or other property was taken, they denied any involvement, and the crew and owners were forced to write an apology letter for falsely accusing the guards of theft. In order to de-escalate the matter and secure its release, the vessel agreed to pay the fine and write an apology letter.

The second incident was on 21 September 2022 at around 10:20 UTC, the Antigua and Barbuda flagged vessel M/V Rogaland (IMO 9505596) was at 33-09.3N, 021-59.4E, approximately 13nm from the coast of Libya enroute from the port of Alexandria, Egypt, to the port of Zarzis, Tunisia.

The vessel was approached and boarded by armed forces claiming to be the Libyan Coast Guard who alleged that there were problems with the paperwork although the master was not given any specific details on the alleged issues. The ship documents and all the passports of the crew were forcibly seized by the group and the vessel was ordered to proceed to the port of Benghazi "to clarify the matter".

The operating company instructed the master to lock the vessel at security level 3, remain drifting in its present position and await further instructions. The local P&I agent reached out to the Coast Guard and informed them of the matter. The Coast Guard responded that the vessel entered a restricted military area in the east coast

of Libya thus it was detained for illegal entry and a "fine" of USD 41,600 is required to be paid for the release of the vessel. The operators and P&I Club opted to settle the matter by payment of the fine to secure the release of the vessel and return of the ship and crew documents.

PERSPECTIVE ON THE POLITICAL INSTABILITY IN LIBYA

Since the overthrow of Colonel Muammar Gaddafi in 2011 Libya has been in turmoil as rival factions vie for control of the country. As of today, the Tripoli-based Government of National Accord ("GNA") which is an interim government backed by the United Nations is considered the legitimate government of Libya and is in control of the western portions of the country (Image 1: Green Area). Their current main opposition is the Libyan National Army ("LNA") which is in control of the east and central parts of the country and is considered an illegitimate government (Image 1: Red Area).

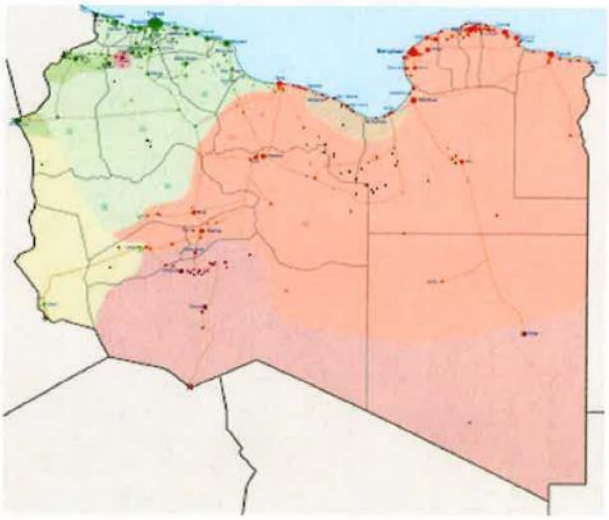


Image 1: Military Situation in Libya 2020

It should be noted that both incidents involved persons claiming to be members of the Libyan Coast Guard and the local P&I Club negotiated with personnel in Benghazi claiming to be the administration of the Libyan Coast Guard, and both ships were detained off the eastern coast of Libya on a westbound route it is likely that it was the connection to the illegitimate Libyan National Army led eastern government as Benghazi is under the control of rival forces.

LEGAL CONSIDERATIONS

The alleged military zone is the one established by the State of Libya in its *Navigational Warning 225/2016* relating to an area designated as *Area III* along parts of the eastern coastline of Libya which was in force until 9 June 2022 when notice of its cancellation was published in IMO Circular No. 4585.

In the Case of the M/V Corona J in May 2022, the zone was in effect at the time and the vessel was aware of its existence as it was noted in NAVAREA III notices for Libya. The vessel also conducted the required reporting and obtained confirmation from the Misrata agent that the port is safe and operational, thus it avoided the area.

In the case of the M/V Rogaland in September 2022, the zone had already been canceled thus there was no basis for the arrest of the ship. This incident also has wider consequences as unlike the M/V Corona J, the vessel was not calling at a Libyan port but was in transit to another State.

At the time of its detention, the vessel was approximately 13nm from the coast which is outside of the territorial sea in the Exclusive Economic Zone ("EEZ"). UNCLOS Art 58 extends the freedom of navigation on the high seas to the EEZ with the caveat of the due regard principle. This means that freedom of navigation in the EEZ can be limited to an extent by the laws of the coastal State. This due regard principle is what legally underpins the ability of the State to declare a military exclusion zone extending into the EEZ.

However, as the M/V Rogaland was in transit to a third State and the exclusion zone was canceled by the authorities there were no legal grounds for the detention of the ship and the act was a flagrant violation of the vessel's right to freedom of navigation.

Even if the alleged Coast Guard officers believed that the M/V Rogaland was in Libya's territorial waters, or in the case of the M/V Corona J which was on route to a Libyan port, they still would have no jurisdiction as the right of innocent passage applies in the territorial sea. As under UNCLOS Article 17-19 a vessel in transit or proceeding to or from internal water which is not prejudicial to the peace, good order, or security of the coastal State enjoys the protection of innocent passage. Both vessels are cargo ships carrying on their ordinary course of business of transporting goods and there were no allegations of any other illicit activities.

ANTIGUA AND BARBUDA'S PERSPECTIVE ON THE INCIDENTS

The detention of both vessels without just causes on the pretense of violating a military exclusion zone which the vessel either did not enter or no longer exists is likely to be a fraud perpetrated by rebellious actors in the eastern portion of Libya to extract money from ships doing business in the area. The threat of violence and seizure of personal documents of the crew are paired with a "fine" that is low enough that owners and P&I Clubs would lose more to further delays in order to exert pressure to pay quickly.

The matter is not one that Antigua & Barbuda can address on its own and should be brought to the attention of the international community through the IMO. Our flagged ships are unlikely to be the only targets of the fraud and a coordinated response from Mediterranean stakeholders is necessary to address the matter of safety while the UN conducts its work to address the political instability.

Source: International Maritime Organization; first two pages condensed into one.

Annex 32 Summary of newly identified arms embargo equipment transfer and training violations and non-compliances

1. Sources for tables 32.1 and 32.2, which are shown in the appropriate annexes, are primarily from a combination of: (a) Member States responses to Panel enquiries; (b) entity responses to Panel enquiries; (c) official social media of national armed forces; (d) official social media of armed groups; (e) other social media; (f) authoritative specialist military media; (g) imagery supported by geo-location; and/or (h) imagery supported by technical analysis.

2. Transfer violations that took place and went unreported during previous mandates are included in table 32.1 to provide the evidence for the baseline data necessary to assist in the identification of any future violations.

Table 32.1
Summary of equipment transfer violations

Annex	*Date identified in Libya or by Panel*	*End User*	*Equipment nomenclature*	*Responsible*	*Cross-references*
			Previously unreported		
AE4	26 Nov 2019	GNU	BMC *Vuran* 4x4	Türkiye	▪
			During resolution 2571 (2021) reporting period and unreported or unattributed		
AE5	13 Apr 2022	GNU-AF	Barrett 0.50" M82 Anti Material Rifle	UID	▪
AE6	13 Apr 2022	GNU-AF	Sako 0.308" TRG 22 Sniper Rifle	UID	▪
AE7	22 May 2022	GNU-AF	Streit *Spartan* APC	UAE	▪
AE8	22 Jun 2022	HAF	MSPV *Panthera T8* 4x4 APC	UID	▪
			During resolution 2644 (2022) reporting period (all new identifications)		
AE9	29 Aug 2022	Türkiye	*Roketsan* MAM-C Smart Micro Munition (SMM)	Türkiye	▪
AE10	29 Jan 2023	HAF	*Tanin* TBG-7 Thermobaric Grenade	UID	▪
AE11	5 Feb 2023	GNU-AF	LC79 *SH Fighter-2* APC	UID	▪
AE12	8 Feb 2023	GNU-AF	0.308" *Accuracy International* AW308 Sniper Rifle	UID	▪
AE13	25 May 2023	GNU-AF	*Roketsan* MAM-L Smart Micro Munition (SMM)	Türkiye	▪
AE14	31 May 2023	GNU-AF	40mm OGi-7MA projected grenades	UID	▪
AE15	31 May 2023	GNU-AF	5.56mm KCR 556 7.5” infantry rifle	Türkiye	▪
AE16	13 Jun 2023	GNU-AF	*Aselsan* A600 Weapon Sights	Türkiye	▪
AE17	13 Jun 2023	GNU-AF	*Aselsan* A940 Weapon Sights	Türkiye	▪

Annex	*Date identified in Libya or by Panel*	*End User*	*Equipment nomenclature*	*Responsible*	*Cross-references*
AE18	13 Jun 2023	GNU-AF	*MKEK* 7.62mm KNT-76 Sniper Rifle	Türkiye	▪
AE19	14 Jun 2023	GNU-AF	*Aselsan* Ihasavar UAV Jammer	Türkiye	▪
AE20	14 Jun 2023	GNU-AF	*Aselsan* Serce-2 UAV	Türkiye	▪

[a] Unidentified as yet.

[b] International arms sales are virtually always widely reported by the manufacturer in authoritative defence media as it is their major means, other than conflict, of attracting publicity for future sales. Authoritative media includes: Janes Defence Weekly (https://www.janes.com/defence-news/); Janes Intara (https://www.janes.com/intara-interconnected-intelligence/defence-industry); Defence Procurement International (https://www.defenceprocurementinternational.com/magazine); Military Systems and Technology (https://www.militarysystems-tech.com/); and Army Technology (https://www.army-technology.com/). Covert arms transfers go unreported until identified by investigation.

3. The Panel has determined that none of the training listed in table 32.2 falls under the exception contained in paragraph 10 of resolution 2095 (2013)**,** which is for disarmament and security purposes only.

Table 32.2
Summary of training violations

Annex	*Date identified in Libya or by Panel*	*End User*	*Type of training support*	*Responsible*	*Cross-references*
During resolution 2571 (2021) reporting period and unreported or unattributed					
AE21	18 May 2022	GNU-AF	Libyan Armed Forces participating in NATO exercise EFES-2022 in Türkiye.	Libya (GNU)	▪
AE22	17 Jun 2022	GNU-AF	53 Independent Infantry Brigade training in Türkiye	Türkiye	▪
During resolution 2644 (2022) reporting period (all new identifications)					
AE23	20 Jul 2022	GNU-AF	Naval training in Türkiye	Türkiye	▪
AE24	22 Aug 2022	GNU-AF	Military small boat training in Türkiye.	Türkiye	▪
AE25	*27 Nov 2022*	*GNU-AF*	*Military diver training.*	*Türkiye*	▪ *Non violation and reported to show some training by Türkiye. is legitimate.*
AE26	13 Dec 2022	GNU-AF	UID UAV training	Libya (GNU)	▪
AE27	13 Jun 2023	GNU-AF	Sniper training	Türkiye	▪
AE28	14 Jun 2023	GNU-AF	Small UAV training	Türkiye	▪

Annex	*Date identified in Libya or by Panel*	*End User*	*Type of training support*	*Responsible*	*Cross-references*
N/A	14 Jun 2023	GNU-AF	*Aselsan* Ihasavar UAV Jammer training	Türkiye	▪ See annex 45
N/A	4 Jul 2023	GNU-AF	*Aselsan* Serce-2 UAV	Türkiye	▪ See annex 46

[a] Unidentified as yet.

Annex 33 BMC *Vuran* T8 MPAV

BMC *Vuran T8* Multi-Purpose Armoured Vehicle (MPAV)
(GNU Joint Operations Force near Zintan)
(26 October 2019)

The Panel has identified from open source media the presence of destroyed BMC *Vuran* multi-purpose armoured vehicles (MPAV) being used by an armed group affiliated to the Government of National Accord (GNA-AF). These vehicles are designed and manufactured by the BMC company in Türkiye.

The destroyed *Vuran* 4 x 4 MPAV, was factory-fitted with a specialist weapons mount. The Panel identified the weapons mount as being a *Stabilised Advanced Remote Platform (SARP)* remote controlled weapons system (RCWS) mount manufactured by Aselsan A.S., of Türkiye. The *SARP* RCWS is designed to mount either 7.62mm or 12.7mm medium machine guns.

The Panel noted an authoritative source that stated that the *Vuran* 4 x 4 MPAV only entered Turkish military service in July 2019, yet the vehicle was operational in Libya by October that same year.

The Panel offered Libya, Türkiye and BMC an opportunity to respond in letters dated 29 October 2019. No responses were received from Libya or Türkiye, and BMC referred the Panel to the Ministry of Foreign Affairs of Türkiye.

This transfer of military equipment to Libya is a violation of paragraph 9 of resolution 1970 (2011).


Destroyed *Vuran* 4x4 MPAV
26 October 2019.


Manufacturers' Image


Destroyed *Vuran* 4x4 MPAV
26 October 2019.


Destroyed SARP RCWS
26 October 2019.


Manufacturers' Image

Primary sources

1. https://twitter.com/Oded121351/status/1539485251063451648, 26 October 2019.
2. https://www.saadaonline.net/world/104736/بالصور-المدرعة-التركية-لميليس-تحولت-في-ليبيا-الى-خميس, 26 October 2019;
3. https://www.bmc.com.tr/en/defense-industry/vuran. Accessed 14 March 2023;
4. https://www.aselsan.com.tr/en/capabilities/weapon-systems/remote-weapon-platforms/sarp-stabilized-advanced-remote-weapon-platform, 28 October 2019; and
5. https://janes.ihs.com/Janes/Display/jafv0059-jafv. Subscription access only.

Developed by UN Panel of Experts

Annex 34 *Barrett* 0.60in M82 Anti-Materiel Rifle

***Barrett* 0.50in M82 Anti-Materiel Rifle (AMR)**
(Unit 444 GNU-AF)
(13 April 2022)

The Panel has identified from official social media the presence of *Barrett* 0.50in Anti-Materiel Rifles in the possession of Unit 444 of the GNU-AF on 13 April 2022.

These are the first sightings of this weapons system in Libya. This weapon type has been manufactured since 1990 and exported to at least 41 countries.

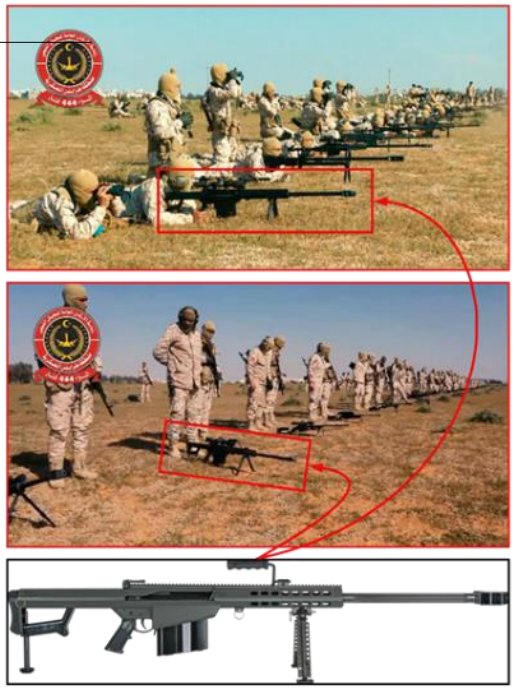
The Panel requested further information from Barret Firearms Manufacturing Inc in a letter of 13 May 2022. On 26 May 2022 the company replied that it had not sold, transferred or exported such weapons to Libya, nor could it indentify the exact model type from the imagery.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. www.facebook.com/ا.ل.ف!-444-ة.ا.ل-115065407070788/videos/953350445371764/, 13 April 2022; and
2. customer.janes.com, 22 September 2020. (Subscription).

Developed by UN Panel of Experts



Annex 35 SAKO TRG variant Sniper Rifle

SAKO TRG variant Sniper Rifle
(Unit 444 GNU-AF)
(13 April 2022)

The Panel has identified from official social media the presence of *Sako* 7.62mm TRG variant Sniper Rifles in the possession of Unit 444 of the GNU-AF on 13 April 2022.

These are the first sightings of this weapons system in Libya. This weapon type has been manufactured since 2000 and exported to at least 15 countries. The weapon can be supplied in 7.62mm, 0.300 Winchester Magnum, 0.308in Winchester or 0.338 Lapua Magnum calibres. The calibre can not be identified from the available imagery.

The Panel requested further information from Sako Limited in a letter of 13 May 2022. No response was received.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/Unit444ly/videos/953350445371764/, 15 April 2022.;
2. customer.janes.com, 8 October 2020. (Subscription); and
3. Identification confirmed by confidential source.

Developed by UN Panel of Experts

Annex 36 *Streit* Spartan-2 Multi-role Armoured Vehicles

Streit Spartan-2 Multi-role Armoured Vehicle (MAV)
(GNU-AF Tripoli)
(2 May 2022)

The Panel has identified from a confidential source and open source media fifty *Streit* Spartan MAV being delivered to the Government of National Accord (GNA-AF) on board the MV *Victory Roro* through Tripoli docks on 2 May 2022. These vehicles are designed and manufactured by the Streit company in UAE.

In table 1 and annex 30 of S/2022/427, the Panel reported on the transfer of 100 Spartan-2 military armoured vehicles delivered on 4 March 2022 to Benghazi by the Comoros-flagged MV *Luccello* (IMO 7800112), which was renamed MV *Victory Roro* prior to the Tripoli voyage from Benghazi. on 2 May 2022. These vehicles form part of that 100 vehicles.

The vehicles were reportedly distributed to the SDF and Al Nawasi Brigade.

This transfer of military equipment to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Streit *Spartan* 4x4 MAV
Tripoli - 22 May 2023

Streit *Spartan* 4x4 MAV
Tripoli - 22 May 2023

Manufacturers' Image

Primary sources

1. https://www.lj-bc.tv/2022/05/172986.html, 3 May 2022;
2. https://twitter.com/218news/status/1521068263316369409?t=iK1Z-q9toojnJ1sH8TwLhQ&s=08, 3 May 2022; and
3. https://www.mspv.com/project/panthera-t8-5dr/. Accessed 9 April 2023.

Developed by UN Panel of Experts

Annex 37 MSPV *Panthera T8* APC

MSPV *Panthera T8* Armoured Personnel Carriers (APC)
(GNU Joint Operations Force near Zintan)
(22 June 2022)

The Panel has identified from open source media the presence of MSPV *Panthera T8* armoured personnel carriers (APC) being used by the GNU Joint Operations Force near Zintan. These vehicles are designed and manufactured by the Minerva Special Purpose Vehicles (MSPV) company in the UAE.

The *Panthera* T8 was first seen in the international defence media in 2021 and no foreign sales have, as yet, been announced in the usual defence sales publications.

The Panel offered Libya and MSPV an opportunity to respond in letters dated 11 July 2022. No responses have yet been received.

This transfer of military equipment to Libya is a violation of paragraph 9 of resolution 1970 (2011).

MSPV Panther T8 APC near Zintan 22 June 2022.

MSPV Panther T8 APC near Zintan 22 June 2022.

MSPV Manufacturers Image

Primary sources

1. https://twitter.com/Oded121351/status/1539485251063451648, 22 June 2022. and
2. https://www.mspv.com/project/panthera-t8-5dr/. Accessed 22 June 2022.

Developed by UN Panel of Experts

Annex 38 *Roketsan* MAM-C smart micro munitions

***Roketsan* MAM-C smart micro munition (SMM)**
(Tripoli)
(29 August 2022)

The Panel has identified from social media the use of *Roketsan* MAM-C SMM against anti-Dabiaba forces near Tripoli on 29 August 2022. These weapons are laser-guided and designed to be used from an uncrewed aerial vehicle (UAV) platform. They are operationally paired to be used with the *Bayraktar* TB2 and TAI *Anka* UAV, both known to be operational in Libya under control of the GNU-AF. These are the first sightings of this weapon system in Libya.

This ammunition entered service with the Turkish Armed Forces in April 2018. Foreign exports to Algeria, Qatar, Poland, Saudi Arabia and Ukraine have now been reported in the authoritative defence journals.

The Panel wrote to Türkiye on 12 April 2023 requesting information to assist in the supply chain tracing. No response was received.

The transfer of this ammunition and weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/Eljarh/status/1564554153753468930, 30 August 2022; and
2. https://www.roketsan.com.tr/en/products/mam-c-smart-micro-munition. Accessed 31 January 2023; and
3. customer.janes.com. (Subscription). Accessed 27 May 2023.

Developed by UN Panel of Experts

Annex 39 *Tanin* TBG-7V Thermobaric Fuel Air Grenade

***Tanin* TBG-7V Thermobaric Fuel Air Grenade**
(106 reinforced brigade LAAF))
(26 January 2023)

The Panel has identified from HAF official social media the presence of *Tanin* TBG-7V Thermobaric Fuel Air Grenades in the possession of the HAF 106 reinforced brigade on 26 January 2023.

These are the first sightings of this weapon system in Libya. The grenade can only be effectively fired from RPG-7V1 and RPG-7D2 rocket launchers, which have the weapon sights paired to this grenade type. It is thus highly likely that the appropriate weapon system has also recently been transferred to Libya.

As this ammunition has reportedly been produced prior to 2011 and has been seen in a number of conflict arenas a tracing request would be unlikely to elicite any useful information on the supply chain.

The transfer of this ammunition and weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. hhttps://www.facebook.com/LMideavision128/posts/pfbid0Z9Xamw1vUuQdunjECM5YVybyNh93QS4JQhYxTMbnokW9UfHGbwDMfq6QCQGMNZR4l, 26 January 2023;
2. http://roe.ru/eng/catalog/land-forces/strelkovoe-oruzhie/grenade-launchers/tbg-7v/. Accessed 31 January 2023.

Developed by UN Panel of Experts

Annex 40 LC79 *SH Fighter-2* APC

***LC79 SH Fighter-2* Armoured Personnel Carriers (APC)**
(Unit 444 GNU-AF)
(5 February 2023)

The Panel has identified from the official social media of the Presidency of the Libyan Armed Forces the presence of *LC79 SH Fighter-2* armoured personnel carriers (APC) being used by 444 Unit of the GNU-AF. These vehicles are based on the Toyota 79 chassis, but the manufacturer of the armour retrofit has yet to be identified.

The Panel offered Libya an opportunity to reply, and sent a tracing request to the United States in letters dated 13 February 2023. No responses have yet been received.

This transfer of military equipment to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo.php?fbid=501927438776008&set=pb.100068762684011.-2207520000.&type=3, 5 February 2023.

Developed by UN Panel of Experts

Annex 41 *Accuracy International* AW308 Sniper Rifle

***Accuracy International* AW308 variant Sniper Rifle**
(GNU-AF)
(08 February 2023)

The Panel has identified from official GNU social media the presence of an *Accuracy International* AW308 variant Sniper Rifle in use at the GNU-AF Central Military Region Falcons Nest Training Centre on 08 February 2023.

These are the first sightings of this weapon in Libya. The Panel requested further information on the supply chain for this weapon from Accuracy International Limited in letters of 1 March and 30 May 2023. Accuracy International Limited responded on 31 May 2023 that the company had not supplied any such weapons to Libya, but could not assist in any further supply chain tracing.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/almntqhalskryalwsty/photos/155106840668227, 08 February 2023;
2. customer.janes.com, 14 October 2022. (Subscription);
3. https://accuracyinternational.com/at308.html. Accessed 14 May 2023; and
4. Identification confirmed by confidential source.

Developed by UN Panel of Experts

Annex 42 *Roketsan* MAM-L smart micro munition

***Roketsan* MAM-L smart micro munition (SMM)**
(Zawiyah)
(25 May 2023)

Manufacturer's Image

The Panel has identified from official GNU MOD social media the use of *Roketsan* MAM-C SMM against "*the hideouts of fuel smugglers, drug traffickers and of illegal immigration*" near Zawiyah on 25 May 2023. These weapons are laser-guided and designed to be used from an uncrewed aerial vehicle (UAV) platform. They are operationally paired to be used with the *Bayraktar* TB2 and *TAI* Anka UAV, both known to be operational in Libya under control of the GNU-AF. These are the first sightings of this weapon system in Libya.

This ammunition entered service with the Turkish Armed Forces in the mid-2010s. Foreign exports to ten countries have now been reported in the authoritative defence journals.

The Panel wrote to Libya and Türkiye on 30 May 2023 requesting information to assist in the supply chain tracing. No response was received.

The transfer of this ammunition and weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011) by Türkiye.

Primary sources

1. https://www.facebook.com/LibyanGovernment/posts/pfbid06LmdfZW2TYtq8igUzPRDbWgx114hZZiia36fpSsTGcU8M3PpsRNgGFBCWs6C6TScl?locale=ar_AR, 25 May 2023;
2. https://twitter.com/emad_badi/status/1661746616301400068, 25 May 2023;
3. https://www.facebook.com/watch/?extid=CL-UNK-UNK-UNK-IOS_GK0T-GK1C&mibextid=2Rb1fB&v=524524549726036, 25 May 2023;
4. https://www.roketsan.com.tr/en/products/mam-l-smart-micro-munition. Accessed 27 May 2023; and
5. customer.janes.com. (Subscription). Accessed 27 May 2023.

Developed by UN Panel of Experts

Annex 43 *Arsenal JSC* 40mm OGi-7MA Improved Fragmentation Grenade

***Arsenal JSC* 40mm OGi-7MA Improved Fragmentation Anti-Personnel Round**
(111 Brigade, GNU-AF)
(31 May 2023)

The Panel has identified from official GNU social media the use of *Arsenal JSC* 40mm OGi-7MA Improved Fragmentation Anti-Personnel Rounds by the GNU-AF 111th Brigade at the Hamza ibn Abdul-Muttalib Training Centre on 31 May 2023.

This is the first sighting of this ammunition type in Libya. The Panel requested further information on the supply chain for this ammunition from Bulgaria on 27 June 2023. Bulgaria replied on 14 July 2023 that the ammunition had been produced since 2015 and had not been exported direct to Libya. Supply chain tracing continues.

The transfer of this ammunition to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/Brigade111Ly/posts/pfbid0i693sgAwmzLLndfm1ZCUj6gUMEQxPTzkYF993kh1DrJC9Q9rxsEqsxPTaET8y18Vl (2.16min), 31 May 2023;
2. customer.janes.com, 11 March 2022. (Subscription); and
3. https://www.arsenal-bg.com/c/rounds-for-light-anti-tank-recoilless-systems-atgl-l-family-and-russian-rpg-7v-67/40-mm-ogi-7ma-76. Accessed 26 June 2023.

Developed by UN Panel of Experts

Annex 44 *Kale Kalip* 5.56mm KCR 556 S1 Infantry Rifle

***Kale Kalip* 5.56mm KCR 556 S1 Infantry Rifle**
(111 Brigade, GNU-AF)
(31 May 2023)

The Panel has identified from official GNU social media the use of *Kale Kalip* 5.56mm KCR 556 S1 Infantry Rifles by the GNU-AF 111th Brigade at the Hamza ibn Abdul-Muttalib Training Centre on 31 May 2023.

This is the first sighting of this weapon in Libya. The Panel requested further information on the supply chain for this weapon from Türkiye on 27 June 2023.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/Brigade111Ly/posts/pfbid0i693sgAwmzLLndfm1ZCUj6gUMEQxPTzkYF993kh1DrJC9Q9rxsEqsxPTaET8y18Vl (0.59min), 31 May 2023;
2. customer.janes.com, 16 April 2018. (Subscription); and
3. https://www.kalekalip.com.tr/products/kcr-556. Accessed 26 June 2023.

Developed by UN Panel of Experts

Annex 45 *Aselsan* A600 Night Vision Weapon Sight

***Aselsan* A600 Night Vision Sights**
(GNU-AF)
13 June 2023

The Panel has identified from official GNU social media the use of of *Aselsan* A600 night vision weapon sights by the GNU-AF Central Military Region.

This is also the first sighting of this weapon ancilliary in Libya. The Panel requested further information on the supply chain for this weapon ancilliary from Türkiye on 5 July 2023.

The transfer, and training in the use of, this weapon ancilliary to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo/?fbid=221783993990616&set=pcb.221784267323922, 13 June 2023;
2. https://www.aho.com.tr/en/products/night-vision/a600-night-vision-attachment-clip-. Accessed 4 July 2023.

Developed by UN Panel of Experts

Annex 46 *Aselsan* A940 Weapon Sight

***Aselsan* A940 Weapon Sights**
(GNU-AF)
13 June 2023

The Panel has identified from official GNU social media the use of of *Aselsan* A940 weapon sights by the GNU-AF Central Military Region.

This is also the first sighting of this weapon ancilliary in Libya. The Panel requested further information on the supply chain for this weapon ancilliary from Türkiye on 5 July 2023.

The transfer, and training in the use of, this weapon ancilliary to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo/?fbid=221783897323959&set=pcb.221784267323922, 13 June 2023;
2. https://www.aho.com.tr/en/products/day-sight/a940-1x-4x-day-sights. Accessed 4 July 2023.

Developed by UN Panel of Experts

Annex 47 *MKEK* 7.62mm KNT-76 Sniper Rifle

***MKEK* 7.62mm KNT-76 Sniper Rifle**
(GNU-AF Central Military Region)
(13 June 2023)

The Panel has identified from official GNU social media the use of *MKEK* 7.62mm KNT-76 Sniper Rifles by the GNU-AF Central Military Region on 13 June 2023.

This is the first sighting of this weapon system in Libya. The Panel requested further information on the supply chain for this weapon from Türkiye on 5 July 2023.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo?fbid=221710497331299&set=pcb.221710810664601, 13 June 2023; and
2. https://urunler.mke.gov.tr/Urunler/KNT-76-(7.62-mm-x-51)-Semi-Automatic-Sniper-Rifle/37/1837. Accessed 4 July 2023.

Developed by UN Panel of Experts

Annex 48 *Aselsan* Ihasavar UAV Jammer and Training

***Aselsan* Ihasavar UAV Jammer and Training**
(GNU-AF)
14 June 2023

The Panel has identified from official GNU social media the training of GNU-AF individuals by Turkish Armed Forces personnel in the use of the *Aselsan* Ihasavar UAV Jamming System.

This is the first sighting of this military system in Libya. The Panel requested further information on the training and the supply chain for this military system from Türkiye on 3 July 2023.

The transfer, and training in the use of, this military system to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/almntqhalskryalwsty/posts/pfbid0xBgtj2KJkNqTWf4iEqwnR1sxMrfJVq2HTBewzhZZyc4gVDz6aGf684HAAg8sBom1l, 14 June 2023;
2. customer.janes.com, 27 June 2022. (Subscription).

Developed by UN Panel of Experts

Annex 49 *Aselsan* Serce-2 UAV and Training

Aselsan Serce-2 UAV and Training
(GNU-AF)
14 June 2023

The Panel has identified from official GNU social media the training of GNU-AF individuals by Turkish Armed Forces personnel in the use of the *Aselsan* Serce-2 UAV.

This is also the first sighting of this military system in Libya. The Panel requested further information on the training and the supply chain for this military system from Türkiye on 5 July 2023.

The transfer, and training in the use of, this military system to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo?fbid=222263907275958&set=a.166366872865662, 14 June 2023;
2. https://www.aselsan.com/en/savunma/product/1710/serce2. Accessed 4 July 2023.

Developed by UN Panel of Experts

Annex 50 GNU-AF Deployment on NATO Exercise EFES-2022

GNU-AF Deploy on NATO Exercise EFES-2022
(Foca and Izmir, Türkiye)
(18 May to 16 June 2022)

On 18 and 27 May, and 2 June 2022 the official social media of the Turkish Armed Forces and the Presidency of the General Staff of the Libyan Armed Forces (GNU-AF) respectively announced the participation of elements of the Libyan Armed Forces in the NATO exercise EFES-2022 held in Foca and Izmir, Türkiye.

The Panel identified that the following units participated in the exercise: (1) *Combattante* Class II G Fast Attack Craft Missile *Shafak* (534); (2) Naval Land Forces (-); and (3) 111 Brigade.

The Naval Land Forces element returned to Libya on board a Turkish Air Force Airbus A400M *Atlas* (registration# 21-0018) (call sign TUAF221) and a Turkish Air Force C-130E *Hercules* (registration# 63-1388) (call sign TUAF222) from Ankara and Çiğli Air Base (LTBL) respectively in Türkiye to Al-Watiya Air Base (HL77) on 10 June 2022. The *Shafak* returned to Tripoli on 19 June 2022.

The Panel offered Libya an opportunity to respond in a letter dated 6 July 2022. No response was received.

This deployment of these forces outside Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/profile.php?id=100068958918251, 18 May 2022;
2. https://twitter.com/tcsavunma/status/1530214614872489984, 27 May 2022;
3. https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/, 2 and 16 June 2022;
4. https://www.facebook.com/profile.php?id=100068958918251, 10 June 2022; and
5. https://twitter.com/Oded121351/status/1538479516431142912, 19 June 2022.

Developed by UN Panel of Experts

18 May 2022: Libyan forces deploy to Exercise EFES-2022 on a Turkish Air Force C-130 *Hercules*.

27 May 2022: Libyan Naval vessel Shafak deploys to Exercise EFES-2022 escorted by Turkish Navy frigate TCG *Giresun*.

June 2022: 111 Brigade participating in Exercise EFES-2022 .

Annex 51 GNU-AF 53 Independent Infantry Brigade Training in Türkiye

GNU-AF 53 Independent Infantry Brigade Training in Türkiye (Türkiye)
(17 June 2022)

On 17 June 2022 imagery was published on the official social media of the Presidency of the General Staff of the 53rd Independent Infantry Brigade of the Libyan Armed Forces (GNU-AF) receiving low level tactical command training in Türkiye. Brigadier General Hussain Al-Shaltat, the Brigade Deputy Commander, accompanied these officers.

The Panel offered Türkiye an opportunity to reply in a letter dated 1 July 2022. No response was received.

This training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Türkiye and the GNA-AF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/pfbid0oSJkuUtsvsY5p2ZectQMJwj8umikWB4fHWofVHLNxW1t47MxMfMsXKiCRPtEvfp4l, 17 June 2022.
2. https://twitter.com/Oded121351/status/1538482384244461569, 19 June 2022.

Developed by UN Panel of Experts

Annex 52 GNU-AF Naval Training in Türkiye

GNU-AF Naval training
(Türkiye)
(20 July 2022)

On 20 July 2022 imagery was published on the official social media of the Presidency of the General Staff of the Libyan Armed Forces (GNU-AF) of GNU-AF officers receiving naval training in Türkiye.

The Panel offered Türkiye an opportunity to respond in a letter dated 8 September. On 12 October 2022 Türkiye responded that this naval training was undertaken within the scope of the 27 November 2019 'Memorandum of Understanding on Security and Military Cooperation between Türkiye and the GNA-AF'.

This naval training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Türkiye and the GNA-AF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/, 20 July 2022.

Developed by UN Panel of Experts

Annex 53 GNU-AF Small Boat Training in Türkiye

GNU-AF Small Boat training in Türkiye
(Urla/Izmir, Türkiye)
(21 August 2022)

On 21 August 2022 imagery was published on the official social media of the Ministry of Defence of Türkiye of GNU-AF personnel receiving small boat training in Türkiye.

The Panel offered Türkiye an opportunity to respond in a letter dated 8 September 2022. On 12 October 2022 Türkiye responded that the military training was undertaken within the scope of 1) the Memorandum of Understanding between the Government of the Republic of Turkey and the Government of Libya on Military Education Cooperation of 4 April 2012; and 2) the Memorandum of Understanding between the Government of the Republic of Turkey and the Government of the State of Libya on Security and Military Cooperation of 27 November 2019.

The Panel holds the view that this training undertaken within the scope of the 27 November 2019 Military Training, Cooperation and Consultancy Agreement between Türkiye and the then GNA-AF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo/?fbid=391887059798676&set=pcb.391887153132000&__rdc=1&__rdr, 21 August 2022.

Developed by UN Panel of Experts

Annex 54 Libyan Coast Guard Diver Training

Libyan Coast Guard diving training
(Khoms, Libya)
(27 November 2022)

On 27 November and 11 December 2022 imagery was published on the Turkish Armed Forces official social media of the Turkish Armed Forces Libya Task Group Command HOMS Joint Maritime Training Center Command providing diving training in Khoms to members of the Libyan Coast Guard (LCG). The training took place between 9 October to 1 December 2022.

The Panel offered Türkiye an opportunity to respond in a letter dated 23 January 2023. On 13 February 2023 Türkiye responded that "*training is provided to the Libyan Coast Guard in order to build capacity to combat illegal activities such as irregular migration and human smuggling. The training involves search & rescue, pollution prevention and maritime law, first aid, communications, ship machinery maintenance and ship operation training*".

Although this diving training is similar to that provided to the GNU-AF reported in annex 78 of Panel report S/2022/427, as it is provided to the civilian LCG the Panel considers that it is not a violation of paragraph 9 of resolution 1970 (2011).

It has, unusually, been included in this report to ackowledge that some training provided by Türkiye under the 2019 Military Training, Cooperation and Consultancy Agreement is not a violation of the arms embargo.

Primary sources

1. https://www.facebook.com/profile/100069321545148/search/?q=homs, 27 November 2022;
2. https://www.facebook.com/photo/?fbid=478732714447443&set=pcb.478733201114061, 11 December 2022.

Developed by UN Panel of Experts

Annex 55 GNU-AF Unidentified UAV Training

Unidentified Uncrewed Aerial Vehicle (UAV)
(GNU-AF Exercise HURRICANE)
(13 December 2022)

The Panel has identified from HAF official social media the use of unidentified (UID) uncrewed aerial vehicles (UAV) by the GNU-AF 53 Infantry Brigade during the GNU-AF Exercise HURRICANE 1. The UAV were being used in a tactical reconnaissance role.

The now ubiquitous use of military and commercial UAV systems has meant the Panel has been unable to identify the exact type, so a supply chain can not be identified.

The Panel reported on the use of fast moving consumer goods technology and their military use in paragraph 61 to S/2022/427.

The transfer of this system to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/Oded121351/status/1602592667787034626. 13 December 2022.
2. https://twitter.com/Oded121351/status/1621027853541474304?cxt=HHwWgIDU1dCPhv8sAAAA, 2 February 2023.

Developed by UN Panel of Experts

Annex 56 GNU-AF Sniper Training from Turkish Armed Forces

GNU-AF Sniper training from Turkish Armed Forces (Libya Central Military Region) (13 June 2023)

On 13 June 2023 imagery was published on official social media of the Government of National Unity Armed Forces (GNU-AF) of the Turkish Armed Forces providing sniper training in the Central Military Region to members of the GNU-AF.

The Panel offered Libya and Türkiye an opportunity to respond in letters dated 19 June 2023. No response has been received to date.

The Panel continues to hold the view that this training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Türkiye and the GNA-AF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.facebook.com/photo/?fbid=221710300664652&set=pcb.221710810664601, 13 June 2023.

Developed by UN Panel of Experts

Annex 57 GNU-AF Small UAV Training

GNU-AF Small UAV training from Turkish Armed Forces (Libya Central Military Region) (14 June 2023)

On 14 June 2023 imagery was published on official social media of the Government of National Unity Armed Forces (GNU-AF) of the Turkish Armed Forces providing small UAV training in the Central Military Region to members of the GNU-AF.

The Panel offered Libya and Türkiye an opportunity to respond in letters dated 19 June 2023. No response has yet been received.

The Panel continues to hold the view that this type of training is a violation of paragraph 9 of resolution 1970 (2011) by Türkiye .

Primary sources

1. https://www.facebook.com/almntqhalskryalwsty, 14 June 2023.

Developed by UN Panel of Experts

Annex 58 Update on Antonov AN-12A [#2340806]

1. The Panel reported on the illicit activities of this aircraft in S/2022/427 when operated by Space Cargo LLC of the UAE.[303] The Panel stated in para. 5 of annex 97 that *the aircraft was clearly marked with a Kazakhstan registration UP-AN220 at this time (see appendix A). This is contrary to a statement made by the then operator, Jupiter Jet LLC to the Aviation Authority of Kazakhstan that the Kazakhstan markings had been overpainted on 25 January 2021.*

2. The General Manager of Jupiter Jet LLC, Erikzhan Satenovich Kozbagarov, has since provided the Aviation Authority of Kazakhstan with substantial evidence that the markings were initially overpainted on 24 January 2021 (see figures 58.1 to 58.4) and that the engineering crew responsible departed Amman, Jordan for Istanbul on 27 January 2021. The Panel accepts this additional evidence as convincing.

Figures 58.1 to 58.4
AN-12A (#2340806) UP-AN220 markings removed on 24 January 2021

Source: Confidential.

3. At 13:00 hours on 28 January 2021 the Antonov AN-12A cargo aircraft (MSN#2340806) departed Amman (Marka) airport, Jordan (ICAO: OJAM) bound for Benghazi (Benina) airport, Libya (ICAO: HLLB). It was then again displaying the UP-AN220 markings (see figure 58.5). The only logical explanation is that these were illicitly added by the new owners to allow for the departure from Jordan.

[303] Annex 97.

Figure 58.5
AN-12A (#2340806) UP-AN220 on 28 January 2021 with markings repainted

Source: Confidential.

Annex 59 Antonov AN-26 [#14209]

1. The Panel identified from confidential satellite imagery the presence of a yellow and blue painted AN-26 at Al Khadim military airport (HL59) on 21 March 2021 (see figure 58.1).[304]

Figure 58.1
AN-26 (#14209) at Al Khadim (HL59) on 21 March 2021

Source: Confidential.

2. There is only one known AN-26 aircraft with a yellow body colour and blue tail, that being AN-26 (serial number 14209), which has been seen operating displaying a Burundi registration 9U-BBB (figure 58.2). The AeroTransport Database (www.atdb.org) reported that the aircraft was then operated by a South Sudanese aviation company.[305]

Figure 58.2
AN-26 (#14209) displaying 9U-BBB on 4 November 2020

Source: https://www.facebook.com/101703631749929/photos/pb.100027966535372.-2207520000../104976498089309/?type=3, 4 November 2020.

3. The Panel wrote to the reported air operator in South Sudan on 8 November 2022 requesting clarification of the aircraft's activities. The Antonov AN-26 (#14209) was leased by a Bulgarian company, Arden Aviation Group OOD,[306] to the South Sudanese company on 3 September 2020 for one year. A Ukrainian national, Denys STRILETS (Ukrainian passport # FX157240) (last known contact number +34603147991) purported to be the Chief Executive Officer of Arden Aviation Group and led the negotiations.

[304] 31°59'45.49"N, 21°12'01.16"E.
[305] The Panel is aware of the identity of the company but considers it is not necessary to report its identity at this stage and expose the company to any reputational risk resulting from its cooperation with the Panel and being named in a UN report on sanctions violations. The Panel has copies of all correspondence from the South Sudanese company that is supporting as evidence of fact.
[306] 19 Dobri Voynikov, Apartment 3, Floor 2, Sofia 1164, Bulgaria.

4. The flight request[307] for the transfer of the aircraft from Bulgaria to South Sudan, via Egypt, on 27 October 2020 listed the air operator as Gateway Export S.A.[308] The Panel has identified an official note from the Civil Aviation Authority of Burundi concerning a *false air operator certificate and the registration of aircraft committed by Gateway Export against the State of Burundi*.[309] This official note stated that Gateway Export S.A. had used forged documents, forged logos and forged signatures and a fake address to illegally register another aircraft (9U-BBU) in Burundi and to grant itself a Burundi air operator certificate. The schemes were discovered on investigation of an email from "Aleksandra" of Space Cargo Inc. The Panel considers that it is highly likely that this was Aleksandra Isamova, who was reported in Panel Report S/2022/427.[310] Panel investigations into the Space Cargo Inc links continue.

5. On 17 December 2020 Arden Aviation informed the South Sudanese company that the registration of the aircraft had changed to EK-26009. This is another "false flag" as that is an Armenian registration allocated to another Antonov AN-25 (#1509).

6. At 09:00 local time on 4 March 2021 the aircraft took off from Juba to Renk in South Sudan loaded with humanitarian aid. The aircraft landed at Renk, South Sudan and the aid was offloaded. The captain then reported a technical condition and requested the South Sudanese company crew member to disembark during an engine test. The aircraft then took off and was reportedly next seen in Sudan during a transit flight North to Benghazi. It was next physically seen in Libya on 21 March 2021 at a Haftar controlled military airport, Al Khadim. Denys STRILETS told the South Sudanese company he had had a "better offer" and was therefore breaking his lease agreement. The delivery crew were instructed to fly from Benghazi to Al Khadim on the aircraft's arrival in Libya, where the crew stayed for three weeks before departing on a Russian Air Force IL-76 to the Syrian Arab Republic. Table 58.1 is a summary of main events.

Table 58.1
Timeline of main events for AN-26 cargo aircraft (#14209) (displaying 9U-BBB)

Date	*Event*	*Remarks*
20 Dec 2019	Aircraft first seen in unique yellow and blue colour scheme at Sofia airport.[311]	▪
3 Sep 2020	Aircraft leased to a South Sudanese aviation company[312] by Arden Aviation Group (Bulgaria).[313]	▪ One year lease. ▪ Using 9U-BBB registration.
27 Oct 2020	Aircraft flies from Sofia, Bulgaria (LBSF) to Juba, South Sudan (HSSJ).[314]	▪ Via Alexandria, Egypt (HEBA) and Khartoum (HSSS).
17 Dec 2020	South Sudan operator informed by Arden Aviation Group (Bulgaria) that the registration had changed to EK-26009.[315]	▪ False flagging as EK-26009 is allocated to an Antonov AN-25 (#1509).
21 Mar 2021	Aircraft identified at Al Khadim (HL59) from satellite imagery.	▪ Due to its unique Yellow upper body colour scheme.

7. Although owned by Arden Aviation Group OOD, Bulgarian transit fees for the aircraft reflected the owner / operator as Gateway Export S.A. of Burundi.

[307] Confidential source, 16 November 2022.

[308] Comite National & Roheroi Avenue du 18 Septembre, B.P.356, Bujumbura. Burundi (info@gatewayexport.com) (+257 310 15001).
The phone number, URL and email listed are non-operational.

[309] Note in French from the Director of the Burundi Civil Aviation Authority dated 20 September 2020.

[310] See paragraphs 28 and 36 to annex 97.

[311] https://gerjon.substack.com/p/9u-bbb-the-mysterious-yellow-and, October 2022.

[312] The Panel is aware of the identity of the company but considers it is not necessary to report its identity at this stage and expose the company to any reputational risk resulting from its cooperation with the Panel and being named in a UN report on sanctions violations. The Panel has copies of all correspondence from the South Sudanese company that is supporting evidence of fact.

[313] 19 Dobri Voynikov, Apartment 3, Floor 2, Sofia 1164, Bulgaria. CEO Denys Strilets. The number used, +34603147991, is now unavailable.

[314] Multi sourced. Aviation flight databases.

[315] Confidential source in South Sudan aviation community.

8. The Panel finds Arden Aviation Group OOD, Bulgaria in non-compliance with paragraph 9 of resolution 1970 (2011) for the provision of ... *other assistance, related to military activities...*, that being military transport support to HAF, and continues to investigate their activities.

Annex 60 Antonov AN-12BP (#5342908)

1. The Panel reported on the activities of this aircraft operating in support of armed groups affiliated to Khalifa Haftar in Panel report S/2022/427.[316] On 11 February 2022 open-source media[317] published imagery of this aircraft on a visit to Cairo International Airport (HECA). figure 60.1). The aircraft was displaying a Burundi Civil Aviation registration, 9U-BBC.

Figure 60.1
AN-12 BP (#5342908) at Cairo in early 2022

Source: See paragraph 1.

2. The Panel requested information on the aircraft's presence from the Egyptian authorities.[318] The response from Egypt on 3 October 2022 was that *there was no indication of the presence of the aforementioned aircraft at Cairo airport on the date cited in your letter*. As the Panel had confirmed the presence of this aircraft in Egypt beyond doubt by geo-referencing (figure 60.2) it requested further clarification from the Egyptian authorities on 12 October 2022.[319] The Panel has not yet received a response. The Panel considers it inconceivable that records of this aircraft's arrival and departure from Cairo International Airport, or that flight plans of its presence in Egyptian airspace do not exist, so the Panel continues to engage with Egypt for further clarification.

[316] Paras. 12 to 16 of annex 97 and table 93.3.
[317] 1) https://www.instagram.com/p/CZ2CFZEMKhM/, 11 February 2022 (subsequently deleted from the internet, but the Panel has a copy of the original post); and 2) https://twitter.com/Gerjon_/status/1492474455913865216, 12 February 2022.
[318] Panel letter of 24 August 2022.
[319] Panel letter of 12 October 2022.

Figure 60.2
Georeferencing of AN-12 BP (#5342908) to Cairo in early 2022

3. The Panel finds Egypt in non-compliance with paragraph 9 of resolution 1970 (2011) for failing to prevent provision of ... *other assistance, related to military activities...*, that being military transport support to HAF. The activities of this aircraft operating in support of armed groups affiliated to Khalifa Haftar having been notified to Member States in Panel report S/2022/427.[320]

4. As it is inconceivable that records of this aircrafts arrival and departure from Cairo International Airport, nor flight plans of its presence in Egyptian airspace do not exist, the Panel also finds Egypt in non-compliance with paragraph 14 of resolution 2644 (2022) by failing to *cooperate fully with ... Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011), ... 2571 (2021).*

[320] Paragraphs 12 to 16 of annex 97 and table 93.3.

Annex 61 Ilyushin IL-76TD (#63471147)

1. The Panel reported on the activities of Sapsan Airlines aircraft operating in support of armed groups affiliated to Khalifa Haftar in Panel report S/2022/427.[321] The Panel has now identified[322] that this aircraft is being operated by BU Shames FZE,[323] a company reported in S/2022/427 as violating the arms embargo (see figure 61.1). This updates the information in table 96.1 of annex 96 to S/2022/427.

Figure 61.1
Ilyushin IL-76TD (#63471147) (EX-76005) operated by BU Shames FZE

Source: https://twitter.com/Gerjon_/status/1551968153592385536, 24 June 2022.

[321] Annex 97 and table 93.3.
[322] https://twitter.com/Gerjon_/status/1551968153592385536, 24 June 2022.
[323] www.bushamesfze.com, accessed 10 March 2023.

Annex 62 Ilyushin IL-76TD (#73479367) (9U-ILO and 9U-BVU)

1. The Panel initially identified an Ilyushin IL-76TD cargo aircraft displaying a Burundi registration 9U-ILO (see figure 62.1) and a Mode S Hex Code 020000. The colour scheme of this aircraft is identical to an Ilyushin IL-76TD cargo aircraft (MSN#73479367) previously registered in Kazakhstan as UP-I7651. The operator of the Ilyushin IL-76TD cargo aircraft (MSN#73479367), Space Cargo LLC (UAE), was reported in Panel report S/2021/229[324] for having repeatedly violated paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (…) military(…) equipment* and (…) *other assistance* (…) to Libya. Updated information on its activities were provided in Panel report S/2022/427.[325]

Figure 62.1
IL-76TD (#73479367) displaying 9U-ILO

Source: https://twitter.com/Gerjon_/status/1592948095519981568, 16 November 2022.

2. The aircraft was identified flying near Amman airport as 9U-ILO on 13 November 2022 (see appendices 62.1 and 62.2). The aircraft was then identified arriving and leaving Jordanian airspace on 16 November 2022 (see appendices 62.3 and 62.4).

3. The Panel requested information on the aircraft's activities from the Jordanian authorities.[326] The response from Jordan on 28 December 2022 stated that the aircraft had not landed at any Jordanian military airbases and that their technical team assessed that figure 62.1 was taken on 5 April 2016 at Vnukovo airport, Russia. They also stated that the location declared for figure 1 was incorrect as *it is impossible for such images to be taken from the Amman Citadel, considering the altitude of the aircraft, and the angle of the image*.

4. The Panel responded to the Jordanian authorities on 9 January 2023 and provided further explanations of its evidence and requested clarification from the Jordanian authorities. A response is awaited

(a) The Panel requested sight of the evidence from the Jordanian authorities technical team (the specific URL), which concluded that the image was taken on 5 April 2016 at Vnukovo airport in the Russian Federation. The Panel did conduct reverse image searches on www.tineye.com and www.yandex.com before writing to the Jordanian authorities on 29 November 2022 and found similar images of an IL-76TD in the same flight profile, but none of the aircraft had the 9U-ILO registration clearly visible. Additionally, the image supplied by the Panel was only one of five taken of the aircraft (see appendix 2). The EXIF data for the imagery is openly shared by the independent source.

[324] Appendix F to annex 55.
[325] Annex 97.
[326] Panel letter of 29 November 2022.

(b) The Panel noted the Jordanian response regarding the location of the imagery. The Panel requested further explanation of this response as: 1) there are no visible ground references; 2) there is no indication of the altitude of the aircraft when the image was taken; and 3) there is no indication of its heading during the landing approach. This information would be required to validate the Jordanian response.

(c) The Panel shared the evidence from a commercial aircraft tracking website, FlightRadar24, which clearly shows that the same aircraft emitting the ICAO 24bit address 020000 was in Jordanian airspace on 16 November 2022.[327] This code is known to be often used by the IL-76TD (9U-ILO). The flight profiles and timings strongly indicate that a landing and take-off by this aircraft took place in Jordan between 12:14 and 14:15 hours (see appendices 62.3 and 62.4). As such this aircraft would certainly require, as a minimum, overflight, and landing permissions from the Jordanian Civil Aviation Regulatory Commission (CARC).[328] The Panel considers it highly unlikely that such an aircraft could operate within Jordanian airspace without the knowledge and approval of the CARC.

5. The Mode S Hex Code, 020000, used by the aircraft is one allocated to the Civil Aviation Authority of Morocco by the ICAO. The Morocco Civil Aviation Authority confirmed to the Panel on 23 December 2022 that the code was not allocated for use by this, or any other, aircraft.

6. The Panel also considers that the 9U-ILO registration displayed is a false flag and has requested clarification from the Burundi Civil Aviation Authority.

7. An aircraft with a virtually identical colour scheme displaying a Burundi registration 9U-BVU, and transmitting the same false Mode S Hex Code, 020000, was identified in Jordanian air space on 2 March 2023 (see appendices 62.5 and 62.6). Examination of the images in the appendices shows an area of overpaint under the 9U-BVU registration, which is not painted parallel to the centre line of the aircraft; these being indicators of an unprofessional repaint. This being a further indicator of disguised registration and flight operations contrary to the International Civil Aviation Organization (ICAO) regulations.[329] Again such a flight would certainly require, as a minimum, overflight and landing permissions from the Jordanian Civil Aviation Regulatory Commission (CARC).[330] The Panel considers it highly unlikely that such an aircraft could operate within Jordanian airspace without the knowledge and approval of the CARC. The Panel requested information on these flight activities from the Jordanian authorities on 8 March 2023 and no response has been received to date.

8. More imagery of this aircraft was identified from an open source on 25 April 2023 and geo-referencing proved that it was certainly operating over Amman, Jordan appendices 62.7 and 62.8). The Panel requested information on these flight activities from the Jordanian authorities on 4 May 2023 and no response has been received to date.

9. The Panel finds that:

(a) The IL-76TD Ilyushin IL-76TD cargo aircraft (MSN#73479367) has changed its displayed registration from 9U-ILO to 9U-BVU. This change been made between 16 November 2022 and 2 March 2023, which is after the Panel expressed an interest to Jordan in the activities of this aircraft.

(b) Jordan is in non-compliance with paragraph 14 of resolution 2644 (2022) for failing to *cooperate fully with the (...) Panel* by not (...) *suppling any information at their disposal* (...).

(c) Jordan is in non-compliance with paragraph 15 of resolution 2644 (2022) for failing to *provide unhindered and immediate access, in particular to (...) documents (...) the Panel deems relevant to the execution of its mandate*.

[327] The aircraft was only transmitting using MLAT (multi-lateration) mode during the flight. In this mode the transponder only emits the aircraft's code, heading, altitude and speed, it does not transmit the current latitude and longitude. However, this can be estimated from the time differences between signals reaching the various ADS-B ground transponders. It is highly unusual for a civil aircraft not to emit ADS-B or Mode-S data and the Panel considers that this aircraft is using this technique to disguise or conceal flights.

[328] Example of such requirements from: 1) https://carc.gov.jo/en; 2) https://flytag.co/locations/middle-east/jordan-overflight-and-landing-permits.html; and 3) https://www.worldairops.com/permits/jordan.html.

[329] Article 20, Convention on International Civil Aviation, Nineth Edition, 2006. "The Chicago Convention".

[330] Example of such requirements from: 1) https://carc.gov.jo/en; 2) https://flytag.co/locations/middle-east/jordan-overflight-and-landing-permits.html; and 3) https://www.worldairops.com/permits/jordan.html.

Appendix 1 to Annex 62: IL-76 (9U-ILO) near Amman airport on 13 November 2022

Figure 62.1.1
IL-76TD (#73479367) displaying 9U-ILO on 13 November 2022

Source: https://twitter.com/Gerjon_/status/1592948095519981568, 16 November 2022; https://twitter.com/jhelebrant/status/1595880398315290626/photo/1, 24 November 2022.

Appendix 2 to Annex 62: IL-76 (9U-ILO) near Amman airport on 13 November 2022

Figures 62.2.1 to 62,2,5
Imagery of IL-76TD (#73479367) displaying 9U-ILO on 13 November 2022


Time: 16:32.33


Time: 16:32.37


Time: 16:32.43


Time: 16:32.45

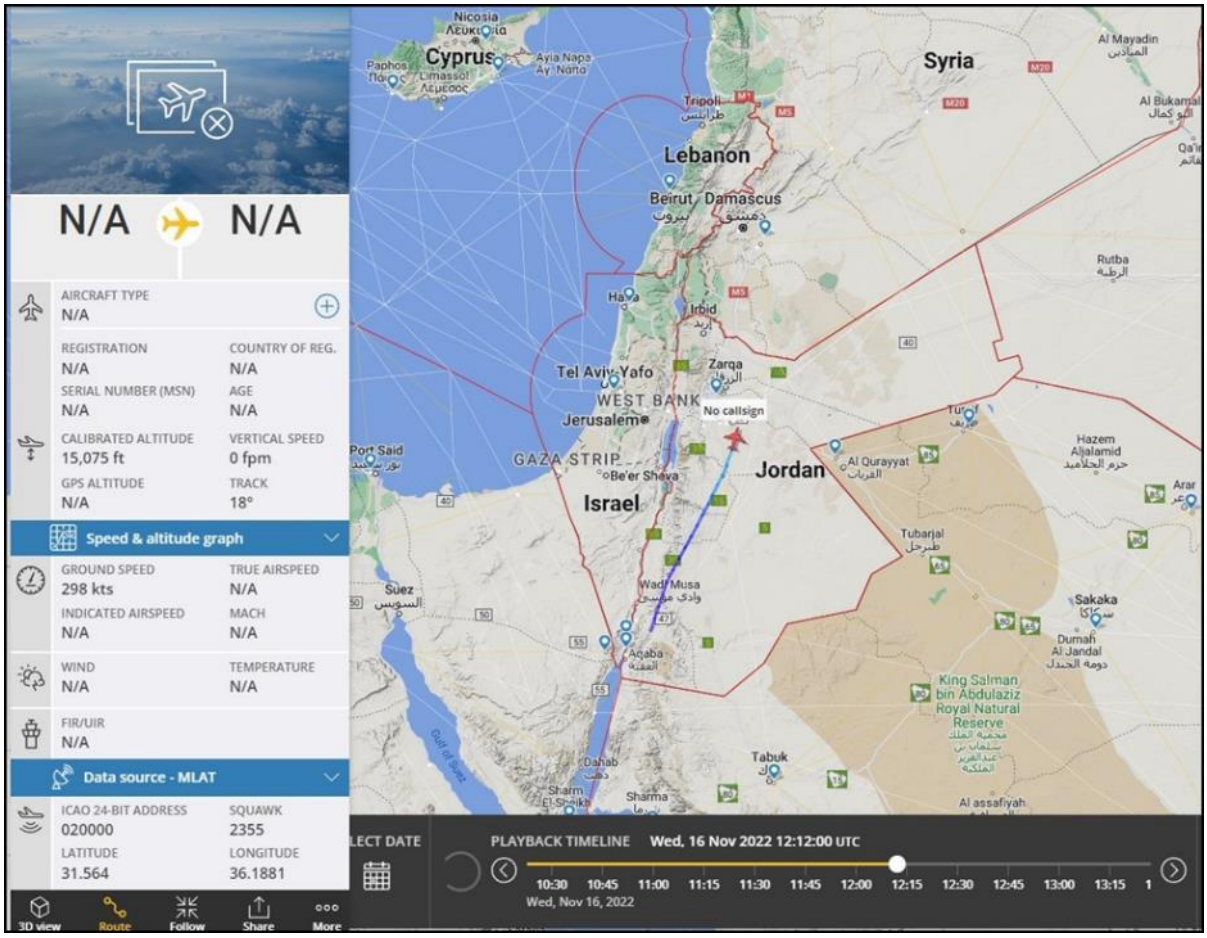

Time: 16:32.48

Source: https://www.flickr.com/photos/96541566@N06/52530696733/in/photostream/. Accessed on 24 November 2022.

1. The imagery EXIF data records that the images were taken at 832m above sea level on a Ricoh Pentax K70 camera with an f8.0, 135^0 SLR lens. The Amman Citadel is reported as being 850m above sea level, so the camera data correlates with the declared location.

Appendix 3 to Annex 62: IL-76 (9U-ILO) arriving in Jordan airspace on 16 November 2022

Figure 62.3.1
FR24 track of IL-76TD (#73479367) 9U-ILO on 16 November 2022



Source: https://twitter.com/Gerjon_/status/1592952001822085120/photo/1, 16 November 2022.

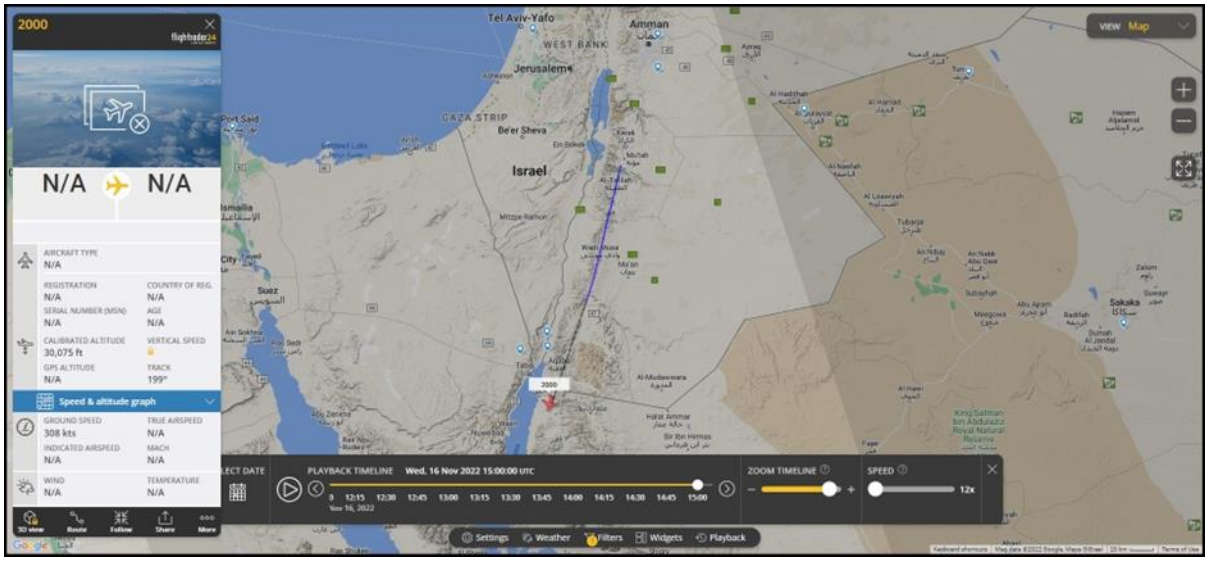
1. The data in the image above is from the www.flightradar24 data in the table below. Note the decreasing speed and altitude of the aircraft indicating a landing approach to an airfield near Amman, Jordan.

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1668599561	2022-11-16T11:52:41Z		29.80661,35.27961	31000	386	16
1668599622	2022-11-16T11:53:42Z		29.915525,35.321198	31000	388	19
1668599690	2022-11-16T11:54:50Z		30.033728,35.364178	31000	390	17
1668599757	2022-11-16T11:55:57Z		30.149538,35.40757	31025	392	17
1668599817	2022-11-16T11:56:57Z		30.259748,35.452328	31050	410	23
1668599881	2022-11-16T11:58:01Z		30.368757,35.520084	29850	408	28
1668599946	2022-11-16T11:59:06Z		30.473511,35.586803	28350	406	28
1668600010	2022-11-16T12:00:10Z		30.580759,35.652248	26850	400	27
1668600073	2022-11-16T12:01:13Z		30.685555,35.716	25400	398	27
1668600137	2022-11-16T12:02:17Z		30.78861,35.778244	24175	384	27

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1668600205	2022-11-16T12:03:25Z		30.886681,35.837498	22825	372	26
1668600269	2022-11-16T12:04:29Z		30.988937,35.899643	21750	360	26
1668600329	2022-11-16T12:05:29Z		31.075111,35.952431	20450	350	26
1668600394	2022-11-16T12:06:34Z		31.16515,36.007618	19325	336	26
1668600458	2022-11-16T12:07:38Z		31.251324,36.060371	18025	322	26
1668600518	2022-11-16T12:08:38Z		31.333508,36.097424	17025	308	18
1668600525	2022-11-16T12:08:45Z		31.345533,36.101921	16900	308	17
1668600578	2022-11-16T12:09:38Z		31.35111,36.103943	15875	308	17
1668600633	2022-11-16T12:10:33Z		31.489084,36.157948	15125	294	17
1668600669	2022-11-16T12:11:09Z		31.525311,36.172394	15075	298	18
1668600686	2022-11-16T12:11:26Z		31.55698,36.185291	15075	298	18
1668600741	2022-11-16T12:12:21Z		31.631294,36.216053	14850	294	18
1668600757	2022-11-16T12:12:37Z		31.651892,36.224438	14525	294	18
1668600825	2022-11-16T12:13:45Z		31.656744,36.226444	13000	300	18

Appendix 4 to Annex 62: IL-76 (9U-ILO) departing Jordan airspace on 16 November 2022

Figure 62.4.1
FR24 track of IL-76TD (#73479367 9U-ILO on 16 November 2022



Source: @SomeFrench1991, https://twitter.com/SomeFrench1991/status/1592902436699922433, 16 November 2022.

1. The data in the image above is from the www.flightradar24 data in the table below. Note the increasing speed and altitude of the aircraft indicating a departure from an airfield near Amman, Jordan.

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1668608889	2022-11-16T14:28:09Z	2000	31.037905,35.661686	22800	316	194
1668608949	2022-11-16T14:29:09Z	2000	30.952087,35.637589	24100	318	194
1668609013	2022-11-16T14:30:13Z	2000	30.859989,35.611897	24925	326	194
1668609081	2022-11-16T14:31:21Z	2000	30.77721,35.588955	25600	330	194
1668609141	2022-11-16T14:32:21Z	2000	30.670216,35.559032	26200	336	194
1668609205	2022-11-16T14:33:25Z	2000	30.573555,35.532055	26950	338	194
1668609265	2022-11-16T14:34:25Z	2000	30.481001,35.506592	27575	342	194
1668609329	2022-11-16T14:35:29Z	2000	30.38282,35.479477	28150	344	193
1668609389	2022-11-16T14:36:29Z	2000	30.289169,35.45372	28600	348	193
1668609461	2022-11-16T14:37:41Z	2000	30.188387,35.424999	29425	342	195
1668609534	2022-11-16T14:38:54Z	2000	30.084669,35.38604	29825	348	199
1668609590	2022-11-16T14:39:50Z	2000	30.01153,35.358284	30075	346	199
1668609901	2022-11-16T14:45:01Z	2000	29.968012,35.346008	30075	308	199

Appendix 5 to Annex 62: IL-76 (9U-BVU) in Jordan airspace on 2 March 2023

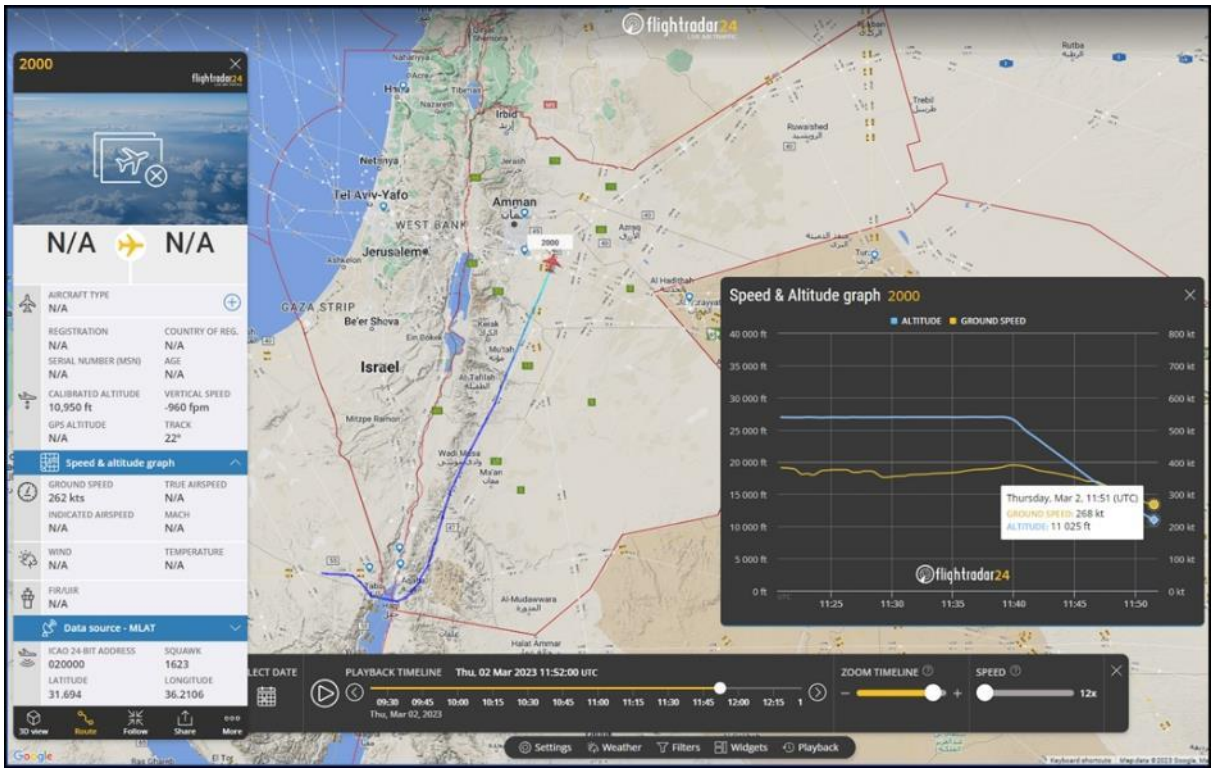
Figure 62.5.1
FR24 track of IL-76TD (#73479367) displaying 9U-BVU on 2 March 2023

Source: https://twitter.com/SomeFrench1991/status/1631359789568606208, 2 March 2023.

Appendix 6 to Annex 62: Track of IL-76 (9U-BVU) in Jordan airspace on 2 March 2023

1. Track of 9U-BVU in Jordanian airspace on normal flight track to Amman from Libya

Figure 62.6.1
FR24 track of IL-76TD (#73479367) 9U-BVU on 2 March 2023



Source: Flightradar 24.

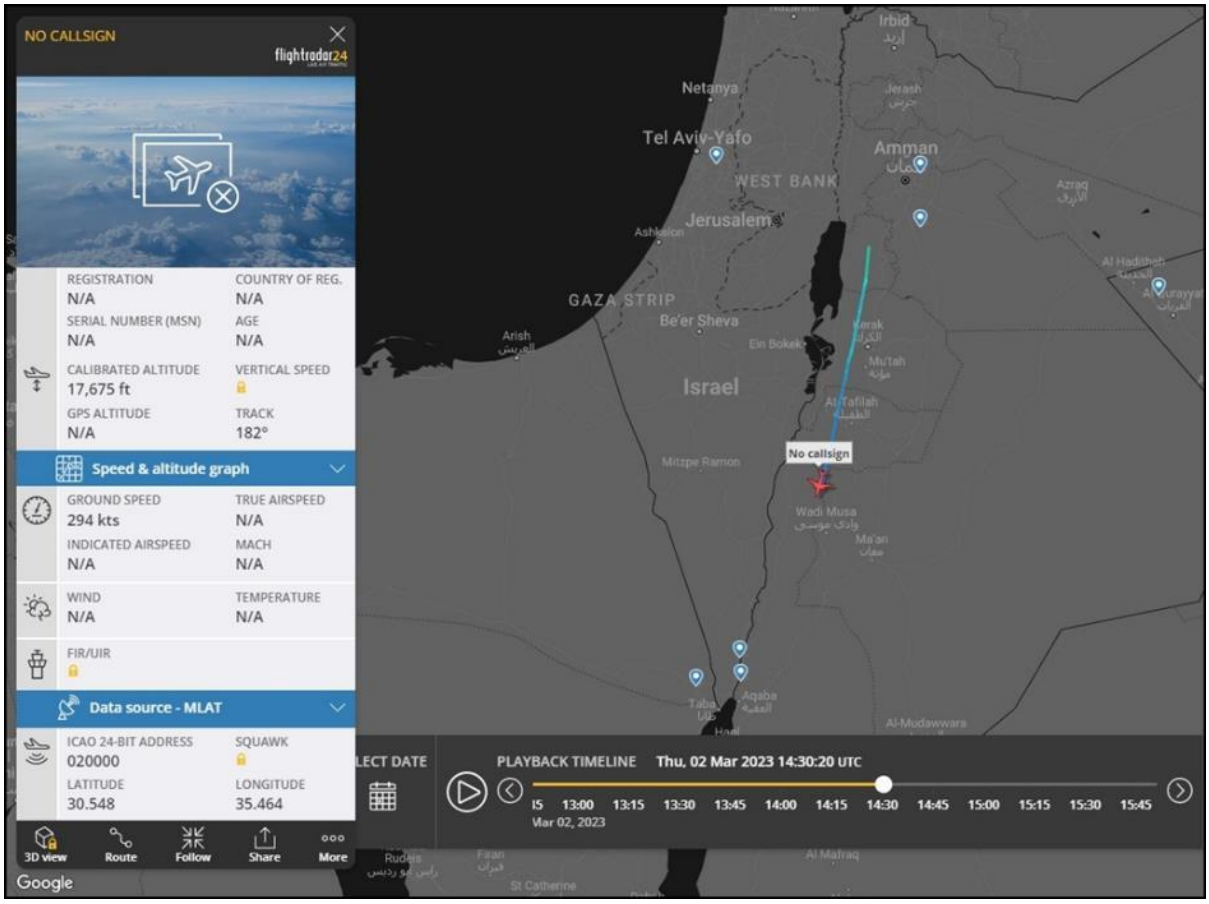
2. The data in the image above is from the www.flightradar24 data in the table below. Note the decreasing speed and altitude of the aircraft indicating an approach to an airfield near Amman, Jordan.

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1677756053	2023-03-02T11:20:53Z	2000	29.605553,34.403374	26950	382	0
1677756122	2023-03-02T11:22:02Z	2000	29.602541,34.439709	26925	378	0
1677756157	2023-03-02T11:22:37Z	2000	29.59794,34.602345	26925	362	90
1677756182	2023-03-02T11:23:02Z	2000	29.587549,34.646477	26975	364	90
1677756209	2023-03-02T11:23:29Z	2000	29.543627,34.703423	26950	360	141
1677756262	2023-03-02T11:24:22Z	2000	29.461754,34.784187	26900	374	157
1677756269	2023-03-02T11:24:29Z	2000	29.456329,34.78614	26925	374	157
1677756309	2023-03-02T11:25:09Z	2000	29.447025,34.795307	26950	376	157
1677756377	2023-03-02T11:26:17Z	2000	29.415993,34.981163	26925	376	96
1677756409	2023-03-02T11:26:49Z	2000	29.417917,34.993301	26975	368	96
1677756438	2023-03-02T11:27:18Z	2000	29.439291,35.062237	26950	368	51
1677756461	2023-03-02T11:27:41Z	2000	29.501715,35.123741	26950	372	31
1677756465	2023-03-02T11:27:45Z	2000	29.507936,35.129723	26950	372	37

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1677756489	2023-03-02T11:28:09Z	2000	29.546267,35.168774	26950	372	42
1677756491	2023-03-02T11:28:11Z	2000	29.549522,35.171562	26950	372	42
1677756496	2023-03-02T11:28:16Z	2000	29.563774,35.168003	26950	372	21
1677756561	2023-03-02T11:29:21Z	2000	29.653769,35.233833	26950	352	19
1677756633	2023-03-02T11:30:33Z	2000	29.755896,35.268726	26975	356	10
1677756657	2023-03-02T11:30:57Z	2000	29.806171,35.284328	26950	356	12
1677756685	2023-03-02T11:31:25Z	2000	29.813158,35.286407	26975	360	12
1677756769	2023-03-02T11:32:49Z	2000	29.984699,35.346443	26975	362	16
1677756801	2023-03-02T11:33:21Z	2000	29.991287,35.348778	26975	364	16
1677756873	2023-03-02T11:34:33Z	2000	30.14526,35.405609	26975	366	17
1677756918	2023-03-02T11:35:18Z	2000	30.158291,35.410507	26950	368	17
1677757001	2023-03-02T11:36:41Z	2000	30.354097,35.510632	27000	376	27
1677757065	2023-03-02T11:37:45Z	2000	30.445539,35.569305	26975	378	28
1677757129	2023-03-02T11:38:49Z	2000	30.551752,35.635021	27000	382	27
1677757193	2023-03-02T11:39:53Z	2000	30.651648,35.695339	26650	390	26
1677757257	2023-03-02T11:40:57Z	2000	30.754593,35.757797	24925	386	26
1677757321	2023-03-02T11:42:01Z	2000	30.859251,35.805698	23475	374	18
1677757381	2023-03-02T11:43:01Z	2000	30.9548,35.850777	22050	368	22
1677757447	2023-03-02T11:44:07Z	2000	31.060297,35.903286	20525	360	22
1677757509	2023-03-02T11:45:09Z	2000	31.150852,35.947174	19050	351	21
1677757571	2023-03-02T11:46:11Z	2000	31.247036,35.992466	17575	340	20
1677757605	2023-03-02T11:46:45Z	2000	31.292839,36.012615	16850	340	20
1677757637	2023-03-02T11:47:17Z	2000	31.338955,36.035934	16300	332	24
1677757681	2023-03-02T11:48:01Z	2000	31.398647,36.07008	15125	320	27
1677757722	2023-03-02T11:48:42Z	2000	31.44656,36.095497	14150	316	23
1677757753	2023-03-02T11:49:13Z	2000	31.494732,36.118977	13475	302	20
1677757785	2023-03-02T11:49:45Z	2000	31.535809,36.137413	12950	294	22
1677757819	2023-03-02T11:50:19Z	2000	31.57963,36.158287	12250	284	20
1677757850	2023-03-02T11:50:50Z	2000	31.614332,36.172596	11725	274	18
1677757865	2023-03-02T11:51:05Z	2000	31.632463,36.180908	11450	272	19
1677757881	2023-03-02T11:51:21Z	2000	31.651648,36.189342	11200	268	19
1677757893	2023-03-02T11:51:33Z	2000	31.665188,36.196529	11025	268	22
1677757954	2023-03-02T11:52:34Z	2000	31.673811,36.200718	10100	242	22

3. Track of 9U-BVU departing Jordanian airspace.

Figure 62.6.2
FR24 track of IL-76TD (#73479367) 9U-BVU on 2 March 2023



Source: www.flightradar24.com, 3 March 2023.

Appendix 7 to Annex 62: Imagery of IL-76 (9U-BVU) near Amman airport on 25 April 2023

1. The Panel has geo-located the image in figure 62.7.1 to Amman, Jordan. Reference Point A is at 31°58'07.1544"N, 36°00'9.8244"E and Point B is at 31°58'02.4924"N, 36°00'01.4328"E.

Figure 62.7.1
IL-76TD (#73479367) 9U-BVU over Amman, Jordan on 25 April 2023

Figure 62.7.2
Point A (31°58'07.1544''N, 36°00'09.8244''E) and Point B (31°58'02.4924''N, 36°00'01.4328''E)

Figure 62.7.3
Compound at Point A (31°58'07.1544''N, 36°00'09.8244''E)

Figure 62.7.4
Mosque at Point B (31°58'02.4924''N, 36°00'01.4328''E)

Source:https://www.google.com/maps/place/مسجد العابورة%E2%80%AD/@31.9676358,36.0000146,251m/data=!3m1!1e3!4m6!3m5!1s0x151b617e28ee68bd:0xb7917f1d70b56da5!8m2!3d31.967549!4d36.0004324!16s%2Fg%2F11fml39rsj. Accessed 30 April 2023.

2. The Panel has also geo-located the image in figure 62.7.5 to Amman, Jordan. Point D is at 31°58'24.5388"N, 36°00'47.1204"E, Point E is at 31°57'59.3676"N, 35°58'58.674"E, Point F is at 31°57' 42.8904"N, 35°57'54.9756"E and Point G is at 31°57'27.7812"N, 35°56'51.2664"E.

Figure 62.7.5
IL-76TD (#73479367) 9U-BVU over Amman, Jordan on 25 April 2023

Figure 62.7.6
Geo-Reference points from Google Earth Pro

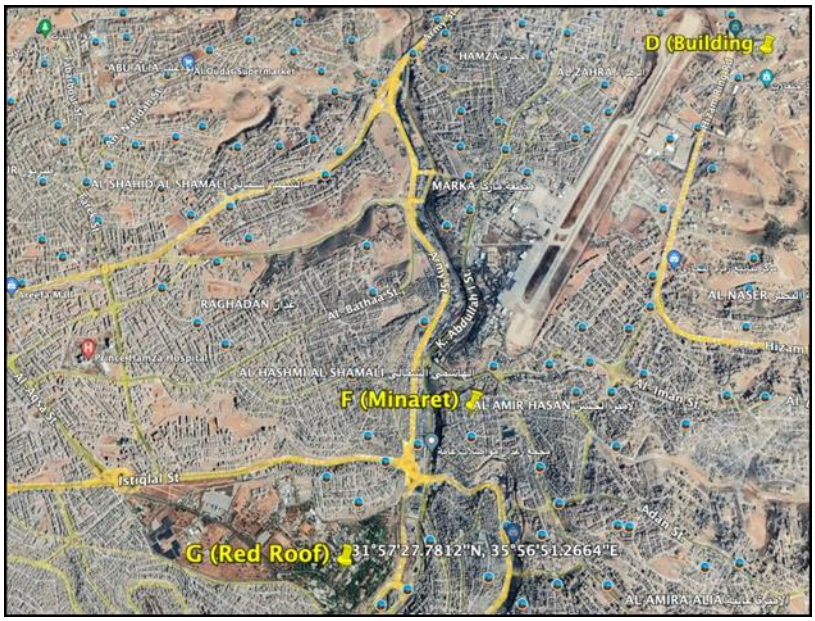
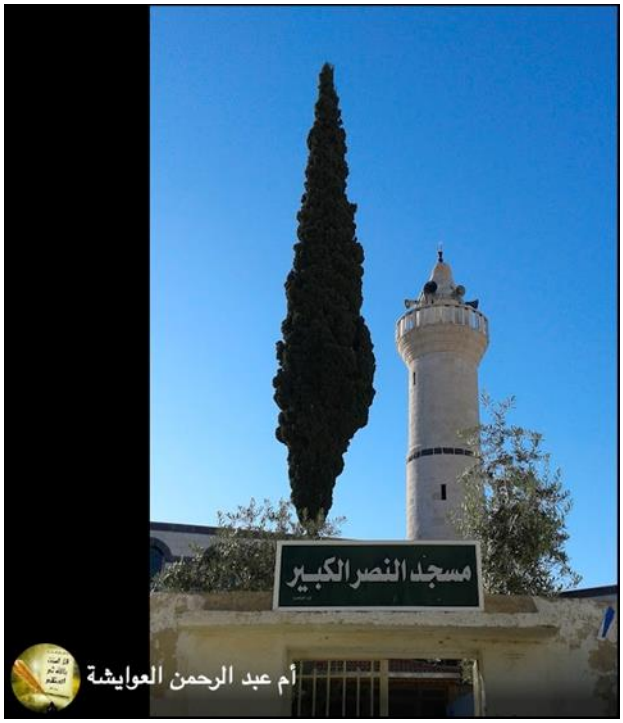


Figure 62.7.7
Building at Point D (31°58'24.5388''N, 36°00'47.1204''E)

Figure 62.7.8
Minaret at Point F (31°57' 42.8904''N, 35°57'54.9756''E)



Source:https://www.google.com/maps/contrib/100066568425417900610/photos/@0,0,3a,75y,90t/data=!3m8!1e2!3m6!1sAF1QipMK9iT7ZofocFSDSmYTMCRqukx192FdfREnlf9J!2e10!3e12!6shttps:%2F%2Flh5.googleusercontent.com%2Fp%2FAF1QipMK9iT7ZofocFSDSmYTMCRqukx192FdfREnlf9J%3Dw365-h. Accessed on 30 April 2023.

Figure 62.7.9
Red Roof at Point G (31°57'27.7812''N, 35°56'51.2664''E)

Figure 62.7.10
IL-76TD (#73479367) 9U-BVU over Amman, Jordan on 25 April 2023

Source: https://twitter.com/SomeFrench1991/status/1650935052023242759, 25 April 2023.

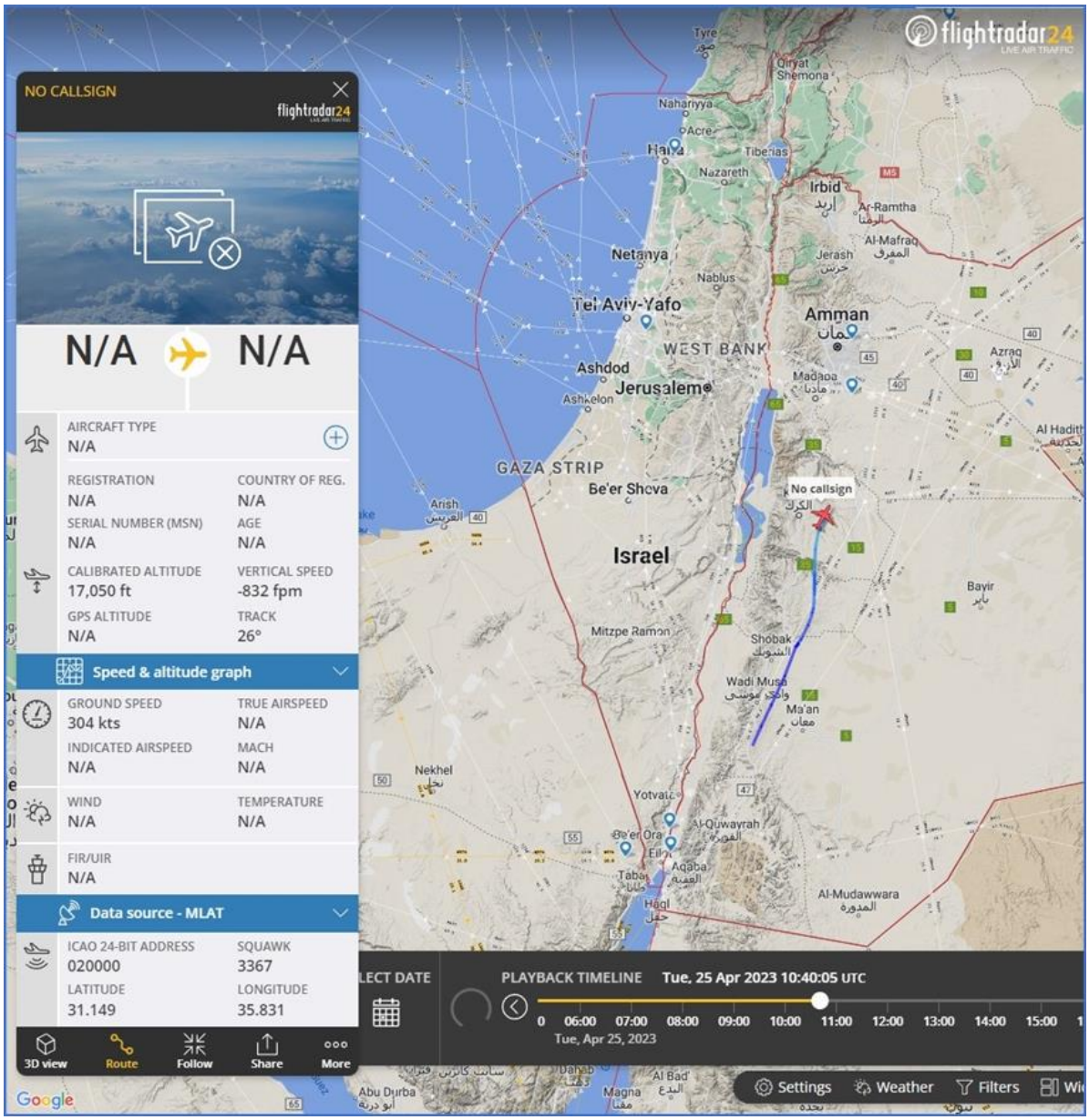
Figure 62.7.11
IL-76TD (#73479367) 9U-BVU over Amman, Jordan on 25 April 2023

Source: https://twitter.com/SomeFrench1991/status/1650935052023242759, 25 April 2023.

Appendix 8 to Annex 62: Track of IL-76 (9U-BVU) in Jordan airspace on 25 April 2023

1. Track of 9U-BVU in Jordanian airspace on normal flight track to Amman from Libya

Figure 62.8.1
FR24 track of IL-76TD (#73479367) 9U-BVU on 25 April 2023



Source: Flightradar 24.

2. The data in the image above is from the www.flightradar24 data in the table below. Note the decreasing speed and altitude of the aircraft indicating an approach to an airfield near Amman, Jordan.

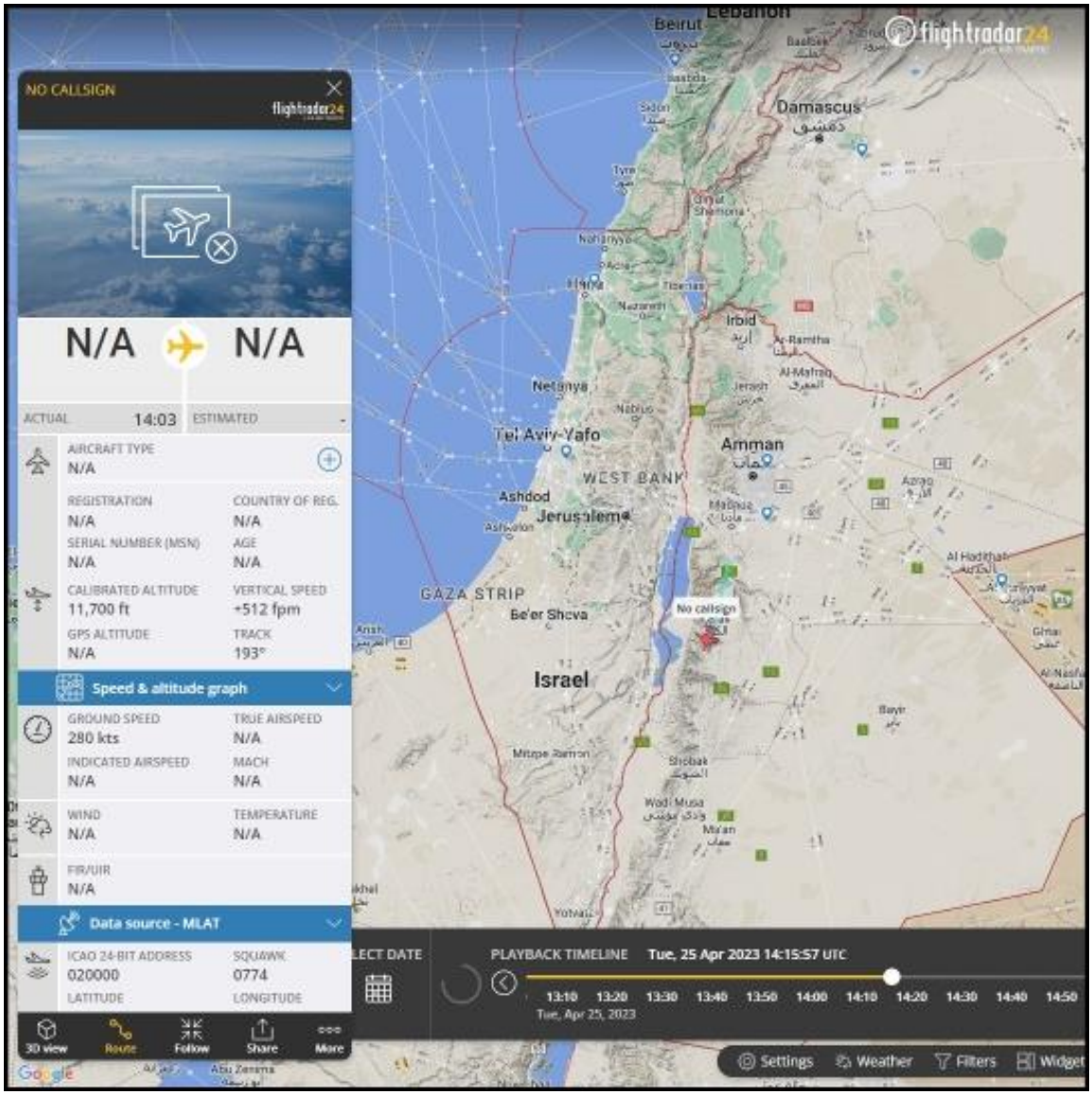
Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1682418509	2023-04-25T10:28:29Z		30.126835,35.458981	26975	352	24
1682418581	2023-04-25T10:29:41Z		30.21113,35.503651	26975	352	24

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1682418633	2023-04-25T10:30:33Z		30.309906,35.556389	26950	350	24
1682418721	2023-04-25T10:32:01Z		30.441877,35.626259	26250	372	24
1682418790	2023-04-25T10:33:10Z		30.58053,35.689018	25075	370	24
1682418794	2023-04-25T10:33:14Z		30.584713,35.692543	25000	370	41
1682418798	2023-04-25T10:33:18Z		30.587168,35.695087	24925	370	41
1682418802	2023-04-25T10:33:22Z		30.590431,35.697918	24875	368	38
1682418805	2023-04-25T10:33:25Z		30.593618,35.700542	24825	368	38
1682418809	2023-04-25T10:33:29Z		30.595831,35.702599	24750	366	36
1682418826	2023-04-25T10:33:46Z		30.613625,35.715134	24325	366	31
1682418873	2023-04-25T10:34:33Z		30.678411,35.753872	23225	364	25
1682418918	2023-04-25T10:35:18Z		30.739037,35.777378	22150	352	10
1682418925	2023-04-25T10:35:25Z		30.757601,35.780846	21975	350	10
1682418967	2023-04-25T10:36:07Z		30.824236,35.786835	21000	344	269
1682418974	2023-04-25T10:36:14Z		30.833948,35.787262	20800	344	269
1682418978	2023-04-25T10:36:18Z		30.846273,35.788013	21050	342	269
1682418985	2023-04-25T10:36:25Z		30.851133,35.787369	20650	344	269
1682418989	2023-04-25T10:36:29Z		30.862082,35.787876	20550	340	67
1682418994	2023-04-25T10:36:34Z		30.868656,35.787594	20450	338	67
1682418997	2023-04-25T10:36:37Z		30.877151,35.788025	20400	340	16
1682419001	2023-04-25T10:36:41Z		30.881805,35.787807	20325	338	16
1682419006	2023-04-25T10:36:46Z		30.888628,35.787933	20225	338	4
1682419013	2023-04-25T10:36:53Z		30.895906,35.788017	20075	334	4
1682419017	2023-04-25T10:36:57Z		30.90695,35.788609	20000	334	4
1682419021	2023-04-25T10:37:01Z		30.912453,35.788837	19900	332	4
1682419029	2023-04-25T10:37:09Z		30.91975,35.788891	19750	330	1
1682419094	2023-04-25T10:38:14Z		31.027479,35.79491	18700	316	3
1682419158	2023-04-25T10:39:18Z		31.113579,35.810406	17500	308	6
1682419161	2023-04-25T10:39:21Z		31.120041,35.813812	17425	308	21
1682419165	2023-04-25T10:39:25Z		31.122934,35.816254	17375	306	21
1682419169	2023-04-25T10:39:29Z		31.129,35.819469	17325	306	26
1682419177	2023-04-25T10:39:37Z		31.133614,35.82235	17200	304	26
1682419213	2023-04-25T10:40:13Z		31.179352,35.849411	16575	298	31
1682419246	2023-04-25T10:40:46Z		31.18766,35.855694	16050	296	31
1682419273	2023-04-25T10:41:13Z		31.252598,35.903393	15600	300	37
1682419301	2023-04-25T10:41:41Z		31.257231,35.907043	15150	290	37
1682419361	2023-04-25T10:42:41Z		31.358316,35.970875	14200	300	37
1682419394	2023-04-25T10:43:14Z		31.395044,35.992287	13675	300	37

Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1682419429	2023-04-25T10:43:49Z		31.428753,36.012054	13125	287	25
1682419461	2023-04-25T10:44:21Z		31.469788,36.036606	12750	278	25
1682419501	2023-04-25T10:45:01Z		31.514341,36.063847	12175	274	26
1682419545	2023-04-25T10:45:45Z		31.551428,36.086681	11625	280	26
1682419566	2023-04-25T10:46:06Z		31.573868,36.10043	11375	282	26
1682419585	2023-04-25T10:46:25Z		31.608593,36.122353	11150	282	26
1682419688	2023-04-25T10:48:08Z		31.624395,36.131641	9925	268	26

3. Track of 9U-BVU departing Jordanian airspace.

Figure 62.8.2
FR24 track of IL-76TD (#73479367) 9U-BVU on 25 April 2023



Source: www.flightradar24.com.

Annex 63 FlySky Airlines LLC (FSQ), Kyrgyz Republic flights in support of HAF

1. The flight activity of FlySky Airlines LLC (FSQ)[331] aircraft continued to be of interest to the Panel during this mandate. FlySky Airlines LLC (FSQ) were previously reported on in Annex 92 to S/2022/427 as violating paragraph 9 of resolution 1970 (2011). The flight activity of the aircraft listed in table 63.1 was of interest to the Panel.

Table 63.1
FlySky Airlines LLC (FSQ) aircraft

Type	*MSN#*	*Current Registration #*	*Previous Registration #*	*Current Owner*	*Previous Operators*
Ilyushin IL-76TD	1023411368	EX-76006	UP-I7660 UR-FSD	Infinite Seal Inc, BVI [a b]	▪ Azee Air LLC

[a] Trident Chambers, PO Box 146, Road Town, Tortola, British Virgin Islands.
[b] The company also owns or owned other aircraft previously reported as being used in violation of paragraph 9 to resolution 1970 (2011). 1) IL-76TD (#73479367) (sold to Space Cargo Inc on 20 March 2020); and 2) IL-76TD (#1023414450) (now UP-I7654)

2. Table 63.2 summarises the recent history of this aircraft. Note that it was previously operated by Azee Air LLC (AZL) of Kazakhstan who were reported for violating paragraph 9 of resolution 1970 (2011) in Panel report S/2021/229.[332]

Table 63.2
IL-76TD (MSN# 1023411368) recent history

Date	*Activity*	*Panel Evidence / Remarks* [a]
1 Jul 2018	Registered by Kazakhstan as UP-I7660.	▪
21 Apr 2020	Azee Air LLC (AZL) Air Operating Certificate suspended for six months.	▪ Until 20 October 2020.
28 Aug 2020	FlySky Airlines LLC (FSQ) receive Air Operating Certificate from Kyrgyz Republic CAA.	▪ AOC Certificate #53.
1 Sep 2020	Registered by Ukraine as UR-FSD.	▪ Now operated by FlySky LLC (FSQ).
1 Feb 2021	Azee Air LLC Air Operating Certificate revoked by Kazakhstan	▪ Revocation Order #0047.
29 Mar 2021	FlySky Airlines LLC (FSQ) receive company registration.	▪
1 Jan 2022	Registered by Kyrgyz Republic as EX-76006	▪
16 Apr 2023	Flight activity identified in violation of paragraph 9 of resolution 1970 (2011).	▪

[a] The Panel has evidentiary copies of the documentation listed in this table on file.

3. The Panel identified that the FlySky Airlines LLC (FSQ) flight FSQ 4921from Abu Dhabi, UAE (OMAA) to Benghazi, Libya (HLLB) on 16 April 2023[333] met at least five of the air delivery profile indicators (see annex 23) that when considered collectively indicate that an aircraft is almost certainly carrying illicit cargo: (a) an unscheduled charter flight; (b) flights landed in darkness for concealment of offloads; (c) false flight documentation; (d) air operator transparency is opaque; and (e) the links to previous arms embargo violators Azee Air LLC (AZL).

4. The Panel has examined the documentation for the flight on 14 April 2023, which reported that the cargo was humanitarian aid and foodstuffs. The flight documentation is inaccurate, suspicious and very similar to the documentation used in an arms embargo violation reported in Figure 55.D.4, Appendix D, Annex 55 of S/2021/229. 1) The consignee on

[331] Office No 6, Ch Aitmatova Avenue 82A, Bishkek 720044, Kyrgyz Republic. +996 312 979300. office@flysky.kg.
[332] Annex 55.
[333] See appendix A.

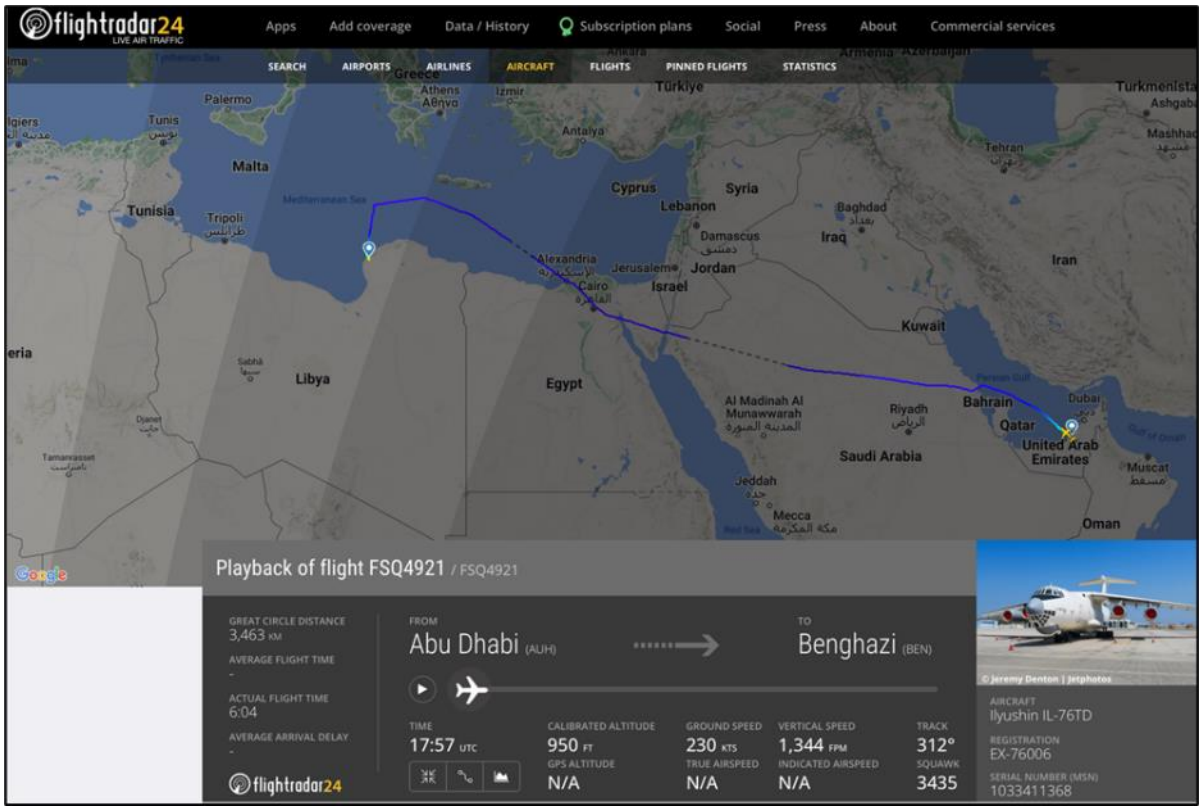
the air waybill,[334] IFRC Libya did not receive any humanitarian aid from the UAE on 14 April 2023;[335] 2) the cargo manifest was on a UAE Armed Forces, General Headquarters Air Force form;[336] 3) the agent on the cargo manifest was the same as used on previous fake documentation identified by the Panel and referred to above.

5. The Panel offered FlySky Airlines LLC (FSQ) an opportunity to respond through their national authorities on 30 May 2023. The Panel does not consider that their response of 25 May 2023 addressed any of the profile indicators (paragraph 3) nor the documentary evidence (appendices) identified by the Panel.

6. The Panel finds that FlySky Airlines LLC (FSQ) conducted flight operations on 14 April 2023 from UAE to Benghazi in violation of paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (…) military (…) equipment* and (…) *other assistance* (…) to Libya.

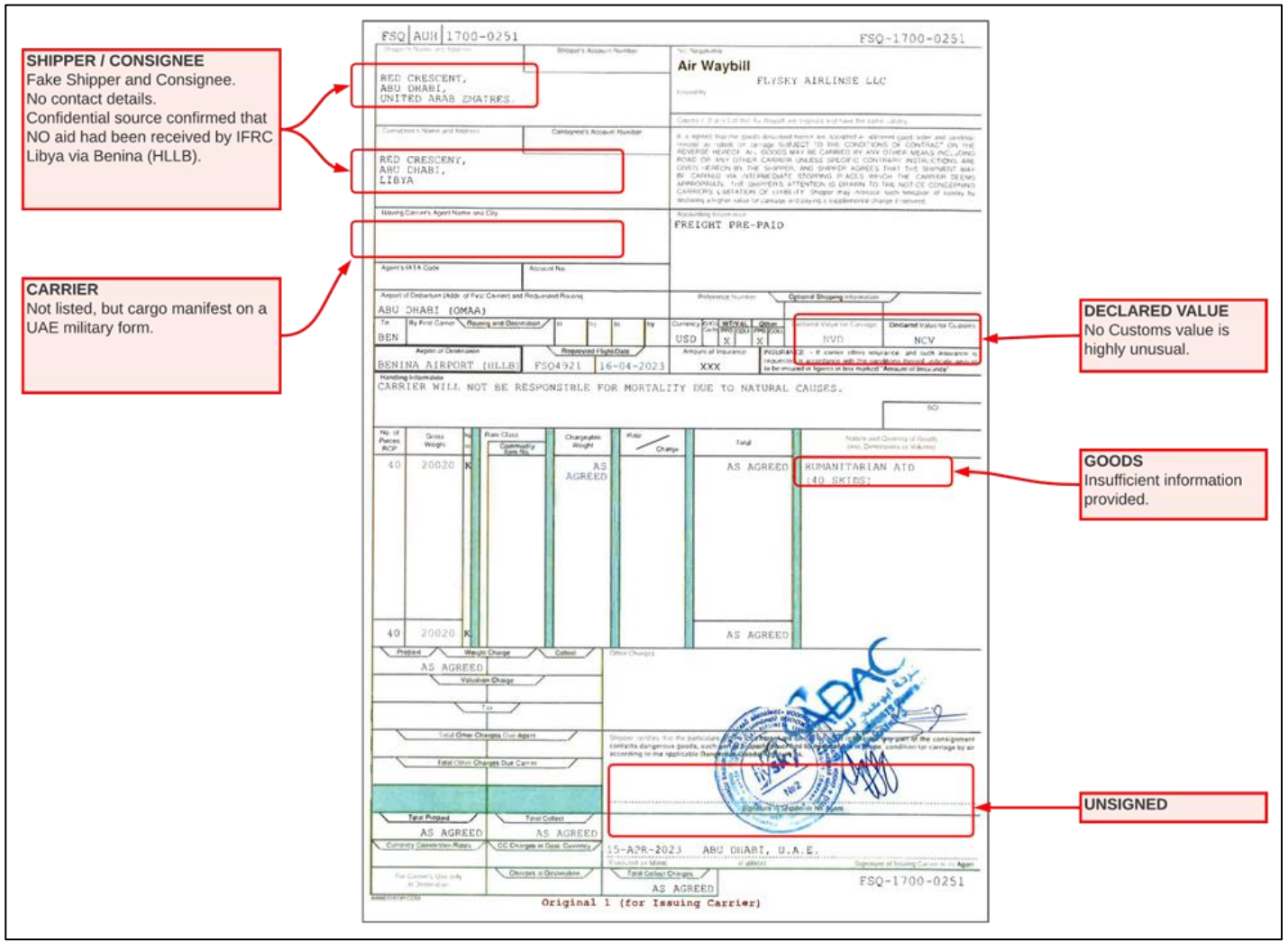
[334] See appendix B.
[335] Confidential source in the humanitarian aid community on 29 May 2023. Also, nothing reported on the IFRC web platforms.
[336] See appendix C.

Appendix A to Annex 63: Route of Flight FSQ 4921 (14 April 2023)[337]



[337] The Panel has higher quality imagery available on request. The imagery resolution is poor in some of the remaining appendices due to the infographics being compressed to make the overall document a more manageable size.

Appendix B to Annex 63: Panel analysis of Air Waybill for Flight FSQ 4921 (14 April 2023)[338]



[338] The Panel has higher quality imagery available on request. The imagery resolution is poor in some of the remaining appendices due to the infographics being compressed to make the overall document a more manageable size.

Appendix C to Annex 63: Panel analysis of Cargo Manifest for Flight FSQ 4921 (14 April 2023)

AIRPORT OF DEPARTURE	OMAA	UAE ARMED FORCES / GHQ AIRFORCE	AIRCRAFT TYPE	IL76	
AIRPORT OF DESTINATION	HLLB	AIRCRAFT LOAD MANIFEST	AIRCRAFT TAIL NO	EX-76006	
TOTAL PASSENGERS		CARGO AND MAIL	DATE	16-Apr-23	

S.NO	PLT/ VEH	IDG NUMBER	NATURE OF GOOD	QTY	SENT BY	RECEIVER	CLASS HAZARD TYPE	GROSS WEIGHT KGS
1	LOOSE	720	12 SKIDS(HUMANITARIAN AID & FOOD STUFFS)	12	P.G		NIL	7200
2	LOOSE	720	14 SKIDS(HUMANITARIAN AID & FOOD STUFFS)	14	P.G			4760
3	LOOSE	720	09 SKIDS(HUMANITARIAN AID & FOOD STUFFS)	9	P.G		NIL	4990
4	LOOSE	720	04 SKIDS(HUMANITARIAN AID & FOOD STUFFS)	4	P.G		NIL	2240
5	LOOSE	720	01 SKIDS(HUMANITARIAN AID & FOOD STUFFS)	1	P.G		NIL	830
				40		TOTAL WEIGHT IN KGS		20020

PREPARED BY: MILAN/RABINDRA
DESIGNATION: CA/JRA
DEPARTMENT: MUNAWALA OPERATIONS/CARGO
SIGNATURE

RECEIVED BY

AT DESTINATION RECEIVED BY:
RANK
UNIT AND DEPT:
SIGNATURE

FREIGHT FORWARDER
Munawala operate from Al Bateen airport (OMAD) and not Abu Dhabi international airport (OMAA). The same company name was used in flight documentation for violations reported in Figure 55.D.4, Appendix D, Annex 55 of S/2021/229.

RECIPIENT
Not listed.

RECIPIENT
Illegible initials and no details or stamp.

UAE ARMED FORCES / GHQ AIRFORCE
AIRCRAFT LOAD MANIFEST
CARGO AND MAIL

Annex 64 Military support to HAF by Falcon Wings LLC

Military support to Haftar by Falcon Wings LLC
(Sebha International Airport (HLLS))
(17 October 2022)

On 18 October 2022 imagery was published on the official social media of the Libyan Arab Armed Forces (LAAF) of field marshal Khalifa Haftar attending a military rally in uniform on 17 October 2022. He was transported to the military event by a chartered Gulfstream G450 (P4-BTR), owned by AHM Investment LLC, and operated by Falcon Wings LLC, both of the UAE.

The Panel offered Falcon Wings LLC an opportunity to reply through their appointed advisors, GA Political Limited (UK registered #11882064) in communications dated 24 November and 28 December 2022. On 10 March 2023 GA Political replied to the Panel that "*After checking with our lawyers, we are not under any legal investigation and I cannot comply with your requests*".

This aircraft makes regular flights to and from Al Abraq International Airport (HLLQ), which is used by Haftar. The flights were all blocked from tracking on the normal aviation flight tracking platforms at the request of Falcon Wings LLC on 25 January 2022. This is another indicator of suspicious flight activity. The Panel has evidence of other suspicious Falcon Wings LLC flights in support of field marshall Khalifa Haftar.

The use of this aircraft to provide support to field marshal Khalifa Haftar is a violation of paragraph 9 of resolution 1970 (2011) by Falcon Wings LLC as the company has provided "... *other assistance, related to military activities* ...".

Primary sources

1. https://www.youtube.com/watch?v=cvetrSDwgMc, 18 October 2022.

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Haftar at Sebha Military Rally on 17 October 2022

Paris - 25 October 2022. Note distinctive orange colour scheme.

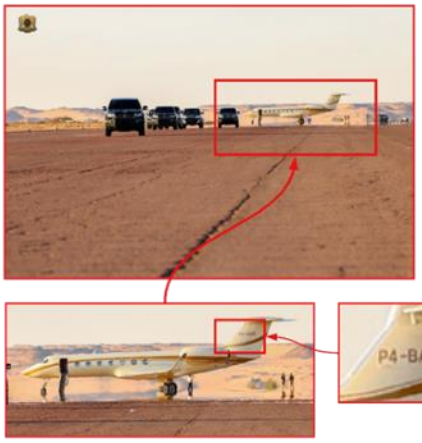
Support to Haftar by Falcon Wings LLC
(Kufra Airport (HLKF))
(30 August 2022)

On 30 August 2022 imagery was published on the official social media of the Libyan Arab Armed Forces (LAAF) of field marshal Khalifa Haftar attending a rally in Kufra on 30 August 2022. During the rally he met with civilian individuals. He was transported to the event by a chartered Gulfstream G550 (P4-BAR), owned and operated by Falcon Wings LLC, both of the UAE.

The Panel offered Falcon Wings LLC an opportunity to respond through their appointed advisors, GA Political Limited (UK registered #11882064) in communications dated 24 November and 28 December 2022. On 10 March 2023 GA Political replied to the Panel that "*After checking with our lawyers, we are not under any legal investigation and I cannot comply with your requests*".

This aircraft makes regular flights to and from Benghazi International Airport (HLLB), which is controlled by Haftar's organization. On 7 April 2022 Falcon Wings LLC requested a flight tracking platform to block data on their flights from public view. This is another indicator of suspicious flight activity.

The use of this aircraft to provide support to field marshal Khalifa Haftar forms a pattern of support by Falcon Wings LLC to the military regime of Khalifa Haftar.



Haftar at Kufra Rally
on 30 August 2022

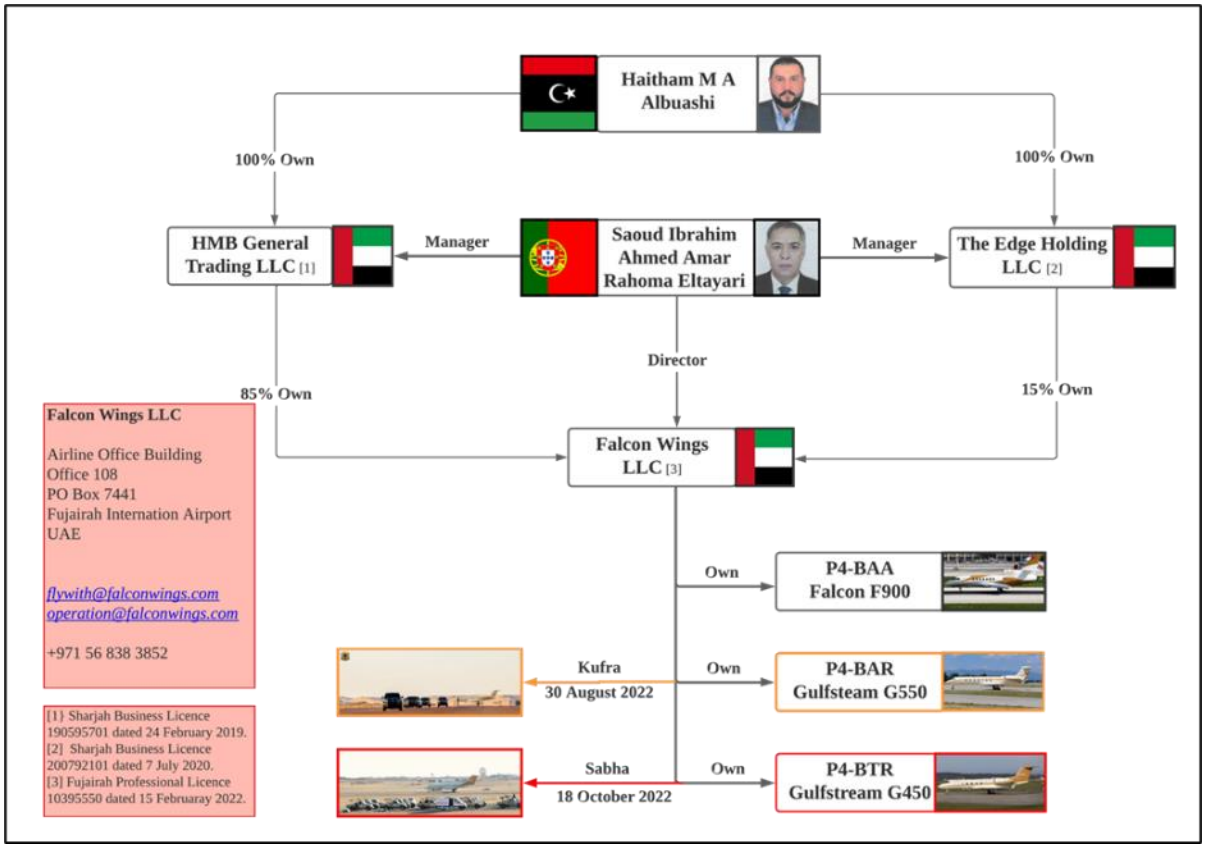
Geneva - 21 July 2022.
Note distinctive orange colour scheme.

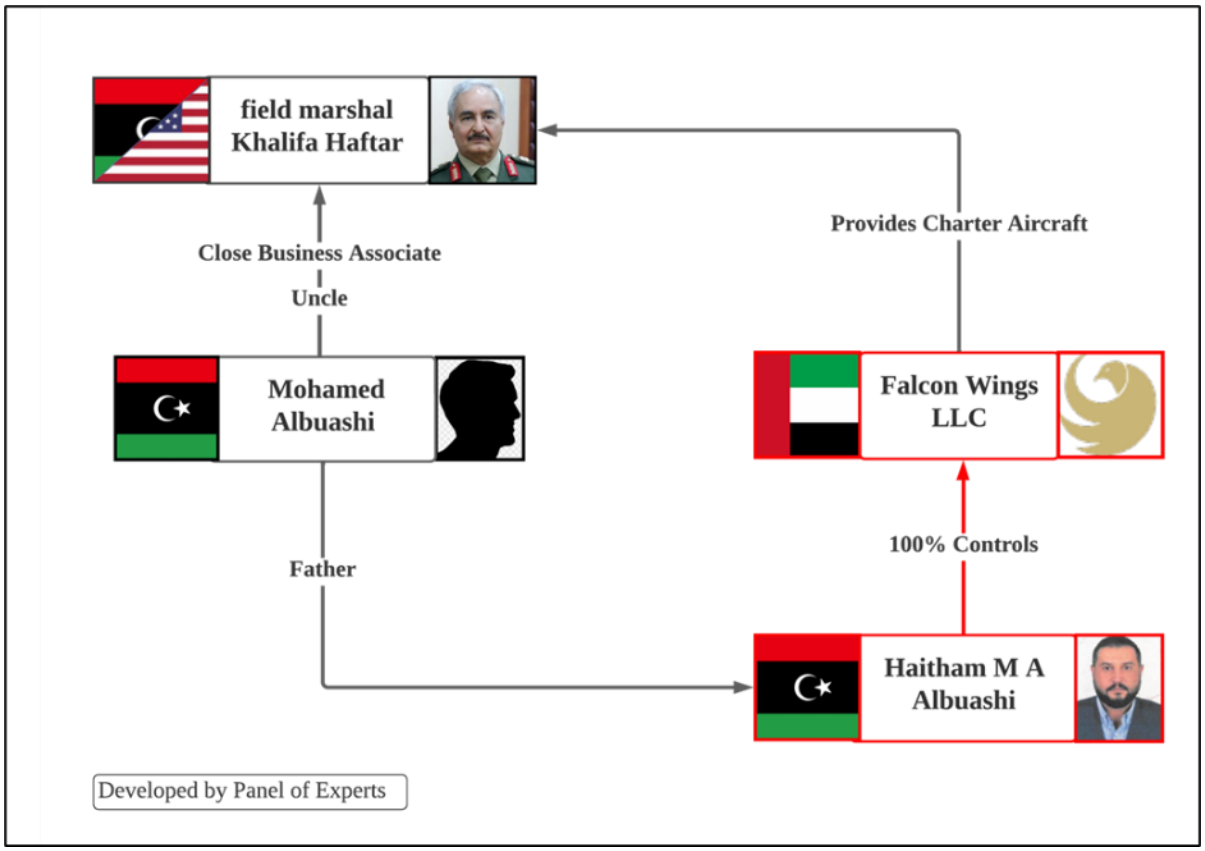
Primary sources

1. https://www.facebook.com/General.official.leadership/posts/pfbid0R2ryLttKyZ8idFjCKWVo1FTTw46hzUzUKNihV2uaQfdMQiX6LResa7s2QQ6bJGdfl, 30 August 2022.

Developed by UN Panel of Experts

Annex 65 Ownership of Falcon Wings LLC and familial link to Haftar




field marshal
Khalifa Haftar
Close Business Associate
Uncle
Mohamed
Albuashi
Father
Provides Charter Aircraft
Falcon Wings
LLC
100% Controls
Haitham M A
Albuashi
Developed by Panel of Experts

Annex 66 Project *Opus* supplied military surveillance aircraft and helicopters

Project *Opus* supplied military surveillance aircraft and helicopters (HAF near Benghazi) (30 December 2022)

The Panel has identified from official HAF social media that Pilatus PC-6, three AS332L Super Puma helicopters and three SA341 Gazelle helicopters deployed by the Project Opus organization, and reported in annex 76 of Panel report S/2021/229, remain fully operational and in use by HAF. The aircraft were all featured in an official HAF 106 brigade promotional video.

The Panel wrote to the lawyers representing Lancaster-6 DMCC, Holman Fenwick Willan MEA LLP, on 7 January 2022, 15 September 2022, 23 December 2022 and 6 April 2023 regarding the current ownership of these aircraft. No response was received.

The Panel thus finds Lancaster-6 DMCC in non-compliance with paragraph 14 of resolution 2644 (2022) by failing to *cooperate fully with ... Panel, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1970 (2011), ... 2571 (2021).*

This transfer of this military equipment to Libya in 2019 was a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://www.youtube.com/watch?v=GB2_jaFfC8Y, 30 December 2022.

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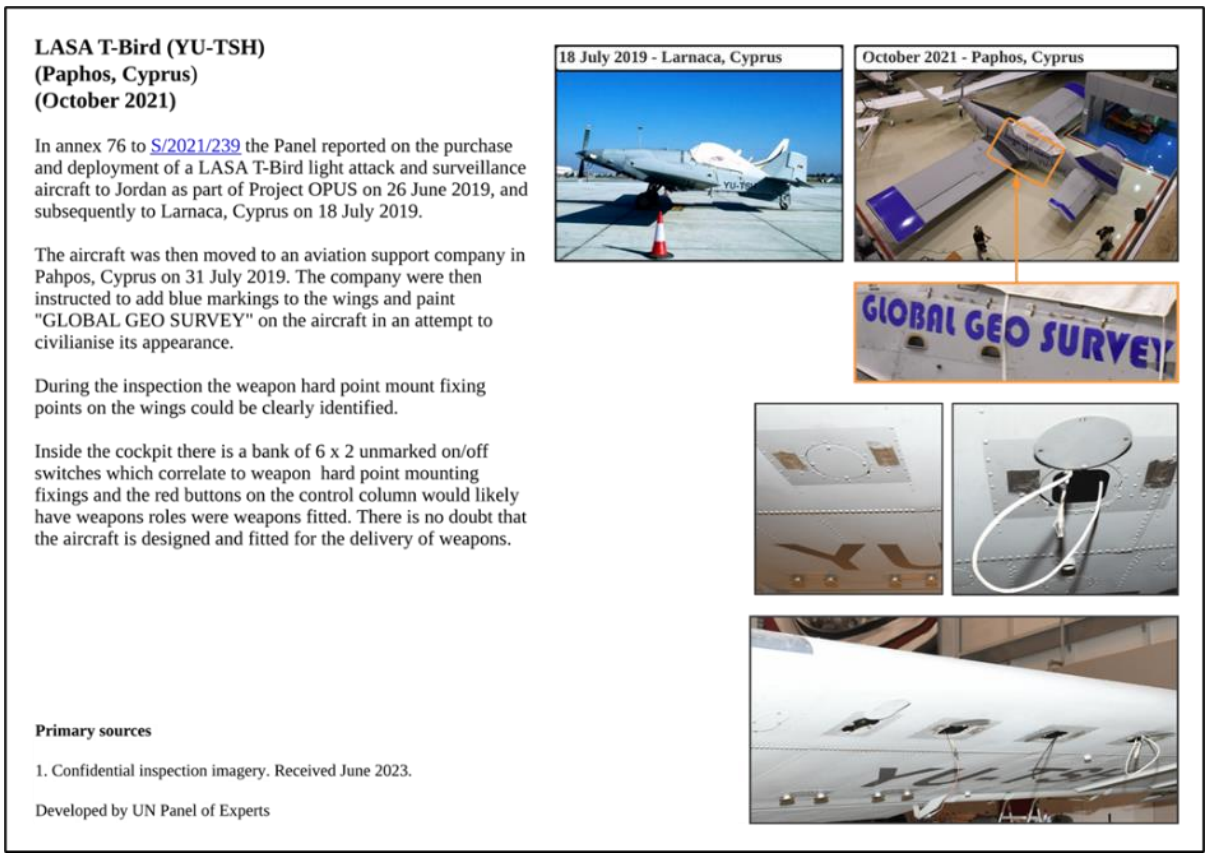
SA 341 *Gazelle* helicopter
Benghazi, 30 December 2022

AS 332L *Super Puma* helicopter
Benghazi, 30 December 2022

Pilatus PC-6 ISR aircraft
Benghazi, 30 December 2022

Annex 67 LASA T-Bird (YU-TSH) in Cyprus



1. The Panel has identified that bank accounts held by Lancaster 6 DMCC (a.k.a L6 FZE) were used to pay the Cyprus aviation support company until at least August 2020. These were paid from previously unidentified bank accounts of the that company.[339] By October 2020 the payments were taken over by a company has not been identified in connection with this aircraft before. This UAE based company, 8LANG DMCC (a.k.a 8-LANG DMCC), is licensed to Christian Paul Durrant, who was named in S/2021/229 as having violated paragraph 9 to resolution 1970 (2011). Details of these accounts are as follows in table 67.1:

Table 67.1
New Opus related bank accounts used for payments in Cyprus[340]

Payment date	*Account holder*	*Bank*	*IBAN / Account #*
June 2020	Lancaster 6 DMCC	Commercial Bank of Dubai	AE 16 023 0000001002XXXX51
August 2020	Lancaster 6 DMCC	Commercial Bank of Dubai	AE 11 023 0000001002XXXX44
October 2020	8-LANG DMCC	Commercial Bank of Dubai	AE 94 023 0000001002XXXX39
February 2021	8-LANG DMCC	Commercial Bank of Dubai	AE 94 023 0000001002XXXX39
April 2021	8-LANG DMCC	Commercial Bank of Dubai	AE 77 023 0000001002XXXX54

[339] Known accounts were reported in S/2021/229, table 76.4.
[340] Full account numbers amended by the Panel to ensure financial security.

2. The Panel also notes that at the time of Project OPUS in July 2019 8-LANG was advertising itself as an "Air, Land & Sea Security" provider, whereas it now advertises itself as "Oil and Gas Logistics Specialists".[341] "Oil and Gas Logistic Services" were one of the cover stories used by the Project Opus team during the Panel's investigations.[342]

[341] https://www.8-lang.com.
[342] See S/2021/229, paragraphs 61 to 67 of annex 76.

Annex 68 Ilyushin IL-18D (MSN# 186009403)

Converted *Ilyushin* IL-18D cargo aircraft at Al Jufra (HL69)
(29°12'10.78"N, 16°00'09.15"E)
(31 January 2022)

In annex 95 to S/2022/429.Corr.1 the Panel reported on the presence of cargo aircraft IL-18TD (MSN# 186009403) operating from Al Khadim airbase (HL59) during 2022. The Panel reported that the aircraft was registered in the Central African Republic as TL-KBR, with the air operator being reported as ChvK Wagner.

Satellite imagery has now identified that the aircraft was operating from Al Jufra airbase (HL69) in Libya on at least 31 January and 17 May 2022.

The Panel wrote to the Central African Republic on 5 July 2022 requesting details of the aircraft registration. A response is still awaited. A source has confirmed though that in 2021 the aircraft was flying under a false registration of TL-ARN.

The use of this aircraft in support of HAF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. Satellite imagery and Google Earth Pro;
2. Annex 95 to S/2022/429.Corr.1, 27 June 2022; and
3. https://gerjon.substack.com/p/from-russia-to-libya-and-the-central, 2 July 2022.

Developed by UN Panel of Experts

1. On 29 January 2023 satellite imagery showed that the aircraft was likely destroyed by fire.

***Ilyushin* IL-18D cargo aircraft (TL-KBR) destroyed at Al Khadim (HL59)**
(31°59'47.64"N, 21°12'03.43"E)
(29 January 2023)

In annex 95 to S/2022/429.Corr.1 the Panel reported on the presence of cargo aircraft IL-18TD (MSN# 186009403) operating from Al Khadim airbase (HL59) during 2022. The Panel reported that the aircraft was registered in the Central African Republic as TL-KBR, with the air operator being reported as ChvK Wagner.

Satellite imagery has now identified that the aircraft was destroyed at Al Khadim airbase (HL59) in Libya on 29 January 2023.

On 23 April 2023 the Washington Post referenced a confidential US document which attributed the damge to a "successful unattributed attack", whereas other Libyan sources claimed a fire during refuelling operations. The Panel has been unable to verify either claim.

The use of this aircraft in support of HAF was a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. WorldView-3, (09:25:54Z, 29 January 2023);
2. Google Earth Pro;
3. Annex 95 to S/2022/429.Corr.1, 27 June 2022; and
4. https://www.washingtonpost.com/world/2023/04/23/wagner-russia-africa-leaked-documents/, 23 April 2023.

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Annex 69 Ilyushin IL-76TD (TL-KMZ)

***Ilyushin* IL-76TD cargo aircraft at Al Khadim (HL59) (31°59'46.30"N, 21°12'03.43"E) (16 March 2021)**

On 12 March 2021 an IL-76 cargo aircraft registered as EW-510TH flew from Moscow towards Benghazi. Satellite imagery and independent OSINT identified the aircraft as being present at Al Khadim airbase (HL59) from 16 March to 23/25 May 2021.

The aircraft was reported in the www.airhistory.net as being registered as TL-ART at that time, although it flew using the Mode-S code (5100FE) allocated to EW-510TH. A source has since informed the Panel that the TL-ART was a false flag.

Independent OSINT analysis subsequently identified the aircraft at Bangui M'Poko airport displaying the registration TL-KMZ from October 2021. ATDB (www.aerotransport.org) then reported the aircraft as being operated by ChvK Wagner.

The Panel wrote to the Republic of Belarus and the Central African Republic on 11 July 2022 requesting details of the aircraft deregistration and subsequent registration. A response is still awaited.

The use of this aircraft in support of HAF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/YorukIsik/status/1370441371924987907, 12 March 2021;
2. FlightRadar 24, 12 March 2021;
3. https://gerjon.substack.com/p/from-russia-to-libya-and-the-central, 2 July 2022; and
4. Satellite imagery and Google Earth Pro.

Developed by UN Panel of Experts

Annex 70 Seizure of blank-firing pistols in Misrata

1. On 4 March 2023, customs authorities in Misrata reportedly seized 12,000 pistols hidden in a shipping container among household items.[343] Available imagery shows pistols with design features similar to Retay Falcon 9mm blank-firing pistols. The Panel has reported on a regular basis about exports of blank-firing pistols to Libya, which have been converted to live-fire pistols for the domestic market or onwards illicit transfer.[344] The container arrived in Misrata onboard the MV *Belitaki* (IMO 9152923) on 2 February 2023. Container tracking shows the initial port of loading as Mersin, Türkiye, on 10 November 2022. The voyage took the container via Valencia, Spain; Pointe-à-Pitre, Guadeloupe; Cartagena, Colombia; and Valletta, Malta, before arriving in Misrata, a highly indirect voyage lasting almost three months. Container tracking records show that the port of discharge initially was Nevis, Saint Kitts and Nevis, but was changed to Misrata between 15 and 31 December 2022, while the container was in trans-shipment in Guadeloupe.

2. The Panel obtained the Turkish export declaration, loading instructions, draft waybill, and cargo manifests issued following the rerouting of the container.[345]

3. The export declaration dated 22 October 2022 identifies the shipper as "Capra Arms Savunma Ve Silah Sanayi [Tic Ltd]", literally spelled out as "Capra Arms Defense and Weapons Industry and Trade limited" (from now "Capra Arms"), of Konya, Türkiye, and the consignee as what appears to be a letter-box company[346] registered in Saint Kitts and Nevis. The container is declared as being loaded with 148 boxes of various listed kitchenware and blank-firing pistols (all in the Turkish language). The only Harmonized System (HS)[347] item code given in the export declaration is the code for miscellaneous furniture,[348] making it more difficult for non-Turkish speakers to identify that the cargo included blank-firing pistols. The loading instructions, also dated 22 October 2022, however, do contain the appropriate HS code for blank-firing pistols,[349] as well as several HS codes for kitchenware.[350]

4. The draft Waybill dated 16 November 2022, the day the container was loaded on a ship in Mersin, and the cargo manifest issued after Capra Arms requested the rerouting of the container to Misrata on 28 November 2022, in contrast, only referred to "148 boxes of kitchenware HS Code 392490",[351] thereby obfuscating the real content of the container. The draft Waybill and Cargo Manifest indicated the shipper only as "Capra San Tic Ltd", literally spelled out as "Capra Industry and Trade limited", omitting the words "arms" and the Turkish words for "defense and weapons". The address given is identical to that of Capra Arms. The consignee in Misrata was "Al-Takamul Al-Afriqii Company". The Panel wrote to Libya and both companies. No responses were received.

5. The carrier informed the Panel that the change of the name of the shipper and the misdeclaration of the cargo ensured that the shipment passed due diligence checks undertaken by the carrier. More attention in cross-checking also secondary information such as company addresses is a step the Panel would recommend carriers to undertake for transports to Libya. Had the carrier discovered that the company's real name included the words "arms" in English and "Defense" in Turkish, secondary due diligence procedures might have stopped the shipment.

6. The rerouting of a cargo of arms and related materiel from a destination without an arms embargo to Libya en route is problematic from an enforcement point of view, and in particular for materiel such as blank-firing weapons that usually do not require an EUC. Türkiye issued an export license for the destination of Saint Kitts and Nevis, and not Libya. By the time the cargo had left Türkiye en route to Saint Kitts and Nevis, its duty of care under the relevant resolutions ended, notwithstanding any legal action being taken after discovery of the export irregularity.

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[343] https://libyareview.com/32450/12000-smuggled-weapons-seized-in-libya/, 5 March 2023; https://libyaobserver.ly/inbrief/customs-misrata-seize-12000-handguns-citys-seaport, 5 March 2023.

[344] See also S/2014/106, paragraphs 62 and 68; S/2015/128, paragraph 153; S/2016/209, paragraphs 8 and 10; S/2017/466, paragraph 266 and annex 46; S/2018/812, paragraph 123; S/2019/914, paragraph 65 and annexes 29 and 30; and S/2022/427, annex 60.

[345] Confidential source.

[346] Company not named as investigation is ongoing.

[347] World Customs Organization Harmonized Commodity Description and Coding System ("Harmonized System").

[348] HS 940169.

[349] HS 9304.

[350] In particular variations of HS 392490.

[351] The generic HS code for kitchenware.

7. The transfer of these weapons to Libya is a violation of paragraph 9 of resolution 1970 (2011) by Capra Arms Savunma Ve Silah Sanayi San Tic Ltd and the Al-Takamul Al-Afriqii Company.

Annex 71 Materiel seized from MV Victory RoRo (IMO 7800112)

A. Introduction

1. On 18 July 2022, EUNAVFOR Operation IRINI boarded the Equatorial Guinea-flagged MV *Victory RoRo* (IMO 7800112) during a voyage from Aqabah, Jordan, to Benghazi, and subsequently seized 107 vehicles that were being transported on the vessel (see also annex 27 on a violation of the arms embargo by the same vessel).

B. Panel inspection

2. In accordance with its mandate established by paragraph 24 of resolution 1973 (2011) and modified by subsequent resolutions, a member of the Panel travelled to Marseille, France, the port of diversion, from 27 to 28 July 2022, to examine items seized onboard the MV *Victory RoRo* by EUNAVFOR Operation IRINI under the authority of resolution 2292 (2016), as extended by subsequent resolutions.

3. The Panel inspected the cargo, consisting exclusively of vehicles. The Panel observed the vehicles both onboard the MV *Victory RoRo*, as well as a large sample of the vehicles as they were being offloaded onto the quayside. The Panel also interviewed a member of the crew of the vessel.

4. The Panel's inspection established that the MV *Victory RoRo* transported 127 vehicles, 105 of which the Panel considers falling under the category of arms and related materiel, see table 71.1. For a full list of vehicles, see appendix 71.A. Examples images are in appendix 71.B.

Table 71.1
Overview of vehicles falling under the category of arms and related materiel

Number	*Type of vehicle*	*Armoured*	*Features*
3	Crew cab/flatbed 4x4 utility vehicle	Yes	2. Window gun ports 3. Separate armoured gunner cabin with 360 degrees turret and ballistic shield
7	Crew cab/flatbed 4x4 utility vehicle	Yes	4. Window gun ports 5. Gunner hatch 6. 360 degrees movable turret with ballistic shield
10	Crew cab/flatbed 4x4 utility vehicle	Yes	7. Window gun ports 8. Gunner hatch 9. 360 degrees movable turret
13	Crew cab/flatbed 4x4 utility vehicle	Yes	10. Window gun ports 11. Gunner hatch 12. with 360 degrees gun mount ring
62	Crew cab/flatbed 4x4 utility vehicle or 4x4 utility vehicle	Yes	13. Window gun ports
10	Heavy duty utility chassis cab 4x4 vehicle	No	14. Command and control superstructure with design features identical to command and control or diver support trucks observed in use by HAF

5. The cargo manifest indicated that the destination of the shipment was Benghazi (LYBEN). This was the declared destination of the vessel and was also confirmed by the interview with the crew member.

6. The Panel also recovered documentation, including armour rating certificates and vehicle identification numbers. The 13 armour rating certificates recovered were issued by Jordan VIP Armouring Industry Company, based in Jordan. The corresponding vehicles showed the company's logo in the glass of their armoured windshields. See appendix 71.B, figure 71.A.9.

C. Member State responses

7. On 31 August 2023, the Panel wrote to Liberia, the country of incorporation of the owner and operator of the MV *Victory RoRo*, Yildirim Shipping Company. No response was received.

8. On 13 January 2023, the Panel wrote to Jordan, the country of incorporation of Jordan VIP Armouring Industry Company and point of departure of the MV *Victory RoRo* for the intercepted voyage. No response was received.

D. Company responses and actions

9. Yildirim Shipping Company is the owner and operator of the MV *Victory RoRo*. The company is incorporated in Liberia, but uses an address in Mersin, Türkiye. The company uses an email address that is hosted on the domain of Legend Logistic. Under the section "news" on Legend Logistic's web presence, two postings dated 24 November and 2 December 2021, respectively, refer to activities of the MV *Luccello*, the MV *Victory RoRo*'s previous name.[352] Furthermore, according to Legend Logistic's website and maritime databases, Yildirim Shipping Company and Legend Logistic have almost identical addresses at 5306 Sokak, Yeni Mah, Akedniz, Mersin, Türkiye.[353] Legend Logistic has the same address as the previous registered owner and operator of the vessel, Medred Ship Management Co Ltd., which the Panel reported as having previously violated the arms embargo.[354] The founder Legend Logistic (a.k.a. Legend Logistic International or Legend Logistics) is Murat Yildirim.[355] This suggests that Yildirim Shipping Company and Medred Ship Management Co Ltd are both subsidiaries of Legend Logistic.

10. On 31 August 2022, the Panel wrote to Yildirim Shipping Company and copied Legend Logistic and Türkiye in the letter. The company did not reply to the Panel.

11. The Panel initiated tracing requests to the two producers of the civilian base versions of the vehicles. The results showed that the civilian base vehicles had been sold to distributors in Bahrain, Kuwait, Lebanon, Saudi Arabia and the United Arab Emirates. The distributors that responded to the Panel's letters said that they had sold the vehicles to other resellers in Kuwait, Saudi Arabia and the United Arab Emirates. Of the 107 vehicles, the Panel could ultimately trace 17 to a company in Jordan, Al Fia'a for Cars and Spare Parts. The Panel could not establish the contact details of that company. The 13 vehicles that had the logo and armour certificate of Jordan VIP Armouring Industry Company were part of the lot on which the Panel did not receive replies from the resellers. The status of the supply chains tracing as at the drafting of this report is found at appendix 71.C figures 71.C.1 and 71.C.2.

12. The Panel determined that at least the 13 vehicles that bore the logo of Jordan VIP Armouring Industry Company and had the company's armour certificates on board were converted from a civilian base version to armoured vehicles by that company. Jordan VIP Armouring Industry Company did not reply to the Panel's 13 January 2023 letter. The identity of the company that up-armoured the remaining 82 armoured vehicles, as well as the identity of the company that added the command and control superstructure to the remaining ten vehicles, has yet to be established.

E. After the vehicles had been offboarded from the MV *Victory RoRo*, the vessel was released and left the Marseille on 29 July 2022. She sailed to Latakia, Syria, where she remained while being renamed and registered under a different flag State.[356] Since 19 August 2022 the vessel operates as the Cameroon-flagged MV *Lady Roz*; the third name in two years. Since then, she has only been active in the eastern Mediterranean and the Red Sea.Panel's assessment

13. The Panel assesses that had the vehicles been delivered to Libya, it would have been a violation of paragraph 9 of resolution 1970 (2011).

14. Some of the resellers that were part of the supply chain in the present case are the same as in a case reported by the Panel in 2021, regarding a previous delivery of 4x4 vehicles from Aqabah to Benghazi.[357] That previous and the current investigation exemplify how companies that engage in after-market conversions of civilian base vehicles circumvent re-export and conversion restrictions implemented by car manufacturers: The producers of the base vehicles informed the Panel that they had measures in place to restrict re-export and modifications for unauthorized military conversions. Jordan VIP Armouring Industry Company did not procure the base vehicles directly from the manufacturers, nor from official distributors. Instead, the company procured the civilian base vehicles from the used cars market. The tracing of the vehicles revealed that they had at least two, but likely even more than four previous owners. This put obfuscating distance between

[352] https://legend-logistic.com/1396-2/ and https://legend-logistic.com/1433-2/.
[353] Yildirim Shipping Company is at 2/7 whereas Legend Logistic is at 1/5.
[354] S/2022/427, tables 2 and 3 and annex 30.
[355] https://legend-logistic.com/?page_id=415.
[356] This is the same location the vessel sailed to when being renamed from MV *Luccello* to MV *Victory RoRo*.
[357] MV Sunrise Ace (IMO 9338840), see S/2021/229, annex 35, appendix A, figure 35.A.2.

the distributors and the company, and created conditions to circumvent re-export and conversion restrictions put in place by the car manufacturers.[358]

15. The investigation also exposed a common obfuscation technique employed by carriers that are cognizant of breaking sanctions measures. Such carriers tend to be single-fleet owners and operators. For specific illicit business transactions, they create a separate company that is not openly identified as a subsidiary in a permissive jurisdiction, that is, in most cases investigated by the Panel, either Liberia or the Marshall Islands. The actual contact details, in particular phone numbers, are in other jurisdictions, often the one of the hidden parent company. The single vessel is then registered under the name of that subsidiary; the parent company never officially operates as vessel owner or operator. After a sanctions violation has been discovered, vessels are immediately being re-named and registered under a different flag State, in an effort to make the vessel less visible for future transactions. The subsidiary is terminated or at least its use is suspended, and a new subsidiary is being created. The vessel is further being registered under the new subsidiary, under which the vessel then engages in licit transactions until it is reactivated for an illicit one – which is not always the case. The history of MV *Victory RoRo*, as an example, is in table 71.2.

16. The case of the MV *Victory Roro* is particularly brazen, as the same vessel was repeatedly used to transport arms and related materiel to Libya in non-compliance with the arms embargo. Jurisdictional gaps in Member States' sanctions enforcement resulted in the vessel, the crew and the company not being subjected to punitive consequences . Except for losing a cargo, being deviated to another port and and having been held for several days, to the Panel's knowledge no legal action has been taken by any Member State in follow-up to the repeated violations.

Table 71.2
Vessel IMO 7800112 change of flag, name, ownership and operator

Date	*Vessel name*	*Vessel flag*	*Owner / Operator*	*Activity*
4 March 2022	Luccello	Comoros	▪ Medred Ship Management Co Ltd, Turkey (owner and operator)	▪ Arms embargo violation in Benghazi
Between 12 and 19 March 2022	Victory RoRo	Equatorial Guinea	▪ Yildirim Shipping Co, Turkey (owner and operator)	▪ Reflagged and renamed ▪ Owner change ▪ Operator change
2 May 2022	Victory RoRo	Equatorial Guinea	▪ Yildirim Shipping Co, Turkey (owner and operator)	▪ Arms embargo violation on voyage to Tripoli
18 July 2022	Victory RoRo	Equatorial Guinea	▪ Yildirim Shipping Co, Turkey (owner and operator)	▪ Operation IRINI seizure
19 Aug 2022	Lady Roz	Cameroon	▪ Yildirim Shipping Co, Turkey (owner and operator)	▪ Reflagged and renamed

[358] Such as age of vehicles and minimum mileage driven before a vehicle can be considered a second-hand vehicle. Each vehicle was several months old and had been driven for some distance.

Appendix A to annex 27: List of vehicles

#	Make and model	Armoured	Gun ports	Gun mount	Colour	Type
1	GMC Sierra chassis cab	×	×	×	white	command and control
2	GMC Sierra chassis cab	×	×	×	white	command and control
3	GMC Sierra chassis cab	×	×	×	white	command and control
4	GMC Sierra chassis cab	×	×	×	white	diver support
5	GMC Sierra chassis cab	×	×	×	white	diver support
6	GMC Sierra chassis cab	×	×	×	white	diver support
7	GMC Sierra chassis cab	×	×	×	white	diver support
8	GMC Sierra chassis cab	×	×	×	white	diver support
9	GMC Sierra chassis cab	×	×	×	white	diver support
10	GMC Sierra chassis cab	×	×	×	white	diver support
11	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
12	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
13	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
14	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
15	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
16	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
17	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
18	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
19	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
20	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
21	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
22	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
23	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
24	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
25	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
26	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
27	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
28	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
29	Toyota Hilux	✓	✓	×	white	dual-cab flatbed
30	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
31	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
32	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
33	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
34	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
35	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
36	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
37	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
38	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
39	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
40	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed

#	Make and model	Armoured	Gun ports	Gun mount	Colour	Type
41	Toyota Land Cruiser 79 DC	✓	✓	×	white	dual-cab flatbed
42	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
43	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
44	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
45	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
46	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
47	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
48	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
49	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
50	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
51	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
52	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
53	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
54	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
55	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
56	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
57	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
58	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
59	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
60	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
61	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
62	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
63	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	black rhinohide	dual-cab flatbed
64	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
65	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
66	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
67	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
68	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
69	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
70	Toyota Land Cruiser 79 DC	✓	✓	360 degrees gun mount ring	sand	dual-cab flatbed
71	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
72	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
73	Toyota Land Cruiser 79 DC	✓	✓	×	sand	dual-cab flatbed
74	Toyota Hilux	✓	✓	×	white	dual-cab flatbed
75	Toyota Land Cruiser 76	✓	✓	×	sand	passenger 4x4
76	Toyota Land Cruiser 76	✓	✓	×	sand	passenger 4x4
77	Toyota Land Cruiser 76	✓	✓	×	sand	passenger 4x4
78	Toyota Land Cruiser 76	✓	✓	×	sand	passenger 4x4
79	Toyota Land Cruiser 76	✓	✓	×	sand	passenger 4x4
80	Toyota Land Cruiser 76	✓	✓	×	white	passenger 4x4
81	Toyota Land Cruiser 76	✓	✓	×	white	passenger 4x4
82	Toyota Land Cruiser 79 SC	✓	✓	armoured gunner cabin	sand	single-cab flatbed

#	*Make and model*	*Armoured*	*Gun ports*	*Gun mount*	*Colour*	*Type*
83	Toyota Land Cruiser 79 SC	✓	✓	armoured gunner cabin	sand	single-cab flatbed
84	Toyota Land Cruiser 79 SC	✓	✓	armoured gunner cabin	sand	single-cab flatbed
85	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
86	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	black rhinohide	technical
87	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
88	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	sand	technical
89	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
90	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	sand	technical
91	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	black rhinohide	technical
92	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	sand	technical
93	Chevrolet Silverado	✓	✓	360 degrees movable turret with ballistic shield	sand	technical
94	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
95	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
96	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
97	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
98	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
99	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
100	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
101	Toyota Land Cruiser 79 DC	✓	✓	*	*	dual-cab flatbed
102	Toyota Land Cruiser 79 DC	✓	✓	*	*	dual-cab flatbed
103	Toyota Land Cruiser 79 DC	✓	✓	*	*	dual-cab flatbed
104	Chevrolet Silverado	✓	✓	*	*	*
105	Toyota Hilux	✓	✓	*	*	*

* Seen, but not documented in detail by the Panel.

Appendix B to annex 71: Sample images of seized vehicles

Figures 71.1 to 71.8
Sample images of vehicles seized from MV Victory RoRo

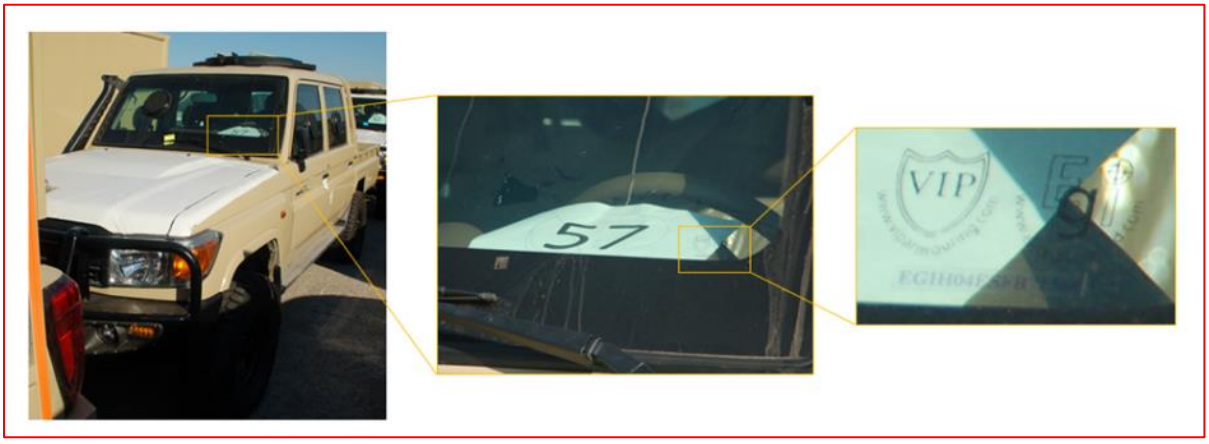







Source: Panel of Experts.

Figure 71.9
Jordan VIP Armouring Industry Company logo



Source: Panel of Experts.

Appendix C to annex 71: Results of supply chain tracing for civilian base versions of the seized vehicles

1. Companies not identified by name in figures 71.C.1 and 71.C2 responded to the Panel's requests for information and provided adequate data enabling the Panel to identify the next link in the supply chain. Companies identified by name either did not respond or did not provide information to a level that the Panel could identify the next link in the supply chain. General Motors Company and Toyota Motor Corporation fully complied with the Panel's requests and provided all requested information. They are only named as they are easily identifiable as manufacturers of the civilian base versions on the photographs contained in Annex B.

Figure 71.C.1
General Motors Company vehicles

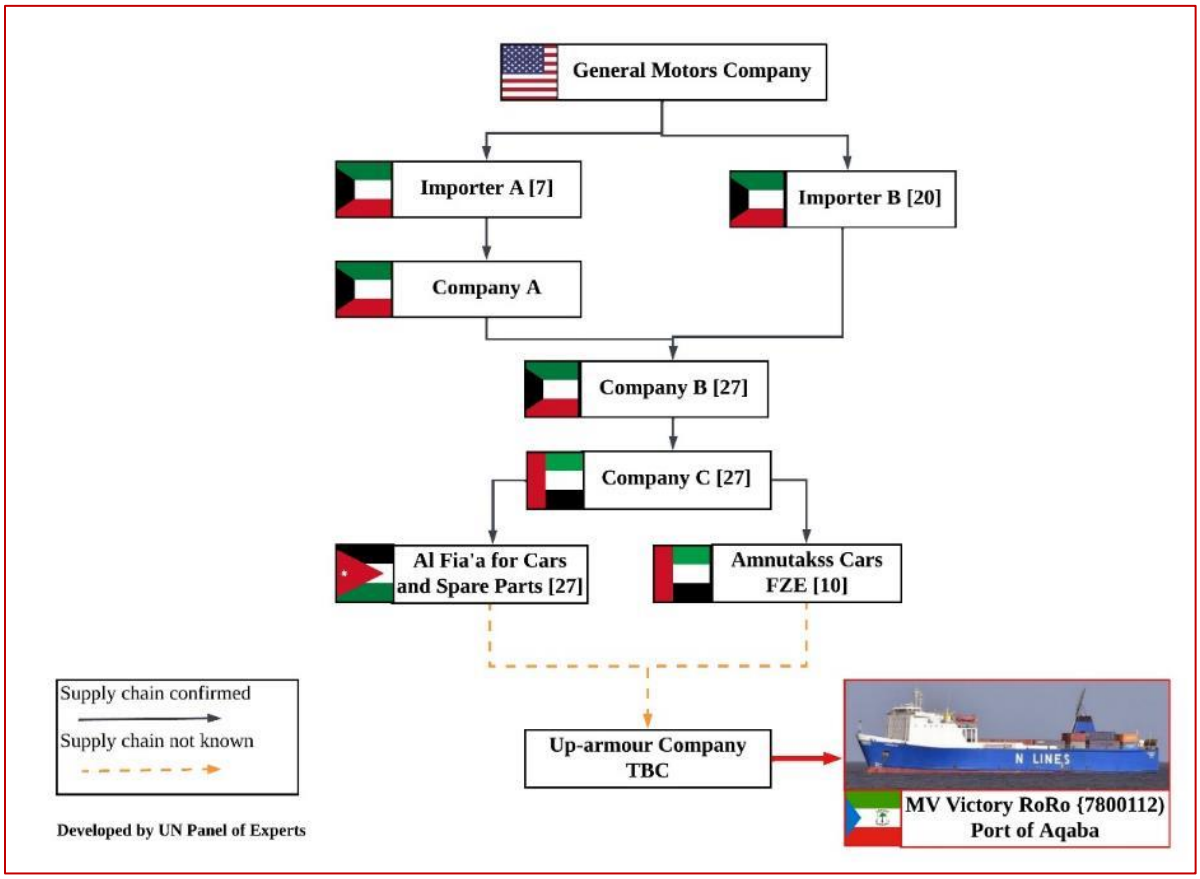
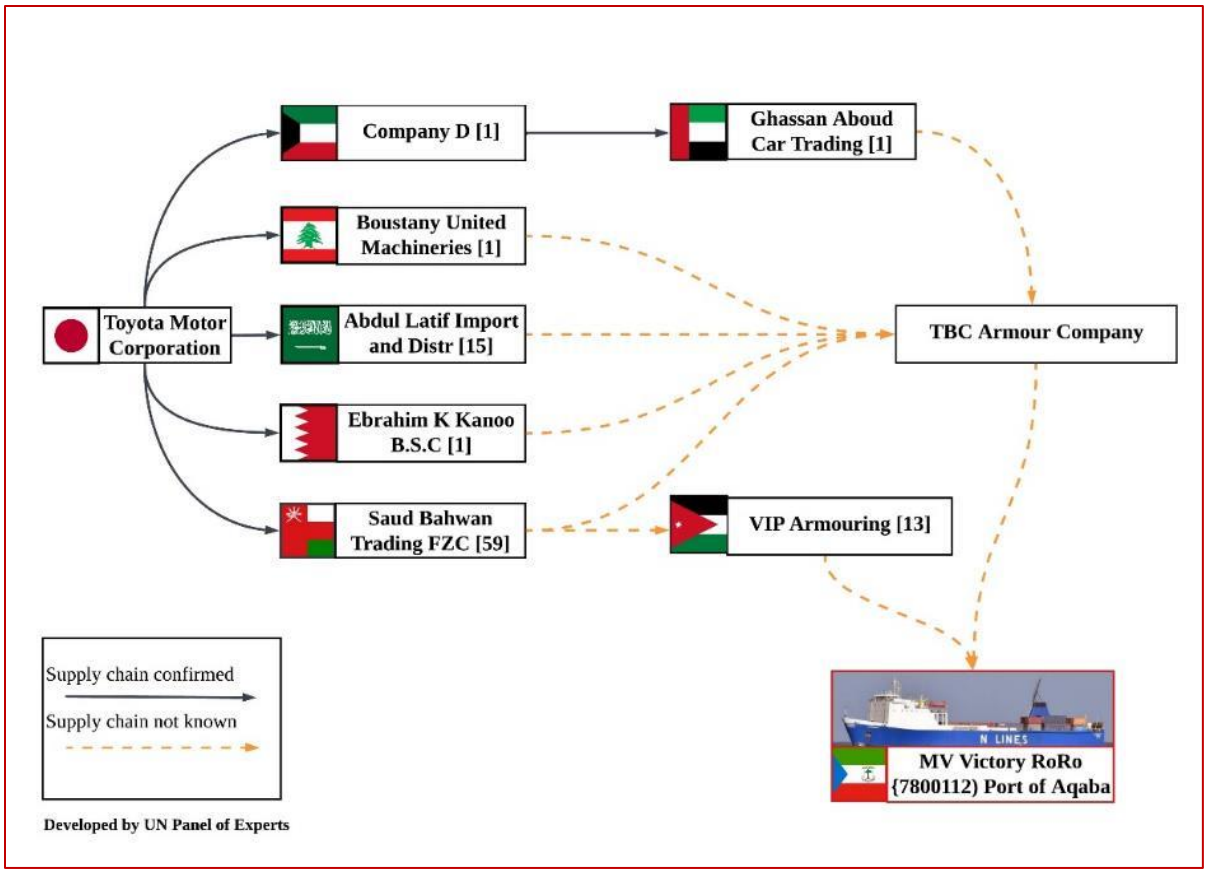


Figure 71.C.2
Toyota Motor Corporation vehicles



Annex 72 Materiel seized from MV Meerdijk (IMO 9377925)

A. Introduction

1. On 11 October 2022, EUNAVFOR Operation IRINI boarded the Netherlands-flagged MV *Meerdijk* (IMO 9377925) during its declared voyage from Jebel Ali, United Arab Emirates, to Benghazi, and subsequently seized 41 vehicles that were being transported on the vessel.

B. Panel inspection

2. In accordance with its mandate established by paragraph 24 of resolution 1973 (2011) and modified by subsequent resolutions, a member of the Panel travelled to Marseille, France, the port of diversion, on 18 October 2022 to examine items onboard the MV *Meerdijk* seized by Operation IRINI under the authority of resolution 2292 (2016), as extended by subsequent resolutions.

3. The Panel inspected the part of the cargo that consisted of vehicles. The Panel observed 26 vehicles in the cargo hold and 15 vehicles on the bow section of the weather deck. The Panel chose a representative sample size of 17 vehicles (41 per cent) for more in-depth inspection, as most vehicles were identical. The Panel interviewed a crew member and also obtained documentary evidence.

4. The Panel's inspection established that:

(a) The MV *Meerdijk* transported 41 vehicles. The vehicles were all of the same generic type, with 39 vehicles having identical design and configuration (for ease of reference hereon referred to as "Design A"), one vehicle having identical exterior design but a different interior configuration ("Design B"), and one vehicle closely resembling the others in design and dimensions, but having exterior design and interior configuration differences ("Design C"). The Panel chose 15 vehicles of Design A, the vehicle of Design B and the vehicle of Design C as the sample size. See appendix 72.1 for sample images of the vehicles.

(b) All vehicles were armoured (4 to 5 mm thick steel hull) and were of camouflaged sand colour. All vehicles except Design C had nine window gun ports; Design C only had three. All vehicles had a top hatch; Design C had three top hatches. Design B had a height-adjustable observer/gunner podium. None of the vehicles had weapon mounts at the top hatch, but the top hatches were reinforced through an extra layer of hull steel, providing the necessary structural strength for post-delivery mounting of weapons. All vehicles had external storage boxes, suitable for the storage of ready ammunition.

(c) The doors of all vehicles among the sample had hydraulically supported internal locking latches, allowing for quick dismounting in uneven ground conditions when used in a cross-country mode.

(d) All vehicles inspected had two top-mounted remote controlled LED search lights. They also had small LED blue and red strobe lights in the front and the back, except for Design C, which only had them in the front. They had a public address intercom and siren, except for Design C. All vehicles among the sample featured red tactical internal lights.

(e) All vehicles were based on Ford F550 4x4 chassis cabs. All vehicles except Design C had external features consistent with the *BATT UMG* armoured military vehicle shown on the The Armoured Group (TAG) website under the category of armoured military vehicles.[359] The close similarity of key design features of Design C suggests that this vehicle is likely an earlier variant of the *BATT* vehicle. Documentation shared with the Panel by the crew member included a ballistic certificate (CEN B6 standard) including the vehicle identification numbers observed by the Panel among the sample it inspected closely. That certificate was issued by The Armoured Group, TAG Middle East FZC, with an address in the United Arab Emirates. CEN B6 offers protection against high-powered rifles, and is the second highest CEN-rated ballistic standard.

(f) Both the bill of lading and the cargo manifest identified TAG Middle East FZC as the shipper, the "Ministry of Defense, Benghazi, Libya" as consignee, the port of loading as Jebel Ali and the port of discharge as Benghazi. The bill of lading and the cargo manifest differed in the notify entity, which the bill of lading identified as "Ministry of Defense, Government of National Unity, Benghazi, Libya" and the cargo manifest as "Ministry of Defense, Government of National

[359] https://www.armoredcars.com/vehicles/batt-umg/ .

Unity, Tripoli, Libya". The destination of Benghazi for the discharge of the vehicles was confirmed in the interview with the crew member.

(g) The documentation for the shipment, did not include an End User Certificate (EUC), which would be a normal requirement for such cargo shipments.

C. Member State responses

5. The Panel considered that a 28 January 2022 communication to the Committee from the UAE regarding the future delivery of armoured vehicles did not contain sufficient detailed information about the vehicles to enable the Panel to make a determination if the exception to the arms embargo of paragraph 13 (a) of resolution 2009 (2011), as modified by paragraph 10 of resolution 2095 (2013), applied. The Panel provided the information that would be necessary to make such determination, including that compliance with the arms embargo would require that military materiel is only delivered to forces declared to the Committee to be under the control of the government (see also annex 24). At this time it was not clear when such a transfer may take place, and the number of vehicles referred to in the communication, were not the same as the number seized.

6. After the seizure the Panel wrote to Libya on 7 November 2022, requesting confirmation that the Libyan Ministry of Defence had ordered the vehicles, and why and to which unit the vehicles were supposed to be delivered in Benghazi. No response was received.

7. On 11 November 2022 and 19 May 2023, the Panel wrote to the Netherlands, the flag State and State of incorporation of the owner and operator of the MV *Meerdijk*. The Netherlands responded on 17 July 2023 that its authorities had started a criminal investigation and could therefore not yet provide any further information.

8. On 1 December 2022, the United Arab Emirates provided a copy to the Panel of an "end-user certificate (EUC)", issued by the "Libyan Ministry of Defence". That "EUC" names the Ministry of Defence in Tripoli as final destination for the vehicles. The United Arab Emirates informed that Tripoli, Libya, was the final destination of the vehicles. The "EUC" was not signed by the authorized person to sign EUCs for Libya, as communicated to the Committee. Therefore, the "EUC" is invalid (see also annex 24). The United Arab Emirates also clarified that the vehicles had been "part of the transfer of 77 armoured vehicles" that the Committee were informed about on 28 January 2022.

9. The Panel wrote again to Libya on 22 December 2022, requesting verification of the invalid EUC and clarification about the end user and the discrepancy between the vehicles' destination in the cargo documents and in the invalid EUC. No response was received.

10. In its meeting with the Libyan Ministry of Defence in Tripoli on 12 January 2023, the Ministry informed the Panel that it had not received the Panel's letters on the subject. The Panel provided copies of the relevant letters to the Ministry. The Ministry confirmed that they were not aware of the order of the vehicles, or the invalid EUC. The Ministry informed the Panel that it would follow-up on the letters. None was received.

D. Company responses

11. On 9 November 2022, the Panel wrote to the Netherlands-based owner and operator of the MV *Meerdijk*, "Shipping Company Groningen". No response was received.

12. The Panel wrote to The Armoured Group, LLC (USA), who informed the Panel on 16 January 2023 that the vehicles had not been manufactured or sold by the company, and that TAG Middle East FZC (TAG UAE) was a company formed in the United Arab Emirates and owned by a third party. TAG (USA) has no ownership interest nor control or influence over TAG UAE. It only markets an affiliation with TAG UAE and other globally dispersed TAG companies to expand its global recognition.

13. It is notable, however, that, on its website, The Armored Group, LLC (USA) speaks of "manufacturing locations in key positions around the globe"[360] and links TAG Middle East FZC as "Middle East Office for The Armored Group (TAG)",[361] despite TAG Middle East FZC having its own website.[362]The website of TAG Middle East FZC further gives

[360] https://www.armoredcars.com/about/.
[361] https://www.armoredcars.com/armored-cars-uae/.
[362] https://armoredcarsme.com/military.

the impression that they are part of “TAG Global”, a name that does not appear to exist as a registered company. It is also notable that in their letters to the Panel, both companies use the exact same design, typeset, font and logo.

14. TAG Middle East FZC informed the Panel on 15 March 2023 that in October 2021 it had entered into an agreement with the Libyan Ministry of Defence of the GNU on the sale of vehicles. It further stated that in December 2021, the Libyan Ministry of Defence had issued an “EUC” for the vehicles, which had been attested by the Libyan Ministry of Foreign Affairs and the Libyan Embassy in the United Arab Emirates, confirming that the GNU would use the vehicles in Southern Libya for the internal security role of supporting operations countering illegal immigration, terrorism, and organized crime. In addition, the Ministry also certified that the vehicles would not be sold, exported, or re-exported without written permission from the relevant government authorities. On 6 September 2022, the company received a “Non-Objection Certificate and a clearance certificate from the UAE authorities for the export of 41 vehicles”. On 26 September 2022 the vehicles departed from Jebel Ali port bound for Benghazi port.

15. In practice this demonstrates that its brand structure enables The Armoured Group LLC (USA) to avoid eventual export restrictions in its home jurisdiction by producing, marketing and exporting its products in/from more permissible jurisdictions.

E. Panel’s assessment

16. Both the United Arab Emirates and TAG Middle East FZC invoke the exception of paragraph 13 (a) of resolution 2009 (2011), as modified by paragraph 10 of resolution 2095 (2013), which allows the supply of non-lethal military equipment, when intended solely for security or disarmament assistance to the Libyan government.

17. While the United Arab Emirates and the invalid EUC both list Tripoli as final destination of the vehicles, cargo documentation, crew interview and most importantly TAG Middle East FZC indicated Benghazi as their final destination. The Panel has not been able to establish the reason for the discrepancy in the location of the intended delivery of the vehicles.

18. The exception of paragraph 13 (a) of resolution 2009 (2011), as modified by paragraph 10 of resolution 2095 (2013) requires that the materiel is supplied to the Libyan government. To minimize the risk of deliveries to forces not under the control of the government, the Security Council requested by paragraph 6 of resolution 2278 (2016) that the Libyan government “appoint a focal point to brief the Committee at its request and provide information relevant to the Committee’s work on the structure of the security forces under its control, the infrastructure in place to ensure the safe storage, registration, maintenance and distribution of military equipment by the Government security forces, and training needs”.

19. A delivery of military armoured vehicles to “the Ministry of Defence, Tripoli, Libya”, with destination Benghazi and an invalid EUC not signed by a signatory that was an authorized signatory at the time of seizure of the vehicles (see annex 24), would not have been in compliance with the arms embargo. In particular, the destination Benghazi makes it clear that the vehicles would not have been delivered to forces under the control of the GNU. Therefore, it is the Panel’s assessment that had the vehicles been delivered to Libya, it would have been a violation of paragraph 9 of resolution 1970 (2011).

20. Even with the notification of Dbeibah as new signatory for EUCs on 9 June 2023, any deliveries of non-lethal military materiel would need to be clearly destined to notified forces under the control of the government to comply with the arms embargo.

Appendix A to annex 72: Sample imagery[363] of vehicles seized from MV *Meerdijk*

Figure 72.A.1
MV *Meerdijk* with covered vehicles on weather deck

Figure 72.A.2
Vehicles in cargo hold[364]

Figure 72.A.3
Vehicles on deck

[363] Source: Panel of Experts.
[364] The cargo hold was enclosed and no lighting was available.

Figures 72.A.4 to 72.A.5
Design A

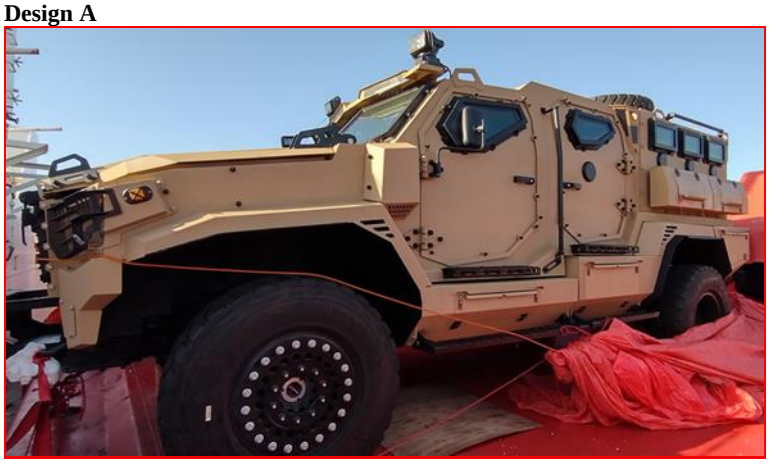
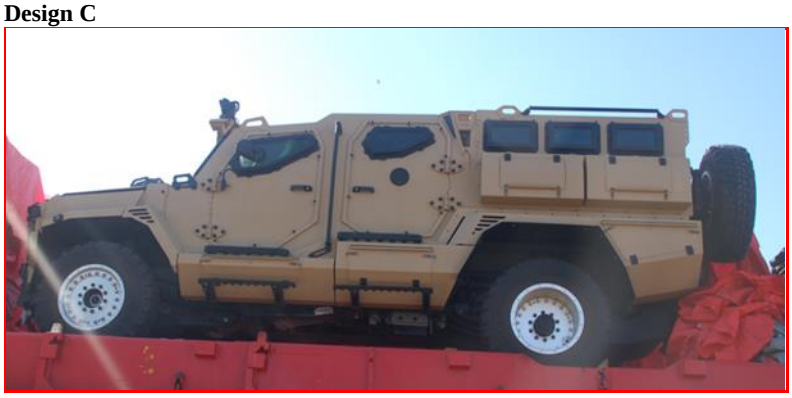


Figure 72.A.6
Design C



Annex 73 Creation of High Financial Oversight Committee by the Presidential Council

LIBYAN PRESIDENTIAL COUNCIL

Decisions

المجلس الرئاسي الليبي

القـــــرارات

قرار المجلس الرئاسي الليبي
رقم (18) لسنة 2023م
بشأن تنظيم ومتابعة الإنفاق العام وتعزيز الشفافية

المجلس الرئاسي:-

- بعد الإطلاع على الإعلان الدستوري الصادر بتاريخ 03/ أغسطس/2011م، وتعديلاته.
- وعلى الإتفاق السياسي الليبي الموقع بتاريخ 17/ديسمبر/2015م، والمضمن بالإعلان الدستوري.
- وعلى مخرجات ملتقى الحوار السياسي الليبي المنعقد بتاريخ 09/نوفمبر/2020م.
- وعلى مقررات لجنة المسار الاقتصادي المنبثقة عن مخرجات ملتقى برلين.
- وعلى قرار المجلس الرئاسي رقم(15) لسنة 2021م، بشأن إعتماد الهيكل التنظيمي وتنظيم الجهاز الإداري بديوان المجلس الرئاسي.
- وعلى ما تم إقراره في اجتماع المجلس الرئاسي (الثالث عشر) لسنة 2023م.
- وعلى ما تقتضيه المصلحة العامة و ضرورات المرحلة.

قـــــــــــرر

مادة (1)

تعد الأحكام الواردة بهذا القرار أحكاما مؤقتة تهدف لاعتماد ترتيبات مالية ومتابعة الإنفاق الحكومي وضمان توزيعه العادل، في ظل الظروف الاستثنائية للدولة.

مادة (2)

تشكل بموجب أحكام هذا القرار لجنة مالية عليا برئاسة السيد/ رئيس المجلس الرئاسي وعضوية السادة الآتي ذكرهم:-

1. فرحات عمر بن قـــــــدارة	نائبا للرئيس.
2. محمد مصباح أبوغمجـــــة	عضوا
3. علي إبراهيم السويـــــح	عضوا
4. رضا امحمد قرقـــــاب	عضوا
5. حاتم علي مفتاح حســـــن	عضوا
6. أحمد عبدالله المرتضـــــي	عضوا
7. علي حامد أرحومة نصـــــر	عضوا
8. مرعي مفتاح البرعصـــــي	عضوا
9. مصطفي محمد المانـــــع	عضوا
10. فاخر مفتاح بوفرنـــــة	عضوا
11. عبدالله علي عبـــــدالله	عضوا
12. خالد المبروك عبـــــدالله	عضوا
13. بدرالدين الصادق التومـــــي	عضوا

LIBYAN PRESIDENTIAL COUNCIL

Decisions

المجلس الرئاسي الليبي

القـــــرارات

14. محمد سالم الشهوبـــــــــي عضوا
15. عادل جمعة عامـــــــــر عضوا
16. ناصر محمد سعيد مسعـــود عضوا
17. حسام ادريس اسبيـــــــق عضوا ومقررا

مادة (3)

تختص اللجنة المشكلة بموجب أحكام المادة (2) من هذا القرار بالمهام التالية:-

1. إقرار أوجه الإنفاق العام للدولة، وأبواب الصرف وفقا لمبدأ الرشد المالي والتوزيع العادل.
2. متابعة الإيرادات العامة للدولة للتحقق من سلامة وكفاءة تحصيلها وفقا للنظم المعمول بها .
3. متابعة سلامة الإنفاق الحكومي وكفاءته وفقا لمخرجات اللجنة.
4. الاستعانة بالمؤسسات الدولية والمحلية ذات الإختصاص، لغرض التطوير المالي ورسم السياسات وتعزيز الشفافية .

مادة (4)

تلتزم اللجنة في إطار الوصول إلى المهام الموكلة إليها بما يلي:-

1. تحقيق مبدأ الرشد المالي.
2. تعزيز مبدأ الشفافية والإفصاح في جانبي المالية العامة للدولة - الإيرادات والنفقات - .
3. تحييد المال العام عن الصراع السياسي وخلق بيئة مالية ملائمة لإجراء الانتخابات.
4. ضمان مبدأ التوزيع العادل للموارد السيادية للدولة خلال المرحلة السياسية الإنتقالية.

مادة (5)

تضع اللجنة في اجتماعها الأول نظام عملها، وآلية انعقاد اجتماعاتها .

مادة (6)

تتخذ اللجنة قراراتها فيما يتعلق بالمهام الموكلة إليها بأغلبية ثلثي أعضائها.

مادة (7)

يعد من قبل التعدي على المال العام كل إنفاق أو تخصيص لأموال يتم بالمخالفة لأحكام هذا القرار، ويعرض مرتكبه للمساءلة القانونية.

مادة (8)

يعمل بهذا القرار من تاريخ صدوره ، وعلى الجهات المعنية تنفيذه.

المجلس الرئاسي الليبي

القرارات

المجلس الرئاسي الليبي

- صدر في 18 ذو الحجة 1444 هجري .
- الموافق 06 / 07 / 2023م
- القرار (20)

Source: https://twitter.com/libyapress2010/status/1677092766579343365?s=46&t=AJSuGTvN8PWieUi-5AGhcQ, 7 July 2023.

Official UN translation
Reference no 2314043E
Translated from Arabic

Libyan Presidential Council **Decisions**

Decision of the Libyan Presidential Council No. 18 (2023) on regulating and following up public spending and promoting transparency

The Presidency Council,

Having considered the following:
- The Constitutional Declaration of 3 August 2011 and amendments thereto
- The Libyan Political Agreement signed on 17 December 2015, which included the Constitutional Declaration
- The outcomes of the Libyan Political Dialogue Forum held on 9 November 2020
- The decisions of the Economic Track Committee that emerged from the Berlin Conference
- Presidency Council decision No. 15 (2021) concerning the adoption of an organizational structure for the bureau of the Presidency Council
- What was approved at the 13th meeting of the Presidency Council for the year 2023
- And what is required by the public interest at this stage,

Does hereby decide as follows:

Article 1

The provisions of this resolution shall be considered temporary provisions for approving financial arrangements, following up on government expenditures, and ensuring equitable disbursal in the light of the exceptional circumstances of the State.

Article 2

Under the provisions of this resolution, a Supreme Financial Committee shall be formed, chaired by the President of the Presidency Council and made up of the following members:

1.	Farhat Umar bin Qaddarah	Vice-Chair
2.	Muhammad Misbah Abu Ghamjah	Member
3.	Ali Ibrahim al-Suwayh	Member
4.	Rida Muhammad Qarqab	Member
5.	Hatim Ali Miftah Hasan	Member
6.	Ahmad Abdullah al-Murtada	Member
7.	Ali Hamid Arhumah Nasr	Member
8.	Mar‘i Miftah al-Bar‘asi	Member
9.	Mustafa Muhammad al-Mani‘	Member
10.	Fakhir Miftah Bufurnah	Member
11.	Nuruldin Abdullah Ali Abdullah	Member
12.	Khalid al-Mabruk Abdullah	Member
13.	Badruldin al-Sadiq al-Tumi	Member

[*Begin page 2*]

14.	Muhammad Salim al-Shahhubi	Member
15.	Adil Jum‘ah Amir	Member
16.	Nasir Muhammad Sa‘id Mas‘ud	Member
17.	Hussam Idris Asbik	Member and Rapporteur

Article 3

The Committee formed under the provisions of article 2 of this Decision shall have the following competencies:

1. It shall approve aspects of the State’s public expenditure and disbursal items in accordance with the principles of financial integrity and equitable distribution.

2. It shall follow up the State’s public revenues to verify that they are soundly and efficiently collected in accordance with regulations in force.

3. It shall follow up the soundness and efficiency of Government spending in accordance with the outputs of the Committee.

4. It shall seek the assistance of the relevant international and local institutions for the purposes of financial development, policy-making and promotion of transparency.

Article 4

In the course of going about the tasks with which it is charged, the Committee shall comply with the following:

1. Realizing the principle of financial integrity;

2. Promoting the principle of transparency and disclosure of the State’s public finances on both the revenues and expenditures sides;

3. Maintaining the neutrality of public assets in political conflict and creating a financial environment conducive to holding elections;

4. Ensuring the principle of equitable distribution of the sovereign resources of the State during the political transition.

Article 5

At its first meeting, the Committee shall set forth its working methods and a mechanism for holding meetings.

Article 6

The Committee shall take decisions on the tasks entrusted to it by a two-thirds majority of its members.

Article 7

Any expenditure or allocation of funds made in violation of the provisions of this Decision shall be deemed an infringement on public assets for which the perpetrator shall be legally accountable.

Article 8

The present Decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(*Signed*) [*Illegible*]
Libyan Presidency Council

Done on 18 Dhu al-Hijjah A.H. 1444
6 July 2021

Annex 74 Exports of fuel from Benghazi old harbour

A. 2146 focal point and NOC communications about illicit exports

1. On 9 May 2022, the focal point pursuant to resolution 2146 (2014) (2146 focal point) notified the Committee of three vessels illicitly exporting petroleum products from Benghazi. No designation on the sanctions list resulted, as Libya had not confirmed that it had "*contact[ed] the concerned vessel's flag State, in the first instance, to resolve the issue*", as required by resolution 2146 (2014).

2. On 18 October 2022, the 2146 focal point shared with the Panel a letter dated that same day, addressed "to whom it may concern", informing about unspecified attempts to illicitly export petroleum products from the port of Benghazi. That letter was signed by him in his capacity as general manager of the international marketing department of the NOC, and the NOC leadership was a copy addressee (see annex 78, appendix 78.A). A few days later, the focal point's letter appeared on social media, where speculation about the involvement of Saddam Haftar surfaced.[365] According to the 2146 focal point, the letter was sent in agreement with the NOC leadership to commercial partners to ensure their vessel did not approach Benghazi to load product. Shortly thereafter, the NOC denied smuggling operations from Libyan ports and the authenticity of the document.[366]

3. On 19 October 2022, the focal point informed the Panel, but not the Committee,[367] about another vessel loading illicitly refined product at the Benghazi port outside the umbrella of the NOC. The focal point further stated that he had requested the Libyan Ministry of Foreign Affairs to contact the flag State, so he could ultimately inform the Committee to request the vessel's designation under resolution 2146 (2014), but that the Ministry was slow to react to his request for reasons unknown to him. The focal point ultimately did not notify the Committee. After that exchange between the Panel and the 2146 focal point, the communication channel with the focal point considerably decreased (see annex 78).

4. These circumstances, in particular the NOC's denial of the authenticity of the 2146 focal point's open letter, created uncertainty about the legality of the exports. During the Panel's visit to Libya in January 2023, the NOC was unwilling to meet the Panel. It was only on 31 May 2023 that the Panel received confirmation in writing from the NOC that Benghazi old harbour is a commercial harbour and that the NOC had never used Benghazi port for any exports.[368] The NOC also informed the Panel that it had no affiliation with the tankers listed by the Panel in its letter, all of which (until the date of the letter, 26 May 2023) are also contained in appendix 74.B, table 74.B.1. In an online meeting with the Panel on 26 June 2023, the NOC confirmed that all exports of gasoil, diesel and gasoline from Libya were illicit.

B. Overview of illicit exports from Benghazi

5. The Panel established that fuel exports from the old harbour of Benghazi port (LYBEN) [32° 07'16.07"N, 20° 03'0.68"E] started in late March 2022, which is when the first tanker vessel arrived there. Previously, between late 2019 and early 2022, that area was used to export scrap metal (see appendix A, figure 74.A.1 and S/2021/229).[369]

6. The Panel identified that since late March 2022, at least 36 visits were undertaken by 24 tanker vessels (appendix 74.B, table 74.B.1). Seven tankers visited more than once, the MT *Queen Majeda* (IMO 9117806) undertaking the most visits (four) (see annex 75). The most commonly used flag under which tankers operated was that of Cameroon. The capacity of the tanker vessels was between 566 and 19,924 deadweight tonnage (DWT), averaging at about 5,700 DWT and falling in the extra small (under 10,000 DWT) to small (10,000 - 24,999 DWT) tanker categories. In all instances, tankers switched off their automatic identification system (AIS) upon approach to and/or upon leaving from Benghazi, in some cases more than 100 nautical miles off the port, to mask their visit. In 15 instances, sporadic AIS signals identified vessels in Benghazi old harbour. In 21 cases, movement profiles in combination with open-source and confidential satellite imagery identified those vessels that did not emit AIS signals from Benghazi old harbour at all.

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[365] See, for example, https://twitter.com/HA_REPORTER2/status/1583713384117460992, 22 October 2022.
[366] https://thelibyantimes.com/libyas-noc-denies-fuel-smuggling/, 24 October 2022.
[367] Pursuant to resolution 2146 (2014), the 2146 focal point is the counterpart of the Committee, not the Panel. The Panel's mandate derives from paragraph 13 of that resolution, which tasks the Panel with the monitoring of the measures decided in that resolution. For practical reasons, this also includes exchanges with the 2146 focal point.
[368] NOC letter of 31 May 2023, in response to a letter from the Panel inquiring about the activities at Benghazi old harbour.
[369] S/2021/229, annex 12, appendix A, figure 12.A.6.

7. Loading of the tanker vessels has been undertaken by tanker trucks, which collect their cargo at the Brega Company's Benghazi depot.[370] This is a lengthy process requiring, depending on the size of the vessel's available cargo capacity and the size of the tanker truck, between a dozen and several hundred tanker truck loads. Therefore, tanker vessels remain in Benghazi old harbour for several days, making them identifiable via satellite imagery despite deactivated AIS. The fuel stains on the quayside in Benghazi old harbour bear testimony to countless coupling and decoupling of tanker trucks. The tanker trucks used to operate mainly at night,[371] but more recently shelters were built on the quayside to hide trucks from view (see appendix 74.A, figures 74.A.1 through A.3).

8. Owing to the timing of the confirmation by the NOC that enables the Panel to treat all fuel exports from Benghazi as illicit under paragraph 2 of resolution 2362 (2017), and to the complexity involving investigations into tanker vessels, each with several stakeholders (flag State, State of cargo discharge, vessel owner, operator, charterer, etc.), the Panel only presents one exemplary case in annex 75 and presents generalized findings about the modus operandi in paragraph 119 of the report. The Panel's investigations are ongoing.

[370] 32° 07'5.27"N, 20° 02'55.15"E.
[371] Confidential source.

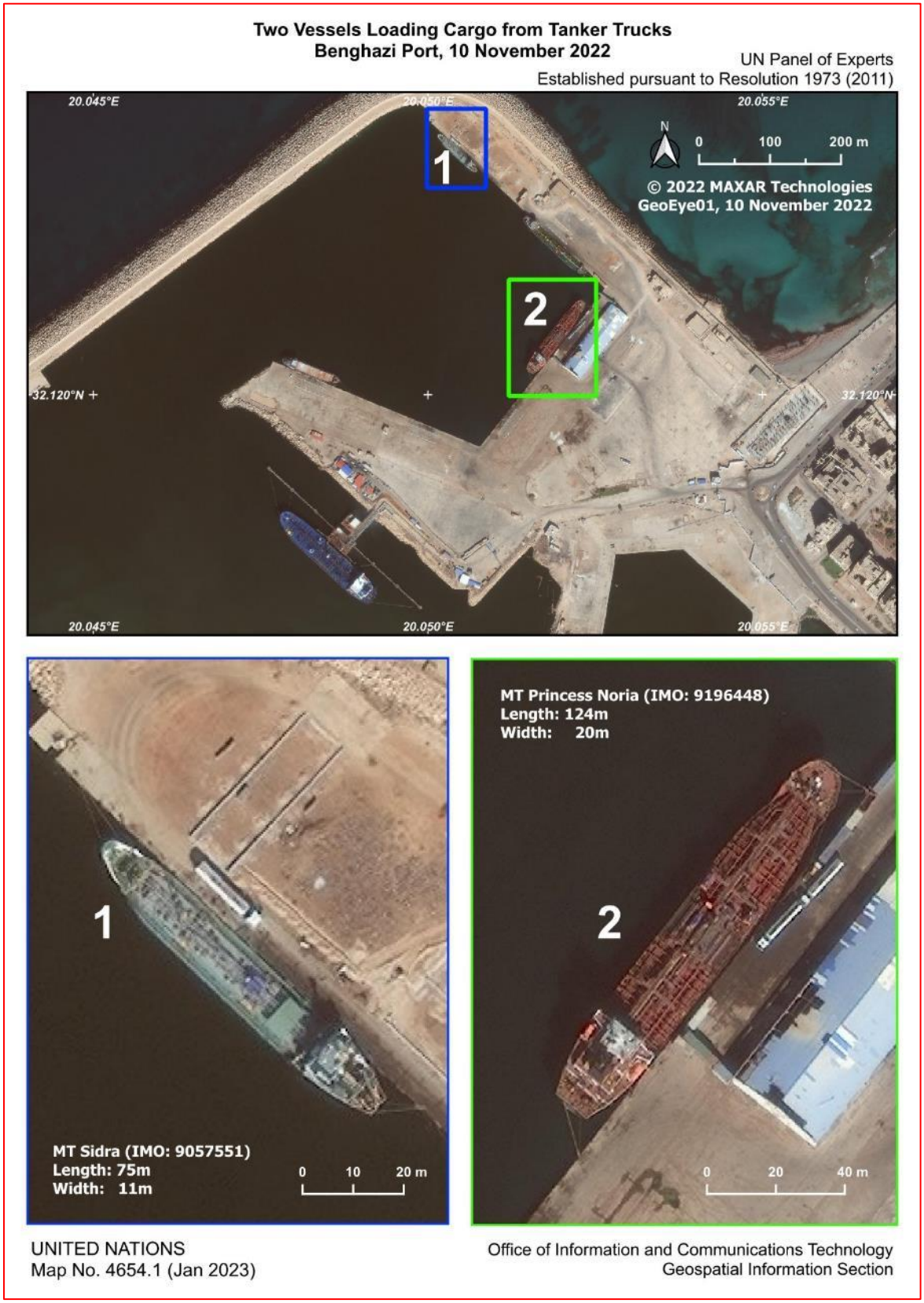
Appendix A to annex 74

Figure 74.A.1
Schematic overview of Benghazi fuel export infrastructure

Source: Google Earth Pro, 16 April 2023; developed by Panel of Experts.

Figure 74.A.2
Development of Benghazi old harbour from a scrap export to a fuel export hub

Figure 74.A.3
Example of tanker vessels loading from fuel trucks in Benghazi



Appendix B to annex 74: Tanker vessels identified by the Panel in Benghazi old harbour

Table 74.B.1
Tanker vessels identified by the Panel in Benghazi old harbour

Visit	*Date observed*	*Name of vessel*	*IMO number*	*DWT*	*Flag State*
1	28 March 2022	*Victory*	7128227	2,007	Cameroon
2	13 April 2022	*Maya 1*	9046758	1,200	Cameroon
3	14 April 2022	*Queen Majeda (renewed visit)*	9117806	2,547	Libya
4	22 April 2022	*Aqua Marine*	9179488	3,522	Türkiye
5	1 May 2022	*Queen Majeda (renewed visit)*	9117806	2,547	Libya
6	8 May 2022	*TSM Dubhe*	9249594	19,924	Tuvalu
7	26 May 2022	*MAC Jakarta (ex TSM Dubhe, renewed visit)*	9249594	19,924	Panama
8	8 June 2022	*Victory (renewed visit)*	7128227	2,007	Cameroon
9	18 July 2022	*Roschem-2*	8862935	2,754	Russian Federation
10	16 August 2022	*Queen Majeda (renewed visit)*	9117806	2,547	Cameroon
11	20 August 2022	*Beauty Queen*	9133393	3,710	Russian Federation
12	26 August 2022	*Unicom Alpha*	9133393	4,282	Russian Federation
13	1 September 2022	*Angelo 1*	7946942	566	Cameroon
14	4 September 2022	*Queen Majeda (renewed visit)*	9117806	2,547	Cameroon
15	9 September 2022	*Sophia*	7113375	3,184	Comoros
16	12 September 2022	*Anna*	9118159	4,972	Comoros
17	12 September 2022	*Sea Fortune*	9427275	13,023	Marshall Islands
18	13 September 2022	*Uni Trader*	9175169	6,623	Panama
19	19 September 2022	*Efe*	9558763	7,623	Vanuatu
20	4 October 2022	*Beauty Queen*	9133393	3,710	Russian Federation
21	3 November 2022	*Roschem-2 (renewed visit)*	8862935	2,754	Russian Federation
22	10 November 2022	*Sidra*	9057551	1,950	Tanzania
23	11 November 2022	*Princess Noria*	9196448	12,181	Panama
24	12 November 2022	*Istra*	9632088	4,500	Russian Federation
25	16 November 2022	*Uni Trader (renewed visit)*	9175169	6,623	Panama
26	6 December 2022	*Istra (renewed visit)*	9632088	4,500	Russian Federation
27	1 January 2023	*Beauty Queen (renewed visit)*	9133393	3,710	Cameroon
28	31 January 2023	*Kavkaz*	8884476	3,742	Guinea-Bissau
29	31 January 2023	*Almuntazah*	8860834	4,056	Cameroon
30	31 January 2023	*Jessica*	9140853	9,385	Comoros
31	8 March 2023	*Tony (ex Kavkaz, renewed visit)*	8884476	3,742	Guinea-Bissau
32	15 April 2023	*Alma Marine*	9438250	9,057	Barbados
33	27 April 2023	*Marisa N*	8004090	1,714	Cameroon
34	4 May 2023	*Alisa*	9113135	11,980	Comoros
35	17 May 2023	*Saeed 5*	8821759	7,030	Tanzania
36	14 June 2023	*Piero A*	9010955	2,698	Palau

Annex 75 MT *Queen Majeda* (IMO 9117806)

A. Overview

1. The Panel established that the MT *Queen Majeda* (IMO 9117806) berthed at Benghazi old harbour at least four times between April and September 2022 to load fuel and illicitly export it from Libya. The vessel's cargo was seized by Italy after the vessel entered Italian territorial waters on 24 May 2022. The vessel and cargo were then seized by Albania on 12 September 2022 when attempting to sell its cargo in Albania using forged documentation. The vessel remains in Albania as at the writing of this report.

B. 2146 focal point notification

2. On 9 May 2022,[372] the focal point pursuant to resolution 2146 (2014) (2146 focal point) informed the Committee that the Palau-flagged MT *Queen Majeda* (IMO 9117806) (see table 75.1 for vessel particulars) had "*illegally loaded from Benghazi*", without specifying the cargo. The Committee responded to the focal point by requesting more information, and in particular if the flag State had been contacted. No response was received.[373]

3. The Panel noticed a discrepancy between extant maritime databases as to the flag State of the vessel. While some identified Palau as the flag State, others identified Libya. The 2146 focal point told the Panel that while a Libyan registration was possible, that was difficult to establish as Libyan shipping registry also operated from the east of the country. At the time, the Panel was unable to confirm that Libya was indeed the flag State (see paragraph 17 of this annex). The Panel notes that had that been established at the time, the 2146 focal point could have requested that the Committee designate the vessel on the sanctions list, given that the requirement for flag State consultations would have become moot.

Table 75.1
MT *Queen Majeda* particulars

Name	Queen Majeda
IMO	9117806
Flag	Libya (until June 2022)[374] / Cameroon (since June 2022)
Ship type	Products Tanker
Deadweight	2,547 tonnes[375]
Registered Owner	Eldawadi Shipping Ltd., Marshall Islands
Operator	Eldawadi Shipping Ltd., Marshall Islands
Manager	Morrigan Shipping SA, Greece (until 20 May 2022) / Eldawadi Shipping Ltd., Marshall Islands (since 21 May 2022)

C. Timeline of events

1. First identified loading from Benghazi old port

4. The vessel only irregularly registered draft changes and travelled at most times with a medium load level registered. The Panel categorizes this as suspicious behaviour. In this annex, the Panel only mentions draft changes when they were registered.

5. The vessel left Piraeus (GRPIR) on 30 March 2022 and remained at anchor for several days in Greek littoral waters about three nautical miles (nm) from Piraeus. She left her anchoring position on 8 April 2022 and sailed to Benghazi (LYBEN) old harbour [32° 07'16.07"N, 20° 03'0.68"E], where she called in the port on 11 April 2022 and berthed at Quay

[372] This date falls into the previous mandate, but the Panel's last report, S/2022/427, had already been finalized by that date.
[373] Pursuant to paragraph 2 of resolution 2146 (2014), Libya needs to consult the flag State in the first instance before submitting a notification to the Committee.
[374] Previously flagged by Palau, which deleted the vessel from its register in May 2022, at a time when she was already flagged by Libya (double-flagging).
[375] Tonnes (metric tons) are used throughout the report as this is the SI unit used by the International Standards Organization (ISO).

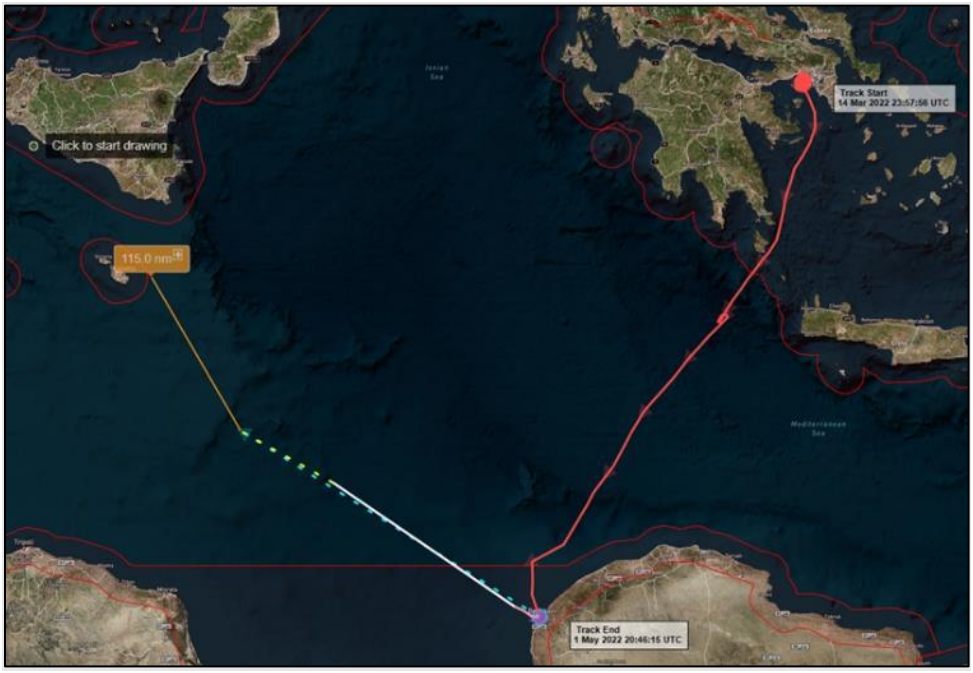
no.3 (figure 75.1) On 14 April 2022, she “went dark” by disconnecting her automatic identification system (AIS). Satellite imagery shows that on 21 April, 2022 she was still berthed at quay no.3 (appendix 75.A).

Figure 75.1
Benghazi old harbour quay numbering

Source: Google Earth Pro, 16 April 2023; developed by Panel of Experts.

6. The vessel’s AIS signal reappeared in the early afternoon of 25 April 2022, 240nm north-west of Benghazi. The vessel’s top speed is a little under 9 knots, that means she can travel that distance in under 30 hours. She then immediately disappeared again and appeared again on in the morning of 28 April, 160nm north-west of Benghazi. This means that the vessel’s location was unaccounted for around 4 days between 21 and 25 April, and a little over two days between 25 and 28 April. This would have allowed for sufficient time to travel the additional 115nm to Hurd Bank just outside of Maltese territorial waters, a well-known bunkering location [35° 53' 52" N, 14° 45' 37" E] and undertake ship-to-ship (STS) loading operations there, or to undertake STS operations while not under way. On 29 April 2022, the vessel called again at Benghazi old harbour, this time at Quay no. 2. On 1 May, she again “went dark”, (figure 75.2).

Figure 75.2
First identified Benghazi voyage of MT *Queen Majeda* with distance indicator from last known position to Hurd Bank



Source: S&P Maritime.

2. Second identified loading from Benghazi old port and Italy seizure

7. In the night of 21 May 2022, the vessel's AIS signal appeared for a brief moment 132nm north-north-west of Benghazi. Italy informed the Panel that on 24 May 2022, the captain of the MT *Queen Majeda*, then flying the Libyan flag, contacted the Italian authorities and requested entry into Italian waters, affirming that the ship was transporting illicit cargo. Although authorization was not given, the vessel entered Italian territorial waters. The Italian authorities inspected the vessel and found 3 million litres of undocumented marine gasoil (around 2,550 tonnes). The vessel was deemed as not seaworthy, as she was significantly overloaded. Crew members informed the Italian authorities that the ship had sailed from Benghazi and had been told that cargo documents would be provided while en route. They claimed to have entered Italian waters as they were being pursued by unspecified Libyan vessels.

8. The Italian authorities proceeded to temporarily seize the vessel in the port of Taranto (ITTAR). The vessels' owner subsequently requested the return of vessel and cargo, presenting cargo papers indicating that the final destination of the shipment was Albania. The vessel and cargo were released after payments of administrative fines. A criminal case is pending.

3. Release from Italy and Albania delivery

9. On 20 June 2022, the vessel changed its flag State to Cameroon. On 8 July 2022, the vessel left Taranto, Italy, with a draft of 5.5m, indicating a fully loaded, but not overloaded condition. The Panel has seen documentation suggesting that the vessel left Italy with around 2,178 tonnes of marine gasoil. She left on a southern course and "went dark" on 10 July 2022 around 60nm south-east of Sicily. The Panel has received documentation showing that on 11 and 13 of July 2022, the vessel supplied two other vessels via STS transfers at unknown locations, potentially Hurd Bank, which was only 80 nm from its last known location. On 25 July 2023, the AIS signal appeared in the port of Romano, Albania (ALROM), at the Europetrol maritime berth. The vessel then discharged 1,750 tonnes of marine bunker gasoil (figure 75.3).

10. The Panel obtained the vessel's cargo documents, created by Eldawadi Shipping Ltd, for the delivery on 25 July 2022 of 1,750 tonnes of marine bunker gasoil. The documentation showed the oil was loaded in Benghazi on 8 May 2022, with a certificate of origin by the "Ras El Mungar Terminal", and a stamp containing the word "Lybia" (sic) (appendix 75.B). The Panel notes that the cargo documentation is most certainly fake or forged. This is because (a) the stamp with the typographical error is unconvincing; (b) the Ras El Mungar marine terminal in Benghazi is only used for discharging fuel to the Brega Petroleum Marketing Company's Benghazi depot and it has no loading functionality;[376] and (c) Benghazi old harbour is not part of the Ras El Mungar marine terminal.

[376] Panel meeting with Brega Petroleum Marketing Company, Tripoli (12 January 2023); and Panel online meeting with NOC on 26 June 2023.

Figure 75.3
Voyage after seizure by Italy

Source: S&P Maritime

4. Third identified loading from Benghazi

11. On 27 July 2022, the vessel left Romano and sailed directly to Benghazi. Once in Libyan territorial waters, on 1 August 2022 and 5nm from Benghazi, she went dark on AIS. On 6 and 7 August 2022, satellite imagery showed the vessel berthed at Quay no. 3 in Benghazi old harbour (figure 75.4 and appendix 75.A). The AIS signal reappeared on 16 August 2022, at Quay no. 3. On 18 August 2022, the vessel left Benghazi and sailed due north. On 20 August 2022, the AIS "went dark" around 230nm south of Albania. She reappeared on 24 August 2022, 8nm from Romano, Albania, and the vessel berthed at the Europetrol berth that same day. Of note is that on that voyage, a draught of 5.8 metres was registered, which is 0.3 metres above the vessel's maximum draft of 5.52 metres. This indicates a significantly overloaded condition, almost certainly to increase cargo capacity and thus profit.

12. The Panel obtained the vessel's cargo documents, issued by Eldawadi Shipping Ltd, for the delivery on 23 August 2022 of 2,236 tonnes of marine bunker gasoil, loaded in Benghazi on 7 August 2022, again with a certificate of origin by "Ras El Mungar Terminal", with a stamp containing the word "Lybia" (sic) (appendix 75.C).

Figure 75.4
MT *Queen Majeda* at Benghazi old port, quay no.3

Source: Google Earth Pro, 6 August 2023.

5. Fourth identified loading from Benghazi and Albanian seizure

13. The vessel left Romano on 25 August 2022 and sailed directly to Benghazi, without no AIS interruptions. She arrived in Bernghazi old port on 28 August 2022 and berthed at Quay no. 3. The vessel left Benghazi on 8 September 2022, with a registered draught of 5.6 metres; a moderately overloaded condition. She sailed north heading for Albania, where the vessel was seized by Albania authorities in the port of Durres (ALDRZ) on 12 September 2022. A criminal case was opened by the Albanian authorities; investigations are ongoing.

14. According to the cargo papers, all issued by the vessel's owner and operator, Eldawadi Shipping Ltd., the vessel was transporting 2,275 tonnes of gasoil (roughly 2.6 million litres). The documents also contained a certificate of origin with a letterhead featuring "Brega Petrolium" (sic), the National Oil Corporation and "Ras El Mungar Terminal Benghazi Lybia" (sic) (see appendix 75.D). Apart from the typographical errors, the following makes clear that the document is forged:

(a) The Brega Petroleum Marketing Company has no mandate for any exports, as it is only mandated to distribute fuel within Libya. This was confirmed by the Company's leadership in its meeting with the Panel on 12 January 2023 in Tripoli. At that meeting, the Panel handed over a copy of the certificate of origin; the company's leadership identified the document as fake.

(b) The 2146 focal point confirmed to the Panel that the National Oil Corporation does not export any product that is subsidized in Libya, that is gasoil, diesel and gasoline. This was confirmed a member of the board of the National Oil Corporation in an online meeting with the Panel on 26 June 2023.

(c) The Ras El Mungar marine terminal in Benghazi is only used for discharging fuel to the Brega Petroleum Marketing Company's Benghazi depot. It has no loading functionality.[377] This is why the export took place via loading by 54 tanker trucks, which was even mentioned in the cargo documents the Panel obtained for this voyage (see appendix 75.D). Benghazi old harbour is not part of the Ras El Mungar marine terminal.

15. The Albanian authorities had doubts about the authenticity of cargo documentation. For that reason, on 6 October 2022 the Albanian Ministry for Europe and Foreign Affairs (MEFA) requested that the Libyan Ministry of Foreign Affairs confirm the authenticity of the cargo documentation. A request for legal assistance was submitted to Libya through MEFA on 7 November 2022. On 10 January 2023, MEFA was informed by the legal counsel for the detained Libyan crew members of the MT *Queen Majeda* that the Libyan authorities had sent their reply, authenticating the documents, to MEFA, through the Libyan Embassy in Tirana. MEFA had, however, not received any communication from the Libyan authorities and wrote to the Libyan Embassy in Tirana on 18 January 2023, informing about the claim of the legal counsel and noting that that they had not received a reply to their initial request. On 24 January 2023, the Libyan embassy to Tirana responded that it had not received any reply from the Libyan authorities, and was continuing to follow up. The MEFA sent a reminder 31 January 2023, recalling that also the request for legal assistance remained unanswered. A reminder was sent on 6 February 2023.

16. The Panel obtained from a confidential source a document to which the legal counsel was likely referring. It is a letter dated 27 December 2022, which was sent via email from the address "int.orgs.dir@foreign.gov.ly",[378] addressed to a "Foreign Department".[379] The letter claims to be from the Libyan Ministry of Foreign Affairs' Department of Consular Affairs, and confirms the authenticity of "shipping documents issued by "Brega Oil Marketing Company No. 091004/091003/091005" and the "Certificate of Origin issued by the Military Investment Authority No. 00335".[380] The letter requests the Albanian authorities to release the vessel. The Panel has not been able to establish to which documents the letter refers (see appendix 75.E).

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[377] 1) Panel meeting with Brega Petroleum Marketing Company, Tripoli (12 January 2023); and 2) Panel online meeting with NOC on 26 June 2023.

[378] This is the official domain of the Libyan Ministry of Foreign Affairs.

[379] Email address unknown to the Panel.

[380] The Panel previously reported on the HAF-controlled Military Investment Authority's involvement into the illicit sale of fuel, see S/2021/229, paragraphs 24, 127 and annex 85.

17. On 30 June 2023, Albania informed the Panel in a note verbale dated 29 March 2023, that the Libyan Embassy in Tirana had written to the MEFA informing them that; (a) the Libyan Port and Maritime Authority had deregistered the vessel on 24 May 2022;[381] (b) the tanker was illegally carrying fuel and oil cargoes from the port of Benghazi, outside the umbrella of the National Oil Corporation"; and (c) that flag States should take responsibility for vessels that conduct illicit activities.

D. Panel assessment

18. The Panel found that the MT *Queen Majeda* illicitly exported petroleum products from Libya at least four times. The investigations into the networks involved in the illicit exports continue.

[381] Thereby confirming that the vessel was indeed flagged by Libya.

Appendix 75.A Satellite imagery of MT *Queen Majeda* in Benghazi old harbour

Appendix 75.B Cargo documents for 8 May 2022 loading

RAS EL MUNGAR TERMINAL

CERTIFICATE OF ORIGIN

Shipment No:14/22 Date 08th May 2022

This is to Certify that the Cargo of Gasoil loaded :

S/S : M/V	: QUEEN MAJEDA
Consignor	: ELDWADI SHIPPING LTD
Consignee	: To the order of ELDWADI SHIPPING LTD
Destination	: FOR ORDER PORTO ROMANO ALBANIA
Is a Product of	: LIBYA

RAS EL MUNGAR TERMINAL

BENGHAZI
RAS EL MUNGAR TERMINAL
LYBIA

Source: Confidential.

Appendix 75.C Cargo documents for 7 August 2022 loading

RAS EL MUNGAR TERMINAL

CERTIFICATE OF ORIGIN

Shipment No:15/22 Date: 07/08/2022

This is to Certify that the cargo of Gasoil loaded: 2.235,90 MT

Port of discharge: DURRES ALBANIA

M/T : QUEEN MAJEDA
Consignor : ELDWADI SHIPPING LTD
Consignee : To the ored of ELDWADI SHIPPING LTD
Destination : FOR ORDERS PORTO ROMANO DURRES ALBANIA
Is a product of : LYBIA

MT QUEEN MAJEDA
KRIBI

MT QUEEN MAJEDA
KRIBI

RAS EL MUNGAR TERMINAL

BENGHAZI
RAS EL MUNGAR TERMINAL
LYBIA

Source: Confidential.

Appendix 75.D Cargo documents for 5 September 2022 loading

BREGA PETROLIUM

المؤسسة الوطنية للنفط
National Oil Corporation

RAS EL MUNGAR TERMINAL

BENGHAZI LYBIA

CERTIFICATE OF ORIGIN

Shipment No:16/22 Date: 05/09/2022

This is to Certify that the cargo of Gasoil loaded: 2.272,7172 MT

Port of discharge: DURRES ALBANIA

S/S M/T	: QUEEN MAJEDA
Consignor	: ELDWADI SHIPPING LTD
Consignee	: To the order of ELDWADI SHIPPING LTD
Destination	: FOR ORDERS PORTO ROMANO DURRES ALBANIA
Is a product of	: LYBIA

RAS EL MUNGAR TERMINAL BENGHAZI LIBYA

MARITIME

P.O. BOX : 1278 Benghazi

ص.ب 402 طرابلس
ص.ب 1278 بنغازي

اشعار تسليم منتجات بحرية بالأجل
BUNKER CREDIT DELIVERY NOTE

رقم المستند Doc. No: 091001

المستودع terminal: 73 SUPPLY SHIP

الزبون Customer: ELDAWADI SHIPPING LTD

ACC. No / ح/رقم: 2 1 0 3 1 2

رقم طلب الزبون customer order No.: 04

اسم الباخرة Vessel Name: QUEEN MAJEDA.

جنسيتها Nationality: Cameroon.

المدينة/City: Benghazi

الميناء/Port: Benghazi port

Date of Issue تاريخ الاصدار: 05 09 2022

الرحلة المعفاة جمركيا ضع الرقم (2)
If Flight Duty Free Enter (2) → 2

رقم شهادة الاعفاء
Duty Free Cert. No:

Product / Grade المنتوج / الدرجة NAME اسم	الكثافة S.G. 15	اللزوجة VIS	د. الوميض F.P.	Packing / التعبئة نوع TYPE	وحدة UNIT	رقم الخزان Tank	رقم المنتوج product code	التعبئة pack code	الكمية Quantity
GASOIL.	0.8651	—	—	BULK	LTR		4 1 4 1 3 4 1 7	1	2630,000

SALE DEP 52

Checked by:

Approved by:

Delivery Date: 05.09.20[illegible]

53 TRUCKS.

Tank.

الناقل: 0 0 0 1 3 2 1 2

نوع السيارة: 1

رقم السيارة / الاصل

الساعة:

تاريخ المغادرة:

توقيع السائق

1- نقل خاص 2- يدفع النقل 3- يحسب ولا يحمل: 3

1- باخرة 2- شاحنة 3- خط انابيب 4- بارجة: 2

1- نقل الشركة 2- نقل المتعهد: 1

محطة التسليم | المسار

Customer Sig.:

ملاحظات الزبون:

Coming From قادمة من: DURSS

Going To متجهة الى: DURSS

Time Ordered وقت الطلب	28.08.2022	قراءة العداد Meter reading	Before قبل	
Time Started وقت الابتداء	05.09.2022		After بعد	
Time Completed وقت الانتهاء			Difference الفرق	

نقطة التزويد

سيارة / مرسا / التزويد

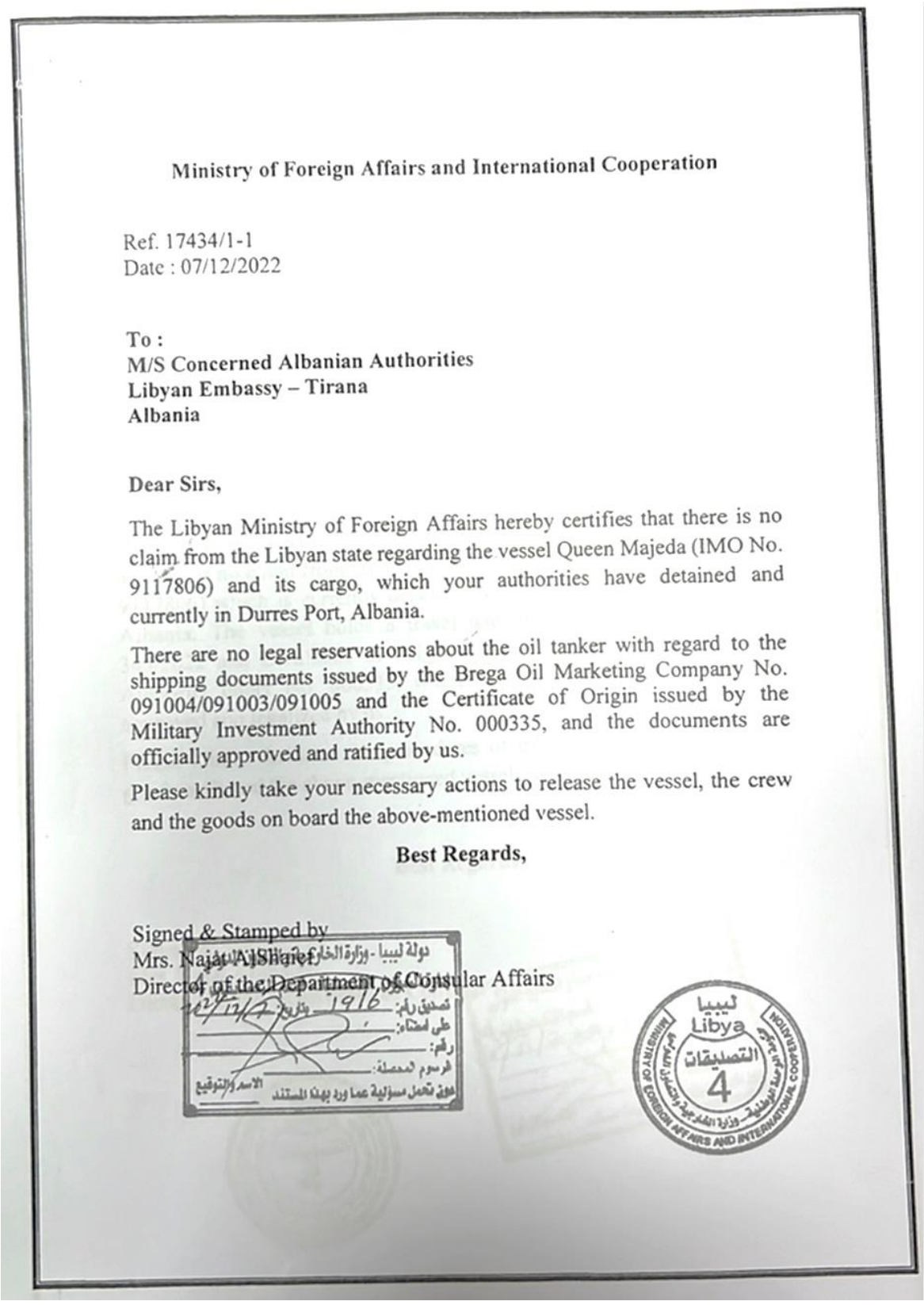
REMARKS ملاحظات

الزبـــون

- 4 -

Source: Confidential.

Appendix 75.E Letter requesting release of the vessel



Ministry of Foreign Affairs and International Cooperation

Ref. 17434/1-1
Date : 07/12/2022

To :
M/S Concerned Albanian Authorities
Libyan Embassy – Tirana
Albania

Dear Sirs,

The Libyan Ministry of Foreign Affairs hereby certifies that there is no claim from the Libyan state regarding the vessel Queen Majeda (IMO No. 9117806) and its cargo, which your authorities have detained and currently in Durres Port, Albania.

There are no legal reservations about the oil tanker with regard to the shipping documents issued by the Brega Oil Marketing Company No. 091004/091003/091005 and the Certificate of Origin issued by the Military Investment Authority No. 000335, and the documents are officially approved and ratified by us.

Please kindly take your necessary actions to release the vessel, the crew and the goods on board the above-mentioned vessel.

Best Regards,

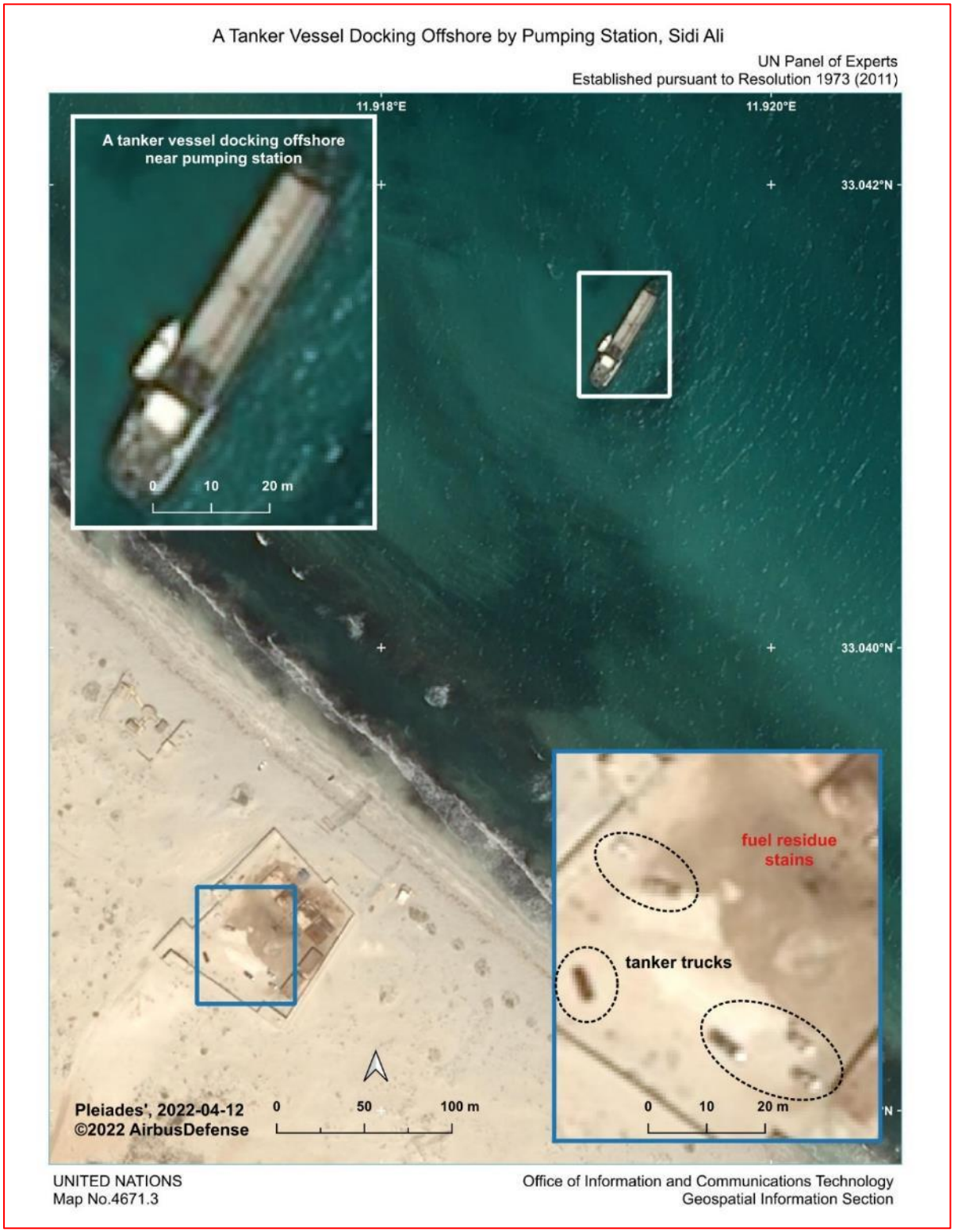
Signed & Stamped by
Mrs. Najat Alsharef
Director of the Department of Consular Affairs

دولة ليبيا - وزارة الخارجية
تصديق رقم: 1916
على امتداد:
رقم:
الرسوم المحصلة:
الاسم والتوقيع
دون تحمل مسؤولية عما ورد بهذا المستند

ليبيا Libya
التصديقات 4
وزارة الشؤون الخارجية والتعاون الدولي
MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION

Source: Confidential.

Annex 76 Unidentified tanker at fuel smuggling pumping station at Sidi Ali



Location is at 33°02'19.37"N, 11°55'01.42"E.

Annex 77 Maritime fuel smuggling in the west

A. MT *Xelo* (IMO: 7618272)

1. In the night of 14 April 2022, the Equatorial Guinean-flagged MT *Xelo* (IMO: 7618272), a 1,010 deadweight tonnage (DWT) oil bunkering tanker, sank in Tunisian waters off the Port of Gabes (TNGAE).[382] This was her first visit to Tunisia, having previously mostly operated around Hurd Bank [35°53'52.00"N, 14°45'37.00"E] and other locations just outside Maltese territorial waters. She had numerous instances of "going dark" by deactivating her automatic identification system (AIS). The vessel was once, on 28 September 2021, seen anchored in littoral waters at the Sidi Ali pumping station in Abu Kammash, Libya [33° 02'19.37"N, 11°55'01.42"E], where the Panel suspects that she illicitly loaded fuel (see also paragraph 120 of the report).

2. On 21 March 2022, the vessel was at Hurd Bank when she "went dark" by deactivating her AIS. Her AIS signal reappeared on 28 March south-south-east of Malta and returned to Hurd Bank. The six days she was unaccounted for would have been sufficient for a voyage to Abu Kammash.

3. On 31 March 2022, the vessel left for Tunisia, where she made a port call in Sfax port, Tunisia (TNSFA). On 4 April 2022, coming from Hurd Bank near Malta, and left with a declared destination of Damietta port, Egypt (EGDAM) on 8 April 2022. She loitered just outside Sfax for a day and then disconnected her automatic identification system (AIS) on 9 April. On 14 April, her AIS signal reappeared 6 nautical miles (nm) off Djerba, Tunisia, having been unaccounted for almost five days. That time would again have allowed a visit to Abu Kammash. She sank the same night 3nm off Gabes, Tunisa.

4. The vessel fulfilled several of the Panel's indicators for suspicious behaviour, and the Panel's investigation into whether the vessel illicitly exported refined petroleum products from Libya previously and in particular between 8 and 14 April 2022,[383] continues. Neither Equatorial-Guinea nor Tunisia responded to the Panel's letters.

B. MT *Serdar* (IMO: 9062398)

5. Libya informed the Panel on 5 July 2023, in response to its letter dated 17 March 2023, that on 1 March 2023, the Libyan Coast Guard, the General Administration for Coastal Security (GACS) and the Petroleum Facilities Guards seized the MT *Serdar* (IMO: 9062398) in a joint mission, as she was smuggling fuel out of Abu Kammash. The vessel was brought to Tripoli port (LYTIP), where the crew was handed over to Deterrence Apparatus for Combating Organized Crime and Terrorism (DACOT).

6. The Panel established that the vessel had sailed from Tuzla, Türkiye (TRTUZ), on 23 February 2023 with declared destination Valetta, Malta (MTMLA), when its AIS was disconnected at Hurd Bank, just outside Maltese territorial waters on 27 February. Malta informed the Panel that the vessel had not notified the relevant Maltese authority of any entry into its territorial waters and ports and had also not requested vessel traffic services (VTS). No service vessels reported having provided services to the vessel.

7. The vessel is a 1,629 DWT oil/chemical tanker that previously operated under the name *Munis*. Since 31 January 2023 she operates under the name *Serdar*, flagged by Saint-Kitts and Nevis. The vessel's owner is M&A Shipping and Trading Ltd., a company based in Marshall Islands with a contact address in Istanbul, Türkiye. Its operator is a company based in Istanbul, Türkiye, Fortuna Gemi Isletmeciligi Denizcilik ve Teknik Danismanlik Ticaret Ltd Sti. The Panel wrote to the owner on 22 March 2023, and copied Saint Kitts and Nevis (flag State), the Marshall Islands (State of incorporation) and Türkiye (State of additional company address). No response was received. The Panel could not contact the operator, as its email address was dysfunctional, and its website appeared to be infected with a virus.[384]

C. Other cases under investigation

8. The Panel is also investigating potential smuggling of fuel by another tanker, the MV *Alkareem* (IMO: 7359149), which was reportedly seized by Libyan authorities on 24 April 2022 for smuggling petroleum.[385] Furthermore, the Panel is

[382] S&P Maritime.
[383] 1) https://www.agenzianova.com/en/news/tunisia-oil-tanker-xelo-sunk-the-crew-ends-up-in-jail/, 27 April 2022; and 2) https://www.middle-east-online.com/en/commercial-ail-tanker-runs-aground-tunisian-coast, 16 April 2022.
[384] trinfo@fortunashipping.com.tr; website not replicated in linkable format for IT safety reasons.
[385] https://twitter.com/ObservatoryLY/status/1518024276242223105?t=t4rw6Cw2jvG3pzSYtfQSow&s=09, 24 April 2022.

investigating reports[386] that authorities in Misrata had seized diesel fuel hidden in cargo containers that were supposed to be exported from Libya. Reports speak of 14 20-foot containers, which equals about 280,000 litres (238 tonnes) in total.[387] A confidential source told the Panel that there were as many as 20 containers, which would equal around 400,000 litres (340 tonnes).

[386] Confidential source; see also 1) https://libyaherald.com/2023/06/attempt-to-smuggle-20000-litres-of-diesel-from-misrata-free-zone-thwarted-by-authorities/, 12 June 2023; and 2) https://libyaobserver.ly/inbrief/authorities-foil-attempt-smuggle-diesel-fuel-misrata-port, 13 June 2023.
[387] https://twitter.com/TheLibyaUpdate/status/1668286975449735171, 12 June 2023.

Annex 78 2146 focal point

A. October 2022: Focal point's notification on illicit exports of refined product from Benghazi

1. On 18 October 2022, the focal point pursuant to resolution 2146 (2014), Imad Ben Rajeb shared with the Panel his notification letter, dated that same day, "to whom it may concern", informing about attempts to illicitly export petroleum products from the port of Benghazi (see appendix 78.A). According to the focal point, the letter was sent in agreement with National Oil Corporation (NOC) leadership to commercial contacts, to ensure they do not approach Benghazi. Shortly after, the focal point's letter appeared on social media, where speculation about the involvement of Saddam Haftar surfaced.[388] A few days later, although its leadership was put in copy on the letter, the NOC denied smuggling operations from Libyan ports and the authenticity of the document.[389]

2. On 19 October 2022, the focal point informed the Panel about a specific vessel, the MT *Sea Fortune* (IMO 9427275, flag State: Marshall Islands), loading illicitly refined product at the Benghazi port outside the umbrella of the NOC. The focal point further stated that he requested the Libyan Ministry of Foreign Affairs to contact the flag State to ultimately inform the Committee to request the vessel's designation under resolution 2146 (2014), but that the Ministry was slow to react to his request for reasons unknown to him. The focal point ultimately did not notify the Committee.

B. Incremental withdrawal of the focal point

3. Until 23 November 2022, the Panel was unable to reach the focal point. On that day, the focal point informed the Panel that he had been instructed not to engage with the Panel about any ports not under the purview of the NOC because, following the leak of his letter to the media, "Saddam Haftar had complained" about the focal point's activities. For this reason, the focal point said, he was concerned about his safety and had offered to resign as 2146 focal point. He also stated that he was exploring various technical measures to prevent further attempts of fuel smuggling, such as by adding dyes, to make fuel more difficult to market by smugglers.

4. The conversation on 23 November 2022 was the last that the Panel had with the focal point, until a few days before the Panel's visit to Tripoli in early January 2023. On 3 January 2023, the focal point informed the Panel that the Libyan government had nominated a new 2146 focal point as his replacement. The Panel noted that the Committee had not received a notification about this change. The Panel asked Ben Rajeb for a meeting in Tripoli with the new focal point, as well as with Ben Rajeb himself, in his capacity as head of the marketing department of the NOC. The Panel also sent several requests for a meeting with the chairman of the NOC, Farhat Bengdara, through Ben Rajeb, through the Permanent Mission of Libya to the UN, and through Bengdara's assistant, all to no avail.

C. Peculiar phone call and arrest of the focal point

5. In the late evening of 6 January 2023, Ben Rajeb called a member of the Panel and said that he had an individual on another telephone line claiming to belong to the "Sanctions Committee". He inquired if that person, calling himself "Sam", was part of the Panel. The Panel member denied and Ben Rajeb connected the two telephone lines to confront "Sam". During the joint call, the individual introduced himself with the name of an UNSMIL staff member (who later confirmed that he was not the caller). Asked about his affiliation, he pretended that he would be part of upcoming UN activities relevant for the Panel's work, such as attending "next week's meeting with Ben Rajeb" and sharing the flight from Tunis to Tripoli with the Panel "the next day" (the flight was in reality scheduled for two days later). "Sam" then, referring to the earlier part of the conversation the Panel member had not witnessed, asked Ben Rajeb if he was "sure that he was not in Libya" (Ben Rajeb was abroad at the time). Ben Rajeb then ended the conversation. In a follow-up call, the seemingly puzzled Ben Rajeb said that before the Panel member joined the call, "Sam" had advised him against returning to Libya, as he would be arrested "by unknown actors" there. Ben Rajeb said he would not heed that warning.[390]

6. On 10 January 2023, the Panel agreed with Ben Rajeb to meet him at NOC premises in Tripoli on 12 January 2023. Ben Rajeb noted that at the time of the conversation he was at the Office of the Attorney General (AGO). In the evening of

[388] See, for example, https://twitter.com/HA_REPORTER2/status/1583713384117460992, 22 October 2022.
[389] https://thelibyantimes.com/libyas-noc-denies-fuel-smuggling/, 24 October 2022.
[390] "Sam" was calling from a Lebanese phone number.

10 January, the Panel learned that Ben Rajeb had been arrested pursuant to an arrest warrant issued by the Attorney General.[391]

7. During the meeting with the Panel on 16 January 2023, the Attorney General confirmed that Ben Rajeb had presented himself at his office the day he was arrested. The Attorney General further explained to the Panel that Ben Rajeb and other staff of the NOC and of Brega Oil Marketing Company had been arrested based on charges of violating national obligatory quality standards for the fuel in the Libyan market by procuring substandard fuel to Libya (under 95 Octane) and then adding excessive amounts of manganese and dyes to make the fuel appear of higher quality. The manganese had damaged a large number of consumers' engines. The investigations had started in mid-2021. By the time of the writing of this report, the trial had already taken place, and judgement was expected to be rendered around mid-July 2023. In an online meeting with the Panel on 26 June 2023, the NOC expressed doubts about the veracity of the allegations.

D. Meetings in Tripoli

8. On 11 January 2023, Bengdara's assistant confirmed Ben Rajeb's arrest and informed the Panel that he would meet the Panel instead, with colleagues from the NOC's marketing department, however not at the agreed meeting time on 12 January, as he was abroad that day. Instead, he offered to meet the Panel on 15 January. In the following days, the Panel continued to try to confirm the meeting time, however Bengdara's assistant did not respond. In the evening of 15 January, the Panel offered to meet the NOC on 16 January, the last day of its stay in Libya. Again, Bengdara's assistant did not react. The Ministry of Foreign Affairs was also unable to arrange a meeting with the NOC.

9. On 12 January 2023, the Panel met the Minister of Oil and Gas, Mohammed Aoun, who informed the Panel that the new focal point pursuant to resolution 2146 (2014) was with his Ministry. He handed the Panel a letter dated 29 November 2022, which requested the Libyan Ministry of Foreign Affairs to inform the Sanctions Committee of the nomination of Mustafa Abdullah Bin Issa as new focal point pursuant to resolution 2146 (2014) (see annex 31). The nomination was officially conveyed to the Committee by Libya's Permanent Representative to the United Nations by letter dated 16 June 2023.

E. Panel's assessment

10. Over most of the mandate, not only the Panel, but also the Committee, were lacking a reliable counterpart in Libya to implement the mandated activities of resolution 2146 (2014). Since summer 2022 the former focal point incrementally reduced the level of contact with the Panel. The weekly or bi-weekly communications of previous mandates were reduced to monthly or bi-monthly ones, and the quality of information decreased. During this time, the focal point conveyed to the Panel several times that he had personal security concerns. Since the former focal point's arrest, attempts to re-establish a line of communication with the NOC failed until the Panel ultimately sent a formal letter to the NOC on 26 May 2023, to which the NOC responded on 31 May 2023. This led to its first substantive meeting with NOC representatives since summer 2022, on 26 June 2023, by virtual means.

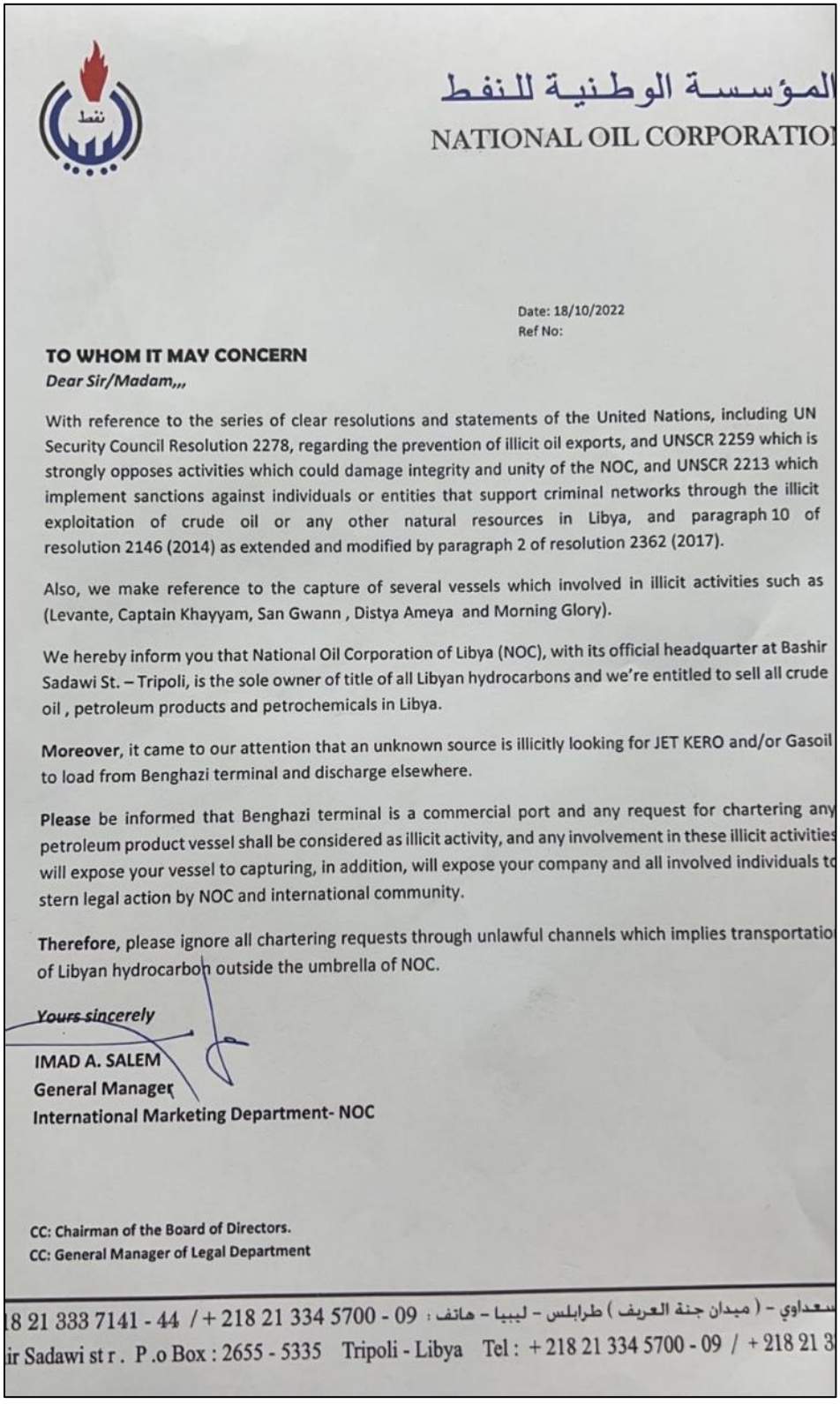
11. The new 2146 focal point, Ben Issa, is the Director General of Technical Affairs at the Ministry of Oil and Gas, and also serves as Libya's Governor at the Organization of Petroleum Exporting Countries (OPEC). The Panel previously engaged intensively with the Libyan government and the NOC to identify the best-suited position an individual should hold to most effectively serve as 2146 focal point. From these discussions at the time resulted that the focal point should be located in the NOC's Marketing Department, as that department is at the forefront of all matters relating to imports and exports of petroleum to and from Libya. Ben Issa is part of Ministry of Oil and Gas, which by its own account is "responsible for executing government policies and regulations regarding Gas and Oil, such as managing production and exporting processes".[392] In his meeting with the Panel on 12 January 2023 in Tripoli, the Minister of Oil and Gas explained to the Panel that his Ministry's main responsibilities were the monthly pricing of petroleum; strategic planning; and the collection of oil revenue. He noted that while he was aware of fuel smuggling "in Zuwarah and other places", this was not the responsibility of the oil sector, but that of law enforcement.

12. In the 26 June 2023 meeting with the Panel, the NOC noted that the organizational placement of the new 2146 focal point was removed from the daily import and export business of the NOC. Whether this will impact the effective

[391] https://twitter.com/TheLibyaUpdate/status/1612922380170547203?t=4lRz0S0MEdSosxDHca8G0g&s=09, 10 January 2022.
[392] https://csc.gov.ly/en/portfolio/ministry-of-oil-and-gas/.

implementation of resolution 2146 (2014), which requires time-sensitive and technically detailed exchanges on individual import and export activities, remains to be seen.

Appendix A to Annex 78: Open letter from Imad Ben Rajeb to commercial contacts



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATIO

Date: 18/10/2022
Ref No:

TO WHOM IT MAY CONCERN

Dear Sir/Madam,,,

With reference to the series of clear resolutions and statements of the United Nations, including UN Security Council Resolution 2278, regarding the prevention of illicit oil exports, and UNSCR 2259 which is strongly opposes activities which could damage integrity and unity of the NOC, and UNSCR 2213 which implement sanctions against individuals or entities that support criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya, and paragraph 10 of resolution 2146 (2014) as extended and modified by paragraph 2 of resolution 2362 (2017).

Also, we make reference to the capture of several vessels which involved in illicit activities such as (Levante, Captain Khayyam, San Gwann , Distya Ameya and Morning Glory).

We hereby inform you that National Oil Corporation of Libya (NOC), with its official headquarter at Bashir Sadawi St. – Tripoli, is the sole owner of title of all Libyan hydrocarbons and we're entitled to sell all crude oil , petroleum products and petrochemicals in Libya.

Moreover, it came to our attention that an unknown source is illicitly looking for JET KERO and/or Gasoil to load from Benghazi terminal and discharge elsewhere.

Please be informed that Benghazi terminal is a commercial port and any request for chartering any petroleum product vessel shall be considered as illicit activity, and any involvement in these illicit activities will expose your vessel to capturing, in addition, will expose your company and all involved individuals to stern legal action by NOC and international community.

Therefore, please ignore all chartering requests through unlawful channels which implies transportatio of Libyan hydrocarbon outside the umbrella of NOC.

Yours sincerely

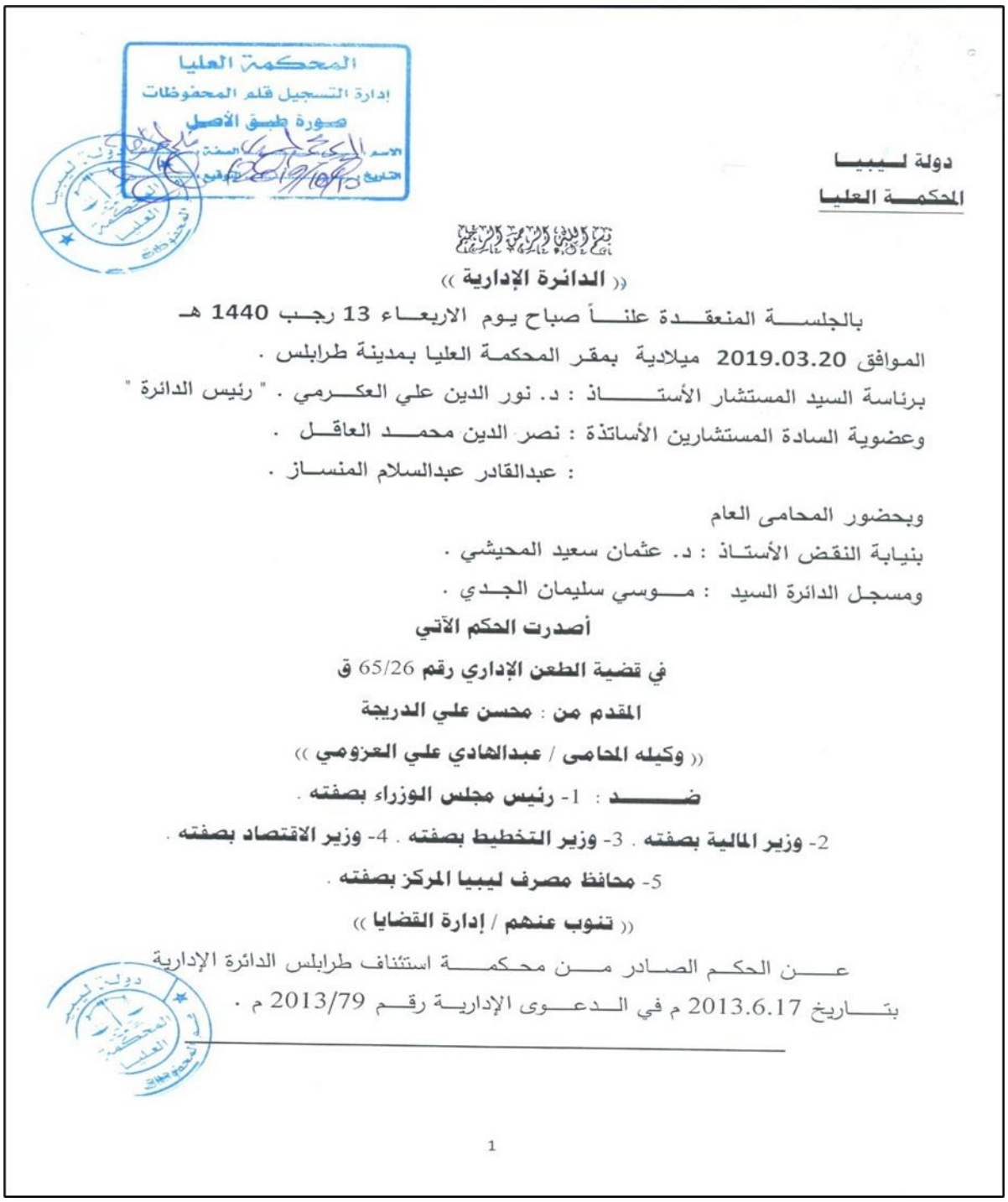
IMAD A. SALEM
General Manager
International Marketing Department- NOC

CC: Chairman of the Board of Directors.
CC: General Manager of Legal Department

سعداوي - (ميدان جنة العريف) طرابلس - ليبيا - هاتف : 09 - 5700 334 21 218 + / 7141 333 21 18
ir Sadawi st r . P .o Box : 2655 - 5335 Tripoli - Libya Tel : + 218 21 334 5700 - 09 / + 218 21 3

Source: 2146 focal point (submitted to Panel as displayed).

Annex 79 Mohsen Derregia court case against the Board of Trustees of the LIA



المحكمة العليا
إدارة التسجيل قلم المحفوظات
صورة طبق الأصل
الاسم
السنة
التاريخ

دولة ليبيا
المحكمة العليا

بسم الله الرحمن الرحيم

« الدائرة الإدارية »

بالجلسة المنعقدة علناً صباح يوم الاربعاء 13 رجب 1440 هـ
الموافق 2019.03.20 ميلادية بمقر المحكمة العليا بمدينة طرابلس .
برئاسة السيد المستشار الأستاذ : د. نور الدين علي العكرمي . " رئيس الدائرة "
وعضوية السادة المستشارين الأساتذة : نصر الدين محمد العاقل .
: عبدالقادر عبدالسلام المنساز .

وبحضور المحامى العام
بنيابة النقض الأستاذ : د. عثمان سعيد المحيشي .
ومسجل الدائرة السيد : موسي سليمان الجدي .

أصدرت الحكم الآتي

في قضية الطعن الإداري رقم 65/26 **ق**

المقدم من : محسن علي الدريجة

« **وكيله المحامى / عبدالهادي علي العزومي** »

ضد : 1- **رئيس مجلس الوزراء بصفته** .

2- **وزير المالية بصفته** . 3- **وزير التخطيط بصفته** . 4- **وزير الاقتصاد بصفته** .

5- **محافظ مصرف ليبيا المركز بصفته** .

« **تنوب عنهم / إدارة القضايا** »

عن الحكم الصادر من محكمة استئناف طرابلس الدائرة الإدارية
بتاريخ 2013.6.17 م في الدعوى الإدارية رقم 2013/79 م .

1

بعد الإطلاع على الأوراق ، وتلاوة تقرير التلخيص ، وسماع المرافعة الشفهية ، ورأي نيابة النقض والمداولة .

الوقائع

أقام الطاعن الدعوى رقم 79 لسنة 2013 م ، أمام دائرة القضاء الإداري بمحكمة استئناف طرابلس في مواجهة الجهات المطعون ضدها طعناً في قرار مجلس أمناء المؤسسة الليبية للاستثمار رقم 2 لسنة 2013 م ، الصادر فى 2013.01.30م ، والقاضي بتكليف السيد علي محمد سالم الحبري مؤقتاً رئيسا لمجلس الإدارة ومديراً تنفيذياً للمؤسسة الليبية للاستثمار ويباشر مهام مجلس الإدارة إلى حين تعيين رئيس المجلس والمدير التنفيذي ، كما نص على إلغاء قرار مجلس أمناء المؤسسة المذكورة رقم 14 لسنة 2012 م ، وأن يعمل به من تاريخ صدوره ويلغى كل حكم يخالفه .

وأضاف أن القرار المطعون فيه مسّ مركزه القانوني كرئيس لمجلس إدارة المؤسسة فأقام طعنه الماثل ناعياً عليه بعدة مناع ، طالباً قبول طعنه شكلاً ، وبصفة مستعجلة وقف تنفيذ القرار ، وفي الموضوع بإلغائه .. والمحكمة قضت بعدم اختصاصها ولائياً بنظر الطعن .

وهذا هو الحكم المطعون فيه

الإجـــــراءات

صدر هذا الحكم بتاريخ 2013.6.17م ، ولا يوجد بالأوراق ما يفيد إعلانه ، وبتاريخ 2017.12.04م ، قرر محامي الطاعن الطعن فيه بالنقض لدى قلم كتاب المحكمة العليا ، مسدداً الرسم مودعاً الكفالة والوكالة ، ومذكرة بأسباب الطعن وأخرى شارحة ، وصورة من الحكم المطعون فيه ، وبتاريخ 2017.12.14م ، أودع أصل ورقة إعلان الطعن معلنة إلى إدارة القضايا في 2017.12.06م .

أودعت إدارة القضايا بتاريخ 2018.01.03م ، مذكرة دفاع .

أودع محامي الطاعن مذكرة رادة بتاريخ 2018.01.25م .

أودعت نيابة النقض مذكرة انتهت فيها إلى الرأي بقبول الطعن شكلاً ونقض الحكم المطعون فيه والإعادة .

بتاريخ 2018.10.29م ، قررت دائرة فحص الطعون بالمحكمة إحالة الطعن إلى هذه الدائرة وبالجلسة المحددة لنظرها تمسكت نيابة النقض برأيها ، وحجزت الدعوى للحكم لجلسة اليوم .

الأسباب

حيث إن الطعن استوفى أوضاعه القانونية فهو مقبول شكلا .

وحيث إنه من بين ما ينعى به الطاعن على الحكم المطعون فيه الخطأ في تطبيق القانون والفساد في الاستدلال والقصور في التسبيب ، ذلك أنه حجب نفسه عن الكشف عن طبيعة القرار المطعون فيه قبل أن يقضى بعدم اختصاصه ، واعتبره قرار تكليف بمهام ، وكان عليه أن يخضع القرار لرقابته الكاملة ، ويزنه بميزان القانون غير مقيد بأسباب الطعن ودفاع الخصوم إعمالا لمبدأ الشرعية وسيادة القانون ، حتى يتأكد من اختصاصه ولائياً بنظره أو عدم اختصاصه ، خاصة وأن القرار قد أضرّ بالطاعن أشد الضرر ، حيث فصله من العمل ، وهو ما أكده الكتاب الذي وجهه أمين سر مجلس الأمناء بالمؤسسة الى الطاعن يخبره فيه بانتهاء تكليفه بالمهام داخل المؤسسة الليبية للاستثمار ، وبالتالي انتهاء العلاقة الوظيفية بين المؤسسة والطاعن ، وإذ قضى الحكم بعدم اختصاصه ولائيا للتبريرات التي أوردها في أسبابه ، فإنه يكون قاصر التسبيب ، فضلا عن عدم إحاطته بوقائع الدعوى وعدم إلمامه بها إلماماً كاملا بما يعيبه ويتعين نقضه .

وحيث إن هذا النعي في مجمله سديد ، ذلك أن العبرة في التكييف القانوني للدعوى يكون بما يقصده المدعي ويرمي إليه في عموم طلباته ، وأن يكون ذلك بعد بحث واقعة الدعوى وتمحيصها والتحقيق منها والتدليل عليها بأدلة سائغة ولها أصلها الثابت من الأوراق .

وحيث إنه الواقع في الدعوى أن الطاعن – وكما أورده الحكم المطعون فيه في مدوناته – قد نعى على القرار المطعون فيه أنه أنهى مركزه الوظيفي قبل مدته ، وبوصفه موظفاً عاماً وفقاً لقانون علاقات العمل رقم 12 لسنة 2010 لا يجوز إنهاء خدمته إلا وفقاً للشروط المنصوص عليها في المادتين 42 ، 172 من القانون المذكور ، وأن القرار الطعين جاء مخالفاً للقانون وتعسفياً وألحق به أضراراً جسيمه ، وتسبب في حرمانه من مرتبه وهو مصدر رزقه الوحيد .. وقد أرفق الطاعن بملف طعنه رسالة موجهة إليه من أمين سر مجلس الأمناء ومجلس إدارة المؤسسة الليبية للاستثمار مؤرخة في 2013.2.7 تبلغه بالقرار المطعون فيه وتشير الى انتهاء تكليفه بمهام داخل المؤسسة ، وهي مؤشر عليها بما يفيد أنها كانت مودعة ضمن حافظة مستنداته المودعة بالمحكمة مصدرة الحكم كما أرفق الطاعن صورة من عقد توظيف مبرم بينه وبين المؤسسة المذكورة مؤشر عليه من الموظف المختص بأنه كان مودعا بملف الطعن أمام المحكمة سالفة الذكر ، ومقتضى ما تقدم أن الطاعن تربطه علاقة وظيفية مع المؤسسة منشؤها العقد المبرم معه بتاريخ 2012.4.6 والذي نظمت نصوصه الحقوق والالتزامات بين الطرفين ، حيث أشارت المادة الثانية منه الى الوظيفة المتعاقد عليها وهي وظيفة رئيس مجلس إدارة المؤسسة الليبية للاستثمار ، وبنيت مادته الرابعة أن مدة العقد سنتان قابلة

التجديد ، فيما حددت المادة الخامسة منه المرتب والمزايا ... الخ ، وحيث إن القرار المطعون فيه بعد أن نص في مادته الأولي على تكليف السيد علي محمد سالم حبري رئيس المجلس الإدارة ومديراً تنفيذيا للمؤسسة ونص في مادته الثانية على إلغاء قرار مجلس أمناء المؤسسة رقم 14 لسنة 2012 والذي تنفيذا له وجه أمين سر المؤسسة خطابه المشار إليه أعلاه بتاريخ 2013.2.7 م إلى الطاعن يفيده فيه بانتهاء تكليفه بمهام داخل المؤسسة ، فإن القرار المطعون فيه والحال هذه لا يصح اعتباره قراراً من قرارات التكليف التي تصدرها جهة الإدارة بالنسبة لموظفيها لشغل وظائف بها – كما كيفه الحكم المطعون فيه – بل إنه يشكل في حق الطاعن قراراً بإنهاء خدماته مع المؤسسة ، ولما كان الطاعن مستخدماً بعقد مع جهة عامة ، فإنه يعتبر في نظر القانون موظفاً عاماً ، ويكون القضاء الإداري مختصاً بنظر دعواه بشأن إلغاء قرار إداري نهائي يتعلق بإنهاء خدماته .

وحيث إن الحكم المطعون فيه قضى بعدم اختصاصه ولائياً بنظر دعواه دون أن يتحقق من ماهية القرار الطعين بالنسبة للطاعن من خلال طلباته وعقد التوظيف والمستندات التي قدمها ، فإن نعي الطاعن عليه بالقصور وعدم الالمام بواقعة الدعوى إلماما كاملا ، يكون في محله ، بما يتعين معه نقضه ، دون حاجة لبحث السبب الآخر من الطعن .

فلهذه الأسباب

حكمت المحكمة بقبول الطعن شكلا ، ونقض الحكم المطعون فيه ، وإعادة الدعوى الى محكمة استئناف طرابلس – دائرة القضاء الإداري – لنظرها مجدداً من هيئة اخرى .

المستشار	المستشار	المستشار
د. نورالدين علي العكرمي	نصر الدين محمـــد العاقل	عبدالقادر عبدالسلام المنساز
(رئيس الدائرة)	عضو الدائرة	عضو الدائرة

مسجل الدائرة

موسي سليمان الجدي

Source: Confidential

OFFICIAL UN TRANSLATION
Reference 2301376E
Translated from Arabic

State of Libya
Supreme Court

In the name of God, the Merciful, the Compassionate

The Administrative Chamber

In open session on the morning of Wednesday, 13 Rajab, A.H. 1440 (20 March, A.D. 2019), in the High Court building in Tripoli

Presided over by Justice Nur al-Din Ali al-Ikrimi, President of the Chamber

Comprising the following members:

Justice Nasr al-Din Muhammad al-Aqil
Justice Abd al-Qadir Abd al-Salam al-Munsaz

In the presence of the attorney-general of the Review Office: Uthman Sa`id al-Mahishi

Registrar: Musa Sulayman al-Jiddi

Has issued the following judgement
in administrative appeal 26/65 *qaf*

Brought by: Mohsen Ali Derregia
Represented by Abd al-Hadi Ali al-Azumi

Against:

1. The Prime Minister, in that capacity
2. The Minister of Finance, in that capacity
3. The Minister of Planning, in that capacity
4. The Minister of the Economy, in that capacity
5. The Governor of the Central Bank of Libya, in that capacity

All represented by the Litigation Department

Concerning the judgment issued by the Court of Appeals of Tripoli, Administrative Chamber, on 17 June 2013, in administrative case No. 79/2013.

This Court has reviewed the documents and heard the summary report, the oral briefs and the views of the Review Office.

The facts

The Appellant filed case No. 79 (2013) before the Administrative Chamber of the Court of Appeals of Tripoli against the respondents, contesting decision No. 2 (2013) of the Board of Trustees of the Libyan Investment Authority (LIA), dated 30 January 2013, appointing Ali Muhammad Salim al-Hibri as temporary Chair of the Board of Directors and Executive Director of LIA, to fulfil the functions of the Board of Directors pending the appointment of a Chair of the Board and an Executive Director. That decision rescinded decision No. 14 (2012) of the Board of Trustees of LIA; it was effective from the date of its adoption and superseded any provision to the contrary.

The Appellant maintained that the contested decision infringed his legal position as Chair of the Board of Directors of LIA. He raised several grievances; asked for his appeal to be accepted in form; asked for an urgent stay on the decision; and asked for the decision to be rescinded on substantive grounds. The Court ruled that it was not competent to consider his appeal. That judgment is the subject of the current appeal.

Procedure

The judgment was rendered on 17 June 2013. There is nothing in the case file to state that it was announced. On 4 December 2017, the Appellant's representative decided to file an appeal with the Registrar of the High Court. He settled the fee and filed power-of-attorney documents; a brief setting out the reasons for the appeal; an explanatory brief; and a copy of the appealed judgment. On 14 December 2017, he added the original copy of the public declaration of appeal submitted to the Litigation Department on 6 December 2017.

The Litigation Department filed a defence brief on 3 January 2018.

The Appellant’s lawyer filed a response brief on 25 January 2018.

The Review Office filed a brief finding that the appeal was receivable in form, that the appealed judgment should be overturned and that the case should be remanded.

On 29 October 2018, the Appeals Analysis Chamber referred the appeal to the present Chamber. At the appointed hearing, the Review Office confirmed its earlier view, and the case was scheduled for consideration at today’s session.

Reasons

The appeal meets the legal requirements and is therefore receivable in form.

The Appellant’s grievances against the appealed judgment include an error in application of the law, flawed reasoning and insufficient motivations. [He argues] that the Court declined to examine the nature of the appealed decision before declaring itself not competent to hear the case. It deemed the contested decision to be a matter of assigning duties. In accordance with the principle of legality and the rule of law, it ought, rather, to have subjected the decision to full scrutiny and assessed it from a legal standpoint, without limiting itself to the grounds set out in its reasoning and the respondents’ defence, in order to ascertain whether or not it was competent. That is particularly true given that the decision caused the Appellant significant harm: it caused him to be dismissed from his job, as was stated in the letter sent to the Appellant by the Secretary of the Board of Trustees of LIA informing him of the termination of his functions in LIA and, hence, the end of his contract with LIA. Because the Court held that it was not competent based on the justifications set out in the reasoning, its judgment is insufficiently motivated. Moreover the judgment does not mention the facts of the case, and does not give them due attention. It is therefore flawed and should be overturned.

That grievance is broadly correct. The legal approach in a case should be conditioned by what the applicant seeks and the object of their motions. The Court should examine the facts of the brief, put them to the test, and apply reasoned arguments that are solidly based on the case documents.

The Appellant's grievance, as can be seen from the appealed judgment, concerns the premature end of his employment contract. As a public servant, in accordance with the Labour Relations Act (Act No. 12 (2010)), his service could be terminated only subject to the conditions set forth in articles 42 and 172 thereof. The contested decision is arbitrary and contrary to the law, and it did the Appellant great harm, causing him to lose his salary, which was his only means of livelihood. In his appeal file, the Appellant includes a letter dated 7 February 2013 sent to him by the Secretary of the Board of Trustees and the Board of Directors of LIA informing him of the contested decision and indicating that his duties in LIA were being terminated. The letter has marking showing that it was added to his file deposited with the Court that handed down the judgment. The Appellant also attached a copy of his employment contract with LIA, which has markings from the competent official showing that it was included in the appeal file before the aforementioned Court. It follows that the Appellant had a contractual relation with LIA further to the contract drawn up on 6 April 2012, which sets out the rights and duties of both parties. Article 2 thereof states that the contracted position is that of Chair of the Board of Directors of LIA. Article 4 states that the duration of the contract is two years, subject to renewal. The salary and benefits are set out in article 5. By virtue of article 1 of the contested decision, Mr. Ali Muhammad Salim Hibri was appointed Chair of the Board of

Directors and Executive Director of LIA. By virtue of article 2, Board of Trustees decision No. 14 (2012) was rescinded. Accordingly, the Secretary of the Board of Trustees wrote to the Appellant on 7 February 2013 informing him that his duties at LIA had been terminated. Given that situation, the contested decision was not, as the appealed judgment deemed it to be, an administrative decision assigning duties. Instead, it was a decision to terminate the Appellant's service with LIA. However, the Appellant was employed under a contract with a public entity and, in the eyes of the law, he was a public employee. The administrative justice system was therefore competent to examine his claim that the final administrative decision terminating his service should be rescinded.

In the appealed judgment, the Court deemed itself not competent to consider the case, but it did so without verifying the substance of the contested decision affecting the Appellant, as laid out in his motions, the employment contract and the documents which he provided. The Appellant's grievance that is claim received insufficient and incomplete consideration is thus apt, and the decision must be overturned, without there being any need to examine the other grounds for the appeal.

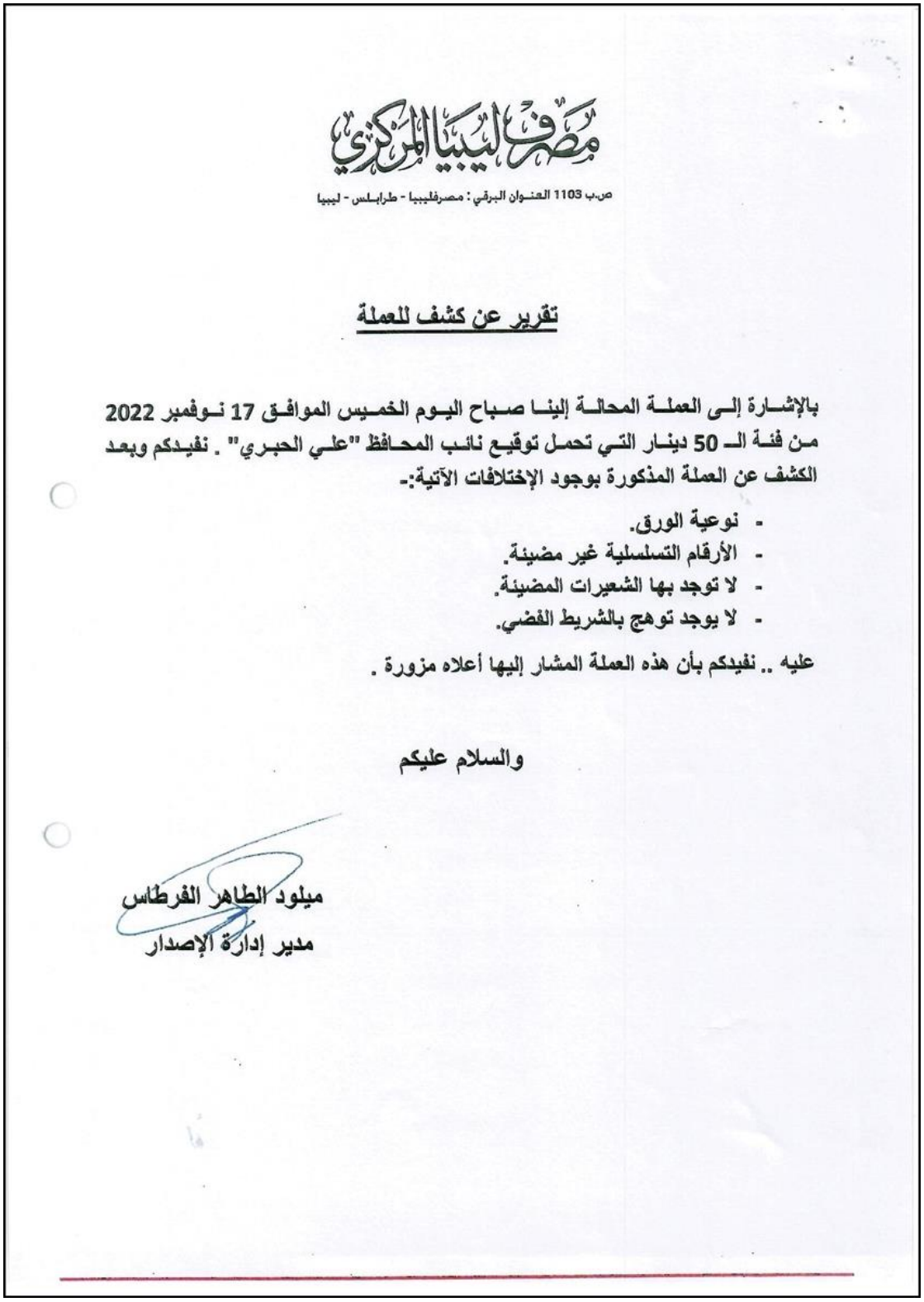
For those reasons,

This Court finds the appeal receivable in form, overturns the appealed judgment, and remands the claim to the Court of Appeals of Tripoli, Administrative Chamber, to be considered again by different judges.

Justice **Nur al-Din Ali al-Ikrimi** **President of the Chamber**	**Justice** **Nasr al-Din Muhammad al-Aqil** **Member of the Chamber**	**Justice** **Abd al-Qadir Abd al-Salam al-Munsaz** **Member of the Chamber**
	Registrar of the Chamber **Musa Sulayman al-Jiddi**	

Annex 80 Communication from the CBL to the Office of the Public Prosecutor informing about the counterfeit bank notes

1. The source for all documents in this annex is the Central Bank of Libya



مصرف ليبيا المركزي

ص.ب 1103 العنوان البرقي : مصرفليبيا - طرابلس - ليبيا

تقرير عن كشف للعملة

بالإشارة إلى العملة المحالة إلينا صباح اليوم الخميس الموافق 17 نوفمبر 2022 من فئة الـ 50 دينار التي تحمل توقيع نائب المحافظ "علي الحبري" . نفيدكم وبعد الكشف عن العملة المذكورة بوجود الإختلافات الآتية:-

- نوعية الورق.
- الأرقام التسلسلية غير مضيئة.
- لا توجد بها الشعيرات المضيئة.
- لا يوجد توهج بالشريط الفضي.

عليه .. نفيدكم بأن هذه العملة المشار إليها أعلاه مزورة .

والسلام عليكم

ميلود الطاهر الفرطاس

مدير إدارة الإصدار

OFFICIAL UN TRANSLATION
Reference 2300048E
Translated from Arabic

Central Bank of Libya
P.O. Box 1103 | Telegraphic address: Bank of Libya, Tripoli, Libya

Banknote inspection report

We are writing to you with regard to the 50-dinar banknotes bearing the signature of the Deputy Governor, Ali al-Habri, that were sent to us this morning, Thursday, 17 November 2022. After inspecting those banknotes, we should like to inform you of the following differences:

- The quality of the paper
- The serial numbers are not reflective
- They do not contain reflective fibres
- The silver ribbon is not reflective
- Accordingly, the above-mentioned banknotes are counterfeit.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Maylud al-Tahir **al-Fartas**
Director, Issuance Department

مصرف ليبيا المركزي

ص.ب 1103 العنوان البرقي : مصرفليبيا - طرابلس - ليبيا

(هام وعاجل)

التاريخ: 17 نوفمبر 2022
الإشاري: 18/1263

السيد المستشار/ النائب العام – المحترم

بعد التحية،،،

أُبلغكم بأنه تم مساء الأربعاء الموافق 16 نوفمبر 2022 ضبط أوراق نقدية مزورة تحمل توقيع نائب المحافظ "علي الحبري" وتختلف في مواصفاتها عن ورقة الـ 50 دينار المطبوعة في روسيا التي تحمل أيضاً توقيع نائب المحافظ، وفق تقرير إدارة الإصدار "المرفق"، ولم يتسن لنا العلم بمصدر هذه العملة، ولا مكان طباعتها، ولا كميتها .

وقد قمنا بإصدار تنويه للجمهور وللمصارف التجارية بالحذر من التعامل مع هذه الأوراق النقدية.

عليه .. نأمل منكم إتخاذ الإجراءات التي خولها لكم القانون.

والسلام عليكم

الصديق عمر الكبير

المحافظ

مصرف ليبيا المركزي المحافظ

صورة للسادة المحترمين/

- رئيس المجلس الرئاسي
- رئيس مجلس الوزراء
- مدير الإدارة القانونية
- مدير إدارة الإصدار
- مدير إدارة الرقابة على المصارف والنقد
- مدير وحدة المعلومات المالية الليبية

OFFICIAL UN TRANSLATION
Reference 2300048E
Translated from Arabic

Central Bank of Libya
P.O. Box 1103 | Telegraphic address: Bank of Libya, Tripoli, Libya
Important and urgent

Date: 17 November 2022
Ref.: 18/1262

To: His Excellency the Public Prosecutor

Sir,

I should like to inform you that counterfeit banknotes bearing the signature of the Deputy Governor, Ali al-Habri, were seized in the evening of Wednesday, 16 November 2022. According to the Issuance Department, the specifications of the seized banknotes differ from those of 50-dinar notes printed in Russia, which also bear the signature of the Deputy Governor. We have not been able to determine the source of those banknotes, where they were printed or their number.

We have issued a notice directed to the members of the public and commercial banks and urged them to be on guard.

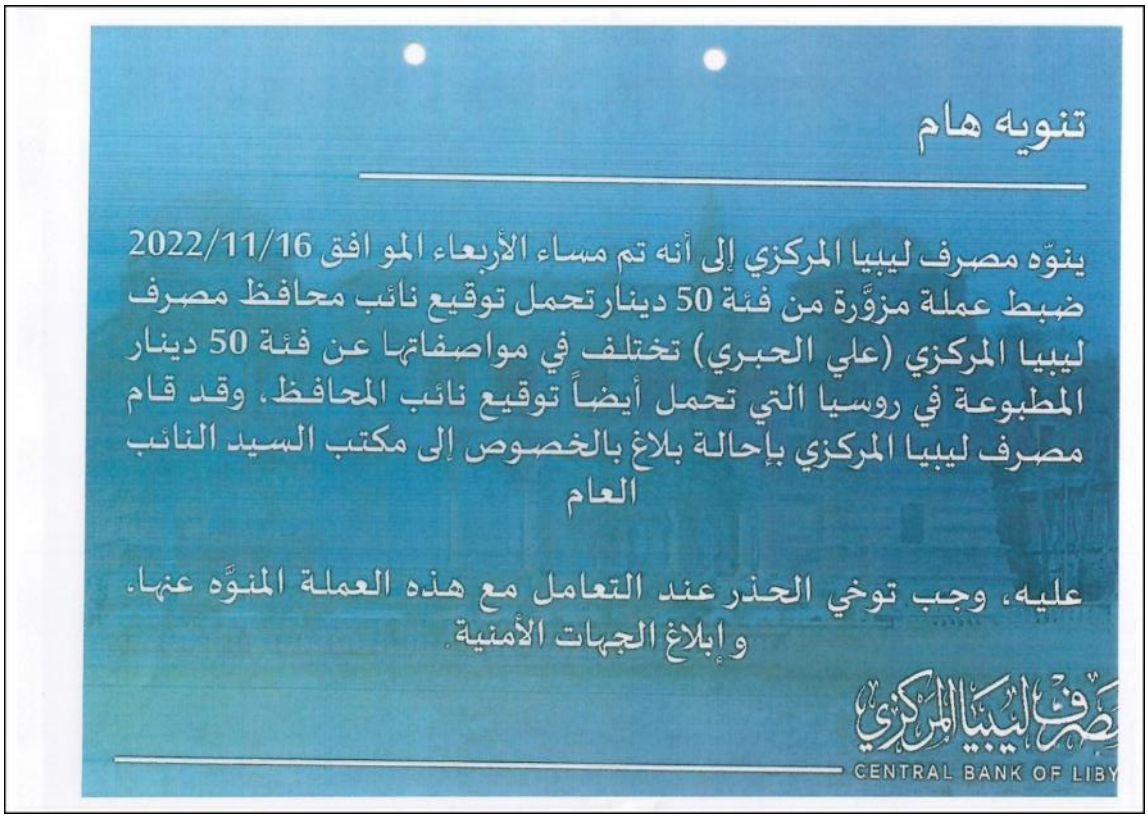
We trust that you will take the actions that you are authorized to take under the law.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Al-Siddiq Umar **al-Kabir**
Governor

cc:

President of the Presidency Council
Prime Minister
Director, Legal Department
Director, Issuance Department
Director, Banking and Monetary Control Department
Director, Financial Intelligence Unit



OFFICIAL UN TRANSLATION
Reference 2300048
Translated from Arabic

Important notice

The Central Bank of Libya states that counterfeit 50-dinar banknotes bearing the signature of the Deputy Governor, Ali al-Habri, of the Central Bank of Libya were seized on Wednesday evening, 16 November 2022. The specifications of those banknotes differ from those of the 50-dinar banknotes printed in Russia, which also bear the signature of the Deputy Governor. The Central Bank of Libya has transmitted a report regarding this matter to the Office of the Public Prosecutor.

Therefore, caution must be exercised when handling these banknotes, of which the security authorities must be informed.

Central Bank of Libya

التاريـــخ:17 جمادى الأول 1444هـ
الموافـق:11 ديسمبر 2022 م

السيد/ نائب النيابة بمكتب النائب العام – المحترم

بعد التحية ،،،

إيماءً الى كتابكم إشاري رقم 4-8-17636 ، بتاريخ 2022/12/05 ، الموجهة للسيد/ محافظ مصرف ليبيا المركزي ، بشأن طلبكم إحالة عينات من العملة المضبوطة المزورة من فئة 50 دينار التي تحمل توقيع نائب المحافظ (علي الحبري) مختلفة في مواصفاتها عن تلك العملة المطبوعة في روسيا والحاملة لنفس التوقيع.

عليه ارفق إليكم طي كتابنا هذا ، عدد (5) ورقات تحمل الأرقام التالية (4554383 - 15/هـ2) (2155612 - 15/هـ 2) ،(4557987 - 15/هـ 2)،(2155315 - 15/هـ 2)،(4558133 - 15/هـ 2) كعينة من أوراق العملة المضبوطة (المزورة) المنوه عنها أعلاه .

يؤمل التكرم بالاستلام ،،

والســـــلام ،،،

"ميلود الطاهر الفرطاس"
مدير إدارة الإصدار

صـــــورة إلى :-
- السيد / المحافظ
- السيد / مدير إدارة الشؤون القانونية .

OFFICIAL UN TRANSLATION
Reference 2300048E
Translated from Arabic

Date: 17 Jumada I A.H. 1444
Corresponding to: 11 December A.D. 2022

To: His Excellency the Deputy Prosecutor at the Office of the Public Prosecutor (4)

Sir,

I am writing in response to your communication dated 5 December 2022 (ref. No. 4–8–17636) addressed to the Governor of the Central Bank of Libya, in which you request samples of the seized counterfeit 50-dinar banknotes bearing the signature of the Deputy Governor, Ali al-Habri, the specifications of which are different from those that were printed in Russia and bear the same signature.

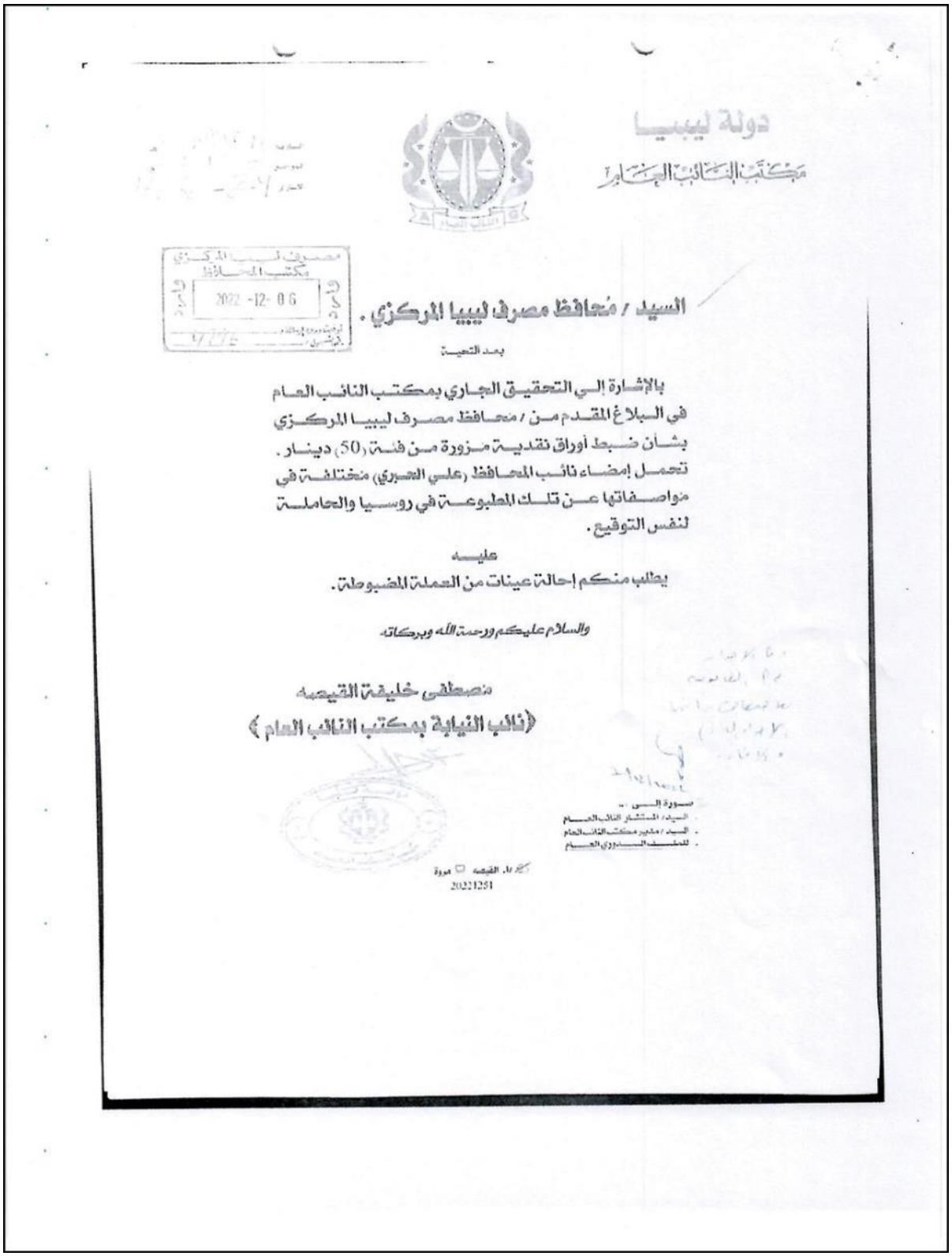
Accordingly, I transmit herewith five banknotes bearing the serial Nos. 2 *ha'*/15–4554383, 2 *ha'*/15–2155612, *2 ha'*/15–4557987, *2 ha'*/15–2155315 and *2 ha'*/15–4558133. They are representative of the counterfeit banknotes that were seized.

You are kindly requested to accept the present communication.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Maylud al-Tahir **al-Fartas**
Director, Issuance Department

cc:
The Governor
Director, Department of Legal Affairs



دولة ليبيا

مكتب النائب العام

مصرف ليبيا المركزي
مكتب المحافظ
2022 -12- 06

السيد / محافظ مصرف ليبيا المركزي .

بعد التحية

بالإشارة إلى التحقيق الجاري بمكتب النائب العام في البلاغ المقدم من / محافظ مصرف ليبيا المركزي بشأن ضبط أوراق نقدية مزورة من فئة (50) دينار . تحمل إمضاء نائب المحافظ (علي الحبري) مختلفة في مواصفاتها عن تلك المطبوعة في روسيا والحاملة لنفس التوقيع .

عليه

يطلب منكم إحالة عينات من العملة المضبوطة .

والسلام عليكم ورحمة الله وبركاته

مصطفى خليفة القيصه

(نائب النيابة بمكتب النائب العام)

صورة الى :-
- السيد/ المستشار النائب العام
- السيد / مدير مكتب النائب العام
- المكتب الاداري العام

20221251

OFFICIAL UN TRANSLATION
Reference 2300048E
Translated from Arabic

State of Libya
Office of the Public Prosecutor

Date:
Corresponding to:
Ref.:

To: Governor of the Central Bank of Libya

Sir,

I am writing to you with regard to the ongoing investigation being conducted by the Office of the Public Prosecutor that is mentioned in the communication from the Governor of the Central Bank of Libya concerning the seizure of counterfeit 50-dinar banknotes. These counterfeit banknotes, which bear the signature of the Deputy Governor, Ali al-Habri, have specifications that differ from the banknotes that are printed in Russia and bear the same signature.

You are therefore requested to transmit samples of the seized banknotes.

May the peace, mercy and blessings of God be upon you.

(*Signed*) Mustafa Khalifah **al-Qaysah**
Deputy Prosecutor at the Office of the Public Prosecutor

cc:
The Public Prosecutor
Director of the Office of the Public Prosecutor
Archive

Source: Central Bank of Libya (CBL)

Annex 81 Certificate of death of Sayyid Mohammed Qadhaf Al-Dam (LYi.003)

Source: Egypt.

UN Official Translation
Reference 2313577E
Translated from Arabic

Arab Republic of Egypt
Ministry of the Interior
Civil Status Division

Copy of death record
National ID:
Particulars of deceased

Name:	Sayyid Mohammed Qadhaf Al-Dam		
Gender:	Male	Religion:	Muslim
Nationality:	Libya		
Mother's name:			
Social status:	Married		
Date of death:	16 March 2023		
Place of death:	Gizah		
Age upon death:	75 years 00 months 22 days		
Place of birth:			

Health office:	********	Record No.:	477
Civil registry:	********	Date of record:	17 March 2023
Record issued:	*********	Date of issue:	9 April 2023

Serial number: 168175043

Check for watermark and eagle emblem of the Republic - Civil status document

Ministry of the Interior **Request to obtain copy of death registration** **(Form 40/3)**
Civil Status Division **V 1.1**

Name of person requesting service: **Date:**

Annex 82 Power of attorney signed by Saadi Qadhafi (LYi.015)

وزارة الخارجية والتعاون الدولي

Libya Başkonsolosluğu - İstanbul — القنصلية العامة الليبية – اسطنبول

Tarih: 22/11/22 التاريخ — REF: 1/75 الرقم الاشاري

توكيل (خاص)

أنا الموقع أدناه : الساعدي معمر محمد القذافي

الحامل جواز سفر رقم [redacted] الصادر بمدينة طرابلس بتاريخ 2021/05/19 م وينتهي بتاريخ 2026/11/25م والمقيم بمدينة اسطنبول.

أقر وانا بكامل ارادتي المعتبرة شرعاً وقانوناً بأنني وكلت السيد / [redacted] حامل جواز سفر رقم [redacted] الصادر بتاريخ 2019/04/23 ليقوم مقامي ونيابة عني بتمثيلي ومتابعة واتمام كافة الاجراءات الادارية والقانونية الخاصة بي لدى الدوائر والمؤسسات الحكومية وغير الحكومية بما فيهم المحاكم ودوائر التسجيل العقاري بدولة كندا بخصوص الشقة المملوكة لي والمسجلة باسمي في كندا وله الحق في استلام المستندات وتسديد كل المستحقات الخاصة بالشقة واستلامها، وكما له حق التصرف في البيع والاستثمار وقبض الثمن، وبيانات الشقة كالتالي :-

10 NAVY WHARF COURT/SUITE 4603- TORONTO ON MV 3V2 وهذا توكيلاً خاصاً بما ذكر.

توقيع وبصمة الموكل : الساعدي معمر محمد القذافي .....

أصادق أنا صلاح الدين فرج الكاسح – القنصل العام لدولة ليبيا بمدينة اسطنبول على صحة توقيع الموكل دون أدنى مسؤولية عما ورد في هذا التوكيل.

قيد هذا التوكيل لدينا تحت رقم /75 بتاريخ 22/11/11

İnönü Cad. Miralay Şefik Bey Sk. No: 3 Gümüşsuyu - Taksim / İSTANBUL Tel: (+90 212) 251 81 00 - 01

Source: Confidential

UN OFFICIAL TRANSLATION
Reference 2311246E
Translated from Arabic

State of Libya
Government of National Unity
Ministry of Foreign Affairs and International Cooperation

Libyan Consulate General, Istanbul

Reference number: 75/1

Date: 11 November 2022

Power of Attorney (Special)

I, the undersigned, Saadi Muammar Mohammed Qadhafi,

Holder of passport number xxxxxxxxxxxx, issued in Tripoli on 19 May 2021 with an expiration date of 25 November 2026, and residing in Istanbul,

Declare, of my own free will and in my full legal capacity, that I have authorized xxxxxxxxxxxxxxxxxxxxxxx, holder of passport number xxxxxxxxxxxxxx, issued on 23 July 2019, to represent me and act on my behalf and to follow up on and complete all my administrative and legal procedures before governmental and non-governmental departments and institutions, including courts and real estate registers, in Canada, with respect to the apartment that I own and is registered in my name in Canada. He has the right to receive documents and to pay and receive all sums related to the apartment and has the right of disposal through sale, investment and receipt of payment. The apartment details are as follows:

10 NAVY WHARF COURT, SUITE 4603, TORONTO, ON, MV 3V2. This is a special power of attorney for the above-named.

Signature and fingerprint of the client: Saadi Muammar Mohammed Gaddafi (*Signed*)

I, Salah al-Din Faraj Al-Kasih, Consul General of the State of Libya in Istanbul, certify the authenticity of the signature of the client without bearing any responsibility for what is stated in this power of attorney. (*Signed*)

This power of attorney is registered under No. 75, dated 11 November 2022

Annex 83 Photographs of Abd Al-Rahman al-Milad (LYi.026) (a.k.a al-Bija) active in Libyan Coast Guard

Source: https://twitter.com/libyapress2010/status/1587460263405568000?s=20&t=BbULt9tJ85gCPp5XL4vw7w, 01 November 2022.

Annex 84 New identifying information for listed individuals

A. LYi.025

Change a.k.a: c) Keslaf from good quality to low quality

B. LYi.026

Change name to: 1: Abd, 2: Al-Rahman, 3: Salim, 4: Ibrahim 5: al-Milad.

Title: Navy Major.

Add good quality a.k.a.: Abdulrahman Salim Milad Kashlaf.

National identification no (Libya): 2519910.

Other information: 1) Name of mother Huriyah Al-A'ib; and 2) Military ID is 36479.

C. LYi.029

Change DOB: From 04 April 1976 to 02 April 1976.