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**Письмо Группы экспертов по Ливии, учрежденной  
резолюцией 1973 (2011), от 14 сентября 2023 года на имя  
Председателя Совета Безопасности**

Группа экспертов по Ливии, учрежденная резолюцией 1973 (2011), имеет честь препроводить настоящим заключительный доклад о своей работе, представляемый в соответствии с пунктом 13 резолюции 2644 (2022).

Прилагаемый доклад был 7 августа 2023 года представлен Комитету Совета Безопасности, учрежденному резолюцией 1970 (2011) по Ливии, и 18 августа рассмотрен Комитетом.

Группа будет признательна, если настоящее письмо и указанный доклад будут доведены до сведения членов Совета Безопасности и изданы в качестве документа Совета.

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## Заключительный доклад Группы экспертов, учрежденной резолюцией 1973 (2011) по Ливии

### Резюме

Вооруженные группы в Ливии повысили свою способность создавать зоны иммунитета для их преступной деятельности и влиять на национальную политику. Пользуясь своим положением, лидеры вооруженных групп стремились не только воздействовать на ситуацию с безопасностью, но и контролировать различные аспекты социально-экономической жизни Ливии. Военная операция, проведенная в Эз-Завии в конце мая 2023 года, отразила текущую динамику среди доминирующих вооруженных групп на западе и продемонстрировала, что они остаются ключевыми игроками в политическом процессе. Возвышение Саддама Хафтар в качестве одной из самых мощных фигур на востоке еще раз иллюстрирует, как семья Хафтаров усилила свой контроль над группой, именуемой «ливийскими арабскими вооруженными силами». Вскоре после того, как в апреле 2023 года начался вооруженный конфликт в Судане, некоторые из элементов этой группы, базирующиеся в южной части страны, подключились к передаче боеприпасов и оружия суданской вооруженной группе, именуемой «Силами оперативного оказания поддержки».

Несмотря на национальные и региональные усилия по выдворению из Ливии иностранных боевиков, на ситуации с безопасностью продолжает негативно сказываться присутствие боевиков из Сирийской Арабской Республики, Судана и Чада, равно как и присутствие иностранных частных военных компаний.

Хотя контртеррористические усилия снизили у террористических групп, занесенных в санкционные перечни, способность совершать нападения в Ливии, страна остается подверженной терроризму из-за проницаемости ее границ с некоторыми соседними странами и из-за вакуума безопасности на юге.

Ливийские вооруженные группы продолжают грубо нарушать международное гуманитарное право и международное право прав человека, не неся при этом никакой ответственности. В числе нарушений — систематическое применение незаконного тюремного заключения, жестокое обращение и отказ в правах на справедливое судебное разбирательство для лиц, которые удерживаются в официальных и тайных изоляторах, находящихся под их эффективным контролем. Эти насильственные деяния направлены в первую очередь против гражданских лиц, воспринимаемых в качестве противников территориальной власти и экономических интересов ливийских вооруженных групп в Бенгази, Сурте и Триполи. Кроме того, гражданское население становилось всё уязвимее к опасностям, которые создавало обострение вооруженных столкновений между вооруженными группами за отчетный период, в частности применение оружия взрывного действия в населенных районах Триполи и Эз-Завии.

Серьезную угрозу для безопасности и стабильности Ливии представляли торговля людьми и контрабандный провоз мигрантов по всей стране. Лица, принадлежащие к восьми ливийским вооруженным группам, в том числе трое лиц, находящихся под санкциями, получали значительные финансовые и иные ресурсы от изоциренно выстроенных операций, заключающихся в торговле людьми и контрабанде и осуществляемых по восьми международным маршрутам. Это стало хорошо развитым промыслом, позволяющим им усиливать свой военный потенциал и свое политическое влияние на вовлеченные национальные и международные круги. Находясь под эффективным контролем выявленных вооруженных групп и частных сетей, мигранты и просители убежища регулярно

подвергаются пыткам и сексуальному насилию. Дети оказывались особенно подвержены таким надругательствам и использовались для рабского труда.

Известно лишь об одном государстве-члене, которое возбудило судебные иски против структур и физических лиц, предположительно нарушавших оружейное эмбарго и отвечающих критериям для включения в санкционный перечень. Какой-либо сдерживающий эффект от санкционного режима остается ничтожным, а некоторые государства-члены даже безнаказанно игнорируют соответствующие резолюции Совета.

Вооруженные группы продолжают широко применять в военных целях машины повышенной проходимости и популярные изделия потребительской интеллектуальной электроники, например безэкипажные летательные аппараты. Благодаря происходящему снабжению морскими средствами, поступающими в Ливию из-за рубежа, развились оперативные возможности деятелей ливийского морского сектора. Силы, примкнувшие к Хафтару, продолжают захватывать в подконтрольных им морских акваториях торговые суда и требовать выкуп за их освобождение.

Группа экспертов провела два выездных осмотра военного снаряжения, перевезенного на двух торговых судах, которые были задержаны в ходе военной операции Европейского союза в Средиземноморье. Оба военных груза следовали в Бенгази. Группа установила, что одно из судов доставляло материальные средства в Бенгази и раньше. За отчетный период в Ливию совершило заходы четыре иностранных военно-морских судна четырех государств-членов. Некоторые из них осуществляли поставку в Ливию товаров или услуг, не подпадающих под эмбарго, однако Группа продолжает считать, что заход такого вида транспорта в пределы ливийской территории без предварительного одобрения Комитетом Совета Безопасности, учрежденным резолюцией 1970 (2011), является нарушением оружейного эмбарго.

Восточное отделение Центрального банка снова начало незаконное печатание банкнот, что вызвало дисфункцию в денежной политике в Ливии и повысило риск незаконного присвоения средств третьими сторонами.

Ливийское инвестиционное управление (LYe.001) не может соответствовать Международным стандартам финансовой отчетности, поскольку оно не в состоянии представлять консолидированную финансовую отчетность. Характер отношений Управления со своими дочерними компаниями продолжает создавать проблемы в том, что касается исполнения требований о замораживании активов, а конфликт интересов у его руководства увеличивает риск перенаправления активов.

За отчетный период Группа выявила 24 танкера, перевезших в Бенгази продукты нефтепереработки. По данным Национальной нефтяной корпорации и “Brega Petroleum Marketing Company”, речь шла о незаконном экспорте. Один из этих танкеров поочередно задерживался двумя государствами-членами. Усилилась и наземная контрабанда топлива. Координатор, предусмотренный для Комитета в соответствии с резолюцией 2146 (2014) Совета Безопасности, был в январе 2023 года арестован. В условиях, отмечающихся безудержностью незаконного нефтяного экспорта, новый координатор был назначен только в июне 2023 года, а до тех пор инстанция, которая могла бы выявлять факты такого экспорта, отсутствовала.

## Содержание

I.	Исходная информация .....	6
A.	Введение .....	6
B.	Сотрудничество с заинтересованными сторонами и учреждениями .....	6
II.	Действия, которые угрожают миру, стабильности или безопасности Ливии либо затрудняют или подрывают успешное завершение переходного политического процесса в этой стране .....	7
A.	Динамика ливийских вооруженных групп .....	7
B.	Международные террористические группы и террористы .....	15
C.	Региональные вопросы .....	16
D.	Действия, которые затрудняют или подрывают успешное завершение переходного политического процесса в Ливии .....	17
E.	Действия, которые нарушают применимые нормы международного права прав человека или международного гуманитарного права либо представляют собой ущемления прав человека .....	17
III.	Соблюдение оружейного эмбарго .....	27
A.	Нарушение и несоблюдение требований к морскому транспорту и другие морские вопросы .....	29
B.	Нарушения, выражающиеся в передаче оружия и проведении обучения .....	31
C.	Нарушение и несоблюдение требований к авиации .....	32
D.	Нарушения со стороны частных военных компаний .....	35
E.	Реагирование на попытки нарушить оружейное эмбарго .....	36
F.	Сводная информация об ответственности за нарушение и несоблюдение требований .....	39
IV.	Единство государственных учреждений .....	42
A.	Центральный банк Ливии .....	42
B.	Национальная нефтяная корпорация .....	42
V.	Предотвращение незаконного экспорта или незаконного импорта нефти .....	43
A.	Незаконный экспорт сырой нефти .....	43
B.	Незаконный экспорт продуктов нефтепереработки .....	43
C.	Координатор, предусмотренный резолюцией 2146 (2014) Совета Безопасности .....	45
D.	Эффективное реагирование на контрабанду .....	46
VI.	Осуществление мер по замораживанию активов в отношении структур, внесенных в санкционный перечень .....	46
A.	Ливийское инвестиционное управление (LYe.001) .....	46
VII.	Осуществление мер по замораживанию активов и запрещению поездок в отношении лиц, внесенных в санкционный перечень .....	49
A.	Сайид Мохаммед Каддаф ад-Дам (LYi.003) .....	49
B.	Саади Каддафи (LYi.015) .....	49
C.	Мохаммед Аль-Амин Аль-Араби Кашлаф (LYi.025) .....	49
D.	Абд ар-Рахман Аль-Милад (LYi.026) .....	50

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Е. Обновленные сведения о лицах, включенных в санкционный перечень . . . . .	50
VIII. Рекомендации . . . . .	50
Приложения* . . . . .	52

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\* Распространяются без официального редактирования и только на тех языках, на которых они были представлены.

## I. Исходная информация

### A. Введение

1. Настоящий доклад, представляемый Комитету Совета Безопасности во исполнение пункта 13 резолюции 2644 (2022), охватывает период с 25 апреля 2022 года — когда был представлен предыдущий доклад Группы экспертов (S/2022/427)<sup>1</sup> — по 17 июля 2023 года<sup>2</sup>. Он включает обновленные сведения о проводимых расследованиях, о которых там рассказывалось. В приложении 1 можно ознакомиться с обзором эволюции санкционного режима в отношении Ливии<sup>3</sup>. В приложении 2 приводится таблица сокращений и аббревиатур.

2. При проведении своих расследований Группа экспертов руководствовалась передовой практикой и методами, рекомендованными Неофициальной рабочей группой Совета Безопасности по общим вопросам, касающимся санкций (см. S/2006/997). Группа экспертов придерживалась максимально достижимого стандарта доказывания.

3. Группа опиралась на подтвержденные доказательства и следовала своим стандартам, предусматривающим возможность для ответа<sup>4</sup>. Дальнейшую информацию о методике см. в приложении 3. Занимаясь расследованиями, Группа придерживалась транспарентности, объективности, беспристрастности и независимости.

### B. Сотрудничество с заинтересованными сторонами и учреждениями

4. В приложении 4 перечислены государства-члены, организации и физические лица, с которыми пообщалась Группа, а в приложении 5 указывается ведшаяся ею переписка. Группа направила Комитету девять писем с обновленными сведениями или аналитическими выкладками по вопросам, представляющим интерес. В порядке выполнения своего мандата Группа побывала в 21 государстве-члене. Контакт с государствами-членами и другими визави, включая другие группы экспертов, также поддерживался Группой через электронные платформы.

5. Группа пользовалась логистическим содействием со стороны Миссии Организации Объединенных Наций по поддержке в Ливии (МООНПЛ) и общалась с Миссией. Группа общалась также с участниками военной операции Европейского союза в Средиземном море (операция «Ирини»). Они устроили Группе доступ к изъятому материалу для его осмотра.

6. После того как Группа на протяжении более девяти месяцев неоднократно обращалась к ливийским властям, ответственным за выдачу виз, 17 ноября 2022 года ей была выдана трехмесячная виза. Группа находилась в Ливии с 8 по 16 января 2023 года и встречалась там с базирующимися в Триполи властями и другими подходящими визави. Путевые планы Группы включали также поездку

<sup>1</sup> Все упоминания о документе S/2022/427 следует понимать как охватывающие документ S/2022/427/Corr.1.

<sup>2</sup> Дата обращения ко всем гиперссылкам: 11 июля 2023 года (если не указано иное).

<sup>3</sup> Приложения распространяются без официального редактирования и только на том языке, на котором они были представлены. Из-за ограничений, лимитирующих количество слов в докладах контрольных механизмов, детали ряда расследований приводятся Группой в этих приложениях.

<sup>4</sup> Дальнейшую информацию о методике и о возможности для ответа см. в приложении 3.

в Бенгази, но ее пришлось отменить, поскольку аэропортовые ведомства в Триполи не разрешили Группе сесть на самолет МООНПЛ. 17 марта 2023 года Группа подала заявление на новую визу. 10 июля 2023 года, т. е. спустя почти четыре месяца, была выдана еще одна трехмесячная виза. В результате Группе не удалось снова посетить Ливию перед составлением настоящего доклада.

7. После содержательных контактов с различными министерствами в Триполи, включая Министерство иностранных дел и Министерство обороны, Группа выяснила, что до соответствующих властей в Триполи не дошла ключевая официальная корреспонденция, направленная Постоянному представительству Ливии при Организации Объединенных Наций в Нью-Йорке. Среди недошедшей корреспонденции оказались сообщения, имеющие непосредственное касательство к соблюдению оружейного эмбарго и к содействию, на которое Группа рассчитывала в ходе своего визита в Ливию.

8. Силы, примкнувшие к Хафтару (СПХ)<sup>5</sup>, общались в течение отчетного периода с Группой и предоставили 3089 файлов в 832 папках, где содержалось 307 ГБ информации. Практически всё из этого имело вид документации и электронного контента из открытых источников. Ни в одной единице этих данных не содержалось каких-либо доказательных сведений, которые Группе не были бы известны до этого. Состоявшееся в апреле 2023 года изучение этого материала исчерпало годовой бюджет Группы на письменный и устный перевод.

## **II. Действия, которые угрожают миру, стабильности или безопасности Ливии либо затрудняют или подрывают успешное завершение переходного политического процесса в этой стране**

### **A. Динамика ливийских вооруженных групп**

#### **1. Эз-Завия: центр динамики вооруженных групп в западном регионе**

9. Эз-Завия является важным центром для нескольких организованных преступных сетей, занимающих доминирующее положение в незаконной деятельности в городах вдоль побережья к западу от Триполи (см. приложение б), включая Зувару, Сабрату и Варшафану. Эти взаимосвязанные сети замешаны в разного рода криминальной активности, а степень их координации зависит от характера нелегальной операции. Основные источники их дохода связаны с контрабандой топлива, контрабандным провозом мигрантов, торговлей людьми и наркотрафиком. Главными фигурами, стоящими за этими преступными сетями, являются вооруженные группы, которые приобрели некое подобие легитимности благодаря мандатам на осуществление силовых функций, полученным ими от государства и позволяющим им действовать безнаказанно.

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<sup>5</sup> Сюда входят вооруженная группа, ранее называвшаяся «Ливийской национальной армией Халифы Хафтара» (ныне переименована в «ливийские арабские вооруженные силы»), а также отечественные и зарубежные вооруженные группы. Чтобы охватить все примкнувшие к Хафтару вооруженные группы, Группа экспертов использует формулировку «силы, примкнувшие к Хафтару». Кроме того, Группа экспертов употребляет строчные, а не прописные буквы при упоминании вооруженных групп, которые именуют себя «Бригадой», «Батальоном» и т. п., что позволяет идентифицировать соответствующую группу, не наделяя ее при этом легитимностью, признаваемой за официальными военными формированиями государства. В подходящих случаях строчные буквы употребляются и при упоминании названий властных структур, действующих на востоке Ливии.

10. Смыкание между силами безопасности и криминальными деятелями в Эз-Завии стабильно усиливается с 2020 года. В порядке иллюстрации: на “Google Maps” можно найти один известный нелегальный рынок наркотиков, где он именуется так: «“Сифау”, где продают гашиш и бумагу для самокруток “Bafra”» (см. приложение 7). Это место открыто ассоциируется с Мохамедом Сифау — начальником подразделения по борьбе с наркотиками из состава Министерства внутренних дел в Эз-Завии. Группа экспертов получила из нескольких источников подтверждение о том, что под мостом в этом месте осуществляется торговля нелегальными наркотиками с автомашин Министерства.

11. Сложившаяся атмосфера безнаказанности вызвала протесты, которые произошли 12 и 22 мая 2023 года в Эз-Завии и в ходе которых протестующие осуждали бездействие властей перед лицом преступности и отсутствие мер со стороны правительства. Эти протесты стали одним из факторов, побудивших правительство к решению развернуть 25 мая 2023 года военную операцию, в ходе которой были применены безэкипажные летательные аппараты, нанешие удары по более чем 20 целям, включая инфраструктурные объекты и небольшие суда. Канцелярия Премьер-министра в Триполи назвала эту операцию правоохранительной инициативой<sup>6</sup>.

12. Вопреки официальным сообщениям, операцией руководило не Министерство обороны. Группа достоверно выяснила, что начальник штаба Министерства обороны генерал Мохамед Аль-Хаддад и командование Вооруженных сил Правительства национального единства не были причастны к процессу принятия решений и к проведению операции<sup>7</sup>. Премьер-министр Абдель Хамид ад-Дбейба в качестве Министра обороны лично санкционировал применение безэкипажных летательных аппаратов и обозначил цели. 24 мая 2022 года указом ад-Дбейбы было создано Управление электронной авиации, которое непосредственно ведает применением таких аппаратов<sup>8</sup>.

13. Многие цели были выбраны в первую очередь для того, чтобы ослабить контроль над нефтеперерабатывающим заводом в Эз-Завии, которым в настоящее время заправляет находящийся под санкциями Мохаммед Аль-Амин Аль-Араби Кашлаф (LYi.025), командир Службы охраны объектов нефтяного сектора в Эз-Завии. Кашлаф не подчинен вышестоящему звену Службы в Триполи и напрямую контролирует поставки топлива с завода в Эз-Завии<sup>9</sup>. Сообщается, что во время проводившейся операции Кашлаф пригрозил перекрыть цепочку поставок, если операция продолжится. Его власть над нефтеперерабатывающим заводом в Эз-Завии делает его одной из ключевых фигур в сети, занимающейся прибыльной контрабандой топлива на западе Ливии<sup>10</sup>. Стоит отметить, что наземная операция против завода не состоялась и завод остался под контролем Кашлафа.

## 2. Реорганизация военных и силовых структур на западе Ливии

14. Во время операции с применением безэкипажных летательных аппаратов, проведенной в Эз-Завии, главным лицом, действовавшим от имени Вооруженных сил Правительства национального единства, выступил Мохамед Бахрун (он

<sup>6</sup> <https://twitter.com/dabaibahamid/status/1664365500200042501?s=46&t=AJSuGTvN8PWieUi-5AGhcQ> (1 июня 2023 года).

<sup>7</sup> Конфиденциальные источники из дипломатического сообщества и ливийского сектора безопасности.

<sup>8</sup> [https://twitter.com/address\\_libya/status/1530183004638760960?s=46&t=AJSuGTvN8PWieUi-5AGhcQ](https://twitter.com/address_libya/status/1530183004638760960?s=46&t=AJSuGTvN8PWieUi-5AGhcQ) (27 мая 2022 года) и [https://twitter.com/sholla\\_al7oria/status/1530070002598027265](https://twitter.com/sholla_al7oria/status/1530070002598027265) (27 мая 2022 года).

<sup>9</sup> S/2018/812, пп. 156–159.

<sup>10</sup> См. также п. 60, где приводится информация о его деятельности по торговле людьми.



же Аль-Фар). Эта операция продемонстрировала тесное сотрудничество между Бахруном и ад-Дбейбой. На момент начала операции Бахрун возглавлял в Ливийской разведывательной службе контртеррористическое подразделение по западному региону. Группа установила, что со 2 июля 2023 года Бахрун работает в непосредственном подчинении Канцелярии Премьер-министра.

15. Существенная вовлеченность Бахруна указывает также на то, что операция была нацелена в первую очередь на группу Бусрибы и на сферу влияния ее союзников, включая так называемую Сеть «Эз-Завия»<sup>11</sup>. Али Бусриба — влиятельный член Палаты представителей. Его брат Хасан Бусриба возглавляет Аппарат поддержания стабильности в Эз-Завии и непосредственно конкурирует с Мохамедом Бахруном за контроль над прибрежной дорогой. Командуя Аппаратом поддержания стабильности в Эз-Завии, Бусриба пользуется относительной автономией от главного командира — Абделя Гани Халифы<sup>12</sup>. Кроме того, приходящийся Бусрибе родственником Исам Бусриба занимает пост Министра внутренних дел в Правительстве национальной стабильности, базирующемся в Сурте. 26 мая 2023 года Председатель Высшего государственного совета Халед Мишри обвинил ад-Дбейбу в наращивании сил безопасности, подконтрольных Канцелярии Премьер-министра, с целью подкрепить свои личные политические амбиции (см. приложение 8).

16. Заслуживает внимания появление у ад-Дбейбы новой должности — непосредственного командира одного из силовых формирований. 22 мая 2023 года Кабинет вынес решение о создании Национального агентства вспомогательных сил — силового формирования, которое базируется в Триполи и подчиняется напрямую ад-Дбейбе (см. приложение 9). Состав, мандат и возможности этого нового формирования остаются неясными. Благодаря появлению Национального агентства вспомогательных сил, контролю за использованием безэкипажных летательных аппаратов и поддержке боевиков Бахруна в Эз-Завии ад-Дбейба позиционировал себя как лидер значительной вооруженной силы.

17. В Триполи ключевыми влиятельными структурами, контролирующими ливийскую столицу, остаются Аппарат сдерживания по борьбе с организованной преступностью и терроризмом, Аппарат поддержания стабильности и Бригада 444 (см. приложение 10). Группа установила, что в феврале 2023 года состоялась встреча, на которой руководители Аппарата поддержания стабильности и Аппарата сдерживания по борьбе с организованной преступностью и терроризмом высказались решительно против замысла ад-Дбейбы о том, чтобы в рамках подготовки к предстоящим выборам сформировать новое правительство национального единства, в которое входили бы лица, связанные с окружением Садама Хафтара<sup>13</sup>. Тем не менее растущий военный потенциал, которым располагает ад-Дбейба, усиливает рычаги его влияния на другие вооруженные группы.

### 3. Силы, примкнувшие к Хафтару

18. После того как предпринятое в 2019 году наступление на Триполи провалилось, ближайшие родственники Хафтара инициировали план по консолидации контроля над военными, финансовыми и стратегическими операциями связанных с Хафтаром ливийских арабских вооруженных сил (ЛАВС). За отчетный период достиг беспрецедентных уровней эффективный контроль, осуществляемый Хафтаром (в частности, младшим сыном Хафтара бригадным генералом

<sup>11</sup> См. п. 60.

<sup>12</sup> Он же Аль-Кикли или Генева.

<sup>13</sup> Конфиденциальные источники из дипломатического сообщества и ливийского сектора безопасности.

Саддамом Хафтаром) над ключевыми подразделениями ЛАВС, финансовыми учреждениями и политическими органами. Семья Хафтаров взяла под контроль большую часть социальной и экономической жизни на востоке Ливии.

#### *Командование Саддама Хафтара*

19. Вторым по старшинству сын Халифы Хафтара бригадный генерал Халид Хафтар принял командование бригадой 106, тогда как батальоны 166 и 155 находятся де-факто под командованием Аюба Бусифа Аль-Фарджани (зять Халифы Хафтара) и, соответственно, Басема Аль-Буаиши (двоюродный брат Халифы Хафтара). Эти назначения не только усиливают контроль семьи Хафтаров над ЛАВС, но и снижают вероятность того, что в рядах ЛАВС выдвинется военная фигура, не входящая в хафтаровское окружение. Недавним примером того, как эта стратегия выглядит в действии, стал приказ о вхождении бригады 115 в состав бригады 106, отданный Халифой Хафтаром 3 мая 2023 года (см. приложение 11)<sup>14</sup>. В результате этого приказа Абдулфатах ан-Надури, сын генерала Абдулразека ан-Надури, оказался в непосредственном подчинении у Халида Хафтара. Абдулфатах ан-Надури попытался воспротивиться этому шагу и заручиться племенной поддержкой<sup>15</sup>, но безуспешно. В некоторых подконтрольных СПХ районах, таких как Тобрук, местные племенные лидеры сохранили некоторую степень автономии и влияния, позволяющую им противиться власти ЛАВС<sup>16</sup>. Однако в настоящее время на востоке Ливии нет значительных военных сил, которые действовали бы вне прямого контроля со стороны внутреннего окружения Хафтара.

20. После того как в октябре 2020 года было подписано соглашение о прекращении огня, Саддам Хафтар стал одной из ключевых фигур в ЛАВС. Лидеры некоторых вооруженных групп на западе и некоторые члены международного сообщества изображали его как одного из ключевых визави для любого стратегического диалога с ЛАВС. Саддам Хафтар командует бригадой «Тарик ибн Зияд» (ТБЗ), состоящей из вооруженных групп и бойцов, не все из которых вышли из военной среды. Так, батальон 10 сформирован из бойцов-салафитов, которые не являются выходцами из такой среды, но участвовали в операции «Карам», проводившейся с 2014 по 2018 год в Бенгази. Военная база ТБЗ в Сиди-Фарадже (на востоке Бенгази) — это, по сути, небольшой город с учебными помещениями, хранилищем оружия и изоляторами как для гражданских лиц, так и для военнослужащих.

21. Произошедшее 24 марта 2021 года убийство Махмуда Аль-Варфалли, который командовал входящей в СПХ группой 50<sup>17</sup>, привело к реорганизации силовых формирований в Бенгази. Эти формирования постепенно перешли под эффективное командование Саддама Хафтара. Али Аль-Машаи принял командование группой 20/20 (см. п. 55), куда вошла большая часть личного состава группы 50. Однако, в отличие от Аль-Варфалли, Аль-Машаи не пользуется такой же харизматичностью среди служащих ЛАВС и не обладает значительной политической властью или племенной поддержкой<sup>18</sup>. Аль-Машаи является, по сути, «человеком Саддама». Он занимается в первую очередь проведением незаконных силовых операций, которые часто оправдываются необходимостью правоохранительных мер или противодействия контрабандному провозу

<sup>14</sup> 8 июля 2023 года было объявлено, что в состав бригады 106 перешла также бригада «Халид ибн Аль-Валид», базирующаяся в Тобруке.

<sup>15</sup> Абдулфатах и Абдулразек ан-Надури происходят из племени орфа (الغرفة).

<sup>16</sup> Силовая операция, проведенная в июне 2023 года.

<sup>17</sup> См. S/2022/427, п. 16.

<sup>18</sup> Конфиденциальные документы, касающиеся деятельности силовых формирований в Бенгази.

мигрантов. Группа 20/20 также проводила в жизнь решение службы безопасности СПХ о физическом притеснении инфлюэнсеров, активистов социальных сетей и других критиков с целью удерживать нарратив под контролем и приукрашивать публичный имидж Саддама Хафтара (см. пп. 43 и 49). В средствах массовой информации прошло непроверенное сообщение об изменении брендинга и базирования группы 20/20<sup>19</sup>, однако Группа не заметила каких-либо существенных практических признаков достоверности этих сведений.

*Экономическое влияние и политическая вовлеченность*

22. В отчетный период очень активно действовало руководимое Саддамом Хафтаром Производственно-сервисное агентство «Тарик ибн Зияд»<sup>20</sup> (Агентство ТБЗ). Оно занимается содержанием дорог, вывозом мусора и строительством общественных зданий в Бенгази, Сабхе, Дерне и других подконтрольных ЛАВС районах. Агентство ТБЗ выступает в качестве поставщика услуг, который получает государственные контракты и нередко привлекает для их исполнения в качестве субподрядчиков другие компании. Оно также непосредственно подключено к плану будущего расширения мегаполиса Бенгази (см. приложение 12). Кроме того, Саддам Хафтар косвенно контролирует “Berniq Airways”<sup>21</sup> и содержит крепкую сеть в банковском секторе Бенгази, что дает ему легкий доступ к кредитным линиям.

23. Бельгасем Хафтар активно укреплял влияние семьи Хафтаров в Палате представителей и Правительстве национальной стабильности<sup>22</sup>. Сообщается о его лоббировании за усиление контроля семьи Хафтаров над политическими институтами на востоке Ливии<sup>23</sup>.

24. Семья Хафтаров выстроила значительную сеть покровительства, которая позволяет ей непосредственно контролировать назначения на более высокие посты на военной службе, в государственном секторе и в руководящем политическом звене. Это означает, что семья Хафтаров имеет прямое влияние на национальный политический процесс, который не может продвигаться вперед без ее согласия.

*Непродолжительное содействие, которое ливийские арабские вооруженные силы предоставляли Силам оперативного оказания поддержки в Судане*

25. Вооруженный конфликт в Судане, начавшийся 15 апреля 2023 года, весьма слабо отразился на восточной части Ливии. Группа установила, что в начале конфликта некоторые элементы ЛАВС предоставили Силам оперативного оказания поддержки (СООП) военную поддержку в виде поставки военного снаряжения<sup>24</sup>. Был организован воздушный мост из бенгазийского аэропорта Бенина (HLLB) в аэропорт Куфра (HLLK). Полеты выполнялись 16, 17 и 18 апреля 2023 года<sup>25</sup>, и в аэропорту Куфра (HLLK) была замечена авиационная активность самолета «Ильюшин» Ил-76<sup>26</sup>. 16 апреля 2023 года был зафиксирован рейс, который выполнялся не из аэропорта Бенина (HLLB), но проследовал

<sup>19</sup> <https://www.facebook.com/OyaNewsPaper/posts/745483423670197/> (4 января 2023 года).

<sup>20</sup> جهاز طارق بن زياد للخدمات والإنتاج.

<sup>21</sup> <https://berniq.aero/ar/en/>.

<sup>22</sup> См. S/2022/427, п. 11.

<sup>23</sup> Конфиденциальный документ из дипломатического источника.

<sup>24</sup> Группа проконсультировалась с Группой экспертов, учрежденной резолюцией 1591 (2005).

<sup>25</sup> Конфиденциальные источники.

<sup>26</sup> [https://twitter.com/joseph\\_ly7/status/1648066174259720192](https://twitter.com/joseph_ly7/status/1648066174259720192) (17 апреля 2023 года) и конфиденциальные источники в авиации.

через него транзитом, вылетов из точки за пределами Ливии, которую Группе определить не удалось (см. рисунок I).

26. В начале апреля 2023 года аэропорт Куфра был усилен батальоном 128 из состава ЛАВС<sup>27</sup>, в рядах которого насчитывается много суданских граждан. Доставленное военное снаряжение транспортировалось по дороге в южном направлении, в сторону пограничного перехода Айн-Казит и на территорию Судана, где ее забирали СООП<sup>28</sup>. 20 апреля 2023 года ЛАВС официально закрыли пограничный переход Айн-Казит<sup>29</sup>, и контроль перешел к СООП (см. рисунок II)<sup>30</sup>. Этот сухопутный маршрут из Куфры является прибыльным маршрутом контрабандного провоза наркотиков, автомобилей, а зачастую и людей, что делает СООП одним из основных торговых партнеров для местных подразделений ЛАВС<sup>31</sup>. Конфликт в Судане привел к разлаженности этого контрабандного маршрута.

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<sup>27</sup> Батальоном 128 из состава ЛАВС командует бригадный генерал Хасан Маатуг Зедма. Конфиденциальные источники в дипломатическом сообществе в Ливии.

<sup>28</sup> Конфиденциальные источники в дипломатическом сообществе в Ливии.

<sup>29</sup> Обычно контролируется базирующимся в Куфре батальоном «Субул ас-Салам» из состава ЛАВС.

<sup>30</sup> <https://www.facebook.com/Fawaselmedia/photos/a.155819376163364/819519316460030/> (19 апреля 2023 года), <https://libyareview.com/33833/trade-suspended-near-libyan-sudanese-border/> (20 апреля 2023 года) и конфиденциальный источник.

<sup>31</sup> Конфиденциальные источники в дипломатическом сообществе в Ливии и <https://www.aljazeera.com/news/2023/5/1/what-does-fighting-in-darfur-mean-for-sudans-western-frontier> (1 мая 2023 года).

Рисунок I  
 Операции Сил оперативного оказания поддержки и ливийских арабских  
 вооруженных сил, апрель 2023 года

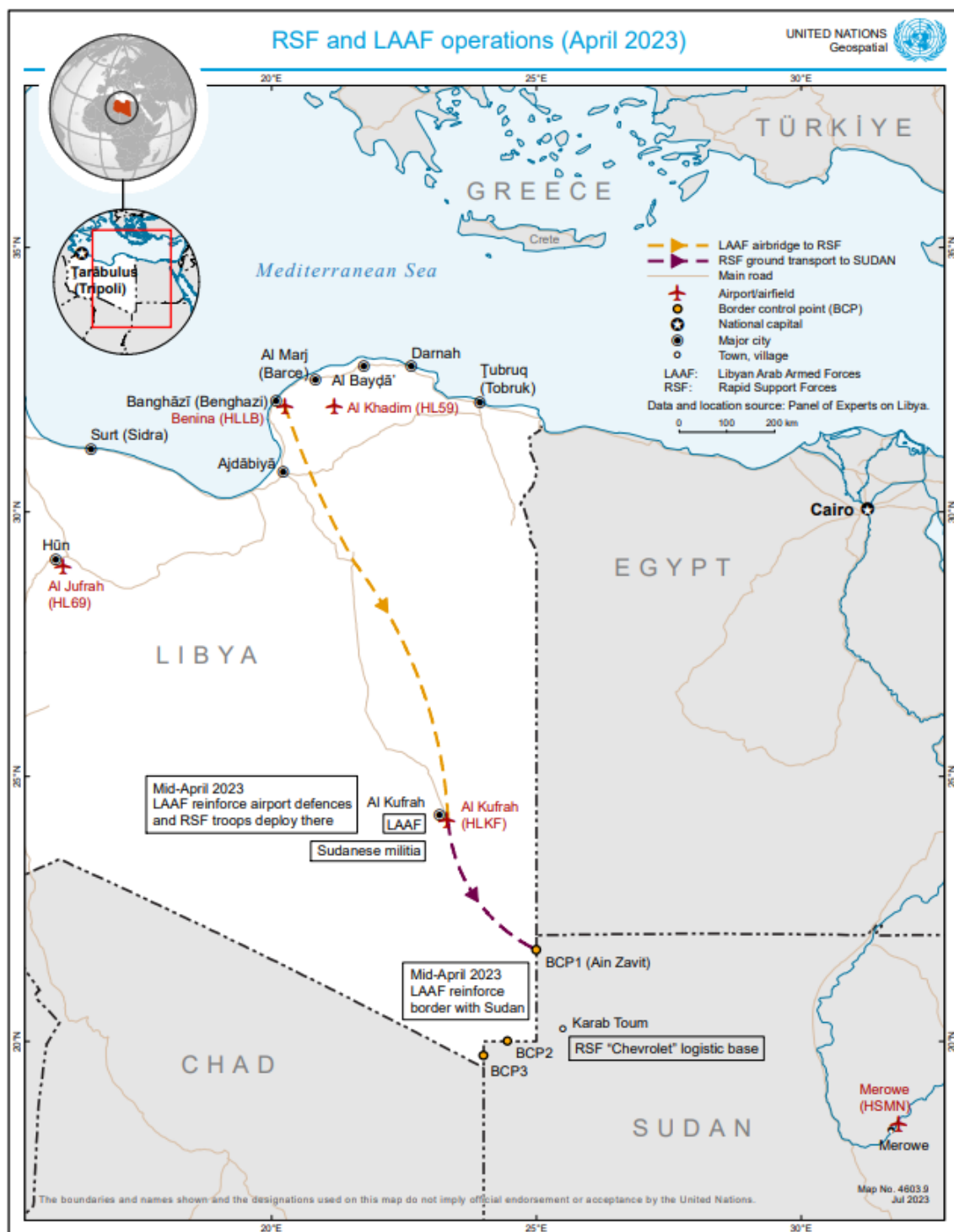
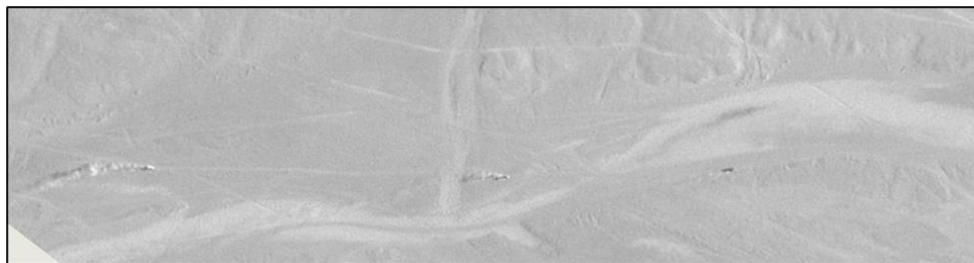


Рисунок П  
**Приближение автотранспорта к месту нахождения пограничного перехода  
 Айн-Казит (1 мая 2023 года)**<sup>32</sup>



Источник: Google Earth.

27. Группа получила подтверждение того, что служащие ЛАВС как минимум способствовали переброске военного снаряжения из аэропорта Куфра к суданской границе с использованием суданских бойцов, входящих в состав батальона 128. Группа установила, что капитан СООП получил от своего командования предписание передислоцироваться из Эль-Генейны (Западный Дарфур, Судан) к ливийской границе, чтобы забрать военное снаряжение<sup>33</sup>. График его передислокации стыкуется с графиком доставки снаряжения, упомянутого в предыдущих пунктах.

28. Военные поставки предназначались для подразделений СООП, вовлеченных в борьбу за контроль над суданским аэропортом Мероэ (HSMN)<sup>34</sup>, который находится в 800 км от ливийской границы. 15 апреля 2023 года СООП захватили аэропорт, однако 16 апреля 2023 года Суданские вооруженные силы восстановили свой контроль на нем<sup>35</sup>. Эти оперативные события произошли до выявленной Группой переброски военных грузов. 20 апреля 2023 года Суданские вооруженные силы дезорганизовали канал поставок из Ливии, захватив расположенную неподалеку от Караб-Тума<sup>36</sup> логистическую базу СООП, именуемую «Шифир Лит» или «Шевроле»<sup>37</sup>.

29. Группа считает, что Халифа Хафтар не отдавал прямого приказа об этой снабженческой операции, а узнав о ней, распорядился о ее прекращении<sup>38</sup>. Эта оценка подтверждается заявлением Главнокомандующего Суданскими вооруженными силами генерала Абделя Фаттаха Аль-Бурхана, которое было сделано 23 апреля 2023 года и в котором говорилось, что Хафтар не поддерживает СООП<sup>39</sup>. Группа считает, что к этой непродолжительной снабженческой операции были в качестве посредников причастны лишь некоторые элементы ЛАВС и что их причастность не указывает на некую долгосрочную поддержку СООП со стороны ЛАВС в суданском конфликте.

30. Элементы ЛАВС из состава батальона 128 изначально действовали автономно и оказывали СООП поддержку, исходя, вероятно, из существующих

<sup>32</sup> 21°43'37,13" с. ш., 24°59'1,28" в. д.; 8 ч 26 мин по всемирному скоординированному времени.

<sup>33</sup> Конфиденциальный источник в суданской вооруженной группе.

<sup>34</sup> 18°26'35" с. ш., 31°50'35" в. д.

<sup>35</sup> <https://www.youtube.com/watch?v=JL6zpY13fs0> (15 апреля 2023 года) и <https://sudantribune.com/article273048/> (16 апреля 2023 года).

<sup>36</sup> 20°13'34,68" с. ш., 25°30'7,99" в. д.

<sup>37</sup> <https://tass.com/world/1606961> (20 апреля 2023 года).

<sup>38</sup> Конфиденциальные источники в дипломатическом сообществе в Ливии.

<sup>39</sup> <https://english.ahram.org.eg/News/496267.aspx> (22 апреля 2023 года) и <https://en.alwasat.ly/news/libya/396435> (22 апреля 2023 года).

между ними контрабандных связей. Это показывает, что для проведения контрабандных операций некоторые подразделения на юге Ливии не нуждаются в предварительном разрешении из штаба ЛАВС.

31. По заключению Группы, хотя некоторые элементы ЛАВС способствовали переброске военного снаряжения в пределах Ливии, нет никаких доказательств того, что ЛАВС как организация физически вывозила какое-либо военное снаряжение за пределы Ливии. Поэтому Группа не может достоверно заявить о нарушении оружейного эмбарго.

32. Группа заключает, что, закупив военное снаряжение из Ливии, СООП нарушили пункт 10 резолюции 1970 (2011).

## **В. Международные террористические группы и террористы**

33. За отчетный период Вооруженные силы Правительства национального единства и СПХ расформировали как минимум пять террористических ячеек и задержали ключевых членов террористических групп в различных местностях Ливии (см. приложение 13). Благодаря патрулированию, которое СПХ продолжают осуществлять в южном регионе, удалось снизить оперативные возможности террористических групп в Ливии. В результате за отчетный период утверждений о террористических нападениях не поступало. Это контрастирует с предыдущим отчетным периодом, когда подразделения СПХ на юге неоднократно подвергались подобным нападениям. Ливийские силовые структуры, отвечающие за борьбу с терроризмом в западном регионе, подтвердили, что в этом регионе (особенно в Бени-Валиде, ранее известном как безопасное пристанище для террористов) не зафиксировано террористических вылазок с тех пор, как Вооруженные силы Правительства национального единства начали в этом городе контртеррористические операции. Однако угроза терроризма по-прежнему высока, если учесть проницаемость границ Ливии и усиление конфликтов в некоторых странах, соседствующих с нею на юге.

### **1. «Исламское государство Ирака и Леванта» — Ливия (QDe.165)**

34. СПХ проводили на юге Ливии регулярные контртеррористические операции, в частности нацеленные против баз, принадлежащих группе ««Исламское государство Ирака и Леванта» — Ливия» (ИГИЛ-Ливия, QDe.165). Данные операции не только вынудили эту группу переместиться в разные города южного региона, но и привели к ликвидации ключевых полевых командиров. Одной из таких фигур стал ливийский гражданин Мехди Раджаб Салем Данго (он же Абу Аль-Баракат), ответственный за создание в Ливии в 2016 году террористической организации под названием «Армия Сахары», связанной с ИГИЛ<sup>40</sup>.

35. В публичной сводке о своей глобальной деятельности в 2022 году (см. приложение 14) руководство ИГИЛ подтвердило, что ливийский филиал ИГИЛ сохранил небольшое присутствие в Ливии, совершив там всего лишь три вылазки<sup>41</sup>. За отчетный период «ИГИЛ-Ливия» не заявляла о совершении ею каких-либо террористических вылазок.

<sup>40</sup> См. пресс-конференцию в 2017 году, на которой Генеральная прокуратура представила результаты расследований, проведенных в отношении «ИГИЛ-Ливии». Имеется по адресу [https://www.youtube.com/watch?v=\\_V22E2z0T3c](https://www.youtube.com/watch?v=_V22E2z0T3c) (29 сентября 2017 года).

<sup>41</sup> См. S/2022/427, приложение 13, таблица 12.1.

## С. Региональные вопросы

### 1. Объединенная военная комиссия «5+5»

36. Объединенная военная комиссия «5+5» по-прежнему сталкивается с несколькими вызовами, которые препятствуют эффективному выводу иностранных сил из Ливии, включая, в частности, отсутствие единого командования и управления из-за фрагментированной ситуации с безопасностью, нехватку доверия между различными ливийскими фигурами, а также фактор внешних влияний и интересов. На момент составления настоящего доклада не зафиксировано, чтобы какие-либо иностранные боевики, иностранные силы или наемники, примкнувшие к конфликтующим сторонам, покинули Ливию в рамках усилий, приложенных Объединенной военной комиссией «5+5».

### 2. Иностранные вооруженные группы и боевики

#### *Сирийские боевики*

37. Группа экспертов установила, что в различных военных лагерях Вооруженных сил Правительства национального единства в районе Триполи систематически отмечалось присутствие сирийских боевиков, поддерживаемых Турцией. Она установила, например, что группа из не менее чем 300 сирийских боевиков, связанных с группой «Султан Сулейман Шах», присутствовала в военном лагере «Сиди Билал» (см. приложение 15), проходя там регулярную учебную подготовку<sup>42</sup>. На протяжении отчетного периода эти сирийские боевики перемещались между Ливией и Сирийской Арабской Республикой. Находясь в Ливии, они оставались в военных лагерях и не участвовали в какой-либо военной деятельности на ливийской территории.

#### *Чадские боевики*

38. Чадские боевики из Фронта за смену власти и согласие в Чаде, принадлежащие в основном к этнической группе тубу, ранее участвовали в вооруженных столкновениях с бригадой ТБЗ<sup>43</sup>. Эти боевики остаются в южной части Ливии и встречали терпимое отношение со стороны СПХ, в том числе бригады ТБЗ и бригады 128, базирующейся в Сабхе. Присутствие элементов Фронта за смену власти и согласие в Чаде было замечено на границе с Нигером неподалеку от города Эль-Катрун, где у них действует контрольно-пропускной пункт. Руководство группы базировалось в отдаленном районе близ границы с Нигером. СПХ разрешала ее формированиям пополнять свои запасы в городе Сабха<sup>44</sup>. По оценке Группы экспертов, новое отношение СПХ к Фронту за смену власти и согласие в Чаде помогало им улаживать свои отношения с племенами тубу в этом районе и обеспечивать себе там контроль над границей и дорогами.

39. По сообщениям, в начале марта 2023 года как минимум 30 членов Фронта за смену власти и согласие в Чаде вернулись из Ливии в Чад и по возвращении сложили оружие в рамках чадского процесса примирения<sup>45</sup>. Группа экспертов обратилась к чадским властям<sup>46</sup> за дополнительной информацией на этот счет, но ответа на свой запрос не получила.

<sup>42</sup> См. видеоролик, в котором сирийская группа «Султан Сулейман Шах» демонстрирует часть пройденной ею подготовки. Имеется по адресу <https://www.youtube.com/watch?v=oTzkXwTrdww> (8 апреля 2023 года).

<sup>43</sup> См. S/2022/427, пп. 26–27.

<sup>44</sup> Конфиденциальные источники из одной вооруженной группы.

<sup>45</sup> [https://www.alwihdainfo.com/D-ex-combattants-rebelles-du-FACT-reagent-le-Tchad-dans-le-cadre-de-la-reconciliation-nationale\\_a121735.html](https://www.alwihdainfo.com/D-ex-combattants-rebelles-du-FACT-reagent-le-Tchad-dans-le-cadre-de-la-reconciliation-nationale_a121735.html) (2 марта 2023 года) и <https://libyaobserver.ly/inbrief/chad-announces-return-rebel-group-libya> (6 марта 2023 года).

<sup>46</sup> 15 марта 2023 года.



## **D. Действия, которые затрудняют или подрывают успешное завершение переходного политического процесса в Ливии**

40. Группа продолжала отслеживать любые действия, которые подпадали бы под изложенные в пункте 11 резолюции 2644 (2022) санкционные критерии, и выявлять тех, кто такие действия совершает. Группа всё еще расследует соответствующие инциденты, включая, например, притеснение лиц, которые считаются поддерживающими кандидатуру Сейфа Аль-Ислама Каддафи (LYi.017) на президентский пост или связанными с этой кандидатурой<sup>47</sup>.

## **E. Действия, которые нарушают применимые нормы международного права прав человека или международного гуманитарного права либо представляют собой ущемления прав человека**

41. В соответствии с пунктом 11 а) резолюции 2213 (2015) и последующими резолюциями Группа расследовала происходящие в Ливии нарушения международного права прав человека и международного гуманитарного права и ущемления прав человека.

42. За отчетный период Группа экспертов выявила 22 эпизода боевых столкновений между вооруженными группами в густонаселенных районах Триполи и Эз-Завии. Эти столкновения привели: а) к гибели или ранению более 130 мирных жителей; б) к повреждению, а в некоторых случаях — разрушению гражданских объектов; с) к вынужденному перемещению местного гражданского населения; d) к значительному риску потерь среди гражданского населения из-за неразорвавшихся боеприпасов. Столь существенный ущерб гражданскому населению был вызван в первую очередь применением оружия взрывного действия в районах, отведенных преимущественно под проживание такого населения, и общей неспособностью воюющих сторон принять все возможные меры предосторожности к тому, чтобы избежать или хотя бы минимизировать случайный ущерб мирным жителям. Группа экспертов выявила стороны, причастные к этим инцидентам, однако значительные сложности, с которыми она сталкивается в своей расследовательской деятельности, помешали ей оценить законность каждого нападения и потенциальную ответственность за него в соответствии с международным гуманитарным правом. К числу этих сложностей относятся: а) нехватка физического доступа к пострадавшим объектам и людям; б) малочисленность подтвержденных сведений, касающихся нападений на объекты; с) недостаточность (вызванная сходством приемов, к которым прибегают причастные стороны) доказательств, которые позволяли бы конкретизировать обстоятельства нападения, чтобы проверить точность анализа его последствий; d) отсутствие достоверной информации о процессе (если он есть) планирования нападений и распоряжения об их совершении. Поэтому на данном этапе расследований невозможно определить, достигнут ли порог доказательности, необходимый для инкриминирования потенциально противоправного поведения структурам и физическим лицам, ответственным за него.

### **1. Нарушения международного гуманитарного права и международного права прав человека, совершаемые по отношению к лишенным свободы лицам**

43. Группа экспертов выявила 14 случаев нарушения международного гуманитарного права и международного права прав человека, которые произошли в

<sup>47</sup> См. приложение 17.

триполийском изоляторе, подконтрольном Аппарату сдерживания по борьбе с преступностью и терроризмом, и в подконтрольных СПХ изоляторах<sup>48</sup>, расположенных в Адждабии, Бенгази, Сурте и Эль-Байде<sup>49</sup>. Данные вооруженные группы систематически прибегали к удерживанию людей под стражей с целью: а) наказать таргетируемых гражданских лиц за их предполагаемое несогласие с территориальной властью руководства вооруженных групп; б) запугать гражданское население конкретных жилых кварталов, чтобы добиться подконтрольности и принудить к послушанию; с) сделать недееспособными людей, которые воспринимаются в качестве угрозы для нелегальной экономической деятельности вооруженных групп; d) дать членам вооруженных групп возможность свести личные счеты с таргетируемыми гражданскими лицами; е) продемонстрировать территориальную и административную автономию от официальных общенациональных учреждений, ответственных за судебное рассмотрение выявленных случаев содержания людей под стражей.

#### *Аппарат сдерживания для борьбы с преступностью и терроризмом*

44. Группа расследовала шесть случаев, когда лишенные свободы лица, содержащиеся в триполийском изоляторе «Митига»<sup>50</sup>, подконтрольном Аппарату сдерживания по борьбе с преступностью и терроризмом, стали жертвами произвольного и противоправного задержания, жестокого, бесчеловечного и унижающего достоинство обращения, а также серьезного нарушения прав на справедливое судебное разбирательство<sup>51</sup>. В этих случаях задержавшее ведомство грубо отказывало шестерым задержанным в основных процессуальных и судебных гарантиях. В частности, оно намеренно лишало задержанных защиты закона, неоднократно отказываясь исполнять официальные судебные распоряжения, в том числе постановления о доставке задержанных к судье (см. приложение 16). Эта устойчивая (Группа регулярно сообщает о ней с 2015 года<sup>52</sup>) тенденция к умышленной изоляции задержанных и осуществлению автономного контроля над доступом задержанных к защите превратила изолятор «Митига» в инструмент систематического дурного обращения с людьми.

#### *Ливийские арабские вооруженные силы*

45. Группа выявила девять случаев, когда гражданские лица стали жертвами незаконного заключения под стражу, насильственного исчезновения, истязания, жестокого, бесчеловечного и унижающего достоинство обращения в двух неофициальных изоляторах, подконтрольных бригаде ТБЗ:

- а) в изоляторе, расположенном на военной базе бригады в Сиди-Фарадже (Бенгази)<sup>53</sup>;
- б) в изоляторной секции на объекте «Гернада» в Эль-Байде<sup>54</sup>, которая перестраивается в более крупный, самостоятельный изолятор (см. приложение 16)<sup>55</sup>.

<sup>48</sup> Сведения о том, где находятся все созданные изоляторы и другие места, используемые для содержания людей под стражей, приводятся в приложениях 16, 18, 19, 20 и 21.

<sup>49</sup> По состоянию на 30 сентября 2020 года.

<sup>50</sup> 32°54'05,2" с. ш., 13°16'10,0" в. д.

<sup>51</sup> Статьи 9 и 14 Международного пакта о гражданских и политических правах.

<sup>52</sup> См., например, S/2015/128, п. 82, S/2016/209, п. 91, S/2018/812, п. 40, S/2021/229, п. 35, и S/2022/427, п. 39 и приложение 21.

<sup>53</sup> 32°04'02,0" с. ш., 20°12'56,9" в. д.

<sup>54</sup> 32°43'32,4" с. ш., 21°54'00,4" в. д.

<sup>55</sup> Статья 3, общая для четырех Женевских конвенций 1949 года, и статьи 7 и 9 Международного пакта о гражданских и политических правах.

46. Задержанных систематически подвергали: а) жестоким избиениям пластиковыми трубками и металлическими предметами; б) строгой сенсорной депривации на продолжительное время, доходящее до 30 дней; с) длительному лишению связи с внешним миром в унижительных и постыдных условиях, без доступа к туалету и чистой одежде; d) постоянному беспокойству и запугиванию под звуки криков и побоев других задержанных. Методы физического и психологического истязания и иного жестокого обращения применялись к задержанным с особой жестокостью, вызывая у них психическую травму и состояние тревоженности<sup>56</sup>.

47. Опираясь на непротиворечивые свидетельские и документальные доказательства, Группа установила, что начальник изоляторной секции на объекте «Гернада», относящегося к бригаде ТБЗ, Мохаммед Салим Мустафа Аль-хадж Идрис (он же Мохамед ат-Тагури) несет прямую ответственность за то, что с 2021 года под его надзором регулярно происходит плохое обращение с вверенными ему задержанными.

#### *Реакция ливийских арабских вооруженных сил на выводы Группы*

48. Воспользовавшись возможностью дать ответ Группе, командование ЛАВС оспорило выводы: а) о существовании двух неофициальных изоляторов; б) о выявленных нарушениях международного гуманитарного права и международного права прав человека; с) об ответственности причастных подразделений СПХ и их служащих, включая Мохамеда ат-Тагури — начальника изоляторной секции на объекте «Гернада»<sup>57</sup>.

49. Во-первых, командование ЛАВС указало, что изоляторы на военной базе бригады ТБЗ в Сиди-Фарадже предназначены исключительно для ее военнослужащих. Оно указало также, что на базе нет помещений для содержания или заключения гражданских лиц. По поводу изоляторного объекта «Гернада» оно заявило, что этот объект и все его секции находятся в исключительном ведении министерства внутренних дел и что там нет отдельного изоляторного блока, который подчинялся бы бригаде ТБЗ.

50. Во-вторых, командование ЛАВС заявило, что изолятор «Гернада» оснащен так, чтобы нуждающимся задержанным оказывалась регулярная медицинская помощь, что плохого обращения с задержанными там не происходит и что на этот объект регулярно допускаются независимые гуманитарные наблюдатели.

51. В-третьих, командование ЛАВС отметило, что Мохамед ат-Тагури не несет ответственности за содержание задержанных в изоляторе «Гернада» или за другие вопросы, относящиеся к этому объекту, поскольку служит в военной полиции ЛАВС, которая отвечает за обеспечение внешней охраны территории этого изолятора. Воспользовавшись возможностью дать ответ на выводы Группы, ат-Тагури подтвердил: а) что в изоляторе «Гернада» нет изоляторной секции, подконтрольной бригаде ТБЗ; б) что он является служащим военной полиции ЛАВС, не имеющим каких-либо командных функций; с) что как военный полицейский он выполняет такие будничные задачи по обеспечению безопасности, как охрана изолятора «Гернада» и сопровождение задержанных из мест содержания под стражей в суды и обратно<sup>58</sup>.

<sup>56</sup> Беседы Группы с очевидцами (международное гуманитарное право: конфиденциальные источники 28, 29, 30, 33, 34, 73, 74 и 128).

<sup>57</sup> Ответы генерального командования ЛАВС от 7 июля 2022 года и 26 июня 2023 года, а также онлайн-встреча Группы с генеральным командованием ЛАВС (9 июля 2023 года).

<sup>58</sup> Онлайн-встреча Группы с Мохамедом ат-Тагури (9 июля 2023 года).

52. Ни командование ЛАВС, ни ат-Тагури не сопроводили свои заявления какими-либо доказательствами, которые могли бы убедить Группу в их правдивости. В свою очередь, Группа располагает обширными независимыми доказательствами в виде документов и свидетельских показаний, которые подтверждают ее выводы (см. приложение 16).

## 2. Нападения на правозащитников, других членов гражданского общества и журналистов

53. Группа расследовала 21 случай нападения на правозащитников, гуманитарных работников, общественных активистов, исследователей и журналистов в Адждабии, Бенгази, Сурте, Триполи и Эль-Байде<sup>59</sup>. Лишение таргетируемых лиц свободы выражения мнений достигалось: а) насильственными актами, а именно незаконным лишением физической свободы, плохим обращением, а также сожжением и уничтожением их частной собственности; б) словесными оскорблениями; с) прямыми угрозами в их адрес и в адрес их ближайших родственников, предвещающими совершение и повторение таких насильственных актов по отношению к ним в случае неподчинения приказам нападавших<sup>60</sup>. Нападавшие умышленно и злонамеренно апеллировали к национальным законам с целью изобразить жертв как «преступников», «наркодельцов», «отступников» и «шпионов», стремясь оправдать акты насилия и запугивания против таргетируемых лиц, и заручиться общественной поддержкой таких актов.

54. В число структур, несущих главную ответственность за эти нападения, вошли офис Агентства внутренней безопасности в Триполи, подконтрольные СПХ отделения агентства внутренней безопасности в Бенгази и Тобруке, бригада ТБЗ и группа 20/20. Служащие этих структур выявляли интересующих их лиц путем слежения за их политической, социальной и профессиональной деятельностью или во время жестко обставленных рейдов. Затем они нападали на них, чтобы добиться полного контроля над их действиями (см. приложение 17).

### *Реакция ливийских арабских вооруженных сил на выводы Группы*

55. Командование ЛАВС оспорило также выводы Группы экспертов относительно ответственности группы 20/20 и ее командира Али Аль-Машаи (он же Али Абдель Салам Ахмед) за незаконные силовые операции и сопутствовавшие им нарушения международного права прав человека в отношении гражданских лиц в Сурте в августе 2022 года<sup>61</sup>. В своем ответе Али Аль-Машаи заявил: а) что в составе СПХ нет группы 20/20 и что, насколько ему известно, военное подразделение под таким наименованием базируется в Триполи; б) что он служит сержантом в бригаде ТБЗ и не имеет командных функций<sup>62</sup>. Ни командование ЛАВС, ни Али Аль-Машаи не сопроводили свои заявления какими-либо доказательствами, которые могли бы убедить Группу в их правдивости. В свою очередь, Группа располагает обширными независимыми доказательствами в виде документов и свидетельских показаний, которые подтверждают ее выводы (см. приложение 17).

<sup>59</sup> Беседы Группы с очевидцами (конфиденциальные источники 31, 32, 62, 63, 64, 79, 83 и 127).

<sup>60</sup> Статьи 7, 9 и 19 Международного пакта о гражданских и политических правах.

<sup>61</sup> Ответы генерального командования ЛАВС от 26 июня 2023 года и онлайн-встреча Группы с генеральным командованием ЛАВС (9 июля 2023 года).

<sup>62</sup> Онлайн-встреча Группы с Али Аль-Машаи (9 июля 2023 года).

### 3. Нападение на персонал Организации Объединенных Наций

56. Группа выявила инцидент, выразившийся в том, что три сотрудника МООНПЛ при исполнении своих служебных обязанностей были 1 июня 2023 года произвольно и незаконно лишены свободы служащими ЛАВС, контролирующими бенгазийский аэропорт Бенина. Задержавшее ведомство нарушало процессуальные права сотрудников МООНПЛ и подвергало их бесчеловечному и унижающему достоинство обращению во время содержания под стражей<sup>63</sup>. Группа заключает, что, поскольку такое поведение ответственных лиц представляет собой планирование нападения на персонал Организации Объединенных Наций, руководство таким нападением и участие в нем, оно в соответствии с пунктом 11 резолюции 2441 (2018) отвечает критериям для включения в санкционный перечень наряду с действиями, перечисленными в пункте 11 а) резолюции 2213 (2015).

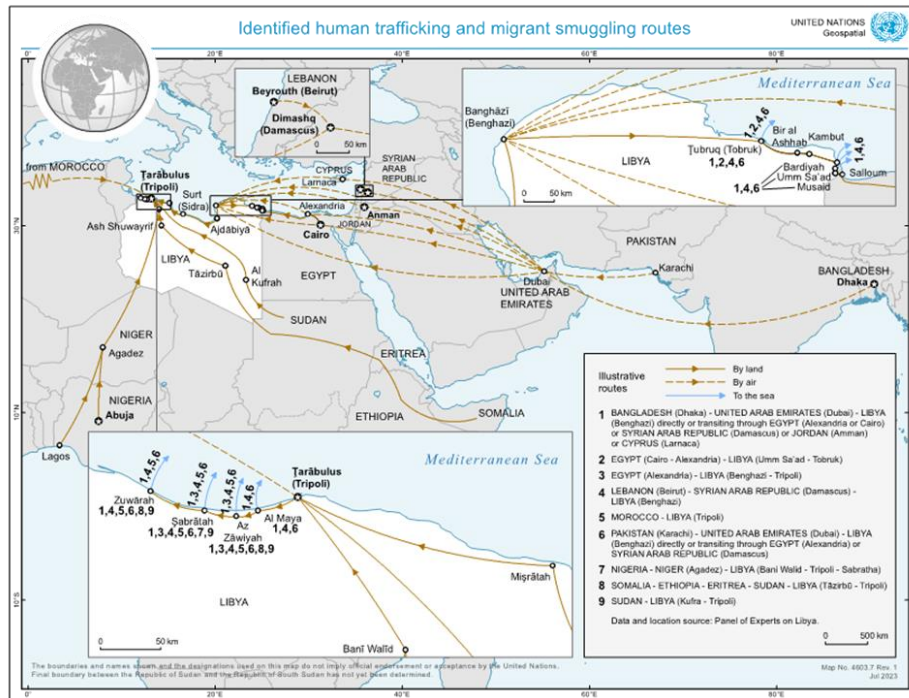
### 4. Нарушения международного гуманитарного права и международного права прав человека, совершаемые по отношению к мигрантам и просителям убежища

57. Группа выявила в Ливии восемь маршрутов, которые используются для торговли людьми и контрабандного провоза мигрантов. Эти маршруты эксплуатируются ливийскими сетями торговцев людьми и контрабандистов, у которых имеются международные и региональные компоненты в 17 странах, включая Бангладеш, Германию, Египет, Италию, Ливан, Марокко, Нигер, Нигерию, Пакистан, Португалию, Сирийскую Арабскую Республику, Сомали, Судан, Объединенные Арабские Эмираты, Францию, Эритрею и Эфиопию. В приложении 18 приводятся ключевые параметры этих маршрутов.

58. Группа расследовала 64 случая нарушения прав человека в отношении мигрантов (в том числе 26 детей), которые стали объектом такой торговли и лишились свободы, будучи помещены в незаконные изоляторы на этих маршрутах (см. рисунки III и IV). Жертвы непрерывно подвергались таким актам, как порабощение, изнасилование, сексуальное рабство, принуждение к проституции, умышленный измор голодом, истязание и жестокое и крайне унижающее обращение (см. приложение 18). Группа экспертов пришла к выводу, что эти нарушения прав человека совершались в ходе организованных преступных операций. Эти частные сети, занимающиеся торговлей людьми, функционировали в сотрудничестве с ливийскими вооруженными группами и использовали хорошо поставленные нелегальные предприятия в Ливии и за рубежом, чтобы обеспечивать этих субъектов значительной финансовой прибылью и другими выгодами.

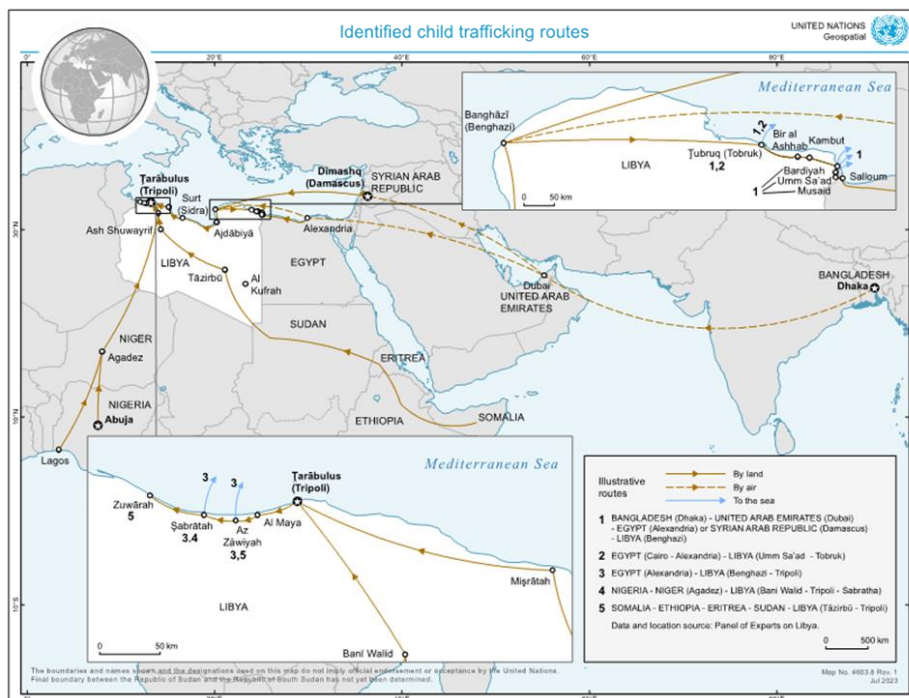
<sup>63</sup> Беседы Группы с конфиденциальными источниками 08, 61 и 64. Статьи 7 и 9 Международного пакта о гражданских и политических правах.

**Рисунок III**  
**Выявленные маршруты торговли людьми и контрабандного провоза мигрантов**



Источник: конфиденциальные источники 18, 25–27, 37–72, 80–82 и 88–123.

**Рисунок IV**  
**Выявленные маршруты торговли детьми**



Источник: конфиденциальные источники 18, 37–39, 41–43, 45–58 и 107–113.

59. Группа выявила три таких нелегальных предприятия, которые действуют в Ливии как минимум с 2021 года:

- а) предприятия по торговле людьми и их контрабандному провозу, принадлежащие Сети «Эз-Завия» и контролируемые ею<sup>64</sup>;
- б) незаконная бизнес-схема, разработанная и реализуемая отдельными охранниками и служащими Бригады 42 в изоляторах для содержания мигрантов в Триполи, находящихся в ведении Управления по борьбе с незаконной миграцией; и
- в) основанные на рэкет операции, совершаемые отдельными служащими ЛАВС и СПХ в Бардии, Бенгази, Мусаиде, Тобруке и Умм-Сааде.

#### **Расширенная Сеть «Эз-Завия»**

60. Группа установила, что командир Службы охраны объектов нефтяного сектора в Эз-Завии Мохаммед Аль-Амин Аль-Араби Кашлаф (LYI.025) и командир Ливийской службы береговой охраны в Эз-Завии Абд ар-Рахман Аль-Милад (LYI.026) вместе с Усамой Аль-Куни Ибрагимом (LYI.029) продолжают заправлять в Эз-Завии крупной сетью, занимающейся торговлей людьми и их контрабандным провозом. С 2018 года, когда эти два командира были внесены в санкционный перечень, они дополнительно расширили эту сеть, включив в нее вооруженные формирования, действующие в районах Варшафаны, Сабраты и Зувары. Расширенная Сеть «Эз-Завия» охватывает сейчас элементы Бригады 55, командное звено Аппарата поддержания стабильности в Эз-Завии, в частности его морские подразделения, и отдельных служащих Ливийской службы береговой охраны, и все они занимаются реализацией общего плана Сети: извлекать существенную финансовую и иную выгоду из торговли людьми и контрабандного провоза мигрантов.

61. Этот план охватывает: а) рэкет и контроль по отношению к частным сетям, которые занимаются торговлей людьми и контрабандным провозом мигрантов, действуя при этом в районах, находящихся под сухопутным и морским контролем Сети; б) вымогательство денег у задержанных мигрантов, оказавшихся под их контролем, путем жестокого обращения; в) эксплуатацию задержанных мигрантов, оказавшихся под их контролем, в качестве подневольной рабочей силы для выполнения строительных работ на катеростроительных заводах, в домохозяйствах и на других объектах, принадлежащих Сети; г) налаживание возможностей для ведения дел и заключения сделок с местными вооруженными группами с целью облегчить их преступную деятельность, состоящую в торговле людьми, нелегальном трафике и контрабандном провозе людей и грузов<sup>65</sup>.

62. Сеть создала систему иррегулярного содержания под стражей, включающую изоляторы «Ан-Наср», «Аль-Майя» и «Аз-Захра», а также многочисленные места временного содержания в районах Эз-Завии и Харши, где элементами Сети были совершены серьезные нарушения международного гуманитарного права и международного права прав человека в отношении 34 задержанных<sup>66</sup>. Эта система содержания под стражей позволяла Сети осуществлять физический контроль над лицами, ставшими объектом торговли людьми или контрабандного провоза, с целью извлекать финансовую и иную выгоду для ее членов.

<sup>64</sup> S/2018/812 и S/2019/914, п. 57.

<sup>65</sup> Беседы Группы с бывшими задержанными (конфиденциальные источники 27, 55, 58 и 122).

<sup>66</sup> Статья 3, общая для четырех Женевских конвенций, статьи 4 и 5 Дополнительного протокола II к четырем Женевским конвенциям от 12 августа 1949 года, статьи 7, 8 и 9 Международного пакта о гражданских и политических правах и статья 37 Конвенции о правах ребенка.

Применяемая схема охватывала несколько оперативных этапов: а) этап до задержания; б) этап поимки и возвращения; с) этап содержания под стражей; д) этап освобождения, если таковое происходило (см. рисунок V). Когда отдельные служащие Ливийской службы береговой охраны и/или морских подразделений Аппарата поддержания стабильности перехватывали мигрантов в море и возвращали их на берег, задержавшее ведомство производило проверку пойманных мигрантов, ориентируясь при этом на их гендерную принадлежность, гражданство и этническое происхождение, чтобы определить способность мигранта заплатить за свое освобождение. Тех мигрантов, которые были сочтены способными дороже заплатить за освобождение (подавляющее большинство среди таких составляли выходцы из Бангладеш и Пакистана), отфильтровывали и перевозили на грузовиках в изоляторы «Ан-Наср» или «Аз-Захра», тогда как других отправляли в изолятор «Аль-Майя» (см. приложение 19).

#### *Отделение «Ан-Наср»*

63. Сеть «Эз-Завия» по-прежнему концентрируется вокруг изолятора «Ан-Наср»<sup>67</sup> для мигрантов в Эз-Завии, которым управляет Усама Аль-Куни Ибрагим (LYi.029)<sup>68</sup>. Исходя из обширных доказательств систематичности серьезных нарушений прав человека, Группа пришла к выводу, что Абд ар-Рахман Аль-Милад (LYi.026) и Усама Аль-Куни Ибрагим (LYi.029) по-прежнему ответственны за акты, состоящие в пытках, принуждении к труду и ином жестоком обращении по отношению к лицам, незаконно содержащимся в изоляторе «Ан-Наср», с целью вымогать у этих лиц крупные суммы денег и в качестве наказания.

#### *Отделение «Аль-Майя»*

64. Группа получила дополнительные доказательства продолжающихся нарушений прав человека, совершаемых в отношении задержанных в изоляторе «Аль-Майя»<sup>69</sup>, включая незаконное лишение свободы, пытки, жестокие избиения и ужасающие условия содержания. Грубому унижению и серьезному травмированию подверглось 24 задержанных, в том числе двое детей. Одиннадцать очевидцев признали Муаммара ад-Дави, командира Бригады 55, и Мохамеда Аль-Кабути, фактического начальника изолятора «Аль-Майя», в качестве лиц, наиболее ответственных за систематическое издевательство над задержанными в этом изоляторе.

65. Группа установила, что такой же набор насильственных действий практиковался на секретном объекте для содержания мигрантов под стражей, а именно в изоляторе «Аз-Захра», расположенном в Варшафане и известном как «тюрьма 55»<sup>70</sup>. С апреля 2021 года по ноябрь 2022 года в этом изоляторе хозяйничал Мохамед Аль-Кабути вместе с другими лицами, заправляющими Сетью «Эз-Завия», включая Абд ар-Рахмана Аль-Милада (LYi.026) (см. приложение 19).

#### *Отделение «Харша»*

66. Группа пришла также к выводу, что Абд ар-Рахман Аль-Милад (LYi.026) и еще один офицер Ливийской службы береговой охраны, Хайтам ат-Туми, злоупотребляя своим положением, занимались незаконной поимкой мигрантов в море и их возвращением в места иррегулярного содержания под стражей, находящиеся под эффективным контролем ат-Туми, и что это было частью их

<sup>67</sup> 32°46'18,5" с. ш., 12°41'46,7" в. д.

<sup>68</sup> S/2021/229, п. 46, и беседы Группы с бывшими задержанными (конфиденциальные источники 65, 66, 67, 68 и 122).

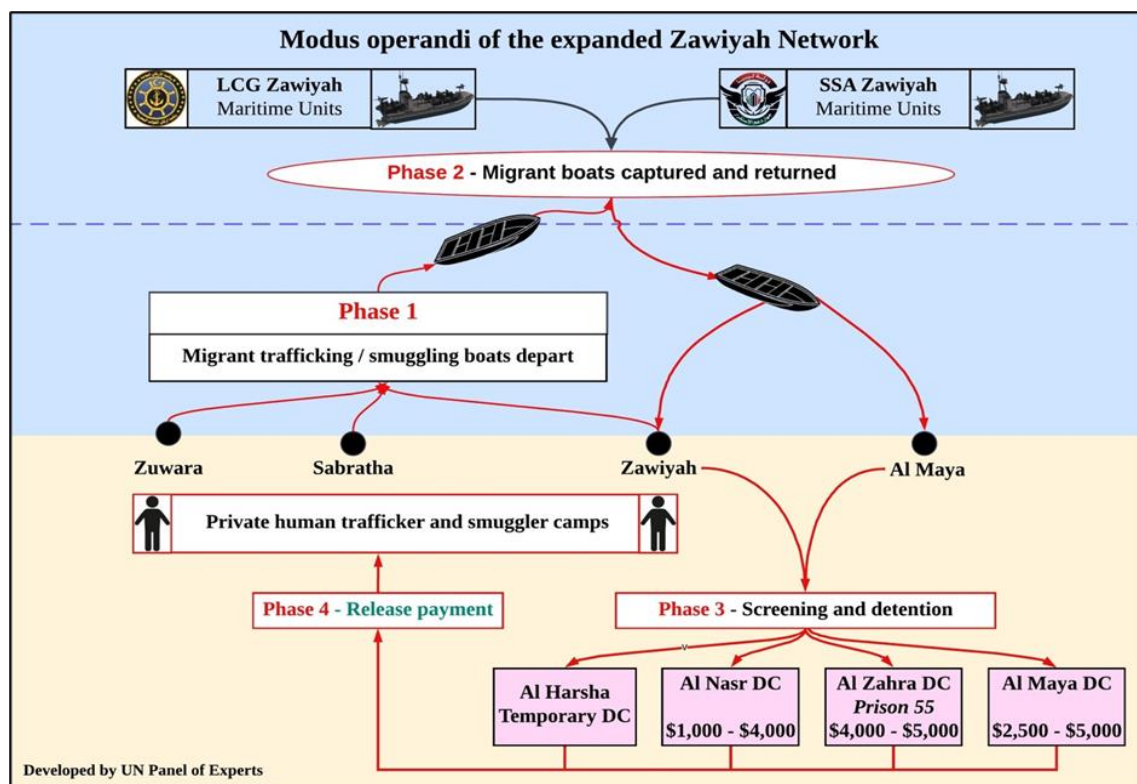
<sup>69</sup> S/2022/427, пп. 50 и 51.

<sup>70</sup> 32°41'34,7" с. ш., 12°52'08,2" в. д.



частного коммерческого бизнеса по торговле людьми и их контрабандному провозу. Данная схема координировалась с местными торговцами людьми и контрабандистами в прибрежных районах Сабраты, Зувары и Эз-Завии. В период незаконного содержания под стражей четверо детей систематически использовались для рабского труда на катеростроительных заводах, которые расположены в Харше и Эз-Завии и которыми владеют и управляют Абд ар-Рахман Аль-Милад (LYi.026) и Хайтам ат-Туми<sup>71</sup>.

Рисунок V  
Модус операнди расширенной Сети «Эз-Завия»



#### Управление по борьбе с незаконной миграцией

67. За отчетный период Группа установила факт дальнейшего усиления надзорно-координационных функций, осуществляемых штабом Управления по борьбе с незаконной миграцией в Триполи применительно к официальной системе задержания мигрантов в Ливии. Администрация Управления по борьбе с незаконной миграцией расширила в последнее время свою систему: на западе и юге Ливии появилось шесть новых или возобновивших функционирование изоляторов<sup>72</sup>. В настоящее время система содержания мигрантов включает 30 изоляторов, где содержится приблизительно 6570 мигрантов<sup>73</sup>.

68. С мая 2023 года контингент мигрантов, содержащихся в изоляторах Управления по борьбе с незаконной миграцией, увеличился на 41 процент в результате массовых произвольных арестов и задержаний мигрантов ливийскими

<sup>71</sup> Беседы Группы с бывшими задержанными (конфиденциальные источники 52, 53, 54 и 55).

<sup>72</sup> Изоляторы «Батен Аль-Джабаль», «Дарадж», «Гат», «Сабха», «Сурт» и «Тарик Аль-Матар».

<sup>73</sup> Группа отмечает, что точное число задержанных мигрантов и просителей убежища, а также количество и статус изоляторов Управления по борьбе с незаконной миграцией часто колеблются. Приведена цифра по состоянию на 25 июня 2023 года.

силовиками и СПХ в нескольких местностях на западе и востоке Ливии, в том числе в Триполи, Тобруке и Зуваре<sup>74</sup>. Задерживаемые мигранты по-прежнему лишены правовой и гуманитарной защиты и не имеют регулярного доступа к внутренним административным и судебным проверкам и независимым гуманитарным наблюдателям<sup>75</sup>.

69. В этом контексте Группа выявила факт систематического издевательства над задержанными, совершавшегося в период с марта по ноябрь 2022 года<sup>76</sup>: а) отдельными охранниками в трех изоляторах, подчиненных Управлению по борьбе с незаконной миграцией («Айн Зара», «Тарик Аль-Матар» и «Тарик ас-Сикка»), и в неофициальной секции изолятора «Айн Зара»; б) фактическим начальством официального и неофициального изоляторов «Айн Зара». Это издевательство совершалось в рамках нелегальной бизнес-схемы, которую эта сеть использовала с целью извлекать финансовую и иную выгоду из наличия мигрантов, незаконно удерживаемых на этих объектах. Пятеро задержанных, в том числе два несопровождаемых мальчика (в возрасте 12 и 13 лет), дали противоречивые показания о том, что в рамках этой схемы их переводили из одного изолятора в другой и что отдельные охранники там подвергали их и других задержанных регулярным избиениям и содержали их в антигуманных бытовых условиях, пока семьи задержанных не заплатили через нанятых посредников за их освобождение<sup>77</sup>.

70. Четыре очевидца назвали среди ответственных лиц Абдула Хакима ар-Рамадана аш-Шейха, фактического начальника изолятора «Айн Зара» и командира Батальона 42<sup>78</sup>, указав, что он несет прямую ответственность за надзор за функционированием схемы в официальном и неофициальном блоках изолятора «Айн Зара» и руководит принудительным трудом задержанных на строительных объектах в окрестностях изолятора.

71. Применяемая схема охватывала несколько оперативных этапов: а) поиск и возвращение<sup>79</sup> мигрантов в море; б) препровождение из пунктов высадки в изоляторы Управления по борьбе с незаконной миграцией; в) жестокое обращение с задержанными в этих изоляторах; г) освобождение задержанных, подвергшихся такому обращению (см. приложение 20).

#### *Силы, примкнувшие к Хафтару*

72. В условиях растущей многочисленности сетей, занимающихся на востоке Ливии торговлей людьми и их контрабандным провозом, принадлежащие к СПХ лица стали с конца 2020 года пользоваться этим, чтобы создать и контролировать систему рэкеты по отношению к этим сетям в обмен на даваемое им разрешение использовать: а) бенгазийский аэропорт Бенина как пункт прибытия в Ливию; б) временные лагеря и другие объекты в местностях, находящихся под территориальным контролем СПХ; в) пункты отбытия из Ливии для судов с мигрантами, старающихся добраться до международных вод и проследовать в европейские порты (см. приложение 21). В числе служащих в подразделениях СПХ

<sup>74</sup> В приложении 21 приводится информация об операциях по массовому аресту мигрантов на востоке Ливии.

<sup>75</sup> Беседы Группы с конфиденциальными источниками 04, 05, 08, 09 и 132. См. также [S/2022/427](#), приложение 24.

<sup>76</sup> Беседы Группы с бывшими задержанными (конфиденциальные источники 38, 39, 99, 101, 110 и 114).

<sup>77</sup> Статьи 7, 8 и 9 Международного пакта о гражданских и политических правах и статья 37 Конвенции о правах ребенка.

<sup>78</sup> Он также представлял Аппарат сдерживания по борьбе с преступностью и терроризмом на заседаниях объединенного комитета «б+б».

<sup>79</sup> Определения терминов «поиск и возвращение» и «поиск и спасание» см. в приложении 22.

лиц, которые регулярно взимали плату за эти услуги, фигурировали: а) служащие ЛАВС, контролирующие бенгазийский аэропорт Бенина; б) служащие аквалангистского подразделения («Ад-Дафади Аль-Башария») Ливийской службы береговой охраны на востоке страны в координации с морскими подразделениями группы 20/20 в Тобруке и Мусаиде; с) элементы бригады ТБЗ в Умм-Сааде<sup>80</sup>.

#### *Реакция ливийских арабских вооруженных сил на выводы Группы*

73. Командование ЛАВС оспорило выводы Группы относительно причастности группы 20/20 из состава СПХ либо других подразделений ЛАВС или СПХ к торговле людьми и контрабандному провозу мигрантов, а также к сопутствующим нарушениям международного права прав человека, которые совершались в отношении мигрантов, удерживаемых в местах, находящихся под эффективным контролем СПХ, применительно к установленным Группой эпизодам. Командование ЛАВС заявило, что все дела, касающиеся ситуации с мигрантами, включая правоохранительные и сходные силовые операции, находятся в ведении министерства внутренних дел, и в частности отделений Управления по борьбе с незаконной миграцией на востоке<sup>81</sup>. Командование ЛАВС не сопровождало свои заявления какими-либо доказательствами, которые могли бы убедить Группу в их правдивости. В свою очередь, Группа располагает обширными независимыми доказательствами в виде документов и свидетельских показаний, которые подтверждают ее выводы (см. приложение 21).

### III. Соблюдение оружейного эмбарго

74. Руководствуясь пунктами 9–13 резолюции 1970 (2011) в редакции последующих резолюций, Группа продолжала отслеживать, расследовать и выявлять случаи нарушения<sup>82</sup> и несоблюдения<sup>83</sup> оружейного эмбарго. Группа продолжила уточнять и использовать профильные индикаторы морских и воздушных перевозок, помогающие определить вероятность нарушений и происшествий и тем самым задать направление проводимым ею расследованиям и составляемым ею

<sup>80</sup> Беседы Группы с очевидцами (конфиденциальные источники 25–27, 47–51, 88–95, 96–99, 104, 105 и 106).

<sup>81</sup> Ответ генерального командования ЛАВС от 26 июня 2023 года и онлайн-встреча Группы с генеральным командованием ЛАВС (9 июля 2023 года).

<sup>82</sup> Группа считает, что «нарушение» имело место, когда произошла физическая передача оружия и военной техники, было проведено обучение или было организовано материально-техническое обеспечение. Ранее Группа употребляла термин «техническое нарушение», под которым подразумевалась временная переброска в Ливию военной техники (например, военно-морских судов и военно-транспортной авиации) при отсутствии реального или вероятного намерения снабдить конфликтующие стороны военным потенциалом — например, использование государствами-членами военно-воздушных или военно-морских судов для пополнения запасов дипломатических представительств, доставки гуманитарных товаров или оказания гуманитарной помощи. Рекомендация Группы относительно подобного рода случаев, вынесенная ею в документе S/2022/427 (п. 60 и рекомендация 1), не была принята. Поскольку термин «техническое нарушение» принят не был, о таких инцидентах сообщается теперь как о «нарушениях».

<sup>83</sup> «Несоблюдение» относится к случаям, когда субъект не предпринял надлежащих действий, указанных в резолюции, например не предотвратил нарушение, решив не досматривать следовавшее в Ливию воздушное или морское судно, либо не предоставил Комитету и/или его Группе требуемую или запрошенную информацию. «Техническое несоблюдение» относится к тем немногочисленным ситуациям, когда нет разумных оснований считать, что ответственной стороне было на момент передачи известно о том, что передача будет представлять собой несоблюдение установленных требований, и когда такой стороне следует принять меры к совершенствованию своих регламентов и процедур, обеспечивающих должную бдительность.

докладам (см. приложение 23). Прежде чем классифицировать морское судно, воздушное судно или авиакомпанию как представляющие интерес для Группы или доложить, что ими допущено нарушение или несоблюдение, требуется выяснить несколько индикаторов.

75. Оружейное эмбарго будет оставаться совершенно неэффективным, пока государства-члены контролируют логистические потоки и цепочки поставок конфликтующим сторонам, поддерживаемым государствами-членами. Если не считать изъятия некоторых материальных средств, не принималось никаких мер по отношению к лицам и структурам, которые нарушают (судя по сообщениям) оружейное эмбарго и отвечают санкционным критериям, изложенным в пункте 11 е) резолюции 2213 (2015). Поэтому сдерживающий эффект от санкционного режима остается незначительным, а соответствующие резолюции Совета безнаказанно игнорируются.

76. 9 июня 2023 года Ливия обновила составленный в 2018 году<sup>84</sup> список инстанций с правом подписи, значимый для сертификатов конечного пользователя, в соответствии со сноской 3 к выпущенной Комитетом памятке по осуществлению № 2 от 11 сентября 2014 года<sup>85</sup>. Несмотря на регулярные запросы Комитета в адрес Ливии, список подразделений, объявленных находящимися под контролем правительства Ливии в соответствии с тем, что предусмотрено пунктом 6 резолюции 2278 (2016), подтверждено в преамбуле резолюции 2292 (2016) и отражено в пункте 6 резолюции 2362 (2017), не обновлялся с 30 мая 2017 года<sup>86</sup>. Силами, которые объявлены находящимися под контролем правительства, оставались на момент составления настоящего доклада Ливийская служба береговой охраны, подразделение по обезвреживанию боеприпасов взрывного действия и Президентская гвардия Правительства национального согласия, которая сформированным подразделением уже не является (см. приложение 24). Это существенно сужает имеющиеся у правительства Ливии возможности для того, чтобы закупать военное снаряжение, соблюдая при этом оружейное эмбарго (см. рекомендацию 1).

77. Прошло более 12 лет с тех пор, как в соответствии с резолюцией 1970 (2011) были введены ограничительные меры в отношении поставки и передачи в Ливию оружия и военного снаряжения. В приложении 25 можно ознакомиться с кратким описанием тех типов оружия и военного снаряжения, которые оказались переданными в Ливию за этот период в нарушение пункта 9 названной резолюции. Это описание иллюстрирует разнообразие и технический уровень вооружений и военного снаряжения, имеющихся сейчас в Ливии, и служит исходным параметром для выявления любых будущих нарушений.

78. В пункте 19 резолюции 2213 (2015) Совет Безопасности призвал государства-члены проводить на своей территории досмотр морских и воздушных судов, следующих в Ливию или из нее, если у затрагиваемого государства имеется информация, дающая разумные основания полагать, что перевозимый груз содержит предметы, которые запрещены пунктом 9 резолюции 1970 (2011). Группа считает, что подробности, содержащиеся в письмах, которые она направляла затрагиваемым государствам-членам, вместе с обширной информацией из открытых источников давали во многих случаях достаточно доводов в пользу проведения досмотров. Поэтому Группа считает Египет, Иорданию, Объединенные Арабские Эмираты и Сирийскую Арабскую Республику

<sup>84</sup> 21 декабря 2018 года.

<sup>85</sup> Имеется по адресу [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/implementation\\_assistance\\_notice\\_2\\_ru.pdf](https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/implementation_assistance_notice_2_ru.pdf).

<sup>86</sup> 27 октября 2020 года, 25 мая 2021 года и 31 марта 2023 года. См. также S/2022/427, п. 67 и рекомендация 2.

допустившими несоблюдение пункта 19 резолюции 2213 (2015), поскольку они не досматривали груз подозрительных коммерческих морских или воздушных судов, рейсы которых в Ливию начинались с их территории или пролегли через нее, хотя имелись разумные основания для такого досмотра.

## **A. Нарушение и несоблюдение требований к морскому транспорту и другие морские вопросы**

### **1. Деятели ливийского морского сектора**

79. Со времени предыдущего доклада Группы<sup>87</sup> потенциал и порядок подчиненности деятелей ливийского морского сектора претерпели эволюцию. Морское подразделение Аппарата поддержания стабильности было официально интегрировано в Главное управление по обеспечению безопасности прибрежных районов, подконтрольное Министерству внутренних дел<sup>88</sup>. Флот Аппарата поддержания стабильности увеличился на как минимум четыре небольших судна гражданского типа. Главное управление по обеспечению безопасности прибрежных районов получило шесть жестко-надувных катеров 900 PRO DPS из Италии в рамках проекта, финансируемого Европейским союзом<sup>89</sup>. 1 июня 2023 года Италия проинформировала Группу, что в рамках того же проекта она поставит Ливийской службе береговой охраны еще и три поисково-спасательных судна 300-го класса. При этом Италия снабдила Группу техническими спецификациями обоих типов судов и детальными сведениями о них. Группа удостоверилась, что ни один из этих типов не подпадает под действие оружейного эмбарго. Группа продолжила расследование поставок судов, которые она относит к категории военного снаряжения (см. приложение 26).

### **2. Теплоход “Luccello”/”Victory RoRo”**

80. В документе S/2022/427 Группа сообщила о том, что 4 марта 2022 года в Бенгази было доставлено 100 военных бронированных машин «Спартан-2»<sup>90</sup>, прибывших на судне “Luccello” (№ Международной морской организации (ИМО) 7800112)<sup>91</sup> в нарушение оружейного эмбарго. 2 мая 2022 года 50 из этих военных бронемашин были перевезены из Бенгази в Триполи тем же судном<sup>92</sup>, но к этому времени оно обзавелось новым названием (“Victory RoRo”) и другим государством флага<sup>93</sup>. Во время рейса судно покинуло ливийские территориальные воды, а затем вернулось в них, тем самым нарушив оружейное эмбарго повторно. На снимке, полученном из открытых источников, видно, как эти машины движутся из триполийской гавани на восток (см. приложение 27). 18 июля 2022 года была перехвачена еще одна партия оружия, следовавшая в Ливию на судне “Victory RoRo” (см. п. 103).

<sup>87</sup> S/2022/427, п. 65.

<sup>88</sup> См. также приложение 19.

<sup>89</sup> Содействие программе «Интегрированное управление границами и миграционными процессами в Ливии», оказываемое по линии Чрезвычайного целевого фонда Европейского союза для Африки.

<sup>90</sup> См. S/2022/427, таблица 1 и приложение 30.

<sup>91</sup> Действует под флагом Коморских Островов.

<sup>92</sup> Морские базы данных и беседы с членом экипажа судна “Victory RoRo” (28 июля 2022 года).

<sup>93</sup> Экваториальная Гвинея.

### 3. Иностранные военно-морские суда

81. В отчетный период в ливийские территориальные воды продолжали заходить военно-морские суда из третьих стран, в том числе для доставки предметов или проведения мероприятий, которые являются исключениями или изъятиями из требований оружейного эмбарго (см. таблицу 1). Группа продолжает следовать прежней практике Комитета и Группы в деле толкования оружейного эмбарго, включая понимание о том, что исключения из эмбарго не распространяются автоматически на средства, которые используются для доставки предметов или проведения мероприятий, подпадающих под исключения<sup>94</sup>. Ни соответствующие резолюции, ни какие-либо из изданных Комитетом инструкций не дают прямого разрешения на заход морского, прилет воздушного или въезд сухопутного транспортного средства, которое само по себе подпадает под оружейное эмбарго, когда такое транспортное средство используется для доставки предметов или проведения мероприятий, которые под это эмбарго не подпадают. По мнению Группы, пребывание (даже ограниченное по времени) такого транспортного средства на ливийской территории без одобрения Комитета представляет собой нарушение<sup>95</sup> оружейного эмбарго (см. приложение 28). Поэтому Группа продолжит сообщать о заходе иностранных военно-морских судов в пределы ливийской территории (см. таблицу 1 и приложение 29).

Таблица 1

#### Заход иностранных военно-морских судов в пределы ливийской территории

Страна	Военно-морское судно	Доставленные предметы или проведенные мероприятия
Италия	Каботажное транспортное судно "Tremiti" (A5348)	<ul style="list-style-type: none"> <li>Замечено Группой в январе 2023 года на военно-морской базе «Абу Ситта»</li> <li>Одно из трех судов класса «Горгона», присутствующих с 2018 года в порядке ротации на базе «Абу Ситта»</li> </ul>
Мальта	Патрульный корабль прибрежного действия	<ul style="list-style-type: none"> <li>(P 61) Доставка материальных средств для дипломатического представительства, в отношении которой было в соответствии с пунктом 9 с) резолюции 1970 (2011) запрошено изъятие и указан метод доставки (военно-морское судно)</li> <li>Комитет одобрил запрошенное изъятие; перед доставкой Мальта еще раз уведомила об использовании военно-морского судна</li> </ul>
Турция	Сторожевые корабли G-класса «Габия» (G-класса)	<ul style="list-style-type: none"> <li>На протяжении нескольких месяцев в военно-морской гавани и на верфи в Хомсе пришвартовывалось в порядке ротации до двух сторожевых кораблей G-класса</li> </ul>
Соединенное Королевство Великобритании и Северной Ирландии	Десантный транспорт-док британских ВМС "Albion" (L 14)	<ul style="list-style-type: none"> <li>Заход судна для проведения обучения, предусмотренного исключениями, вытекающими из пункта 10 резолюции 2095 (2013)</li> <li>Заход военно-морского судна в ливийские территориальные воды, не сопровождавшийся обращением к Комитету с просьбой предоставить изъятие</li> </ul>

<sup>94</sup> S/2022/427, п. 60 и рекомендация 1.

<sup>95</sup> Такое нарушение Группа называла ранее «техническим». Группа разобрала вопрос о «технических нарушениях» в документе S/2022/427 (п. 60 и сноска 82). Соответствующая рекомендация принята не была. Поскольку термин «техническое нарушение» неразрывно связан с этой рекомендацией, Группе неуместно продолжать пользоваться этим термином применительно к использованию военно-морских и военно-воздушных судов для доставки в Ливию предметов или проведения там мероприятий, не подпадающих под эмбарго.

#### 4. «Закрытые для навигации» и «запретные» зоны, установленные примкнувшими к Хафтару силами

82. В документе [S/2022/427](#) Группа сообщила о деятельности лиц, принадлежащих к морскому подразделению СПХ, и о незаконно объявленных СПХ морских зонах<sup>96</sup>. 9 июня 2022 года председатель Управления портов и морского транспорта Ливии проинформировал ИМО о том, что район, который Группа упомянула как «запретную зону», был «недавно отменен» (см. письмо в приложении 30). Затем Управление попыталось восстановить эту зону через Постоянное представительство Ливии при ИМО, но позднее отозвало свою просьбу.

83. 7 октября 2022 года Антигуа и Барбуда подала в ИМО жалобу на то, что 24 мая и 21 сентября 2022 года два судна под ее флагом — теплоходы “Corona J” (№ ИМО 9238686)<sup>97</sup> и “Rogaland” (№ ИМО 9505596) — подверглись актам, которые Группа квалифицировала как пиратство (см. приложение 31)<sup>98</sup>. Точки перехвата находились за пределами как территориальных вод Ливии, так и «запретной зоны».

84. Группа продолжает расследовать цепочку поставок жестко-надувных катеров, используемых морскими подразделениями СПХ, которые были замешаны в ранее сообщенных эпизодах (см. приложение 26).

## В. Нарушения, выражающиеся в передаче оружия и проведении обучения

### 1. Исходная информация

85. Группа установила, что в нынешний мандатный период имело место 12 случаев передачи оружия<sup>99</sup> и 7 случаев проведения военного обучения<sup>100</sup>, представляющих собой нарушения пункта 9 резолюции [1970 \(2011\)](#). Группа также выявила пять нарушений, выразившихся в передаче оружия, и два нарушения, выразившихся в проведении обучения, которые произошли в предыдущие отчетные периоды, но остались тогда несообщенными; они включены в настоящий доклад для обоснования исходных данных, приводимых в приложении 25. Группе также удалось установить, кто ответственен за два эпизода, которые были отражены в ее документе [S/2021/229](#) как эпизоды с невыясненными фигурантами.

86. Для удобства ознакомления со сведениями о нарушениях эти сведения представлены в хронологическом порядке и в табличном формате (см. приложение 32). В приложениях 33–57 приводится инфографика нарушений.

### 2. Военное обучение, проведенное Турцией для Вооруженных сил Правительства национального единства

87. В документе [S/2022/427](#) Группа сообщила об обучении, проведенном Турецкими вооруженными силами для Вооруженных сил Правительства национального единства<sup>101</sup>. в отчетный период такое обучение продолжало проводиться как в Ливии, так и в Турции, хотя и реже. Группа по-прежнему придерживается мнения о том, что, хотя некоторые виды специализированного

<sup>96</sup> Пп. 68–71.

<sup>97</sup> См. также [S/2022/427](#), приложение 28, где сообщалось об инциденте с тем же судном, произошедшем в 2021 году.

<sup>98</sup> Там же.

<sup>99</sup> Под «передачей» понимается передача оружия и военного снаряжения.

<sup>100</sup> Под «обучением» понимается обучение, проводимое третьей стороной и связанное с военной деятельностью.

<sup>101</sup> П. 76.

обучения, проводимого Турцией, например по обезвреживанию боеприпасов взрывного действия<sup>102</sup>, подпадают под изъятие, предусмотренное в пункте 9 резолюции 2095 (2013) для гуманитарного обучения, остальная (большая) часть военного обучения, проводимого Турцией для Вооруженных сил Правительства национального единства, является явным нарушением пункта 9 резолюции 1970 (2011).

### 3. Соглашение с Италией об обучении сил специального назначения

88. Группа отметила появившиеся в официальных социальных сетях Вооруженных сил Правительства национального единства<sup>103</sup> и в открытых средствах массовой информации<sup>104</sup> сообщения о том, что 20 марта 2023 года в Риме между высокопоставленными представителями Италии и Ливии было подписано техническое соглашение об обучении ливийских сил специального назначения. Чтобы убедиться в том, что обучение не подпадает под действие пункта 9 резолюции 1970 (2011), Группа запросила у Италии и Ливии информацию о том, какого типа обучение будет проводиться<sup>105</sup>. 31 мая 2023 года Ливия ответила, что, хотя соглашение не предусматривает обращение с оружием, оно охватывает учебную подготовку Ливийских вооруженных сил. Ливия не предоставила достаточной информации, которая позволяла бы Группе удостовериться в том, что такое обучение не будет нарушением пункта 9 резолюции 1970 (2011). Италия пока не ответила.

### 4. «Муравьиный трафик»

89. «Муравьиный трафик», о котором Группа сообщила в документе S/2022/427<sup>106</sup>, продолжался, хотя случаи его перехвата оставались редкими. За отчетный период зафиксирован единственный перехват: 9 мая 2022 года в Египте неподалеку от оазиса Сива<sup>107</sup> было изъято 32 единицы оружия. Отследить происхождение этого оружия оказалось невозможно, поскольку серийные номера были удалены; по мнению Группы, это позволяет предположить, что данное оружие использовалось организованными преступными группами.

## C. Нарушение и несоблюдение требований к авиации

### 1. Военно-транспортная авиация<sup>108</sup>

90. Ливийские аэродромы продолжают использоваться военной авиацией государств-членов, хотя по сравнению с 2021 и 2022 годами это происходит сильно реже. В ноябре 2022 года Группа запросила разъяснений относительно цели этих полетов у четырех государств-членов, чья военная авиация чаще всего совершала посадки в Ливии:

а) Российская Федерация ответила 14 декабря 2022 года, что «самолеты Вооруженных сил Российской Федерации не доставляют в Ливию грузы, подпадающие под оружейное эмбарго»;

<sup>102</sup> См. <https://twitter.com/tcsavunma/status/1475029180207271942> (26 декабря 2021 года) и <https://twitter.com/Oded121351/status/1475831938514575365> (28 декабря 2021 года).

<sup>103</sup> См. [https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/pfbid02vKqmsCLVseooiiDrTCdjma4Mkb4aM1HNqFbwggNQ78HKfSVniVrdKpbT97CX5ZiFI?\\_rdc=1&\\_rdr](https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/pfbid02vKqmsCLVseooiiDrTCdjma4Mkb4aM1HNqFbwggNQ78HKfSVniVrdKpbT97CX5ZiFI?_rdc=1&_rdr) (20 марта 2023 года).

<sup>104</sup> См. <https://www.agenzianova.com/en/news/Difesa-Italia-will-train-Libya%27s-special-forces/> (22 марта 2023 года) и <https://libyareview.com/32961/italy-libya-sign-agreement-to-train-special-forces/> (23 марта 2023 года).

<sup>105</sup> Письмо от 23 марта 2023 года.

<sup>106</sup> П. 78.

<sup>107</sup> Twitter.com, EgyArmySpox (9 мая 2022 года). Факт подтвержден государством-членом.

<sup>108</sup> S/2022/427, п. 60 и рекомендация 1.



b) Турция ответила 30 декабря 2022 года, что «эти рейсы используются для перевозки временных материалов, которыми пользуются дислоцированные в Ливии турецкие военные советники, и для периодической ротации их штата». Турция также указала, что эти рейсы выполнялись в рамках Меморандума о взаимопонимании по вопросам безопасности и военного сотрудничества между Турцией и Вооруженными силами Правительства национального согласия<sup>109</sup>;

c) Соединенное Королевство Великобритании и Северной Ирландии ответило 14 января 2023 года, что оно «изучило грузовые манифесты по этим рейсам и может подтвердить, что груз этих рейсов соответствовал пункту 9 резолюции 1970 (2011)». Соединенное Королевство указало, что в целях прозрачности оно будет в порядке доброй воли предоставлять Комитету отчеты сразу после совершения таких рейсов<sup>110</sup>;

d) Соединенные Штаты Америки пока не ответили.

91. Аналогичные запросы Группа направила 13 февраля Италии, а 23 июня 2023 года Марокко. Италия ответила 28 апреля 2023 года, что рейсами «перевозились оснащение, личные вещи и запасы продовольствия [...], снаряжение и материалы для итальянского воинского контингента [...], личный состав». Марокко ответило 27 июня 2023 года, что осуществленный им рейс был предназначен для доставки футбольной команды в Бенгази на спортивное мероприятие<sup>111</sup>.

92. Из всех государств-членов, ответивших на информационные запросы по этой теме, только Марокко было готово поделиться с Группой запрошенной ею документацией, например авиационными накладными или грузовыми манифестами, чтобы уточнить цель совершенных рейсов.

93. Несмотря на поступившие ответы, все эти государства-члены допустили нарушение пункта 9 резолюции 1970 (2011). Этот вопрос неоднократно поднимался Группой<sup>112</sup>, и ее аргументация подробнее излагается в приложении 28.

## 2. Нарушение и несоблюдение требований, связанных с авиацией

94. Группа установила, что на аэродромах, которые подконтрольны вооруженным группам, примкнувшим к СПХ, продолжают находиться воздушные суда с почти наверняка поддельными регистрационными номерами. Было также замечено, что некоторые из этих судов пользуются египетскими и иорданскими аэродромами. Продолжается расследование рейсов, совершенных этими воздушными судами. Данные об этих судах приводятся в таблице 2.

Таблица 2

### Нарушение и несоблюдение требований к авиации (включая обновленные сведения)

Выясненная дата	Конечный пользователь	Воздушное судно	Детали нарушения или несоответствия	Ответственные	Примечания/источник
24 января 2021 года	СПХ	Ан-12А (2340806) <sup>a</sup>	В настоящее время Группа считает установленным, что ТОО «Jupiter Jet» закрасило маркировки «AN-220» перед переда-	Иордания СПХ	Достоверно установлено, что самолет эксплуатировался с поддельными бурун-

<sup>109</sup> См. <https://www.resmigazete.gov.tr/eskiler/2019/12/20191226-3.pdf> (26 декабря 2019 года).

<sup>110</sup> 13 марта и 15 мая 2023 года, в общей сложности четыре рейса.

<sup>111</sup> Команда Королевских вооруженных сил проиграла футбольный матч Клубного кубка арабских чемпионов со счетом 3 : 1, но вышла во второй раунд с совокупным счетом 5 : 4.

<sup>112</sup> S/2022/427, п. 60 и рекомендация 1.

Выясненная дата	Конечный пользователь	Воздушное судно	Детали нарушения или несоответствия	Ответственные	Примечания/источник
			чей самолета компании “Space Cargo Inc”	Space Cargo Inc	дейскими маркировками “9U-BBD”  См. <a href="#">S/2022/427</a> , приложения 26, 89 и 97  См. приложение 58 к настоящему докладу
29 марта 2021 года	СПХ Ан-26 (14209)		Выяснено, что самолет действовал из аэропорта Хадим (HL59) в Ливии после разрыва контракта с африканской авиалинией	СПХ Arden Aviation Group	Весьма вероятно, что самолет эксплуатировался с поддельными бурундийскими маркировками “9U-BBB”  См. приложение 59 к настоящему докладу
12 февраля 2022 года	СПХ Ан-12БП (5342908)		Выяснено, что самолет действовал в Каирском международном аэропорту в поддержку СПХ	Египет СПХ Space Cargo Inc	Достоверно установлено, что самолет эксплуатировался с поддельными бурундийскими маркировками “9U-BBC”  См. <a href="#">S/2022/427</a> , приложения 26, 89 и 97  См. приложение 60 к настоящему докладу
24 июня 2022 года	СПХ Ил-76ТД (63471147) (EX-76005)		Выяснено, что эксплуатантом самолета являлась компания “BU Shames FZE”	BU Shames FZE	См. <a href="#">S/2022/427</a> , таблица 93.3 и приложение 97  Эксплуатировался как EX-76005  См. приложение 61 к настоящему докладу
13 ноября 2022 года	СПХ Ил-76ТД		Выяснено, что самолет эксплуатировался как “9U-ILO” в иорданском воздушном пространстве на авиамаршрутах, обычно используемых для Ливии. В марте 2023 года нанесенный на самолет номер поменялся на “9U-BVU”		Весьма вероятно, что самолет эксплуатировался с поддельными бурундийскими маркировками “9U-ILO”, а затем “9U-BVU”  См. приложение 62 к настоящему докладу
16 апреля 2022 года	СПХ Ил-76ТД (1023411368) (EX-76006)		Выяснено, что самолет эксплуатировался для совершения рейса из Объединенных Арабских Эмиратов (ОМАА) в Бенгази (HLLB) с использованием поддельной полетной документации	FlySky Airlines (FSQ)	См. приложение 63 к настоящему докладу

<sup>a</sup> Серийный номер производителя.

### 3. Использование Хафтаром бизнес-джетов

95. На протяжении трех предыдущих отчетных периодов Группа отслеживала использование Халифой Хафтаром чартерных бизнес-джетов. В настоящее время Группа считает, что такие самолеты часто используются для военной поддержки СПХ. Так, они использовались для доставки Халифы Хафтара и его военного штаба на военные мероприятия, например на военный парад, состоявшийся 18 октября 2022 года в аэропорту Сабха (см. приложение 64)<sup>113</sup>.

96. Самолеты предоставляются компанией “Falcon Wings LLC” (Объединенные Арабские Эмираты)<sup>114</sup>. Она полностью контролируется ливийским гражданином Хайтемом М.А. аль-Буаши, который проживает в Объединенных Арабских Эмиратах и имеет тесные семейные, племенные и деловые связи с Халифой Хафтаром (см. приложение 65). В сообщениях от 24 ноября и 28 декабря 2022 года Группа предложила “Falcon Wings LLC” воспользоваться возможностью для ответа через своих назначенных консультантов — фирму “GA Political Limited” (Соединенное Королевство)<sup>115</sup>. В своем ответе от 10 марта 2023 года “GA Political” заявила Группе следующее: «Удостоверившись у наших юристов в том, что мы не состоим под каким-либо судебным расследованием, я не в состоянии исполнить ваши запросы». Группа считает, что предоставление компанией “Falcon Wings LLC” этих самолетов СПХ является нарушением пункта 9 резолюции 1970 (2011) в той части, где говорится об иной помощи, связанной с военной деятельностью. Группа также пришла к выводу, что “Falcon Wings LLC” не соблюдает пункт 14 резолюции 2644 (2022), так как эта компания не стала в полной мере сотрудничать с Группой, не предоставив никакой имевшейся в ее распоряжении информации.

## D. Нарушения со стороны частных военных компаний

### 1. Обновленные сведения о «Проекте Опус»

97. В документе S/2021/229 Группа указала, что «Проект “Опус”» разместил один самолет «Пилатус» PC-6, три вертолета AS332L «Супер Пума» и три вертолета SA341 «Газель»<sup>116</sup>. Группа установила, что сейчас все эти летательные аппараты находятся полностью в рабочем состоянии и используются СПХ (см. приложение 66). Компания “Lancaster-6 DMCC” (она же L-6 FZE) не стала отвечать ни на какие дальнейшие запросы Группы о предоставлении информации, направленные через ее юристов. Группа запросила 25 мая 2023 года у Объединенных Арабских Эмиратов разъяснения относительно компаний «Проекта “Опус”», но ответа пока не получила.

98. Кроме того, Группа получила снимки с произведенного в октябре 2021 года на Кипре досмотра самолета LASA «Ти-Берд» (регистрационное обозначение YU-TSH), последним известным владельцем которого является компания L-6 FZE (Объединенные Арабские Эмираты). Как подтверждается этими снимками, крылья самолета были оснащены необходимыми креплениями для несения и применения оружия, что позволяло определить это самолет как военную технику, подпадающую под оружейное эмбарго. Группа достоверно установила, что

<sup>113</sup> Другие рейсы включают рейс P4-BAR из Бенгази в Италию, который состоялся 3 марта 2023 года и которым Халифа Хафтар прибыл на встречу с итальянскими властями в Риме.

<sup>114</sup> <https://www.falconwings.com/en/>.

<sup>115</sup> Фирма “GA Political” утверждает, что является «юрисконсультантом» компании “Falcon Wings LLC”, однако сведения о ее регистрации в Соединенном Королевстве (регистрационный № 11882064) говорят о том, что профиль ее бизнеса — это «деятельность политических организаций». См. <https://ga-political.com>.

<sup>116</sup> S/2021/229, приложение 76.

компания “Opus Capital Assets Limited FZE”<sup>117</sup> послала кипрской авиационной компании инструкции о том, чтобы нанести на самолет маркировку, придающую ему более гражданский вид. С октября 2019 года компании авиационной поддержки на Кипре было выплачено 106 810 евро в виде сборов за техническое обслуживание и ангарную стоянку. Эта сумма включает платежи от 8LANG DMCC<sup>118</sup> (она же 8-LANG DMCC) — компании из Объединенных Арабских Эмиратов, чья лицензия оформлена на Крисчена Пола Дарранта. К этой компании, которая не замечалась ранее в связи с этим самолетом, примерно в октябре 2020 года перешли от “Lancaster 6 DMCC” функции по производству платежей на Кипре (см. приложение 67)<sup>119</sup>.

## 2. Организация «ЧВК “Вагнер”»

99. Расследование, проведенное совместно с Группой экспертов по Центральноафриканской Республике, учрежденной резолюцией 2127 (2013), позволило установить, что грузовые самолеты, эксплуатируемые ЧВК «Вагнер»<sup>120</sup>, пользовались ливийскими военными аэродромами<sup>121</sup> по пути из аэропорта Латакия (OSLK) в Сирийской Арабской Республике в аэропорт Банги-Мпоко (FEFF) в Центральноафриканской Республике<sup>122</sup>. Группа сообщала об этих самолетах в документе S/2022/427<sup>123</sup>. Обновленные сведения о них приводятся в приложениях 68 и 69.

## Е. Реагирование на попытки нарушить оружейное эмбарго

### 1. Ливия

100. 4 марта 2023 года власти в Мисрате изъяли 12 000 пистолетов, спрятанных среди предметов домашнего обихода в транспортном контейнере. Группа получила конфиденциальную товаросопроводительную документацию и выяснила, что среди этих пистолетов были пистолеты «Ретай Фалкон» калибра 9 мм под холостой патрон<sup>124</sup>. Изначально этот контейнер предназначался грузополучателю на Сент-Китсе и Невисе, однако уже в пути он был перенаправлен в Мисрату по запросу его турецкого продавца — “Capra Arms Savunma Ve Silah Sanayi San Tic Ltd”. Новым грузополучателем стала “Al-Takamul Al-Afriqii Company” в Мисрате. Если в изначальной экспортной и погрузочной документации пистолеты под холостой патрон были идентифицированы правильно, то в грузовых документах, выданных после перенаправления, они указаны не были. Ни компания, ни Ливия не ответили на письма Группы (см. приложение 70).

### 2. Мальта

101. 10 декабря 2022 года Мальта приняла в соответствии с пунктом 9 резолюции 1970 (2011) меры с целью удостовериться в том, что запланированное

<sup>117</sup> Там же.

<sup>118</sup> [www.8-lang.com/](http://www.8-lang.com/).

<sup>119</sup> Группа пришла к выводу, что и Даррант, и “Lancaster 6 DMCC” нарушили пункт 9 резолюции 1970 (2011). См. S/2021/229, п. 86 и приложение 76.

<sup>120</sup> Ил-18 (TL-KBR) и Ил-76 (TL-KMZ).

<sup>121</sup> Эль-Хадим (HL59) и Аль-Джуфра (HL69).

<sup>122</sup> S/2023/87, пп. 46–48, и S/2023/360, пп. 97–100.

<sup>123</sup> См. приложение 95.

<sup>124</sup> Группа развернуто сообщала о предыдущих эпизодах импорта оружия под холостой патрон для его переделки в боевое оружие и о возможном реэкспорте из Ливии. См. S/2017/466, приложение 46, S/2018/812, п. 123 и приложение 35, S/2019/914, п. 65 и приложения 29 и 30, и S/2022/427, приложение 60.

мероприятие, предусматривающее обучение одной вооруженной группы<sup>125</sup> по запросу Правительства национальной стабильности<sup>126</sup>, не станет нарушением оружейного эмбарго. Восемь частных военных специалистов были временно не допущены на чартерный рейс частного самолета в Бенгази впредь до получения дополнительных разъяснений относительно их деятельности. Через три дня им разрешили вылететь, но с тех пор они отложили свои мероприятия в Ливии.

### 3. Региональное реагирование

102. Своими резолюциями [2635 \(2022\)](#) и [2684 \(2023\)](#) Совет продлил полномочия по досмотру судов в открытом море у побережья Ливии до 3 июня 2023 года и, соответственно, 2 июня 2024 года<sup>127</sup>. В отчетный период участниками операции «Ирини» проводились регулярные досмотры, в результате которых было задержано два груза военного снаряжения (см. пп. 103–110 ниже).

#### *Теплоход “Victory RoRo” (бывший “Luccello”)*

103. 18 июля 2022 года участники операции «Ирини» высадились на борт теплохода “Victory RoRo” (№ ИМО 7800112), действующего под флагом Экваториальной Гвинеи и следовавшего из Акабы (Иордания) в Бенгази, и задержали 107 автомашин, которые перевозились этим судном. Группа произвела осмотр автомашин в порту, куда было перенаправлено судно, и отметила, что они подверглись такой модификации, которая, если бы они были доставлены в Бенгази, делала бы их подпадающими под действие пункта 9 резолюции [1970 \(2011\)](#). Группа установила, что как минимум 13 из этих машин были оснащены бронированием, установленным “VIP Armouring Industry Company”, которая базируется в Аммане (Иордания). Ни эта компания, ни Иордания не ответили на письма Группы.

104. Судно “Victory RoRo”, ранее действовавшее под названием “Luccello” (см. п. 80), находилось в собственности и под управлением компании “Yildirim Shipping Co.”, зарегистрированной в Либерии, но использовавшей почти тот же адрес в Мерсине (Турция), что и собственник и оператор “Luccello” — компания “Medred Ship Management Co. Ltd.”<sup>128</sup>. Некоторые индикаторы указывают на то, что ассоциированной с обеими этими компаниями или материнской по отношению к ним является еще одна компания, располагающаяся в Мерсине: “Legend International Logistic Co. Ltd.”.

105. Автомашины в базовой, гражданской комплектации были проданы двумя производителями семи дистрибьюторам в пяти странах Залива. Эти дистрибьюторы перепродали автомашины оптовым ресейлерам, за чем последовала дальнейшая продажа другим ресейлерам. На данный момент Группе удалось установить, что 41 автомашина, в том числе 13 вышеупомянутых, оказались в Иордании. Группа продолжает расследовать цепочку поставок (см. приложение 71).

#### *Теплоход “Meerdijk”*

106. 11 октября 2022 года участники операции «Ирини» высадились на борт теплохода “Meerdijk” (№ ИМО 9377925), действующего под флагом Нидерландов и следовавшего из Джабаль-Али (Объединенные Арабские Эмираты) в Бенгази, и задержали 41 автомашину, которые перевозились этим судном. Группа произвела осмотр автомашин в порту, куда было перенаправлено судно, и

<sup>125</sup> В сопроводительной документации из Ливии она названа «Ливийскими силами специального назначения».

<sup>126</sup> [S/2022/427](#), сноска 13.

<sup>127</sup> Эти полномочия были впервые предоставлены в резолюции [2292 \(2016\)](#), пп. 3 и 4.

<sup>128</sup> [S/2022/427](#), таблицы 2 и 3.

отметила, что по своим признакам они соответствуют военным бронемашинам производства компании «The Armored Group» (TAG). Позднее Группа установила, что это были военные бронемшины BATT UMG производства компании «TAG Middle East FZC», зарегистрированной в Объединенных Арабских Эмиратах и входящей в глобальную маркетинговую структуру TAG LLC (Соединенные Штаты).

107. Из грузовой документации и со слов члена экипажа, с которым побеседовала Группа, выяснилось, что в качестве конечного пункта назначения автомашин было указано Бенгази. Базирующийся в Нидерландах собственник и оператор судна “Meerdijk” — “Shipping Company Groningen” — не ответил на письмо Группы. Нидерланды сообщили Группе, что его власти начали уголовное расследование и поэтому не могут пока предоставить никакой дополнительной информации.

108. Объединенные Арабские Эмираты предоставили Группе копию недействительного<sup>129</sup> сертификата конечного пользователя от 12 декабря 2021 года, который был выдан «ливийским Министерством обороны». В этом недействительном сертификате в качестве конечного получателя автомашин указано Министерство обороны в Триполи и стоит подпись Абделя Хамида ад-Дбейбы как Министра обороны. Во время официальной встречи с Группой 12 января 2023 года старшие должностные лица ливийского Министерства обороны уведомили Группу, что им неизвестно ни об этом приобретении, ни о каком-либо сертификате конечного пользователя. По их запросу Группа передала Министерству все письма, касающиеся оружейного эмбарго, за период с января 2022 года. На письма Группы Ливия не ответила.

109. Компания “TAG Middle East FZC” заявила, что продала эти автомашины Министерству обороны Правительства национального единства. После получения недействительного сертификата конечного пользователя, где указывалось, что машины будут использоваться «на юге Ливии для выполнения задач по обеспечению внутренней безопасности, будучи задействованы в операциях по борьбе с нелегальной иммиграцией, терроризмом и организованной преступностью», компания получила экспортное разрешение от Объединенных Арабских Эмиратов. По данным компании, автомашины отбыли из Джабаль-Али в Бенгази.

110. Как Объединенные Арабские Эмираты, так и компания придерживаются неверного мнения о том, что эта экспортная сделка подпадает под исключение, предусматриваемое пунктом 13 а) резолюции 2009 (2011) в редакции пункта 10 резолюции 2095 (2013) и разрешающее поставку несмертоносной военной техники правительству Ливии, когда она предназначена исключительно для оказания помощи в области безопасности или разоружения. Группа это мнение не разделяет. Исходя из грузовой документации, беседы с членом экипажа и подтверждения, предоставленного “TAG Middle East FZE”, Группа считает, что, вопреки сведениям, указанным в недействительном сертификате конечного пользователя, автомашины намечалось доставить в Бенгази. Такая доставка подпадала бы под действие пункта 9 резолюции 1970 (2011), поскольку ни одно из подразделений в Бенгази не было объявлено находящимся под контролем правительства Ливии. Поэтому исключение, делаемое для оказания правительству Ливии помощи в области безопасности и разоружения, неприменимо к данному случаю (см. п. 76 и приложения 24 и 72).

<sup>129</sup> См. п. 76 и приложение 24.

## Е. Сводная информация об ответственности за нарушение и несоблюдение требований

111. Группа считает, что государства-члены, структуры или физические лица, перечисленные в таблице 3:

- а) нарушают пункт 9 резолюции 1970 (2011); и/или
- б) не соблюдают пункт 19 резолюции 2213 (2015), поскольку не провели надлежащий досмотр морских и/или воздушных судов, следующих в Ливию или из нее; и/или
- в) не соблюдают пункты 14 и/или 15 резолюции 2644 (2022), поскольку не предоставили имеющуюся в их распоряжении информацию об осуществлении введенных мер и/или не обеспечили беспрепятственный доступ к документам, которые Группа считает имеющими отношение к выполнению ее мандата.

Таблица 3

### Краткое описание ответственности за нарушение и/или несоблюдение требований

Страна/структура <sup>a</sup>	Нарушение резолюции 1970 (2011), п. 9	Несоблюдение резолюции 2213 (2015), п. 19	Несоблюдение резолюции 2644 (2022), п. 14 или п. 15 <sup>b</sup>	Причина
<b>Страна</b>				
Бурунди			✓	
Египет		✓	✓	<ul style="list-style-type: none"> <li>• Непроведение досмотра прибывающих воздушных судов, используемых для оказания военной поддержки СПХ</li> </ul>
Италия	✓		✓	<ul style="list-style-type: none"> <li>• Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации и военно-морских судов</li> </ul>
Ливия (Вооруженные силы Правительства национального единства)	✓		✓	<ul style="list-style-type: none"> <li>• Приобретение вооружений и связанных с ними материальных средств, не сопровождавшееся обращением к Комитету за предварительной санкцией</li> </ul>
Иордания		✓	✓	<ul style="list-style-type: none"> <li>• Непроведение досмотра прибывающих воздушных судов, используемых для оказания военной поддержки СПХ</li> <li>• Непроведение досмотра отправляющихся морских судов, используемых для передачи вооружений и связанных с ними материальных средств в Ливию</li> </ul>
Марокко	✓			<ul style="list-style-type: none"> <li>• Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации</li> </ul>

Страна/структура <sup>a</sup>	Нарушение резолюции 1970 (2011), п. 9	Несоблюдение резолюции 2213 (2015), п. 19	Несоблюдение резолюции 2644 (2022), п. 14 или п. 15 <sup>b</sup>	Причина
Российская Федерация	✓			<ul style="list-style-type: none"> <li>Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации</li> </ul>
Сирийская Арабская Республика		✓		<ul style="list-style-type: none"> <li>Непроведение досмотра отправляющихся морских и воздушных судов, используемых для переброски иностранных боевиков в Ливию</li> </ul>
Турция	✓			<ul style="list-style-type: none"> <li>Передача вооружений и связанных с ними материальных средств в Ливию для использования Вооруженными силами Правительства национального единства</li> <li>Проведение обучения, связанного с военной деятельностью, для Вооруженных сил Правительства национального единства</li> <li>Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации и военно-морских судов</li> </ul>
Объединенные Арабские Эмираты	✓	✓	✓	<ul style="list-style-type: none"> <li>Передача вооружений и связанных с ними материальных средств в Ливию для использования СПХ</li> <li>Непроведение досмотра отправляющихся морских судов, используемых для передачи вооружений и связанных с ними материальных средств силам, неподконтрольным правительству Ливии</li> </ul>
Соединенное Королевство	✓			<ul style="list-style-type: none"> <li>Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации</li> <li>Направление корабля британских ВМС "Albion" в Триполи</li> </ul>
Соединенные Штаты	✓		✓	<ul style="list-style-type: none"> <li>Регулярная переброска связанных с оружием материальных средств в Ливию и из нее, в частности рейсы военно-транспортной авиации</li> </ul>
<b>Структура</b>				
Arden Aviation Group DOO (Болгария)	✓		✓	<ul style="list-style-type: none"> <li>Выполнение полетов для прямой и косвенной поставки военного снаряжения и иной помощи Ливии</li> </ul>
СПХ (восток Ливии)	✓	✓	✓	<ul style="list-style-type: none"> <li>Приобретение вооружений и связанных с ними материальных средств</li> </ul>



Страна/структура <sup>a</sup>	Нарушение резолюции 1970 (2011), п. 9	Несоблюдение резолюции 2213 (2015), п. 19	Несоблюдение резолюции 2644 (2022), п. 14 или п. 15 <sup>b</sup>	Причина
Al-Takamul Al-Afriqi Company (Ливия)	✓		✓	<ul style="list-style-type: none"> <li>• Непроведение досмотра прибывающих морских и воздушных судов, используемых для передачи вооружений и связанных с ними материальных средств в Ливию</li> <li>• Приобретение вооружений и связанных с ними материальных средств</li> </ul>
Capra Arms Savunma Ve Silah Sanayi San Tic Ltd. (Турция)	✓		✓	<ul style="list-style-type: none"> <li>• Передача вооружений и связанных с ними материальных средств в Ливию</li> </ul>
Falcon Wings LLC (Объединенные Арабские Эмираты) <sup>c</sup>	✓		✓	<ul style="list-style-type: none"> <li>• Выполнение полетов для прямой поставки иной помощи СПХ</li> </ul>
Fly Sky Airlines (FSQ) <sup>d</sup> (Кыргызстан)	✓			<ul style="list-style-type: none"> <li>• Выполнение полетов для прямой поставки иной помощи СПХ</li> </ul>
Jordan VIP Armouring Industry Company (Иордания)			✓	
Lancaster-6 DMCC/L-6 FZE (Объединенные Арабские Эмираты)			✓	
Legend International Co. Ltd. (Турция)			✓	
Metatek Group (Соединенное Королевство) <sup>e</sup>			✓	<ul style="list-style-type: none"> <li>• Ранее — Bridgeporth Limited (Соединенное Королевство)</li> </ul>
Minerva Special Purpose Vehicles LLC (Объединенные Арабские Эмираты)			✓	
SAKO Limited (Финляндия)			✓	
Shipping Company Groningen (Нидерланды)			✓	
Yildirim Shipping Company (Либерия)			✓	<ul style="list-style-type: none"> <li>• Передача военных бронемашин в Ливию</li> <li>• Попытка передать военные бронемашины в Ливию</li> </ul>

<sup>a</sup> Перечислены в алфавитном порядке (после разбивки по типовым категориям).

<sup>b</sup> За непредоставление информации Группе запрошенной ею информации.

<sup>c</sup> <https://www.falconwings.com/en/>.

<sup>d</sup> <https://flysky.kg>.

<sup>e</sup> [www.metatek-group.com](http://www.metatek-group.com).

## IV. Единство государственных учреждений

112. Этот вопрос был изучен в свете требований пункта 5 резолюции 2509 (2020).

### A. Центральный банк Ливии

113. 22 ноября 2022 года Палата представителей отстранила от должности заместителя управляющего Центральным банком Али аль-Хибри<sup>130</sup> и распорядилась о том, что его преемником становится Марей Рахиль аль-Бараси<sup>131</sup>. Эта информация была подтверждена в тот период несколькими конфиденциальными источниками Группы. В апреле 2022 года официальные встречи между двумя отделениями по вопросу о воссоединении были прекращены. С тех пор имели место лишь неофициальные операционные обмены, что подтвердил Группе в январе 2023 года управляющий Центральным банком Садик аль-Кебир. Однако 20 августа 2023 года управляющий Кебир и заместитель управляющего аль-Бараси объявили о воссоединении Банка<sup>132</sup>. Сейчас Группа расследует последствия этого объявления, в том числе изучает такие вопросы, как наличие фальшивых банкнот в национальной денежной массе и воссоединение расчетной системы и банковских депозитов.

### B. Национальная нефтяная корпорация

114. 7 июля 2002 года был сформирован новый состав Совета директоров Национальной нефтяной корпорации. Вместо Мустафы Саналлы, который занимал в нем председательский пост с 2014 года, был назначен Фархат Бенгдара. Саналла обжаловал свое увольнение в судебном порядке, и на момент составления настоящего доклада это дело находилось на рассмотрении Верховного суда Ливии. За назначением Бенгдары последовали вскоре отмена форс-мажорного положения и возобновление работы нефтяных объектов, которые до его назначения неоднократно подвергались блокировкам<sup>133</sup>. Добыча сырой нефти вернулась к показателю 1,2 млн баррелей в сутки и стабильно оставалась на этом уровне в течение отчетного периода<sup>134</sup>, который характеризовался отсутствием блокировок нефтяных объектов. В конце июня 2023 года начали вновь проявляться разногласия относительно использования нефтяных доходов Национальной нефтяной корпорации, инициированные восточными властями<sup>135</sup>. 6 июля 2023 года для решения этих вопросов был образован комитет заинтересованных сторон (см. приложение 73), но отдачу от него оценивать пока рано.

<sup>130</sup> Подтверждено источниками в Ливии. См. также <https://libyaobserver.ly/inbrief/hor-dismisses-parallel-cbl-chief-al-hibri> (23 ноября 2022 года).

<sup>131</sup> Аль-Бараси — бывший председатель банка «Аль-Вахда» в Дерне.

<sup>132</sup> Central Bank of Libya, “Central Bank of Libya reunified after almost a decade” (20 августа 2023 года); имеется по адресу <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/>. См. также United Nations Support Mission in Libya (UNSMIL), “UNSMIL welcomes the announcement of the reunification of the Central Bank of Libya” (20 августа 2023 года); имеется по адресу <https://unsmil.unmissions.org/unsmil-welcomes-announcement-reunification-central-bank-libya>.

<sup>133</sup> S/2022/427, п. 103.

<sup>134</sup> Сведения об уровнях добычи регулярно актуализируются на официальной странице Национальной нефтяной корпорации в “Facebook”. См. <https://www.facebook.com/noclibya>.

<sup>135</sup> <https://www.reuters.com/world/middle-east/eastern-libya-administration-threatens-oil-blockade-2023-06-24/> (24 июня 2023 года) и <https://twitter.com/Eljarh/status/1674159113779945480> (28 июня 2023 года).

115. На общении между Группой и Национальной нефтяной корпорацией в нынешний мандатный период отрицательно сказались: а) весьма ограниченный доступ Группы в Ливию (см. п. 6); б) шестимесячное отсутствие координатора, предусмотренного резолюцией 2146 (2014) (см. п. 125); в) поведение Национальной нефтяной корпорации, которое Группа расценила как нерасположенность идти на контакт. В конце июня 2023 года Группа восстановила канал связи с Национальной нефтяной корпорацией.

## V. Предотвращение незаконного экспорта или незаконного импорта нефти

### A. Незаконный экспорт сырой нефти

116. Никаких судов в санкционный перечень в соответствии с пунктом 11 резолюции 2146 (2014) не вносилось. До Группы не доходило сведений о каких-либо попытках незаконно экспортировать сырую нефть из Ливии.

### B. Незаконный экспорт продуктов нефтепереработки

#### 1. Старая гавань в Бенгази

117. 9 мая 2022 года<sup>136</sup> координатор, предусмотренный резолюцией 2146 (2014), проинформировал Комитет о незаконном экспорте из Бенгази субсидируемого газойля<sup>137</sup> на торговом танкере “TSM Dubhe” (№ ИМО 9249594), действующем под флагом Тувалу. Координатор также упомянул о еще двух судах — танкере “Queen Majeda” (№ ИМО 9117806) под флагом Палау и танкере “Aqua Marine” (№ ИМО 9179488) под флагом Турции, — указав, что они были «незаконно загружены из Бенгази», но не уточнив этот груз. В своем ответе координатору Комитет запросил у него дополнительную информацию, поинтересовавшись, в частности, связывались ли по поводу этих эпизодов с государством флага. Ответа получено не было.

118. С мая 2022 года в общей сложности 24 небольших танкера (от 500 до 20 000 тонн дедвейта), действуя в основном с выключенной автоматической идентификационной системой и не регистрируя заходы в порт, подходили к Бенгази и швартовались в старой гавани<sup>138</sup>. Эта часть порта использовалась ранее для нелегального экспорта металлолома<sup>139</sup>. Она располагается в непосредственной близости от морского нефтяного терминала<sup>140</sup> «Рас аль-Минкар», принадлежащего “Brega Petroleum Marketing Company”. Данный терминал используется для доставки топлива на склад этой компании в Бенгази<sup>141</sup>. Там автоцистерны загружаются топливом и едут, преодолевая примерно 13-километровое расстояние, в бенгазийскую старую гавань, где это топливо сгружается на ожидающие суда. По спутниковым снимкам видно, как старая гавань постепенно превращалась в импровизированный топливный терминал (см. приложение 74).

<sup>136</sup> Эта дата относится к предыдущему отчетному периоду, но на тот момент предыдущий доклад Группы (S/2022/427) был уже окончательно оформлен.

<sup>137</sup> Речь идет о газойле, который импортируется Национальной нефтяной корпорацией, а затем реализуется по цене, которая ниже импортной.

<sup>138</sup> 32°07'16,07" с. ш., 20°03'0,68" в. д.

<sup>139</sup> S/2021/229, приложение 12, добавление А, рисунок 12.А.6.

<sup>140</sup> 32°07'05,27" с. ш., 20°02'55,15" в. д.

<sup>141</sup> 32°10'23,22" с. ш., 20°08'36,09" в. д.

119. Группа выявила три приема, которые практикуются сетями, занимающимися контрабандой топлива, но ей еще предстоит выяснить масштабность применения каждого из них:

а) суда загружаются в Бенгази и отправляются в международные воды, в частности вокруг банки Херд (прибрежная бункеровочная площадка к востоку от Мальты). Там происходит перевалка груза на другие суда. Затем порожние суда возвращаются в Бенгази для повторной загрузки;

б) суда загружаются в Бенгази и следуют в другие государства-члены для выгрузки по нелегальным экспортным сертификатам. В качестве примера можно привести танкер “Queen Majeda” (№ ИМО 9117806) (см. приложение 75), чей груз был задержан Италией 24 мая 2022 года. После того как судно было освобождено, оно продолжило свои рейсы в Бенгази, а 12 сентября 2022 года было в итоге задержано Албанией, где оно остается до сих пор, ожидая завершения расследований албанскими властями. Среди грузовой документации, охватывающей несколько рейсов по доставке газойля, есть поддельные сертификаты происхождения, оформленные на бланках Национальной нефтяной корпорации и “Brega Petroleum” [sic] (см. приложение 75);

в) суда загружаются топливом в государстве-члене А, не достигая при этом предельной вместимости, и декларируют пунктом назначения груза государство-член Б, которое находится на другой стороне Средиземного моря. Затем они делают незарегистрированную остановку в Бенгази, где загружаются до предела или даже сверх того. После этого они следуют в государство-член Б и представляют грузовую документацию из государства-члена А, в которой может быть указан верный или неверный объем груза.

## 2. Контрабанда по морю с запада

120. Группа установила факт продолжения морской контрабанды топлива из районов вокруг Эз-Завии и Зувары<sup>142</sup>. В своих предыдущих докладах Группа называла местности, где происходит такая контрабанда<sup>143</sup>. Группа определила, что из-за роста цен на нефть возобновилась активность в Сиди-Али<sup>144</sup> — точке, фигурировавшей среди таких местностей (см. приложение 76). Группа расследовала четыре эпизода контрабанды, в том числе эпизод с теплоходом “Serdar» (№ ИМО 9062398), который действует под флагом Сент-Китса и Невиса и был задержан ливийскими властями за контрабанду топлива (см. приложение 77).

## 3. Контрабанда топлива по суше

121. За нынешний отчетный период увеличились масштабы наземной контрабанды топлива из Ливии, в основном через южную и западную границу страны, а также масштабы ее перенаправления внутри Ливии. Так, с августа 2022 года поставки топлива на распределительный пункт в Сабхе постепенно выросли с 600 000 до 1,2 млн литров в сутки, что не соответствует реальным потребностям рынка<sup>145</sup>. Эта динамика указывает на размах трансграничной контрабанды топлива.

## 4. Законность экспорта топлива из Ливии

122. Нефтеперерабатывающие заводы Ливии покрывают 10 процентов отечественного спроса на бензин и 30 процентов отечественного спроса на дизельное

<sup>142</sup> Конфиденциальные источники в Ливии.

<sup>143</sup> S/2018/812, п. 165, и S/2019/914, п. 166.

<sup>144</sup> 33°2'19,37" с. ш., 11°55'1,42" в. д.

<sup>145</sup> Встреча Группы с “Brega Petroleum Marketing Company” в Триполи (12 января 2023 года).

топливо. В количествах, достаточных для удовлетворения потребностей местного рынка, производится только авиационное топливо. Данные о торговле показывают, что оно даже экспортируется<sup>146</sup>. Всякий раз, когда отечественный рынок перенасыщен, из Эз-Завии экспортируется тяжелое нефтяное топливо, или легкий мазут. Национальная нефтяная корпорация обладает монополией на импорт и экспорт сырой нефти и продуктов нефтепереработки. Она подтвердила Группе, что не занимается экспортом газойля, дизельного топлива или бензина, поскольку эти продукты в основном импортируются, а затем субсидируются, так что их экспорт стал бы финансово убыточным. В Национальной нефтяной корпорации подчеркнули, что всякий экспорт такой продукции является незаконным по ливийскому законодательству<sup>147</sup>.

123. Ответственность за хранение и распределение топлива на отечественном рынке лежит на “Brega Petroleum Marketing Company”. Топливо хранится на складах этой компании, а затем распределяется через восемь компаний, имеющих лицензию от Министерства экономики и торговли. Компания подчеркнула Группе, что не занимается экспортом<sup>148</sup>.

### C. Координатор, предусмотренный резолюцией 2146 (2014) Совета Безопасности

124. 12 января 2023 года Группе стало известно от Министра нефти и газа Мухаммеда Ауна о датированном 29 ноября 2022 года письме, в котором Министерству иностранных дел предлагается сообщить Комитету о назначении Мустафы Абдуллы бин Исы новым координатором, предусмотренным резолюцией 2146 (2014)<sup>149</sup>. Группа проинформировала об этом Комитет, но отметила, что до тех пор, пока Комитет не будет уведомлен о назначении официально, взаимодействовать надлежит по-прежнему с Имадом бен Раджебом, который официально считается координатором. Постоянный представитель Ливии при Организации Объединенных Наций официально известил Комитет о назначении бин Исы лишь 16 июня 2023 года, т. е. спустя пять месяцев. Группа отмечает, что этот координатор не работает на Национальную нефтяную корпорацию и не имеет возможности наблюдать за повседневными импортно-экспортными операциями Корпорации. Такая ситуация осложнит обмена технической и срочной информацией с Комитетом и Группой.

125. В течение нынешнего мандатного периода Имад бен Раджеб — предыдущий координатор, предусмотренный резолюцией 2146 (2014), — постепенно снижал активность своего общения с Группой. По его словам, это было вызвано отчасти предписаниями руководства Национальной нефтяной корпорации, а отчасти его опасениями за собственную безопасность. Визит Группы в Ливию совпал с его арестом, который произошел 10 января 2023 года — за два дня до того, как Группа должна была встретиться с ним в помещениях Национальной нефтяной корпорации. После этого Корпорация отменила встречу и упорно отклоняла без уважительных причин дальнейшие просьбы о встрече в Триполи или в онлайн-формате. В итоге было условлено провести онлайн-встречу 26 июня

<sup>146</sup> S&P Global, Global Trade Analytics Suite.

<sup>147</sup> Несколько встреч Группы с координатором, предусмотренным резолюцией 2146 (2014), в том числе в момент уведомления, и онлайн-встреча Группы экспертов с Национальной нефтяной компанией (26 июня 2023 года).

<sup>148</sup> Встреча Группы с “Brega Petroleum Marketing Company” в Триполи (12 января 2023 года) и онлайн-встреча Группы с Национальной нефтяной компанией (26 июня 2023 года).

<sup>149</sup> Мустафа Абдулла бин Иса является генеральным директором по техническим вопросам в Министерстве нефти и газа, а также управляющим от Ливии в Организации стран — экспортеров нефти.

2023 года. На ней Национальная нефтяная корпорация подтвердила, что отныне будет доступен открытый канал связи. Однако Группа отмечает, что шестимесячное молчание Национальной нефтяной корпорации фактически оставляло Комитет и Группу без координатора, предусмотренного резолюцией 2146 (2014) (см. приложение 78).

## **D. Эффективное реагирование на контрабанду**

126. Каждый участник цепочки топливного снабжения, с которым Группа встретила за отчетный период (Министерство нефти и газа, Национальная нефтяная корпорация и “Brega Petroleum Marketing Company”), признавал, что контрабанда топлива из Ливии пагубно сказывается на стабильности страны. Группа пришла к заключению, что ни один из подходящих субъектов не возьмется возглавить борьбу с нелегальным топливным экспортом или играть значимую роль в этой борьбе. Группа считает, что эффективное преодоление этой проблемы будет возможно лишь при слаженном, комплексном реагировании всех соответствующих национальных субъектов.

## **VI. Осуществление мер по замораживанию активов в отношении структур, внесенных в санкционный перечень**

### **A. Ливийское инвестиционное управление (LYe.001)**

#### **1. Общий обзор**

127. На протяжении отчетного периода Группа отмечала, что Ливийское инвестиционное управление демонстрирует растущую готовность сотрудничать и предоставлять большую часть запрашиваемой информации. Вместе с тем Группа продолжает считать, что Ливийское инвестиционное управление не в состоянии представлять достоверную консолидированную финансовую отчетность, соответствующую международным стандартам, или же финансовые отчеты по своим дочерним компаниям.

#### **2. Управленческие вопросы**

*Недостатки, проявившиеся в аудите Ливийского инвестиционного управления*

128. В документе S/2021/229<sup>150</sup> отмечается, что в рамках своей стратегии преобразований Ливийское инвестиционное управление обязалось выполнить различные рекомендации, поступившие от “Oliver Wyman Limited” (Соединенное Королевство) и что оно обещало соблюдать Принципы Сантьяго для суверенных фондов накопления богатства<sup>151</sup>. Фирма “Ernst and Young Global Limited” (Соединенное Королевство) помогает провести аудит финансовых отчетов Ливийского инвестиционного управления за 2018 и 2019 годы в соответствии с международными стандартами финансовой отчетности. Эти финансовые отчеты, подвергшиеся аудиту, являются последними из имеющихся на данный момент.

129. Группа ознакомилась с заключениями из аудиторского доклада “Ernst and Young”, однако она не видела полного текста доклада и поэтому не может делать каких-либо заключений по содержащимся там выводам. Например, аудиторская сводка активов была подготовлена не на консолидированной основе. В докладе

<sup>150</sup> Пп. 133–134.

<sup>151</sup> См. <https://www.ifswf.org/santiago-principles-landing/santiago-principles>.

указывается, что инвестиции в дочерние компании составили 27,1 млрд долл. США на конец 2018 года и 8,4 млрд на конец 2019-го. При таких больших цифрах крайне важно иметь консолидированную отчетность, позволяющую оценить порядок управления дочерними компаниями (см. п. 132).

130. Группа выявила несколько ключевых текущих проблем. Во-первых, «аудиты» за 2018 и 2019 годы расходятся с принципом 11 из Принципов Сантьяго, который предусматривает, что «годовой отчет и прилагаемая к нему финансовая отчетность должны готовиться своевременно». При этом статья 11.7 ливийского Закона № 13 за 2010 год<sup>152</sup> обязывает директоров Ливийского инвестиционного управления готовить окончательные счета и годовую балансовую ведомость в срок, не превышающий трех месяцев с конца финансового года. Этого сделано не было. Во-вторых, стандартная формулировка аудиторского доклада содержит определение финансовой отчетности<sup>153</sup>. В аудиторских докладах за 2018 и 2019 годы содержится, судя по всему, только сводка общих активов Управления. Таким образом, там отсутствуют все четыре ключевых сопроводительных отчета: а) отчет о доходах; б) отчет о финансовом положении; с) отчет об изменениях в капитале; d) сопутствующие примечания.

131. Резюмируя, Группа отмечает, что, хотя в ситуации с финансовой отчетностью, возможно, достигнуты некоторые сдержанные улучшения, Ливийское инвестиционное управление не в состоянии обеспечить соблюдение применимых международных стандартов. До тех пор пока оно не станет полностью соблюдать такие стандарты, проводимые Группой расследования каких-либо потенциальных нарушений, затрагивающих замороженные активы Управления, будут затруднены.

*Коллизии, которыми отмечается процесс принятия решений в Ливийском инвестиционном управлении и его дочерних компаниях*

132. 16 июня 2023 года один из директоров Ливийского инвестиционного управления был назначен президентом дочерней компании (Compagnie des Exploitations Réunies). В результате этого назначения лицо, входящее в высшее управленческое звено холдинговой компании, включенной в санкционный перечень, получает еще и эффективный непосредственный контроль над дочерней компанией. В этой практике нет ничего необычного, но она способна влиять на процессы принятия решений. Из выпущенной Комитетом памятки по осуществлению № 1<sup>154</sup> следует, что в отличие от Ливийского инвестиционного управления, которое подпадает под меры по замораживанию активов, дочерние компании под них не подпадают. Группа считает, что такая коллизия интересов в управленческом звене может усилить риск перенаправления активов. Группа уже рассматривала эту ситуацию в документе S/2021/229<sup>155</sup>. Группа вновь подтверждает свое мнение о том, что меры по замораживанию активов должны распространяться и на дочерние компании.

<sup>152</sup> См. <https://lia.ly/wp-content/uploads/2021/08/LAW-13-Lia.pdf>.

<sup>153</sup> Согласно Международным стандартам финансовой отчетности и Международным стандартам учета, «финансовая отчетность складывается из отчета о доходах (который часто называют счетом прибылей и убытков), отчета о финансовом положении (который часто называют балансовой ведомостью), отчета об изменениях в капитале, отчета о движении денежных средств и сопутствующих примечаний».

<sup>154</sup> В памятке по осуществлению № 1 говорится, что «меры по замораживанию активов не распространяются на дочерние компании Ливийского инвестиционного управления и Ливийского африканского инвестиционного портфеля».

<sup>155</sup> Пп. 135–137.

### 3. Юридические вопросы

*Внешние юридические вопросы: судебное дело “Euroclear” в Бельгии*

133. Группа продолжает следить за судебным разбирательством по делу “Euroclear” в Бельгии. Это дело касается предписанного в судебном порядке перенаправления расчетного платежа в размере 16 млрд евро, который должен был поступить на замороженный счет Ливийского инвестиционного управления в Бахрейне. Вместо этого данный платеж был официально приостановлен и конфискован в Бельгии в рамках уголовного расследования по фактам присвоения и отмывания денег в размере 2 млрд евро из замороженных средств, принадлежащих Ливийскому инвестиционному управлению. 7 июля 2023 года бельгийский суд отклонил ходатайство Управления о закрытии дела и отмене конфискации.

*Внутренние юридические вопросы: судебный иск Мохсена Дерригии к Ливийскому инвестиционному управлению*

134. 20 марта 2019 года ливийский Верховный суд вынес решение в пользу Мохсена Дерригии, уволенного из Ливийского инвестиционного управления, по его иску к Совету попечителей Управления и отдал судебные инструкции в адрес Административной палаты Апелляционного суда Триполи. 16 июня 2021 года Апелляционный суд постановил, что Дерригия был незаконно отстранен от должности председателя Ливийского инвестиционного управления до истечения его трехлетнего срока, и аннулировал резолюцию о его отстранении. Апелляционный суд установил факт отсутствия юридических оснований для его увольнения с должности государственного служащего Советом попечителей Ливийского инвестиционного управления. Председатель Управления Али Махмуд оспорил это решение, однако 22 декабря 2021 года Апелляционный суд вновь постановил, что его решение должно быть исполнено. 10 августа 2022 года ливийский Верховный суд поддержал постановление Апелляционного суда. Распоряжение Верховного суда пока не исполнено, и председателем Управления остается Али Махмуд (см. приложение 79).

### 4. Печатание фальшивых банкнот

135. Управляющий Центральным банком Ливии Садик аль-Кебир сообщил Группе, что, насколько известно Центральному банку, восточное отделение Центрального банка возобновило производство новых банкнот. Он также сообщил Группе, что Центральный банк передал дело в Генеральную прокуратуру для расследования (см. приложение 80).

136. 3 января 2023 года компания “De La Rue Limited” (Соединенное Королевство) подготовила для Центрального банка технический отчет с анализом поддельных денежных знаков. В этом отчете “De La Rue” заключила, что «степень квалифицированности, необходимой для изготовления таких подделок, говорит о том, что это работа профессионального фальшивомонетчика, которому требовались специальные краски, фольга и оборудование и который, возможно, принадлежит к организованной преступной группе».

137. Группа установила, что до 2020 года Совет директоров восточного отделения одобрил производство 18 млрд<sup>156</sup> ливийских динаров. Статья 30 ливийского Закона о банковском деле предусматривает, что новые денежные знаки могут производиться только с одобрения Совета директоров. Группа отмечает, что Совет директоров триполийского отделения Центрального банка не давал одобрения на производство этих банкнот. Поэтому при отсутствии консенсуса между

<sup>156</sup> S/2017/466, п. 213 и приложение 56.



отделениями Центрального банка такое производство является незаконным по ливийскому банковскому законодательству.

138. Это одностороннее печатание денежных знаков, отличных от «официальных» денежных знаков, производимых триполийским отделением Центрального банка, означает невозможность проведения слаженной денежной политики на всей территории Ливии, поскольку нет централизованного контроля за денежной массой. Еще более важный момент состоит в том, что эти незаконные денежные знаки производятся в той части страны, где доминирует Хафтар. Существует реальный риск того, что незаконные денежные знаки станут использоваться для финансирования действий вооруженных групп, ставящих под угрозу стабильность и безопасность Ливии.

## **VII. Осуществление мер по замораживанию активов и запрещению поездок в отношении лиц, внесенных в санкционный перечень**

### **A. Сайид Мохаммед Каддаф ад-Дам (LYi.003)**

139. Группа установила, что Сайид Мохаммед Каддаф ад-Дам (LYi.003) 16 марта 2023 года умер. Египет, который указан в перечне как страна его проживания, подтвердил, что тот скончался в возрасте 75 лет в египетском городе Гиза. Его свидетельство о смерти приводится в приложении 8 (см. рекомендацию 2).

### **B. Саади Каддафи (LYi.015)**

140. Группа достоверно выяснила, что Саади Каддафи намеревается продать в Канаде спорный объект собственности. Чтобы облегчить продажу, Саади Каддафи подписал доверенность, которая 11 ноября 2022 года была зарегистрирована в консульстве Ливии в Стамбуле (Турция) под № 75/1. В этой доверенности Саади Каддафи указал местом своего проживания на тот момент Стамбул (см. приложение 82). 27 июня 2023 года Группа направила Турции письмо по поводу осуществления мер по замораживанию активов и запрещению поездок. Ответа не получено.

141. В своем документе [S/2022/427](#) Группа сообщила, что Саади Каддафи отбыл из Ливии в Турцию. На тот момент Группа не смогла установить, остался ли он в Турции или проследовал через нее транзитом в третью страну<sup>157</sup>. Сейчас Группа считает, что подписание им доверенности, в которой содержится официальное заявление о его проживании в Турции, свидетельствует о невыполнении Турцией мер по запрещению поездок на основании пункта 15 резолюции [1970 \(2011\)](#) (см. рекомендацию 3).

### **C. Мохаммед аль-Амин аль-Араби Кашлаф (LYi.025)**

142. Группа установила, что Служба охраны объектов нефтяного сектора в Эз-Завии является структурой, номинально подконтрольной Правительству национального единства. Чтобы уточнить статус трудоустройства Мохаммеда аль-Амина аль-Араби Кашлафа (LYi.025) (он же аль-Касаб), Группа просила ливийские власти предоставить обновленную информацию об осуществлении мер

<sup>157</sup> П. 126.

по замораживанию активов и запрещению поездок в отношении этого лица, включая сведения о нынешнем статусе Службы охраны объектов нефтяного сектора в Эз-Завии и порядке подчиненности в ней, а также о его личных финансовых активах и экономических ресурсах. Ливийские власти пока не ответили.

#### **D. Абд ар-Рахман аль-Милад (LYi.026)**

143. Группа установила, что Абд ар-Рахман аль-Милад (LYi.026) (он же аль-Биджа) использовал поддельные документы Организации Объединенных Наций, совершая в Ливии попытки избавиться от санкций, которые запрещают ему поездки и замораживают его активы в силу того, что он включен в санкционный перечень. Эти усилия, объектом которых стали структуры правительства Ливии и частные визави внутри Ливии, имели своей целью заручиться у правительства Ливии поддержкой ходатайства аль-Милада об исключении из перечня.

144. Группа располагает официальным ливийским документом, который был выдан 28 сентября 2022 года Генеральной прокуратурой и в котором ответственным ведомством предписывается удалить имя аль-Милада из национальной системы мониторинга прибытий и убытий. Группа заключает, что в результате этого аль-Милад получает возможность покинуть Ливию с активами, находящимися в его распоряжении, в нарушение мер по замораживанию активов.

145. 25 января 2023 года Группа запросила у ливийских властей обновленную информацию об эффективном осуществлении мер по замораживанию активов и запрещению поездок в отношении аль-Милада. Запрос был сделан после того, как аль-Милад, освободившись 11 апреля 2021 года из предварительного заключения, возобновил свои профессиональные функции в ливийских вооруженных силах, и в том числе получил назначение на должность в Военно-морском училище в Джанзуре (см. приложение 83)<sup>158</sup>. Такое назначение означает, что он получает от правительства оклад военнослужащего, а это является нарушением мер по замораживанию активов, если только деньги не зачисляются на замороженный счет. Ливийские власти пока не ответили.

#### **E. Обновленные сведения о лицах, включенных в санкционный перечень**

146. В приложении 84 Группа приводит дополнительную идентифицирующую или обновленную информацию по трем лицам, включенным в санкционный перечень (см. рекомендацию 4).

### **VIII. Рекомендации**

147. Группа рекомендует:

#### **Совету Безопасности:**

Рекомендация 1. Напомнить о пункте 6 резолюции [2278 \(2016\)](#), в котором Совет просил правительство Ливии предоставлять касающуюся работы Комитета обновленную информацию о структуре сил безопасности, находящихся под контролем правительства. [см. п. 76]

<sup>158</sup> [S/2022/427](#).

**Комитету:**

- Рекомендация 2. Обновить в санкционном перечне позицию, отведенную Сайиду Мохаммеду Каддафу ад-Даму (LYi.003), чтобы отразить факт его смерти. [см. п. 139]
- Рекомендация 3. Обновить в санкционном перечне позицию, отведенную Саади Каддафи (LYi.015), чтобы отразить его новый адрес (Турция). [см. п. 141]
- Рекомендация 4. Обновить в санкционном перечне позиции, отведенные Мохаммеду аль-Амину аль-Араби Кашлафу (LYi.025), Абд ар-Рахману Салиму Ибрагиму аль-Миладу (LYi.026) и Усаме аль-Куни Ибрагиму (LYi.029), чтобы отразить актуализированную информацию, представленную Группой. [см. п. 146]
- Рекомендация 5. Рассмотреть отдельно представляющую Группой в течение нынешнего отчетного периода информацию о лицах, отвечающих критериям включения в санкционный перечень, содержащимся в соответствующих резолюциях Совета Безопасности.

## Table of contents

Annex 1	Overview of the evolution of the Libya sanctions regime	54
Annex 2	Abbreviations and acronyms	57
Annex 3	Methodology	59
Annex 4	Member States, organizations and institutions consulted	64
Annex 5	Summary of Panel correspondence (2571 (2021) and 2644 (2022)) mandates	66
Annex 6	Context of Zawiyah since August 2022	70
Annex 7	Narcotics Marketplace in Zawiyah	71
Annex 8	Declaration of the High Council of State on Zawiyah Operation	72
Annex 9	Decree establishing the National Force Support Authority (NFSA)	74
Annex 10	Tripoli-based armed groups since August 2022	78
Annex 11	Official LAAF orders reinforcing 106 brigade	79
Annex 12	TBZ Agency activities in LAAF controlled territories.	83
Annex 13	Reported counterterrorism related events in Libya	88
Annex 14	2022 ISIL's summary of terrorist activities in the world	90
Annex 15	Syrian Presence in Libya	91
Annex 16	Incidents of violations of international humanitarian law (IHL) and international human rights law (IHRL) committed in the context of deprivation of liberty	92
Annex 17	Targeted attacks against members of civil society and journalists	99
Annex 18	Human trafficking and migrant smuggling routes in Libya under the Panel investigation	101
Annex 19	IHL and IHRL violations associated with the operating methods of the expanded Zawiyah Network in Zawiyah and Warshafana	104
Annex 20	Detainee abuse of migrants in detention centres under the authority of the Directorate for Combating Illegal Migration (DCIM)	119
Annex 21	HAF racketeering system of human trafficking and migrant smuggling networks in Libya	121
Annex 22	Law enforcement and other maritime operations in the context of human trafficking and migrants smuggling in Libya	126
Annex 23	Maritime and air delivery non-compliance profile indicators	127
Annex 24	Procedural history of Libyan declaration of forces under government control and authorized signatories for EUCs	130
Annex 25	Baseline summary of arms embargo equipment violations (26 Feb 2011 – 10 July 2023)	131
Annex 26	Supplies of maritime assets to Libyan armed groups	142
Annex 27	Renewed transport of Spartan-2 MAV by MV <i>Luccello</i> / MV <i>Victory RoRo</i>	148
Annex 28	Deliveries of items or activities not subject to the arms embargo by vessels, aircraft or vehicles subject to the embargo	150
Annex 29	Naval vessels entering Libya	151
Annex 30	Libyan Maritime Authority cancels “prohibited zone” - Attachment to IMO Circular Letter no. 4585 (10 June 2022)	153
Annex 31	Antigua and Barbuda complaint as flag State - attachment to IMO Circular Letter no. 4641 (12 October 2022)	154
Annex 32	Summary of newly identified arms embargo equipment transfer and training violations and non-compliances	158
Annex 33	BMC <i>Vuran</i> T8 MPAV	161
Annex 34	<i>Barrett</i> 0.60in M82 Anti-Materiel Rifle	162
Annex 35	SAKO TRG variant Sniper Rifle	163
Annex 36	<i>Streit</i> Spartan-2 Multi-role Armoured Vehicles	164
Annex 37	MSPV <i>Panthera</i> T8 APC	165
Annex 38	<i>Roketsan</i> MAM-C smart micro munitions	166
Annex 39	<i>Tanin</i> TBG-7V Thermobaric Fuel Air Grenade	167
Annex 40	LC79 <i>SH Fighter-2</i> APC	168
Annex 41	<i>Accuracy International</i> AW308 Sniper Rifle	169
Annex 42	<i>Roketsan</i> MAM-L smart micro munition	170
Annex 43	<i>Arsenal JSC</i> 40mm OGi-7MA Improved Fragmentation Grenade	171
Annex 44	<i>Kale Kalip</i> 5.56mm KCR 556 S1 Infantry Rifle	172
Annex 45	<i>Aselsan</i> A600 Night Vision Weapon Sight	173
Annex 46	<i>Aselsan</i> A940 Weapon Sight	174
Annex 47	<i>MKEK</i> 7.62mm KNT-76 Sniper Rifle	175
Annex 48	<i>Aselsan</i> Ihasavar UAV Jammer and Training	176

Annex 49	<i>Aselsan</i> Serce-2 UAV and Training	177
Annex 50	GNU-AF Deployment on NATO Exercise EFES-2022	178
Annex 51	GNU-AF 53 Independent Infantry Brigade Training in Türkiye	179
Annex 52	GNU-AF Naval Training in Türkiye	180
Annex 53	GNU-AF Small Boat Training in Türkiye	181
Annex 54	Libyan Coast Guard Diver Training	182
Annex 55	GNU-AF Unidentified UAV Training	183
Annex 56	GNU-AF Sniper Training from Turkish Armed Forces	184
Annex 57	GNU-AF Small UAV Training	185
Annex 58	Update on Antonov AN-12A [#2340806]	186
Annex 59	Antonov AN-26 [#14209]	188
Annex 60	Antonov AN-12BP (#5342908)	191
Annex 61	Ilyushin IL-76TD (#63471147)	193
Annex 62	Ilyushin IL-76TD (#73479367) (9U-ILO and 9U-BVU)	194
Annex 63	FlySky Airlines LLC (FSQ), Kyrgyz Republic flights in support of HAF	214
Annex 64	Military support to HAF by Falcon Wings LLC	220
Annex 65	Ownership of Falcon Wings LLC and familial link to Haftar	221
Annex 66	Project <i>Opus</i> supplied military surveillance aircraft and helicopters	223
Annex 67	LASA T-Bird (YU-TSH) in Cyprus	224
Annex 68	Ilyushin IL-18D (MSN# 186009403)	226
Annex 69	Ilyushin IL-76TD (TL-KMZ)	227
Annex 70	Seizure of blank-firing pistols in Misrata	228
Annex 71	Materiel seized from MV Victory RoRo (IMO 7800112)	230
Annex 72	Materiel seized from MV Meerdijk (IMO 9377925)	239
Annex 73	Creation of High Financial Oversight Committee by the Presidential Council	245
Annex 74	Exports of fuel from Benghazi old harbour	249
Annex 75	MT <i>Queen Majeda</i> (IMO 9117806)	255
Annex 76	Unidentified tanker at fuel smuggling pumping station at Sidi Ali	267
Annex 77	Maritime fuel smuggling in the west	268
Annex 78	2146 focal point	270
Annex 79	Mohsen Derregia court case against the Board of Trustees of the LIA	274
Annex 80	Communication from the CBL to the Office of the Public Prosecutor informing about the counterfeit bank notes	281
Annex 81	Certificate of death of Sayyid Mohammed Qadhaf Al-Dam (LYi.003)	291
Annex 82	Power of attorney signed by Saadi Qadhafi (LYi.015)	293
Annex 83	Photographs of Abd Al-Rahman al-Milad (LYi.026) (a.k.a al-Bija) active in LCG	295
Annex 84	New identifying information for listed individuals	296

## 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.<sup>159</sup>

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<sup>159</sup> <http://www.un.org/sc/committees/1970/notices.shtml>.



## Annex 2      Abbreviations and acronyms

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

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



Map No. 3787 Rev. 10 United Nations  
November 2015

Department of Field Support  
Geospatial Information Section (formerly Cartographic Section)

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**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<sup>160</sup> 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/material 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.

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<sup>160</sup> 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 support 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 <sup>a b c</sup>

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



<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Mexico <sup>b</sup>	Permanent Mission		
Morocco	Permanent Mission		
Mozambique	Permanent Mission		
Netherlands	Permanent Mission		
Niger	Permanent Mission		
Russian Federation <sup>a</sup>	Ministry of Foreign Affairs Permanent Mission		
Spain	Ministry of Foreign Affairs	World Bank	
Switzerland <sup>c</sup>	Ministry of Foreign Affairs Permanent Mission	OHCHR Special Rapporteur <sup>e</sup>	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 <sup>b</sup>	Ministry of Foreign Affairs, Interior and Justice Permanent Mission		
United Kingdom <sup>a</sup>	Ministry of Foreign Affairs <sup>d</sup> Treasury Permanent Mission	IMO	NGOs
USA <sup>a</sup>	State Department and Treasury Mission		

<sup>a</sup> Countries indicated 'a' are permanent members of the Security Council.

<sup>b</sup> Countries indicated 'b' are elected members of the Security Council (2022).

<sup>c</sup> Countries indicated 'c' are elected members of the Security Council (2023).

<sup>d</sup> Via VTC or other electronic platform.

<sup>e</sup> Violence against Women and Girls

## Annex 5 Summary of Panel correspondence (2571 (2021) and 2644 (2022)) mandates<sup>161</sup>

Table 5.1  
Correspondence with Member States (2571 (2021) Mandate)  
(27 April 2022 to 12 July 2022) <sup>a</sup>

<i>Member State / country</i>	<i># letters sent by the Panel</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
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
<b>Total</b>	<b>21</b>	<b>7</b>	<b>14</b>

<sup>a</sup> 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) <sup>a</sup>

<i>Member State / country</i>	<i># letters sent by the Panel <sup>b</sup></i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
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

<sup>161</sup> Excluding updates to the Committee, letters to the Chair or visit/visa requests to Member States.

<i>Member State / country</i>	<i># letters sent by the Panel<sup>b</sup></i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
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
<b>Total</b>	<b>108</b>	<b>47</b>	<b>61</b>

<sup>a</sup> 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.

<sup>b</sup> 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)<sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies</i>	<i># awaiting reply</i>
European Union	1	1	
Euro Control	2	2	
<b>Total</b>	<b>3</b>	<b>3</b>	<b>0</b>

<sup>a</sup> 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)<sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies<sup>b</sup></i>	<i># awaiting reply</i>
Attorney General's Office (Libya)	2	0	2
Euro Control	2	2	0
International Atomic Energy Agency	1	1	0

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies<sup>b</sup></i>	<i># awaiting reply</i>
HAF	6	3	3
Judiciary (Belgium)	1	0	1
National Oil Corporation (Libya)	1	1	0
<b>Total</b>	<b>13</b>	<b>7</b>	<b>6</b>

<sup>a</sup> 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.

<sup>b</sup> 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)<sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies</i>	<i># awaiting reply</i>
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
<b>Total</b>	<b>4</b>	<b>2</b>	<b>2</b>

<sup>a</sup> 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)<sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies<sup>b</sup></i>	<i># awaiting reply</i>
Abdul Latif Jameel Import and Distribution Co., Ltd. (Saudi Arabia)	1	1 <sup>c</sup>	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

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies<sup>b</sup></i>	<i># awaiting reply</i>
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
<b>Total</b>	<b>41</b>	<b>22</b>	<b>19</b>

<sup>a</sup> 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.

<sup>b</sup> Includes all letters sent with a requested reply date by 17 July 2023.

<sup>c</sup> 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.<sup>162</sup> 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.<sup>163</sup>
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 Bahrin (a.k.a al-Far), who supported Dbeibah, has since used his position<sup>164</sup> to reduce the influence of rival armed groups led by Hassan Busriba.<sup>165</sup>

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<sup>162</sup> E.g. Panel interviews with former detainees (IHL Confidential Sources (CS) 25-27, 52-58, 65-72).

<sup>163</sup> Panel Meetings of 6 and 12 October 2022, and 10 and 17 January 2023.

<sup>164</sup> As head of the Office of Combatting Terrorism and Subversive Activities in the Western Region.

<sup>165</sup> 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.

**Sifaou hashish selling place**  
(Zawiyah, Libya)  
(32°44'47.52"N, 12°43'1.68"E)

Labelled on Google Maps as *Al-Sifaw* for the sale of hashish and Bafra rolling papers.




**Primary sources**

1. Google Earth Pro, June 2023.  
Developed by UN Panel of Experts

**Official UN Translation 2311918E**

**Al-Sifaw for the sale of hashish and Bafra rolling papers**

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

<p>STATE OF LIBYA THE HIGH COUNCIL OF STATE</p> <p>دولة ليبيا المجلس الأعلى للدولة</p> <p><b>بيان رئيس المجلس الأعلى للدولة بشأن قصف الطيران المسير لبعض المناطق بمدينة الزاوية</b></p> <p>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 السليبي 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.</p> <p>إن القصف بالطيران المسير لبعض مناطق مدينة الزاوية جاء بعد أيام قليلة من حراك شباب وأهالي الزاوية الراضين لانتشار الجريمة، وتقدير 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 تبين 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.</p> <p>كما أننا نعلن رفضنا لتوظيف السيد عبد الحميد الدبيبة، بصفته وزير الدفاع، لسلح الطيران المسير لتصفية حسابات سياسية ضد أطراف مختلفة معه سياسياً بحجة نبيلة كمكافحة الجريمة.</p> <p>صدر في طرابلس، 26 مايو 2023.</p> <p>2\1</p>	<p>STATE OF LIBYA THE HIGH COUNCIL OF STATE</p> <p>دولة ليبيا المجلس الأعلى للدولة</p> <p>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.</p> <p>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 بحياة الحليف التركي.</p> <p><b>خالد عمار المشري</b> رئيس المجلس الأعلى للدولة</p> <p>صدر في طرابلس، 26 مايو 2023.</p> <p>2\2</p>
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Source: <https://twitter.com/MuhammedAhmedJ2/status/1662165334722215951/photo/3>, 26 May 2023.



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Official UN translation  
Reference no 2314271E  
*Translated from Arabic*

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**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)


  
 جمهورية ليبيا  
 LIBYAN ARAB JAMAHIRIYA  
 Agāwū nduronnu Jamāhīriya  
 Government of National Unity

**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 / 2020 م.  
 - 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 / 2021 م بمنح الثقة لحكومة الوحدة الوطنية.  
 - وعلى كتاب أمين شؤون مجلس الوزراء رقم (10284) المؤرخ في 2023/05/22 م.  
 - وعلى اجتماع مجلس الوزراء العادي الثالث لسنة 2023 م.

**قـرـر**

**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 تدريبهم 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.






  
 جمهورية ليبيا  
 17100711 1700114 1700070301  
 898880 iddiroromd iddiroromd  
 Government of National Unity

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 مسئولاً عن تنفيذ المهام وفق اختصاصات واختصاصات الجهاز كما يعتبر مسئولاً 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 يخصص له في الحصول عليها قانونا.

**مادة (9)**  
يكون للجهاز حساب مصرفي أو أكثر بأحد المصارف العاملة في ليبيا تودع فيه أمواله وفقاً للتشريعات النافذة.

**مادة (10)**  
يعمل بهذا القرار من تاريخ صدوره ، وعلى الجهات المختصة تنفيذه.

  
 المجلس الوزاري  


8 خريف القذافي  
 سبقي ، 1444 هـ /  
 البلاغ ، 5 / 2023 ميلادي  
 رقم 5 / 2023 / قانونية

Source: Panel interlocutor on 15 June 2023

Official UN translation  
Reference no 2311914E  
*Translated from Arabic*

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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-Bashagha 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**

**قرار**

**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 قائدا عاما للقوات المسلحة العربية الليبية.

**قرر**

**مادة (1)**

**تضم الكتيبة 115 مشاة مجحفلة إلى اللواء 106 مجحفل وذلك بكامل قوتها العمومية من أفراد واليات 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**

**القرارات**

في: الجمعة / بتاريخ 03 / 05 / 2023م

الموقع: المقر العام للقوات المسلحة العربية الليبية

Source: Confidential

OFFICIAL UN TRANSLATION

Reference no. 2311914E

*Translated from Arabic*

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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

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

القائد العام للقوات المسلحة العربية الليبية

القرارات

**ق ر ر**

**القائد العام للقوات المسلحة العربية الليبية**

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

**القائد العام :-**

**بعد الاطلاع على :-**

- قانون رقم (40) لسنة 1974 م بشأن الخدمة بالقوات المسلحة وتعديلاته .
- قانون رقم (1) لسنة 2015 م بشأن تعديل القانون رقم (11) لسنة 2012 م بشأن تحديد صلاحيات المستويات القيادية بالقوات المسلحة العربية الليبية .
- قرار القائد الأعلى رقم (20) لسنة 2015 م بشأن تعيين قائداً عاماً للقوات المسلحة العربية الليبية .

**ق ر ر**

صادة (1)

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

صادة (2)

تضم الوحدات التالية إلى رئاسة أركان الوحدات الأمنية :-

1- اللواء 106 مجفصل	2- اللواء خالد بن الوليد
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صادة (3)

يُعيَّن الرقم: 37825/ عميد ركن/ خالد خليفة أبو القاسم أمراً لها.

صادة (4)

على هيئة العمليات إعداد الهيكل التنظيمي لها

صادة (5)

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المختصة تنفيذه.

المشير أركان حرب //

خليفة أبو القاسم حفتـر

القائد العام للقوات المسلحة العربية الليبية

صدر في: الرحمة / بتاريخ: 8 / 7 / 2023 م  
المنشئ: قائد قوات الأمن الوطني / ج. العتيبي

Source: [https://twitter.com/wady\\_dynar/status/1678508865346781189?s=46&t=AJSuGTvN8PWieUi-5AGhcQ](https://twitter.com/wady_dynar/status/1678508865346781189?s=46&t=AJSuGTvN8PWieUi-5AGhcQ), 10 July 2023.

OFFICIAL UN TRANSLATION  
Reference no 2313572E  
*Translated from Arabic*

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**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
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2. The Khalid ibn al-Walid army
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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 لكس 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 وتطوير وإعادة إعمار 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 مستشفى 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=AJSuGTvN8PWicUi-5AGhcQ>,  
5 November 2023.

6. Sample of a report from LAAF media titled "جانب من زيارة وفد القيادة العامة على راسه العميد صدام حفر 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=npIloMyW18E>, 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. <sup>a</sup>
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. <sup>b</sup>
8 Aug 2022	The Libyan judicial authorities in Misrata initiated the trial of 56 individuals suspected of being ISIL-Libya members. <sup>c</sup>
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. <sup>d</sup>
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. <sup>e</sup>
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. <sup>f</sup>
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. <sup>g</sup>
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. <sup>h</sup>
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. <sup>i</sup>
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. <sup>j</sup>
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. <sup>k</sup>
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. <sup>l</sup>
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. <sup>m</sup>

<sup>a</sup> <https://ar.libyaobserver.ly/article/19649>, 18 June 2022.

<sup>b</sup> <https://lana.gov.ly/post.php?lang=ar&id=249993>, 28 July 2022.

<sup>c</sup> <https://arabic.euronews.com/2022/08/08/libya-misrata-tries-dozens-suspected-belonging-daesh-group-jihadist-killings>, 8 August 2022.

<sup>d</sup> <https://www.alarabiya.net/north-africa/2022/09/08/ليبيا-في-ليبيا-بعملية-تصفية-زعيم-داesh-في-ليبيا>, 7 September 2022.

<sup>e</sup> <https://www.aa.com.tr/ar/2740418/2-مسلحين-من-داesh-وأسر-16-نوفمبر>, 16 November 2022.

<sup>f</sup> <https://www.facebook.com/100323058386315/videos/508062901380547>, 21 November 2022.

<sup>g</sup> <https://arabic.euronews.com/2022/08/08/libya-misrata-tries-dozens-suspected-belonging-daesh-group-jihadist-killings>, 27 November 2022.

<sup>h</sup> [https://arabic.rt.com/middle\\_east/1418568-ليبيا-جنابيات-طرابلس-تقضي-بإعدام-17-شخصا-بتهمة-الاتضمام-إلى-تنظيم-داesh](https://arabic.rt.com/middle_east/1418568-ليبيا-جنابيات-طرابلس-تقضي-بإعدام-17-شخصا-بتهمة-الاتضمام-إلى-تنظيم-داesh), 19 December 2022.

<sup>i</sup> <http://arabic.news.cn/20230102/3debb2ef85ac4f62a91f6e3c809f6950/c.html>, 1 January 2023.



<sup>j</sup> <https://libyaobserver.ly/news/isis-admits-faltering-activities-libya>, 8 January 2023.

<sup>k</sup> <https://libyaalhadath.net/?p=152712>, 26 February 2023.

<sup>l</sup> <https://www.alaraby.co.uk/society/ليبيا/تونس-تستعيد-دفعة-من-اطفال-ونساء-مقاتلي-داعش-في-ليبيا>, 5 May 2023.

<sup>m</sup> <https://www.maghrebvoices.com/cve/2023/05/29/ليبيا/عضوا-بدا-عش-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 12<sup>th</sup> 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.<sup>166</sup> 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.<sup>167</sup> 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.<sup>168</sup>

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,<sup>169</sup> 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.

<sup>166</sup> Articles 9 and 14 of the International Covenant on Civil and Political Rights. See also [S/2022/427](#), paragraph 39 and annex 21.

<sup>167</sup> Panel interviews with eyewitnesses (CS 61, 62 and 63).

<sup>168</sup> Panel interviews with family members (CS 20, 24 and 127) and eyewitnesses (CS 31 and 64). See also annex 20 of [S/2022/427](#).

<sup>169</sup> 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<sup>170</sup> 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).<sup>171</sup>

2. The detention facility located inside the military base of the TBZ brigade in Sidi Faraj<sup>172</sup> 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.<sup>173</sup>

<sup>170</sup> Where a victim was deceased or unable to give testimony due to an ongoing detention, the Panel interviewed an immediate family member.

<sup>171</sup> Panel interviews with former detainees (CS 28, 29, 30, 34, 73, and 74) and family members (CS 22, 33 and 128).

<sup>172</sup> 32°04'02.0"N, 20°12'56.9"E.

<sup>173</sup> 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.<sup>174</sup>

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.<sup>175</sup>

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.

<sup>174</sup> 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.

<sup>175</sup> Panel online meeting with Mohamed Al-Tagouri, 9 July 2023.

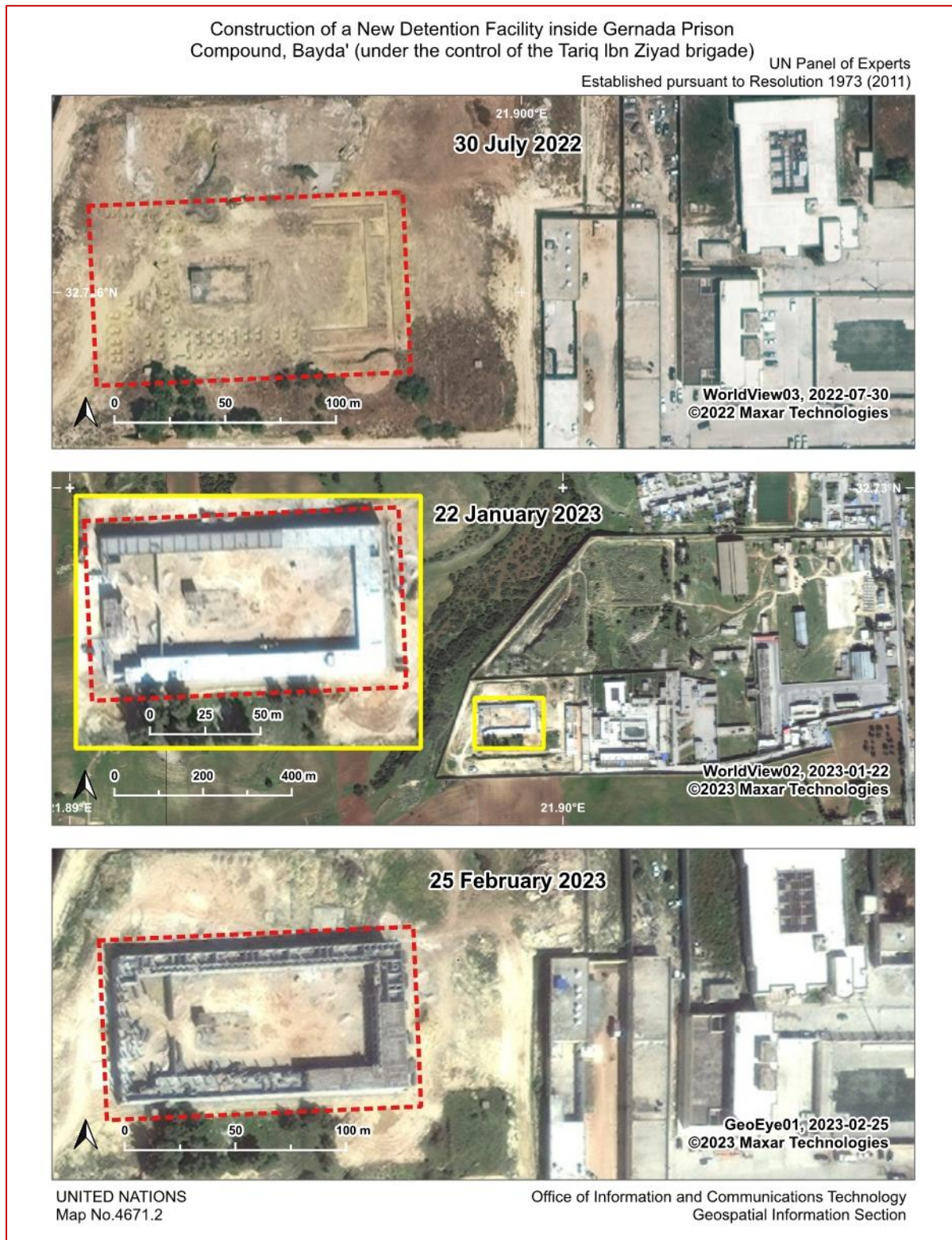
Figure 16.B.3  
Satellite imagery of the detention section in the Gernada facility under the TBZ control in Al Bayda'



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.<sup>176</sup> 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.<sup>177</sup> 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.<sup>178</sup> 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.<sup>179</sup> 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.<sup>180</sup> 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.<sup>181</sup> 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.

<sup>176</sup> Panel interviews with eyewitnesses (CS 31, 32, 62, 63, 64, 79, 83 and 127).

<sup>177</sup> Articles 7, 9, 14 and 19 of the ICCPR.

<sup>178</sup> See also paragraph 44 of [S/2022/427](#).

<sup>179</sup> Article 19 of the ICCPR.

<sup>180</sup> 1) LAAF general command response of 26 June 2023; and 2) Panel online meeting with LAAF general command, 9 July 2023.

<sup>181</sup> 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**<sup>182</sup>

<i>Departure point</i>	<i>Means of transport</i>	<i>Transit countries</i>	<i>Entry points Libya</i>	<i>Transit points Libya</i>
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, Sabrathah, 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 they would

<sup>182</sup> 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.

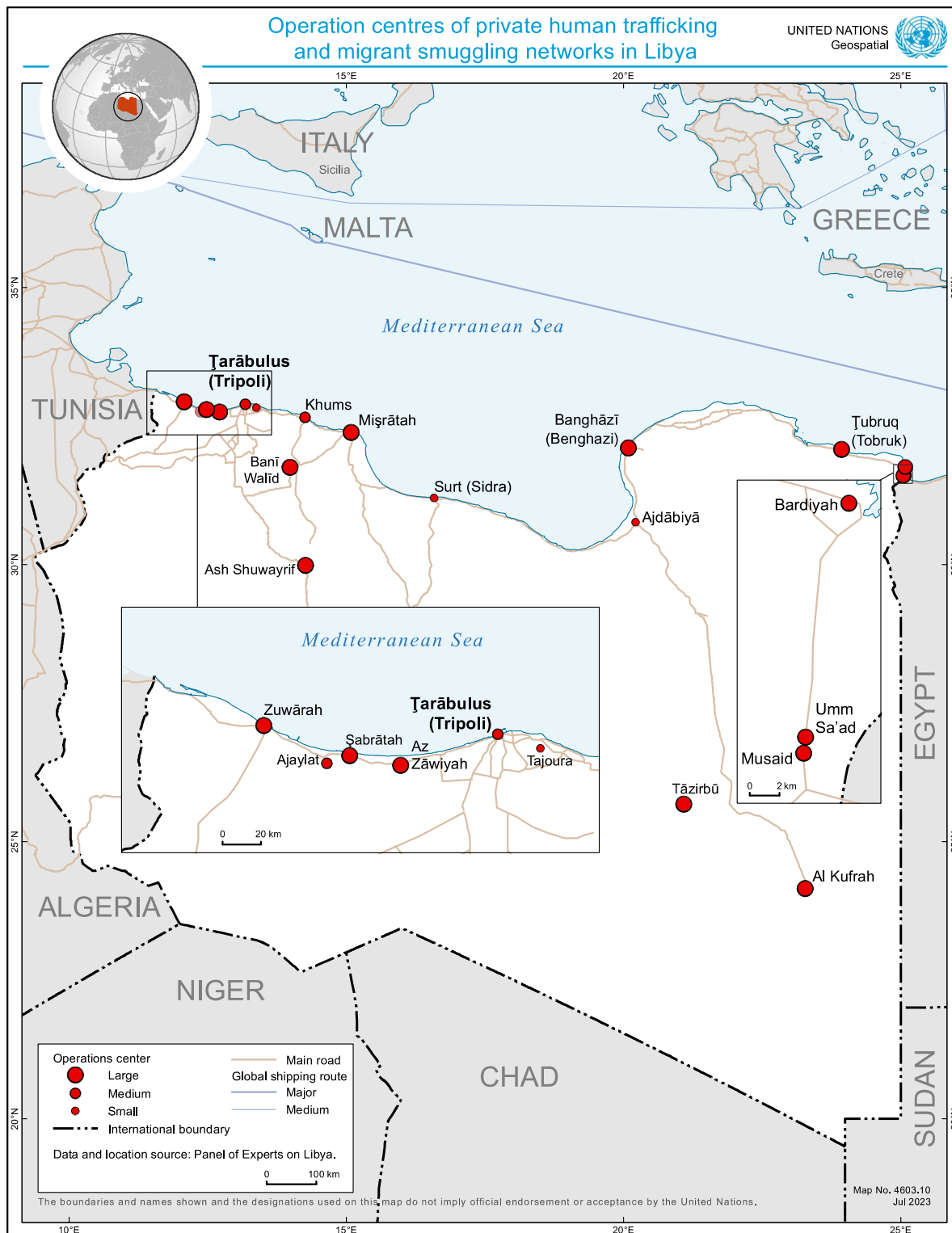
4. The detention was consistently characterized by inhuman and degrading treatment, unhygienic conditions, overcrowding, and starvation. Illegal detention facilities in Bani Walid, Tazirbu and Shuwayrif desert were particularly notorious for inhuman and degrading conditions of life, brutal beatings and severe sexual violence, including rape, sexual enslavement and enforced prostitution.<sup>183</sup> 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*,<sup>184</sup> 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.

<sup>183</sup> Panel interviews with former detainees (CS 41, 42, 43, 70, 71 and 72). See also paragraph 46 of [S/2022/427](#).

<sup>184</sup> 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.<sup>185</sup> 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.<sup>186</sup> 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.<sup>187</sup>

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.<sup>188</sup>

### *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.

<sup>185</sup> S/2022/427, paragraph 51.

<sup>186</sup> 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.

<sup>187</sup> 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.

<sup>188</sup> 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),<sup>189</sup> which existed in parallel with the Libyan government's detention system for migrants under the authority of the Department for Combatting Illegal Migration (DCIM).<sup>190</sup> 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).<sup>191</sup> 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<sup>192</sup> 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.<sup>193</sup> 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<sup>194</sup> 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.<sup>195</sup> 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).

<sup>189</sup> Official DCSII webpage is available at: [https://www.facebook.com/profile.php?id=100076437379692&ref=page\\_internal](https://www.facebook.com/profile.php?id=100076437379692&ref=page_internal).

<sup>190</sup> S/2022/427, paragraph 47.

<sup>191</sup> 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.

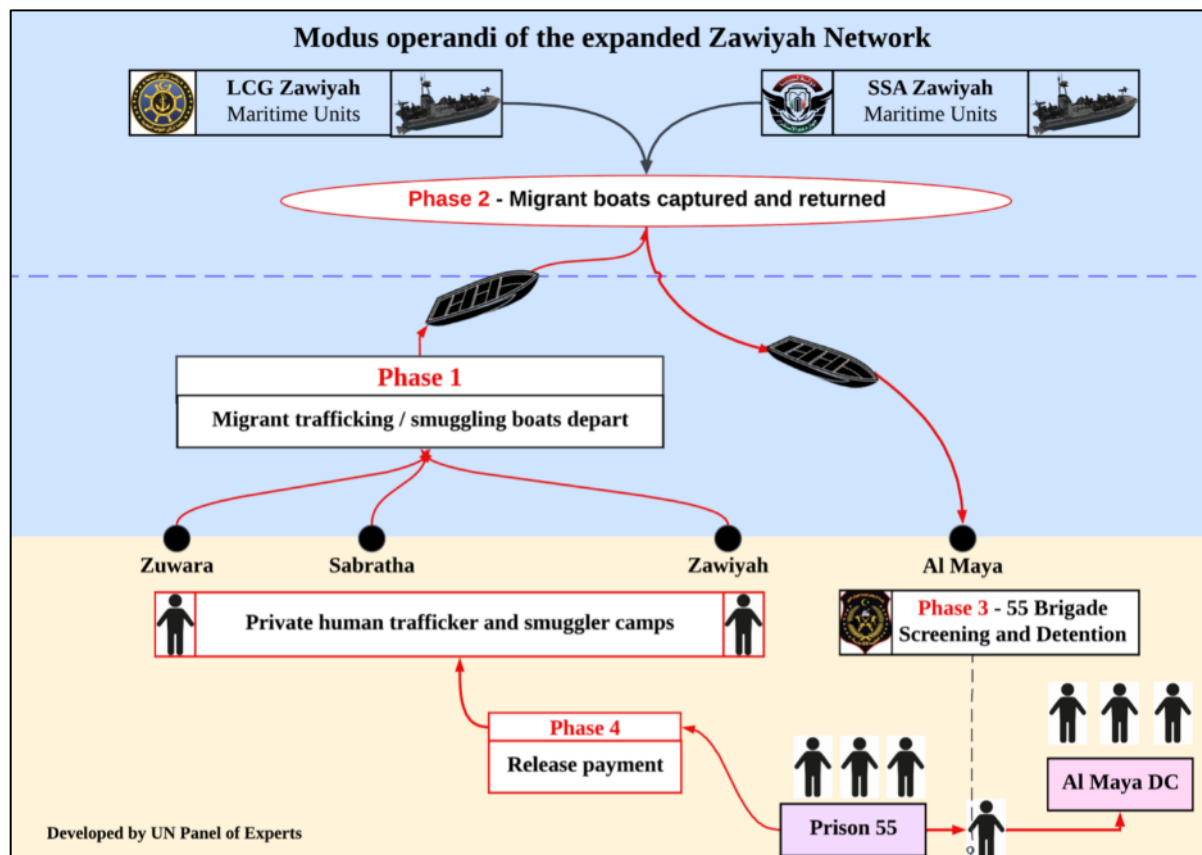
<sup>192</sup> 32°80'83.67"N, 12°90'07.51"E.

<sup>193</sup> Panel interviews with former detainees (CS100 and 122).

<sup>194</sup> 32°41'34.7"N, 12°52' 08.2"E.

<sup>195</sup> 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 ethnic 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.<sup>196</sup>

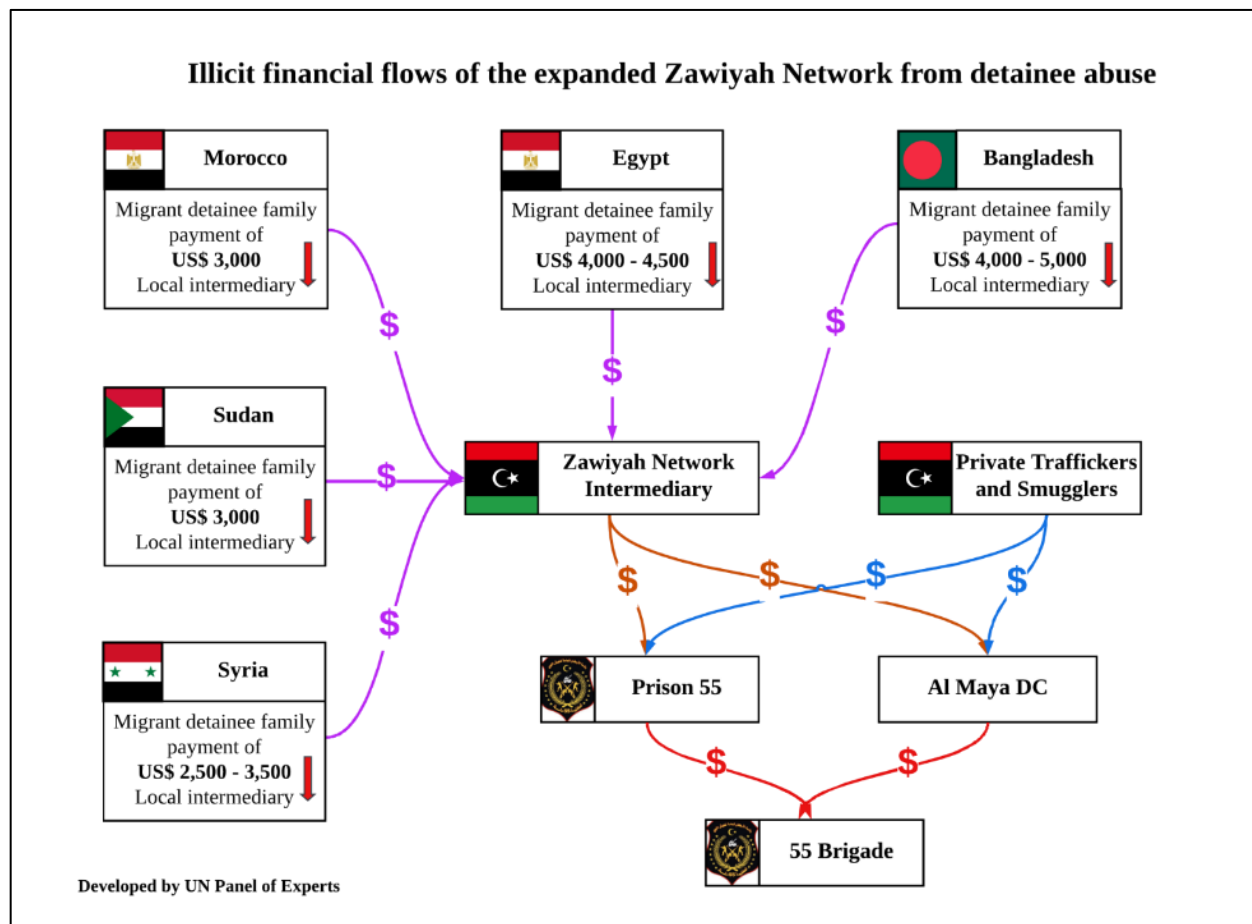
14. *Phase 4 Release:* The release system in the Al-Maya DC and Prison 55 was essential to the Network's ability to generate substantive financial revenue from detainee abuse. Detainees were released from the Al-Maya DC: (a) after their relatives paid the requested amount, which varied based on the detainees' 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.

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<sup>196</sup> 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.<sup>197</sup> 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.<sup>198</sup> Detainees endemically suffered from skin diseases and stomach infections caused by rotten food and poor hygiene without access to medical assistance.<sup>199</sup> 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,<sup>200</sup> and mock executions. In three identified cases, detainees died under acts of torture.<sup>201</sup>

<sup>197</sup> Panel interviews with former detainees (CS 26, 27, 28, 55, 58, 85-100, 114, 122-123) and eyewitnesses (CS 04, 09, 19 and 124).

<sup>198</sup> For instance, witness CS95 lost 20 kilogrammes in several months of his detention at the Al-Maya DC.

<sup>199</sup> Panel interviews with former detainees (CS 25-27, 93-95, 100, 122 and 123) and eyewitnesses (CS 19 and 124).

<sup>200</sup> Panel interviews with former detainees (CS 93 and 122).

<sup>201</sup> S/2022/427, paragraph 51.

18. Three eyewitnesses confirmed that rape and other sexual violence of detained females was systematic in Al-Maya DC.<sup>202</sup> 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.<sup>203</sup>

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<sup>202</sup> Panel interviews with witnesses (CS 08, 100 and 122).

<sup>203</sup> *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



Source: [https://twitter.com/nchr\\_ly/status/1627611203349381120?s=20](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.

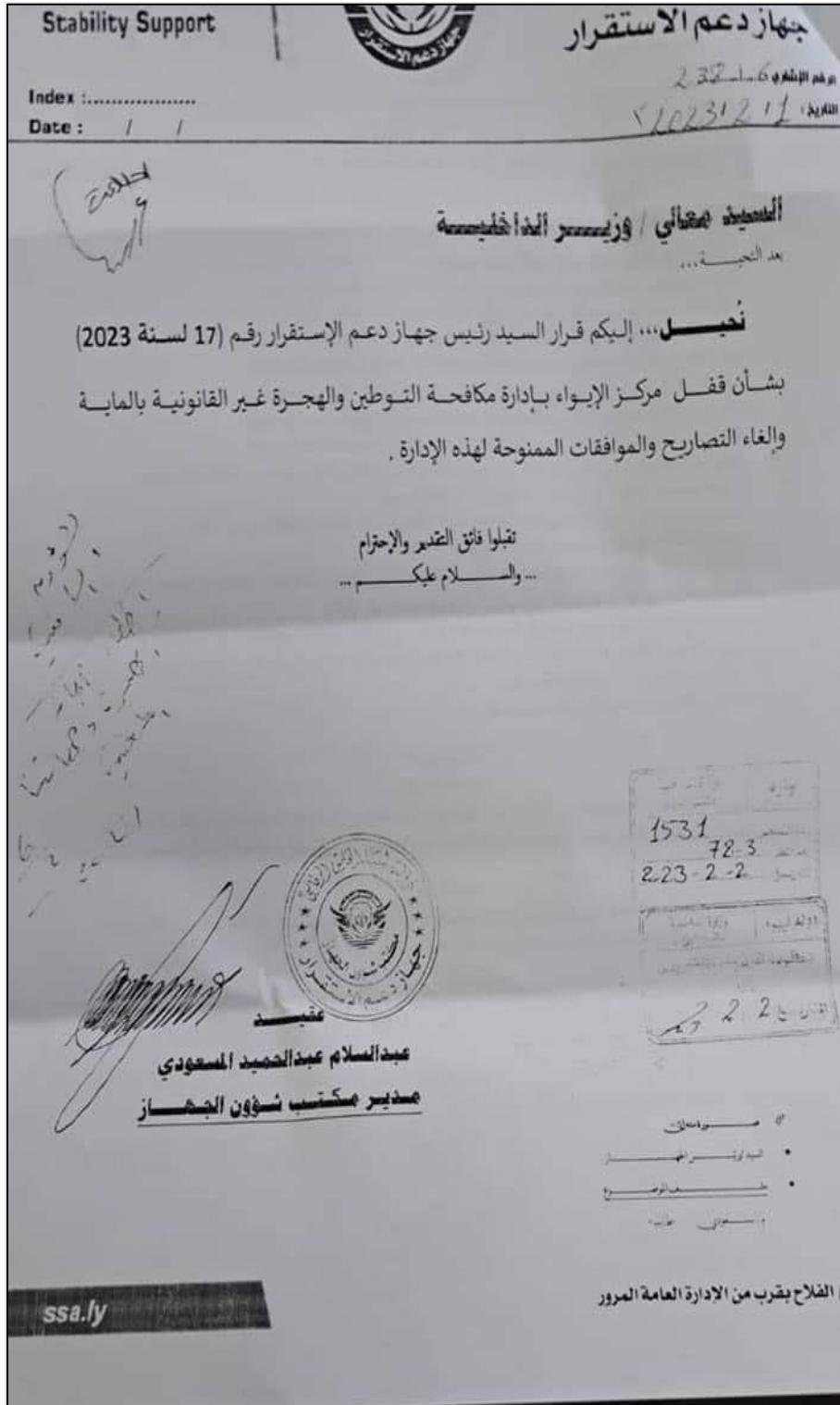
**Article 3**

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**

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](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*

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**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

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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) م 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 رئيسا 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 بالتنسيق 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  
- ولتتسيات المصالح العامة

**ق**  
**مادة (1)**

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

**مادة (2)**

يمارس المركز اختصاصاته وفقا للتشريعات النافذة

**مادة (3)**

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المختصة تنفيذه

لواء  
عصام محمد أبو زريب  
وزير الداخلية



صدر في 16 جمادى الأولى 1444هـ  
الوافق 08/03/2023م

Source: CS125.

Official UN Translation  
Reference no. 2308679E  
*Translated from Arabic*

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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 1 A 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<sup>a</sup>



Figure 19.6  
Exterior of Al-Maya DC<sup>b</sup>



<sup>a</sup> Source: Google Earth.

<sup>b</sup> 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

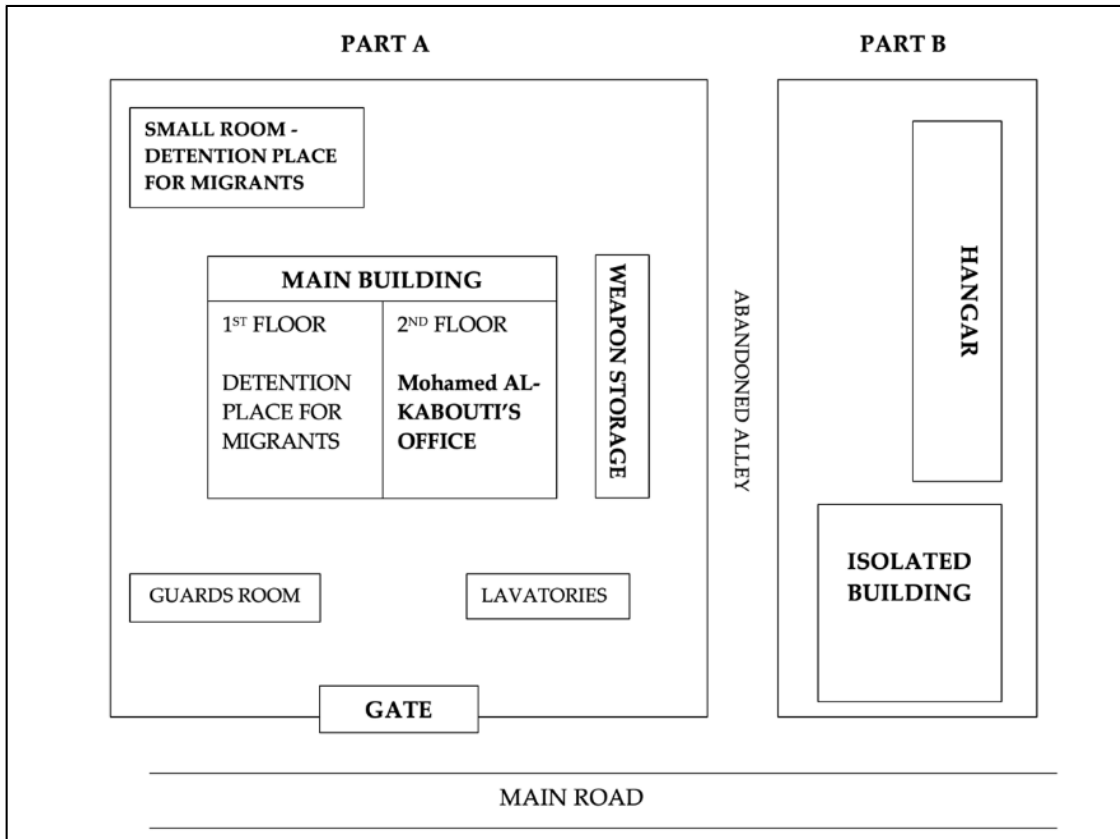


Figure 19.9  
SSA Lambro Olympic D74 Fast Patrol Boat<sup>a</sup>



Figure 19.10  
SSA Alqayid 1<sup>b</sup>



Figure 19.11  
SSA Alqayid 2<sup>c</sup>



Figure 19.12  
LCG Bigliani Class Patrol Boat hull no. 656 “Zawiyah”<sup>d</sup>



<sup>a</sup> Source: Confidential; see also [S/2022/427](#), annex 27. Recognised by CS 91, 92 and 93.

<sup>b</sup> Source: <https://twitter.com/SARwatchMED/status/1485711494633472000>, 24 January 2022; see also [S/2022/427](#), annex 27. Recognised by CS 88-93.

<sup>c</sup> Source: <https://twitter.com/SARwatchMED/status/1485711494633472000>, 24 January 2022; see also [S/2022/427](#), annex 27. Recognised by CS 88, 89 and 90.

<sup>d</sup> 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.<sup>204</sup> Until July 2023, the detention structure for migrants was composed of 30 DCs holding approximately 6,570 migrants.<sup>205</sup>
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.<sup>206</sup>
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)*<sup>207</sup> 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 42<sup>nd</sup> 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.<sup>208</sup>
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 Zarah 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.<sup>209</sup> 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.

<sup>204</sup> Baten al Jabal, Daraj, Ghat, Sabha, Sirte, and Tarik Al-Matar DCs.

<sup>205</sup> 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.

<sup>206</sup> Panel interviews with CS 04, 05, 08, 09, and 132. See also S/2022/427, annex 24.

<sup>207</sup> For definitions of terms “search and return” and “search and rescue”, see annex 22.

<sup>208</sup> For protection and operational challenges, see S/2022/427, paragraph 52.

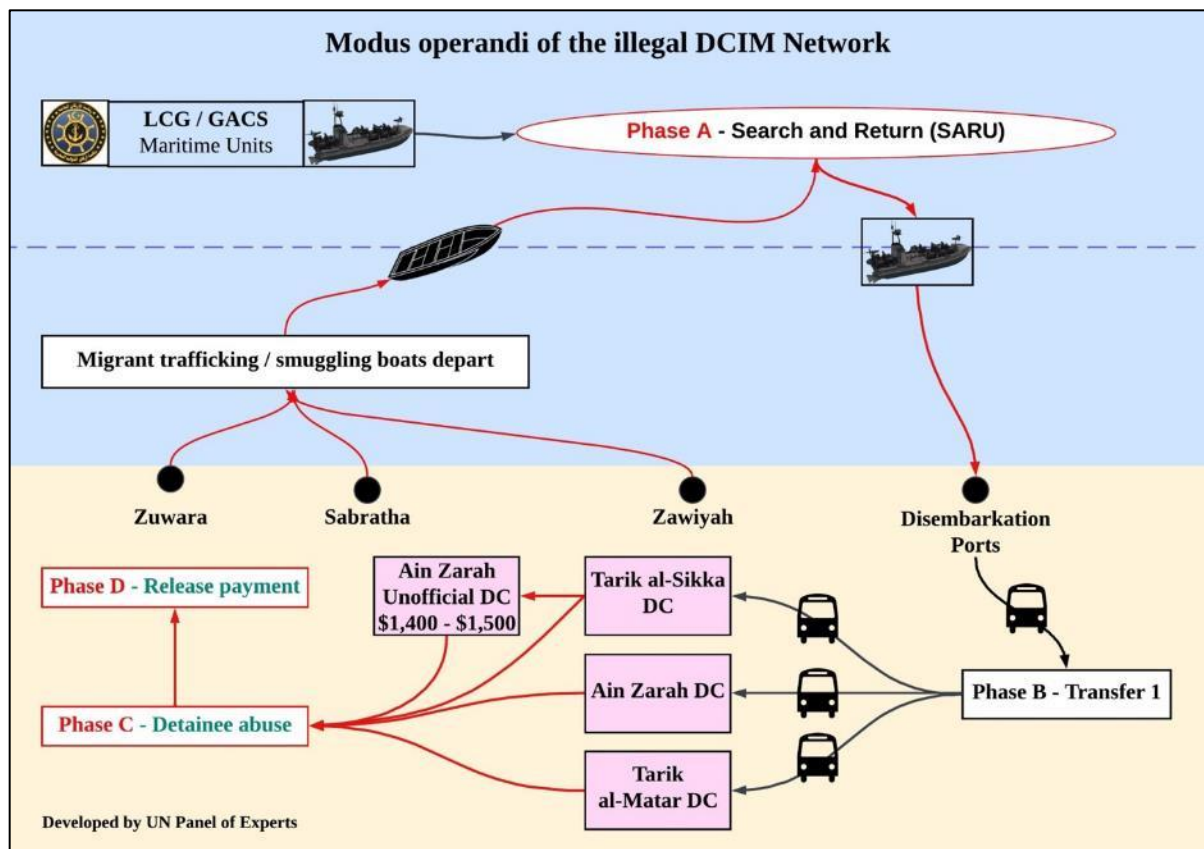
<sup>209</sup> Articles 7, 8 and 9 of the ICCPR, article 37 of the CRC.

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.<sup>210</sup> 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.<sup>211</sup>

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



<sup>210</sup> Panel interviews with CS 37, 38, 75, 101, 114, and 132.

<sup>211</sup> 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.<sup>212</sup>

### *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).<sup>213</sup> 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.<sup>214</sup>

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<sup>215</sup> 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.<sup>216</sup>

<sup>212</sup> Panel interviews with eyewitnesses (CS 15, 16, 17, 18-21, 102-106, and 111-121).

<sup>213</sup> 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.

<sup>214</sup> For other transiting hubs on the trafficking and smuggling routes originating from Bangladesh and Pakistan, see annex 18.

<sup>215</sup> Elements of the private networks based in Benghazi were responsible for coordination and logistics of that phase of the trafficking and smuggling operations.

<sup>216</sup> 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.<sup>217</sup>

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.<sup>218</sup> 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.<sup>219</sup> 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.<sup>220</sup> The LAAF general command did not provide any supporting evidence to convince the Panel of the veracity of their statements.

<sup>217</sup> Panel interviews with CS 102, 104, 105 and 106.

<sup>218</sup> Article 9 of the ICCPR.

<sup>219</sup> See e.g. 1) <https://twitter.com/ConflictTR/status/1664621578682867712?t=EtAZipn6lqUfYLqHFdeP9w&s=08>, 2 June 2023; and 2) [https://www.facebook.com/Tkyroogkshyt/videos/1962646380787550/?extid=WA-UNK-UNK-UNK-AN\\_GK0T-GK1C&mibextid=2Rb1fB](https://www.facebook.com/Tkyroogkshyt/videos/1962646380787550/?extid=WA-UNK-UNK-UNK-AN_GK0T-GK1C&mibextid=2Rb1fB) (corroborated with Panel sources witnessing the events), 30 May 2023.

<sup>220</sup> 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

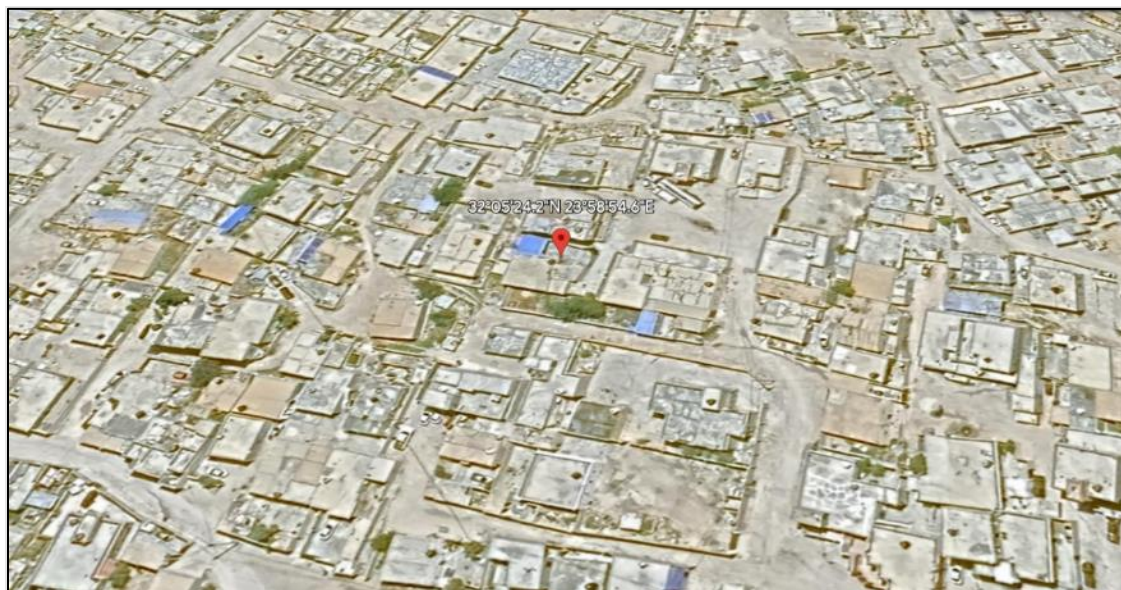
**Satellite imagery of the trafficking and smuggling facilities near Kambut, eastern Libya**



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<sup>221</sup> used for trafficking and smuggling migrants from Bardiyah



Source: Panel of Experts, 30 March 2023.

<sup>221</sup> 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,<sup>222</sup> 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.<sup>223</sup>

(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.<sup>224</sup>

(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.<sup>225</sup> 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).<sup>226</sup>

(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.<sup>227</sup> 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).<sup>228</sup>

<sup>222</sup> S/2022/427, paragraph 52.

<sup>223</sup> 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).

<sup>224</sup> Article 3(a) of the Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organized Crime (2000).

<sup>225</sup> Chapter 1 of the SAR Convention (1979).

<sup>226</sup> See e.g. S/2022/427, paragraph 48.

<sup>227</sup> Panel definition. While primarily maritime focused, SARU operations may also encompass land activities (e.g. border patrols’ activities).

<sup>228</sup> 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<sup>229</sup> 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) <sup>a</sup>	<ul style="list-style-type: none"> <li>▪ “Dark activity” periods.</li> </ul>
2	Route(s)	Destination Ports and routing	<ul style="list-style-type: none"> <li>▪ False declaration of destination.</li> <li>▪ Unusual routing from past voyages.</li> <li>▪ Uneconomical routing.</li> </ul>
3	Ownership	Frequent change of vessel’s owners	<ul style="list-style-type: none"> <li>▪ Single-fleet owner</li> <li>▪ Lack of corporate on-line presence.</li> </ul>
4	Operators/managers	Frequent change of vessel’s operators/managers	<ul style="list-style-type: none"> <li>▪ Single-fleet operator/manager</li> <li>▪ Lack of corporate on-line presence.</li> </ul>
5	Vessel Name	Frequent change of vessel’s name	
6	Vessel Tonnage	Tonnage Range	<ul style="list-style-type: none"> <li>▪ Comparison to historical tonnage of non-compliant vessels .</li> </ul>
7	Vessel Draught	Change of Draught	<ul style="list-style-type: none"> <li>▪ Comparison of draught at loading and discharge.</li> <li>▪ No registered draught change despite confirmed loading activities.</li> </ul>
8	Commercial Relationships	Linkages	<ul style="list-style-type: none"> <li>▪ Links between owners / operators / managers.</li> </ul>
9	Commercial Activity	Uneconomic behaviour	<ul style="list-style-type: none"> <li>▪ Low utilization profile</li> </ul>
10	Flag of Registry	Flags of convenience and multiple flag changes	<ul style="list-style-type: none"> <li>▪ Registration overlaps.</li> <li>▪ Operation under false flag.</li> <li>▪ Includes Flag refusal to allow inspections when requested.</li> </ul>
11	Documentation	Accuracy and appropriateness	<ul style="list-style-type: none"> <li>▪ Transparency in information supplied to Panel.</li> <li>▪ Accuracy of completion.</li> </ul>
12	Cargo Shielding	Container layout on weather deck	<ul style="list-style-type: none"> <li>▪ Containers used to line the edge of the weather deck to shield the remainder of the deck from external view.</li> </ul>
		Container layout on port dock	<ul style="list-style-type: none"> <li>▪ Containers used to shield offloading sites at ports from external view.</li> </ul>
		Cargo cover	<ul style="list-style-type: none"> <li>▪ Other cargo or tarps used to conceal cargo.</li> </ul>
13	Cargo Analysis	Volumetric and mass analysis	<ul style="list-style-type: none"> <li>▪ Do reported weight and packaging match declaration on documentation?</li> </ul>

<sup>229</sup> First developed for use in [S/2021/229](#).

#	Type	Indicator	Remarks
14	Vessel compliance history	Sanctions designated or reported vessel	<ul style="list-style-type: none"> <li>▪ Previous reports by other UN Panels and Monitoring Groups.</li> <li>▪ Sanctions notices by subscription-based resources.</li> </ul>

<sup>a</sup> 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	<ul style="list-style-type: none"> <li>▪ For example, a significant number of flights over a short period indicates a centrally organized supply chain.</li> </ul>
2	Flight timings	Most flights are planned so that the cargo aircraft are unloaded during darkness	<ul style="list-style-type: none"> <li>▪ Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.</li> </ul>
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	<ul style="list-style-type: none"> <li>▪ Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist.</li> <li>▪ Indicative of the loading of military related equipment.</li> </ul>
4	Flight safety	Signals from the aircraft ADS-B <sup>a</sup> transponders are not visible on open-source ADS-B monitoring shortly after entering Egyptian airspace	<ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Deliberately switched off due to the covert nature of these flights.</li> <li>▪ Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).</li> </ul>
5	Flight safety	Signals from the aircraft ADS-B transponders are switched to MLAT (multi-lateration) mode <sup>230</sup> for the whole flight	<ul style="list-style-type: none"> <li>▪ MLAT mode only transmits aircraft code, heading, altitude and speed but NOT current location.</li> </ul>
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights	<ul style="list-style-type: none"> <li>▪ Airlines have utilised a “blocking” service provided by some of the open-source ADS-B monitoring providers.</li> <li>▪ A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.</li> </ul>

<sup>230</sup> 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	<ul style="list-style-type: none"> <li>Ticket unavailability from the air operator for passenger aircraft flights suggests movement of military personnel. For example: Cham Wings flights from Syria to Benghazi.</li> </ul>
8	Aircraft documentation	The use of fake Air Operating Certificates (AOC)	<ul style="list-style-type: none"> <li>The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.</li> </ul>
9	Flight documentation	<p>The submission of incomplete or inaccurate Cargo Manifests and Air Waybills</p> <p>The lack of detailed flight documentation submitted</p>	<ul style="list-style-type: none"> <li>Fake consignees listed.</li> <li>Fake consignors listed.</li> <li>Used to disguise the true nature of the actual cargo.</li> <li>Customs value listed as zero.</li> <li>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.</li> </ul>
10	Air operator transparency	Limited, inaccurate or no information provided to requests for information	<ul style="list-style-type: none"> <li>Indicative of covert or illicit activity.</li> </ul>
11	Air operator web presence	Lack of corporate website or very limited contact information on website	<ul style="list-style-type: none"> <li>A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.</li> </ul>
12	Cargo agency web presence	Lack of corporate website	<ul style="list-style-type: none"> <li>A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.</li> </ul>
13	Air operator's relationships	Corporate links	<ul style="list-style-type: none"> <li>Change of ownership or operating conditions for aircraft between linked companies.</li> </ul>
14	Sanctions Listings	Current or previous listings of owner, operator, or aircraft	<ul style="list-style-type: none"> <li>Previous reports by other UN Panels and Monitoring Groups.</li> <li>Sanctions notices by subscription databases.</li> </ul>

## **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.<sup>231</sup> 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.

<sup>231</sup> [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970\\_ian2.pdf](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.<sup>232</sup> 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)**<sup>233</sup>

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

<sup>232</sup> 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.

<sup>233</sup> Items marked \*\* appeared in the 29 May 2021 7th Anniversary of Operation Dignity parade in Benghazi.

<https://www.youtube.com/watch?v=mbIDXxITPa0>.

<sup>234</sup> Fighter Ground Attack.

<sup>235</sup> 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.

<sup>236</sup> <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.

<sup>237</sup> UID, in all uses, means unidentified, or low evidential levels, and responsibility has yet to be attributed by the Panel.

<sup>238</sup> <https://www.africanmilitaryblog.com/2019/08/libya-frankenstein-mig-23-flogger-fighter-jet-take-flight>, 3 August 2019.

<sup>239</sup> Intelligence, Surveillance and Reconnaissance.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Antonov AN-12A [#2340806] <sup>240</sup>	S/2022/427	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> <li>UAE based.</li> </ul>
	Antonov AN-12BP [#5342908]	S/2022/427	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-12BP [#5343005]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-26 [#503]	S/2017/466 S/2019/914	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-32B [#2009]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	C-17A <i>Globemaster</i>	S/2021/229	Türkiye	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	C-130E <i>Hercules</i>	S/2015/128 S/2016/209	Sudan	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	C-130E <i>Hercules</i>	S/2021/229	Türkiye	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	Ilyushin IL-18D [#172001401]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Ilyushin IL-18D [#187009903]	S/2017/466	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Ilyushin IL-76TD [#73479367]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Ilyushin IL-76TD [#1013405167]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Ilyushin IL-76TD [#1013409282]	S/2021/229	Green Flag Aviation	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> <li>Sudan based</li> </ul>
	Ilyushin IL-76TD [#1023411378]	S/2021/229	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	** Ilyushin IL-76TD [5A-ILA]	S/2022/427	UID	<ul style="list-style-type: none"> <li></li> </ul>
	Ilyushin IL-76TD Various	S/2021/229	Russian Federation	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
Air Defence (Guns)	** 23mm ZSU-23-2CP	S/2022/427	UID	<ul style="list-style-type: none"> <li></li> </ul>
	35mm <i>Korkut</i> Cannon	S/2021/229	Türkiye	<ul style="list-style-type: none"> <li></li> </ul>
Air Defence (Missiles)	MIM-23 <i>Hawk</i>	S/2021/229	Türkiye	<ul style="list-style-type: none"> <li></li> </ul>
	MIM-104 <i>Patriot</i>	S/2022/427 <sup>241</sup>	UAE	<ul style="list-style-type: none"> <li></li> </ul>
	<i>Pantsir</i> S1	S/2021/229	Russian Federation	<ul style="list-style-type: none"> <li>On KaMAZ platform.</li> </ul>
	<i>Pantsir</i> S1	S/2021/229	UAE	<ul style="list-style-type: none"> <li>On MAN platform.</li> </ul>
Anti-Tank (ATGW) <sup>242</sup>	9K115-2 <i>Metis-M</i>	S/2019/914	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
	9M133 <i>Kornet</i>	S/2019/914	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
	<i>Dehleyvah</i>	S/2021/229	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
Armoured Vehicles (APC) <sup>243</sup>	AMN 233114 <i>Tigr-M</i>	S/2022/427	UID PMC	<ul style="list-style-type: none"> <li>Likely Russian Federation based.</li> </ul>
	<i>Irigiri</i> 4x4	S/2019/914	UID	<ul style="list-style-type: none"> <li>First seen 2015.</li> </ul>
	Inkas <i>Titan-DS</i> 4x4	S/2021/229	UAE	<ul style="list-style-type: none"> <li></li> </ul>

<sup>240</sup> These are the manufacturer's serial numbers (MSN).

<sup>241</sup> 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.

<sup>242</sup> Anti-Tank Guided Weapon.

<sup>243</sup> Armoured Personnel Carriers. Sometimes also referred to as Protected Patrol Vehicles (PPV).

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

<sup>244</sup> Infantry Armoured Fighting Vehicles.

<sup>245</sup> Mine Resistant Armoured Protected.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Artillery (Towed)	** 122mm M1938 M-30 Howitzer	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.<sup>246</sup></li> <li>▪ Identified with HAF 106 brigade.</li> </ul>
	** 155mm G5 Howitzer	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>▪ With HAF.<sup>247</sup></li> </ul>
Artillery (Self-Propelled)	155mm <i>Firtina</i> T-155	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
Artillery (MLRS)	** 128mm LSRVM <i>Morava</i>	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>▪ Now confirmed from imagery.<sup>248</sup></li> </ul>
	Rocketsan 122mm <i>Sakarya</i> T-122	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	** 128mm LSRVM <i>Morava</i>	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	122mm Hybrid Version	<a href="#">S/2022/427</a>	UAE	<ul style="list-style-type: none"> <li>▪</li> </ul>
Logistic Vehicles	** CFORCE All-Terrain Vehicle	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	** Jeep Gladiator	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Militarised.</li> </ul>
	KamAZ 6x6 Truck	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Identification from 2018 and unreported by Panel.</li> <li>▪ Also delivered to Libya on <i>MV Fehn Calypso</i> in 2020.<sup>249</sup></li> </ul>
	KamAZ 8x8 Truck	<a href="#">S/2021/229</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Identified as the mobility platform for the ChVK Wagner operated Pantsir-1.</li> <li>▪ Russian Federation based.</li> </ul>
	Militarised Toyota Land Cruiser 79 4x4	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	** Toyota 6x6 Light Utility Vehicle	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	UAZ-469 Light Communications Vehicle	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	Ural-4320 Truck	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Some identified on deck of <i>MV Fehn Calypso</i> on 25 April 2020 during transit of Bosphorus, but these offloaded in Alexandria according to shipping company.</li> </ul>
	Ural-4320 Truck (Armoured)	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
Mortars (Field)	120mm 120-PM-43 M1943	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	120mm M-74	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ With HAF Tariq bin Ziyad brigade.</li> </ul>
Naval Vessels	<i>Corrubia</i> Class patrol boats	<a href="#">S/2019/914</a>	Member State	<ul style="list-style-type: none"> <li>▪ Converted to naval vessels post-delivery.</li> </ul>
	<i>Damen Stan Patrol 1605</i> Class patrol boats	<a href="#">S/2018/812</a>		<ul style="list-style-type: none"> <li>▪</li> </ul>
	<i>Gabya</i> Class Frigates	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>

<sup>246</sup> 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>).

<sup>247</sup> Also <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

<sup>248</sup> <https://www.oryxspioenkop.com/2022/08/photo-report-haftars-last-parade.html>, 27 August 2022.

<sup>249</sup> Information from shipping company.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Lambro Olympic D74 Fast Patrol Boat	<a href="#">S/2022/427</a>	Libya SSA	<ul style="list-style-type: none"> <li>▪ In use with SSA</li> <li>▪ a.k.a. <i>Javelin</i> Class.</li> </ul>
	MRC-1250 Rigid Hulled Inflatable Boats	<a href="#">S/2021/229</a>	Lancaster6	<ul style="list-style-type: none"> <li>▪ Project Opus.</li> </ul>
	Offshore Patrol Vessel <i>Alkarama</i>	<a href="#">S/2018/812</a> <a href="#">S/2019/914</a>	Universal Satcom Services	<ul style="list-style-type: none"> <li>▪ UAE based.</li> </ul>
	Patrol Boat <i>Alqayid Saqar</i>	<a href="#">S/2022/427</a>	Libya SSA	<ul style="list-style-type: none"> <li>▪ Type UID.</li> <li>▪ Classified as military as dual use and subsequently armed.</li> </ul>
	<i>Raidco</i> RPB 20 class patrol boats	<a href="#">S/2019/914</a>	Member State	<ul style="list-style-type: none"> <li>▪ Converted to naval vessels post-delivery.</li> </ul>
Radars and EW	Aselsan <i>Koral</i> Electronic Warfare System	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	** 1RL131 P-18 Early Warning Radar	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	LEMZ 96L6/E Target Acquisition Radar	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	Samel-90 Mobile IED Jammer	<a href="#">S/2019/914</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	Aselsan <i>Ihasavar</i> UAV Jammer	New	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
Small Arms and Light Weapons	5.56mm AK-103 Assault Rifles	<a href="#">S/2022/427</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Russian Federation based.</li> </ul>
	5.56mm JAWS-556 Assault Rifles	<a href="#">S/2022/427</a>	Jordan	<ul style="list-style-type: none"> <li>▪</li> </ul>
	5.56mm MFR Multi-Functional Rifles	<a href="#">S/2022/427</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	5.56mm MPT 55K Assault Rifles	<a href="#">S/2022/427</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	5.56mm KCR 556 7.5" infantry rifle	New	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 39mm AK-103-1 Assault Rifles	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 39mm AR-M9F Assault Rifles	<a href="#">S/2016/209</a>	UAE	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 39mm Type 63-1 Assault Rifle	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 51mm FN FAL Assault Rifle	<a href="#">S/2013/99</a>	UAE	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 51mm JNG-90 <i>Bora -12</i> Sniper Rifle	<a href="#">S/2022/427</a>	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62mm KNT-76 Sniper Rifle	New	Türkiye	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 51mm MPT 76 Assault Rifles	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	7.62 x 54mmR Type-80 General Purpose Machine Gun <sup>250</sup>	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	0.308" <i>Accuracy International</i> AW308 Sniper Rifle	New	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	0.308" <i>Sako</i> TRG 22 Sniper Rifles	New	UID	<ul style="list-style-type: none"> <li>▪</li> </ul>
	0.338 <i>Orsis</i> T-5000 Sniper Rifle	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Chambered for <i>Lapua</i> rounds.</li> </ul>

<sup>250</sup> [https://twitter.com/r\\_u\\_vid/status/1221227142911905793](https://twitter.com/r_u_vid/status/1221227142911905793), 26 January 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	0.338 Steyr SSG-08 Sniper Rifle (Variant or Copy)	<a href="#">S/2022/427</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Chambered for <i>Lapua</i> rounds.</li> <li>▪ Russian Federation based.</li> </ul>
	0.50" Barrett M82 Anti Material Rifle	New	UID	▪
	9mm Caracal F Pistols	<a href="#">S/2015/128</a>	UAE	▪
	9mm <i>EKOL</i> P29 Blank Firing Pistols	<a href="#">S/2019/914</a>	UID	▪
	9mm <i>SUR</i> BRT M9 Blank Firing Pistols	<a href="#">S/2022/427</a>	UID	▪
	12.7 x 108mm W-85 Heavy Machine Gun	<a href="#">S/2022/427</a>	UID	▪
	AGS 30mm Grenade Launcher	<a href="#">S/2021/229</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Either AGS-17 or AGS-30 based on ammunition recovered.</li> <li>▪ Russian Federation based.</li> </ul>
	VOG-25 40mm Grenade Launcher	<a href="#">S/2021/229</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Based on ammunition recovered.</li> <li>▪ Russian Federation based.</li> </ul>
	40 x 46mm <i>Akdas</i> AK-40-GL Grenade Launchers	<a href="#">S/2022/427</a>	Türkiye	▪
	RPG-32 <i>Nashbab</i> Rocket Launcher	<a href="#">S/2019/914</a>	Jordan	▪
	** SPG-9 73mm Recoilless Rifle	<a href="#">S/2022/427</a>	UID	▪
	Type-69 85mm Rocket Launcher	<a href="#">S/2022/427</a>	UID	▪
Tanks (MBT)	M-60 <i>Patton</i> <sup>251</sup>	<a href="#">S/2022/427</a>	Türkiye	▪
	T-62MV	<a href="#">S/2021/229</a>	UID PMC	<ul style="list-style-type: none"> <li>▪ Also see annex 56.</li> <li>▪ Russian Federation based.</li> </ul>
Uncrewed Aerial Vehicles (UAV)	Adcom <i>Yabhon-HMD</i>	<a href="#">S/2019/914</a>	UAE	▪
	Aeryon <i>Scout Micro</i>	<a href="#">S/2013/99</a>	Zariba Security Corporation	▪ Canadian based.
	Aselsan <i>Serce-2</i> UAV	New	Türkiye	▪
	Chilong CL-11 VTOL	<a href="#">S/2019/914</a>	UID	▪ Dual use system.
	** DJI Inspire	<a href="#">S/2022/427</a>	UID	▪
	Mohajer-2	<a href="#">S/2019/914</a>	UID	▪
	Orbiter-3	<a href="#">S/2019/914</a>	GNA-AF	▪ Dual use system.
	Orlan-10	<a href="#">S/2019/914</a>	HAF	▪ Possibly from ChVK Wagner.
	Schiebel Camcopter S-100	<a href="#">S/2017/466</a>	UID	▪ With a UID Militia.
	Xiamen <i>Mugin 4450</i>	<a href="#">S/2021/229</a>	UID	▪ Dual use system.
	Zala 421-16E	<a href="#">S/2022/427</a>	UID	▪ With HAF.
UAV (Loitering Munition)	IAI <i>Harpy</i>	<a href="#">S/2021/229</a>	UID	▪ With GNU-AF.
	STM <i>Kargu-2</i>	<a href="#">S/2021/229</a>	Türkiye	▪
	WB <i>Warmate</i>	<a href="#">S/2021/229</a>	UID	▪

<sup>251</sup> Also <https://twitter.com/MiddleEastWatc1/status/1281616199957323776>, 10 July 2020.



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

Table 25.2

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

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

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	MON-90	<a href="#">S/2022/427</a>	ChVK Wagner	▪
	MON-200	<a href="#">S/2022/427</a>	ChVK Wagner	▪
	OZM-72	<a href="#">S/2022/427</a>	ChVK Wagner	▪
	PMN-2	<a href="#">S/2021/229</a>	ChVK Wagner	▪
	POM-2R	<a href="#">S/2021/229</a>	ChVK Wagner	▪
Mines (Anti-Tank)	TM-62M	<a href="#">S/2022/427</a>	UID PMC	▪ Russian Federation based.
Mortar Bombs	120mm high explosive	<a href="#">S/2021/229</a>	UID	▪
	120mm M62P8 high explosive	<a href="#">S/2021/229</a>	UAE	▪
	120mm M62P10 high explosive	<a href="#">S/2022/427</a>	UAE	▪
Small Arms and Cannon Ammunition	7.62 x 39mm	<a href="#">S/2015/128</a> <a href="#">S/2016/209</a>	Belarus UID	▪ For Ministry of Interior. ▪
	7.62 x 39mm	<a href="#">S/2016/209</a>	Sudan	▪
	7.62 x 39mm TulAmmo	<a href="#">S/2021/229</a>	UID PMC	▪ Lot A421/2019. ▪ Russian Federation based.
	7.62 x 51mm M80	<a href="#">S/2016/209</a>	Qatar	▪
	7.62 x 54Rmm	<a href="#">S/2016/209</a>	UID	▪ Manufactured in 2012.
	12.7 x 108mm	<a href="#">S/2013/99</a> <a href="#">S/2015/128</a>	UAE Belarus	▪ ▪ For Ministry of Interior.
	14.5 x 114mm	<a href="#">S/2015/128</a>	Belarus	▪ For Ministry of Interior
	23 x 115mm	<a href="#">S/2015/128</a>	Belarus	▪ For Ministry of Interior.
Thermobaric Munitions	KBP RPO-A <i>Shmel</i>	<a href="#">S/2021/229</a>	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)** <sup>252</sup>

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Air Defence (Missiles)	S-125 (SA-3)	<ul style="list-style-type: none"> <li>▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ Reports in June 2020 of supply from Ukraine to Türkiye,<sup>253</sup> and then deployed to Al Watiya.<sup>254</sup> No S-125 appear on satellite imagery of Al Watiya at that time, only <i>HAWK MIM</i>.</li> </ul>
Anti-Tank (ATGW)	9M113 <i>Konkurs</i> <sup>255</sup>	<ul style="list-style-type: none"> <li>▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ Also seen with HAF 106 brigade in November 2020 exercise, but resolution of imagery insufficient to identify if post-2011 production.</li> <li>▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>

<sup>252</sup> Listed primarily in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021.

<sup>253</sup> <https://avia-pro.net/news/na-vooruzhenii-livii-poyavilis-ukrainskie-s-125-protiv-rossiyskih-mig-29-i-su-24>, 8 July 2020.

<sup>254</sup> [https://www.youtube.com/watch?v=\\_mPg5CTUJHQ](https://www.youtube.com/watch?v=_mPg5CTUJHQ), 12 July 2020.

<sup>255</sup> Reported capture. <https://twitter.com/AnalystMick/status/1249681644933599233>, 13 April 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Armoured Vehicles (APC)	<i>NIMR II</i> <sup>256</sup>	<ul style="list-style-type: none"> <li>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.</li> <li>Supplied under a contract signed in 2009 between Libya and the Bin Jamr Group, UAE.<sup>257</sup></li> <li>The imagery was not sufficient to allow for confirmation of a new transfer to Libya without other confirmatory evidence.</li> </ul>
Armoured Vehicles (IAFV)	BRDM-2	<ul style="list-style-type: none"> <li>This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>S/2016/209 reported the transfer of these APC types from Libya to Mali.</li> <li>Ukraine sold 108 BRDM to a UAE customer in 2017.<sup>258</sup></li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Artillery (Towed)	** 122mm D-30 Howitzer <sup>259</sup>	<ul style="list-style-type: none"> <li>This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
	152mm 2A65 Msta-B Howitzer	<ul style="list-style-type: none"> <li>This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>The open-source imagery that initially referred to this weapon was later updated to attribute the gun as a G5 Howitzer.<sup>260</sup></li> <li>The Panel has yet to find any imagery of the weapon system deployed in Libya.</li> </ul>
	155mm Norinco AH4 Gun-Howitzer	<ul style="list-style-type: none"> <li>This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>Procured by UAE in 2019.<sup>261</sup></li> <li>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.</li> <li>The Panel has yet to find any imagery of the weapon system proving deployment in Libya.</li> </ul>
Artillery (MLRS)	107mm LSRVM <i>Morava</i>	<ul style="list-style-type: none"> <li>The 128mm version was reported in S/2021/229.</li> <li>Also see table 26.1.</li> </ul>
	107mm <i>Taka</i>	<ul style="list-style-type: none"> <li>Copy of Chinese Type-63 manufactured in Sudan.</li> <li>The single source imagery cannot confirm the weapon type, nor deployment in Libya.<sup>262</sup></li> </ul>
Logistic Vehicles	Safir Light Utility Vehicle	<ul style="list-style-type: none"> <li>This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Mortars (Field)	60mm Type-32	<ul style="list-style-type: none"> <li>Image resolution insufficient for 100% identification.<sup>263</sup></li> </ul>
	82mm 82-BM-37 <sup>264</sup>	<ul style="list-style-type: none"> <li>This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Mortars (Self-propelled)	120mm <i>Boragh</i> Armoured Mortar Vehicle	<ul style="list-style-type: none"> <li>The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.<sup>265</sup></li> </ul>

<sup>256</sup> <https://twitter.com/oded121351/status/966794267585925120>, 22 February 2018.

<sup>257</sup> <http://www.army-guide.com/eng/product.php?prodID=3936&printmode=1>. Accessed 21 January 2022.

<sup>258</sup> <https://defence-blog.com/ukraine-sold-108-brdm-2-armoured-reconnaissance-vehicles-to-uae/>, 1 August 2017.

<sup>259</sup> <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

<sup>260</sup> <https://twitter.com/Oded121351/status/1328016339072638978/photo/1>, 15 November 2020; and

<https://twitter.com/darksecretplace/status/1328024363887595520>, 15 November 2020.

<sup>261</sup> [https://www.armyrecognition.com/march\\_2019\\_global\\_defense\\_security\\_army\\_news\\_industry/norinco\\_ah4\\_155\\_mm\\_howitzers\\_for\\_united\\_arab\\_emirates\\_army.html](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.

<sup>262</sup> <https://postimg.cc/fkz4Rqhp>, undated. Accessed 23 January 2022.

<sup>263</sup> <https://twitter.com/libyatogether20/status/1378031351132254209>, 2 April 2021.

<sup>264</sup> <https://twitter.com/Oded121351/status/1328012799948312576>, 15 November 2020.

<sup>265</sup> <https://twitter.com/tariqqibre1/status/601900388267208704>, 23 May 2015; and <https://postimg.cc/4K7MjjVH>, undated.

Accessed 23 January 2022.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Radars and EW	Grozna-S Counter UAV	<ul style="list-style-type: none"> <li>The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.<sup>266</sup></li> </ul>
	Grozna-6	<ul style="list-style-type: none"> <li>The single source image is of a Grozna-6 deployed in the UAE,<sup>267</sup> but the Panel has yet to see imagery of the system deployed in Libya.<sup>268</sup></li> </ul>
	Krasuha	<ul style="list-style-type: none"> <li>Single source on 18 May 2020 with no supporting high-resolution imagery to allow for confirmation of type or location in Libya.<sup>269</sup></li> </ul>
Small Arms and Light Weapons	7.62 x 54mmR PKM General Purpose Machine Gun	<ul style="list-style-type: none"> <li>This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Tanks (MBT)	T-55E	<ul style="list-style-type: none"> <li>The T-55 was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>HAF official social media showed a T-55 variant with the Tariq bin Ziyad brigade in 2020.<sup>270</sup></li> <li>ChvK Wagner personnel also repaired 16 and overhauled 31 T-55 variants in 2019, so possible these are from that work.<sup>271</sup></li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
	T-62M	<ul style="list-style-type: none"> <li>T-62 variants were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>ChvK Wagner personnel also repaired 4 and overhauled 9 T-62 variants in 2019.<sup>272</sup></li> <li>The imagery was not sufficient to allow for confirmation of a new transfer to Libya.</li> </ul>
UAV	Ababil-2	<ul style="list-style-type: none"> <li>Reported as operated by HAF.</li> <li>Image resolution insufficient for 100% identification of type or location.<sup>273</sup></li> </ul>
	Zagil	<ul style="list-style-type: none"> <li>The Panel has identified a single-source report alleging Sudan supplied this UAV type in 2014.<sup>274</sup> The imagery shows Libyan officers but is insufficient to prove the presence of this UAV type in Libya.</li> <li>No open-source imagery of a "Zagil" UAV could be found to allow for confirmation of UAV type.</li> </ul>

Table 25.4

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

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Artillery	155mm 2K25 Krasnopol laser guided projectile.	<ul style="list-style-type: none"> <li>Reported as being for the 152mm 2A65 Msta-B Howitzer (see table 26.3), so possible calibre error in report.</li> <li>Imagery insufficient to confirm calibre or transfer to Libya.<sup>275</sup></li> <li>The imagery could equally be of a GP1, which is a direct copy.<sup>276</sup> GP1 reported in in S/2017/466 and S/2018/812.</li> </ul>
Engineer Stores	Fateh-4 mine clearance line charge	<ul style="list-style-type: none"> <li>The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.<sup>277</sup></li> </ul>

<sup>266</sup> <https://twitter.com/towersight/status/1292885386902069249>, 10 August 2020.

<sup>267</sup> <https://www.menadefense.net/mideast/les-emirats-arabes-unis-se-dotent-de-brouilleurs-bielorusses-groza-6/>, 25 June 2020.

<sup>268</sup> <https://army-tech.net/forum/index.php?threads/البحرية-البحرية-البحرية-groza-١٨١٩٤-أو-العاصفة>, 25 April 2020.

<sup>269</sup> <https://libya.liveuamap.com/en/2020/18-may-gna-turkish-uav-airstrike-on--electronic-warfare-system>, 20 May 2020.

<sup>270</sup> <https://www.youtube.com/watch?v=LXt5d1iacEk>, 14 November 2020. [14min 29sec].

<sup>271</sup> Table 77.2 to S/2021/229.

<sup>272</sup> Table 77.2 to S/2021/229.

<sup>273</sup> <https://postlmg.cc/3dNhpry1>. Accessed 23 January 2022.

<sup>274</sup> <https://m.facebook.com/1445146409065850/photos/a.1445154462398378/1484269561820201/?type=3&source=54>, 9 August 2014.

<sup>275</sup> <https://twitter.com/lostweapons/status/1243787785724542976?lang=he>, 28 March 2020.

<sup>276</sup> Confidential source analysis.

<sup>277</sup> [https://vk.com/wall-98555648\\_224885?lang=en](https://vk.com/wall-98555648_224885?lang=en), 10 August 2021.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Mines (Anti-personnel)	MON-100	<ul style="list-style-type: none"> <li>▪ 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.<sup>278</sup></li> <li>▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.<sup>279</sup></li> </ul>
Mines (Anti-Tank)	TM-83	<ul style="list-style-type: none"> <li>▪ LibMAC have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.<sup>280</sup></li> <li>▪ The single source imagery is insufficient to confirm type or transfer to Libya.<sup>281</sup></li> </ul>

<sup>278</sup> Email to Panel of 25 January 2022.

<sup>279</sup> [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](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.

<sup>280</sup> Ibid.

<sup>281</sup> <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*,<sup>282</sup> 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 “ΠΑΣ 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 ΠΑΣ 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.<sup>283</sup> Four days later, on 19 January 2022, the vessel was first identified by eyewitnesses in use by the SSA units based in Zawiyah.<sup>284</sup> 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*,<sup>285</sup> 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).<sup>286</sup> 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 I*”, “*Apollon II*” and “*Apollon IV*” on the right tube.<sup>287</sup> The Panel established that the RHIBs had design features identical to RHIBs produced by Double Action Defense, based in Greece.<sup>288</sup> On its Facebook page, the company links to a YouTube video showcasing its RHIBs,<sup>289</sup> 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.

<sup>282</sup> Paragraph 68.

<sup>283</sup> 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.

<sup>284</sup> *S/2022/427*, annex 24, appendix C, figure 24.C.3.

<sup>285</sup> Paragraph 66, table 1 and annex 27.

<sup>286</sup> Starting at minute 2:14:34 here: <https://www.youtube.com/watch?v=mbIDXxITPa0>, 31 May 2021.

<sup>287</sup> Marking of forth vessel of the same type not legible.

<sup>288</sup> <https://doubleaction.gr>.

<sup>289</sup> 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](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).<sup>290</sup> 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).<sup>291</sup> 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.<sup>292</sup>

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.

<sup>290</sup> Meeting with Greek authorities, 22 November 2023.

<sup>291</sup> 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/Xwnkqa928T1/AAAAAAAAAAYQ/g4zSth1gai8zfhBsAGESINAGL3hpAnM7ACLcBGAsYHQ/s1600/unnamed.png>; and 2) while signing a document with a representative of the International Golden 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/>.

<sup>292</sup> 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

		<p>Apollon 1</p>
		<p>Apollon 11</p>
		<p>Apollon 14 and second boat with unidentified name in the background</p>

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

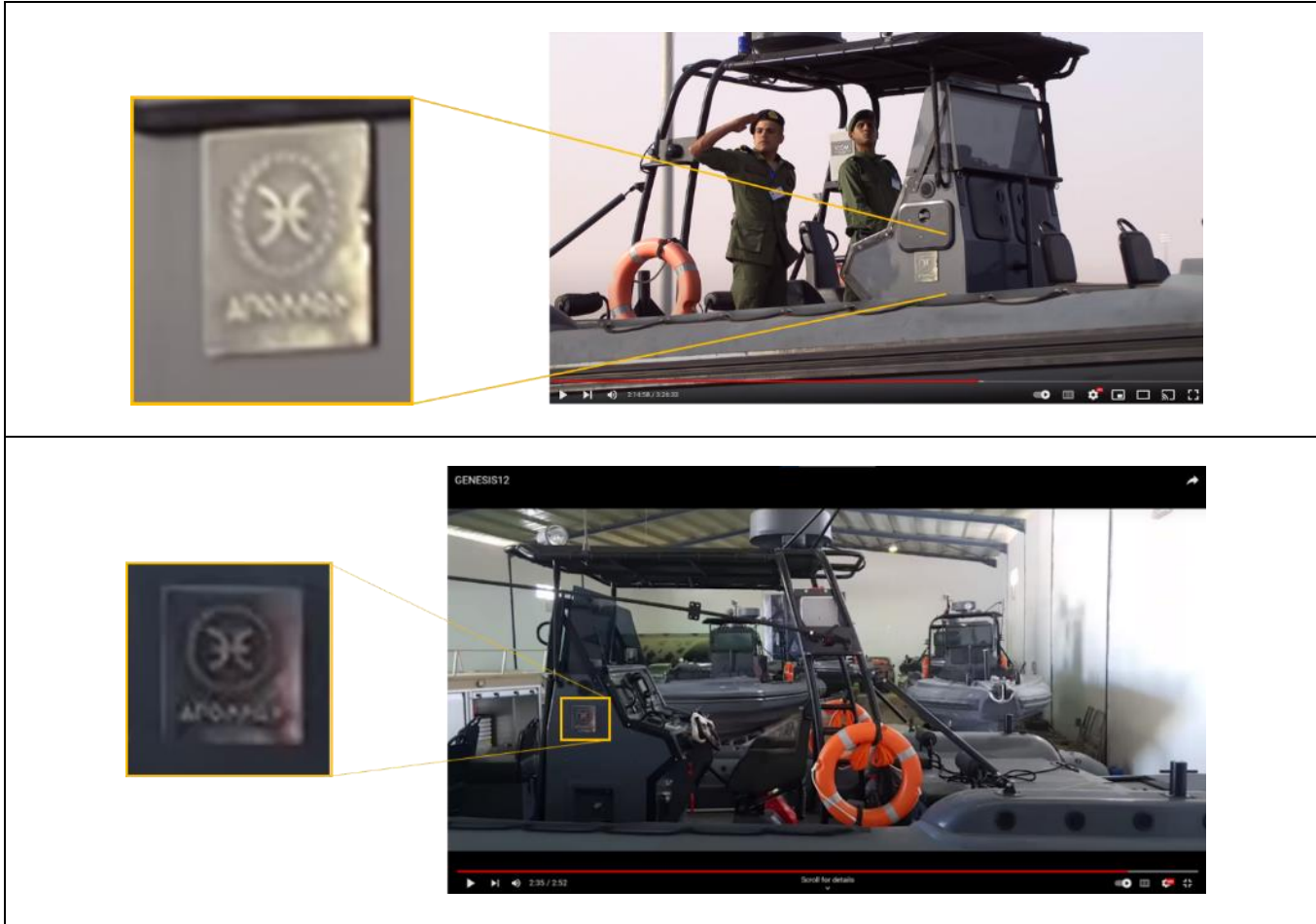
Lower row: RHIBs at LAAF Parade

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](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](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/g4zSth1gai8zfBhBsAGESINAGL3hpAnM7ACLcBGAsYHQ/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,<sup>293</sup> 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.<sup>294</sup> 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.<sup>295</sup> 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.<sup>296</sup> The founder of Legend Logistic (a.k.a. Legend Logistic International or Legend Logistics) is Murat Yildirim.<sup>297</sup> 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.

<sup>293</sup> S/2022/427, table 1 and annex 30.

<sup>294</sup> 1) <https://legend-logistic.com/1396-2/>; and 2) <https://legend-logistic.com/1433-2/>.

<sup>295</sup> Yildirim Shipping Company is at 2/7 whereas Legend Logistic is at 1/5.

<sup>296</sup> S/2022/427, tables 2 and 3 and annex 30.

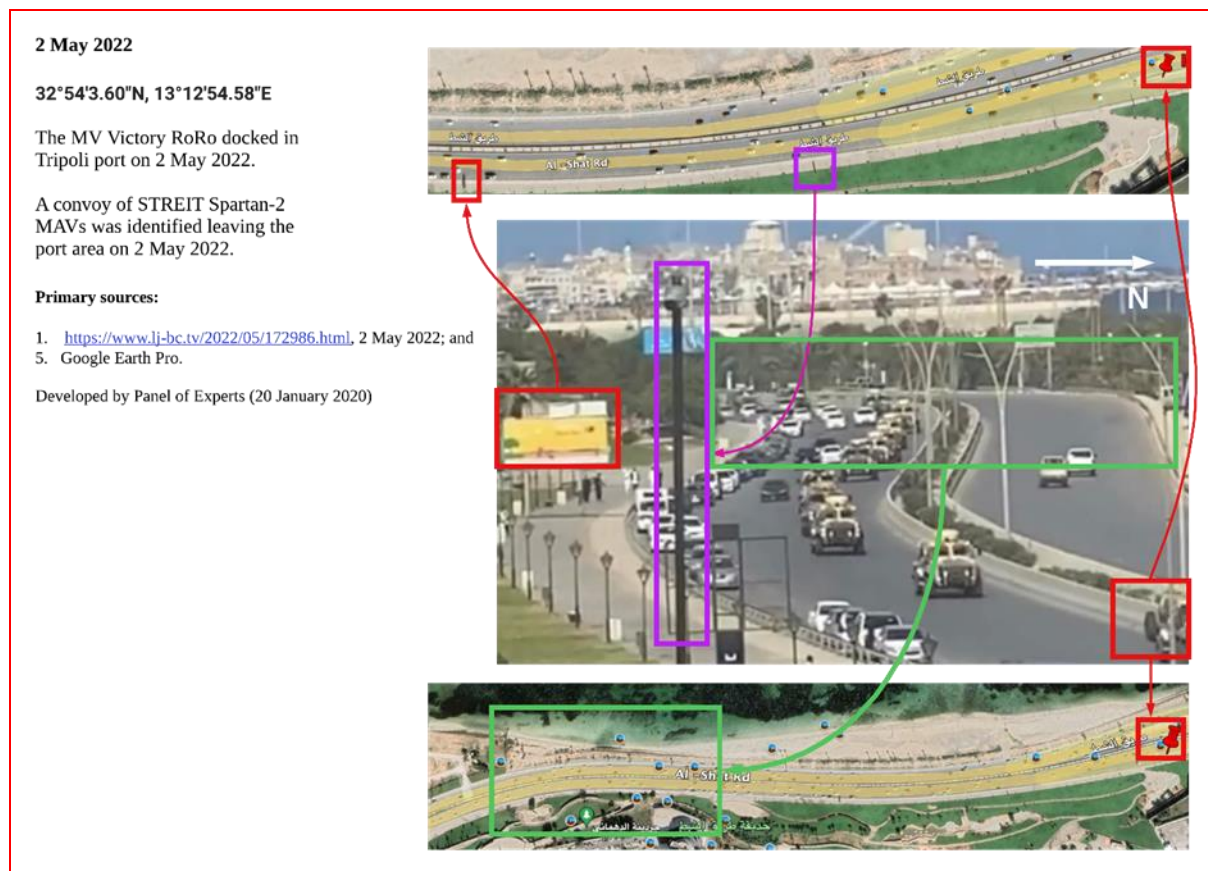
<sup>297</sup> [https://legend-logistic.com/?page\\_id=415](https://legend-logistic.com/?page_id=415).

Figure 27.1  
 MV Victory Roro (ex- Luccello) (IMO: 7800112) delivers 50 Spartan-2 MAV from Benghazi 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)



## **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.<sup>298</sup> 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,<sup>299</sup> 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](#).<sup>300</sup> Since the Panel’s last report, similar cases arose, some of which are presented in annex 29; this demonstrates the relevance of the issue.

<sup>298</sup> <https://www.merriam-webster.com/dictionary/transfer>.

<sup>299</sup> [https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970\\_ian2.pdf](https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970_ian2.pdf).

<sup>300</sup> 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<sup>301</sup> of the arms embargo if they are undertaken without prior Committee approval.

### B. Italian Gorgona-class vessel

2. In S/2022/427,<sup>302</sup> 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

<i>Date observed</i>	<i>Number of vessels</i>
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).

<sup>301</sup> 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.

<sup>302</sup> 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 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.

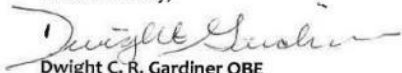
The first incident occurred on 24 May 2022 at around 09:00 UTC, the Antigua and Barbuda flagged vessel M/V Corona J (IMO 9238686) was at 33-14.5N, 22-17.3E, enroute from Port Said, Egypt to the port of Misrata, Libya. The vessel was approached and boarded by armed forces claiming to be the Libyan Coast 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).

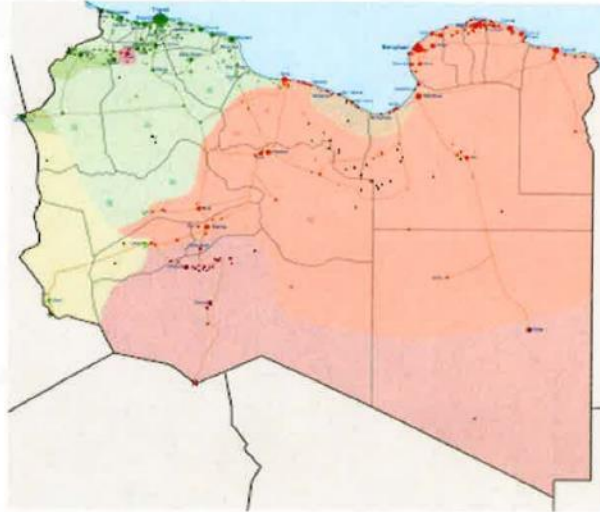


Image 1: Military Situation in Libya 2020

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

- 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.
- 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

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Equipment nomenclature</i>	<i>Responsible</i>	<i>Cross-references</i>
<b>Previously unreported</b>					
AE4	26 Nov 2019	GNU	BMC <i>Vuran</i> 4x4	Türkiye	▪
<b>During resolution 2571 (2021) reporting period and unreported or unattributed</b>					
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 <i>Spartan</i> APC	UAE	▪
AE8	22 Jun 2022	HAF	MSPV <i>Panthera T8</i> 4x4 APC	UID	▪
<b>During resolution 2644 (2022) reporting period (all new identifications)</b>					
AE9	29 Aug 2022	Türkiye	<i>Roketsan</i> MAM-C Smart Micro Mmunition (SMM)	Türkiye	▪
AE10	29 Jan 2023	HAF	<i>Tanin</i> TBG-7 Thermobaric Grenade	UID	▪
AE11	5 Feb 2023	GNU-AF	LC79 <i>SH Fighter-2</i> APC	UID	▪
AE12	8 Feb 2023	GNU-AF	0.308" <i>Accuracy International</i> AW308 Sniper Rifle	UID	▪
AE13	25 May 2023	GNU-AF	<i>Roketsan</i> MAM-L Smart Micro Mmunition (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	<i>Aselsan</i> A600 Weapon Sights	Türkiye	▪
AE17	13 Jun 2023	GNU-AF	<i>Aselsan</i> A940 Weapon Sights	Türkiye	▪

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Equipment nomenclature</i>	<i>Responsible</i>	<i>Cross-references</i>
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	▪

<sup>a</sup> Unidentified as yet.

<sup>b</sup> 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

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Type of training support</i>	<i>Responsible</i>	<i>Cross-references</i>
<b>During resolution 2571 (2021) reporting period and unreported or unattributed</b>					
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	▪
<b>During resolution 2644 (2022) reporting period (all new identifications)</b>					
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	▪ <i>Non violation and reported to show some training by Türkiye. is legitimate.</i>
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	▪

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Type of training support</i>	<i>Responsible</i>	<i>Cross-references</i>
N/A	14 Jun 2023	GNU-AF	<i>Aselsan</i> Ihasavar UAV Jammer training	Türkiye	▪ See annex 45
N/A	4 Jul 2023	GNU-AF	<i>Aselsan</i> Serce-2 UAV	Türkiye	▪ See annex 46

<sup>a</sup> 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 \(2011\)](#).

**Primary sources**

- <https://twitter.com/Oded121351/status/1539485251063451648>, 26 October 2019.
- <https://www.saadaonline.net/world/104736/سے-خ-ی-ل-ای-بی-ل-ی-ف-ت-ل-و-ح-ت-س-ی-ج-ی-ق-ک-ت-ل-ة-ع-ر-د-ول-ار-و-صل-اب/104736>, 26 October 2019;
- <https://www.bmc.com.tr/en/defense-industry/vuran>. Accessed 14 March 2023;
- <https://www.aselsan.com.tr/en/capabilities/weapon-systems/remote-weapon-platforms/sarp-stabilized-advanced-remote-weapon-platform>, 28 October 2019; and
- <https://janes.ihs.com/Janes/Display/jafv0059-jafv>. Subscription access only.

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Destroyed *Vuran* 4x4 MPAV  
26 October 2019.



Destroyed *Vuran* 4x4 MPAV  
26 October 2019.



Destroyed SARP RCWS  
26 October 2019.



Manufacturers' Image



Manufacturers' Image

## 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 identify 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/للجيش-444-500-115065407070788/videos/953350445371764/](https://www.facebook.com/للجيش-444-500-115065407070788/videos/953350445371764/), 13 April 2022; and
2. [customer.janes.com](https://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. [customerjanes.com](https://www.customerjanes.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.

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## 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](https://www.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 elicit 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. <https://www.facebook.com/L.Mideavision128/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](https://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

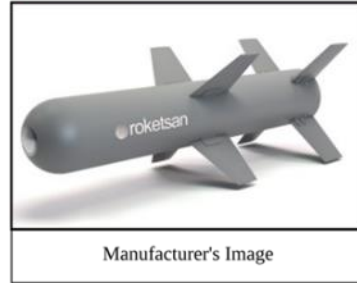
### Roketsan MAM-L smart micro munition (SMM) (Zawiyah) (25 May 2023)

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.



Manufacturer's Image

#### Primary sources

- [https://www.facebook.com/LibyanGovernment/posts/pfbid06LmdfZW2TYtq8igUzPRDhWgx114hZZjia36fpSsTGcU8M3PpsRNngGFBCWs6C6TScI?locale=ar\\_AR](https://www.facebook.com/LibyanGovernment/posts/pfbid06LmdfZW2TYtq8igUzPRDhWgx114hZZjia36fpSsTGcU8M3PpsRNngGFBCWs6C6TScI?locale=ar_AR), 25 May 2023;
- [https://twitter.com/emad\\_badi/status/1661746616301400068](https://twitter.com/emad_badi/status/1661746616301400068), 25 May 2023;
- [https://www.facebook.com/watch/?extid=CL-UNK-UNK-UNK-IOS\\_GK0T-GK1C&mibextid=2Rb1fB&v=524524549726036](https://www.facebook.com/watch/?extid=CL-UNK-UNK-UNK-IOS_GK0T-GK1C&mibextid=2Rb1fB&v=524524549726036), 25 May 2023;
- <https://www.roketan.com.tr/en/products/mam-l-smart-micro-munition>, Accessed 27 May 2023; and
- [customer.janes.com](https://www.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/pfbid0i693sgAwzmzLLndfm1ZCUj6gUMEQxPTzkYF993kh1DrJC9Q9rxsEqsxPTaET8y18Vl> (2.16min), 31 May 2023;
2. [customer.janes.com](https://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/pfbid0i693sgAwmzLLndfm1ZCUj6gUMEQxPTzkYF993kh1DrJC9Q9rxsEqsxPTaET8y18VL0.59min>, 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 *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 *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](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

- <https://www.facebook.com/profile.php?id=100068958918251>, 18 May 2022;
- <https://twitter.com/tcsavunma/status/1530214614872489984>, 27 May 2022;
- <https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/>, 2 and 16 June 2022;
- <https://www.facebook.com/profile.php?id=100068958918251>, 10 June 2022; and
- <https://twitter.com/Oded121351/status/1538479516431142912>, 19 June 2022.

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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/pfbid0oSJkuUtsvsY5p2ZectQMjw8umikWB4fHWofVHLNxW1t47MxMfMsXKiCRPiEyfp4l>, 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.

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## 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

- <https://www.facebook.com/photo/?fbid=391887059798676&set=pcb.391887153132000&rdc=1&rdi=1>, 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 acknowledge 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?ctx=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.<sup>303</sup> 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.

<sup>303</sup> 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).<sup>304</sup>

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](http://www.atdb.org)) reported that the aircraft was then operated by a South Sudanese aviation company.<sup>305</sup>

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,<sup>306</sup> 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.

<sup>304</sup> 31°59'45.49"N, 21°12'01.16"E.

<sup>305</sup> 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.

<sup>306</sup> 19 Dobri Voynikov, Apartment 3, Floor 2, Sofia 1164, Bulgaria.

4. The flight request<sup>307</sup> 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.<sup>308</sup> 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*.<sup>309</sup> 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.<sup>310</sup> 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)**

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
20 Dec 2019	Aircraft first seen in unique yellow and blue colour scheme at Sofia airport. <sup>311</sup>	▪
3 Sep 2020	Aircraft leased to a South Sudanese aviation company <sup>312</sup> by Arden Aviation Group (Bulgaria). <sup>313</sup>	▪ One year lease. ▪ Using 9U-BBB registration.
27 Oct 2020	Aircraft flies from Sofia, Bulgaria (LBSF) to Juba, South Sudan (HSSJ). <sup>314</sup>	▪ 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. <sup>315</sup>	▪ 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.

<sup>307</sup> Confidential source, 16 November 2022.

<sup>308</sup> 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.

<sup>309</sup> Note in French from the Director of the Burundi Civil Aviation Authority dated 20 September 2020.

<sup>310</sup> See paragraphs 28 and 36 to annex 97.

<sup>311</sup> <https://gerjon.substack.com/p/9u-bbb-the-mysterious-yellow-and>, October 2022.

<sup>312</sup> 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.

<sup>313</sup> 19 Dobri Voynikov, Apartment 3, Floor 2, Sofia 1164, Bulgaria. CEO Denys Strilets. The number used, +34603147991, is now unavailable.

<sup>314</sup> Multi sourced. Aviation flight databases.

<sup>315</sup> 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.<sup>316</sup> On 11 February 2022 open-source media<sup>317</sup> 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.<sup>318</sup> 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.<sup>319</sup> 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.

<sup>316</sup> Paras. 12 to 16 of annex 97 and table 93.3.

<sup>317</sup> 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](https://twitter.com/Gerjon_/status/1492474455913865216), 12 February 2022.

<sup>318</sup> Panel letter of 24 August 2022.

<sup>319</sup> 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.<sup>320</sup>

4. As it is inconceivable that records of this aircraft's 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).*

<sup>320</sup> 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](#).<sup>321</sup> The Panel has now identified<sup>322</sup> that this aircraft is being operated by BU Shames FZE,<sup>323</sup> 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](https://twitter.com/Gerjon_/status/1551968153592385536), 24 June 2022.

<sup>321</sup> Annex 97 and table 93.3.

<sup>322</sup> [https://twitter.com/Gerjon\\_/status/1551968153592385536](https://twitter.com/Gerjon_/status/1551968153592385536), 24 June 2022.

<sup>323</sup> [www.bushamesfze.com](http://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](#)<sup>324</sup> 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](#).<sup>325</sup>

Figure 62.1

### IL-76TD (#73479367) displaying 9U-ILO



Source: [https://twitter.com/Gerjon\\_/status/1592948095519981568](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.<sup>326</sup> 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](http://www.tineye.com) and [www.yandex.com](http://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.

<sup>324</sup> Appendix F to annex 55.

<sup>325</sup> Annex 97.

<sup>326</sup> 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.<sup>327</sup> 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).<sup>328</sup> 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.<sup>329</sup> Again such a flight would certainly require, as a minimum, overflight and landing permissions from the Jordanian Civil Aviation Regulatory Commission (CARC).<sup>330</sup> 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*.

<sup>327</sup> 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.

<sup>328</sup> 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>.

<sup>329</sup> Article 20, Convention on International Civil Aviation, Ninth Edition, 2006. "The Chicago Convention".

<sup>330</sup> 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](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



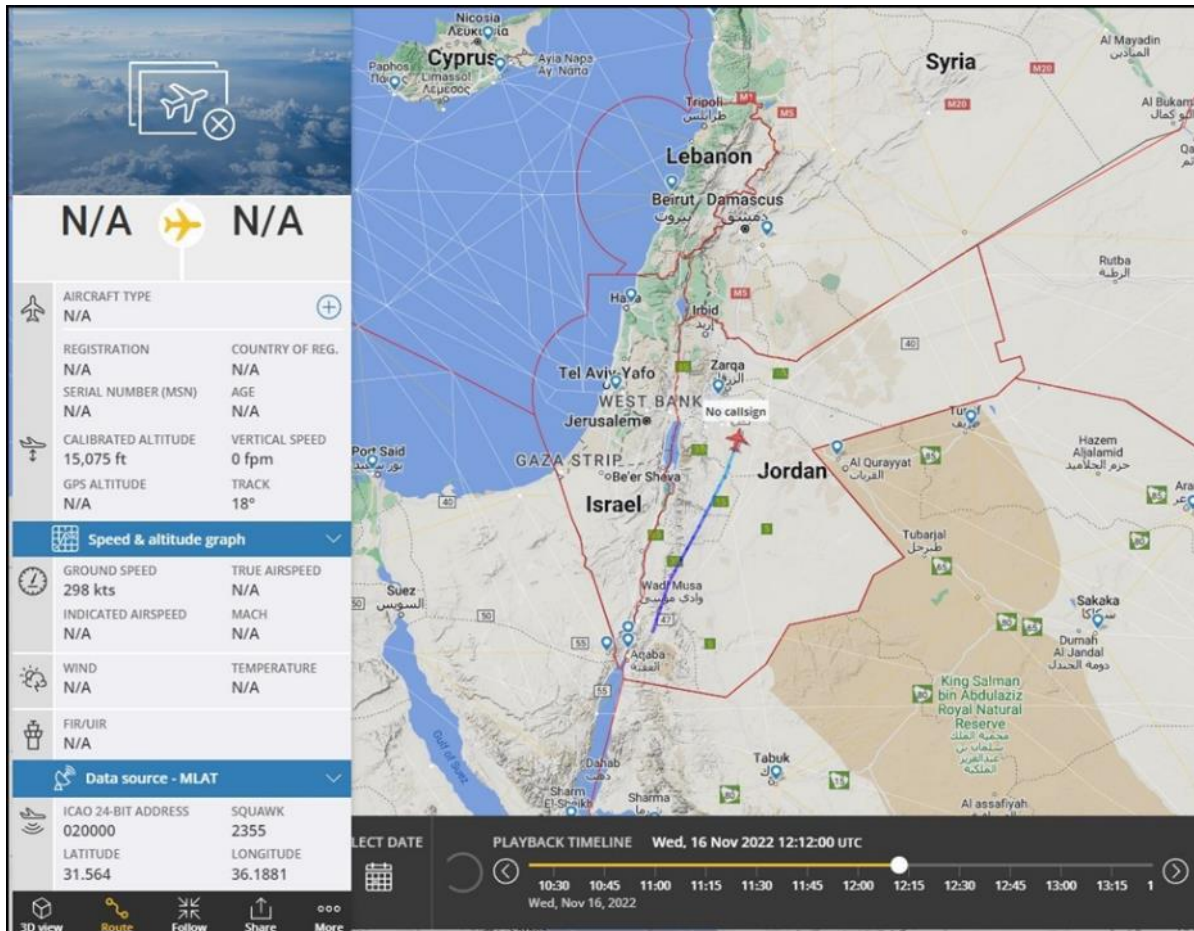
Time: 16:32.48

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<sup>0</sup> 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](https://twitter.com/Gerjon_/status/1592952001822085120/photo/1), 16 November 2022.

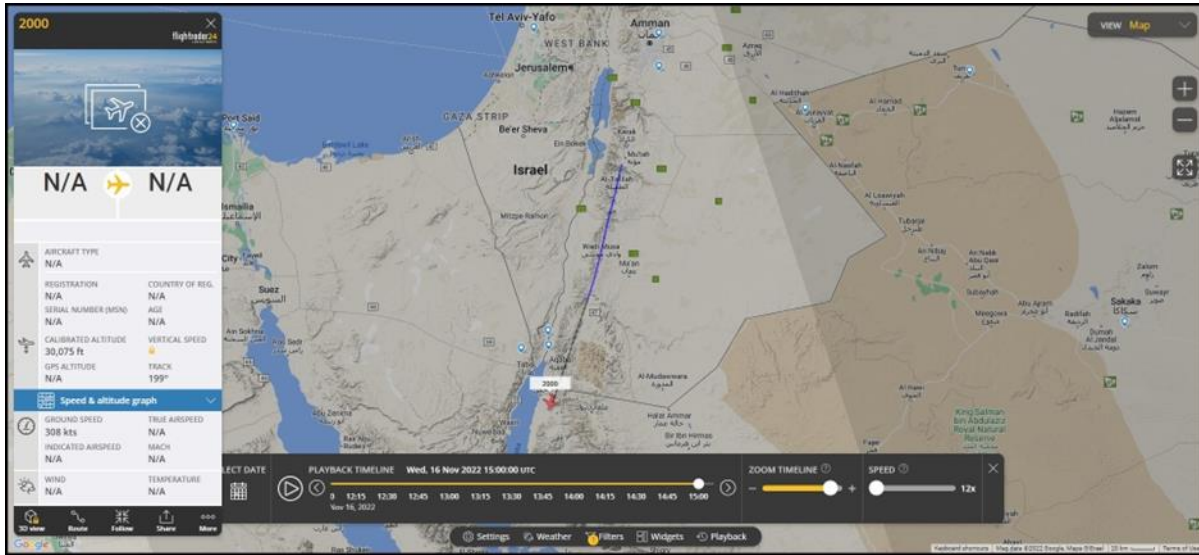
1. The data in the image above is from the [www.flightradar24](http://www.flightradar24) data in the table below. Note the decreasing speed and altitude of the aircraft indicating a landing approach to an airfield near Amman, Jordan.

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](http://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



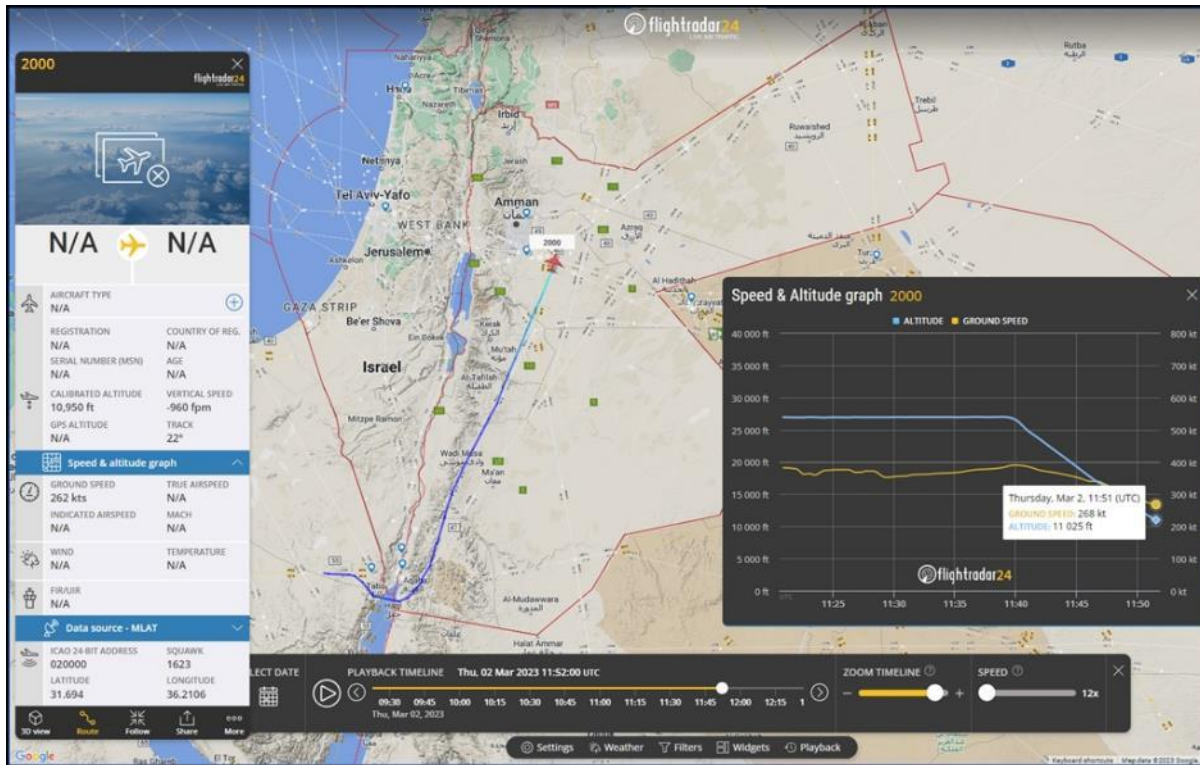
Source: <https://twitter.com/SomeFrench1991/status/1631359789568606208>, 2 March 2023.

**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.

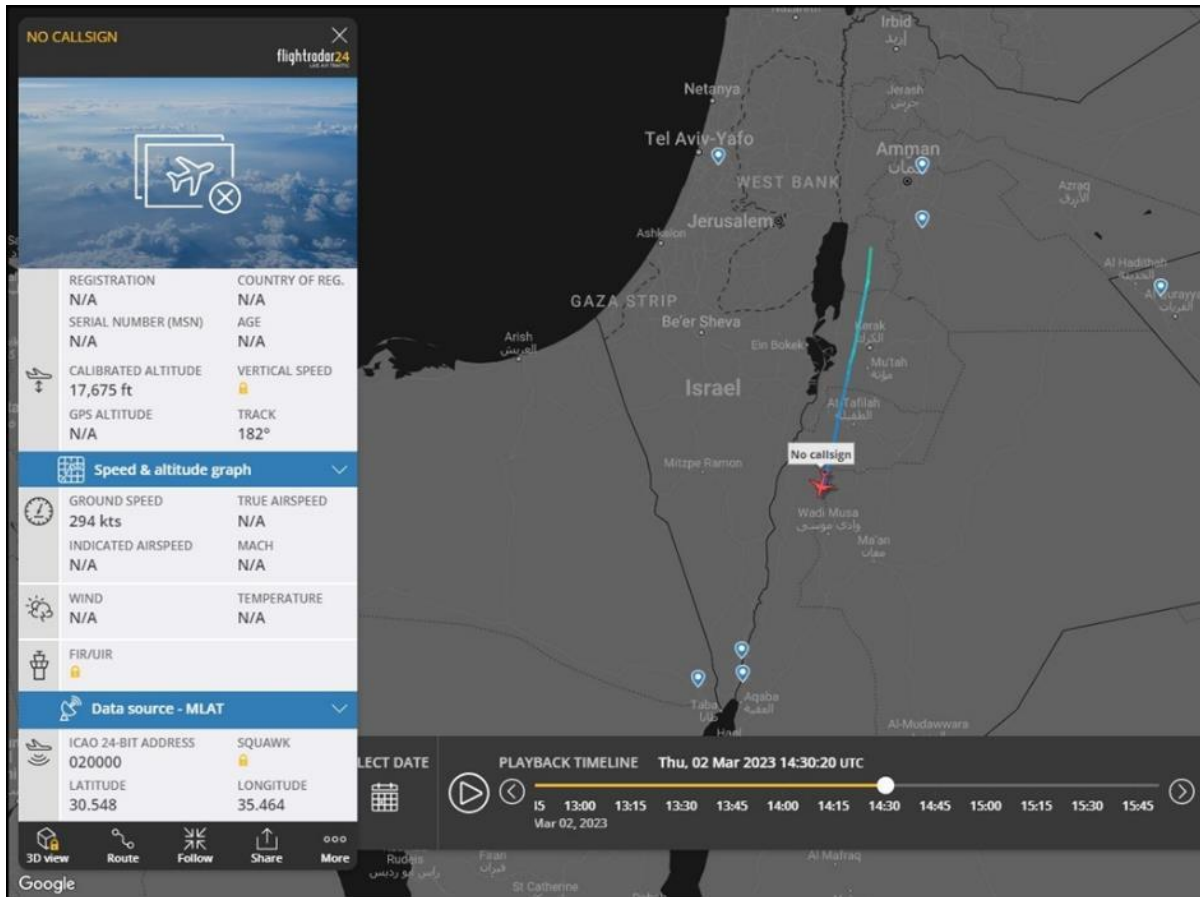
2. The data in the image above is from the [www.flightradar24](http://www.flightradar24) data in the table below. Note the decreasing speed and altitude of the aircraft indicating an approach to an airfield near Amman, Jordan.

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](http://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  $31^{\circ}58'07.1544''\text{N}$ ,  $36^{\circ}00'9.8244''\text{E}$  and Point B is at  $31^{\circ}58'02.4924''\text{N}$ ,  $36^{\circ}00'01.4328''\text{E}$ .

Figure 62.7.1

**IL-76TD (#73479367) 9U-BVU over Amman, Jordan on 25 April 2023**



Figure 62.7.2

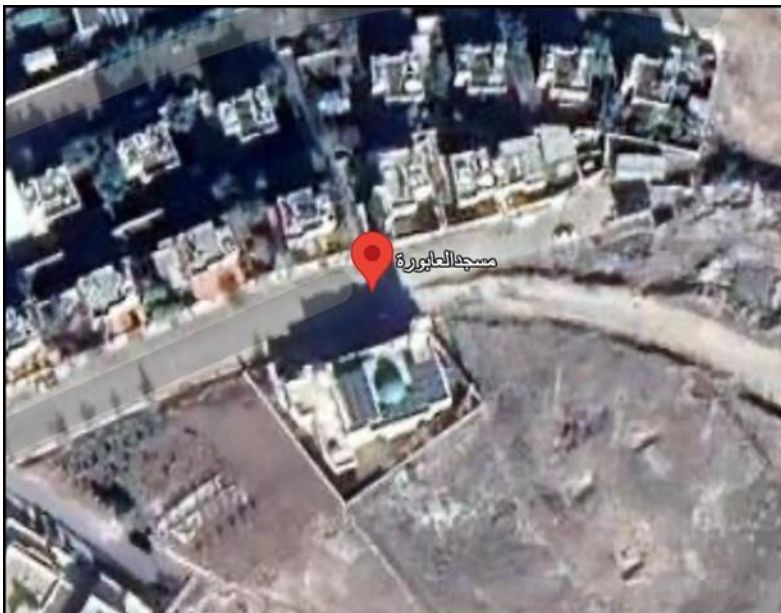
**Point A ( $31^{\circ}58'07.1544''\text{N}$ ,  $36^{\circ}00'09.8244''\text{E}$ ) and Point B ( $31^{\circ}58'02.4924''\text{N}$ ,  $36^{\circ}00'01.4328''\text{E}$ )**



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/مسجدالعابورة%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



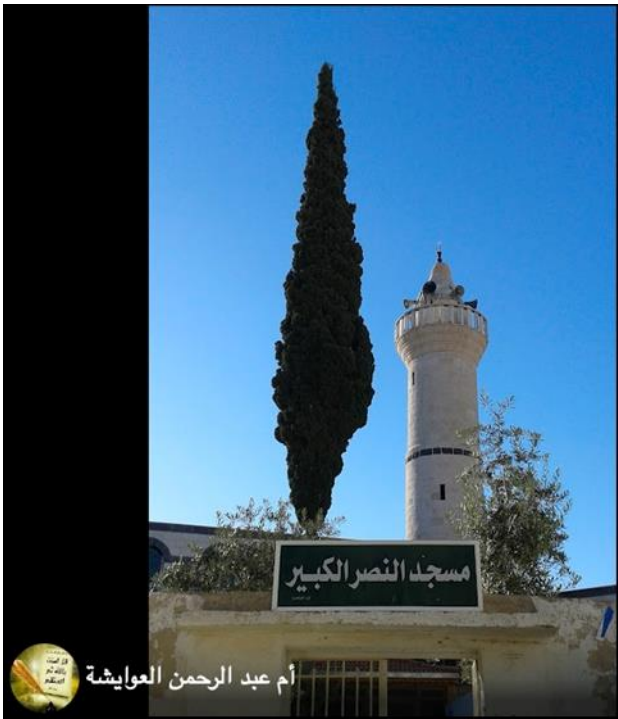
Figure 62.7.6  
Geo-Reference points from Google Earth Pro



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!1sAF1QipMK9iT7ZofocFSDSmYTMCRquqx192FdfREnlf9J!2e10!3e12!6shttps:%2F%2Fh5.googleusercontent.com%2Fp%2FAFIQipMK9iT7ZofocFSDSmYTMCRquqx192FdfREnlf9J%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**



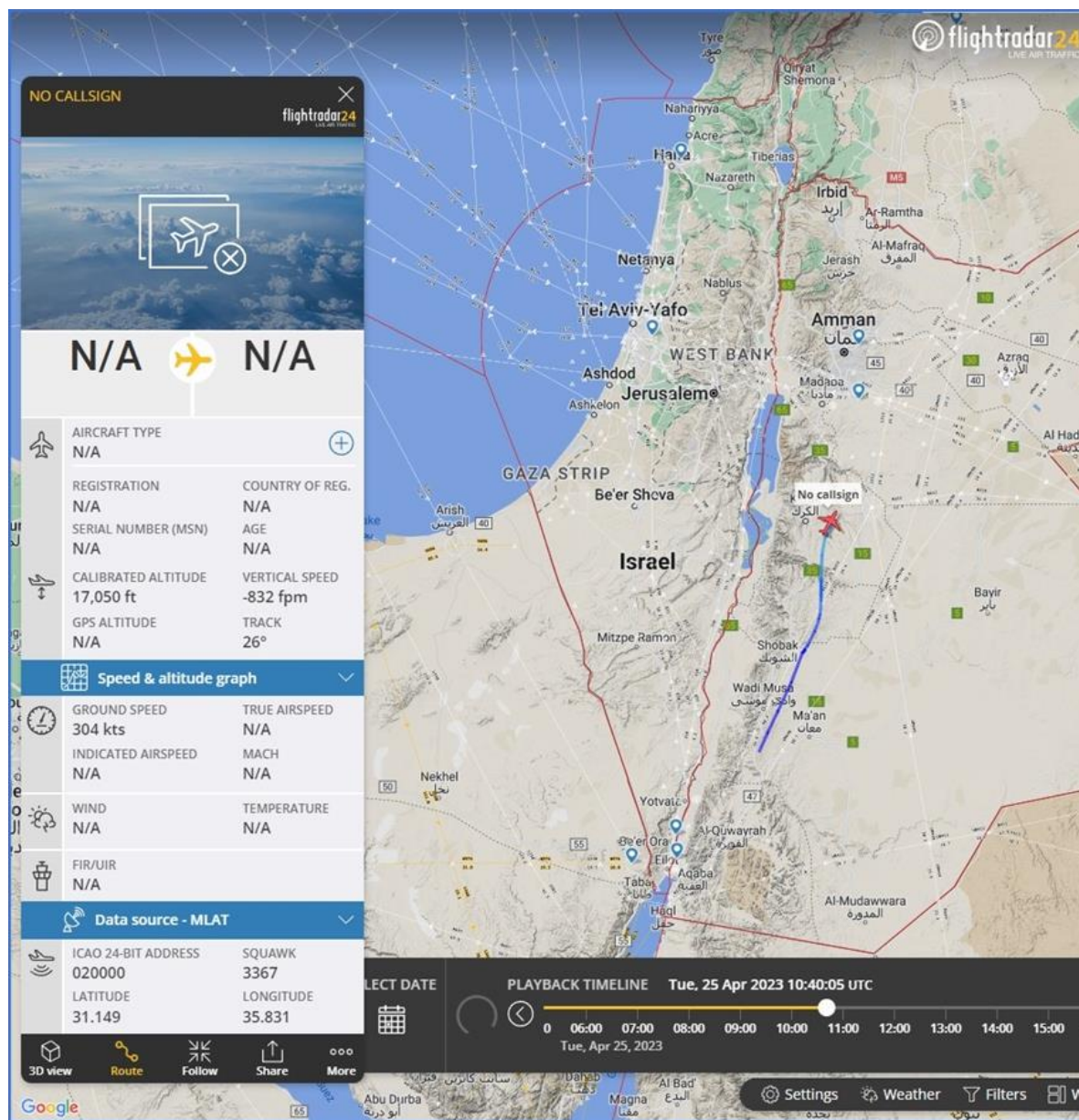
Source: <https://twitter.com/SomeFrench1991/status/1650935052023242759>, 25 April 2023.

**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](http://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.

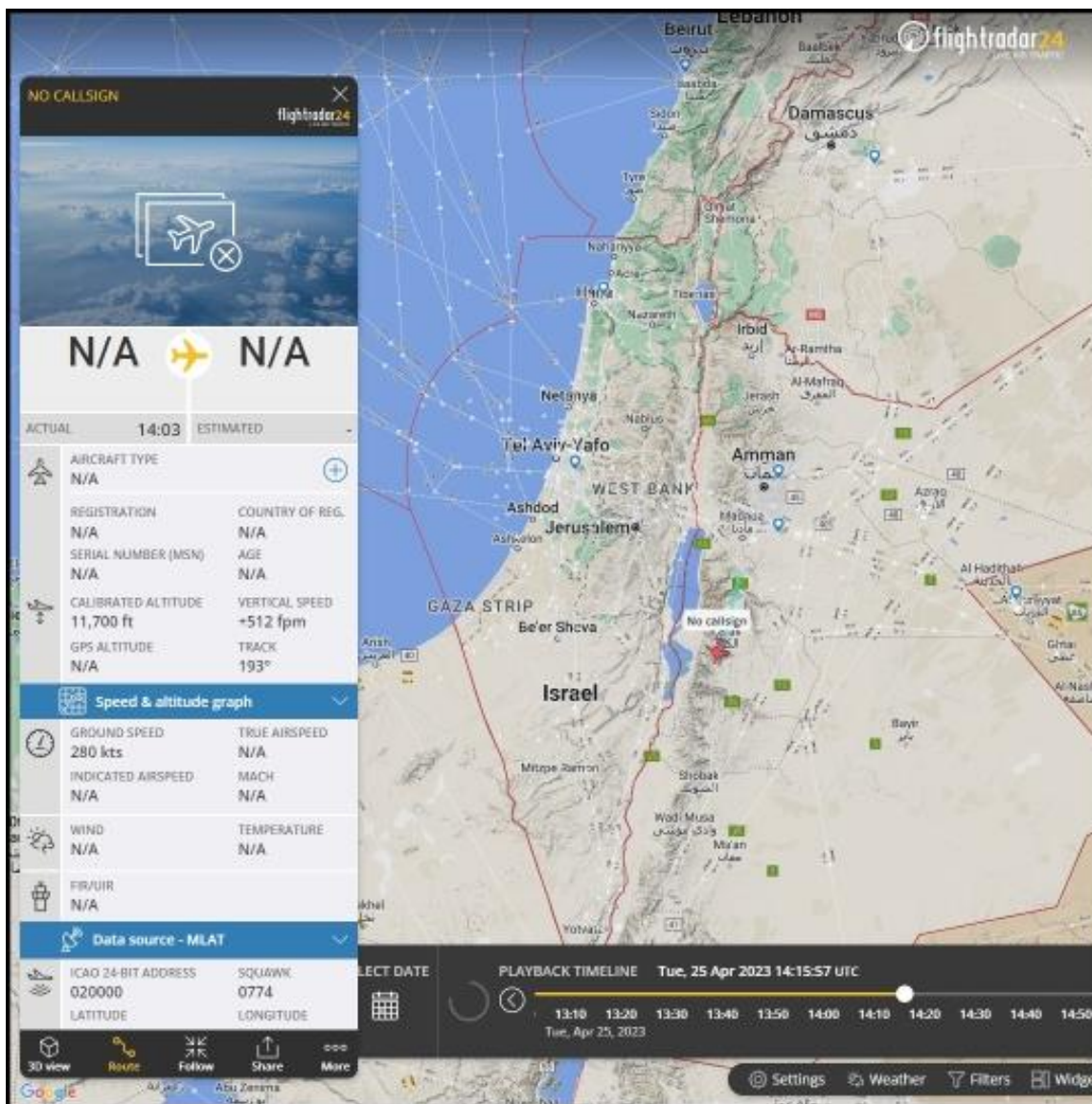
Timestamp	UTC	Callsign	Position	Altitude	Speed	Direction
1682418509	2023-04-25T10:28:29Z		30.126835,35.458981	26975	352	24
1682418581	2023-04-25T10:29:41Z		30.21113,35.503651	26975	352	24

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](http://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)<sup>331</sup> 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 <sup>a b</sup>	▪ Azee Air LLC

<sup>a</sup> Trident Chambers, PO Box 146, Road Town, Tortola, British Virgin Islands.

<sup>b</sup> 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](#).<sup>332</sup>

Table 63.2

### IL-76TD (MSN# 1023411368) recent history

Date	Activity	Panel Evidence / Remarks <sup>a</sup>
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 <a href="#">1970 (2011)</a> .	▪

<sup>a</sup> 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 4921 from Abu Dhabi, UAE (OMAA) to Benghazi, Libya (HLLB) on 16 April 2023<sup>333</sup> 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

<sup>331</sup> Office No 6, Ch Aitmatova Avenue 82A, Bishkek 720044, Kyrgyz Republic. +996 312 979300. [office@flysky.kg](mailto:office@flysky.kg).

<sup>332</sup> Annex 55.

<sup>333</sup> See appendix A.

the air waybill,<sup>334</sup> IFRC Libya did not receive any humanitarian aid from the UAE on 14 April 2023;<sup>335</sup> 2) the cargo manifest was on a UAE Armed Forces, General Headquarters Air Force form;<sup>336</sup> 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.

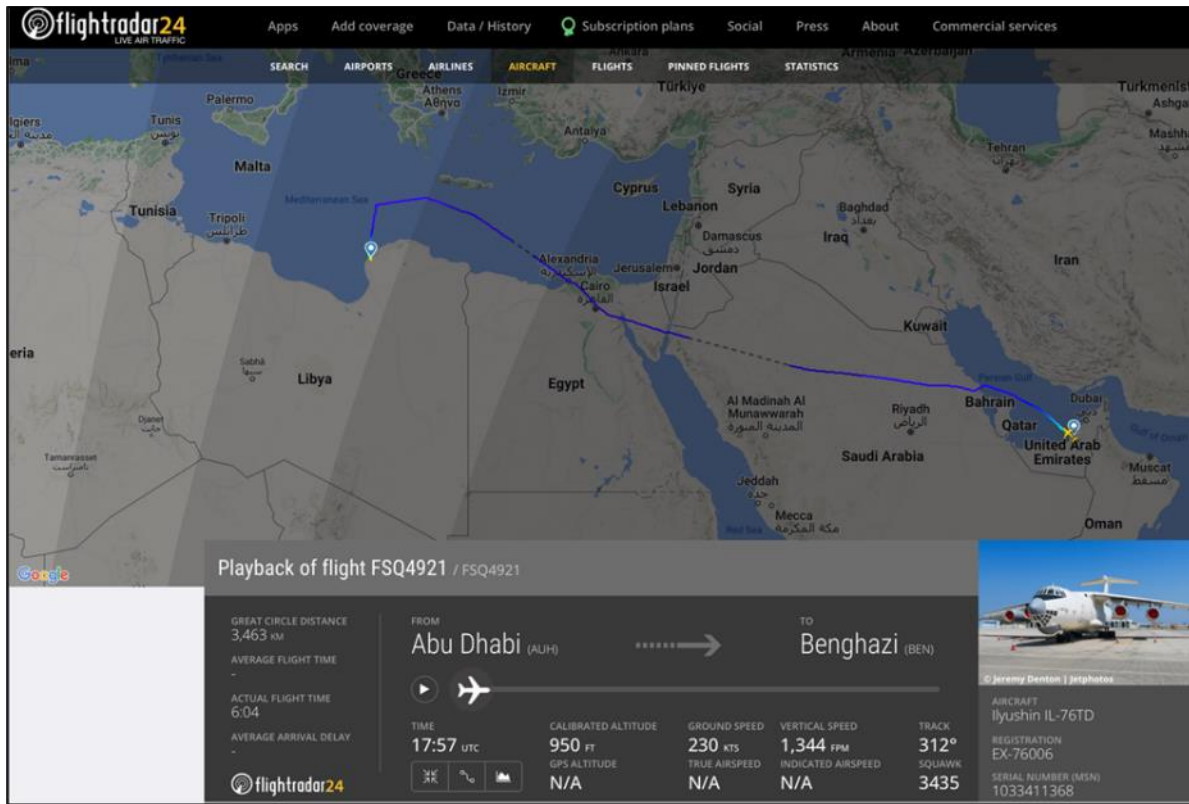
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<sup>334</sup> See appendix B.

<sup>335</sup> Confidential source in the humanitarian aid community on 29 May 2023. Also, nothing reported on the IFRC web platforms.

<sup>336</sup> See appendix C.

Appendix A to Annex 63: Route of Flight FSQ 4921 (14 April 2023)<sup>337</sup>



<sup>337</sup> 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)<sup>338</sup>

**SHIPPER / CONSIGNEE**  
Fake Shipper and Consignee.  
No contact details.  
Confidential source confirmed that NO aid had been received by IFRC Libya via Benina (HLLB).

**CARRIER**  
Not listed, but cargo manifest on a UAE military form.

**DECLARED VALUE**  
No Customs value is highly unusual.


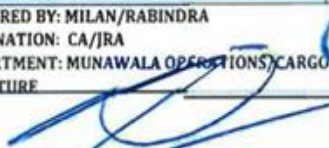

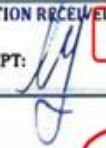
**GOODS**  
Insufficient information provided.

**UNSIGNED**

FSQ AUH 1700-0251		Shipper's Account Number		No. Negotiable		FSQ-1700-0251	
SHIPPER'S NAME AND ADDRESS RED CRESCENT, ABU DHABI, UNITED ARAB EMIRATES				AIR WAYBILL Issued by FLYSKY AIRLINE LLC			
CONSIGNEE'S NAME AND ADDRESS RED CRESCENT, ABU DHABI, LIBYA				CLASS OF SERVICE FREIGHT PRE-PAID			
SHIPPER'S CONTACT INFORMATION Agent's IATA Code				AGENCY INFORMATION ABU DHABI (OMAA)			
SHIPPER'S CONTACT INFORMATION By First Carrier				AGENCY INFORMATION BEN			
SHIPPER'S CONTACT INFORMATION By Second Carrier				AGENCY INFORMATION BENINA AIRPORT (HLLB)			
SHIPPER'S CONTACT INFORMATION By Third Carrier				AGENCY INFORMATION FSQ4921 16-04-2023			
SHIPPER'S CONTACT INFORMATION By Fourth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Fifth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Sixth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Seventh Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighth Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Twelfth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Thirteenth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Fourteenth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Fifteenth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Sixteenth Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Sixtieth Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Sixty-ninth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Seventieth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Seventy-first Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Seventy-second Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Seventy-fourth Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Seventy-sixth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Seventy-seventh Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Seventy-ninth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eightieth Carrier				AGENCY INFORMATION XXX			
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SHIPPER'S CONTACT INFORMATION By Eighty-fourth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighty-fifth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighty-sixth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighty-seventh Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighty-eighth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Eighty-ninth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By Ninetieth Carrier				AGENCY INFORMATION XXX			
SHIPPER'S CONTACT INFORMATION By One hundred Carrier				AGENCY INFORMATION XXX			

<sup>338</sup> 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	 <b>UAE ARMED FORCES / GHQ AIRFORCE</b> <b>AIRCRAFT LOAD MANIFEST</b> <b>CARGO AND MAIL</b>	AIRCRAFT TYPE	IL76				
AIRPORT OF DESTINATION	HLLB		AIRCRAFT TAIL NO	EX-76006				
TOTAL PASSENGERS			DATE	16-Apr-23				
L.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	<b>TOTAL WEIGHT IN KGS</b>			20020
PREPARED BY: MILAN/RABINDRA DESIGNATION: CA/JRA DEPARTMENT: MUNAWALA OPERATIONS/CARGO SIGNATURE		RECEIVED BY:   AMU MUNAWALA AIRPORTS COMPANY OPERATIONS	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 marshal 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 ...".

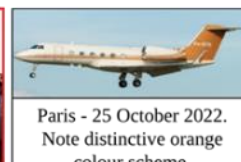
#### Primary sources

1. <https://www.youtube.com/watch?v=cvetrSDwgMc>, 18 October 2022.

Developed by UN Panel of Experts



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".

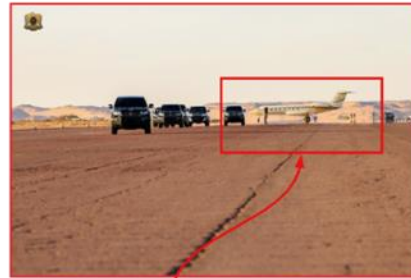
This aircraft makes regular flights to and from Benghazi International Airport (HLLB), which is controlled by Haftar's organization. On 7 April 2022 Falcon Wings LLC requested a flight tracking platform to block data on their flights from public view. This is another indicator of suspicious flight activity.

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.

**Primary sources**

1. <https://www.facebook.com/General.official.leadership/posts/pfbid0R2ryLttKyZ8idFjCKWV61FTTw46hzUzUKNihV2uaOfdMQiX6LResa7s2QQ6bJGdfl>, 30 August 2022.

Developed by UN Panel of Experts

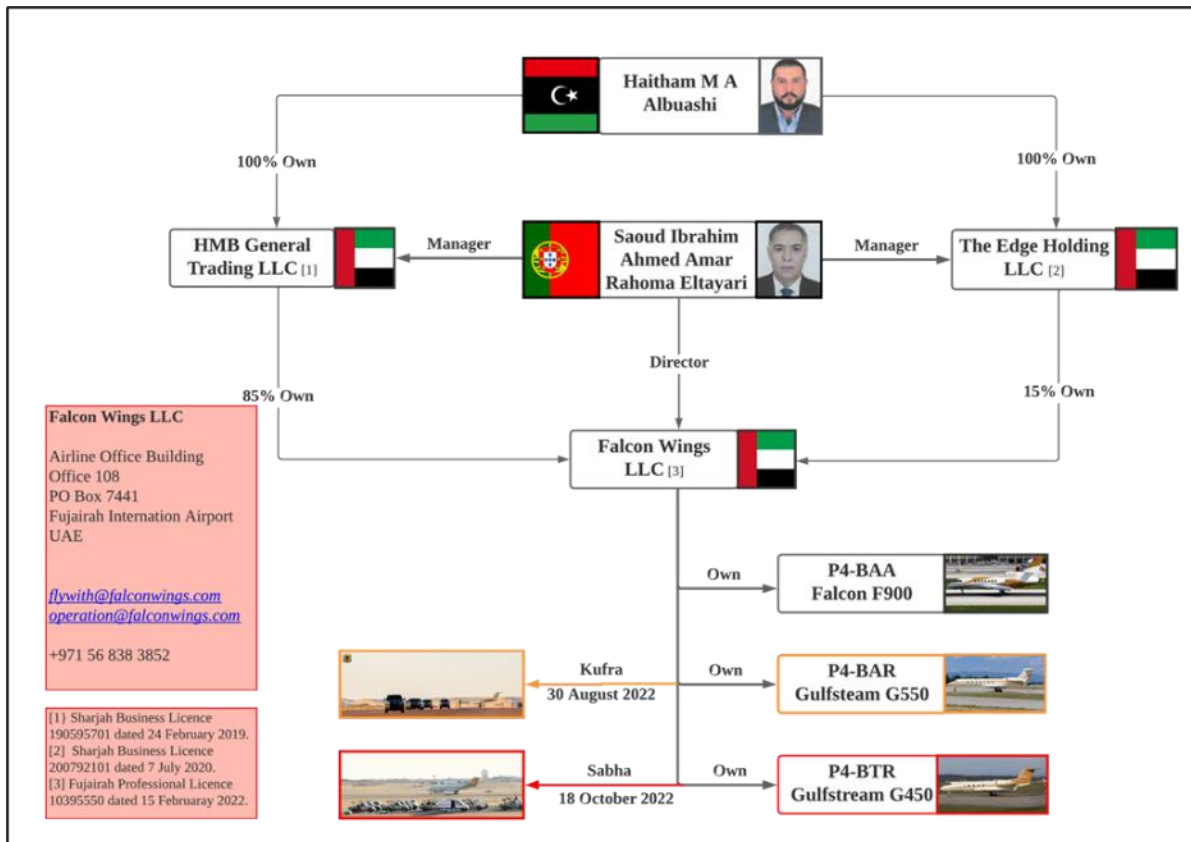


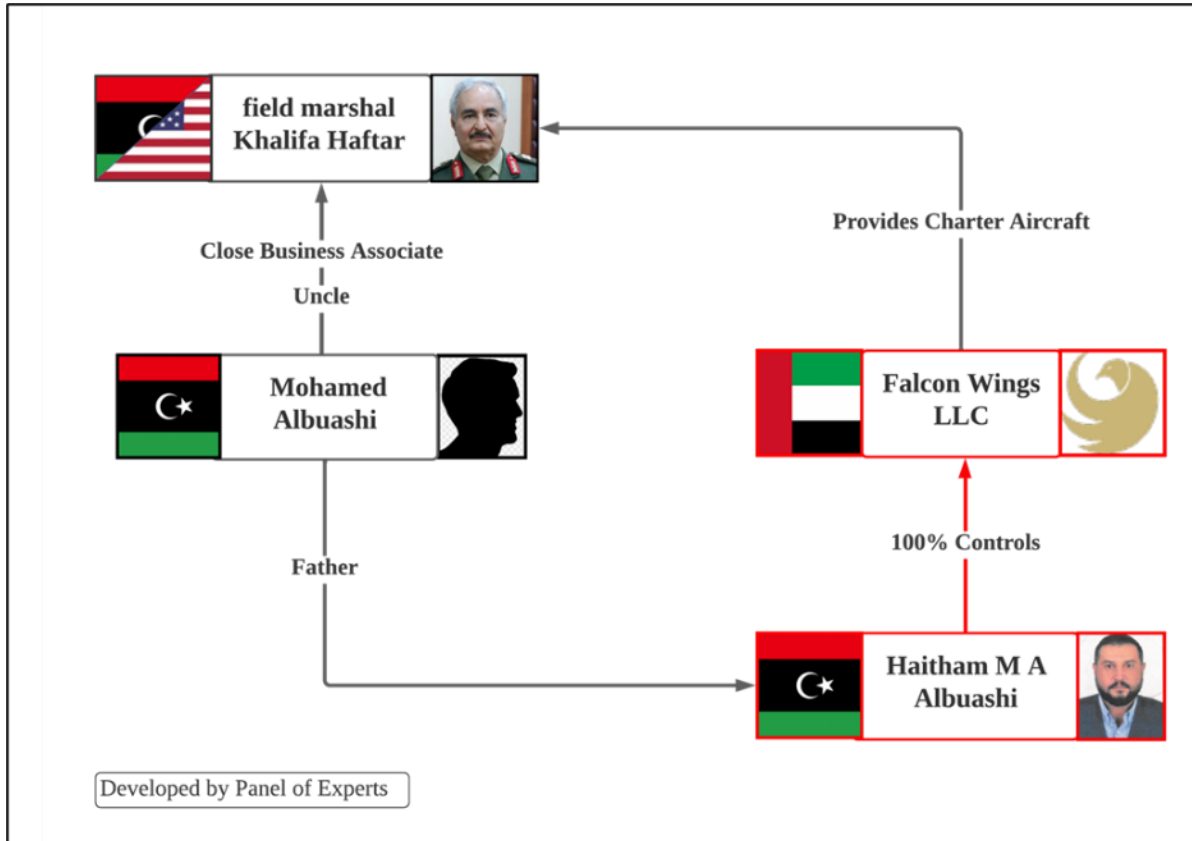
Haftar at Kufra Rally  
on 30 August 2022



Geneva - 21 July 2022.  
Note distinctive orange  
colour scheme.

### Annex 65 Ownership of Falcon Wings LLC and familial link to Haftar





## 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](https://www.youtube.com/watch?v=GB2_jaFfC8Y), 30 December 2022.

Developed by UN Panel of Experts



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

**LASA T-Bird (YU-TSH)  
(Paphos, Cyprus)  
(October 2021)**

In annex 76 to [S/2021/239](#) the Panel reported on the purchase and deployment of a LASA T-Bird light attack and surveillance aircraft to Jordan as part of Project OPUS on 26 June 2019, and subsequently to Larnaca, Cyprus on 18 July 2019.

The aircraft was then moved to an aviation support company in Paphos, Cyprus on 31 July 2019. The company were then instructed to add blue markings to the wings and paint "GLOBAL GEO SURVEY" on the aircraft in an attempt to civilianise its appearance.

During the inspection the weapon hard point mount fixing points on the wings could be clearly identified.

Inside the cockpit there is a bank of 6 x 2 unmarked on/off switches which correlate to weapon hard point mounting fixings and the red buttons on the control column would likely have weapons roles were weapons fitted. There is no doubt that the aircraft is designed and fitted for the delivery of weapons.

**Primary sources**

1. Confidential inspection imagery. Received June 2023.

Developed by UN Panel of Experts

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.<sup>339</sup> 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<sup>340</sup>

Payment date	Account holder	Bank	IBAN / Account #
June 2020	Lancaster 6 DMCC	Commercial Bank of Du-bai	AE 16 023 0000001002XXXX51
August 2020	Lancaster 6 DMCC	Commercial Bank of Du-bai	AE 11 023 0000001002XXXX44
October 2020	8-LANG DMCC	Commercial Bank of Du-bai	AE 94 023 0000001002XXXX39
February 2021	8-LANG DMCC	Commercial Bank of Du-bai	AE 94 023 0000001002XXXX39
April 2021	8-LANG DMCC	Commercial Bank of Du-bai	AE 77 023 0000001002XXXX54

<sup>339</sup> Known accounts were reported in [S/2021/229](#), table 76.4.

<sup>340</sup> 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”.<sup>341</sup> “Oil and Gas Logistic Services” were one of the cover stories used by the Project Opus team during the Panel’s investigations.<sup>342</sup>

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<sup>341</sup> <https://www.8-lang.com>.

<sup>342</sup> 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 damage 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.

Developed by UN Panel of Experts



## 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](http://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.aerotrtransport.org](http://www.aerotrtransport.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.<sup>343</sup> 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.<sup>344</sup> 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.<sup>345</sup>
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<sup>346</sup> 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)<sup>347</sup> item code given in the export declaration is the code for miscellaneous furniture,<sup>348</sup> 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,<sup>349</sup> as well as several HS codes for kitchenware.<sup>350</sup>
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”,<sup>351</sup> 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.

<sup>343</sup> <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.

<sup>344</sup> 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.

<sup>345</sup> Confidential source.

<sup>346</sup> Company not named as investigation is ongoing.

<sup>347</sup> World Customs Organization Harmonized Commodity Description and Coding System (“Harmonized System”).

<sup>348</sup> HS 940169.

<sup>349</sup> HS 9304.

<sup>350</sup> In particular variations of HS 392490.

<sup>351</sup> 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

<i>Number</i>	<i>Type of vehicle</i>	<i>Armoured</i>	<i>Features</i>
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.<sup>352</sup> 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.<sup>353</sup> 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.<sup>354</sup> The founder Legend Logistic (a.k.a. Legend Logistic International or Legend Logistics) is Murat Yildirim.<sup>355</sup> 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.<sup>356</sup> 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.<sup>357</sup> 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

<sup>352</sup> <https://legend-logistic.com/1396-2/> and <https://legend-logistic.com/1433-2/>.

<sup>353</sup> Yildirim Shipping Company is at 2/7 whereas Legend Logistic is at 1/5.

<sup>354</sup> S/2022/427, tables 2 and 3 and annex 30.

<sup>355</sup> [https://legend-logistic.com/?page\\_id=415](https://legend-logistic.com/?page_id=415).

<sup>356</sup> This is the same location the vessel sailed to when being renamed from MV *Luccello* to MV *Victory RoRo*.

<sup>357</sup> 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.<sup>358</sup>

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 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**

<i>Date</i>	<i>Vessel name</i>	<i>Vessel flag</i>	<i>Owner / Operator</i>	<i>Activity</i>
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

<sup>358</sup> 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	x	x	x	white	command and control
2	GMC Sierra chassis cab	x	x	x	white	command and control
3	GMC Sierra chassis cab	x	x	x	white	command and control
4	GMC Sierra chassis cab	x	x	x	white	diver support
5	GMC Sierra chassis cab	x	x	x	white	diver support
6	GMC Sierra chassis cab	x	x	x	white	diver support
7	GMC Sierra chassis cab	x	x	x	white	diver support
8	GMC Sierra chassis cab	x	x	x	white	diver support
9	GMC Sierra chassis cab	x	x	x	white	diver support
10	GMC Sierra chassis cab	x	x	x	white	diver support
11	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
12	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
13	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
14	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
15	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
16	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
17	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
18	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
19	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
20	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
21	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
22	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
23	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
24	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
25	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
26	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
27	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
28	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
29	Toyota Hilux	✓	✓	x	white	dual-cab flatbed
30	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
31	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
32	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
33	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
34	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
35	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
36	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
37	Toyota Land Cruiser 79 DC	✓	✓	x	sand	dual-cab flatbed
38	Toyota Land Cruiser 79 DC	✓	✓	x	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	✓	✓	x	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

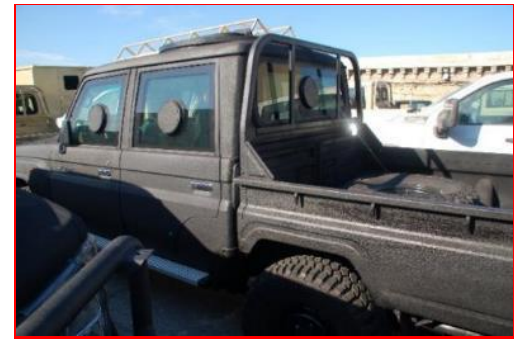
#	Make and model	Armoured	Gun ports	Gun mount	Colour	Type
83	Toyota Land Cruiser 79 SC	✓	✓	armoured gunner cabin	sand	single-cab flatbed
84	Toyota Land Cruiser 79 SC	✓	✓	armoured gunner cabin	sand	single-cab flatbed
85	GMC Sierra Pickup	✓	✓	360 degrees movable turret	black rhinohide	technical
86	Chevrolet 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.C.2 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**

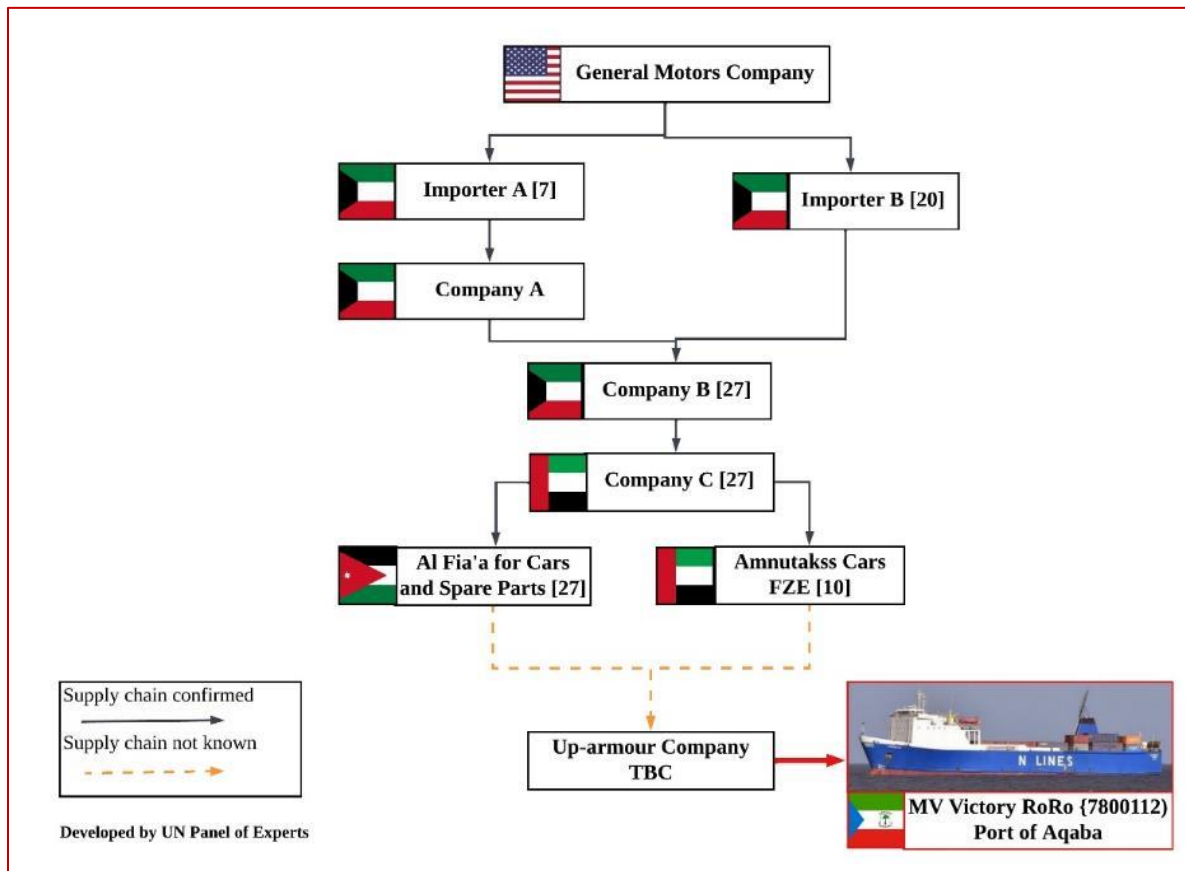
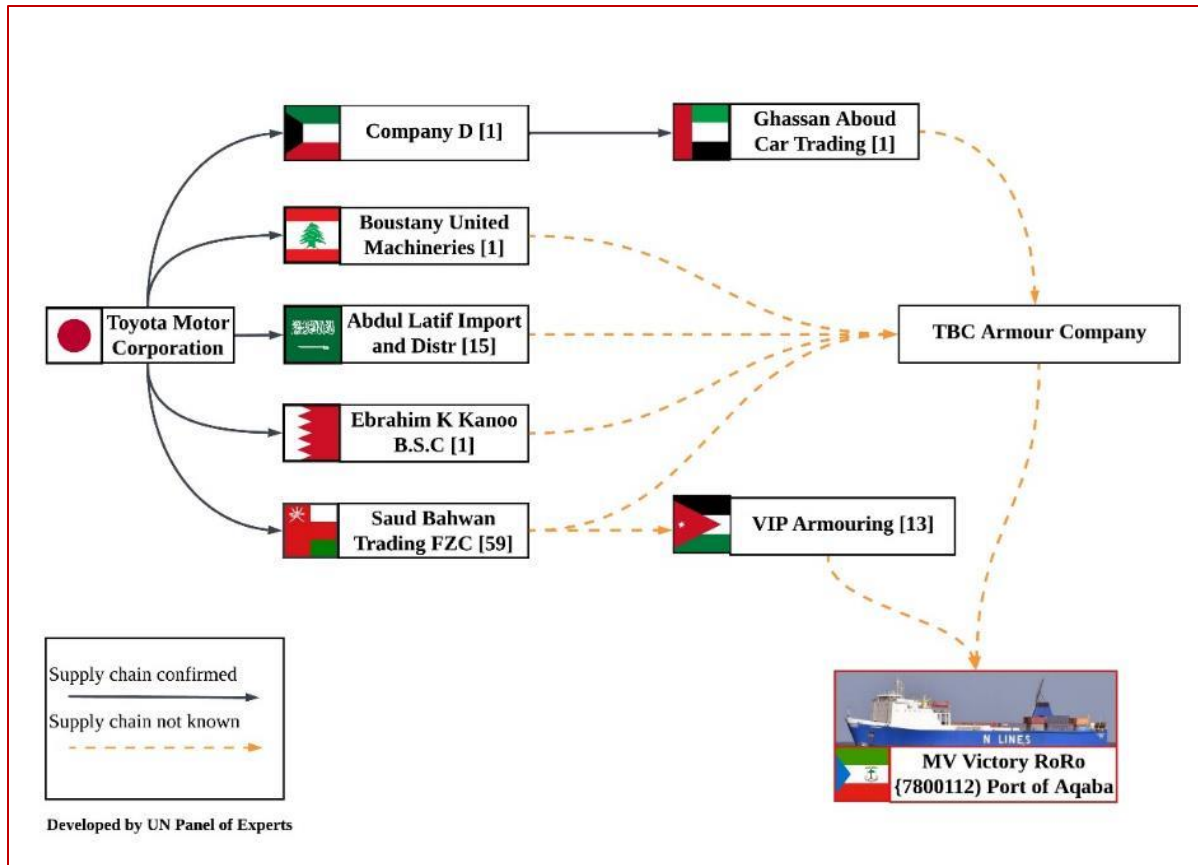


Figure 71.C.2  
Toyota Motor Corporation vehicles



## 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.<sup>359</sup> 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

<sup>359</sup> <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”<sup>360</sup> and links TAG Middle East FZC as “Middle East Office for The Armored Group (TAG)”<sup>361</sup> despite TAG Middle East FZC having its own website.<sup>362</sup> The website of TAG Middle East FZC further gives

<sup>360</sup> <https://www.armoredcars.com/about/>.

<sup>361</sup> <https://www.armoredcars.com/armored-cars-uae/>.

<sup>362</sup> <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<sup>363</sup> 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<sup>364</sup>**

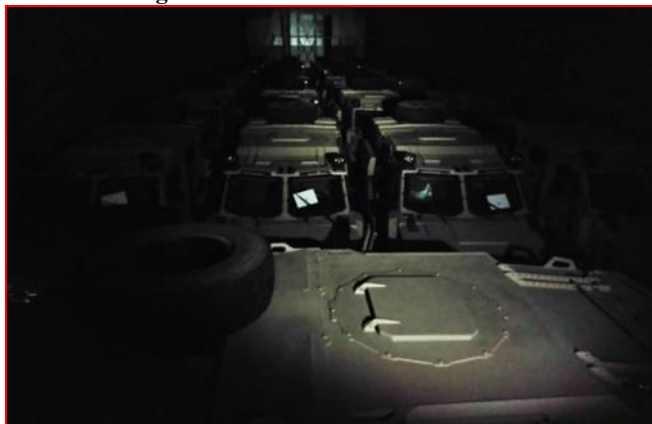
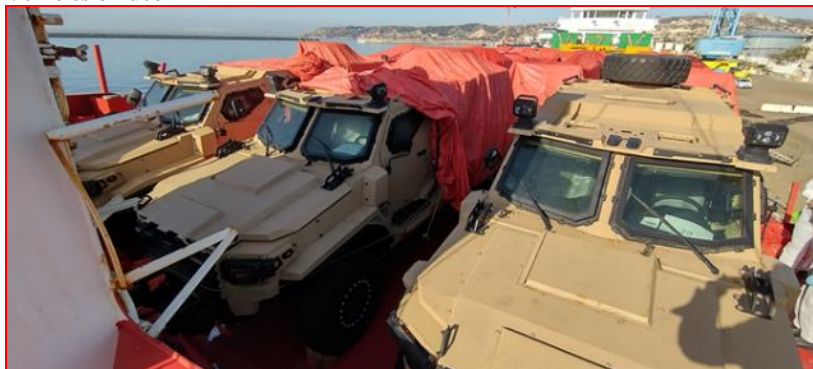


Figure 72.A.3  
**Vehicles on deck**



<sup>363</sup> Source: Panel of Experts.

<sup>364</sup> 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  
القرارات

**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 الاتفاق 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 اعتماد 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.

**قـــــــــــــــــرر**

**مادة (1)**

تعد الأحكام الواردة بهذا القرار أحكاماً 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 قـــــــــــــــــدارة	نائباً للرئيس .
2. محمد مصباح أبوغمجــــــــــــــــة	عضوا
3. علي إبراهيم السويــــــــــــــــج	عضوا
4. رضا امحمد قرقــــــــــــــــاب	عضوا
5. حاتم علي مفتاح حــــــــــــــــسن	عضوا
6. أحمد عبد الله المرتضــــــــــــــــي	عضوا
7. علي حامد أزحومــــــــــــــــة نصر	عضوا
8. مرعي مفتاح البرعــــــــــــــــصي	عضوا
9. مصطفى محمد المانــــــــــــــــع	عضوا
10. فاخر مفتاح بوفرنــــــــــــــــة	عضوا
11. عبد الله علي عــــــــــــــــد الله	عضوا
12. خالد المبروك عــــــــــــــــد الله	عضوا
13. بدر الدين الصادق التومــــــــــــــــي	عضوا




LIBYAN PRESIDENTIAL COUNCIL  
Decisions

المجلس الرئاسي الليبي  
القرارات

14. محمد سالم الشهور  
عضوا

15. عادل جمعة عامر  
عضوا

16. ناصر محمد سعيد مسعود  
عضوا

17. حسام ادريس اسبيق  
عضوا ومقررا

مادة (3)

تختص اللجنة المشكّلة 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 الاختصاص، لغرض التطوير المالي ورسم السياسات وتعزيز الشفافية .

مادة (4)

تلتزم اللجنة في إطار الوصول إلى المهام الموكّلة 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 الموكّلة 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

صدر في 18 ذو الحجة 1444 هجري .  
الموافق 07 / 06 / 2023 م  
بمقامه رقم (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.<sup>365</sup> 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.<sup>366</sup>

3. On 19 October 2022, the focal point informed the Panel, but not the Committee,<sup>367</sup> 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.<sup>368</sup> 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).<sup>369</sup>

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.

<sup>365</sup> See, for example, [https://twitter.com/HA\\_REPORTER2/status/1583713384117460992](https://twitter.com/HA_REPORTER2/status/1583713384117460992), 22 October 2022.

<sup>366</sup> <https://thelibyantimes.com/libyas-noc-denies-fuel-smuggling/>, 24 October 2022.

<sup>367</sup> 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.

<sup>368</sup> NOC letter of 31 May 2023, in response to a letter from the Panel inquiring about the activities at Benghazi old harbour.

<sup>369</sup> 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.<sup>370</sup> 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,<sup>371</sup> 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.

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<sup>370</sup> 32° 07'5.27"N, 20° 02'55.15"E.

<sup>371</sup> 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**

<i>Visit</i>	<i>Date observed</i>	<i>Name of vessel</i>	<i>IMO number</i>	<i>DWT</i>	<i>Flag State</i>
1	28 March 2022	<i>Victory</i>	7128227	2,007	Cameroon
2	13 April 2022	<i>Maya 1</i>	9046758	1,200	Cameroon
3	14 April 2022	<i>Queen Majeda (renewed visit)</i>	9117806	2,547	Libya
4	22 April 2022	<i>Aqua Marine</i>	9179488	3,522	Türkiye
5	1 May 2022	<i>Queen Majeda (renewed visit)</i>	9117806	2,547	Libya
6	8 May 2022	<i>TSM Dubhe</i>	9249594	19,924	Tuvalu
7	26 May 2022	<i>MAC Jakarta (ex TSM Dubhe, renewed visit)</i>	9249594	19,924	Panama
8	8 June 2022	<i>Victory (renewed visit)</i>	7128227	2,007	Cameroon
9	18 July 2022	<i>Roschem-2</i>	8862935	2,754	Russian Federation
10	16 August 2022	<i>Queen Majeda (renewed visit)</i>	9117806	2,547	Cameroon
11	20 August 2022	<i>Beauty Queen</i>	9133393	3,710	Russian Federation
12	26 August 2022	<i>Unicom Alpha</i>	9133393	4,282	Russian Federation
13	1 September 2022	<i>Angelo 1</i>	7946942	566	Cameroon
14	4 September 2022	<i>Queen Majeda (renewed visit)</i>	9117806	2,547	Cameroon
15	9 September 2022	<i>Sophia</i>	7113375	3,184	Comoros
16	12 September 2022	<i>Anna</i>	9118159	4,972	Comoros
17	12 September 2022	<i>Sea Fortune</i>	9427275	13,023	Marshall Islands
18	13 September 2022	<i>Uni Trader</i>	9175169	6,623	Panama
19	19 September 2022	<i>Efe</i>	9558763	7,623	Vanuatu
20	4 October 2022	<i>Beauty Queen</i>	9133393	3,710	Russian Federation
21	3 November 2022	<i>Roschem-2 (renewed visit)</i>	8862935	2,754	Russian Federation
22	10 November 2022	<i>Sidra</i>	9057551	1,950	Tanzania
23	11 November 2022	<i>Princess Noria</i>	9196448	12,181	Panama
24	12 November 2022	<i>Istra</i>	9632088	4,500	Russian Federation
25	16 November 2022	<i>Uni Trader (renewed visit)</i>	9175169	6,623	Panama
26	6 December 2022	<i>Istra (renewed visit)</i>	9632088	4,500	Russian Federation
27	1 January 2023	<i>Beauty Queen (renewed visit)</i>	9133393	3,710	Cameroon
28	31 January 2023	<i>Kavkaz</i>	8884476	3,742	Guinea-Bissau
29	31 January 2023	<i>Almuntazah</i>	8860834	4,056	Cameroon
30	31 January 2023	<i>Jessica</i>	9140853	9,385	Comoros
31	8 March 2023	<i>Tony (ex Kavkaz, renewed visit)</i>	8884476	3,742	Guinea-Bissau
32	15 April 2023	<i>Alma Marine</i>	9438250	9,057	Barbados
33	27 April 2023	<i>Marisa N</i>	8004090	1,714	Cameroon
34	4 May 2023	<i>Alisa</i>	9113135	11,980	Comoros
35	17 May 2023	<i>Saeed 5</i>	8821759	7,030	Tanzania
36	14 June 2023	<i>Piero A</i>	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,<sup>372</sup> 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.<sup>373</sup>

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) <sup>374</sup> / Cameroon (since June 2022)
Ship type	Products Tanker
Deadweight	2,547 tonnes <sup>375</sup>
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

<sup>372</sup> This date falls into the previous mandate, but the Panel's last report, S/2022/427, had already been finalized by that date.

<sup>373</sup> 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.

<sup>374</sup> 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).

<sup>375</sup> 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

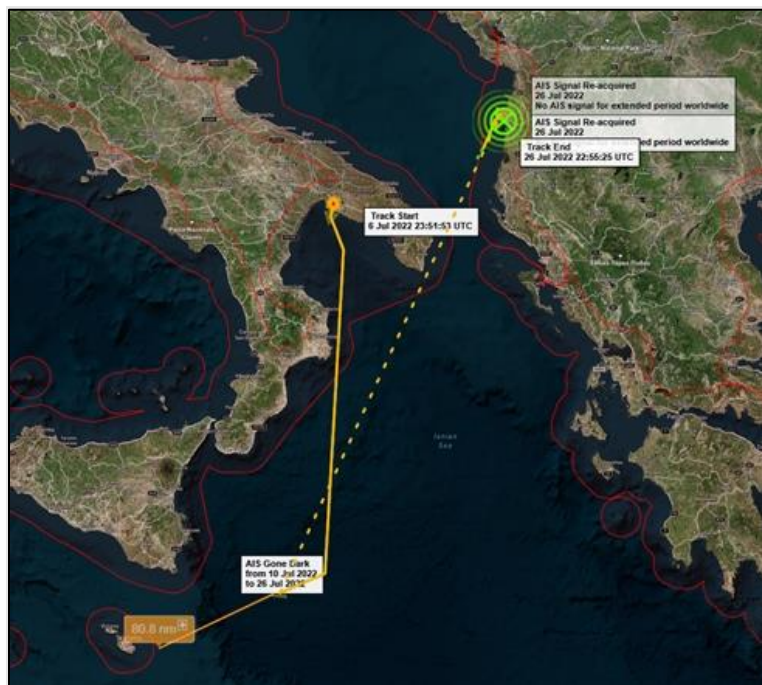
9. On 20 June 2022, the vessel changed its flag State to Cameroon. On 8 July 2022, the vessel left Taranto, Italy, with a draft of 5.5m, indicating a fully loaded, but not overloaded condition. The Panel has seen documentation suggesting that the vessel left Italy with around 2,178 tonnes of marine gasoil. 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;<sup>376</sup> and (c) Benghazi old harbour is not part of the Ras El Mungar marine terminal.

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<sup>376</sup> 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 Petroleum" (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.<sup>377</sup> 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",<sup>378</sup> addressed to a "Foreign Department".<sup>379</sup> 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".<sup>380</sup> 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).

<sup>377</sup> 1) Panel meeting with Brega Petroleum Marketing Company, Tripoli (12 January 2023); and 2) Panel online meeting with NOC on 26 June 2023.

<sup>378</sup> This is the official domain of the Libyan Ministry of Foreign Affairs.

<sup>379</sup> Email address unknown to the Panel.

<sup>380</sup> 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;<sup>381</sup> (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.

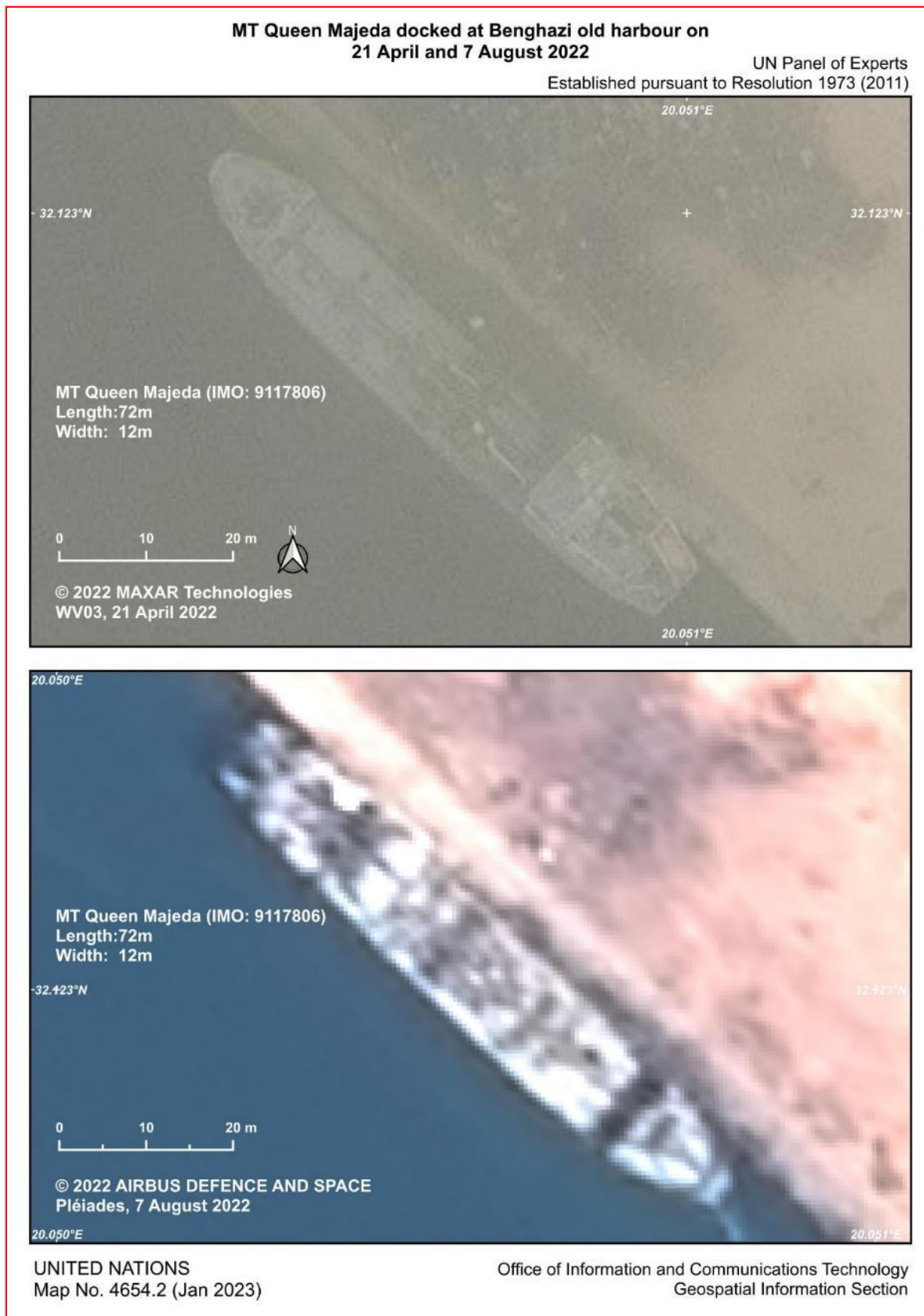
**D. Panel assessment**

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.

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<sup>381</sup> 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.C Cargo documents for 7 August 2022 loading



**RAS EL MUNGAR TERMINAL**

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**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


**RAS EL MUNGAR TERMINAL**



MT QUEEN MAJEDA  
KRIBI

Source: Confidential.

Appendix 75.D Cargo documents for 5 September 2022 loading

<b>BREGA PETROLIUM</b>	 الأساسية الوطنية للنفط National Oil Corporation	<b>RAS EL MUNGAR TERMINAL</b> <b>BENHAZI LYBIA</b>
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**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 : QUEEN MAJEDA  
M/T  
Consignor : ELDWADI SHIPPING LTD  
Consignee : To the order of ELDWADI SHIPPING LTD  
Destination : FOR ORDERS PORTO ROMANO DURRES ALBANIA  
Is a product of : LYBIA







P.O. BOX: 1278 Benghazi

اشعار تسليم منتجات بحرية بالأجل  
BUNKER CREDIT DELIVERY NOTE

ص.ب 402 هـ/ب  
ص.ب 1278 بنغازي

رقم المستودع  
Doc. No: 091001

المستودع terminal 73 SUPPLY SHIP الزبون Customer: ELDAWADI SHIPPING LTD

رقم طلب الزبون customer order No.: 04 اسم الباخرة Vessel Name: QUEEN MAJEDA

ACC. No: 210312

جنسيتها Nationality: Cameroon المدينة/ city: Benghazi المنبأ/ port: Benghazi-port

Date of Issue التاريخ الصادر: 25/09/2022 رقم شهادة الإعفاء Duty Free Cert. No:

الرحلة المعفاة جمركيا مع الرقم (2) If Flight Duty Free Enter (2) → 2

Product / Grade	المنتج / الدرجة	الكمية	التعبئة pack code	رقم المنتج product code	التران Tank	رقم الوحدة وحدة UNIT	نوع النوع TYPE	الوصف P.P.	الدرجة VTS	الكتافة S.G. 15	اسم NAME
GAS OIL	0.8651	2632,000		41413417			Bulk LTK				

SALE DEP 572 S3 TRUCKS

Checked by: [Signature] Tank: 0010322

Approved by: [Signature]

Delivery Date: 05.09.2022

1 - نقل خاص - 2 - يدلع الشل  
3 - بحسب ولا يحمل  
1 - جاهزة - 2 - شاحنة  
3 - خط انابيب - 4 - بارجة  
1 - نقل الشركة - 2 - نقل للتعهد

Customer Sig: \_\_\_\_\_

Coming from: DURS

Going to: DURS

Time Ordered وقت الطلب: 28.08.2022

Time Started وقت البدء: 05.09.2022

Time Completed وقت الانتهاء: \_\_\_\_\_

REMARKS: \_\_\_\_\_

RTIME

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,

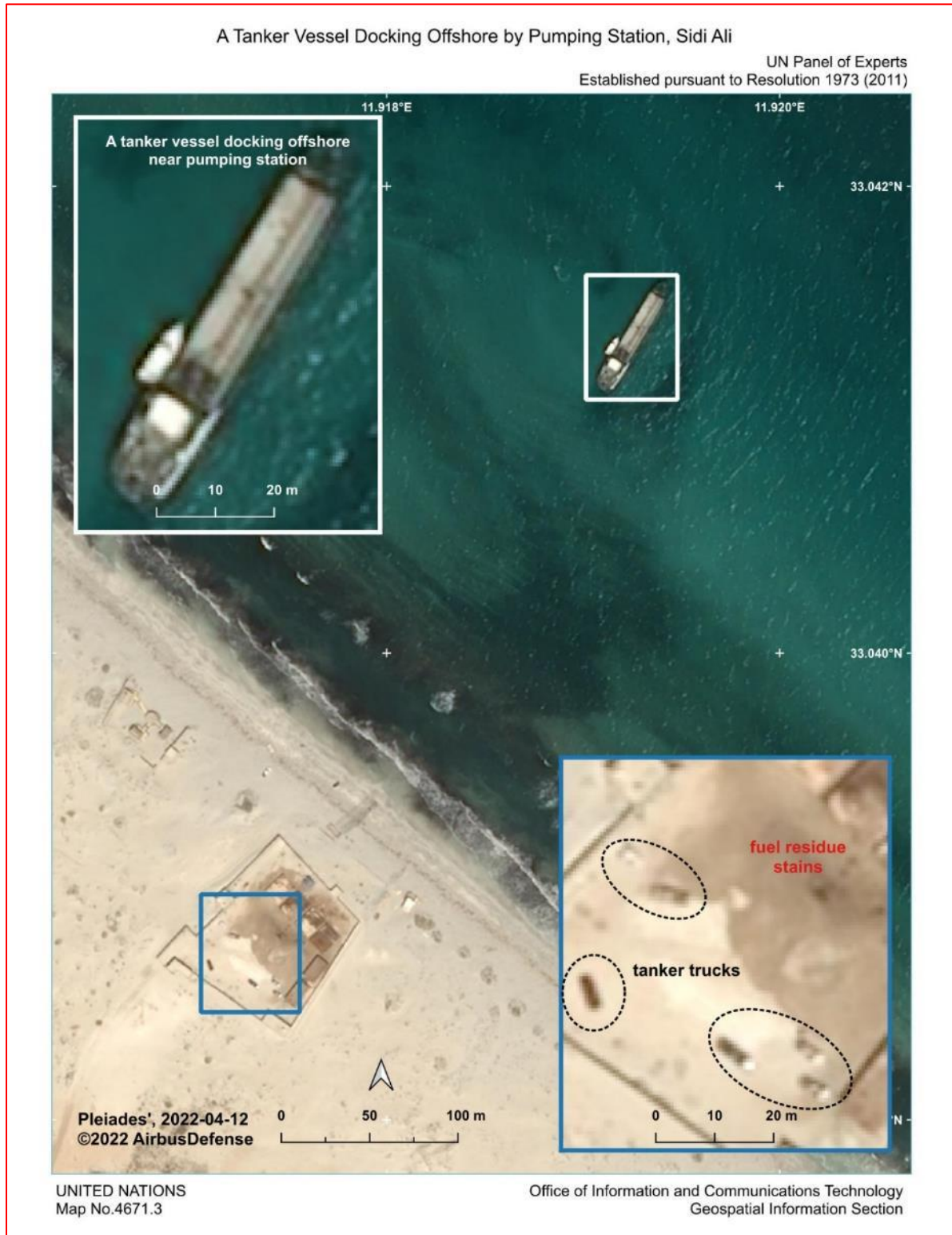
Signed & Stamped by  
Mrs. Najat Al-Sharif  
Director of the Department of Consular Affairs

دولة ليبيا - وزارة الخارجية  
تصديق رقم: 1916  
على امتضاء:  
رقم:  
الرسوم المحصلة:  
الاسم والتوقيع:  
هذه تعمل مسؤولية عما ورد بهذا المستند



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).<sup>382</sup> 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, Tunisia.

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,<sup>383</sup> 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.<sup>384</sup>

### 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.<sup>385</sup> Furthermore, the Panel is

<sup>382</sup> S&P Maritime.

<sup>383</sup> 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.

<sup>384</sup> [trinfo@fortunashipping.com.tr](mailto:trinfo@fortunashipping.com.tr); website not replicated in linkable format for IT safety reasons.

<sup>385</sup> <https://twitter.com/ObservatoryLY/status/1518024276242223105?t=t4rw6Cw2jvG3pzSYtfQSow&s=09>, 24 April 2022.

investigating reports<sup>386</sup> 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.<sup>387</sup> A confidential source told the Panel that there were as many as 20 containers, which would equal around 400,000 litres (340 tonnes).

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<sup>386</sup> 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.

<sup>387</sup> <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.<sup>388</sup> 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.<sup>389</sup>

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.<sup>390</sup>

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

<sup>388</sup> See, for example, [https://twitter.com/HA\\_REPORTER2/status/1583713384117460992](https://twitter.com/HA_REPORTER2/status/1583713384117460992), 22 October 2022.

<sup>389</sup> <https://thelibrarytimes.com/libyas-noc-denies-fuel-smuggling/>, 24 October 2022.

<sup>390</sup> "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.<sup>391</sup>

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".<sup>392</sup> 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


<sup>391</sup> <https://twitter.com/TheLibyaUpdate/status/1612922380170547203?t=41Rz0S0MEdS0sxDHca8G0g&s=09>, 10 January 2022.

<sup>392</sup> <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 CORPORATION

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 transportation 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

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سعداوي - ( ميدان جنة العريف ) طرابلس - ليبيا - هاتف : 09 - 218 21 334 5700 / + 218 21 333 7141 - 44  
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 المكتوب المستند  
التاريخ 19/10/2013

**دولة ليبيا**  
**المحكمة العليا**

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
1435 هـ / 2013 م

« 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 .

ويحضور المحامي العام  
بنيابة النقض الأستاذ : د. عثمان سعيد المحيشي .  
ومسجل الدائرة السيد : موسى سليمان الجدي .

أصدرت الحكم الآتي

في قضية الطعن الإداري رقم 65/26 ق  
المقدم من : محسن علي الدرجة  
« وكيله المحامي / 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 في 2013.01.30م ، والقاضي بتكليف السيد علي محمد سالم الحبري مؤقتاً رئيساً لمجلس الإدارة ومديراً تنفيذياً للمؤسسة الليبية للاستثمار وبيّاشر 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 المائل ناعياً عليه بعدة مناع ، طالباً بقبول طعنه شكلاً ، وبصفة مستعجلة وقف تنفيذ القرار ، وفي الموضوع بإلغائه .. والمحكمة قضت بعدم اختصاصها ولائياً بنظر الطعن .

### وهذا هو الحكم المطعون فيه

### الإجراءات

صدر هذا الحكم بتاريخ 2013.6.17م ، ولا يوجد بالأوراق ما يفيد إعلانه ، وبتاريخ 2017.12.04م ، قرر محامي الطاعن 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 شكلاً .

وحيث إنه من بين ما ينعي 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 إعمالاً لمبدأ الشرعية وسيادة القانون ، حتى يتأكد من اختصاصه ولائياً بنظره أو عدم اختصاصه ، خاصة وأن القرار قد أضر بالطاعن أشد الضرر ، حيث فصله من العمل ، وهو ما أكدته 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 ولائياً للتبريرات التي أوردها في أسبابه ، فإنه يكون قاصر التسبيب ، فضلاً عن عدم إحاطته بوقائع الدعوى وعدم إلمامه بها إلماماً كاملاً بما يعيبه ويتعين نقضه .

وحيث إن هذا النعي في مجمله شديد ، ذلك أن العبرة في التكييف القانوني للدعوى يكون بما يقصده المدعي ويرمي إليه في عموم طلباته ، وأن يكون ذلك بعد بحث واقعة الدعوى وتمحيصها والتحقق 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 الطعن جاء مخالفاً للقانون وتعسفياً وألحق به أضراراً جسيمة ، 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 سألقة 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 الأولى على تكليف السيد علي محمد سالم حبري رئيس المجلس الإدارة ومديراً تنفيذياً للمؤسسة ونص في مادته الثانية على إلغاء قرار مجلس أمناء المؤسسة رقم 14 لسنة 2012 والذي تنفيذاً له وجه أمين سر المؤسسة خطابه المشار إليه أعلاه بتاريخ 2013.2.7 م إلى الطاعن يفيد فيه بانتفاء 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 الامام بواقعة الدعوى إماماً كاملاً ، يكون في محله ، بما يتعين معه نقضه ، دون حاجة لبحث السبب الآخر من الطعن .

#### فلهذه الأسباب

حكمت المحكمة بقبول الطعن شكلاً ، ونقض الحكم المطعون فيه ، وإعادة الدعوى إلى محكمة استئناف طرابلس - دائرة القضاء الإداري - لنظرها مجدداً من هيئة أخرى .

المستشار	المستشار	المستشار
عبدالقادر عبدالسلام المنساز	نصر الدين محمد العاقل	د. نورالدين علي العكرمي
عضو الدائرة	عضو الدائرة	( رئيس الدائرة )

مسجل الدائرة  
موسي سليمان الجدي

١٤/٥/٢٠٢٣

**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.

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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 his 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**

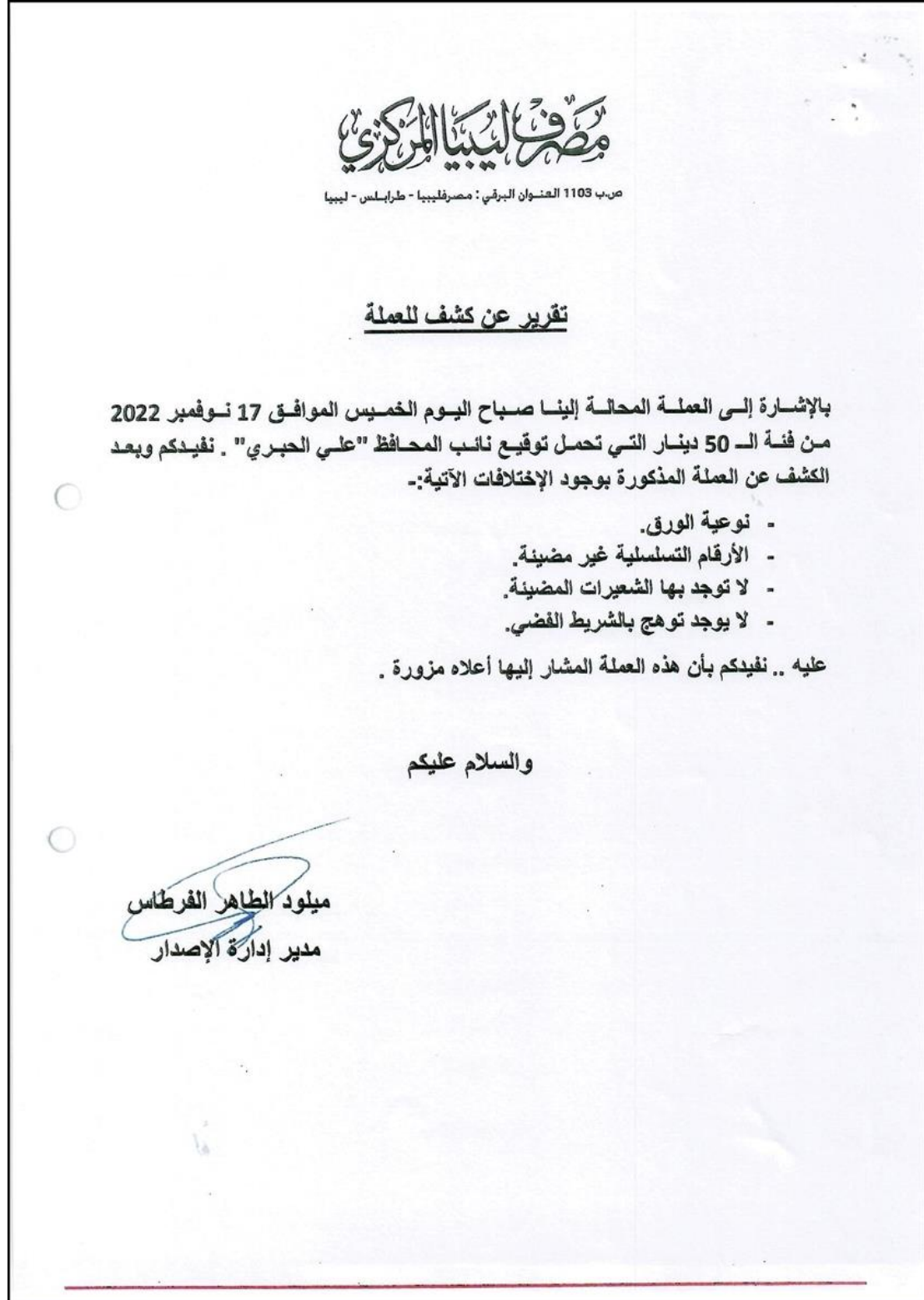
**Registrar of the Chamber**  
**Musa Sulayman al-Jiddi**

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**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



OFFICIAL UN TRANSLATION

Reference 2300048E

*Translated from Arabic*

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**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: 2022/18

السيد المستشار/ النائب العام - المحترم

بعد التحية...

أبلغكم 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 ولل مصرف التجارية بالحذر من التعامل مع هذه الأوراق النقدية. عليه.. نأمل منكم إتخاذ الإجراءات التي خولها لكم القانون.

والسلام عليكم

الصديق عمر الكبير  
المحافظ



صورة للسادة المحترمين/

- رئيس المجلس الرئاسي
- رئيس مجلس الوزراء
- مدير الإدارة القانونية
- مدير إدارة الإصدار
- مدير إدارة الرقابة على المصروف والنقد
- منير وحدة المعلومات المالية الليبية

OFFICIAL UN TRANSLATION

Reference 2300048E

*Translated from Arabic*

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**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**

التاريخ: 17 كانون الأول 1444هـ  
الموافق: 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 ، الموجبة للسيد/ محافظ  
مصرف ليبيا المركزي ، بشأن طلبكم إحالة عينات من العملة المضبوطة المزورة من فئة 50 دينار  
التي تحمل توقيع نائب المحافظ (علي الجبري) مختلفة في مواصفاتها عن تلك العملة المطبوعة  
في روسيا والحاملة لنفس التوقيع.

عليه أرفق إليكم طي كتابنا هذا ، عدد (5) ورقات تحمل الأرقام التالية (4554383 - 15/15هـ-2)  
(2155612 - 15/15هـ-2) ، (4557987 - 15/15هـ-2) ، (2155315 - 15/15هـ-2) ، (4558133 - 15/15هـ-2)  
كعينة من أوراق العملة المضبوطة ( المزورة ) المنوه عنها أعلاه .

يؤمل التكرم بالاستلام ،،

والسلام عليكم والسلام،،،

"ميلود الطاهر الفرطاس"  
مدير إدارة الإصدار  
2022

صورة إلى :-

- السيد / المحافظ
- السيد / مدير إدارة الشؤون القانونية .

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OFFICIAL UN TRANSLATION  
Reference 2300048E  
*Translated from Arabic*

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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.

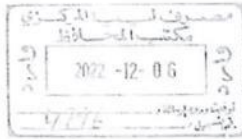
Accept, Sir, the assurances of my highest consideration.

(Signed) Maylud al-Tahir **al-Fartas**  
Director, Issuance Department

cc:

The Governor  
Director, Department of Legal Affairs

دولة ليبيا  
مكتب النائب العام



السيد / محافظ مصرف ليبيا المركزي .

بمد التحيّة

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 العمري) من مختلف مواصفاتها عن تلك المطبوعة في روسيا والحاملت لنفس التوقيع .

عليه

يطلب منكم إحالة عينات من العملة المضبوطة .

والسلام عليكم ورحمة الله وبركاته

مصطفى خليفة التميمي

(نائب النيابة بمكتب النائب العام)



مسودة إلى  
السيد المستشار النائب العام  
السيد مدير مكتب النائب العام  
المكتب العمومي العام

ك.د. القصة □ مودة  
20221221



OFFICIAL UN TRANSLATION

Reference 2300048E

*Translated from Arabic*

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**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

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Source: Central Bank of Libya (CBL)

## Annex 81 Certificate of death of Sayyid Mohammed Qadhaf Al-Dam (LYi.003)

جمهورية ليبيا  
وزارة الداخلية  
قطاع الأحوال المدنية  
صانظ شرطية  
صورة قيد الوفاة  
الرقم القومي:

بيانات السنوي

الاسم : سيد محمد قذاف الدم  
النوع : ذكر  
الجنسية : ليبيا  
اسم الأم :  
الحالة الاجتماعية : متزوج

بيانات الوفاة

تاريخ الوفاة : ستة عشر من مارس  
عام الثمان و ثلاثة و عشرون  
مكان الوفاة : الجيزة

بيانات الميلاد

العمر عند الوفاة : ٧٥ سنة .. شهر ٢٢ يوم  
مكان الميلاد :

م. صحه :  
م. مدني :  
م. اصدار :  
ر. القيد : ٤٧٧  
ت. القيد : ٢٠٢٣/٠٣/١٧  
ت. اصدار : ٢٠٢٣/٠٤/٠٩

رقم مسلسل : ١٦٨١٧٥٠٤٣

تاكلا من وجود العلامة المائية ونمبر شعار الجمهورية - وثيقة أحوال مدنية

وزارة الداخلية  
قطاع الأحوال المدنية  
اسم طالب الخدمة :

طلب استفراج صورة قيد وفاة  
التاريخ :

(نموذج ٤٠/٣)  
V 1.1

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**  
**Civil Status Division**

**Request to obtain copy of death registration**

**(Form 40/3)**  
**V 1.1**

**Name of person**  
**requesting service:**

**Date:**

## Annex 82 Power of attorney signed by Saadi Qadhafi (LYi.015)



وزارة الخارجية والتعاون الدولي

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Libya Başkonsolosluğu - İstanbul      القنصلية العامة الليبية - اسطنبول

Tarih: 2022/11/19      التاريخ: 19/11/2022      REF. 1/75      رقم التوكيل: 1/75

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**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 وأنا بكامل اراضي المعتمدة شرعاً وقانوناً بأنني وكنت السيد / [REDACTED] حامل جواز سفر رقم [REDACTED] الصادر بتاريخ 2019/04/23 لبقوم مقامي وتبابة على تمثيلي 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 :-

هذا 10 NAVY WHARF COURT/SUITE 4603- TORONTO ON MV 3V2

توكيلاً خاصاً بما ذكر.




توقيع وبصمة التوكيل : الساعدي معمر محمد القذافي

أصديق أنا صلاح الدين فرج الكاسح - القنصل العام لدولة ليبيا بمدينة اسطنبول على صحة توقيع التوكيل دون انني مسؤولاً عما ورد في هذا التوكيل.



قيد هذا التوكيل لدينا تحت رقم 1/75 بتاريخ 2022/11/19

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Inönü Cad. Miralay Şehit Bey Sk. No: 3 Güneşyayı - Taksim / İSTANBUL, Tel: (+90 212) 251 81 00 - 01  
Fax: (+90 212) 252 52 15 E-mail: libyabaskonstans@yabaskonstans.gov.tr

Source: Confidential

UN OFFICIAL TRANSLATION  
Reference 2311246E  
Translated from Arabic

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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 xxxxxxxxxxxxxxxxxxxxxxxx, holder of passport number xxxxxxxxxxxxxxxx, 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

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**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.

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