



2019年11月29日第1973(2011)号决议所设利比亚问题专家小组给安
全理事会主席的信

安全理事会第1973(2011)号决议所设利比亚问题专家小组依照安理会第
2441(2018)号决议第15段，谨随函转递专家小组工作的最后报告。

报告于2019年10月28日提交给安全理事会关于利比亚的第1970(2011)号
决议所设委员会，并由委员会在2019年11月25日进行了审议。

请提请安全理事会成员注意本信及上述报告，并将其作为安理会文件分发给荷。

第1973(2011)号决议所设利比亚问题专家小组
协调员

利皮卡·马宗达·罗伊·乔杜里(签名)

专家

路易斯·安东尼奥·德阿尔武凯克·巴卡尔迪特(签名)

专家

阿曼达·卡德莱茨(签名)

专家

蒙塞夫·凯尔泰斯(签名)

专家

亚辛·马里亚宁(签名)

专家

阿德里安·威尔金森(签名)

* 由于技术原因于2020年3月24日重发。



安全理事会第 1973(2011)号决议所设利比亚问题专家小组的最后报告

摘要

哈利法·哈夫塔尔的利比亚国民军对的黎波里的军事进攻以及随后的冲突阻碍了利比亚全国的政治进程，阻碍了改革，并导致了整个国家的不稳定。不同的武装团体，其中一些以前相互冲突，进行了合并，并归属了民族团结政府或哈夫塔尔的利比亚国民军。这一新阶段的不稳定，加上所产生的若干国家和非国家行为体的利益，扩大了 2011 年后形成的原有代理冲突。利比亚问题专家小组列出了对利比亚安全、和平与稳定构成威胁的多种行为。

冲突双方都未遵守与武器有关的制裁措施，接受了武器和军事装备、技术支持和非利比亚战斗人员。约旦、土耳其和阿拉伯联合酋长国经常、甚至有时公然地提供武器，对其来源几乎不加掩饰。专家小组还查明了支持民族团结政府和利比亚国民军附属部队的乍得和苏丹武装团体的存在情况。虽然双方的军事能力明显增强，但实际上外国武装团体对冲突结果的影响有限。军事行动一直主要是使用无人作战飞行器发出的精确制导武器，这在一定程度上限制了通常预期的此类冲突带来的附带损害。

战斗前线依然不断变动，但自 2019 年 4 月以来，局限在狭窄的范围内。双方都没有军事能力来有效地取得对其有利的结果。因此，武装团体和平民的死亡率仍然低下。冲突继续对利比亚平民构成局部威胁，具体而言，就是战争造成的流离失所，或是将该国的重要机构(如水、电或燃料供应)武器化所进行的金融剥削。

利比亚的移民和寻求庇护者不仅容易受冲突的影响，而且容易受到虐待。被关押在官方政府拘留中心的人面临着遭受一系列侵犯人权行为的危险，包括但不限于有辱人格的生活条件、反复敲诈勒索、性剥削和其他剥削以及酷刑。人口贩运和偷运移民虽然与以往报告所述期间相比大幅减少，但继续为助长不稳定的网络提供资金。

在武装冲突和政治进程崩溃的同时，对利比亚机构统一的攻击也有增加。专家小组查明了东部国家石油公司四次企图非法出口原油。此外，该实体正试图申称其合法性，并在东部建立对燃料分配和设施的控制。利比亚燃料分销系统的稳定性受到威胁，因为燃料分销公司垄断了供应。精炼石油产品继续通过海路和陆路转移，尽管数量低于往年。专家小组继续查明在国内和国外参与此类活动的网络。

专家小组继续注意被指证实体的资产，尽管由于无法获得某些会员国的财务数据，详细的调查十分复杂棘手。关于谁有权管理利比亚投资局的争论仍在继续，这个问题令人关注。专家小组指出，从冻结资产向金融机构支付管理费和保管费并不总是遵循程序。此外，有两人被发现不遵守旅行禁令。

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* 附件仅以来件所用语文分发，未经正式编辑。由于对监测机制的报告有字数限制，专家小组在本报告附件中就一些调查工作提供了进一步细节。简称和缩写见附件 2。

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一. 背景

A. 引言

1. 本报告根据第 2441(2018)号决议第 15 段向安全理事会提交，涵盖从专家小组于 2018 年 9 月 5 日发表的上一份报告(S/2018/812)至 2019 年 10 月 20 日这一期间，并包括该报告所详述的进行中的调查的最新情况。关于利比亚制裁制度演变情况的概述见附件 1。

2. 在进行调查时，专家小组遵守了安全理事会制裁的一般性问题非正式工作组建议的最佳做法和方法(见 S/2006/997)。专家小组保持了可达到的最高证明标准，尽管由于安全环境，在利比亚境内的旅行受到限制。专家小组着力遵守关于透明度和消息来源、书面证据、对可核实的独立消息来源进行确证和提供答辩机会等各项标准。¹ 专家小组在调查中一直保持着透明、客观、公正和独立，其调查结果基于可核查证据的平衡。

3. 2019 年 4 月 4 日隶属于哈利法·哈夫塔尔的武装团体(哈夫塔尔武装部队)² 对的黎波里发动的袭击和持续的武装冲突界定了本报告所述期间的基本特征。自那时以来，不遵守利比亚制裁措施的情况迅速增加。违反国际人道主义法的事件更加突出。

4. 由于安全局势恶化，前往利比亚的旅行受限制，而且由于专家小组成员 Moncef Kartas(突尼斯)于 2019 年 3 月 26 日被突尼斯当局非法拘留，使情况进一步复杂化。对他进行逮捕、拘留和启动法律程序违反了《联合国特权和豁免公约》第六条第 22 款的规定。联合国发言人于 2019 年 5 月 15 日表示，突尼斯政府提交的文件已经审查，本组织已要求立即释放 Kartas 先生并撤销对他的指控。³ Kartas 先生于 2019 年 5 月 21 日获释，但对他的指控仍在待审。根据秘书处的通知，专家小组在 2019 年 3 月 25 日至 7 月 27 日期间不能前往作为联合国前往利比亚的出发点地的突尼斯，因此也无法前往利比亚(见建议 1)。

5. 专家小组的工作受到两个行政问题的影响。第一个是秘书处更严格地执行根据大会第 67/254 A 号决议第六节第 8 段提出的关于旅行的订正行政程序。专

¹ 关于方法和答辩机会的更多资料见附件 3。

² 其中包括以前被称为哈利法·哈夫塔尔(Khalifa Haftar)的利比亚国民军的武装团体，现在被改名为阿拉伯利比亚武装部队，包括国内和外国武装团体。专家小组将 Haftar Armed Forces(哈夫塔尔武装部队)缩写为 HAF，以涵盖所有附属于哈夫塔尔的武装团体。专家小组还使用武装团体使用的自称，如“旅(Brigade)”或“营(Battalion)”，但使用小写字母“旅(brigade)”或“营(battalion)”，以便识别所涉团体，同时不为其提供作为政府建制军事单位的合法性。同样，在提及利比亚东部当局时，如果适当，也使用小写。

³ 见 www.un.org/press/en/2019/db190515.doc.htm。

家小组现在必须在出发前 25 天通知访问，该规则只有在特殊情况下才能豁免。其次，由于审计方面的考虑，只有在专家小组提供在整个访问期间的会议证明的情况下，旅行才会得到批准。个人或组织经常无法提前那么久确认会议。这一新的要求使专家小组不再能够在实地花费时间来确定和发展线人或根据新的信息或证据启动调查。因此，进行后续调查需要再次旅行和访问，使旅行时间加倍，减少了专家小组可用的工作时间，并可能因而失去可能的信息来源。然而，对某些专家来说，他们必须能够在其他国家同散居国外的利比亚人相处，才能够确定和招募线人。

6. 对专家小组在利比亚和突尼斯旅行近四个月，或在那里花费必要时间以确定和培养当地消息来源的情况而言，这些限制对武装团体专家的影响尤其严重(见第 46 段)。在专家小组向安理会提交的报告中，对纳入报告的案例研究的证据水准的要求很高，而且仅通过远程访问往往无法满足这一要求。人们不怎么愿意使用电子通信。例如，通过与诸如卫生官员或家庭成员进行三方面访谈以获取辅助证据，这意味着只有经过面对面的访谈后才能提供证明论点所需的高证据水准。

B. 与各利益攸关方和机构的合作

7. 所咨询的会员国、组织和个人的完整列单见附件 4。截至 2019 年 10 月 24 日，专家小组向 61 个会员国发出了 330 封正式信函，向实体和公司发出了 87 封信函，并收到了 213 份答复，详情见附件 5。

1. 联合国和其他实体

8. 专家小组经常与联合国利比亚支助团(联利支助团)互动，并定期会见负责利比亚问题秘书长特别代表。专家小组受益于与联利支助团各司的定期交流。联利支助团的飞往利比亚的定期航班及其强有力的支持和灵活性为专家小组的出入和后勤需求提供了便利。

9. 专家小组与苏丹问题专家小组和安全理事会关于伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)(达伊沙)、基地组织和塔利班及关联个人和实体的第 1526(2004)和 2253(2015)号决议所设分析支助和制裁监测组会晤并交换了信息。

2. 东部的当局和利比亚国民军

10. 在本报告所述期间，专家小组向从各种来源获得的三个不同电子邮件地址发送了 12 封正式信函，并与东部当局和利比亚国民军内部的个人进行了一些非正式通信。没有收到正式答复。直到 2019 年 10 月 9 日，专家小组才收到一名军事官员的来信，称他的办公室现在是在与专家小组的正式协调中心。专家小组随后重新发送了所有 12 份正式函件，并正在等待答复。专家小组向新的协调中心明确说明了东部当局提供的任何声明如果要得到专家小组考虑列入本报告所需遵守的时限。2019 年 10 月 19 日，专家小组收到新协调中心的函件，说哈利法·哈夫塔尔已任命了一个由三名将军组成的委员会，以拟定对专家小组来文的答复。

二. 威胁利比亚和平、安全和稳定的行为或阻碍或破坏利比亚顺利完成政治过渡的行为

A. 冲突动态

11. 始于 2019 年 4 月 4 日的全国冲突的爆发⁴ 促使利比亚的不同团体更明确地归入了哈夫塔尔武装部队或民族团结政府所属部队(民族团结政府-武装部队)(冲突地图见附件 6)。

12. 哈夫塔尔夺取的黎波里的战略始于在 2019 年 1 月份横扫南部城镇, 那里他的盟友支持他的进攻, 局势有利。哈夫塔尔武装部队将控制权移交给了代理人, 继续向西, 然后向北, 夺取战略资产, 并建立阵地以袭击的黎波里。到 2019 年 3 月底, 哈夫已经控制了沙拉拉石油设施⁵ (见下文第 137 段), 并在首都的南面、东面和西面与盖尔扬、⁶ 塔尔胡纳⁷ 和塞卜拉泰⁸ 以及苏尔曼⁹ 境内的盟友建立了前沿基地。

13. 哈利法·哈夫塔尔想从当地武装团体中轻松夺取的黎波里这一意图失败了, 原因有几个。哈夫塔尔武装部队与某些武装团体原先达成的协议没有兑现。在进攻发生之前, 以的黎波里为基地的不同武装团体与以米苏拉塔为基地的大规模且有影响力的团体积极合作。就领土而言, 冲突已经稳定在前线战区, 哈夫塔尔武装部队仍在的黎波里的郊外。当民族团结政府-武装部队在 2019 年 6 月下旬进行反击并夺取战略城镇盖尔扬时, 对哈夫塔尔武装部队作战能力的看法受到重创。

14. 国际和区区域行为体, 包括国家和非国家行为体的参与持续而不断增加。外国政府提供军事装备和外国武装团体直接参与战斗是破坏稳定的因素。

B. 威胁和平、稳定和安全的行为

1. 国际恐怖主义团体和个人的活动

15. 伊黎伊斯兰国(QDe.115)的成员仍然蛰伏于的黎波里和米苏拉塔的小组中, 在塞卜哈、穆尔祖格和 Al Qatrun 以及 Al Haruj 山周围则作为自治团体存在。伊黎伊斯兰国的领导层仍然集中在拜尼沃利德。

⁴ 哈夫塔尔武装部队的作战行动名称为“尊严滔天”; 民族团结政府的回应行动是“愤怒火山”。

⁵ 北纬 26°34'36", 东经 12°13'05"。

⁶ 北纬 32°10'20", 东经 13°1'13"。

⁷ 北纬 32°26'02", 东经 13°38'04"。

⁸ 北纬 32°46'51.96", 东经 12°26'58.20"。

⁹ 北纬 32°44'50.28", 东经 12°33'51.12"。

16. 2019年4月下旬,视频图像显示,伊黎伊斯兰国领导人阿布·贝克尔·巴格达迪(QDi.299)¹⁰ 赞扬在 Fuqaha 镇发生的袭击,并呼吁他的武装分子在利比亚发动消耗战。2019年7月6日,伊黎伊斯兰国媒体分支(A'maq)发布了伊黎伊斯兰国利比亚领导人 Mahmud Massud Al Baraassi(又名 Abu Musab Allibi)的视频,他在该图像中强调,利比亚现在是未来伊黎伊斯兰国行动的主要轴心之一,这些都是为了补偿在阿拉伯叙利亚共和国的实地和影响上的损失。据报道, Mahmud Massud Al Baraassi 是在拜尼沃利德南部。

17. 民族团结政府-武装部队、¹¹ 哈夫塔尔武装部队¹² 和美国非洲司令部¹³ 对基地组织(QDe.004)或伊黎伊斯兰国的反恐行动的增加继续扰乱这些团体的组织结构,并暂时减少它们在利比亚的行动能力。¹⁴

18. 伊黎伊斯兰国在利比亚通过抢劫、绑架勒索、敲诈利比亚公民以及越境走私文物和其他商品来资助其活动。对人口贩运网征税(S/2019/570,第25段)继续是伊黎伊斯兰国在利比亚的资金来源之一。

2. 利比亚的外国武装团体

19. 乍得和苏丹战斗人员在利比亚的干涉活动是对利比亚安全与稳定的直接威胁。2019年1月2日,总检察长办公室发布了对37人(22名乍得人,6名利比亚人和9名苏丹人)的逮捕令(见附件7),理由是他们在2018年对南部利比亚人口的抢劫、绑架和杀戮活动中所起的作用。由于武装冲突加剧,他们的存在——专家小组先前的报告对此已有陈述(S/2017/466,第83段和 S/2018/812,第24段)——在2019年变得更加明显。这些外国个人,或是作为组织团体或是作为雇佣兵的继续存在,可能导致进一步的不稳定。

3. 苏丹武装团体

苏丹解放军/阿卜杜勒·瓦希德

20. 2019年1月中旬,苏丹解放军/阿卜杜勒·瓦希德(苏解/瓦希德派)在哈夫塔尔武装部队军旅入侵南部开展行动期间支持了该团体。苏解/瓦希德派由 Yusif Ahmed Yusif(又名 Karjakola)指挥的大约200名战斗人员组成(S/2019/34,第83段),是在费赞地区的 Waw an-Namus。阿卜杜勒·瓦希德的广泛领导受到利比亚境内

¹⁰ Abdulkader Assad, “Al-Baghdadi admits ISIS was defeated in Libya’s Sirte”, 《利比亚观察家》, 2019年4月30日。可查阅 www.libyaobserver.ly/news/al-baghdadi-admits-isis-was-defeated-libyas-sirte。

¹¹ 新华网, “Libyan authorities arrest 2 members of al-Qaida, IS”, 2019年5月30日。可查阅 www.xinhuanet.com/english/2019-05/31/c_138103881.htm。

¹² Libyan Address, “Details of the killing of senior al-Qaeda leader by LNA in Sabha”, 2019年1月28日。可查阅 www.addresslibya.com/en/archives/40581。

¹³ 美国非洲司令部在2019年9月进行了四次空袭,在利比亚杀死了至少43名伊黎伊斯兰国成员。见 www.Africom.mil。

¹⁴ 2019年9月11日在的黎波里与反恐怖主义官员的会晤。

的苏解/瓦希德派成员的威胁,因为在向这些成员支付他从哈夫塔尔武装部队收到的资金方面存在分歧。

苏丹解放军/明尼·米纳维派

21. 苏丹解放军/明尼·米纳维派(苏解/米纳维派)在利比亚由 Jaber Is'hak 领导,由大约 300 名驻扎在朱夫拉的战斗人员组成。该团体最初于 2019 年 1 月中旬支持哈夫塔尔入侵南部,现在的任务是保卫的后方地区以及的黎波里和朱夫拉之间的交通线。

苏丹解放力量联盟

22. 苏丹解放力量联盟(S/2019/34, 第 79 段)在利比亚由 Taher Abu Baker Hajar 领导,由大约 500 至 700 名据称经验丰富的战斗人员组成。该组织支持哈夫塔尔武装部队,并分成若干小分队驻扎在塞卜哈、穆尔祖格和乌姆艾拉尼卜周围。该团体与利比亚境内的苏解/米纳维派部队密切合作。

正义与平等运动

23. 正义运动在利比亚由 Abdelkarim Cholloy Konti 领导,由大约 160 名战斗人员加 22 辆 4×4 卡车组成。该团体的流动性很强,据报告在的黎波里与民族团结政府-武装部队一起活动,并在 Zillah 和塞卜哈之间的地区活动。

快速支援部队

24. 专家小组估计, Mohamed Hamdan Dagalo 将军于 2019 年 7 月 25 日将快速支援部队的 1 000 名苏丹士兵(又名 Hemeti)部署到利比亚。¹⁵ 最初的计划是,这支苏丹部队将保卫国内重要的基础设施,从而腾出哈夫塔尔武装部队部队以开展进攻行动。2019 年 6 月 17 日,公开消息来源¹⁶ 报告说,苏丹部队驻扎在朱夫拉。

25. 专家小组注意到, Mohamed Hamdan Dagalo 将军代表苏丹过渡委员会于 2019 年 5 月 7 日在喀土穆与加拿大公司狄更斯与麦德森(加拿大)¹⁷ 签署了一份合同,其中该公司将“努力从利比亚东部军事委员会为贵方理事会取得资金,以换取贵方对利比亚国民军的军事帮助”(见附件 8)。专家小组尚未确定快速支援部队的部署是不是哈夫塔尔武装部队向苏丹过渡委员会或是由于狄更斯与麦德森的活动直接向 Mohamed Hamdan Dagalo 将军提供资金的结果,专家小组还在继续调查该公司在快速支援部队的最初部署中所起的任何直接作用。

¹⁵ 新阿拉伯网,“Hundreds of Sudan militia fighters deployed to Haftar’s Libya offensive”, 2019 年 7 月 26 日,可查阅 www.alaraby.co.uk/english/News/2019/7/26/Hundreds-Sudan-militia-fighters-deployed-to-Haftars-Libya-offensive; 以及机密来源。

¹⁶ Jean-Philippe Rémy, “Au Soudan, ‘Hemeti’, le general sanglant qui voulait etre roi”, 《世界报》, 2019 年 6 月 17 日。可查阅 www.lemonde.fr/afrique/article/2019/06/15/au-soudan-hemeti-le-general-sanglant-qui-voulait-etre-roi_5476564_3212.html?xtor=RSS-3208。另见 www.alaraby.co.uk/politics/2019/7/22/معسكر-حقتن-يعلن-بدء-مركة-طرابلس-ودور-إماراتي-جديد/。

¹⁷ <http://www.dickensandmadson.com> (统一资源定位链接不再有效)。

26. 专家小组认定,苏丹和 Mohamed Hamdan Dagalo 将军(因为他负有指挥责任),都没有遵守第 1973(2011)号决议第 9 段的规定。

4. 乍得武装团体

乍得变革与和谐阵线

27. 乍得变革与和谐阵线在利比亚由 Mahdi Ali Mahamat 领导,由大约 700 名驻扎在朱夫拉营地的人组成。哈夫塔尔武装部队给它的任务是保卫该地区不受潜在的袭击,即来自恐怖主义分子的袭击。

拯救共和国军事指挥委员会

28. 拯救共和国军事指挥委员会据报由 Mahamat Haki Abderrmane¹⁸ 指挥,由大约 300 人组成,与民族团结政府-武装部队并肩作战,据报驻扎在 Al Qatrun、穆尔祖格和塞卜哈地区。该团体极有可能参与各种犯罪和贩运活动,将利比亚南部与乍得提贝斯提地区联接起来。

争取民主和发展力量联盟

29. 取民主和发展力量联盟目前由大约 100 名战斗人员组成,分为支持民族团结政府-武装部队或支持哈夫塔尔武装部队的派别,目前驻扎在 Waw al Kabir 地区。2019 年 3 月初,400 名争取民主和发展力量联盟成员离开利比亚,向乍得当局投降,但其领导人 Mahmat Nouri 声称,叛逃人数远少于这个数字。¹⁹ 自 2017 年以来, Mahmat Nouri 一直在法国受到司法调查。²⁰

抵抗力量联盟

30. 抵抗力量联盟是支持民族团结政府-武装部队的团体,直到 2019 年 2 月,它在南部城市 Tmassah 和 Waw al Kabir 保持了相当大的存在。其领导人 Timan Erdimi 驻扎在卡塔尔。应乍得政府的要求,法国空军于 2019 年 2 月 6 日至 8 日期间在乍得拦截了一大批抵抗力量联盟成员。²¹ 留在利比亚的一些抵抗力量联盟成员加入了 Jaber is'hak 的指挥部(见上文第 21 段),其他一些则寻求与利比亚境内的其他乍得派别结盟。

¹⁸ 该团体前领导人 Hassan Boulmaye 于 2017 年在尼日尔被捕,被引渡到乍得,目前正在服无期徒刑。

¹⁹ Jeune Afrique and AFP, “Tchad: 400 rebelles déposent les armes, selon le gouvernement”, 2019 年 3 月 11 日。可查阅 www.jeuneafrique.com/747422/politique/tchad-400-rebelles-deposent-les-armes-selon-le-gouvernement/。

²⁰ 法广, “Chad rebel leader arrested in Paris”, 2019 年 6 月 17 日。
可查阅 <http://en.rfi.fr/africa/20190617-chad-rebel-leader-arrested-home-paris-french-prosecutor>。

²¹ 2019 年 3 月 11 日会员国给专家小组的信。

5. 利比亚国民参与招募外国战斗人员

31. 哈夫塔尔武装部队的 116 旅和 128 旅的指挥官 Masoud Jeddi²² 和 Hasan Maatug Zadma²³ 不断在利比亚南部分别招募乍得和苏丹战斗人员。

32. 专家小组消息来源证实, Nasser Bin Jreid(S/2019/34, 第 92 段和 S/2018/812, 第 22 段)继续为冲突双方招募苏丹和乍得战斗人员。他还参与贩运活动。Tebu 领导人 Hassan Musa al-Souqy 领导与民族团结政府-武装部队相关连的南部保护部队, 他是招募乍得雇佣军的另一位重要协助者(S/2018/812, 第 22 段)。

6. 乍得和苏丹武装团体的区域影响

33. 2019 年 3 月 3 日, 乍得政府两年内第二次宣布关闭边界,²⁴ 试图限制两国之间的贩运活动, 阻止叛乱分子流入乍得。2019 年 9 月 26 日, 苏丹主权委员会以未具体说明的安全和经济危险为由, 下令关闭该国与利比亚和中非共和国的边界。²⁵

C. 从事任何可能导致或产生挪用利比亚国家资金的行动

1. 利比亚中央银行

34. 专家小组确定, 当欧洲中央银行和欧洲各商业银行向利比亚转账欧元纸币时, 欧洲央行、各商业银行或利比亚中央银行都没有保存序列号记录。利比亚中央银行各分行之间发生了大量货币的流动, 都没有记录序列号。这使得对分配给某一特定分行的欧元货币进行追查变得不可能。

35. 虽然总部设在黎波里的总检察长办公室办事处仍在调查从利比亚中央银行班加西旧总部向新地点(也在班加西)转移资金的情况, 但关于货币损失的总额并不存在争议(28 510 000 欧元部分损坏, 16 490 000 欧元完全损坏无法使用)。

36. 利比亚中央银行东部分行行长擅自采取行动, 通过将财务风险转移给第三方来减少利比亚中央银行的损失。他以利比亚中央银行官方利率向 2 家公司和 15 位个人买家出售了 2 851 万欧元的受损纸币。这件事并没有得到利比亚中央银行黎波里分行的同意, 因为这两家分行在财务问题上没有合作。

37. 总检察长办公室也仍在调查这一转账情况。2018 年 9 月 18 日, 利比亚中央银行要求总检察长办公室调查资金的实物转移情况。对于利比亚中央银行东部分行出售受损纸币的情况是否违反经(2012 年第 46 号法律)修订的《银行法》(2005 年第 1 号法律)第 6 条, 并无正式的调查要求。

²² Massoud Jeddi 属于 Awlad Suleimane 部落, 他是塞卜哈为基地的前被称为“Rada 旅”的指挥官。

²³ Hasan Maatug Zadma 属于 Awlad Suleiman 部落, 最初来自 Harawah 镇。驻扎在 Jafra 的旅。

²⁴ Sami Zaptia, “Chad closes its border with Libya”, 《利比亚先驱报》, 2019 年 3 月 5 日。可查阅 www.libyaherald.com/2019/03/05/chad-closes-its-border-with-libya/。

²⁵ 英国广播公司国际频道, “Sudan to close borders with CAR and Libya”, 2019 年 9 月 26 日。

2. 行政监管局(东部)

38. 2019年8月26日,行政监管局(东部)²⁶发布了2018年报告,²⁷提供了临时政府²⁸不同机构的腐败、重大财务违规和挪用国家资金的证据。巧合的是,2019年9月1日,行政监管局(东部)的负责人阿卜杜勒萨拉姆·哈西被据称与哈夫塔尔武装部队有关联的个人²⁹抓捕,并于次日获释。

D. 对利比亚境内任何航空、陆地或海洋口岸的攻击,或对利比亚国家机构或设施的攻击,或对驻利比亚外国使团的攻击

39. 在本报告所述期间,专家小组查明了对民用国家基础设施和国家机构的多次攻击。特别是针对军-民联运机场的攻击十分普遍。国家当局仍在对所有这些攻击进行调查,专家小组要么无法获得其证据,要么不相信某些说法的真实性。下文重点介绍主要案例。

表 1
对国家机构或设施的攻击摘要

日期	活动	说明	附件
2018年9月10日	国家石油公司的黎波里总部。一群身份不明的武装人员强行进入大楼,打死2人,打伤37名工作人员。3个简易爆炸装置被引爆。	伊黎伊斯兰国声称对这些袭击负责	9
2018年12月25日	2枚人携带式简易爆炸装置在外交部被引爆。第3名袭击者在与警卫的枪战中被击毙。	伊黎伊斯兰国声称对此袭击负责	10
2019年4月8日	哈夫塔尔武装部队占领了的黎波里国际机场,并在整个冲突中与民族团结政府空军争夺控制权。		11
2019年9月24日	的黎波里的一个武装团体的成员在财政部长办公室对他进行人身攻击和恐吓。		12

²⁶ 利比亚行政监管局是一个独立机构,分东、西两个分支:西部分支的负责人由总统委员会提名,而东部分支的负责人则由众议院提名。行政监管局监测执行机构的工作,监督其运作并评估其表现。

²⁷ 见 <http://raqaba-ly.com/wp-content/uploads/2019/08/مرفق-2018-الهيئة-تقرير.pdf>。

²⁸ 临时政府于2014年获得众议院的支持,总部设在利比亚东部的贝达。2016年在的黎波里成立民族团结政府后,临时政府失去了国际承认,但继续宣称其合法性,主要在利比亚东部开展活动。

²⁹ Safa Alharathy,“东部当局行政监管局负责人在短暂拘留后获释”,《利比亚观察员报》,2019年9月3日。可查阅:www.libyaobserver.ly/inbrief/head-administrative-control-authority-eastern-authorities-released-after-brief-detention。

对的黎波里米提加机场的攻击

40. 2019年4月7日，的黎波里米提加机场在当前冲突的背景下首先遭到哈夫塔尔武装部队的攻击。这是报告所述期间针对机场的多起攻击事件中的第一起。³⁰ 随后的攻击损坏了民用飞机(见附件 13)。

41. 作为的黎波里唯一运营商业和军事航班的国际机场，米提加机场是一项战略资产。频繁的航班中断，包括联合国的航班，以及减少的交通限制了对经济生存至关重要的货物和人员前往首都的自由流动。这也对该机场进行紧急医疗后送能力造成了不利影响。

42. 特别威慑部队³¹ 有效地控制了机场及其运作。毗邻机场的是附近自卫队控制的拘留设施，该设施除其他外用于拘留当地武装团体的战斗人员。这成为了冲突双方武装团体进行攻击的理由，其目的是释放他们自己的战斗人员。

E. 违反有关国际人权法或国际人道主义法的行为或侵犯人权的行为

43. 专家小组根据机密来源的证据(包括目击者访谈和证词)、社交媒体和图像分析，查明了报告所述期间发生的一系列违反国际人道主义法和侵犯人权的行为。

44. 专家小组注意到第 2441(2018)号决议第 11 段的要求，即旅行禁令和资产冻结措施也适用于也可能包括但不限于策划、指挥或实施性暴力和性别暴力的行为。虽然专家小组确定了极有可能遭受虐待和性暴力和性别暴力的个人，但无法达到向委员会报告的必要证件水平。专家小组无法进入机密地点与受害者面谈，也无法与他们分享独立的心理和创伤咨询的观点。此外专家小组无法保证受害者和证人的安全和保障。其中部分或全部必须达到制裁的一般性问题非正式工作组建议的最佳做法和方法所要求的证件水平(见 S/2006/997)。

1. 滥用爆炸物

45. 滥用爆炸物一直是一种常态，广泛存在，可归咎于民族团结政府空军和哈夫塔尔武装部队。专家小组的调查查明了以下违反习惯国际人道主义法涉及滥用爆炸物的行为，见下表 2(另见附件 13 至 18)，以说明目前的违规行为的类型。

³⁰ 联利支助团，“最近对米提加机场的袭击直接威胁到平民乘客的生命；肇事者将承担责任”，2019年9月1日。可查阅：<https://reliefweb.int/report/libya/unsmil-latest-attacks-mitiga-airport-direct-threat-lives-civilian-passengers>。

³¹ 根据 2018 年 5 月 7 日民族团结政府法令，更名为“打击有组织犯罪和恐怖主义的威慑机构”。而专家小组继续沿用旧称。

表 2
2019 年违反国际人道主义法行为(滥用爆炸物)摘要

实体	日期	活动	说明/习惯国际人道主义法 ^a	附件
民族团结政府	6 月 13 日	从简易发射装置发射 S-125 型涅瓦/伯潮拉中程地对空导弹，对的黎波里平民区起到间接射击作用	规则 7、11、14 和 15 ^b	14
哈夫塔尔武装部队	7 月 2 日	据报道，在对塔朱拉的达曼军事基地的空袭中，在该团体指挥和作战控制下，一架幻影 2000-9 地面攻击机运送了爆炸物，对打击非法移民局的拘留中心造成了影响	多人死亡和伤亡 规则 14 和 15	15
哈夫塔尔武装部队	8 月 5 日	在对穆尔祖格市特布人平民区的四次空袭中，在该团体指挥和作战控制下，一架翼龙-2 型无人战斗机运送了爆炸物	专家小组确认 42 人死亡 规则 7、14 和 15	16
哈夫塔尔武装部队	8 月 15 日和 16 日	在该团体指挥和作战控制下，无人战斗机向祖瓦拉国际机场运送爆炸物(集束弹药)	未采取预防措施以避免对民用物体造成损害 联利支助团的调查发现，该机场没有用于军事用途 规则 15	17
民族团结政府空军	9 月 1 日	使用迫击炮袭击正在进行民用空中业务的米提加国际机场	极有可是一个组织所为，以支持其自己的犯罪活动	13
哈夫塔尔武装部队	9 月 6 日	对米提加国际机场进行自由火箭袭击	习惯国际人道主义法规则 7、11、14 和 15	18

^a 在对情况进行进一步调查后，可能还会发现其他违反国际人道主义法的行为。

^b 规则 7：区分民用物体和军事目标的原则。规则 11：无差别攻击。规则 14：攻击中的相称性。规则 15：攻击中的预防原则。

2. 贩运人口和偷运移民

46. 至利比亚和通过利比亚至欧洲的贩运人口和偷运移民³² 仍然有利可图，但与 2018 年之前相比，该行业几乎已经崩溃。³³ 各邻国不断变化的法规和贩运路线沿线的局部冲突迫使既定路线发生变化以避免这些障碍。这使得移民到利比亚的时间更长，成本更高，也更危险。过去两年通过乍得和尼日尔进入利比亚的跨界贩

³² 利比亚没有签署《关于难民地位的公约》，也没有承认难民的庇护制度。另见 S/2018/812，建议 13。

³³ 《打击跨国有组织犯罪全球倡议》，“人口传送带断裂——对利比亚和萨赫勒中部人口走私业崩溃的评估”，2019 年 3 月。

运量显著下降。³⁴ 专家小组在进行实地访谈方面受到限制(见上文第 6 段), 不得不把重点放在通往该国西部沿海各离境点的国内路线上。

47. 一旦移民进入利比亚, 无论是为了工作还是过境到欧洲, 当地的冲突势态和争夺的黎波里的战斗决定了到达海岸的路线。夏季前往欧洲的人数比上一年下降了 19%。自 2016 年达到峰值以来, 离境率已降至历史低点(见表 3)。³⁵

表 3
2016-2019 年 5 月至 9 月利比亚移民-难民离境情况

年份	估计离境人数	与 2016 年峰值相比 减少(百分比)	利比亚海岸警卫队 堵截人数 ^a	利比亚海岸警卫队 堵截(百分比)
2016 年	103 100	—	—	—
2017 年	73 000	29	—	—
2018 年	17 000	83	8 529	50
2019 年	13 800	86	6 365	46

资料来源: 国际移民组织和《打击跨国有组织犯罪全球倡议》数据。

^a 机密消息来源。

48. 随着来自大规模贩运的收入减少, 行业模式有了调整。利比亚的人口贩运现在是一个更加零散的过程, 个人、武装团体和犯罪网络都能够利用脆弱的个人获取廉价劳动力或其他个人或经济利益。³⁶ 虽然个人可能通过走私系统进入利比亚, 但他们中的大多数人不可避免地成为利比亚人口贩运网络的一部分。

49. 现有移民人口通过利比亚多个羁留中心轮流数月或数年, 这已成为一个比以往更为醒目的特点。尽管个人为穿越利比亚的多段旅程支付费用, 但他们仍然极易遭受敲诈、赎金和强迫劳动。在利比亚工作的移民通常居住在贫民区, 冒着被警察或当地武装团体抓捕并立即被拘留的风险。

50. 拜尼沃利德仍然是来自东部和撒哈拉以南非洲移民的主要中转站, 他们来自或经由苏丹、乍得和尼日尔, 前往西部沿海城市。³⁷ 拜尼沃利德和胡姆斯、盖拉布利堡和兹利滕之间的地区, 交通是开放的, 因为东部路线刚好转移到黎波里

³⁴ 同上。

³⁵ 尽管人流较少的非标准路线正在激增, 历史性路线仍被用作移民的主干道。在本报告所述期间, 没有发现从东部沿海城市大量离境的情况。见国际移民组织(移民组织), “利比亚移民报告, 第 18 轮”, 2018 年 3 月。可查阅: [http://migration.iom.int/docs/DTM%20Libya%20Round%2018%20Migrant%20Report%20-\(March%202018\).pdf](http://migration.iom.int/docs/DTM%20Libya%20Round%2018%20Migrant%20Report%20-(March%202018).pdf)。

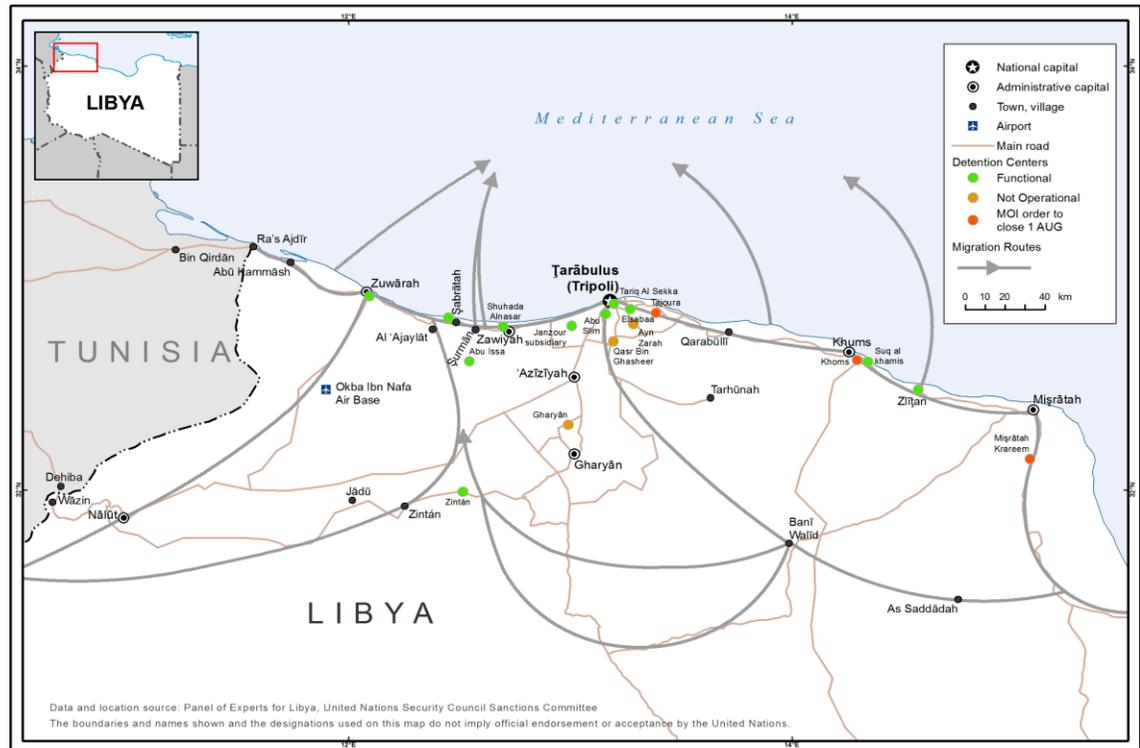
³⁶ 利比亚法律禁止非法进入其领土, 违者处以监禁, 其中可能包括劳动惩罚, 并不区分弱势群体、难民或寻求庇护者和其他移民。见 1987 年第 6 号法律《规范外国国民的入境、居住和出境》, 并经 2004 年第 2 号法律和 2010 年第 19 号法律《打击非正常移民》的修正。

³⁷ 专家小组来源, 2019 年 9 月 30 日; 和联利支助团和联合国人权事务高级专员办事处(人权高专办), “绝望和危险: 利比亚移民和难民人权状况报告”, 2018 年 12 月 20 日。可查阅: www.ohchr.org/Documents/Countries/LY/LibyaMigrationReport.pdf。

以东以避免直接冲突地区。在拜尼沃利德的非正式羁留设施中，对移民和难民的拘留和虐待仍然是有系统的。

地图 1

西部偷运移民路线



Map No. 4801.3 UNITED NATIONS
October 2019

Office of Information and Communications Technology
Geospatial Information Section

资料来源：根据《打击跨国组织犯罪全球倡议》制作的地图，经利比亚问题专家小组修正。

51. 现在的主要离境地是胡姆斯、³⁸ 盖拉布利堡³⁹ 和祖瓦拉。⁴⁰ 胡姆斯、的黎波里和扎维耶是利比亚海岸警卫队封锁后的主要离岸地点。⁴¹ 国际移民组织和国际医疗团⁴² 在抵达这些地点后立即提供收容、救济和医疗护理。⁴³ 专家小组指出，上岸、登记和运输程序仍然不明确，使移民面临进一步剥削的风险。

³⁸ 东经 32°38'55"，北纬 14°15'43"。

³⁹ 东经 32°45'，北纬 13°43'。

⁴⁰ 东经 32°45'，北纬 12°05'。

⁴¹ 国际移民组织在 10 个离岸点(的黎波里海军基地、的黎波里港、的黎波里塔朱拉、祖瓦拉、马萨蒂拉、扎维亚、胡姆斯、盖拉布利堡、米苏拉塔、扎维耶)提供支持设施。专家小组与利比亚海岸警卫队进行访谈。

⁴² 联合国难民事务高级专员公署(难民署)的独立合作伙伴。

⁴³ 难民署，“利比亚：下船时的活动，每月更新”，2019 年 8 月。可查阅：<https://data2.unhcr.org/en/documents/download/71355>。

3. 政府羁留中心及其他非正式羁留所

52. 如专家小组上一份关于利比亚的报告(S/2018/812)第 32 段所述, 整个利比亚的羁留中心和其他非正式羁留所由武装团体和个人经营。他们在人口贩运路线上扮演着节点的角色, 在这些地方移民在经济上、身体上和心理上都要受到进一步的虐待。

53. 设在黎波里的移民事务办公室和由内政部主持的打击非法移民局正式管理 20 个设施, 其中 15 个位于黎波里塔尼亚地区。15 个设施中有 12 个在运作(见附件 19),⁴⁴ 容纳了大约 8 000 人,⁴⁵ 占目前利比亚 700 000 移民中的(1%)。利比亚当局正试图通过实施正式的移民制度, 遏制各武装团体事实上控制羁留中心的做法。与打击非法移民局无关的团体经营的非正式羁留所不在当局的管辖范围之内。

54. 在羁留中心和非正式羁留所继续存在严重侵犯人权行为。侵权行为包括非法剥夺自由、强迫劳动、强奸或性剥削、失踪、无法获得基本医疗和酷刑, 后者在许多情况下导致死亡。⁴⁶

55. 在本加希尔堡、⁴⁷ 塔朱拉(见附件 19)、塔里克马塔尔⁴⁸ 和艾因扎拉⁴⁹ 的羁留中心, 因冲突移民被转移到其他羁留地点, 但由于新地点的恶劣条件和待遇, 他们仍然处于脆弱地位。该中心的大部分移民都是因为利比亚海岸警卫队的海上堵截而停留在此的。

56. 在位于冲突地区附近的羁留中心, 约有 3 800 名移民。⁵⁰ 2019 年 8 月 1 日, 认识到这些羁留所以对移民构成的风险(主要是贩运和生活条件), 打击非法移民局负责人阿卜德勒哈菲兹·马布洛克上校宣布关闭塔朱拉、米苏拉塔(又名卡拉里姆)和胡姆斯(见附件 20)三个羁留中心。他同时敦促中心管理人员不要直接与移民组织合作。⁵¹ 9 月 11 日, 移民事务办公室主任穆罕默德·施巴尼通知专家小组, 上述三个羁留中心正在关闭。专家小组确定, 截至 2019 年 10 月 20 日, 塔朱拉设施继续存在羁留者。

⁴⁴ 移民组织。

⁴⁵ 利比亚内政部移民事务办公室。

⁴⁶ 专家小组来源, 2019 年 9 月 30 日; 和联利支助团和人权高专办, “绝望和危险”。

⁴⁷ 北纬 32°42'8.67", 东经 13°11'42.69"。医生无国界组织, “在枪击中疏散的黎波里被困避难所的时间所剩无几”, 2019 年 4 月 26 日。可查阅: www.msf.org/time-running-out-evacuations-refugees-tripoli-amid-shooting-libya?component=video-262778。

⁴⁸ 北纬 31°59'29.60", 东经 12°30'54.10"。

⁴⁹ 北纬 32°46'59.77", 东经 13°17'3.69"。

⁵⁰ 移民组织, 《利比亚快速移民评估》, 2019 年 7 月 4 日。可查阅: https://reliefweb.int/sites/reliefweb.int/files/resources/DTM_Tripoli_MigrantAssessment_2019-07-03_FINAL.pdf。

⁵¹ 内政部官方脸书页面。另见 James Reinl, “尽管多次呼吁关闭, 利比亚地狱般的难民中心仍然开放”, 《全球邮报》, 2019 年 8 月 6 日。可查阅: www.pri.org/stories/2019-08-06/libyas-hellish-refugee-centers-remain-open-despite-calls-closure。

纳萨尔羁留中心

57. 纳萨尔羁留中心⁵² 毗邻扎维耶石油大院。两者都由穆罕默德·卡什拉夫 (LYi.025) 指挥的纳萨尔旅控制。专家小组访谈的移民认为纳萨尔羁留中心是利比亚西部贩运人口的主要中心。专家小组确定，事实上的管理者“乌萨马”或“乌萨马扎维耶”负责在羁留中心系统地进行剥削(见下文第 164 段和附件 21)。

4. 其他违反情况

58. 专家小组的调查发现了一系列违反习惯国际人道主义法或侵犯人权的行为(见表 4、附件 15(如上文表 2 所示)及附件 22 至 26)。

表 4

2019 年其他违反国际人道主义法行为和侵犯人权情况摘要

实体	日期	事件	说明/习惯国际人道主义法规则 ^a	附件
利比亚境内的 伊黎伊斯兰国	4 月 8 日	富卡哈镇议会主席兼镇安全部门负责人阿卜德勒卡菲·艾哈迈德·阿卜德勒卡菲在富卡哈镇被暗杀。	规则 2 ^b	22
	4 月 22 日	国防部副部长欧黑达·阿卜杜拉赫·纳吉姆被黎波里的一个武装团体任意拘留。	侵犯人权	23
	5 月 21 日	通过中断大人工河供水，从而不准向黎波里居民供水。	规则 54 ^c	24
民族团结政府	7 月 10 日	未能执行对前总理巴格达迪·马哈穆迪的释放令。	侵犯人权	25
	7 月 17 日	托布鲁克的一名女性众议员西哈姆·塞尔杰娃遭绑架，截至 2019 年 10 月 8 日仍下落不明。	侵犯人权	26

^a 在对情况进行进一步调查后，可能还会发现其他违反国际人道主义法的行为。

^b 规则 2：旨在平民中间散布恐怖暴力行为。

^c 规则 54：攻击平民生存必不可少的物体。

三. 武器禁运的执行情况

59. 根据经后来各项决议修订的第 1970(2011)号决议第 9 至 13 段，专家小组继续监测、调查和查明不遵守武器禁运的情况。

60. 2019 年 4 月 4 日开始的冲突触发了向冲突参与各方供应新的军事装备，或可能导致以前供应而专家小组却并未发现的军事装备在仓库中出现。向利比亚转让武器一再发生，有时甚至是公然的，很少有人在乎遵守制裁措施。专家小组查明了多起为支持冲突双方而不遵守武器禁运的案件。为方便参考并避免重复，专家小组将这些摘要及列表载于附件 27 和 28。专家小组每一次认定下述不遵守第 1970(2011)号决议第 9 段情况的详细证据载于附件。在许多情况下，会员国和商

⁵² 北纬 32°46'19.32"，东经 12°41'47.97"。

业组织，特别是那些涉及非法武器转让的组织，没有回应专家小组要求提供信息的要求。在本报告所述期间，武器禁运无效，导致军用物资定期海运和空运至利比亚。

61. 大部分转让给哈夫塔尔武装部队的武器来自约旦或阿拉伯联合酋长国。专家小组认定，约旦、阿拉伯联合酋长国和哈夫塔尔武装部队一再拒不遵守第 1970(2011)号决议第 9 段。

62. 为应对约旦和阿拉伯联合酋长国的这些非法武器转让，民族团结政府与土耳其接洽，土耳其很快向民族团结政府空军提供了军用物资。2019 年 7 月 31 日，民族团结政府总统法耶兹·萨拉杰承认民族团结政府从土耳其接收武器。⁵³ 2019 年 7 月 31 日，内政部长兼国防部长法斯·巴沙加公开承认于 2019 年 2 月 6 日经由胡姆斯港(见下文第 71 段)和于 2019 年 5 月 18 日经由的黎波里(见下文第 67 段)移交供内政部使用的装甲车辆。⁵⁴ 专家小组认定，土耳其与民族团结政府经常不遵守第 1970(2011)号决议第 9 段。

A. 海上供应和不遵守规定

63. 专家小组确定了三次利用海上供应路线进行的武器、弹药或装甲车转让。其中两次转让是海运集装箱运输，涉及装运单据上内容的虚假申报。这使得海上封锁，即使是要检查一艘船只，也变得更加困难，除非，(a) 对全部货物进行实物检验；(b) 使用武器和炸药搜索犬在集装箱船上的众多其他集装箱中找出武器集装箱；(c) 拥有可采取行动的情报。单凭单据检查往往不足以识别装有武器的集装箱。

64. 第 2473(2019)号决议扩大了对利比亚公海船只的检查权限，⁵⁵ 但在本报告所述期间没有进行这种检查。虽然欧洲联盟海军在地中海中南部的行动(EUNAVFOR MED)索菲亚行动的任务期限被延长至 2020 年 3 月 31 日，⁵⁶ 但该行动没有足够的海军资产进行海上实物检查，它主要履行培训和监视作用。会员国应启动第 2292(2016)号决议第 4 段最初授权并最近经第 2473(2019)号决议延长的有效检查制度，以拦截或阻止海上和利比亚港口内的武器转让。(见建议 2)。

1. “埃斯佩兰萨号”

65. “埃斯佩兰萨号”货船(国际海事组织 9252785)在 2018 年 12 月 13 至 17 日向胡姆斯交付了 3 个集装箱。随后海关对该船的集装箱进行了检查，结果拦截了 3 000 支阿塔克佐拉基 2918 型空包弹发射手枪。“埃斯佩兰萨号”在 2018 年 12

⁵³ Asharq Al-Awsat, “利比亚的萨拉杰承认从土耳其接收武器”, 2019 年 7 月 31 日, 可查阅: <https://aawsat.com/english/home/article/1837556/libya's-sarraj-admits-receiving-arms-turkey> 和多重消息来源。

⁵⁴ 2019 年 7 月 31 日与专家小组的会议。小组认定, 在冲突期间, 这些车辆因为易于改装武器, 成为“力量倍增手段”, 并使其脱离“非致命”状态。

⁵⁵ 最早在第 2292(2016)号决议第 3 和 4 段中授权。

⁵⁶ 欧洲理事会 2019 年 9 月 26 日(CFSP)2019/1595 号决定。

月 30 日前往米苏拉塔的下一次航行中，交付了一个装有 20 000 支艾柯尔 P29 型空包弹发射手枪的集装箱。海关当局于 2019 年 1 月 7 日扣押了这些手枪。⁵⁷ 这些案件的详细资料载于附件 29 和 30。

66. 虽然利比亚和土耳其都告知专家小组，它们正在共同调查这些货物，但截至编写本报告之际，它们只向专家小组提供了关于这些违反第 1970(2011)号决议第 9 段情况的有限的实质性资料。

2. “亚马逊号”

67. 2019 年 5 月 18 日，由 BMC 汽车工业和贸易公司制造的一大批⁵⁸ Kirpi 4×4 防地雷反伏击车⁵⁹ 在黎波里港口从悬挂摩尔多瓦旗帜的“亚马逊号”货船(国际海事组织 7702657)卸货。媒体广泛报道了这一事件，没有人做出任何努力来掩饰这次交付。收取这批车辆的有代表萨牟德旅指定的个人萨拉赫·巴迪(LYi.028)的阿什拉夫·马米和马尔萨旅的穆罕默德·本·古兹。⁶⁰ 这些车辆还供给了巴什尔·卡拉法拉赫领导的第 33 步兵团。

68. 专家小组指出，“亚马逊号”于 2019 年 5 月 9 日离开土耳其萨姆松，于 2019 年 5 月 11 日经过波斯普鲁斯海峡，然后于 5 月 14 日/15 日晚上在伊兹米尔港附近变得“黑暗”。伊兹密尔恰好是 BMC 公司在品纳尔巴斯的 Kirpi 4×4 防地雷反伏击车的生产工厂所在地。专家小组认定该船的运营商地中海罗罗海运旅游工贸有限公司⁶¹ 未遵守第 1970(2011)号决议第 9 段关于向利比亚运输这一军事装备的规定。详细情况见附件 31，供应链概要见图一。

⁵⁷ 2013 年，委员会确认，由于容易转换为实弹射击武器，“这类物资应受到禁运”(S/2016/209，附件 35，第 10 段)。

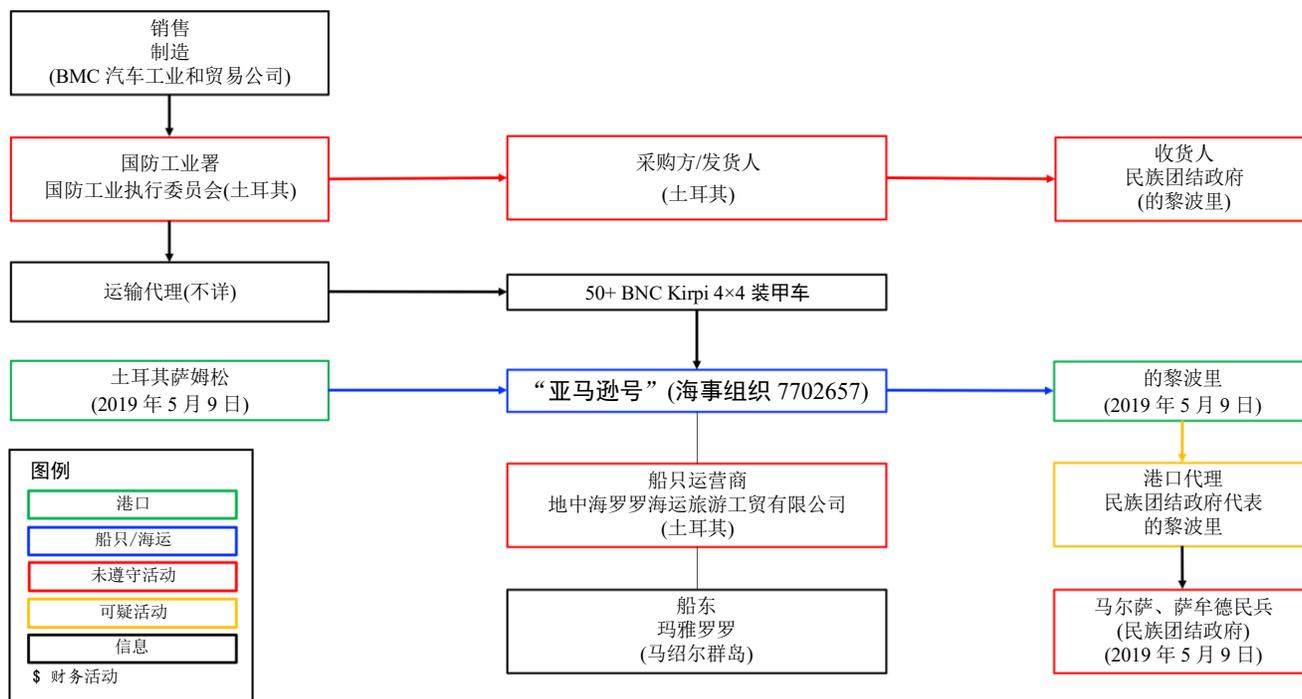
⁵⁸ 专家小组从船只甲板的公开图片中确定了至少 27 辆，但机密消息来源建议真实数字接近 50 至 80 辆。

⁵⁹ 见 <https://www.bmc.com.tr/en/defense-industry/kirpi>。

⁶⁰ 机密消息来源和广泛的媒体报道。

⁶¹ <http://www.akdenizroro.com/filo.html>(该网址已经被停用)。运营商地址：Akdeniz Roro Deniz Tasimac, Dagilgan Kume Evleri 30/A, Evcil Mah, Akdeniz, 33100 Mersin, Turkey。请注意，这是与船东玛雅罗罗(Maya Roro S.A.)相同的地址。

图一
Kirpi 4×4 防地雷反伏击车的供应链



资料来源：利比亚问题专家小组。

69. 摩尔多瓦当局对这一事件迅速作出反应，2019年5月21日摩尔多瓦海军机构暂停了该国旗证书。2019年5月25日，玛雅罗罗拥有的所有船只以及地中海罗罗海运旅游工贸有限公司运营的所有船只的国旗证书和所有其他法定证书都被从摩尔多瓦船运登记册中强行删除。“亚马逊号”于2019年6月14日在多哥海事局临时重新登记，直到多哥海事局于2019年8月20日取消临时登记。根据《联合国海洋法公约》第92条，“亚马逊号”再次成为一艘无国籍船只。

70. BMC公司向小组证实，该公司只向卡塔尔、突尼斯和土库曼斯坦直接出口了Kirpi 4×4车，所有其余车辆都卖给了土耳其国防工业署。⁶² 2019年7月31日，利比亚内政部长兼国防部长确认了从土耳其采购车辆。⁶³

3. 不明船只

71. 2019年2月5日，胡姆斯港海关当局在海运集装箱中发现一批装有装甲后车室的4x4丰田汽车。⁶⁴ 机密消息来源向专家小组表示，民族团结政府行政当局

⁶² 2019年5月15日BMC公司致专家小组的信。

⁶³ 与专家小组的会议。见第80段的建议。

⁶⁴ 2019年7月30日在内政部总部所在地专家小组看到了相同的车辆。当局并没有为这些车辆提出豁免请求或发出通知。

对该批车辆的内部目的地存在争议。⁶⁵ 在 2019 年 7 月 31 日内政部长兼国防部长在会晤期间向专家小组确认了这次采购。

B. 海上违规和例外

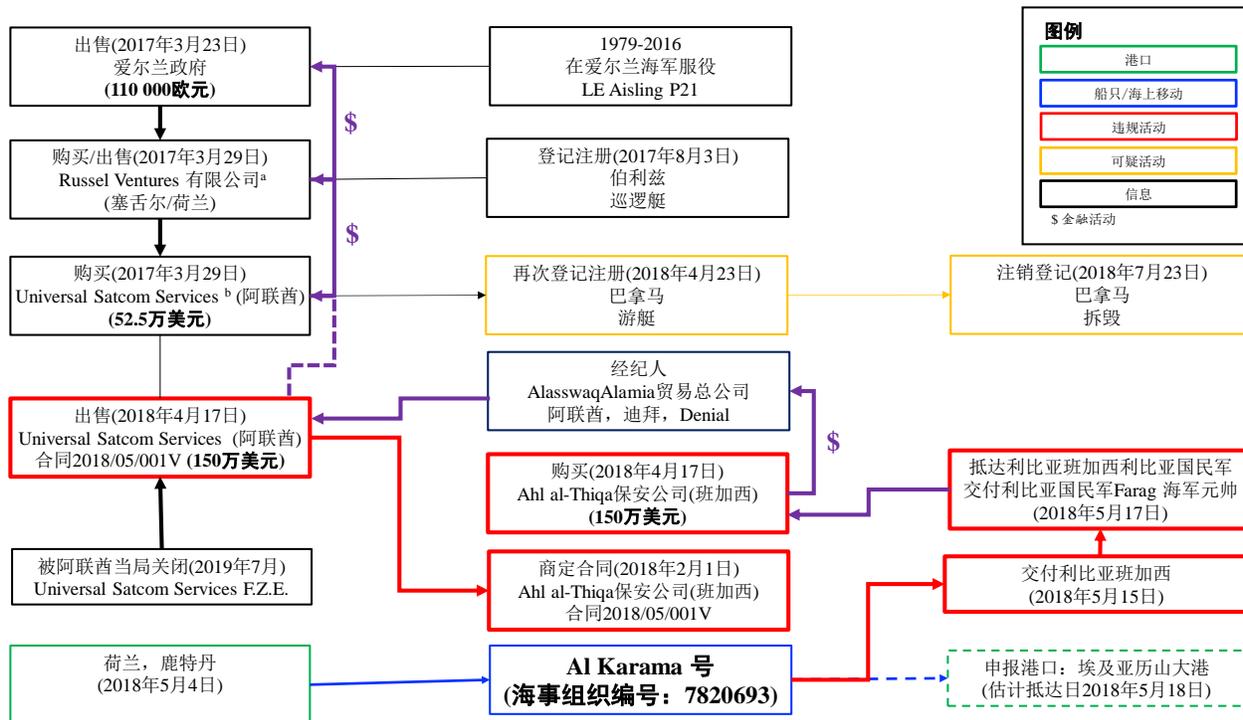
1. Al karama 号近岸巡逻艇

72. 专家小组首先在前次报告(S/2018/812)第 75 和 76 段中报告了 Al karama 号近岸巡逻艇(海事组织编号: 7820693)转给班加西哈夫塔尔武装部队掌控。专家小组发现, Al karama 号近岸巡逻艇列为海军舰艇, 因此归入第 1970(2011)号决议第 9 段中的军事装备。归列的理由和文件证据见附件 32。

73. 巡逻艇的供应链故意模糊不清, 手法如下: (a) 供应商购买之前便同利比亚事先商定; (b) 供应链每一段都改变航运登记; (c) 蓄意改变用途申报, 掩饰巡逻艇的真实目的; (d) 向巴拿马最终船旗登记处虚报拆除; (e) 从申报的目的地亚历山大港改道班加西。专家小组现已确定 Al karama 号近岸巡逻艇的整个供应链(见图二)。

⁶⁵ 专家小组有一份与高级政府官员之间各种谈话的文字记录。另见 Abdulkader Assad, “的黎波里保护部队呼吁调查 Al-Khums 港口缴获的装甲车辆”, 《利比亚观察员报》, 2019 年 2 月 6 日。可查阅: www.libyaobserver.ly/news/tripoli-protection-force-calls-probing-armored-vehicles-shipment-seized-al-khums-port。

图二
Al karama 号近岸巡逻艇供应链



来源：利比亚问题专家小组。

^a Trading as van der Kamp Shipsales B.V., 荷兰。见 <https://vanderkamp.com>。

^b 1410 One Lake Plaza, JLT, Dubai, 阿拉伯联合酋长国。见 www.universalsatcom.com。

74. 专家小组注意到，阿拉伯联合酋长国 Universal Satcom Services FZE 公司向班加西 Ahl al-Thiqa 安保设备进口公司出售巡逻艇，是 2019 年 2 月 1 日商定的，是在 Universal Satcom Services FZE 公司从荷兰船主购买巡逻艇之前。

75. 自转给利比亚后，Al karama 号近岸巡逻艇改装了其原初设计配备的武器系统(一门 40 毫米火炮，2 门 20 毫米火炮)(见图三)。

图三
Al karama 号武器改装图(Ras Lanuf —— 2019 年 4 月 26 日)



来源：机密。

76. 专家小组三次请 Universal Satcom Services FZE 公司说明转售理由，2019 年 9 月 9 日收到答复。⁶⁶ 公司经理关于出售巡逻艇的理由与事实不符，其答复也缺少专家小组要求的详情。

77. 专家小组认为，Universal Satcom Services FZE 公司及其所有人 Sami Abdullah Al Omari 均未遵守第 1970(2011)号决议关于向利比亚提供军事材料的第 9 段的规定。

2. 非致命海事例外

78. 专家小组发现，惯常的做法是，会员国根据第 2095(2013)号决议第 10 段的规定向民族团结政府供应的海军巡逻艇，在交付后配备武器(见附件 33)。这一工程不难，却给舰只配上了军事进攻能力。

79. 一个会员国说明向利比亚海岸警卫队提供此类舰只的理由是：(a) 第 1970(2011)号决议和其后各项决议中所列禁运物资，“让会员国自行确定各项措施适用的确切界限”；⁶⁷ (b) 2017 年 5 月 30 日利比亚常驻联合国代表团声明，⁶⁸ 利比亚海岸警卫队由民族团结政府直接控制。此项声明之后，专家小组发现的证据表明，利比亚海岸警卫队和海军在东部的部队现由哈夫塔尔武装部队有效控制(见附件 33)。⁶⁹

80. 专家小组认为，第 2174(2014)号决议第 8 段现应适用于此类舰只的转移，还应发出执行援助通知给予澄清，如果特定技术(如巡逻艇或轮式装甲车)如今在利比亚有军事用途，因此应属第 1970(2011)号决议第 9 段的范畴(见建议 4)。

C. 海上能力

1. 海军资产

81. 专家小组汇总了冲突各方拥有的利比亚海军和海岸警卫队资产(见附件 34)。2019 年，未发现海军资产转移。

2. Al Hani 号护卫舰(PF212)⁷⁰

82. 2019 年 4 月 8 日和 9 日，专家小组访问了马耳他 Cassar 修船有限公司，视察 Al Hani 号护卫舰(PF212)上的武器系统，确定其潜在火力。建议该舰返回利比亚之前先拆掉武器系统，见附件 35。

⁶⁶ 见附件 3 中专家小组方法。

⁶⁷ 会员国给小组来信。

⁶⁸ 来源保密。

⁶⁹ 证据包括任命利比亚海岸警卫队指挥官 Abd Al-Rahman al-Milad (LYi.026)；哈夫塔尔武装部队/利比亚海岸警卫队军事演习，2019 年 3 月 29 日；哈夫塔尔武装部队 2019 年 5 月 20 日宣布，封锁利比亚西部港口(见 Jeremy Binnie, “LNA announces naval blockade of western Libya, Jane’s Defence Weekly, 2019 年 5 月 23 日, 见 www.janes.com/article/88731/lna-announces-naval-blockade-of-western-libya)。事实上封锁无效。

⁷⁰ Koni II 级护卫舰设计。1982 年 9 月 22 日作为 SKR-201 在苏维埃社会主义共和国联盟兴建，1985 年 12 月 25 日服役于利比亚海军。

D. 陆上军事装备

83. 最近冲突中，不再使用装备武器的 4×4 卡车(“技术车”)，⁷¹ 而是使用轮式装甲车作为武器平台。这样，车上人员更能防御小武器火力和弹片，行驶更加机动，武器平台也更稳定。在报告所述期间，专家小组发现了先前未曾见过的 5 类新型车辆。目前使用的 14 种不同类型的轮式装甲车，详见附件 36。

1. 步兵装甲战车

84. 专家小组发现，约旦阿卜杜拉二世国王设计研发局制造的 AlMared 8×8 型步兵装甲战车，⁷² 首次由哈夫塔尔武装部队第 9 Tarhuna 旅部署。⁷³ 专家小组要求约旦进一步澄清这些车辆在利比亚的出现，但未收到答复。AlMared 8×8 型步兵装甲战车属新型设计，除约旦外，没有任何地方报告有此车辆服役。⁷⁴

85. 专家小组注意到，在报告所述期间，经国王设计研发局许可制造、南非 Paramount 集团设计的 Mbombe 6×6 型步兵装甲战车，⁷⁵ 由哈夫塔尔武装部队部署。⁷⁶ 专家小组证实，这些车辆并非源自南非，⁷⁷ 只有国王设计研发局制造的车辆配有独特的“蛇头”炮塔。专家小组请约旦进一步澄清这些车辆在利比亚的出现，但未收到答复。

2. 步兵战车

86. 2018 年 4 月 18 日，发现哈夫塔尔武装部队 101 步兵营使用 Ratel-60 型步兵战车，⁷⁸ 2019 年 4 月 18 日，还发现哈夫塔尔武装部队 Al Saiqa 302 特种部队营使用。⁷⁹ 这是专家小组首次报告其在利比亚出现。专家小组继续调查这种军车的供应链。

3. 防雷反伏击车

87. 在前次报告(S/2018/812 号文件第 110 段和附件 29)中，专家小组注意到，美国 BAE Systems 公司制造的 Caiman 6×6 型防雷反伏击车，在 2017 年 8 月围困德

⁷¹ “技术车”系经改进的平民或非战斗军事车辆，改装后具有进攻能力。在利比亚，通常是 4×4 民用轻型卡车，后面配有中型或重型机枪(主要是德什卡重机枪)。此词 1990 年代初源自索马里。

⁷² 见 www.kaddb.com/kaddbs-portfolio/land-systems。

⁷³ 见 www.facebook.com/1316206651852074/posts/1353048164834589/，2019 年 5 月 18 日。

⁷⁴ 权威来源：<https://janes.ihs.com>。

⁷⁵ 见 www.paramountgroup.com/capabilities/land/mbombe-6/。

⁷⁶ 见 twitter.com/LiBya_73/status/1130556593035255808?s=19，2019 年 5 月 20 日；www.facebook.com/Burkan.alghedab/videos/vb.2120292251386114/353692145504122/?type=2&theater，2019 年 5 月 25 日。

⁷⁷ 会员国 2019 年 8 月 29 日给专家小组来信。

⁷⁸ 见 <https://twitter.com/Oded121351/status/990612159896936448>，2018 年 4 月 29 日。

⁷⁹ 见 <https://twitter.com/Oded121351/status/1118808298491396096>，2019 年 4 月 18 日；<https://twitter.com/Oded121351/status/1148278539659153409>，2019 年 7 月 8 日。

尔纳时，出现在利比亚。此次报告期间发现 7 部 Caiman 6×6 型防雷反伏击车维护良好，由哈夫塔尔武装部队储放在班加西。⁸⁰ 专家小组已致函制造国，力求查明供应链。

88. BMC Kirpi 4×4 型防雷反伏击车转让给民族团结政府的情况，见上文第 67 段至第 70 段。

4. 防护巡逻车

89. 在前次报告同一段和附件(S/2018/812, 第 110 段和附件 29)中，专家小组首次发现 Al Wahsh 4×4 型防护巡逻车的存在，⁸¹ 这是由约旦阿卜杜拉二世国王设计研发局制造的。专家小组看到 2019 年哈夫塔尔武装部队 Tariq bin Ziyad 营使用这些车辆的图像。⁸² 专家小组要求约旦进一步澄清，为何这些车辆出现在利比亚，但在 2018 年，未收到答复。除约旦外，没有任何地方报告有此车辆服役。⁸³

5. 装甲运兵车

90. 在前次报告同一段和附件中，专家小组首次发现 Panthera F9 4×4 型装甲运兵车的出现，⁸⁴ 这是由阿拉伯联合酋长国 Minerva 特种车辆公司制造的。专家小组发现，2019 年哈夫塔尔武装部队 Tariq bin Ziyad 营在使用这些车辆，⁸⁵ 让人注意的是，车辆在当地经过改装，增加了保护装甲。专家小组正在调查有人在班加西附近看到若干新的、或是改装的 Panthera T6 4×4 型装甲运兵车。⁸⁶

91. 专家小组发现，使用尼日利亚军队制造的 Irigiri 4×4 型装甲运兵车的，⁸⁷ 是哈夫塔尔武装部队。⁸⁸ 专家小组要求尼日利亚进一步澄清这些车辆在利比亚的出现。

6. Nashshab RPG-32 型反坦克火箭系统

92. 专家小组从公开信息来源发现⁸⁹ (见附件 37)哈夫塔尔武装部队拥有 RPG-32 Nashshab 型肩式反坦克火箭系统。这个武器系统是在约旦生产的，生产者是俄罗斯联邦股份公司科学生产社“Bazalt”(JSC SPA “Bazalt”)⁹⁰ 和约旦阿卜杜拉二世国王设计研发局的一家合作企业，称作 Jadara 装备防御系统(前称约旦-俄罗斯

⁸⁰ 见 <https://www.facebook.com/100009157008088/posts/2258828957765649/>，2019 年 5 月 20 日。

⁸¹ 见 <http://www.kaddb.com/kaddbs-portfolio/land-systems>。

⁸² 见 <https://twitter.com/Oded121351>，2019 年 1 月 13 日。

⁸³ 权威来源：<https://janes.ihs.com>。

⁸⁴ 见 <http://www.mspv.com/panthera-f9-2/>。

⁸⁵ 见 <https://twitter.com/Oded121351>，2019 年 2 月 18 日。

⁸⁶ 见 <https://twitter.com/Oded121351/status/1168131362009886720>，2019 年 9 月 1 日。

⁸⁷ Defence Blog, “Made in Nigeria ‘Igirigi’ armoured personnel carriers”, 2015 年 8 月 26 日。见 <https://defence-blog.com/army/made-in-nigeria-igirigi-armoured-personnel-carriers.html>。

⁸⁸ 见 <https://twitter.com/Gorgon11/status/1133280679914090501>，2019 年 5 月 28 日。

⁸⁹ 见 <https://twitter.com/Mansourtalk/status/1133996109448253440?s=08>，2019 年 5 月 30 日。

⁹⁰ 见 <http://bazalt.ru/en/>。

电子系统公司)(JRESKO)。⁹¹ RPG-32 Nashshab 反坦克火箭只是 2013 年才在约旦开始生产,除约旦外,未在任何地方服役。⁹² 专家小组要求约旦进一步澄清这一武器系统在利比亚的出现,但未收到答复。

7. FGM-148A Javelin 型反坦克导弹

93. 2019 年 6 月 27 日,民族团结政府友军从哈夫塔尔武装部队缴获了一些弹药和军事装备。弹药中,至少有 4 组 L239A185 弹药容器组件,用于 FGM-148 Javelin 型反坦克导弹系统。专家小组发现 4 个反坦克导弹编号(370719、370720、370722 和 370847),和 2 组批号(IAI GO002 MGP07 和 MGP07E035-002),经查询追溯到法国。法国向专家小组解释,导弹是根据第 2214(2015)号决议第 3 段的规定,出现在利比亚,导弹已经严重受损,无法使用(见建议 6)。

8. 9K115-2 Metis-M 反坦克制导武器

94. 专家小组从公开信息来源发现,⁹³ 2016 年第三季度,9K115-2 Metis-反坦克制导武器可能出现在利比亚,但到 2018 年 12 月 27 日,则肯定出现在该国。2019 年 7 月 14 日,见到民族团结政府-武装部队拥有这类武器。⁹⁴ 专家小组要求若干会员国提供信息,说明这一通用武器系统的对利比亚的供应链(另见附件 38)。

9. 155 毫米高爆炸药激光寻的射弹 GP6

95. 2019 年 6 月 27 日,在盖尔扬,民族团结政府-武装部队缴获至少两枚 155 毫米高爆炸药激光寻的射弹,是 2011 年后由中国北方工业有限公司制造的。包装和射弹上的详细标识说明,这些精确制导导弹是供给阿拉伯联合酋长国的一批货物的一部分,合同编号 DP3/2/6/1/2006/23/A(见附件 39)。专家小组向制造国发出追查请求,但未收到答复。尽管如此,专家小组还是认为,阿拉伯联合酋长国未遵守第 1970(2011)号决议第 9 段,在收到货物后,将其转给利比亚。

10. Pantsir S-1 和 MIM-23 “隼”式防空系统⁹⁵

96. 专家小组确认,部署 Pantsir S-1 地对空系统,是为 2019 年 3 月 5 日⁹⁶ 至 4 月 19 日期间,向朱夫拉空军基地提供防空。⁹⁷ (见附件 40)。2019 年 6 月 19 日在盖尔扬附近又看到这一武器系统。⁹⁸ 专家小组注意到,此一 Pantsir S-1 系统设在一个 MAN SX45 重型卡车地面移动平台上。只有阿拉伯联合酋长国如此配置其

⁹¹ 见 <https://www.jadara.jo>。

⁹² 权威来源: <https://www.janes.ihs.com>。

⁹³ 见 <https://twitter.com/Oded121351/status/745852183934033920>, 2016 年 6 月 23 日。

⁹⁴ 见 <https://twitter.com/rahbatajoura/status/1150532386419089412>; <https://twitter.com/rahbatajoura/status/1150532386419089412/photo/4>。

⁹⁵ 另称 SA-22 Greyhound。

⁹⁶ 2019 年 3 月 5 日谷歌地球图像上未显示。

⁹⁷ 2019 年 4 月 19 日机密卫星图像上坐标: 北纬 29°13'10.0", 东经 15°59'44.2"。

⁹⁸ 出现在盖尔扬以南行进的平板搬运车上,大致坐标: 北纬 32°05'50.40", 东经 12°59'10.05"。

Pantsir S-1 系统，这是 2011 年后向其提供的。这一系统十分复杂，费用高昂，阿拉伯联合酋长国不大可能供给任何将其再转给利比亚的实体。专家小组因此认为，阿拉伯联合酋长国未遵守第 1970(2011)号决议第 9 段，在收到此一军事装备后，将其转给利比亚。

97. 2019 年 7 月 21 日的机密卫星图像显示，在朱夫拉空军基地的 MIM-23“隼”式地对空系统配有 3 个发射架、1 个指挥所、高性能照明雷达和 1 架型号不明的雷达。⁹⁹ 部署这一系统具体是防御跑道北端。阿拉伯联合酋长国是 1996 年至 2000 年期间收到 343 套 MIM-23 “隼”式系统。¹⁰⁰ 根据地点、以及经证实、设在的朱夫拉空军基地的阿拉伯联合酋长国其他军事资产情况，专家小组认为，阿拉伯联合酋长国很可能也把 MIM-23 “隼”式系统转给了利比亚。

11. 电子反措施设备

98. 专家小组还调查了前次报告(S/2018/812，附件 33)提及的电子反措施系统的使用情况。专家小组得出结论，此一系统是保加利亚制造的 Samel-90 机动简易爆炸装置干扰器射频抑制系统(见附件 41)，¹⁰¹ 并继续调查其供应链。

99. 专家小组观察到的黎波里安全局屋顶上不同寻常的天线阵。民族团结政府表示，其用于加强与的黎波里“交通和证件股的发报机的联系”。¹⁰² 不过，天线阵并非是通常用于与执法机构的甚高频或高频联系。专家小组发现，天线阵与干扰抑制无人驾驶飞行器所用的许多特征相同(见附件 42)。安理会应确定，这类有源干扰系统是否属于“军事装备”类，因此是否需要最终用户证书用于今后转让这类系统(见建议 5)。

100. 还有报告表明，利比亚西部出现全球定位系统干扰。¹⁰³ 保密来源通知专家小组，2019 年 7 月 14 日至 24 日，其航空资产发现利比亚海岸 50 海哩以外、米提加到米苏拉塔之间出现全球定位系统干扰。干扰是全方位的，意味着利比亚沿海内地至少 50 海哩处也会受到全球定位系统干扰。专家小组继续调查此事。

⁹⁹ 地区坐标：北纬 29°13'04"，东经 15°59'07"。

¹⁰⁰ 权威来源：<https://janes.ihb.com>。

¹⁰¹ 见 <https://www.samel90.com/en/products/category/jammer-solutions-military-equipment-surveillance-systems/jammer-solutions/mobile-jammer>。

¹⁰² Safa Alharathy, “Tripoli Security Directorate denies installation of drone antenna over its building”, Libya Observer, 2019 年 8 月 3 日。见 www.libyaobserver.ly/inbrief/tripoli-security-directorate-denies-installation-drone-antenna-over-its-building。

¹⁰³ 见 <https://twitter.com/MohsenDerregia/status/1171460418969071618>，2019 年 9 月 10 日；美国海事咨询 2019-013 年。

E. 陆上后勤支援和培训

哈夫塔尔武装部队在约旦

101. 专家小组注意到，2019 年 4 月期间，哈夫塔尔武装部队 Tariq Bin Ziyad 营有人从约旦 Prince Hashem bin al Hussein 特种行动学校训练班毕业¹⁰⁴（见图四和附件 43）。专家小组认为，约旦在境内提供军训，违反了第 1970(2011)号决议第 9 段。

图四

利比亚国民军总指挥部负责人 Khayri al Tamimi 将军访问约旦军训营地



来源：https://m.facebook.com/story.php?story_fbid=847197048962469&id=253215761693937。

F. 航空—固定翼和旋转翼航空资产

102. 2019 年，未发现资产转移。通过其他飞机拆用配件，先前无法使用的飞机重新投入使用，¹⁰⁵ 但有些因敌方行动或系统破损，随后停飞。¹⁰⁶ 冲突各方航空资产汇总表，见附件 44。

¹⁰⁴ 北纬 32°0'55"，东经 36°07'49"。

¹⁰⁵ 例如，民族团结政府的幻影 F1 和哈夫塔尔武装部队的米格-23U。

¹⁰⁶ 例如，2019 年 4 月 24 日，民族团结政府在 Al Watyah 附近损失一架幻影 F1 (402)，原因是发电机故障。2019 年 5 月，民族团结政府一架幻影 F1(5021)被击落。2019 年 4 月 14 日，哈夫塔尔武装部队一架米格 MiG-23U 被击落。

G. 航空-无人驾驶作战飞机¹⁰⁷

103. 2019年，民族团结政府-武装部队和哈夫塔尔武装部队使用具有中空长续航力的无人驾驶作战飞机，¹⁰⁸ 进行空袭。2019年5月以来，“无人驾驶飞行器大战”有所升级，冲突双方现主要使用无人驾驶作战飞机进行空袭，投掷精确制导弹药。还注意到，2019年8月15日，哈夫塔尔武装部队使用苏霍伊 SU-22 型固定翼飞机对祖瓦拉进行不规则空袭，¹⁰⁹ 2019年9月27日空袭的黎波里的民族团结政府-武装部队。¹¹⁰

104. 无人驾驶作战飞机的行动¹¹¹ 和保养十分复杂，需要数月技术和模拟培训。这超出了现已知的民族团结政府-武装部队或哈夫塔尔武装部队友军的能力。¹¹² 有可能一边开展行动，一边对地方人员进行“在岗”培训，但是，在不远的将来，其不大可能充分具备行动能力。

105. 利比亚所有已知的无人驾驶作战飞机和无人驾驶飞行器资产汇总表，见附件 45。现正在服役的无人驾驶作战飞机的主要性能见下表 5。

¹⁰⁷ 所有无人驾驶飞行器汇总表见附件 45。

¹⁰⁸ 一架无人驾驶飞行器可向地面目标投掷炸弹。

¹⁰⁹ 见附件 17。

¹¹⁰ 见 <https://libya.liveuamap.com/en/2019/27-september-earlier-this-morning-an-lna-airstrike-targeted>, 2019年9月27日

¹¹¹ 2019年8月25日前后，利比亚国民军上校 Faouzi bou H'rara 在盖尔扬被捕，之后，在2019年9月30日访谈中，他承认在哈夫塔尔武装部队 Rajma 作战室有阿联酋人员(地区坐标 32°05'06.82"N, 20°20'25.34"E)。(见 www.facebook.com/watch/?v=2580407078645259)。

¹¹² 2019年9月13日在朱夫拉空军基地，6名阿联酋军人被打死。Khaleej Times, “6 UAE soldiers martyred in military operations”, 2019年9月13日, 见 www.khaleejtimes.com/news/government/6-uae-soldiers-martyred-in-military-operations; Khaleej Times, “Bodies of six martyred servicemen arrive in UAE”, 2019年9月15日, 见 www.khaleejtimes.com/uae/abu-dhabi/bodies-of-six-martyred-servicemen-arrive-in-uae。无人驾驶作战飞机操作组含 1 名上尉、4 名准尉和 1 名中士，并非异常。

表 5
在利比亚使用的无人驾驶作战飞机比较

类型	制造商	实体	区间	高度	续航时间	有效载荷
Bayraktar TB2	BaykarMakina, ^a 土耳其	民族团结政府-武装部队	<200 公里 ^b	6 860 米	<24 小时	55 公斤 2×Roketsan Smart Micro 导弹(MAM-L), ^c 或 8×MAM-C ^d
翼龙 2	中国航空工业集团公司 ^e	哈夫塔尔武装部队	视线 200 公里 ^f 或卫星数据链路 >2 000 公里	>9 000 米	>20 小时	480 公斤 蓝箭(BA-7)空对地导弹

^a 见 <https://baykardefence.com>。

^b 2019 年第三季度部署中继单元，有所扩大，每个中继单元的区间为 150 至 200 公里。

^c 见 <http://www.roketsan.com.tr/en/product/mam-l-smart-micro-munition/>。

^d 见 <http://www.roketsan.com.tr/en/product/mam-c-smart-micro-munition/>。

^e 见 <http://enm.avic.com/index.shtml>。

^f 涵盖利比亚全境。

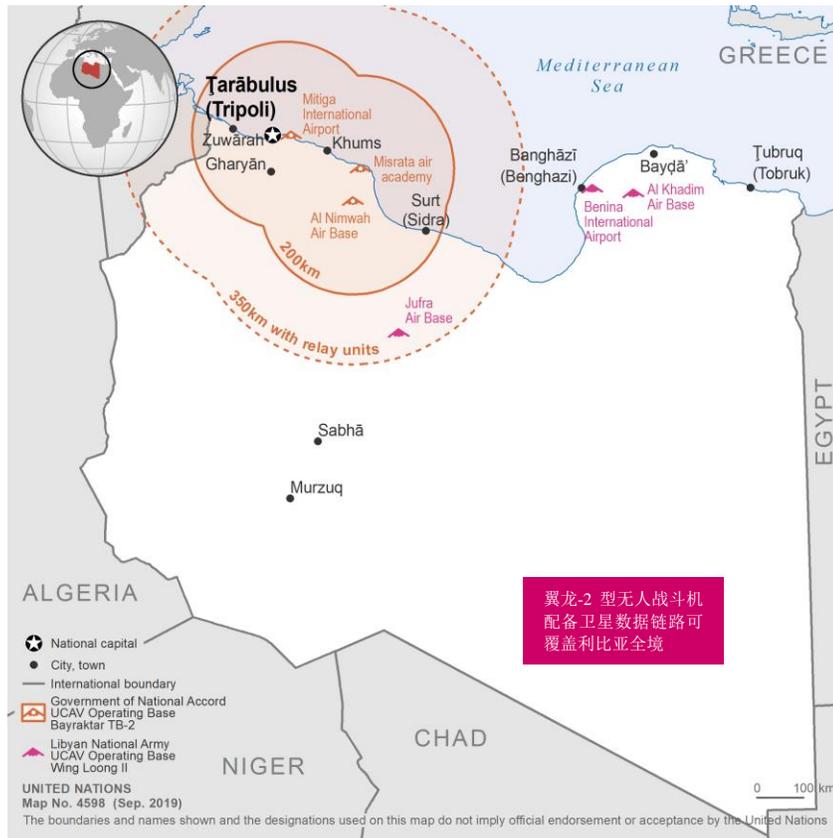
106. 分析了无人驾驶作战飞机系统的能力，表明哈夫塔尔武装部队现拥有巨大战术优势，其翼龙-2 型无人战斗机可携带多于民族团结政府-武装部队 AF Bayraktar TB2 型机 8 倍的爆炸物，轰炸地面目标。更重要的是，专家小组证实，翼龙-2 型无人战斗机正在利用卫星数据链路展开行动，这意味着其能够覆盖利比亚全境。这使哈夫塔尔武装部队完全拥有进攻能力，具备地方空中优势。¹¹³

107. 民族团结政府-武装部队 AF Bayraktar TB2 型无人驾驶作战飞机起初只能用于防御攻击，打击目标，具体地区见地图 2。2019 年第三季度末，因部署地面中继站，AF Bayraktar TB2 型无人驾驶作战飞机行动范围扩大到约 150 公里，达到民族团结政府-武装部队控制区以外。¹¹⁴ 这样，哈夫塔尔武装部队朱夫拉空军基地便处于 Bayraktar TB2 型无人驾驶作战飞机行动范围之内。民族团结政府-武装部队还在力求降低 Bayraktar TB2 型无人驾驶作战飞机的高损耗率，从道路上发射，而非从易受哈夫塔尔武装部队拦截袭击的固定空军基地发射。

¹¹³ 即空战中占优势程度……一方在敌对空军无干扰情况下开展行动，以及相关陆军、海军和空军行动。

¹¹⁴ 机密来源和 Paul Iddon, “Turkey is fighting a formidable drone war in Libya”, Ahval News, 2019 年 9 月 14 日；见 www.ahvalnews.com/libya/turkey-fighting-formidable-drone-war-libya。

地图 2
在利比亚使用的无人驾驶作战飞机的作战范围比较



来源：联合国地理空间信息科，利比亚问题专家小组具体数据。

1. 翼龙-2 型无人战斗机

108. 在 2017 年报告(S/2017//466)第 124 段，专家小组注意到，至少从 2016 年 6 月 24 日，阿拉伯联合酋长国至少有一架翼龙-1 型无人战斗机停在 Al-Khadim 空军基地。¹¹⁵ 翼龙型无人战斗机均是 2011 年后供给阿拉伯联合酋长国的。2019 年 4 月 20 日，对阿齐兹亚西南航道进行了空袭。¹¹⁶ 专家小组从空袭炸弹碎片图像上认出，是蓝箭 BA-7 (LJ-7)空对地导弹(见附件 46)。分析了联利支助团从随后袭击 Moz 营地(2019 年 4 月 20 日)、艾因扎拉营地(2019 年 4 月 21 日)和 Wadi Rabia 营地(2019 年 4 月 25 日)中获得的图像，证实了武器系统的类型。

109. BA-7 空对地导弹经弹道对合，¹¹⁷ 由翼龙-2 型无人战斗机发射；迄今为止，在利比亚尚未发现其他航空资产(见附件 44)。2019 年 8 月 3 日，最终证实了翼龙

¹¹⁵ 经 J. Binnie 证实。阿拉伯联合酋长国在利比亚前沿行动基地。来源：伦敦：《简式防务周刊》。2016 年 10 月 27 日。

¹¹⁶ 北纬 32°31'50"，东经 13°01'17"。

¹¹⁷ 弹道对合进程是把武器系统装入机体，准备使用。它需要软件更新至航空投放系统、瞄准和释放系统，确保导弹瞄准并发射到目标时，确实遵循正确的弹道轨迹来精确打击该目标。实弹射击试验需要使用仪表靶场设施，确保集成系统的准确可靠。

-2 型无人战斗机/BA-7 空对地导弹进行对合，支援哈夫塔尔武装部队开展空袭；当时，在 Abu Ghayn 认出了一架坠毁的翼龙-2 型无人战斗机，其附近有 5 枚 BA-7 空对地导弹。¹¹⁸ (见附件 47)。¹¹⁹ 在 BA-7 空对地导弹图像上查出了 3 个编号，向制造国发出了追查请求。其后的卫星图像明确显示翼龙-2 型无人战斗机在朱夫拉空军基地开展行动(图五和六)，2019 年 9 月 23 日，贴出一帧图像，显示在利比亚西部飞行的一架翼龙无人战斗机发送一枚导弹(图七)。

图五
朱夫拉的翼龙 2 型机
(2019 年 8 月 28 日)^a



来源：机密图像。

图六
朱夫拉的翼龙 2 型机
(2019 年 9 月 19 日)^b



来源：
<https://libya.liveuamap.com/en/2019/19-september-satellite-image-of-uae-wing-loong-ii-taxiing>，2019 年 9 月 19 日。

图七
的黎波里上空的翼龙 2 型机
(2019 年 9 月 23 日)^c



来源：
<https://libya.liveuamap.com/en/2019/23-september-uav-wing-loong-ii-firing-a-rocket-over-tripoli>，2019 年 9 月 23 日。

^a 北纬 29°12'35.79"，东经 16°0'1.25"。

^b 北纬 29°12'20.56"，东经 15°59'52.60"。

^c 据报告，飞临 29°12'20.56"N，15°59'52.60"E 上空。

110. 专家小组调查证实，翼龙-2 型无人战斗机并非由制造商或制造国直接供应。¹²⁰ 因此，专家小组认定阿拉伯联合酋长国违反第 1970(2011)号决议第 9 段，在得到翼龙-2 型无人战斗机和蓝箭(BA-7)系统后将其转让给利比亚。

¹¹⁸ 多方媒体来源，包括 Khalid Mahmoud，“Libya: LNA downs several drones”，*Asharq Al-Awsat*，2019 年 8 月 4 日，见 <https://aawsat.com/english/home/article/1843036/libya-lna-downs-several-drones>。地区坐标：北纬 31°26'32"，东经 15°14'12"。

¹¹⁹ 利比亚 2016 年翼龙-1 型更新为翼龙-2 型无人战斗机时，专家小组尚未发现。

¹²⁰ 简氏信息集团报告称，BA-7 系统仅在 3 个国家投入使用：中国、哈萨克斯坦和阿拉伯联合酋长国。

2. Bayraktar TB2 型无人驾驶作战飞机

111. 2019年5月14日，哈夫塔尔武装部队战斗人员在朱夫拉附近击落一架无人机，但无法根据残骸确定型号。¹²¹ 2019年5月29日，民族团结政府武装部队发布了在本加希尔堡利用无人战斗机针对哈夫塔尔武装部队发动精准空袭的视频图像。¹²² 公开来源的信息之后报道，第一批四架 Bayraktar TB2 型无人战斗机最初是提供给民族团结政府武装部队的，可能由“亚马逊”号商船运载。¹²³

112. 2019年6月4日，专家小组一开始从机密来源消息获悉，米苏拉塔正在组装无人战斗机。2019年6月9日，专家小组根据上传到社交媒体上的视频图像¹²⁴ 确定该型号为 Bayraktar TB2 型无人战斗机，由土耳其 Baykar Makina 公司制造。¹²⁵ 从那时起，关于 Bayraktar TB2 型无人战斗机在米提加和米苏拉塔外运行的帖子频繁而定期地见诸社交媒体。¹²⁶ 专家小组知悉，在哈夫塔尔武装部队于2019年6月6日和7日针对米苏拉塔空军学院发动的空袭中，¹²⁷ 有两架 Bayraktar TB2 型无人战斗机被击毁，第三架于2019年6月30日被哈夫塔尔武装部队击落，¹²⁸ 但据报战斗损失要高得多(见附件48)。

113. 第二批可能八架 Bayraktar TB2 型无人战斗机于2019年5月底和6月初转让，以弥补战斗损失并增强作战能力。¹²⁹ 为此，哈夫塔尔武装部队于2019年8月15日策划并指挥了针对米苏拉塔空军学院飞机库的精准打击(见图八)。这些飞机库最近才建成，用于为 Bayraktar TB2 型无人战斗机提供支持。哈夫塔尔武装

¹²¹ Libya Address, “利比亚国民军击落民族团结政府民兵的一架无人机”，2019年5月14日。可查阅：www.addresslibya.com/en/archives/45885。

¹²² 见 <https://twitter.com/Oded121351/status/1133985226290597888>。

¹²³ Africa Intelligence, “雷杰普·塔伊普·埃尔多安派出无人机驰援 Fayeze Sarraj”，2019年6月13日。可查阅：www.africaintelligence.com/mce/corridors-of-power/2019/06/13/recep-tayyip-erdogan-s-drones-fly-to-fayeze-sarraj-s-rescue,108361236-art。文章还声称第一批提供了四架无人战斗机，但有二手信息来源声称第一批提供的是六架。

¹²⁴ 见 <https://twitter.com/Mansourtalk/status/1137718306306215936>；和 https://twitter.com/ly_box/status/1137857595862130688。

¹²⁵ www.ssb.gov.tr/Website/contentList.aspx?PageID=365&LangID=2。

¹²⁶ 例如见 Libya Address, “《利比亚通讯》揭露：的黎波里米提加机场被用于军事目的”，2019年8月28日，可查询：www.addresslibya.com/en/archives/49934，里面载有关于 Bayraktar TB2 型无人战斗机在跑道上的视频。

¹²⁷ Africa Intelligence, “雷杰普·塔伊普·埃尔多安派出无人机驰援 Fayeze Sarraj”。

¹²⁸ Almarsad, “为民族团结政府建造的更多土耳其制无人机交付至米苏拉塔”，2019年7月9日。可查阅：<https://almarsad.co/en/2019/07/09/more-turkish-made-drones-delivered-to-misrata-for-the-gna/>。

¹²⁹ 同上；Africa Intelligence, “Fayeze Sarraj 将再获得八架土耳其无人机”，2019年7月4日，可查阅：www.africaintelligence.com/mce/corridors-of-power/2019/07/04/fayeze-sarraj-to-get-eight-more-turkish-drones,108364176-art。

部队于 2019 年 8 月 18 日在机场周边更大范围地区发动进一步袭击，企图摧毁更多的新建无人战斗机基础设施和辅助设施。¹³⁰

图八

米苏拉塔空军学院(2019 年 5 月 14 日至 7 月 6 日)



114. 专家小组已查明，两架安东诺夫“安-12BK”型飞机(注册编号分别为 UR-CAH 和 UR-CNT)和一架安东诺夫“安-12BP”型飞机(注册编号为 UR-CGW)在 2019 年 5 月 27 日至 6 月 16 日期间在土耳其伊斯坦布尔和米苏拉塔之间飞行了 10 趟，运送了 53.6 吨¹³¹“无人机部件”和其他无人飞行器部件。为执行这些飞行任务，这些飞机全部由 ProAir-Charter-Transport 有限责任公司¹³² 土耳其办事处包租，并由乌克兰航空联盟股份有限公司运营。¹³³

115. 货物清单和航空托运单显示，所有 4 次转让的发货方均为利比亚驻安卡拉大使馆，收货方为利比亚内政部。乌克兰航空联盟股份有限公司特别指示 ProAir-

¹³⁰ Ahval, “利比亚国民军以米苏拉塔在建土耳其基地为目标”，2019 年 8 月 19 日，可查阅：<https://ahvalnews.com/libya-turkey/libyas-lna-targets-turkish-base-under-construction-misrata>；Almarsad, “新照片揭示了利比亚国民军空袭米苏拉塔空军学院的原因”，2019 年 8 月 18 日，可查阅：<https://almarsad.co/en/2019/08/18/new-photos-reveal-the-reasons-for-the-lna-air-strikes-at-misrata-air-college/>；和 https://twitter.com/il_kanguru/status/1167498601511174150。

¹³¹ 在联合国文件中，“吨”是指“公吨”。

¹³² 见 <https://www.proair.de/en>。

¹³³ 见 www.uaa-avia.com。

Charter-Transport 有限责任公司土耳其办事处确保所有空运单据明确标明“无危险品、¹³⁴ 无武器、无弹药”，但这并非国际民用航空组织(国际民航组织)对此类单据的要求。飞机一离开土耳其领空，商业航空跟踪网站上往往看不到飞机的 S 模式应答器。个案详情见附件 49。

116. 专家小组认定，这些飞行任务转移了拆解后的 Bayraktar TB2 型无人机部件，因此土耳其、乌克兰航空联盟股份有限公司、ProAir-Charter-Transport 有限责任公司和承运人代理 Plures Air Cargo 公司¹³⁵ 均违反了第 1970(2011)号决议中关于向利比亚运输军用物资的第 9 段。

117. 2019 年 7 月 6 日有报告称，第二批八架 Bayraktar TB2 型无人战斗机的其中几架由 SkyAviatrans 有限公司¹³⁶ (乌克兰)运营的“伊尔-76TD”型飞机(注册编号为 UR-COZ)交付至米苏拉塔。¹³⁷ 这架飞机属 Volaris Business 有限公司(大不列颠及北爱尔兰联合王国)所有并由该公司签订合同。¹³⁸ 经专家小组调查确定，这架飞机在 2019 年 7 月 3 日至 21 日期间执行了 6 趟从安卡拉至米苏拉塔飞行任务(见图九)。货物清单和航空托运单再次显示，所有 6 次转让的发货方均为利比亚驻安卡拉大使馆，收货方均为利比亚内政部。ProAir-Charter-Transport 有限责任公司再次包租了这架飞机。个案详情见附件 50。

118. 专家小组无法证实这些飞行任务中是否转让了无人战斗机部件，但认定其中确实转让了军用物资，因此土耳其、ProAir-Charter-Transport 有限责任公司和承运人代理 Plures Air Cargo 公司均未遵守第 1970(2011)号决议第 9 段的规定。在这方面，专家小组未发现 SkyAviatrans 有限公司或 Volaris Business 有限公司违反规定，但认为这两家公司的尽职调查规程和程序根本不充分，不能发挥作用。

119. 2019 年 7 月 30 日，乌克兰国家航空局航空安全理事会以“安全局势不断恶化”为由禁止所有在乌克兰注册的飞机进入利比亚。¹³⁹ SkyAviatrans 公司的“伊尔-76TD”飞机(注册编号为 UR-COZ)从乌克兰当局获得了对这项禁令的豁免，因为该公司声称他们根据与利比亚红新月会签订的合同开展业务。这架飞机之后在 2019 年 8 月 5 日哈夫塔尔武装部队针对米苏拉塔空军学院发动的空袭中

¹³⁴ 原文为 NO DG，即无危险品。

¹³⁵ 见 <https://www.plures.com.tr/en>。

¹³⁶ 见 www.skyaviatrans.com.ua。

¹³⁷ 见 <https://twitter.com/BabakTaghvace/status/1147455606120419328>。

¹³⁸ 见 <https://beta.companieshouse.gov.uk/company/SL026852>。

¹³⁹ 乌克兰常驻联合国代表团,2019 年 8 月 1 日(给专家小组的机密函件);<https://avia.gov.ua/informatsiya-shhodo-prijnyatih-rishen-radi-z-bezpeki-aviatsiyi-derzhavnoyi-aviatsijnoyi-sluzhbi-ukrayini-u-zv-yazku-iz-zagostrennyam-vijskovo-politichnoyi-situatsiyi-v-respublitsi-liviyi/>。

被击毁(见图十)。¹⁴⁰ 专家小组对 SkyAviatrans 有限公司为获得豁免而向乌克兰当局提供的文件的真实性存疑,¹⁴¹ 会继续进行调查。

图九
米苏拉塔空军学院的“伊尔-76TD”飞机
(2019年7月6日)



来源：保密。

图十
针对米苏拉塔空军学院的空袭
(2019年8月5日)



来源：Digital Globe, GeoEye 1, WorldView 2, 2019年8月11日。

120. 哈夫塔尔武装部队空袭以及翼龙-2型无人战斗机的空袭导致 Bayraktar TB2 型无人战斗机损耗率高, 因此 2019 年 8 月底向米苏拉塔部署了第三批 Bayraktar TB 2 型无人战斗机。¹⁴²

121. 专家小组已致函土耳其和民族团结政府, 要求提供关于违反第 1970(2011) 号决议第 9 段向利比亚转让 Bayraktar TB2 型无人战斗机一事的进一步资料, 但没有收到答复。

H. 航空：小型无人驾驶飞行器

122. 专家小组已查明, 民族团结政府武装部队和哈夫塔尔武装部队在 2019 年期间均首次在利比亚使用小型无人机, 用于情报、监视和侦察目的(见表 6 和附件

¹⁴⁰ 北纬 32°20'34.07", 东经 15°02'35.89"。

¹⁴¹ 原因如下: (a) 利比亚红新月会没有答复专家小组的询问; (b) 信件虽已签署, 但未写上姓名或职务; (c) 利比亚红新月会的社交媒体账户显示过去两年没有活动。

¹⁴² 机密来源。

51)。几乎可以肯定的是，所有这些飞行器都违反了第 1970(2011)号决议第 9 段。对供应链的调查仍在继续。

表 6

在利比亚使用的情报、监视和侦查小型无人机^a

实体	类型	说明
民族团结政府武装部队	轨道器-3 ^b	依据 2019 年 7 月 29 日在苏尔特坠毁的无人机残骸图像确定
哈夫塔尔武装部队	奥兰-10 ^c	依据 2019 年 4 月 23 日在苏尔特坠毁的无人机残骸图像确定
哈夫塔尔武装部队	“候鸟”无人机的变体 ^d	于 2017 年 10 月 16 日当天或该日前后首次被目击在利比亚出现 ^e
哈夫塔尔武装部队	Yabhon-HMD ^f	现由 Air Target Systems 制造

^a 另见附件 45。

^b 见 <https://aeronautics-sys.com>。

^c 见 <https://www.stc-spb.ru>。

^d 现已纳入伊朗航空工业组织。见 https://en.wikipedia.org/wiki/Iran_Aviation_Industries_Organization (www.mod.ir 当前处于非活动状态)。

^e Arnaud Delalande, “有人把伊朗制造的无人机送给利比亚的图卜鲁格政权：是伊朗还是苏丹？” War Is Boring, 2017 年 10 月 16 日。可查阅：<https://warisboring.com/who-gave-iranian-made-drones-to-libyas-tobruk-regime/>。

^f 见 <http://www.ats-ac.com/>。

I. 航空：商用无人机

123. 冲突当事方在执行战术层面的情报、监视和侦查任务时均在使用短航时商用无人机，如大疆精灵 4。¹⁴³ 2019 年 9 月 30 日，一架赤龙¹⁴⁴ CL-11 型长航时垂直起降无人机在泰尔胡奈¹⁴⁵ 附近坠毁(见图十一和十二)。这是首例常见的高规格商用无人机在利比亚用于军事情报、监视和侦查。这类设备不属于第 1970(2011)号决议第 9 段的管辖范围(见建议 5)。

¹⁴³ Borzou Daragahi, “利比亚：联合国支持的政府现在在前线使用无人机保护首都不受军阀哈夫塔尔的损害”，《独立报》(伦敦)，2019 年 5 月 15 日。可查阅：www.independent.co.uk/news/world/middle-east/libya-capital-khalifa-haftar-drones-war-khaled-el-meshri-a8915246.html。

¹⁴⁴ 北京正唐科技有限责任公司(见 www.sageuav.com)。该机型在营销用于军事目的时称作 YFT-CZ35 垂直起降无人机(见 <http://www.digitaleagle-uav.com/Hybrid-Engine-VTOL-Fixed-Wing-UAV-Drone-pd45577057.html>)。

¹⁴⁵ 北纬 32°25'51.24"，东经 13°37'12.45"。

图十一
在泰尔胡奈附近坠毁的赤龙 CL-11 型垂直起降无人机(2019 年 9 月 30 日)



来源：
<https://twitter.com/Oded121351/status/1178609339776544768>，2019 年 9 月 30 日。

图十二
制造商发布的赤龙 CL-11 型垂直起降无人机图像



来源：
https://www.ecplaza.net/products/chilong-11-cl-11-hybrid-vtol_4419852。

J. 空中转运和供应

1. 军用货机

124. 专家小组在上一份报告(S/2018/812, 第 89 段)中报告了大型军用货机进入利比亚, 原因不明。专家小组继续监测这些出于军事目的的飞行作业, 但尚未查出有违反武器禁运的情况。

2. 为民族团结政府附属部队军事行动提供支持的民用飞机

125. 在本报告所述期间, 通过空运转让武器的情况经常发生, 如果不在利比亚的国际机场和军用空军基地实施检查制度, 几乎不可能发现或加以堵截。大多数所运货物从供应所运武器的会员国的机场起运。该会员国完全不配合专家小组对这些情况的调查(见建议 3)。

126. 专家小组查明了一系列经常或最近用作军用货机支持民族团结政府武装部队的注册民用飞机(见表 7 摘要)。大多数不符合第 1970(2011)号决议第 9 段的规定。

表 7
为民族团结政府提供支持的民用飞机

注册编号	类型	运营商	说明
UR-CAH	安东诺夫“安-12BK”	乌克兰航空联盟股份有限公司 ^a	见第 114 至 116 段和附件 49
UR-CGW	安东诺夫“安-12BP”	乌克兰航空联盟股份有限公司	见第 114 至 116 段和附件 49
UR-CNT	安东诺夫“安-12BK”	乌克兰航空联盟股份有限公司	见第 114 至 116 段和附件 49
UR-COZ	伊留申“伊尔-76TD”	SkyAviatrans 有限责任公司, ^b 替 Volaris Business 有限公司运营 ^c	见第 117 至 119 段和附件 50

^a 见 <http://www.uaa-avia.com>。

^b 见 <http://skyaviatrans.com.ua>。

^c 公司详情见 <https://beta.companieshouse.gov.uk/company/SL026852>。

3. 为哈夫塔尔武装部队军事行动提供支持的民用飞机

127. 专家小组查明了一系列违反第 1970(2011)号决议第 9 段的规定、经常或最近用作军用货机或辅助飞机为哈夫塔尔武装部队提供支持的已注册民用飞机(概览见表 8, 详情见附件 52)。

表 8

为哈夫塔尔武装部队提供支持的民用飞机

注册编号	类型	运营商	说明
ER-ICS	伊留申“伊尔-18D”	Sky Prim Air 有限责任公司 ^a	2015 年 7 月 8 日从摩尔多瓦登记册中注销 未注册, 仅国内飞行
UP-AN601	安东诺夫“安-26”	Space Cargo 有限公司 ^b	2015 年 7 月 8 日从哈萨克斯坦登记册中移除 未注册, 仅国内飞行
UP-17601	伊留申“伊尔-76TD”	西格玛航空公司 ^c	—
UP-17645	伊留申“伊尔-76TD”	西格玛航空公司	于 2019 年 1 月 11 日被目击。被目击自 2017 年 4 月以来一直在利比亚境外飞行
UR-CMP	伊留申“伊尔-76TD”	Deek 航空独资公司 ^d	航空运营证书于 2019 年 7 月 30 日被吊销 ^e
UR-CRC	伊留申“伊尔-76TD”	Deek 航空独资公司	航空运营证书于 2019 年 7 月 30 日被吊销。

^a 未查明详细联络方式, 所有权可能已转移至一家尚未确认的公司。

^b 见 <http://spacecargoinc.com>。

^c 见 <https://airsigma.pro>。

^d 公司网站 www.deekaviation.com 已失效。

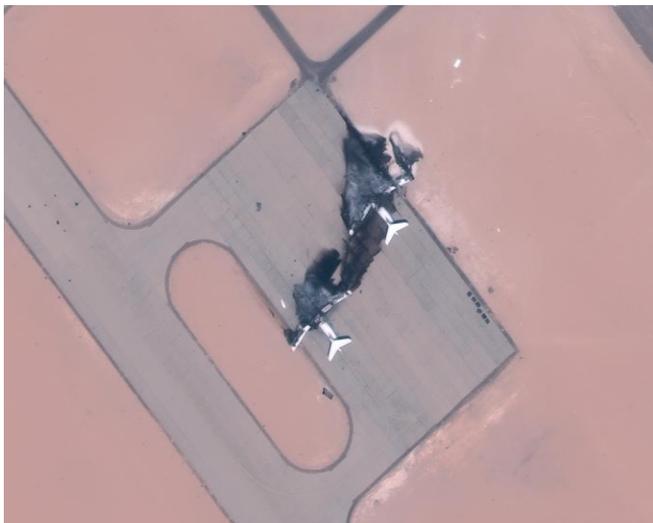
^e 见 <https://open4business.com.ua/ukraine-suspends-operator-certificate-of-europe-air-carrier/>。

128. 有关会员国航空当局和利比亚民航管理局已向专家小组确认, 注册编号为 ER-ICS 和 UP-AN601 的飞机其实没有注册,¹⁴⁶ 因此这两架飞机的运营均违反了《国际民用航空公约》。

¹⁴⁶ 2019 年 5 月 15 日致专家小组的信。

129. 两架伊留申“伊尔-76TD”飞机(注册编号为 UR-CMP 和 UR-CRC)均于 2019 年 7 月 25 日在针对朱夫拉空军基地发动的袭击中被摧毁(见图十三和十四), 这次袭击由民族团结政府武装部队指挥的一架 Bayraktar TB2 无人战斗机实施。

图十三
在朱夫拉空军基地被摧毁的“伊尔-76TD”飞机
(2019 年 7 月 26 日)



来源:
European Space Imaging 公司 2019 年 8 月 3 日新闻稿。

图十四
在朱夫拉空军基地被摧毁的“伊尔-76TD”飞机(2019 年 7 月 26 日)



来源:
https://mobile.twitter.com/Am_Del/status/1155525947040378880, 2019 年 7 月 28 日。

130. 专家小组认定, Deek 航空独资公司、Sky Prim Air 股份责任有限公司、Space Air Cargo 股份有限公司和西格玛航空公司均未遵守第 1970(2011)号决议第 9 段的规定, 因为这些公司参与了向利比亚哈夫塔尔武装部队转让军用物资一事。

四. 国家机构的统一

A. 利比亚中央银行

131. 专家小组在 2017 年的报告(S/2017/466, 第 213 段和附件 56)中说, 民族团结政府总理委员会不顾利比亚中央银行的意见, 已于 2016 年 5 月 26 日批准由俄罗斯联邦 Goznak 有限公司代表东部利比亚中央银行印制的钞票进入流通。¹⁴⁷ 正式纸币由 De La Rue 有限公司印制。¹⁴⁸ 利比亚中央银行反对 Goznak 公司印制的货币进入流通的理由如下: (a) 这是非法货币, 因此违反了《银行法》(经 2012 年《第 46 号法》修订的 2005 年《第 1 号法》); (b) 国际金融机构的建议。中央银行一直采取的立场是: 平行流通的纸币对经济是有害的, 因为会造成混

¹⁴⁷ 见 www.goznak.ru。

¹⁴⁸ 见 www.delarue.com。

乱，破坏民众对货币的信心，并增加伪造钞票的可能性。两者不同的防伪特征摘要见附件 53。

132. 2018 年 11 月 14 日，东部利比亚中央银行行长 Ali Al-Habri 否认东部中央银行有意在俄罗斯联邦印制任何新钞票。矛盾的是，东部中央银行顾问 Musbah Al-Ekari 于 2018 年 11 月 20 日向利比亚一家电视频道证实了由东部中央银行发行流通、由 Goznak 印制的货币年度总量(见表 9)。¹⁴⁹

表 9
东部利比亚中央银行发行的平行货币，2016-2018 年

日期	印制方	面额 (利比亚第纳尔)	价值 (利比亚第纳尔)	价值 (美元)	国内生产总值 (百分比)
2016	Goznak 有限公司	20、50	40 亿	28.9 亿 ^a	11.03 ^b
2017	Goznak 有限公司	—	40 亿	29.9 亿 ^c	7.85 ^d
2018	Goznak 有限公司	—	17 亿	12.3 亿 ^e	2.55 ^f
共计			97 亿	71.1 亿	6.31

^a 2016 年 9 月 1 日来自 www.xe.com 的数据(1 美元=1.3843 利比亚第纳尔)。

^b 国内生产总值=262 亿美元。来自世界银行的数据。

^c 2017 年 9 月 1 日来自 www.xe.com 的数据(1 美元=1.3351 利比亚第纳尔)。

^d 国内生产总值=381 亿美元。来自世界银行的数据。

^e 2018 年 9 月 1 日来自 www.xe.com 的数据(1 美元=1.3777 利比亚第纳尔)。

^f 国内生产总值=483 亿美元。来自世界银行的数据。

133. 专家小组于 2019 年 9 月 23 日获悉，一个会员国在途中临时扣留了两个标准化组织规格货运集装箱，里面载有 2 900 万张钞票(面额为 50 利比亚第纳尔)，票面价值为 14.5 亿利比亚第纳尔。¹⁵⁰ 这些钞票是 Goznak 有限公司根据 2018 年 4 月 2 日与东部中央银行签订的合同印制的。

134. 该会员国向利比亚中央银行征求意见，中央银行于 2019 年 10 月 9 日要求该会员国采取必要的行动和程序，包括但不限于扣押货物以防止非法使用。

¹⁴⁹ Abdulkader Assad, “利比亚平行中央银行承认在俄罗斯印制总额为 97 亿第纳尔的钞票”，《利比亚观察家》，2018 年 11 月 20 日。可查阅：www.libyaobserver.ly/economy/libyas-parallel-central-bank-admits-printing-97-billion-dinar-banknotes-russia。

¹⁵⁰ 专家小组提交了钞票样本进行独立分析，2019 年 10 月 4 日得到的分析结果显示，这些钞票与 2016 年审查过并在专家小组 2017 年报告(S/2017/466)中提到的钞票几乎雷同，只是长度少了 2 毫米。

135. 专家小组注意到有公开来源消息报告称，2019年9月28日或前后又有价值20亿利比亚第纳尔的货币空运至贝尼纳国际机场。专家小组继续调查此事。¹⁵¹

B. 对国家石油公司完整性的挑战

136. 2018年12月26日，Almabruk Sultan 得到临时政府任命，取代 Faraj Said 成为东部国家石油公司的新主席。虽然在他获任命后的头几个月内，东部国家石油公司保持低调，但在2019年5月12日，市场运营商收到了由东部国家石油公司董事会签署的一封信(见附件 54)。信中提到，国家石油公司的现任主席目前是 Almabruk Sultan，国家石油公司总部在班加西。针对这封函件，利比亚常驻联合国代表团重申，出口原油的唯一合法机构是由 Mustafa Sanalla 担任主席、设在的黎波里的国家石油公司(见附件 55)。2019年10月9日，专家小组收到东部国家石油公司董事会的另一封信，信中的内容继续挑战位于的黎波里的国家石油公司的合法性(见附件 56)。

137. 专家小组注意到，除了东部的油井、出口码头和相关设施外，哈夫塔尔武装部队还维持着对沙拉拉油田¹⁵² 和 Al Feel 油田¹⁵³ 的控制(见上文第 12 段)。

138. 2019年8月2日，专家小组会见了 Almabruk Sultan。他表示，东部国家石油公司将继续努力争取得到承认为合法机构，最终目标是获得对利比亚全境石油的控制权。他承认已经在为出口原油而努力，相信该国目前的事态发展将为东部当局在某个时候能够出口原油铺平道路。他说，自“Distya Ameya”号商船(海事组织 9077343)以后没有装载过其他船只(见 S/2017/466，第 183 段)。

139. 为此，临时政府和东部国家石油公司在东部任命了东部“新”卜雷加石油营销公司(东卜雷加)的董事会，以获得其地盘内的燃料分配控制权(见附件 57)。¹⁵⁴ 2019年10月期间，专家小组指出有迹象显示，东部国家石油公司正准备接管国家石油公司位于班加西的检验计量部¹⁵⁵ 以及苏尔特石油¹⁵⁶ 和拉斯拉努夫石油天然气加工公司¹⁵⁷ 等国家石油公司附属公司。

140. 虽然位于的黎波里的国家石油公司保留了自身作为主要机构的作用，并且仍然控制着自然资源的开采，但东部国家石油公司最近的这些决定显然对国家石

¹⁵¹ 见 www.alsaa24.com/2019/09/30/الضراطوصول-عملةليبيةمنروسيا-إلىب；和 www.facebook.com/watch/?v=2417705204974329。

¹⁵² Middle East Monitor，“东部利比亚部队接管沙拉拉油田”，2019年2月7日。可查阅：www.middleeastmonitor.com/20190207-eastern-libyan-forces-take-over-el-sharara-oilfield/。

¹⁵³ Almarsad，“利比亚国民军夺取 El-Fil 油田”，2019年2月21日。可查阅：<https://almarsad.com/en/2019/02/21/el-fil-field-taken-by-ina/>。

¹⁵⁴ 卜雷加是国家石油公司的附属公司，负责在该国分配燃料。“新的”东卜雷加实际上已经接管了以前位于东部的合法卜雷加办事处控制的所有资产和分销网络。

¹⁵⁵ 国家石油公司的检验计量部发挥着至关重要的作用，因为它是对出口原油的质量和数量进行最终审查的机构。

¹⁵⁶ 见 <https://sirteoil.com.ly>。成立于1981年，总部位于卜雷加港。

¹⁵⁷ <https://raslanuf.ly> (URL 不再应答)。成立于1982年，总部位于拉斯拉努夫港。

油公司的完整性构成了威胁。东部国家石油公司的活动加剧了该国的机构分裂，削弱了国家石油公司履行其对原油出口的监督职责的能力。

141. 专家小组认为，东部国家石油公司将继续试图出口原油(见下文第 144 段)。东卜雷加仍然有可能试图对燃料分配和某些精炼产品的进口实施控制(见下文第 147 段)。

C. 利比亚投资局

142. 虽然位于的黎波里的利比亚投资局(LYe.001)宣称其对资产管理拥有控制权，但临时政府有一个平行的董事会，该董事会又任命了一个执行董事会。该董事会的现任主席是临时政府总理阿卜杜拉·阿尔特尼。执行董事会的现任主席是 Hussein Mohamed Hussein，他于 2018 年 9 月 17 日获任命。他也是关于接管利比亚投资局在联合王国境内某些资产的法院案件的当事人(见下文第 196 段和附件 58)。

五. 根据第 2146(2014)和 2362(2017)号决议防止非法出口石油，包括原油和精炼石油产品

A. 根据第 2146(2014)号决议设立的协调人

143. 2019 年 7 月 30 日，民族团结政府总理委员会主席根据第 2146(2014)号决议任命国家石油公司国际营销部总经理 Imad Salem Ben Rajab 为协调人(见附件 59)。自担任协调人以来，他一直与专家小组保持密切联系，提供有关企图非法出口原油和精炼石油产品方面的相关信息。专家小组仍然认为，第 2146(2014)号决议所载的指定机制无法执行，主要原因是民族团结政府缺乏资源(见建议 7)。

B. 防止非法出口原油

1. 非法出口原油的尝试

144. 专家小组记录了东部国家石油公司四次试图非法出口原油，包括：(a) 两项原油分配协议，日期分别为 2019 年 4 月 8 日和 5 月 16 日；(b) 似为售购合同参考条款的一份文件，日期不明，但有效期至 2019 年 7 月 20 日；(c) 为租用一艘船出口 1 200 万桶原油而在市场上询价(见附件 60)。

145. 这四宗个案的第三宗最令人关切。在这宗个案里，合同设计为允许东部国家石油公司针对货物选择航运公司，这违反了市场惯例。¹⁵⁸这将允许东部国家石油公司专门选择一家航运公司和/或推荐使用属于同情东部当局的船旗国的某一艘船(见建议 9)。

¹⁵⁸ 根据售购合同的参考条款，销售按“成本、保险费加运费价”而不是按市场标准做法即“离岸交货价”进行。在按成本、保险费加运费价的协议中，卖方的责任包括将货物运输到最近的港口，将货物装船并支付保险费和运费，在货物送达离买方最近的港口前对货物负责。在按离岸交货价的协议中，买方承担所有运输成本，并在货物装船后承担所有责任。

146. 所有的尝试都很快失败了。据专家小组所知，没有推荐任何船只装载货物，也没有根据第 2146(2014)号决议第 11 段指定任何船只。

2. 非法进口航空燃料的企图

147. 2019 年 8 月底，专家小组收到消息：(当时)位于东部的卜雷加办事处向的黎波里的公司总部申请了数量异常大的 Jet A-1 航空燃料。国家石油公司对卜雷加额外需要这么多航空燃料来支持东部的正常商业空中业务不满，拒绝了该请求。

148. 专家小组分析了利比亚东部 2019 年期间 Jet A-1 消耗量(见附件 61)，并确定虽然商业航空活动保持相对稳定，但燃料消耗相对于冲突动态有所上升。为了获得更多航空燃料，东部国家石油公司代表要求一家中介公司——阿尔巴尼亚的 Byllis Energji of Fier¹⁵⁹——设法安排购买 20 000 吨 Jet A-1 燃料。¹⁶⁰ 据专家小组所知，没有交付燃料。

149. 专家小组认为，东部国家石油公司单方面进口这类物资将主要用于支持哈利法·哈夫塔尔的空军行动。在这种情况下，增加的航空燃料将被视为作战补给，因此属于第 1970(2011)号决议第 9 段军事物资范畴。

150. 专家小组认为，东部国家石油公司或东部任何平行机构的此类进口行为本身构成了对国家石油公司诚信的重大威胁，并将不可避免地导致更多单方面决定(见上文第 136 段)(见建议 10)。

C. 防止非法出口精炼石油产品

151. 尽管与前几年相比，来自利比亚的精炼石油产品走私减少，但数量仍然巨大。利比亚境内和境外的犯罪网络获得了巨额利润。提供支持的物流链为全国各地链条每个环节的许多个人创造了基本的收入来源，特别是在南部和西部，当地几乎没有其他的经济机会。

152. 在本报告所述期间，哈利法·哈夫塔尔对的黎波里武装团体的进攻导致燃料走私暂停。不过几周后相关网络恢复了运营，主要在该国西部和南部，尽管数量低于以前。燃料继续通过海路和陆路转移(见下文第 166 和 175 段)。

153. 利比亚的主要机构正在积极参与遏制燃料走私。利比亚海岸警卫队虽然受到其能力有限的限制，但仍保持警惕。海岸警卫队尽管未拦截任何船只，但已经提高了行动意识。2019 年 2 月 7 日，总检察长办公室对参与走私的 100 多名个人和加油站所有者发出逮捕令，并命令利比亚中央银行冻结各相关企业的账户(见附件 62)。

154. 卜雷加负责向四家分销公司(Sharara Oil Services、Libya Oil、Al Rahila 和 Turek Saria)供应燃料。2018 年 11 月，为了改进供货的透明度和公众监督，卜雷

¹⁵⁹ 该阿尔巴尼亚公司的注册号是 L717100281，地址是 Rr. “Ibrahim Rugova,” Sky Tower, Tirana, Albania。专家小组有该公司的注册备忘录副本，以供查阅。

¹⁶⁰ 这相当于中程绝对比重 1.2661 的燃料 25 322 000 升，以目前的消耗速度可以维持东部三个多月的消耗。

加开始公布向各个加油站运送燃料的详情(见下文第 159 段)。

1. 燃料分销机制

155. 专家小组在其上份报告(S/2018/812)第 147 和 148 段中,解释了燃料进口制度以及如何确定需求。专家小组还注意到“主要消费者委员会”,该委员会每月举行会议,以确定进口需求。卜雷加发挥着重要作用,由它提供需求估计数,这些估计数最初是按过去五年平均消费量加 2% 计算得出的。

156. 一旦精炼产品进口,所有权和责任将移交给卜雷加,负责向四家分销公司供应燃料。自 2019 年初以来,卜雷加要求这四家分销公司预付燃油费用。在卜雷加的财务部门确认收到付款之前,供应部不会向分销公司发出交货单。虽然这一措施是在国家一级采取的,但自哈利法·哈夫塔尔开始进攻以来,东部的卜雷加没有遵守这一内部程序。

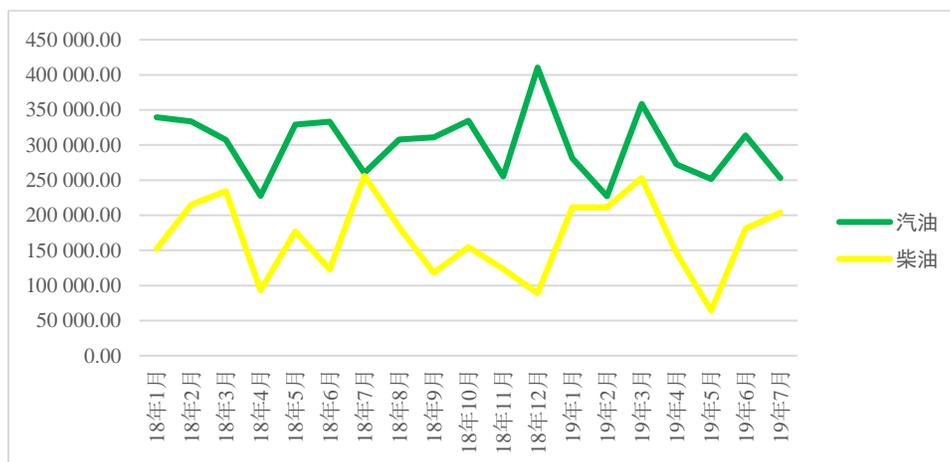
157. 卜雷加还制定了一份获得许可的“可信”加油站名单,该名单是基于“通过”实际检查的情况。不准将燃料运送到任何未列入清单的加油站(见附件 63)。2018 年 9 月,监管加油站的新标准开始具有全面约束力(S/2018/812,第 152 段)。由国家石油公司颁发运营和销售燃料的新许可证。然而,存在加油站使用尚未被吊销的 2018 年 9 月之前国家石油公司许可证,违反新标准运营的情况。2018 年 12 月,经济部一个办公室开始承担颁发建设新加油站的规划许可的责任,恢复到了 2011 年前的制度。

158. 汽油和柴油等精炼产品以每升 0.1016 利比亚第纳尔(0.072 美元)的价格交付给分销公司。燃料以每升 0.14 利比亚第纳尔(0.099 美元)的价格零售给加油站,并以 0.15 利比亚第纳尔(0.11 美元)的价格向公众出售。下文图十五至十八显示了国家石油公司进口的石油产品数量(2018 年和 2019 年)、本地精炼石油产品数量(2015 至 2019 年)和卜雷加销售的石油产品数量(2010 至 2019 年)。详细数字见附件 64。

图十五

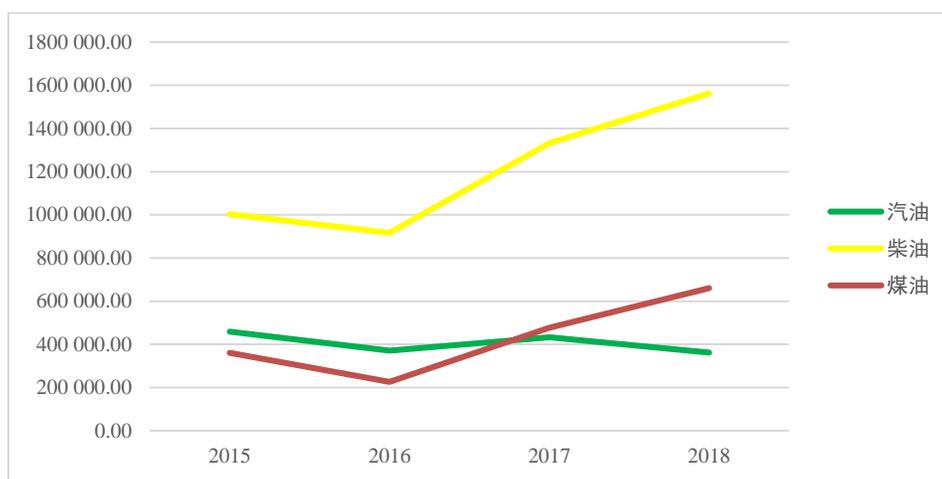
2018 年至 2019 年 7 月国家石油公司进口的燃料

(吨)



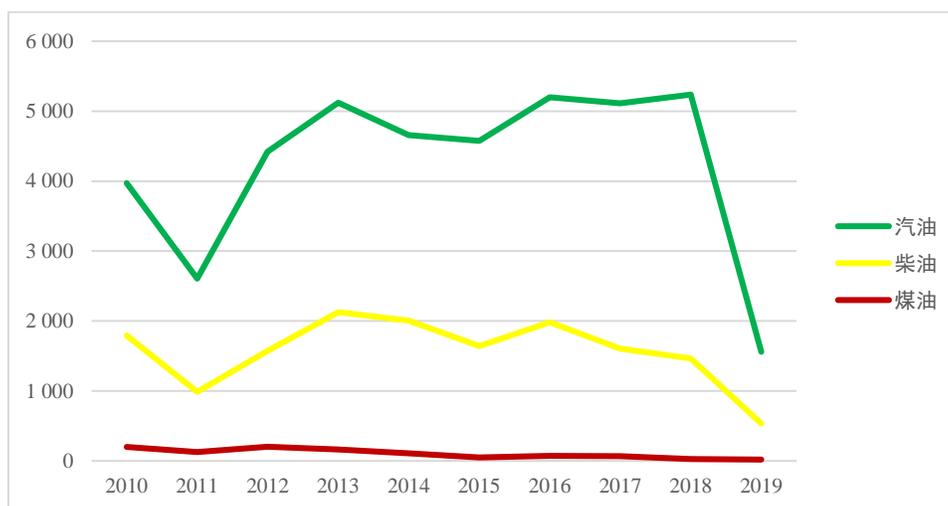
来源: 利比亚问题专家小组根据国家石油公司提供的数据编制。

图十六
2015-2018 年国家石油公司内部精炼的燃料
(吨)



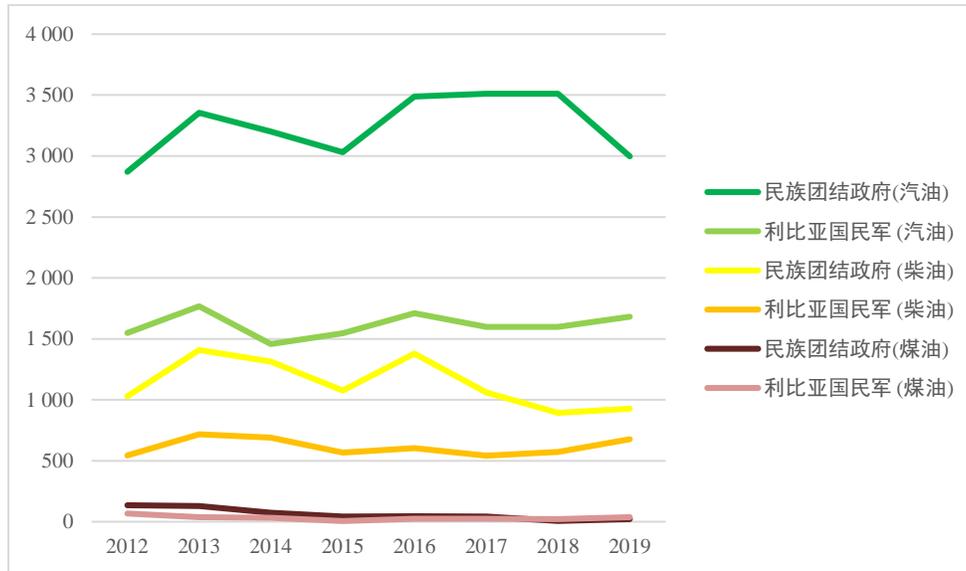
来源：利比亚问题专家小组根据国家石油公司提供的数据编制。

图十七
2010 年至 2019 年 4 月卜雷加销售的燃料
(百万升)



来源：利比亚问题专家小组根据卜雷加石油营销公司提供的数据编制。

图十八
2010-2019 年卜雷加在不同受控制地区^a销售的燃料
(百万升)



来源：利比亚问题专家小组根据卜雷加石油营销公司提供的数据编制。2019 年数字是估计数。

^a 哈利法·哈夫塔尔控制利比亚东部和南部，民族团结政府控制其余地区。

2. 分销公司

159. 国家石油公司将责任下放给四家分销商公司，以确保它们检查加油站是否符合新国家标准，并只向符合标准的加油站供应燃料，结果发现超过 20% 的现有加油站不符合上文第 157 段中新要求的国家标准。然而，分销公司继续向持有 2018 年 9 月前许可证的加油站销售燃料。该活动继续的原因是给分销公司带来经济利益，也杜绝了因拒绝供货请求而导致法律行动的可能性。

160. 当地分销公司注册为四家主要分销商公司名下的独立法律实体。这导致这些公司的法律地位不清楚，产生了法律纠纷，并妨碍了采取一致做法。

161. 燃料分销公司的运营成本很高，主要原因是人员配置过多，而它们不愿解决这一问题。如上文第 158 段所述，定价结构受到管制，这意味着分销公司的利润率由其运营成本和效率决定。缺乏对运营成本的 control，管理低效，这意味着目前利润率很低或根本没有利润。因为历史债务仍然没有量化和解决，导致商业模式更加复杂，同时公司继续积累与卜雷加的债务。2017 年，这一债务为 5.7 亿利比亚第纳尔(4.03 亿美元)。¹⁶¹ 卜雷加对预付款的要求(见上文第 156 段)意味着分销公司面临持续的严重流动性问题。

162. 权威人士认为，分销公司的财务状况只会恶化，而且它们有效销售燃料的能力存在显著恶化的实际风险。包括内政和国防部长在内的著名人物呼吁废除垄

¹⁶¹ 2019 年 7 月在土耳其伊斯坦布尔与卜雷加高级官员会晤。

断，确保加油站所有者可以直接从卜雷加购买精炼石油产品(见附件 65)。

163. 自 2019 年 6 月以来，卜雷加在的黎波里使用移动加油站直接向公众销售燃料。这确保了在当前冲突期间达到合理的供应数量。

3. 扎维耶网络

164. 专家小组在上份报告(S/2018/812, 第 156 段和附件 47)中，解释了围绕扎维耶油田区组织的扎维耶网络在燃料转移中的核心作用。由穆罕默德·卡什拉夫(LYi.025)领导的纳斯尔旅在石油设施警卫队的保护下运作，并仍然负责油田区的安保(见上文第 57 段和附件 21)。

165. 扎维耶市议会赞扬了负责为油田区提供安保的人员的作用。然而，市议会指责卜雷加和四家分销公司对燃料分销网络缺乏控制，从而促成了燃料走私的条件(见附件 66)。专家小组继续收到证据表明，纳斯尔旅在走私活动中继续发挥核心作用，并通过走私油田区出售的燃料获益。¹⁶² 关于该网络和作案手法的说明见附件 21。从油田区到最终目的地，无论是通过海路还是陆路走私，燃料都要经过不同武装团体控制下的几个关键检查站。说明见附件 67。

4. 海上非法出口

166. 在西部，祖瓦拉和阿布凯马什¹⁶³ 仍是精炼石油产品(主要是海洋粗柴油(0.1%硫))海上走私的要塞。详细规格见附件 68。专家小组还观察到从扎维耶以西尚未完工的小港口 Marsa al Dilah¹⁶⁴ 进行的小规模转运。

167. 专家小组在上份报告(S/2018/812, 第 165 至 167 段)中，详细描述了从利比亚非法出口的作案手法。燃料通常使用小型单壳成品油运输船走私，由更小的辅助船或渔船在祖瓦拉或阿布凯马什海岸装船，有些船上有改装的油箱。在本报告所述期间，位于阿布凯马什化工厂¹⁶⁵ 的泵站仍在运行。

168. 在本报告所述期间，祖瓦拉和阿布凯马什的走私网络在当地赞助商的支持下继续运行。由 Zakaria Koshman、Wiyar Shalki 和 Osama Qutara 领导的所谓“祖瓦拉行动指挥室”控制着阿布凯马什化工厂，并覆盖上述许多业务。

169. 专家小组已经查明了多名燃料走私者。2019 年期间最活跃者之一是 Daniel Al Attushi，利比亚国民，已被列入总检察长办公室 2017 年 12 月发布的逮捕令名单(S/2018/812, 第 143 段和附件 43)。

5. 委员会指认的船只

170. 在本报告所述期间，制裁名单上没有新加任何船只。第 2146(2014)号决议所载机制要求利比亚政府指定的协调人就该决议中的措施与委员会进行沟通，特

¹⁶² 在本报告所述期间，在扎维耶黑市，1 升燃料(苯)售价为 0.75 利比亚第纳尔(0.53 美元)。在祖瓦拉，燃料售价为 1.75 利比亚第纳尔(1.24 美元)。

¹⁶³ 北纬 33°04'27"，东经 11°44'12"。

¹⁶⁴ 北纬 32°47'33"，东经 12°44'48"。

¹⁶⁵ 北纬 33°05'04"，东经 11°49'40"。

别是告知委员会任何参与非法出口的船只。因为直到 2019 年 7 月 30 日才任命协调人(见上文第 143 段)，所以执行机制过去无效，现在仍然无效(见建议 7)。

6. 参与燃料走私的船只

171. 专家小组在其 2016 年报告(S/2016/209, 第 202 段)和 2018 年报告(S/2018/812, 第 178 段)中, 报告了海上走私燃料的作案手法。大多数船只从马耳他向南驶往突尼斯的加贝斯湾。¹⁶⁶ 在距离突尼斯海岸 40 至 60 海里时, 它们朝东驶向祖瓦拉。由渔船或通过专用管道进行装船(见第 167 段)。装船作业可能需要 1 至 2 天, 之后他们通常会返回马耳他, 其中一些船只在马耳他领海 12 海里界限外徘徊, 然后进行船对船的产品转移(见建议 8 和 9)。

172. 在过去九个月中, 当地和国际行为体施加的压力不断增加, 再加上该国局势不稳, 导致大多数船只目前在离利比亚海岸 70 海里的地方装船。该地区示意图见附件 69。根据装船的油轮大小, 在不少于四天的时间内完成多次船对船转移。

173. 所有参与的船只都没有发出任何自动识别系统¹⁶⁷ 信号。如果接受检查, 被雇用进行转移的渔船用要在公海长时间捕鱼的理由解释为什么携带大量燃料。由于利比亚没有渔业监测系统, 地方当局不知道这些渔船的位置、路线或速度。

174. 专家小组继续观察航行方式异常、表现出从事非法活动的船只。表 10 列出其中一些船只。

表 10
相关船只

名称	海事组织编号	船旗国	说明
Ali Mercan	8992730	巴拿马	成品油油轮(378 总吨)
Bonnie B	6810055	塞浦路斯	成品油油轮(1 580 总吨)
Maraya	7514517	萨摩亚	货船(640 总吨)
Ocean 61	8870865	巴拿马	成品油油轮(1 584 总吨)
Ozu 2	8918887	不详	拖网渔船(276 总吨)
Rose 10	7511125	巴拿马	成品油油轮(1 282 总吨)
Rose 20	8004662	坦桑尼亚联合共和国	成品油油轮(1 313 总吨)
Shahat	7820590	利比亚	拖网渔船(128 总吨)
Sifana(曾用名 Reem 1)	9046758	坦桑尼亚联合共和国	成品油油轮(780 总吨)
Sky White	7922491	塞拉利昂	拖网渔船(277 总吨)
Turu	8408777	巴拿马	成品油油轮(399 总吨)

来源：保密。

¹⁶⁶ 中心位置为北纬 34°14'13", 东经 10°49'03"。

¹⁶⁷ 自动识别系统是一种跟踪系统, 300 总吨以上船舶必须配备。

7. 从陆路非法出口

175. 专家小组在上份报告(S/2018/812, 第 182 段)中, 报告了从利比亚多个地区非法从陆路出口精炼石油产品的情况, 主要是苯。目前以不同的规模继续进行这种出口。在失业率普遍居高不下且几乎没有其他经济活动的地区, 这项活动为许多人创造了少量但稳定的利润。

176. 较少数量的燃料走私被社会认为可以接受。人们普遍认为, 石油是利比亚的一种资源, 所有公民都有权从中受益。在许多地区, 非正规经济很普遍, 对那些愿意购买燃料并自担风险将燃料运到包括利比亚境外的其他地区出售的人, 平行市场向其开放。

177. 在南部, 大多数加油站仍然关闭或以非官方价格出售燃料。哈利法·哈夫塔尔在南方的军事行动试图结束这一活动,¹⁶⁸ 但影响很小。虽然一些加油站于 2019 年 1 月和 2 月重新向公众开放, 并且平行市场燃料价格暂时从每升 1.5 至 2.0 利比亚第纳尔(1.08 至 1.44 美元)降至每升 0.5 利比亚第纳尔(0.36 美元), 但燃料走私后来恢复。黑市价格目前是每升 1.0 利比亚第纳尔(0.72 美元)。

178. 如专家小组上份报告第 185 段原先指出的, 在东部, 少量燃料继续从塞里尔炼油厂¹⁶⁹ 转运出来。

179. 在利比亚西部, 燃料从祖瓦拉经陆路走私到突尼斯。边境漏洞百出, 边境一侧的突尼斯非正规经济盛行, 导致了这种转运。突尼斯政府已经批准在本加尔丹建立自由贸易区,¹⁷⁰ 此举对非法燃料出口的影响仍有待评估。

六. 对被指认实体实施资产冻结

A. 概览

180. 专家小组继续与两个被指认实体(利比亚投资局(又称利比亚国外投资公司)(LYe.001)、利比亚非洲投资局(LYe.002))以及所有其他相关方的代表进行接触。专家小组继续主要调查: (a) 利比亚投资局现任管理层的法定权力; (b) 冻结账户的利息支付; (c) 管理费支付; (d) 子公司的待遇。利比亚投资局强调其改善公司及其资产管理的透明度、治理和问责制的战略(见附件 70)。

181. 专家小组一直报告说, 利比亚国外投资公司是利比亚投资局一个单独的法定金融实体, 应被作为这样的实体对待。¹⁷¹

182. 由于围绕冻结资产的财务状况很复杂, 专家小组需要增加能力, 以便在下

¹⁶⁸ 新闻网站 Almarsad, “利比亚国民军表示要攻击燃料走私者”, 2019 年 3 月 5 日。请查阅: <https://almarsad.co/en/2019/03/05/lna-says-it-will-attack-fuel-smugglers/>。

¹⁶⁹ 北纬 27°40'15", 东经 22°29'35"。

¹⁷⁰ Riadh Bouazza, “突尼斯和利比亚边境将建设自由贸易区”, 《阿拉伯周刊》, 2019 年 3 月 17 日。请查阅: <https://thearabweekly.com/free-trade-zone-be-established-tunisian-libyan-border>。

¹⁷¹ 见 S/2013/99, 第 225 段; S/2017/466, 第 237 和 238 段; S/2018/812, 第 232 段。

一个任务期内有效、高效地推进不断扩大的调查组合。

B. Palladyne/Upper Brook 案

183. 专家小组在上份报告第 208 至 226 段中，报告了利比亚投资局和利比亚非洲投资局 2007 年在开曼群岛设立的三个 Upper Brook 投资基金的控制情况，基金总价值为 7 亿美元。这些基金现在通常被称为 Palladyne/Upper Brook 基金。联合国王国根据 2011 年“利比亚(限制性措施)(海外领土)令”冻结了这些基金。

184. 2014 年，出于对基金管理的担忧，利比亚投资局撤换了其任命的第一个执行董事，Palladyne 国际资产管理公司。利比亚投资局任命了两名个人取代 Palladyne 国际资产管理公司担任新执行董事，该公司立即在开曼群岛大法院对此提出质疑。

185. 开曼群岛的最终判决¹⁷² 于 2019 年 1 月 30 日作出，Palladyne 国际资产管理公司于 2019 年 3 月 19 日对判决提出上诉。上诉正在审理中，结果肯定会影响这三个投资基金未来的管理。在 2018 年 12 月判决草案送交该诉讼涉及的所有当事方后，利比亚投资局立即解除了 2014 年任命的两名执行董事的职务。2019 年 1 月，利比亚投资局重新任命 Palladyne 国际资产管理公司为三个投资基金的执行董事。

186. 2019 年 2 月 6 日，利比亚投资局执行董事会主席 Ali Mahmoud Hassan 被逮捕。他被捕后，利比亚投资局执行董事会其余成员否认知晓重新任命 Palladyne 国际资产管理公司的决定。2019 年 2 月 20 日，利比亚投资局执行董事会其余成员任命 Khalid Khalifa Taher(执行董事之一)为执行董事会代理主席。执行董事会随后发布了一项决定，宣布 Ali Mahmoud Hassan 作出的所有决定无效。

187. 2019 年 2 月 23 日，民族团结政府总理以利比亚投资局董事会主席的身份宣布执行董事会 2019 年 2 月 20 日的决定无效。与此同时，利比亚行政管制局也采取了类似行动。理由是执行董事会的决定是在 Ali Mahmoud Hassan 缺席的情况下作出的，因此无效。

188. 董事会主席随后任命其办公室主任 Youssef Al Mabrouk 为执行董事会副主席，在主席缺席的情况下代理主席职务。随后，董事会主席任命 Mustafa al Manea 为利比亚投资局执行董事会成员，并成立了一个由规划部长领导的特设委员会，就利比亚投资局作为实体面临的法律问题与总检察长办公室进行联络。

189. 2019 年 4 月 18 日左右，Ali Mahmoud Hassan 从监狱获释。2019 年 4 月 22 日，利比亚投资局执行董事会两名成员辞职，剩下五名成员，包括新任命的副主席。2019 年 4 月 24 日，利比亚投资局执行董事会撤销了 2019 年 1 月将 Palladyne/Upper Brook 公司的控制权交给 Palladyne 国际资产管理公司的决定，并任命了这些公司的四名新执行董事会成员。

¹⁷² 开曼群岛大法院，Palladyne International Asset Management BV v. Upper Brook (A) Limited et al., 诉讼编号：2016(NSJ) FSD 0068，判决。

190. 2019年5月15日，专家小组致函利比亚投资局董事会主席，要求澄清三个开曼群岛基金的新管理结构。2019年6月6日，利比亚投资局执行董事会主席 Ali Mahmoud Hassan 代表董事会主席作出答复。简而言之，答复认定：(a) 2014年任命的两名执行董事被免职，因为他们拒绝承认民族团结政府任命的利比亚投资局执行董事会的权威，可以在没有任何董事会监督的情况下合法行事；(b) Palladyne 国际资产管理公司在短时间内被重新任命为 Palladyne/Upperbrook 基金的执行董事，这是临时解决方案，也确保了利比亚投资局仍然遵守开曼关于应尽义务的法律；(c) Palladyne 国际资产管理公司了解投资组合详情，提供了三个基金的详细月度业绩报告，并愿意参与对资产价值和位置以及该公司收费结构的调查。

191. 虽然利比亚投资局董事会强调 Palladyne 国际资产管理公司提供了关于这三支基金的详细月度报告，但专家小组认为以下几点值得考虑：

(a) 自 2014 年以来，月度报告未经行政管理人的核证；

(b) 专家小组看到的一些报告没有具体说明资产/投资的所在地，只粗略说明了资产的区域和部门配置情况，而非对具体公司的投资情况；

(c) 自 2018 年以来，仅利比亚投资局收到了所有三支 Palladyne/Upper Brook 基金的报告；

(d) 利比亚非洲投资局没有关于其投资的完整信息。利比亚非洲投资局虽然曾授权利比亚投资局代表其行事，但似乎在某个阶段撤销了这一决定，然而，撤销要求被利比亚投资局董事会副主席 2019 年 3 月 31 日的指令否决。

192. 上述事件说明，利比亚投资局董事会的决定一直在变化，这阻碍了对投资基金采取战略性的、连贯一致的管理办法。此外，由于未任命行政管理人¹⁷³ 提交月度执行情况报告，而且没有足够的信息使利比亚投资局能够确定三支投资基金持有哪些证券，因此未能实现有效和定期监督。虽然利比亚投资局已表示将很快任命一名法政审计师，但目前尚未制定其他具体步骤，使该局能够对这三支投资基金进行有效控制。

对利比亚投资局的领导权

193. 专家小组上一份报告(S/2018/812，第 222 和 223 段以及附件 58)讨论的领导权争议问题，继续影响利比亚投资局(别名“利比亚国外投资公司”)、利比亚非洲投资局和所有附属公司的运作。

194. 2019年4月10日，利比亚最高法院对总理委员会针对班加西上诉法院(行政分院)判决提出的两项上诉(S/2018/812，附件 58，第 8 和 9 段)作出了裁决。两项判决都以无管辖权为由被推翻。

¹⁷³ 行政管理人负责对投资进行核算，并向客户报告结果。行政管理人编制发送给客户的月度或季度报表，其中列示客户的持有量、收益、损失和余额。行政管理人还就这些项目回答客户的问题。

195. 专家小组了解到一起由利比亚投资局董事会前主席 Abdulmagid Breish 在利比亚提起的待决案件。2019 年期间，利比亚最高法院裁定，2013 年 3 月解除 Mohsen Derrigia 的董事会主席职务系属非法。

196. 联合王国的司法程序仍在继续进行，突显出目前的各种争端。利比亚投资局董事会现任主席 Ali Mahmoud Hassan 向联合王国高等法院提交了一项申请，要求取消因领导权争议而设立的接管制度。已举行数次审讯，预计将于 2019 年 11 月作出终审裁决。这些法律问题的进一步详情载于附件 71。

C. 管理费和保管费

197. 利比亚投资局提出了管理费和保管费的支付问题，该局认为这些费用是由于资产冻结而产生的损失。专家小组则认为，这类财务费用是业务成本的一部分，不能被称为或算作损失。

198. 专家小组在上一份报告第 224 至 226 段中指出，利比亚投资局存在不遵守第 1970(2011)号决议第 19(a)段关于费用支付的确定和通知程序的情形。在本报告所述期间还审查了其他案件。

199. 利比亚投资局向专家小组提供了以下详情：(a) 自 2011 年起，设在联合王国的两家银行收取了约 5 500 万美元的保管费；(b) 其中一家银行收取了约 1 250 万美元的管理费。利比亚投资局提供的这些数字与股票投资组合有关，显示了所谓的制裁副作用。利比亚投资局向专家小组明确表示，它的一家保管银行没有提供准确的管理费数据，因此投资局无法满足专家小组关于提供详细信息的要求。

200. 在目前的系统中，保管银行每月开具保管费发票，然后从利比亚投资局的账户中扣除这笔保管费。保管费包括维护证券记录、维护现金账户、保管和管理资产等服务的收费。专家小组曾直接致函该行，要求该行提供所保管资金的详细管理信息，但被告知，数据隐私限制使该行无法直接披露此类详细信息。专家小组已致函联合王国要求澄清，但尚未收到所要求的详细财务数据。

201. 巴林的一家银行代表利比亚投资局和利比亚国外投资公司在不同银行账户中持有资金，并定期从“免费账户”中扣除这些资金的管理费。这些资金本应被冻结，但由于对资产冻结条款的解释有误而未被冻结。会员国目前正在采取必要步骤，以全面执行第 1970(2011)号决议第 19(a)段。

202. 很明显，一些会员国没有正确解释第 1970(2011)号决议第 19(a)段的规定。专家小组建议会员国审查为妥善执行资产冻结而制定的措施，并就应遵循的正确程序向金融机构提供咨询意见，以避免不同做法继续存在，并全面遵守第 1970(2011)号决议第 19 和 20 段的规定。

D. 附属公司

203. 专家小组在上一份报告第 218 至 221 段中报告了附属公司的处理问题。这个问题在本报告所述期间反复出现，需要予以解决。

204. 各会员国采取的不同办法正在影响到资产冻结的妥善实施，而且很难确保按本来的意图把资金和经济资源等留给利比亚人民。其中一个案例说明了这一点。一家位于会员国“**A**”管辖范围内的公司归利比亚投资局所有。该公司的实际资金由设在会员国“**B**”的一家保管银行持有。由于该公司未被明确列入制裁名单，因此会员国“**B**”不认为其资产应被冻结，即使该公司的全资所有者是被指认实体——利比亚投资局。因此，这些资金可通过会员国“**B**”的托管银行自由支付，从而规避了资产冻结(见下文第 207 段)。

205. 专家小组指出，第 1970(2011)号决议第 17 段具有相关性：“毫不拖延地冻结……所列个人或实体……或由代表其或按其指示行事的个人或实体，或由其所拥有或控制的实体，直接或间接拥有或控制的资金、其他金融资产和经济资源。”

206. 专家小组还注意到，第 2009(2011)号决议第 15 段规定，截至 2011 年 9 月 16 日被冻结的利比亚投资局和利比亚非洲投资局的境外资金、其他金融资产和经济资源，应继续由各会员国冻结。除这种情况外，第 1970(2011)号决议第 17 段规定的措施将不再适用于利比亚投资局和利比亚非洲投资局。

207. 按照和谐解释规则，第 2009(2011)号决议第 15 段应与第 1970(2011)号决议第 17 段一并解读。若只冻结以被指认实体的名义直接持有的资产，资产冻结的适用将受到限制，或者几乎不存在。在法律上，直接或实益所有权和(或)控制权是确定公司所持资产的一个重要因素，也应该是确定各类制裁措施中的资产冻结条款措辞的一个因素。专家小组认为，如果被指认实体拥有某一附属公司的控股权益，因此能支配或影响该附属公司的决定，则应冻结该附属公司的资产。

208. 专家小组发现，一些会员国和金融机构在决定应冻结哪些资产，包括全资所有的附属公司的资产时，考虑了实益所有人和控制权。其他会员国和金融机构则没有考虑这一因素。

209. 专家小组认为，委员会第 1 号执行援助通知明确提出，附属公司不受资产冻结的制约，这直接抵触并违反了决议的规定。第 1 号通知不是法律文书，因此不能推翻或否定安全理事会决议的规定。专家小组认为，这一明显的矛盾需得到解决(见建议 11)。

E. 其他因素

210. 专家小组审查了其他问题，例如(a) 从金融机构获取信息的问题；(b) 第 6 号执行援助通知对冻结由被冻结资金产生的利息和其他收入的影响；(c) 东部存在一个平行的利比亚投资局董事会。详细信息载于附件 71。

211. 事实证明，缺乏会员国提供的准确和(或)精确信息，是全面了解被冻结资产的主要障碍。一个会员国提供的信息表明，连续两个年度报告数字之间存在巨大差异，目前仍在进行核对。专家小组仍在监测这方面情况。

七. 对被指认人员实施资产冻结和旅行禁令

A. 被指认的前政权人员的最新情况

212. 2018 年 11 月 2 日，专家小组约谈了阿布·扎伊德·奥马尔·杜尔达 (LYi.006)、萨阿迪·卡扎菲 (LYi.015) 和阿卜杜拉·赛努西 (LYi.018)，他们当时被的黎波里革命旅扣押。专家小组向被指认人员解释了资产冻结和旅行禁令措施，并与他们讨论了除名程序。这些人表示，资产冻结措施不够透明。

213. 专家小组拥有下列个人的补充识别信息：

LYi.006

姓名： 阿布·扎伊德·奥马尔·杜尔达
 确切别名： Dorda Abuzed OE
 护照号： FK117RK0 (签发日期：2018 年 11 月 25 日；到期日期：2026 年 11 月 24 日；签发地点：的黎波里)
 出生地点： Alrhaybat

LYi.009

姓名： 艾莎·穆阿迈尔·穆罕默德·阿布·明亚尔·卡扎菲
 出生日期： 1978 年 1 月 1 日
 护照号： 03824970 (签发日期：2014 年 5 月 4 日；到期日期：2024 年 5 月 3 日；签发地点：马斯喀特)
 身份号： 98606612

B. 第 2174(2014)号决议通过后被指认的个人的最新情况

214. 2018 年，委员会根据第 1970(2011)号决议第 22(a)段、第 2174(2014)号决议第 4(a)段和第 2213(2015)号决议第 11(a)段指认了 8 名个人。专家小组正在调查这些人的状况。

215. 2019 年 2 月 16 日，专家小组在利比亚约谈了穆罕默德·卡什拉夫 (LYi.025) 和 Abd Al-Rahman al-Milad (LYi.026)。约谈的详细情况载于附件 72。

216. 海岸警卫队当局证实，Abd Al-Rahman al-Milad 于 2018 年 4 月 9 日左右被停职。尽管如此，他们认为他是一名得力干将，并强调了他在营救移民方面的工作。专家小组询问，他作为扎维耶石油区里一个小港口的主管，为什么还在船上工作。海岸警卫队当局解释说，这类指挥官有打击人口贩运的权力，为鼓舞士气，他们需要偶尔出海。

217. 专家小组在上一份报告第 237 段中提供了穆罕默德·卡什拉夫(LYi.025)的补充识别信息。该信息后来被发现有误。此后，总检察长办公室提供了关于穆罕默德·卡什拉夫(LYi.025)的最新信息。

218. 专家小组获得了下列个人的补充识别信息：

LYi.023

姓名： Ahmad Oumar Imhamad al-Fitouri
 护照号： LY53FP76(签发日期： 2015 年 9 月 29 日；发布地点： 的黎波里)
 地址： (c) Dbabsha-塞卜拉泰
 国内身份号： 119880387067

LYi.025

姓名： Mohammed al-Hadi al-Arabi Kashlaf
 新姓名： Mohammed Al Amin Al Arabi Kashlaf
 姓名 (原语文字)： محمد الأمين العربي كشلاف
 出生日期： 1985 年 12 月 2 日
 护照号： C17HLRL3(签发日期： 2015 年 12 月 30 日；签发地点： 扎维耶)

LYi.027

姓名： Ibrahim Saeed Salim Jadhnan
 别名： Ibrahim Saeed Salem Awad Aissa Hamed Dawoud Al Jadhnan
 出生日期： 1982 年 10 月 29 日
 个人身份号： 137803
 国内身份号： 119820043341
 护照号： [S/263963](#)(签发日期： 2012 年 11 月 8 日)

C. 不遵守旅行禁令的情况

219. 有两起不遵守旅行禁令的实例。阿布·扎伊德·奥马尔·杜尔达(LYi.006)于 2019 年 2 月 17 日在利比亚获释。他于当天从的黎波里抵达突尼斯，然后继续前往埃及。专家小组要求突尼斯和埃及提供进一步的详细信息。埃及当局说，他

们在他离开突尼斯后才获悉他将来开罗。他们被告知他的病情危急，他抵达开罗后进行的体检证实了这一点。埃及当局表示，他们允许他留下来是基于人道主义原因。突尼斯也向专家小组表示，他是在一次人道主义紧急情况中过境该国的。

220. 专家小组于 2019 年 3 月 6 日在开罗约见了阿布·扎伊德·奥马尔·杜尔达(LYi.006)。他说，利比亚当局释放他的条件是他不能留在利比亚。他选择去埃及是因为他有家人住在那里。他的旅行、治疗和留在开罗的费用目前由民族团结政府支付。利比亚当局还向他保证，他们将确保他在欧洲国家接受进一步治疗。专家小组注意到，利比亚没有通过利比亚常驻代表团或相关联合国办事处提交豁免请求，但确实提交了事后豁免请求。

221. Sayyid Mohammed Qadhaf al-Dam(LYi.003)自 2015 年 11 月起享有旅行禁令豁免。他获得的最后一次延期的有效期到 2019 年 5 月 23 日为止。委员会没有收到任何进一步的延期请求，他继续留在埃及违反了旅行禁令。

八. 为有效执行资产冻结和旅行禁令措施而采取的行动

222. 第 2441(2018)号决议第 12 段对执行资产冻结和旅行禁令作出了具体规定。专家小组根据其任务规定，向几个会员国发出信函，要求它们提供进一步信息，说明为有效执行这些措施而采取的行动，特别是就委员会 2018 年指认的个人采取行动的相关信息。迄今只收到两份答复，其中未提供任何可采取行动的信息。

223. 专家小组与一些会员国举行了双边讨论，询问它们采取了哪些有效的执行措施。专家小组还出席了荷兰于 2019 年 1 月和 6 月在欧洲司法合作署海牙总部召开的两次会议。据了解，虽然大多数欧洲国家建立了执行联合国制裁的法律框架，但此类框架并没有就有效实施制裁之前为收集证据和查明直接或间接资产开展进一步调查作出规定。一些国家没有建立制裁执行情况的核查机制。一个会员国表示无法回答专家小组的具体问题，因为这将影响正在进行的调查。专家小组的结论是，由于会员国自己正在进行调查，或者由于尚未启动调查，会员国可提供的具体信息很少。

224. 专家小组还就 2018 年指认的 8 人中的 7 人向利比亚询问了有关情况。总检察长办公室通知专家小组，早在委员会指认一些个人之前，当局就已经对他们采取了行动。2017 年 12 月对穆罕默德·卡什拉夫(LYi.025)和 Abd Al-Rahman al-Milad (LYi.026)发出了逮捕令(S/2018/812, 第 143 段和附件 43)。此后对其余人员也发出了逮捕令。与此同时，当局向利比亚中央银行发出了冻结账户指示，向房地产登记处发出了查明财产指示，并向所有过境点发出了指示。虽然利比亚采取了必要的行政措施，但仍尚未有效执行资产冻结措施。例如，穆罕默德·卡什拉夫(LYi.025)证实，政府仍在支付他的工资。

225. 专家小组注意到，会员国无法有效执行旅行禁令的原因是缺乏完整信息，如旅客全名和详细的护照信息。

226. 旅客通过陆路、航空、有时通过海路进入一个国家。为了有效监测受旅行禁令限制的被指认人员的入境情况，会员国应建立一个电子旅客特征资料系统，以筛查所有旅行方式的旅客清单。目前只有少数国家有这样的系统。但是，必须建立一个至少可处理航空旅客信息的系统(见附件 73)。世界海关组织免费提供的全球旅行评估系统满足上述需求，应鼓励会员国使用该系统或类似系统。

227. 专家小组在与一些会员国的讨论中注意到，会员国对不遵守旅行禁令和资产冻结措施的影响缺乏认识。同样，一些会员国和被指认人员往往不知道可以利用豁免或除名程序，尽管第 1970(2011)号决议第 15 至 20 段、第 2441(2018)号决议第 12 段和委员会暂行工作准则中作出了明确规定。此外，不一定所有会员国都在安全理事会决议通过后制定了专门执行这些措施的国家法规。专家小组已向有关国家当局和它约见的多名被指认人员说明了这些程序。

228. 必须更广泛地传播关于资产冻结和旅行禁令的执行方式和豁免申请程序的信息。围绕在国家一级执行这些措施所面临的困难展开讨论，可为补救行动铺平道路。委员会已着手开展这项工作。

九. 建议

229. 专家小组建议：

专家小组的豁免权

给安全理事会的建议

建议 1. 提醒会员国，根据《联合国特权和豁免公约》第六条第 22 节的规定，它们有义务尊重特派专家的豁免权。[见第 4 段]

武器禁运

给安全理事会的建议

建议 2. 考虑启动第 2292(2016)号决议第 4 段最初授权并经第 2473(2019)号决议延长的有效检查制度，以拦截或阻止海上和利比亚港口内的武器转让。[见第 64 段]

建议 3. 扩大经后续各项决议修正的第 1970(2011)号决议的范围，启动有效的检查制度，通过对抵达利比亚机场的飞机进行独立检查，拦截或阻止空中武器转让。[见第 125 段]

建议 4. 考虑根据第 2174(2014)号决议第 8 段的规定要求转让军事技术，如海军或海岸警卫队非武装巡逻艇或轮式装甲车，必须事先获得批准。[见第 80 段]

建议 5. 确定电子抑制和干扰系统等旨在诱骗或击落无人机和无人战斗机的设备，或用于军事情报、监视和侦察的商用无人机是否属于第 1970(2011)号决议第 9 段所载的相关军用物资的范畴。[见第 99 和 123 段]

给委员会的建议

建议 6. 就第 2214(2015)号决议第 3 段中“采用一切手段消除”这一术语是否优先于经后续修正的第 1970(2011)号决议第 9 段的要求提供指导。[见第 93 段]

制止企图从利比亚非法出口原油和精炼石油产品的措施

给安全理事会的建议

建议 7. 审查第 2146(2014)号决议第 3 段所载信息机制的有效性、一致性和适当性，特别是使会员国能在专家小组的主持下，向委员会通报运输原油或精炼石油产品的船只情况。[见第 143 段]

建议 8. 扩大第 2146(2014)号决议所载措施的范围，授权会员国在利比亚沿岸的公海上，对它们有合理理由认为非法出口原油或精炼石油产品的进出利比亚的船只进行检查。[见第 171 段]

建议 9. 将第 2213(2015)号决议第 11 段所载措施的范围扩大到参与非法出口原油或精炼石油产品的实体或个人，特别是根据第 2146(2014)号决议第 11 段被指定的船只的所有人。[见第 145 和 171 段]

建议 10. 将第 2146(2014)号决议所载措施的范围扩大到精炼石油产品的非法进口。[见第 150 段]

资产冻结和旅行禁令

给委员会的建议

建议 11. 鉴于第 1 号执行援助通知与决议相矛盾，审查该通知的适用性。[见第 209 段]

指认标准

给委员会的建议

建议 12. 审议专家小组单独提供的关于符合安全理事会有关决议所述指认标准的个人的信息。

一般事项

给委员会的建议

建议 13. 更新制裁名单，纳入补充识别信息。[见第 213 和 218 段]

十. 附件

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Annex 1: Overview of the evolution of the Libya sanctions regime

1. By resolution [1970 \(2011\)](#), the Security 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 a travel ban and/or an asset freeze on the individuals listed 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 Security 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 Security 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 Security 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 or 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 assets 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 extends 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.

¹ <http://www.un.org/sc/committees/1970/notices.shtml>.

Annex 2: Acronyms and abbreviations

ACA	Administrative Control Authority
AGO	Attorney General's Office
AIS	Automatic Identification System
APC	Armoured Personal Carrier
AQ	Al-Qaida
ASM	Air to Surface Missile
ATGM	Anti-Tank Guided Missile
ATGW	Anti-Tank Guided Weapon
CBL	Central Bank of Libya
CCMSR	Conseil du commandement militaire pour le salut de la République
CEO	Chief Executive Office
CIHL	Customary International Humanitarian Law
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
Council	United Nations Security Council
DC	Detention Centre
DCIM	Department for Combatting Illegal Migration
ECB	European Central Bank
ECBL	Eastern Central Bank of Libya
ENOC	Eastern National Oil Corporation
EU	European Union
EUBAM	European Union Border Assistance Mission
EUC	End-user certificate
Eurojust	EU Judicial Cooperation Unit
EUNAVFOR	EU Naval Force Mediterranean
EUR	Euro
FACT	Front pour l'alternance et la concorde au Tchad
GMMR	Great Man-Made River
GNA	Government of National Accord
GNA-AF	Government of National Accord Affiliated Forces
GSLF	Gathering of the Sudan Liberation Forces
GT	Gross Tonnes
HAF	Haftar Affiliated Forces
HAS	Hardened Aircraft Shelter

IAFV	Infantry Armoured Fighting Vehicle
ICAO	International Civil Aviation Organization
IFV	Infantry Fighting Vehicle
IAN	Implementation Assistance Notice
IDP	Internally Displaced Persons
IED	Improvised explosive device
IHL	International Humanitarian Law
IMC	International Medical Corps
IMO	International Maritime Organization
IOM	International Organization for Migration
ISIL	Islamic State in Iraq and the Levant
JEM	Justice and Equality Movement
JSC	Joint Stock Company
KADDB	King Abdullah II Design and Development Bureau
Km	kilometres
LAIP	Libyan African Investment Portfolio
LCG	Libyan Coast Guard
LFB	Libyan Foreign Bank
LFIC	Libyan Arab Foreign Investment Company
LIA	Libyan Investment Authority
LIFG	Libyan Islamic Fighting Group
LNA	Libyan National Army
LOC	Lines of Communication
LRIT	Long-range identification and tracking system
LTP	Long Term Portfolio
LYD	Libyan Dinar
MMSI	Maritime Mobile Service Identity
MRAP	Mine Resistant Ambush Protected
MSPV	Minerva Special Purpose Vehicle
NGO	Non-governmental organization
NM	Nautical Miles
NOC	National Oil Corporation
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
OPV	Offshore Patrol Vessel
Panel	Panel of Experts

PBIED	Person-borne Improvised Explosive Device
PC	Presidency Council
PFG	Petroleum Facilities Guard
PGM	Precision Guided Munitions
PIAM	Palladyne International Asset Management
PPV	Protected Patrol Vehicle
RAMP	Reserves Advisory and Management Programme
RSF	Rapid Support Forces
SAM	Surface to Air Missile
SBIED	Suicide Borne IED
SDF	Special Deterrence Force
SGBV	Sexual Gender Based Violence
SLA	Sudan Liberation Army
SLA/AW	Sudan Liberation Army/Abdul Wahid
SLA/MM	Sudan Liberation Army/Minni Minawi
SRSG	Special Representative of the Secretary-General
TPF	Tripoli Protection Force
TRB	Tripoli Revolutionaries Brigade
UAE	United Arab Emirates
UCAV	Unmanned Combat Aerial Vehicle
UFDD	Union de Forces pour la Démocratie et le Développement
UFR	Union of Forces of Resistance
UN	United Nations
UNCLOS	UN Convention on the Law of the Sea
UNHCR	United Nations High Commissioner for Refugees
UNMAS	UN Mine Action Service
UNSMIL	UN Support Mission in Libya
US AFRICOM	United States Africa Command
US\$	United States Dollars
WB	World Bank
WCO	World Customs Organization

Annex 3: Methodology

1. The Panel ensured compliance with the 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 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 including the Coordinator. In the event of a recommendation for designation of an individual or a group, such recommendation would be done on the basis of 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 B.

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

Appendix A to Annex 3: UN GIS place name identification

Figure A.3.1
UN GIS place names Libya



Map No. 3707 Rev. 10 United Nations
November 2015

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

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 entity² 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.

² Hereinafter just the term individual will be used to reflect both.

6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.
7. 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 government) to communicate on his/her behalf on subsequent interactions with the Panel.

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

1. The Panel adopted the following stringent methodology to ensure that its investigations met the highest possible evidentiary standards, despite it being prevented from visiting all of Libya. In doing so it has paid particular attention to the “Informal Working Group on General Issues of Sanctions Reports”, [S/2006/997](#), on best practices and methods, including paragraphs 21, 22 and 23.

2. 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 eyewitnesses 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;
 - (vi) 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 collaborative 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
 - (xx) Open source information to identify other collaborative 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 collaborative or contradictory information regarding the Panel's findings.
- (e) The standard of proof is met when the Panel has reasonable grounds to believe that the incidents had occurred as described and, based on multiple corroboratory sources, that the responsibility for the incident lies with the identified perpetrator. The standard of proof is "beyond a reasonable doubt".
- (f) 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.

(g) If a party does not provide the Panel with the information requested, the Panel will consider whether this is of sufficient gravity to be considered as non-compliance with paragraph 16 of resolution [2441 \(2018\)](#), and thus consideration for reporting to the Committee.

3. 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.

4. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: 1) with the specific permission of the sources; and 2) 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 certain individuals, organisations or entities with whom the Panel met, in order to maintain the confidentiality of the source(s) and so as not to impede the ongoing investigations of the Panel.

Table 4.1

Member States, organizations, institutions and individuals consulted

<i>Country / Location</i>	<i>Government</i>	<i>Representative or Organization</i>	<i>Institution / Individual</i>
China		Permanent Mission to the UN	
Egypt			Abu Zayd Umar Dorda (Lyi.006), Other individuals
France	Ministries of Foreign Affairs, Finance and Defence	Permanent Mission to the UN Embassy to Libya	Individuals
Germany	Ministry of Foreign Affairs	Permanent Mission to the UN Embassy to Libya (in Tunis)	
Italy	Ministries of Foreign Affairs, Justice and Finance Prosecutors in Palermo and Catania	Permanent Mission to the UN HQ EU NAVFOR	Individuals
Jordan	Ministry of Foreign Affairs	Permanent Mission to the UN	Individuals
Libya	Ministries of Foreign Affairs, Interior and Defence, Central Bank of Libya	Permanent Mission to UN UNDP UNSMIL	Individuals, Designated Entities, Libyan Foreign Bank
Malta	Ministry of Foreign Affairs, Central Bank	Cassar Shipyard	Individuals
Netherlands		Embassy to Libya Eurojust	
Spain	Ministry of Justice	EU Satellite Centre	

<i>Country / Location</i>	<i>Government</i>	<i>Representative or Organization</i>	<i>Institution / Individual</i>
Tunisia		EU Delegation to Libya EUBAM UNMAS	Individuals
Turkey	Ministry of Foreign Affairs Ministry of Customs and Trade		Libya Investment Authority, Individuals
United Kingdom	Foreign and Commonwealth Office and Treasury	Permanent Mission to the UN Embassy to Libya (in Tunis) NGO AOA V	Financial institutions, Individuals
USA	State Department ^a	Mission to the UN World Bank ^a	

^a By VTC.

Annex 5: Summary of Panel correspondence (14 September 2018 to 24 October 2019)

Table 5.1

Correspondence with Member States (2362 (2017) Mandate) (14 September to 15 November 2018)

<i>Member State</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by Member State</i>	<i>Remarks</i>
Belgium	1	0	
Germany	1	0	
Italy	1	0	
Jordan	1	1	
Libya	2	1	
Luxembourg	1	0	
Spain	1	0	
Sweden	1	1	
Switzerland	1	0	
Turkey	3	0	
UK	1	0	
Ukraine	2	1	
USA	1	1	
Total	17	5	71% responded

Table 5.2

Correspondence with Member States (2441 (2018) Mandate) (16 November 2018 to 24 October 2019)

<i>Member State / Territory</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by Member State</i>	<i>Remarks</i>
Albania	2	2	
Algeria	1	1	
Angola	1	1	
Anguilla	1	0	
Antigua and Barbuda	1	0	
Australia	1	1	
Belgium	1	0	
Belize	1	1	
Bolivia	3	3	
Botswana	2	1	
Bulgaria	5	1	
British Virgin Islands	1	0	
Canada	1	0	

<i>Member State / Territory</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by Member State</i>	<i>Remarks</i>
Cayman Islands	1	1	
Chad	3	0	
China	5	3	
Egypt	4	2	
Eritrea	1	1	
Estonia	1	0	
Ethiopia	1	1	
France	9	0	
Germany	3	3	Requested more time
Greece	3	0	
Iran	3	0	
Ireland	2	2	
Isle of Man	1	0	
Israel	1	1	
Italy	7	1	
Jamaica	1	1	
Jordan	12	10	
Kazakhstan	5	1	
Lebanon	1	1	
Libya	50	43	
Luxembourg	1	0	
Malta	9	1	
Marshall Islands	4	4	
Moldova	7	2	
Morocco	4	3	
Netherlands	5	0	
Nigeria	5	1	
Norway	1	0	
Oman	2	1	
Pakistan	1	1	
Panama	6	3	
Russian Federation	5	4	
Saint Kitts and Nevis	1	1	
Samoa	2	1	
Seychelles	4	1	
Singapore	1	0	
South Africa	6	1	
Spain	1	0	

<i>Member State / Territory</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by Member State</i>	<i>Remarks</i>
Sudan	2	2	
Syria	2	1	
Tanzania	5	5	
Thailand	1	1	
Togo	4	3	
Tunisia	9	2	
Turkey	29	16	
Ukraine	11	0	
United Arab Emirates	26	16	
United Kingdom	14	1	
United States of America	7	7	
Total	313	161	48% responded

Table 5.3
Correspondence with regional organizations and other entities (2362 (2017) Mandate) (14 September to 15 November 2018)

<i>Organization or entity</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by entity</i>	<i>Remarks</i>
European Union	1	0	
Total	1	0	100% responded

Table 5.4
Correspondence with regional organizations and other entities (2441 (2018) Mandate) (16 November 2018 to 24 October 2019)

<i>Organization or entity</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by entity</i>	<i>Remarks</i>
EuroControl	1	0	
EU Satellite Centre	1	0	
Libya CAA	4	0	
LNA	16	15	Including Email
Total	22	15	32% responded

Table 5.5
Correspondence with commercial companies (2362 (2017) Mandate) (14 September to 15 November 2018)

<i>Company</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by company</i>	<i>Remarks</i>
Commerzbank	1	0	
Total	1	0	100% responded

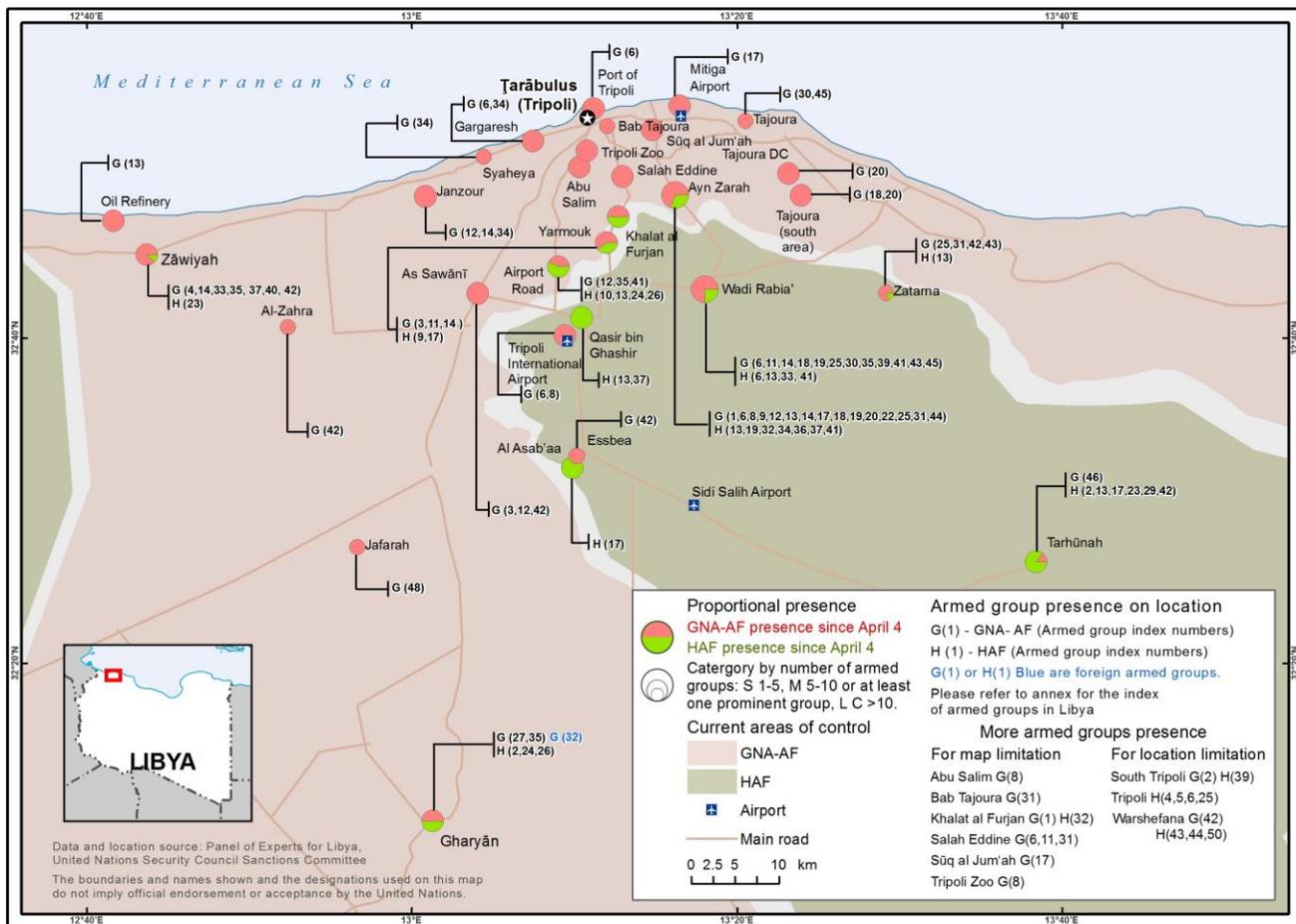
Table 5.6
Correspondence with commercial companies (2441 (2018) Mandate) (16 November 2018 to 24 October 2019)

<i>Organization or entity</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by company</i>	<i>Remarks</i>
Akkar	1	1	
Berlin Aviation	1	0	
BMC Turkey	1	0	
Carter Ruck	2	0	
CBL	2	0	
Containerships	1	0	
Contaz	2	2	
Deek Aviation	1	1	
Dickens and Madson	1	0	
East CBL	2	0	
East NOC	5	5	
Ekol	1	0	
FlightRadar24	1	0	
Global Air Transport	2	0	
Golden Eagle Trading F.Z.E.	2	0	
Goznal J.S.C.	1	0	
GDC Carriers	1	0	
Gumrukleme	1	1	
Hassan Energy	1	0	
IOMAX USA	2	1	
LIA	1	0	
Maersk	1	0	
Mavana	1	0	
Mercedes	1	0	
MSPV UAE	1	0	
NBF UAE	1	0	
Netoil	1	1	
Nexus	1	1	

<i>Organization or entity</i>	<i>Number of letters sent by the Panel</i>	<i>Number of unanswered letters by company</i>	<i>Remarks</i>
Nissan	2	0	
Palm Charters	1	0	
Patron Group	2	2	
Plures Air	2	2	
ProAir Germany	1	0	
ProAir Turkey	1	1	
Reederei	1	0	
Satcom Universal UAE	4	1	
Sera Denixclik Tasimacilik	1	0	
Sky AviaTrans	1	0	
Soylu Gemi Geri	1	1	
Space Cargo	1	1	
Standard Aero	1	1	
Sulaco Group	1	0	
Toyota	3	1	
Ukraine Air Alliance	1	0	
Total	63	23	63% responded

Annex 6: Maps of the conflict ³

Figure 6.1
Map of the conflict in Tripoli

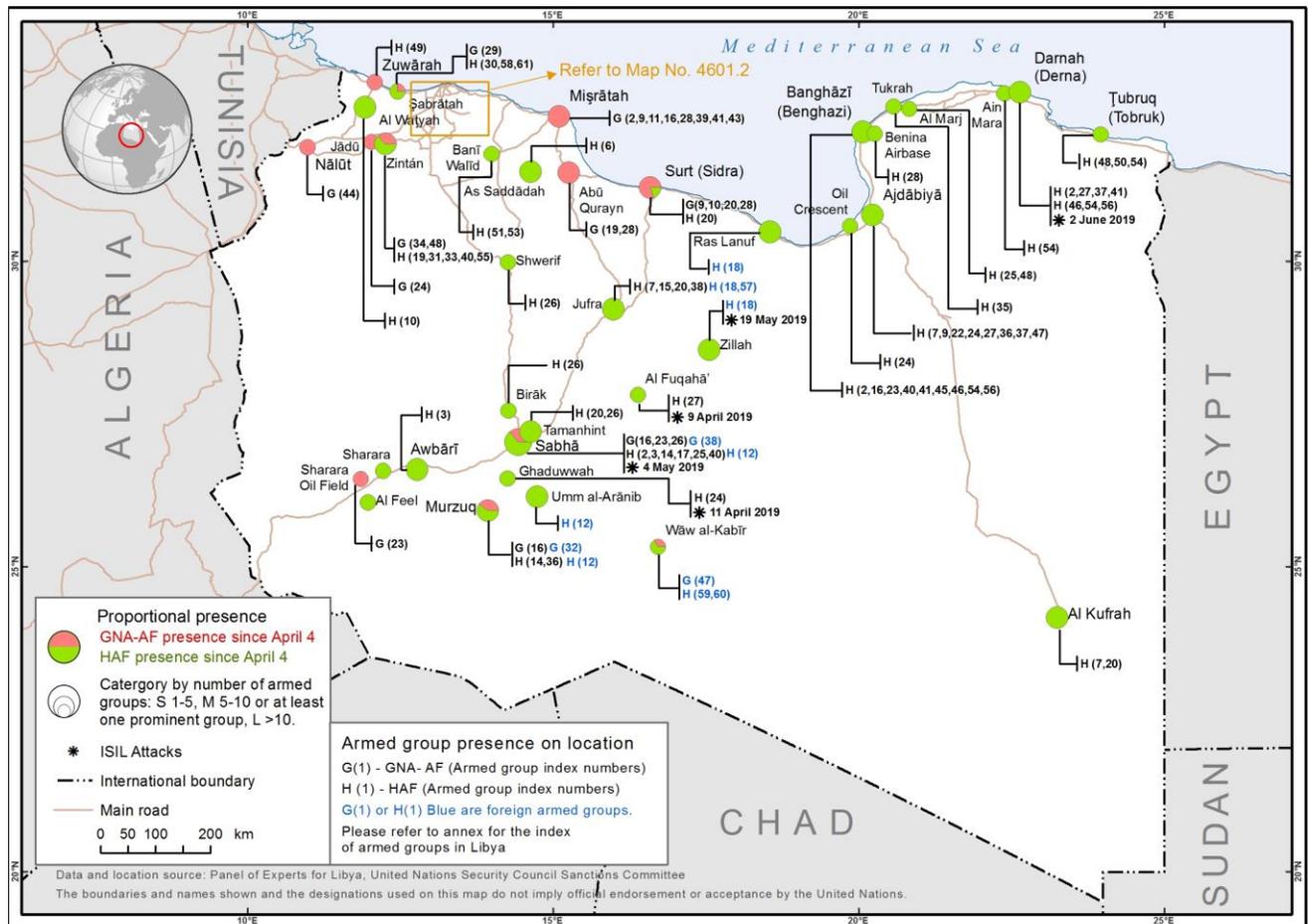


Map No. 4601.2 UNITED NATIONS
October 2019

Office of Information and Communications Technology
Geospatial Information Section

³ See appendix A for list of codes for armed groups.

Figure 6.2
Map of the wider conflict in Libya



Map No. 4601.1 UNITED NATIONS
October 2019

Office of Information and Communications Technology
Geospatial Information Section

Appendix A to Annex 6: Map codes for armed groups in Libya

GNA-AF Prominent Groups

G1 166 Battalion
 G2 301 Infantry Battalion
 G3 302 Infantry Battalion
 G4 Abu surra martyr's battalion (Ali Busriba)
 G5 Border Protection Force
 G6 Nawasi Brigade
 G7 Tripoli Revolutionary Brigade
 G8 Central Security Force Abu Salim (A. Kikli)
 G9 Halbous Battalion
 G10 Hateen Battalion
 G11 Mahjoub Brigade
 G12 Janzour Knights (Fursan Janzour)
 G13 Nasr brigade
 G14 National mobile force battalion
 G15 Somoud battalion
 G16 South Protection Force
 G17 Special Deterrence Force
 G18 Rahbat al-Duru' battalion
 G19 Bunyan al Marsous
 G20 Dhaman Battalion

GNA-AF Other Groups

G21 105 battalion
 G22 165 Guard and Protection Force Battalion
 G23 + 30 brigade
 G24 411 Border Protection
 G25 42 brigade
 G26 6 infantry brigade
 G27 Abu Ghilan Martyr's battalion
 G28 Al Laa'sar brigade
 G29 Al Madina battalion
 G30 Al Rawased
 G31 Bab Tajura battalion
 G32 * Conseil de Commandement Militaire Pour le Salut
 de la Republique
 G33 Farouq brigade
 G34 General Security Service
 G35 Hamdi bin Rajab Martyr's battalion
 G36 Haitham Kathrawi battalion
 G37 Ibrahim Hneish battalion
 G38 * Justice and Equality Movement (JEM)
 G39 Marsa brigade
 G40 Martyr Mohamed al Kilani brigade
 G41 Misrata country martyrs brigade
 G42 Muammar Al Dhawi battalion
 G43 Mustafa bin Rabia martyrs brigade
 G44 Nalut military council
 G45 Ousoud Tajura
 G46 Tarhuna Protection Force
 G47 * Union de la force de la resistance

G48 Zintan military council
 G49 Zuwarah Protection Force

HAF Prominent group

H1 102 infantry battalion
 H2 106 brigade legion
 H3 116 Infantry battalion
 H4 117 infantry battalion
 H5 127 infantry battalion
 H6 128 infantry battalion
 H7 152 mechanized brigade
 H8 155 infantry battalion
 H9 192 infantry battalion
 H10 78 infantry battalion
 H11 Tawhid Salafi brigade
 H12 * Gathering of the Sudan Liberation Forces (GSLF)
 H13 9 brigade (Kaniyat)
 H14 Khalid bin al Walid battalion
 H15 * Rapid Support Forces
 H16 Sa'iq special forces
 H17 Tariq bin Ziyad
 H18 * Sudan Liberation Army/Minni Minawi (SLA/MM)
 H19 Barq al Nasr
 H20 Soboul al Salam battalion
 H21 120 special forces battalion

HAF Other Groups

H22 101 light infantry brigade
 H23 107 infantry battalion legion
 H24 111 infantry battalion
 H25 115 infantry battalion
 H26 12 infantry brigade
 H27 121 infantry battalion
 H28 123 infantry battalion
 H29 124 artillery battalion
 H30 129 infantry battalion
 H31 134 Zaltan battalion
 H32 140 infantry brigade
 H33 142 infantry brigade
 H34 145 infantry brigade
 H35 153 infantry battalion
 H36 155 infantry battalion
 H37 166 infantry battalion
 H38 173 infantry battalion
 H39 201 battalion
 H40 21 special forces battalion (Zawiyahh)
 H41 210 mechanized infantry battalion
 H42 22 brigade
 H43 26 combat brigade

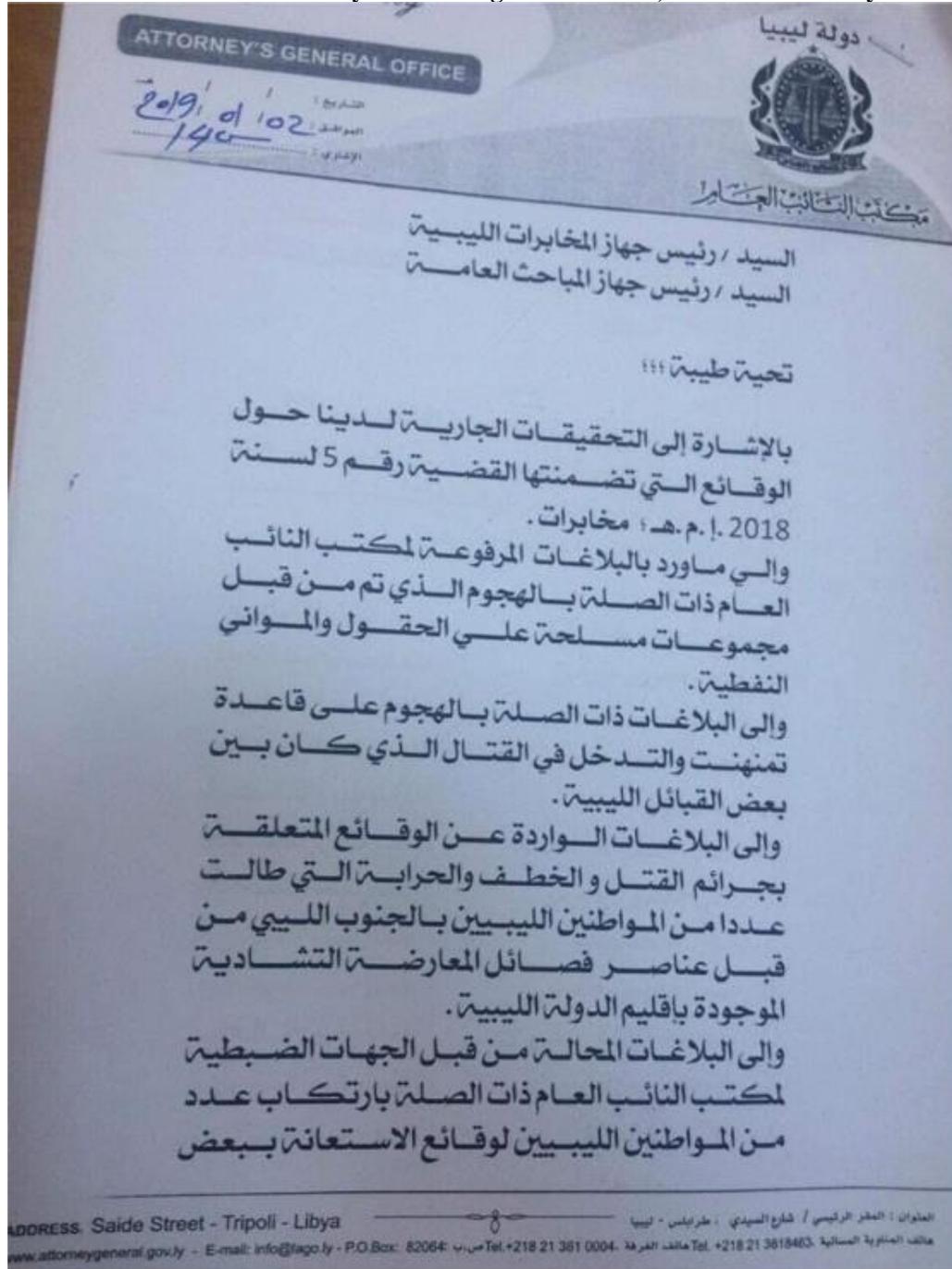
H44 27 brigade
H45 276 infantry battalion
H46 298 tank battalion
H47 303 infantry battalion
H48 306 infantry battalion
H49 4 brigade
H50 409 infantry battalion
H51 60 infantry support battalion
H52 6th force
H53 93 brigade
H54 Ain Mara martyrs brigade company

H55 Awbari zone
H56 Awliya al Dam Bu Hdima
H57 * Le Front pour l'alternance et la concorde au Tchad
H58 * Oruba battalion
H59 * Sudan Liberation Army/Abdul Wahid (SLA/AW)
H60 + * Sudanese Liberation Army/Transitional Council
(SLA/TC)
H61 Wadi battalion
+ Denotes location and/or details not verified by the Panel.
* Denotes foreign armed group.

Annex 7: Arrest warrants issued on 1 January 2019 by the AGO.

Figure 7.1

List of arrest warrants issued by the AGO against Chadian, Sudanese and Libyan nationals



Country

دولة ليبيا

ATTOENEY'S GENERAL OFFICE

التاريخ :
الموافق :
الإجمالي :

مكتب النائب العنستار

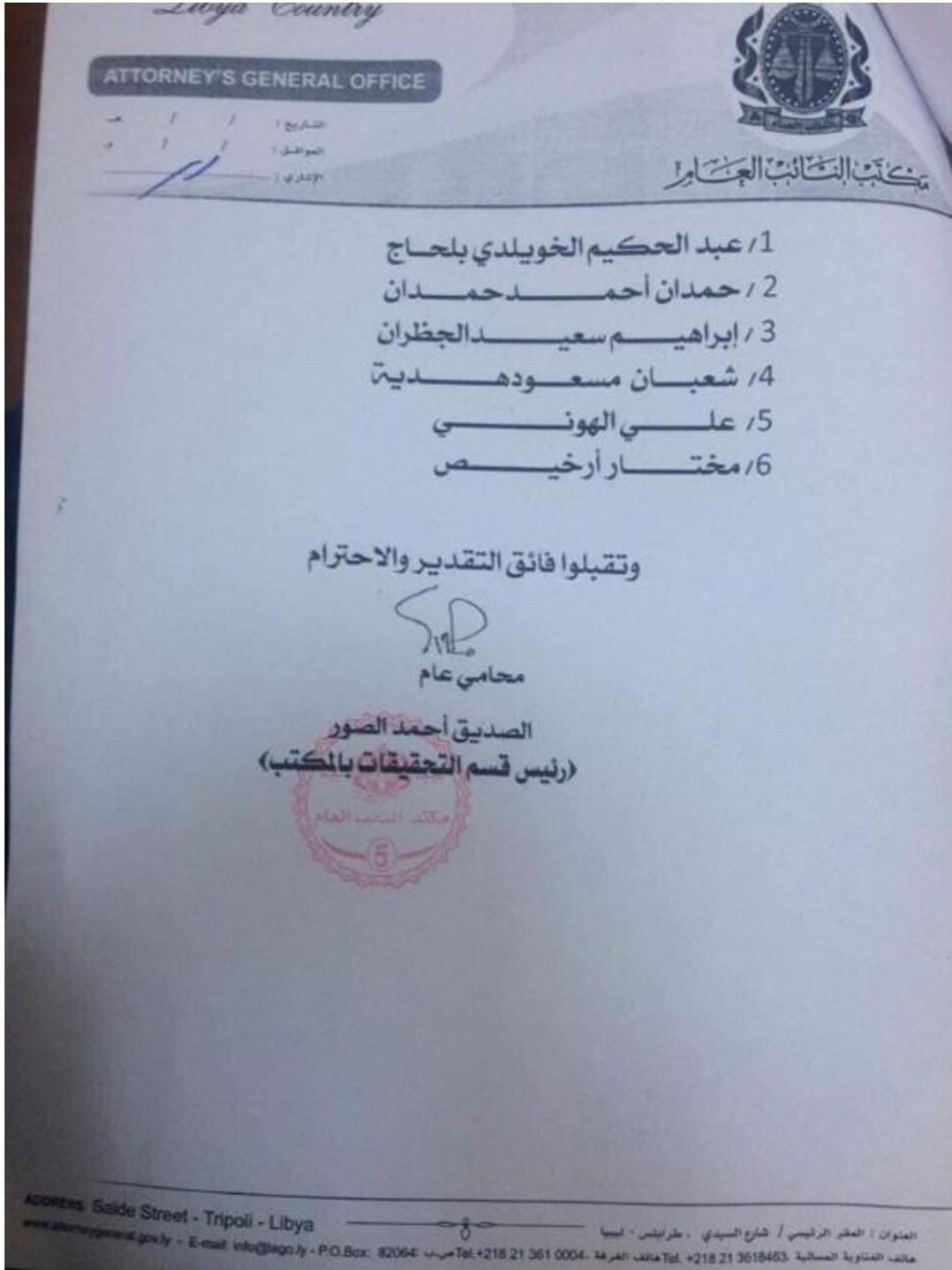
عناصر المعارضة السودانية والتشادية
والاشتراك مع بعض عناصرها في القتال الدائر
بين الفرقاء الليبيين .

نامر

أولا/ بالبحث والتحري عن الوافدين الآتي
ذكرهم بهذا الكتاب والعمل على ضبطهم
واحضارهم لارتكابهم الوقائع المشار إليها سلفا
وقيدتهم للمجموعات المسلحة وهم :

المعارضة التشادية	1/ علي أحمد عبد الله
المعارضة التشادية	2/ حامد جورو مارقى
المعارضة التشادية	3/ محمد موسى آدم
المعارضة التشادية	4/ محمد أحمد نصر
المعارضة التشادية	5/ آدم حسين
المعارضة التشادية	6/ محمد عبد الله أحمد
المعارضة التشادية	7/ عمر أبكر تيجاني
المعارضة التشادية	8/ بشارة حجر أيبو
المعارضة السودانية	9/ حسن موسى كالي
المعارضة التشادية	10/ محمد المهدي علي
المعارضة التشادية	11/ أبوبكر تولى
المعارضة التشادية	12/ الاشى وردوقو

العنوان : العنصر الرئيسي / شارع السيدى ، طرابلس - ليبيا
ماتف العنارة العنارية : +218 21 3615483. ماتف العنارة : +218 21 381 0004. ماتف : 82064 - P.O.Box: info@lago.ly - E-mail: info@lago.ly



Source: AGO.

Figure 7.2
Unofficial translation of the above document

Translated from Arabic

Attorney's General Office

Date : 02.01.2019

Ref.N°140

Mr. Head of the Libyan Intelligence Service
 Mr. Head of the General Intelligence Service

Greetings,

As a reference to the ongoing investigations concerning the events mentioned in case n°5 of 2018 Ref.: e.m.h; Intelligence.

to the claims addressed to Attorney General's Office concerning the attack that took place previously by armed groups against oil fields and ports.

To the claims linked to the attack against the Taminhint , and the intervening in the combat that was between some of the Libyan tribes.

To the claims on the events linked to killings, kidnapping, and robberies against a number of Libyans in the south of Libya by groups of Chadian opposition present in Libya.

To the incoming statements from investigative bodies to the Attorney's General Office on cases of some Libyan nationals who sought the assistance of members of the Sudanese and Chadian oppositions and the cooperation of some of their members in the combat taking place between the warring parties.

We order,

Firstly, to search and investigate on the following individuals listed in this note, apprehend and bring them in for committing the abovementioned events and their affiliation to armed groups. They are :

- | | |
|---------------------------|---------------------|
| 1. Ali Ahmed Abdallah | Tchadian Opposition |
| 2. Hamed Juru Marqi | Tchadian Opposition |
| 3. Mohamed Mussa Adam | Tchadian Opposition |
| 4. Mohamed Ahmed Nasr | Tchadian Opposition |
| 5. Adam Hssein | Tchadian Opposition |
| 6. Mohamed Abdallah Ahmed | Tchadian Opposition |
| 7. Omar Abakr Tijani | Tchadian Opposition |
| 8. Bichara Hajer Aybu | Tchadian Opposition |
| 9. Hasan Musa Kelley | Sudanese Opposition |
| 10. Mahmat Mahdi Ali | Tchadian Opposition |

11. Abubakar Tolli	Tchadian Opposition
12. Alashi Ourdugo	Tchadian Opposition
13. Barki Yusef	Tchadian Opposition
14. Timan Erdimi	Tchadian Opposition
15. Jaber Abubakar	Sudanese Opposition
16. Arko Minnawi	Sudanese Opposition
17. Abdelkarim Cholloy	Sudanese Opposition
18. Hamad Hasan Abderrehim	Tchadian Opposition
19. Musa Elhaj Azraq	Tchadian Opposition
20. Mahmat Nuri	Tchadian Opposition
21. Mohamed Hasan Boulmaye	Tchadian Opposition
22. Masud Jeddi	Tchadian Opposition
23. Abdullah Jennah	Sudanese Opposition
24. Kenga Bey Tabul	Tchadian Opposition
25. Hamad Hasan Abderrehim	Tchadian Opposition
26. Musa Alhaj Azraq	Tchadian Opposition
27. Mohamed Hakimi	Tchadian Opposition
28. Musa Mohamed Zein	Tchadian Opposition
29. Othman Al Quni	Sudanese Opposition
30. Musa Hilal	Sudanese Opposition
31. Ali Omar Tqadim	Sudanese Opposition

Secondly, search and investigate the following Libyan nationals and working on apprehending them and bringing them in. They are:

1. Abdelhakim Alkhuweldi Belhaj
2. Hmadan Ahmed Hamdan
3. Ibrahim Saeed Jadhnan
4. Shaaban Masud Hediye
5. Ali Haouni
6. Mokhtar Arkheiss
- 7.

Please accept my highest respect and consideration

General Attorney
Siddiq Ahmed Assour
(Head of Investigations Bureau)

Annex 8: Consultancy contract between General Dagalo and Dickens and Madson (Canada)

Figure 8.1

Consultancy contract dated 7 May 2019 between General Mohamed Hamdan Dagalo and Dickens and Madson (Canada) Incorporated

Received by NSD/FARA Registration Unit 06/17/2019 3:08:08 PM

Dickens & Madson (Canada), Inc.
740 Notre Dame West, suite 1250
Montreal, Quebec, Canada H3C 3X6

7 May 2019

CONSULTANCY AGREEMENT

You hereby retain us, and we hereby agree, as more fully set forth below, to lobby the executive and/or legislative branches of the governments of the United States of America, Saudi Arabia, the Russian Federation and any other mutually agreed upon country or countries as well as the United Nations, the AU and any other organization or NGO on your behalf and also provide other services, all to assist the devising and execution of policies for the beneficial development of your political aims, as more fully described below, and subject to the terms and conditions set forth below.

1. Our lobbying services shall consist of maintaining such contacts with the executive and/or the legislative branches of the aforesaid government or governments and institutions as you shall, in consultation with us, deem advisable in order to urge the institution and/or maintenance of legislative and/or executive policies favorable to you, and the elimination or prevention of such policies unfavorable to you. In particular, we shall strive, among other goals, to conduct lobbying, in the United States, the Russian Federation and other countries to assure that you attain recognition as the legitimate transitional leadership of the Republic of the Sudan and create a supervisory role for your council. In furtherance of this objective, we will ask [REDACTED] to visit Sudan by the end of this month. We shall then attempt to arrange meetings for the council leadership with senior personalities in the United States. We will then strive to



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arrange a public meeting between The Honorable President Trump and yourselves. We shall also strive to arrange private meetings for you with senior Russian and other political figures. We shall use our best efforts to ensure favorable international as well as Sudanese media coverage for you and we shall further undertake to obtain financing for you from the United States, the Russian Federation and other countries. We shall also strive to obtain funding and equipment for the Sudanese military. We will strive to obtain funding for your Council from the Eastern Libyan Military Command in exchange for your military help to the LNA (Libyan National Army).

2. Our lobbying services shall also consist of maintaining such contacts with the executive and/or the legislative branches of the aforesaid government or governments, international institutions and/or political organizations, as you shall, in consultation with us, deem advisable, in order to urge the institution and/or maintenance of legislative and/or executive policies favorable to you, and the elimination or prevention of policies unfavorable to you. More specifically we shall lobby to garner international support for the restoration of domestic tranquility in Sudan. In furtherance of this end we shall strive to obtain urgent meetings for your representatives with Heads of various Middle Eastern Governments to discuss and resolve any outstanding matters between Sudan and these Governments and enhance mutual cooperation especially in the field of internal security. We shall also strive to have the United States terrorist designation of Sudan dropped. We shall also seek a resolution to any remaining State divestment programs and issues of U.S. Export Controls and regulations. We shall further attempt to correct unfavorable international media coverage and current misconceptions concerning the Sudan and its Government. We shall assist in the integration of South Sudan with Sudan in the form of a Sudanese Union modeled after the European Union and the integration of the marketing of the oil and mineral reserves into a consolidated entity. We shall also strive to secure for you U.S. investment in a joint oil project involving the Republic of the Sudan and the Republic of South Sudan for the full development of existing and potential oil and gas resources. We shall endeavor, through [REDACTED] companies already introduced to Khartoum, as



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well as other investors and specialized companies to bring the general project forward within 3 months. We shall also attempt to provide military training and security equipment to your military forces. We shall also strive to obtain for you infrastructural and food security support through a grant or grants in aid from the Government of the Russian Federation, or some branch thereof. Such grants are to be used in the manner specified by you and in agreement with the government of the Russian Federation. These grants will include at least 300 000 MT's of high protein wheat and another 200 000 MT's of animal feed and 100,000 tonnes of diesel.

3. The lobbying services noted above shall be conducted by us if and only to the extent they are mutually agreed upon, and only to the extent allowed by law and in particular, but without limitation, only to the extent that all activities conducted by us can be, and are, in compliance with any and all laws and regulations relating to lobbying on behalf of a foreign entity, including registration and disclosure. As you know consultants are not allowed to receive any funds that devolve from government grants that they may procure for their client.

4. The other services cited by us above shall, to the extent mutually agreed upon, include assistance in providing key personnel, training, equipment, technical assistance, and development assistance, as may be appropriate.

5. The fee for this consultancy agreement shall be US\$6,000,000.00 payable upon signature of this agreement by wire transfer to the following account:

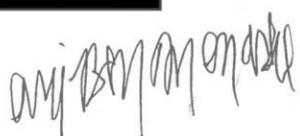
Beneficiary account name:
Beneficiary address:

Beneficiary account number:
Bank name:
Bank address:

Bank routing:
Bank SWIFT:
Reference:




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6. Any normal out-of-pocket disbursements shall be our responsibility; and the payment of any unusual out-of-pocket disbursements shall be as mutually agreed upon.

7. We will keep you fully advised on all our efforts on your behalf.

8. We shall develop a series of guidelines within which we shall have the discretion to act on your behalf, subject always to your specific instructions.

9. We shall exert reasonable efforts to secure favorable legislative and/or executive policies, including, without limitation, the specific items noted in paragraphs 1, 2 and 4 above. You are aware, however, that it is not possible in these fields to guarantee any particular results. In order to enable us to serve your interests effectively, considering the foregoing, you agree to cooperate with us fully in furnishing us with necessary information as promptly as possible.

10. The term of this agreement shall be for one year renewable upon mutual agreement.

11. This letter of agreement sets forth our entire understanding.

12. This Consultancy Agreement and any documents relating to it may be executed and transmitted between the signatories by facsimile or email, which facsimile, or email, shall be deemed to be, and utilized in all respects as, an original, wet-inked manually executed document.



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13. If any party below breaches any material provision, or term of this contract and fails to remedy such breach within (5) days of receipt of written notice requiring it to do so if it is not reasonably possible to remedy the breach within five (5) days within such time as may be reasonable in the circumstance the two parties agree to attempt to resolve all disputes in connection with this agreement or the fulfillment of this agreement through friendly discussion. If the dispute cannot be resolved through friendly discussion, the dispute shall be arbitrated in London, United Kingdom by the LCIA with the prevailing law to be the "United Nations Convention on Contracts (1980) and the Laws of the Province of Quebec, Canada.

If the foregoing correctly sets forth your understanding of our agreement, please so indicate by countersigning below. This letter shall then constitute a binding agreement between us.

Dated as of this 7th day of May 2019.

Confirmed and accepted:

Dickens & Madson (Canada), Inc.

By: 
Ari Ben-Menashe, President



Confirmed and accepted:

Transitional Council of Sudan

By: 

H.E. Lieutenant General Mohamed Hamdan Dagalo, Deputy Leader

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Source: U.S. Department of Justice under the Foreign Agents Registration Act. <https://efile.fara.gov/docs/6200-Exhibit-AB-20190617-8.pdf>

Annex 9: Attack on NOC headquarters in Tripoli

1. On 10 September 2018, an unidentified group of armed men entered the NOC headquarters by force, killing 2 and injuring 37 staff. Three IEDs were detonated, causing substantial damage to the premises. The building is still under renovation.

Figure 9.1
Armed attacker



Source : Confidential

Figure 9.2
Armed attacker



Source: Confidential

Figure 9.3
Condition of the premises in September 2019



Source : Confidential

Figure 9.4
Condition of the premises in September 2019



Source: Confidential

Annex 10: ISIL claim of responsibility for MFA attack of 25 December 2018

Figure 10.1
ISIL claim of responsibility



SMM Libya
@smmlibya

" 'ISIS security cells' carry out attacks from time to time, targeting the factions and groups that remain control over the Libyan cities and towns. The latest one was in Tazerbo town in Al-Kufra region last November," #ISIS #Amaq said in a statement

#Libya #Tripoli #GNA #MFA

يذكر أن الخلايا الأمنية للدولة الإسلامية تشن بين الحين والآخر، هجمات على الفصائل والجماعات التي تسيطر على المدن والبلدات الليبية، كان آخرها في بلدة تازربو بمحافظة الكفرة جنوب شرقي ليبيا أواخر الشهر الماضي.

Annex 11: Initial attack on Tripoli International Airport (TIA)

1. Neighbourhoods surrounding TIA and the airport road have been at the frontline of conflict since HAF usurped the TIA and grounds on 5 April 2019. Although the facility was destroyed in the 2014 conflict and is no longer in operation, it remains a strategic asset. HAF briefly lost control of some areas to GNA-AF on 7 and 8 April 2019 before regaining their position. The Panel has been unable to visit the site for an assessment.
2. A photograph of a designated individual, Abd Al-Rahman al-Milad (LYi.026) posing with GNA fighters in the vicinity of the airport was obtained by the Panel on 8 April 2019.

Figure 11.1

HAF fighters at Tripoli international airport on 5 April 2019



Source:

<https://m.facebook.com/warinformationdivision/photos/a.1621302997911303/2652748824766710/?type=3&source=54>.

Figure 11.2

Abd Al-Rahman al-Milad (LYi.026) near Tripoli international airport on 8 April 2019



Source: Confidential source. The same image was subsequently published at <https://almarsad.co/en/2019/04/08/gna-forces-collaborating-with-un-sanctioned-smugglers/>.

Annex 12: Threats to and attacks on GNA Minister of Finance

1. On 25 September, two individuals, one with known association to the GNA-AF Nawasi brigade, Muhammad Abu Dara', attacked and threatened the GNA Minister of Finance and other staff.

Figure 12.1

GNA Minister of Finance accuses Al-Tahir Urwah and Muhammad Abu Dara' of the attack

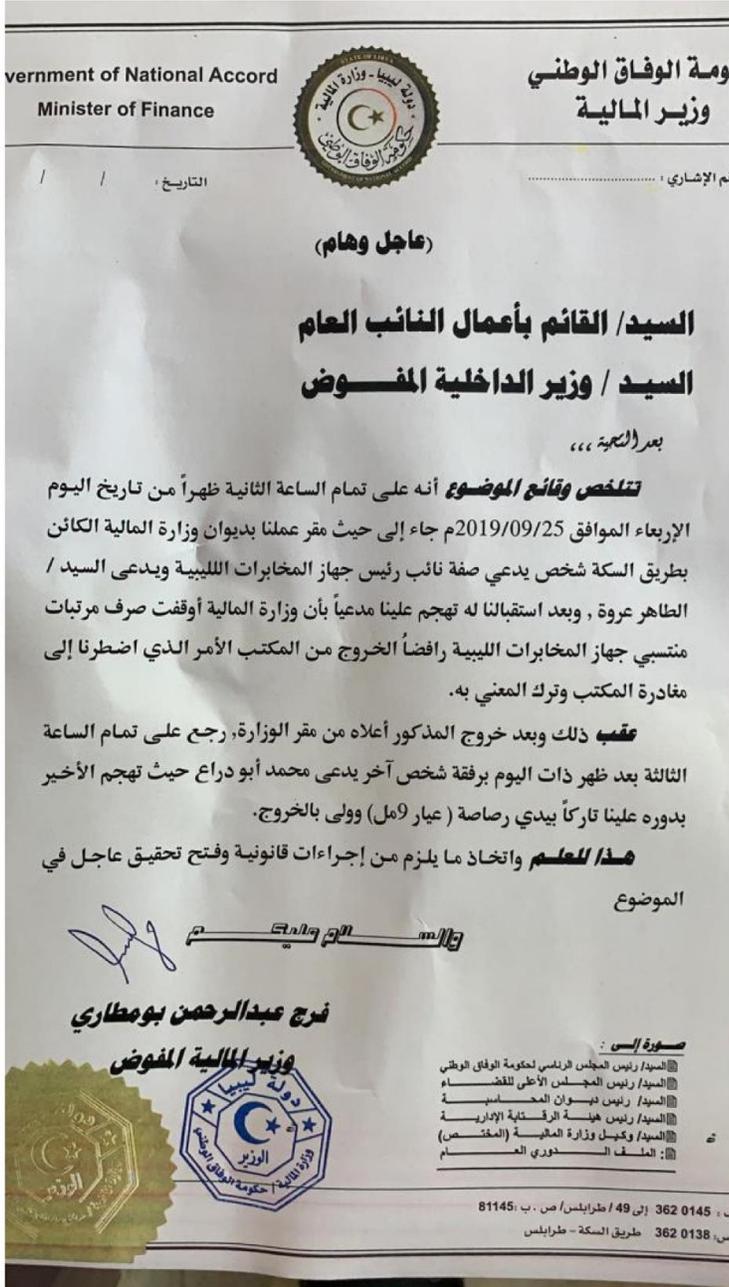


Figure 12.2

Official translation of the above document.

Translated from Arabic

**Government of National Accord
Minister of Finance**

Urgent and important

Sirs,

The facts of the case are as follows: at 2 p.m. on Wednesday, 25 September 2019, an individual named Al-Tahir Urwah, who claimed to be Deputy Chief of the Libyan Intelligence Service, came to our workplace at the Ministry of Finance Secretariat on Sikkah road. After we had shown him in, he attacked us, claiming that the Ministry of Finance had stopped disbursing the salaries of Libyan Intelligence Service staff. He refused to leave the office, forcing us depart from the office and leave him there.

After he had left the Ministry building, he came back at 3 p.m. that same day with another individual named Muhammad Abu Dara'. The latter also attacked us, leaving a 9 mm calibre bullet in my hand. He then left.

These facts are being passed on for your information and so that you can take the necessary legal measures and open an urgent investigation.

Regards,

(Signed) Faraj Abdulrahman Bu **Matari**
Minister of Finance

Acting Public Prosecutor
Minister of Finance

cc:

President of the Presidency Council of the Government of National Accord
Chief of the Superior Council of the Judiciary
Head, Audit Bureau
Head, Administrative Oversight Agency
The concerned Deputy Minister of Finance
Archive

Statements on social media by Muhammad Abu Dara' threatening GNA Minister of Finance



The image shows a screenshot of a Facebook profile for Muhammad Abu Dara' (محمد الازهر ابودراع). The profile picture is a circular image of him. The cover photo is a larger image of him. The profile name is "محمد الازهر ابودراع" and it shows "7,118 Followers". Below the profile information, there is a post from October 3 at 10:50 PM. The post text in Arabic reads: "وراس بناتي التنتين سرقية ما بعرف وين منور غسان سلامة". Below the post, there are 777 likes, 51 comments, and 1 share. The post is categorized as "Most Relevant". Below the post, there is a comment from "انحة أم فارس" which says: "شكراً وزير المالية بومطاري الشباب لي ماتو الزوزان شاء الله ربي يتقبلهم برحمته حا تدفع التمن انت ان شاء الله". The comment has 33 replies and 122 likes. At the bottom of the screenshot, there are three buttons: "مشاركة" (Share), "تعليق" (Comment), and "أعجبي" (Like).

Source: <https://www.facebook.com/profile.php?id=100027889903236>

Annex 13: Attack on Mitiga airport (1 September 2019)⁴

Incident details

1. At approximately 01:30 hours (local) on 1 September 2019 explosive ordnance (EO) detonated in two locations within the airport boundaries (see figure 13.1). The attack was executed minutes after the landing of a Libyan Airlines Airbus A330-200 as the passengers from the Haj pilgrimage had disembarked and were walking to the terminal building.

Figure 13.1

Location of EO impact points at Mitiga international airport (1 September 2019)



Source: Google Earth Pro image is from 23 July 2019 for illustrative purposes only. The aircraft shown is not the one damaged.

⁴ Information from UNSMIL supported by multiple media sources.

2. This attack was the latest in a series of attacks against Mitiga international airport using land service ammunition⁵ since the conflict started on 4 April 2019. UNSMIL has recorded fifteen such attacks during the current conflict additional to HAF air strikes.⁶

3. UNSMIL deployed an inspection team to the airport on 1 September 2019, and determined the damage reported at table 13.1. The UNSMIL technical assessment of impact area two was constrained by the removal of physical forensic evidence prior to their arrival and indistinctive crater patterns. This report will not consider this impact area further.

Table 13.1

Damage to Mitiga international airport from EO impact

<i>Impact area</i>	<i>Impact point</i>	<i>Geo-coordinates</i>	<i>Damage</i> ^a
1	Main aircraft parking area	32°54'17.52"N, 13°16'35.40"E	<ul style="list-style-type: none"> ▪ Fragmentation damage to rear and tail of Airbus A330-200 ▪ Minor crater in aircraft pan (2.36m x 0.89m).
	Main terminal car park		<ul style="list-style-type: none"> ▪ 105m West of terminal and 406m from crater in aircraft pan.
2	Main terminal car park	32°54'20.49"N 13°16'19.58"E	<ul style="list-style-type: none"> ▪ Fragmentation damage to parked vehicles. ▪ Minor infrastructure damage to a civilian building and retaining wall;
	Main terminal car park		

^a As reported by UNSMIL.

4. The airport authorities suspended air operations and closed the airport, which was not re-opened for commercial traffic until 3 September 2019.

Technical analysis of physical evidence and determination of EO type

5. The UNSMIL inspection team measured the crater (figure 2) on the aircraft parking pan as being 2.36m x 0.89m. It was located 41m away from the parked aircraft.

⁵ Using ground based weapons systems as opposed to the HAF air strikes.

⁶ (23, 24) June 2019, (7, 17, 22, 29) July 2019, and (3, 4, 7, 11, 15, 16, 24, 27) August 2019.

Figure 13.2
Crater on Mitiga international airport aircraft parking pan (1 September 2019)



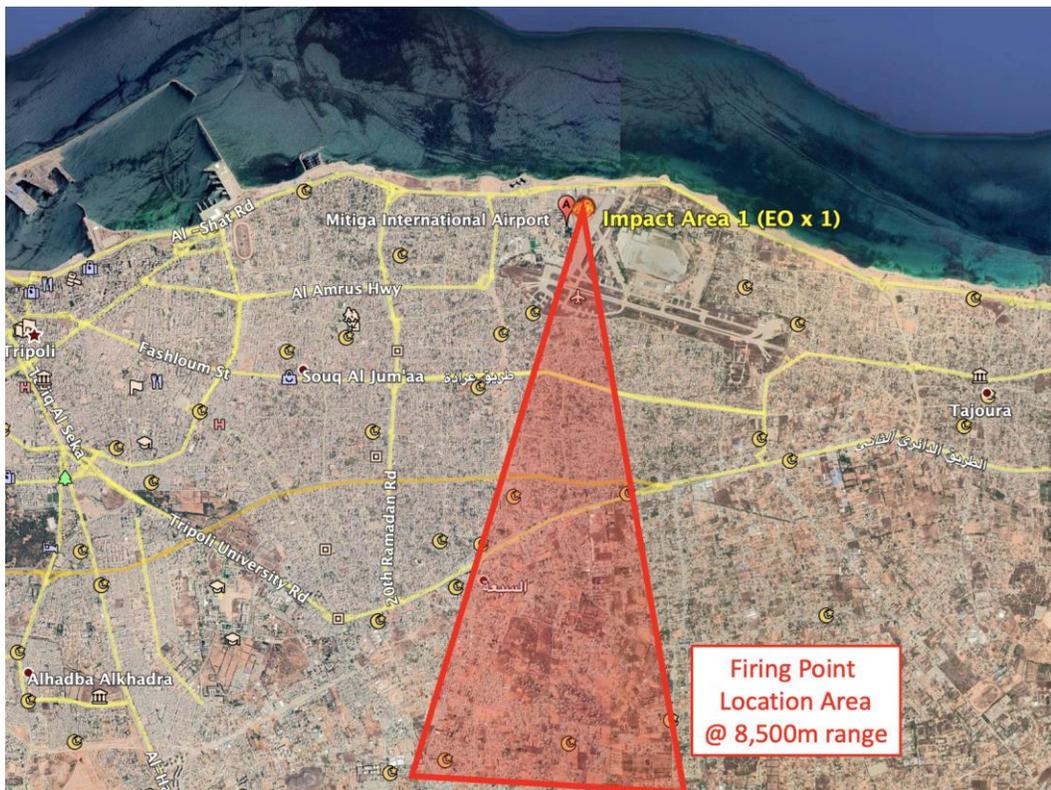
Source: <https://www.libyaobserver.ly/news/renewed-rocket-attacks-tripoli's-mitiga-airport-injure-hajjis>.

6. The dimensions of the crater and the distinctive “splatter” pattern identified by UNSMIL technical specialists on the ground at the aircraft parking pan are highly indicative of the impact detonation of an indirect fire weapon system of between 81mm to 107mm. Based on the current weapons systems available to armed groups in Libya today, this would mean the use of either an 82mm high mortar or 107mm Type 63 free flight rocket (FFR) system for this attack. It is almost certain that the damage was not the result of the detonation of the 6.5kg high explosive warhead of a 122mm BM 21 “Grad” FFR.

7. The 107mm Type 63 FFR system has the greater range of the weapon options, with a maximum range of 8,500m. From this, and the analysis of the crater dimensions and “splatter” pattern, the Panel

finds it almost certain that the explosive ordnance was firing from a location along an approximate back bearing of 185° (+/- 15°) from the impact point as shown in figure 13.3.

Figure 13.3
Location of firing point (1 September 2019)



Source: Image from Google Earth, 23 July 2019.

8. Confidential sources have indicated that the firing point was highly likely to have been in the south-west corner of the area illustrated above at a location called Camp Moz.⁷

Casualties

9. Two crew members of the aircraft and five aircraft technicians were reportedly injured in the attack.

⁷ Near $32^{\circ}50'47.95''\text{N}$, $13^{\circ}16'8.08''\text{E}$

Attribution of responsibility

10. Although no armed group has yet taken responsibility for this attack, it is certain that HAF units were not responsible for this attack, as they had no ground forces anywhere near the area of the firing point.

11. There were some claims from a confidential source that the Tajura-based GNA-AF 33rd Brigade (a.k.a. Rabhat al-Durua') was responsible for the attack as they are involved in an internal-GNA-AF conflict with the Special Deterrence Force (SDF) who control the prison at the airport in which 33rd Brigade individuals are detained. Notwithstanding this claim though, the "banana project" area has also recently been used as a staging area for the 2nd Brigade, the Nawasi battalion, the Somoud brigade and battalion 301. Elements of the now dispersed Tripoli Revolutionaries Brigade (TRB) may also have transited this area, and as they have recently had a member imprisoned by the SDF, they too would have a motive for the attack.

12. An alternative claim is that perpetrators were from a mixed group of ex-regime supporters, Haftar supporters and criminals from Ghararaat. They are known to have previously attacked the airport in 2017/2018 and they have serious issues with the SDF.

Analysis of violations of IHL

13. The Panel has initially analysed the applicable law in relation to this incident on the basis of its own independent investigations. The Panel has complied with the methodology listed at appendix C to annex 3 of this report.

By the armed group (AG)

14. IHL requires that parties follow the IHL principle of distinction⁸ and take all feasible precautions to distinguish between civilian objects and military objectives. The Panel finds that the impact area at the civilian airport was a civilian object and not a legitimate military objective at that time, and thus the AG failed to respect relevant principles of IHL, including those relating to proportionality,⁹ as the likelihood of excessive harm to civilian objects could have reasonably been anticipated in the circumstances as the AG were certainly aware of the status of the location as a civilian international airport.

⁸ CIHL Rule 7 – The Principle of Distinction between Civilian Objects and Military Objectives.

⁹ Under IHL "launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited".

(Emphasis added). See CIHL Rule 14.

15. It is reasonable to expect that the AG commander planning, directing and ordering this attack was aware of the civilian status of this part of the airport, given that this information is readily available, and the AG commander should have taken this into consideration when assessing if there were any ‘concrete and direct military advantage’ to the attack.¹⁰

16. IHL also requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize (...) damage to civilian objects.¹¹ The fact that the AG was aware that this was a civilian location, where there would certainly be a congregation of civilians as a civilian aircraft had just landed, meant that they should have been particularly vigilant when undertaking a proportionality assessment and making use of available precautionary measures to minimize the incidental loss of civilian life and damage to civilian property.¹² It is also not yet clear what precautionary measures were taken, if any, by the AG. If taken, then the precautionary measures were ineffective.

Panel findings

17. The Panel finds that by attacking the civilian area of Mitiga international airport at that time, that the AG were in violation of CIHL Rule 7 - The Principle of Distinction between Civilian Objects and Military Objectives,¹³ CIHL Rule 14 – Proportionality in Attack¹⁴ and CIHL Rule 15 – Principle of Precautions in Attack.¹⁵

¹⁰ See CIHL Rule 14.

¹¹ See 1) CIHL Rule 15; and 2) Article 13(1) of Additional Protocol II to the Geneva Conventions.

¹² See commentary to CIHL Rule 14, and the United States Department of Defense Law of War Manual (2015), p.1033, which requires combatants to assess in good faith the information that is available to them, when conducting attacks.

¹³ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule7.

¹⁴ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule14.

¹⁵ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule15.

Annex 14: GNA indiscriminate use of S-125 Nova Pechora missiles

Incident details

1. On 13 June 2019 video imagery showed GNA-AF firing an S-125 Nova Pechora¹⁶ medium range surface to air missile (SAM) from an improvised launcher in an indirect fire role against HAF ground targets in Tripoli.

Figure 14.1
S-125 Nova Pechora SAM on GNA-AF improvised launcher



Figure 14.2
S-125 Nova Pechora SAM fired from GNA-AF improvised launcher



Source: @oded121351. Twitter Video Extract. 13 June 2019. Accessed 17 June 2019. [L] and [R].

2. The use of surface to air missiles (SAM) from improvised launchers in the indirect fire role against populated areas is a violation of IHL no matter the circumstances. Many factors affect the accuracy¹⁷ and precision¹⁸ of an indirect fire weapon system, including meteorological conditions, the suspension system of the launcher, knowledge of the ballistic trajectories for differing ranges, the condition of the rocket motor propellant, accuracy of sighting system, and the professionalism of the crew. All these require substantial modelling, field testing, statistical analysis of fall of shot under known conditions, and training. From this a Circular Error Probability (CEP)¹⁹ can be derived. For a purpose designed free flight rocket system, such as the 122mm GRAD multi-barrel rocket launcher at

a range of 20km the CEP and variables mean that a deflection error of 160m either side of the target and a range error of 300m would not be untypical.²⁰ For an improvised system such as the S-125 *Nova Pechora*²¹ SAM, fired in a surface to surface role, there is virtually no possibility the crew could know the CEP.

Panel findings

3. The Panel finds that by firing indiscriminately towards a target within a civilian populated area the GNA-AF are in violation of CIHL Rule 11 - Indiscriminate Attacks,²² CIHL Rule 14 – Proportionality in Attack²³ and CIHL Rule 15 – Principle of Precautions in Attack.²⁴

²⁰ GICHD. February 2017. *Explosive Weapon Effects*. pp32-33. (ISBN: 978-2-940369-61-4). Geneva: GICHD.

²¹ NATO designation SA-3 *Goa*.

²² https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule11.

²³ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule14.

²⁴ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule15.

Annex 15: Attack on Tajura DCIM Detention Centre (2 July 2019)

1. At 23:28.41 hours and 23:39.33 hours local time²⁵ on 2 July 2019, two items of explosive ordnance (EO) were dropped from a military aircraft and detonated within the Dhaman military compound²⁶ at Tajura. One EO detonated in the detention centre and the second EO in a Dhaman brigade vehicle repair workshop and storage area (see image 15.1 for general layout of the Dhaman military compound).

Image 15.1

Layout of Dhaman military compound and EO strikes



Source: Imagery from Google Earth Pro. Information from confidential sources.

²⁵ Timings obtained from security camera footage of the area. The camera is located at 32°50'3.53"N, 13°23'5.84"E and is facing NorthEast. <https://www.facebook.com/100004332917324/videos/1319047484916336/?s=100024356882840&sfs=mo>. The Panel notes that this is a little used social media account, last used in November 2016. The Panel is convinced of the veracity of the video. Accessed on 5 July 2019.

²⁶ ضمان كتيبة. EO Strike 1, 32°50'3.58"N, 12°23'9.50"E; EO Strike 2, 32°50'3.79"N, 13°23'5.50"E.

2. On 6 July 2019 Maxar Technologies Incorporated (www.maxar.com) released satellite imagery of the aftermath of the attack that were taken on 3 July 2019 (images 15.2 and 15.3). The Panel has re-orientated this imagery to allow for an easy direct comparison to image 15.1.

Image 15.2

Maxar satellite image of Dhaman compound and EO strikes (3 July 2019)



Image 15.3
Maxar satellite image of area of EO strikes (3 July 2019)



Casualties

3. The initial UN OCHA report²⁷ stated that local health sector partners had indicated that at least 53 refugees and migrants were killed, with 130 injured, and this has been widely reported. Notwithstanding this, a highly experienced independent investigator informed the Panel that there was minimal evidence to support this when the site was visited on 3 July 2019, less than fifteen hours post-attack. Only very low levels of human remains or tissue were observed, blood levels were very low on the surrounding infrastructure and surfaces, and there was no strong distinctive smell associated with decaying remains or body tissue. There were not the usual levels of such evidence that would be

²⁷ OCHA. Humanitarian Update. *Attack on Tajura detention centre*. 3 July 2019.

expected, even after the evacuation of casualties and cadavers, if an item of explosive ordnance had detonated within such a densely occupied building. The Panel continues to investigate casualty levels, but currently cautions against the accuracy of the initial local health sector reports, as this incident is being used in the propaganda war between the parties to the conflict.

Notification and warnings

4. The locations of all DCIM detention centres and refugee/migrant camps were routinely notified to all parties to the conflict, but the Panel could not identify any formal protocols for notification.²⁸ OHCHR had certainly informed parties to the conflict of the geo-coordinates of detention facilities,²⁹ and reminded them³⁰ of their obligations regarding the protection of civilians and civilian objects. In a statement on 8 May 2019 UNHCR had called for refugees and migrants in detention centres in conflict areas to be immediately evacuated to safety.³¹

5. The Panel notes, for example, that the geo-coordinates provided to the Panel by UNHCR for the DCIM detention centre, (32°50'03.3"N, 13°23'08.1"E), were for a single point only located 30m equidistant between the detention centre and the Dhaman brigade vehicle workshop (see image 15.3). If these had been sent to the parties then they would require interpretation by a strike targeting team³² as to which building was the DCIM detention centre.

6. The Panel investigated how the notification system worked, including the level of geo-coordinate detail disseminated and made recommendations of best practice (an extract of which is at appendix A).

Technical analysis of physical evidence and determination of EO type

7. Post blast crater photogrammetry analysis by the Panel of imagery (image 15.4) determined that the size of the crater resulting from the air strike that impacted on the detention centre, was 4.3m

diameter.³³ The crater profile is highly indicative of that typically caused by the sub-surface detonation of a high explosive (HE) aircraft (A/C) bomb.

Image 15.4
Post blast crater



Source: Extracted from <https://www.nytimes.com/video/world/africa/10000006594125/libya-airstrike-migrant.html?smid=pl-share>.

8. This crater size and profile falls within the dimensional parameters for the detonation of approximately 90kg of high explosives (TNT equivalent) at a burial depth of 1.2m (figure 15.1).

Figure 15.1
Explosive Engineers Tool Box prediction of crater size and profile

The calculations give the apparent crater dimensions produced by the detonation of spherical TNT charges in general media up to a maximum of 2000. Craters formed in sands will generally be shallower than those in soils. Other soils (clayey sand, silty loam, etc.) usually fall in between sands and clays. A wet soil will usually produce a larger crater than a dry soil. This is particularly true of clays soils. Craters are assumed to have a parabolic shape.

Inputs: Soil Type: [] Soil Specific Gravity: [] Depth of Burial in: [] Explosive Weight kg: []

General True Crater Dimensions: Radius in: [] Depth in: [] Volume cu m: [] Crater Length in: []

Calculated Crater: [] Range in: [] Overpressure MPa: [] Overpressure dBC: []

	Minimum	Calculated	Maximum
Apparent Crater Radius in	[]	[]	[]
Apparent Crater Depth in	[]	[]	[]
Apparent Crater Volume cu	[]	[]	[]
True Crater Radius in	[]	[]	[]
True Crater Depth in	[]	[]	[]
Approximate Limit of Ejecta in	[]	[]	[]
Approx Particle Range at Limit kg	[]	[]	[]
Overpressure at Particle Range Limit	[]	[]	[]

Source: Explosive Engineers Tool Box (EETB). Assumes initiation at a burial depth of 1.2m due to impact.

³³ A confidential source later reported measuring the crater as 4.2m x 2.8m.

9. This explosive mass estimate is close to the 91.4kg (TNT equivalent) explosive mass of the Mark 82 variant HE A/C bomb or a similar type. The damage levels physically observed, and the security camera imagery of the explosion, provide qualitative evidence in support of this technical estimate.

10. The Panel thus finds that an HE A/C bomb with an explosive content of approximately 90kg was almost certainly the cause of the explosion.

11. Explosives engineering analysis predicts that for an explosive device the size of an HE A/C bomb (net explosive content (NEC) of 90 kg) the blast overpressure will result in 99 per cent fatalities at a radius of up to 8.3m from the point of detonation, with permanent hearing damage expected out to a radius of 42.4m.³⁴ These figures will be reduced to a degree as the A/C bomb detonated sub surface inside a space protected by the concrete walls between the rooms in the detention centre. Fatalities and injuries from fragmentation effects would be dependent on the spatial density of the inhabitants, who would act as “fragmentation traps”.³⁵

Attribution of responsibility

12. Although various allegations as to the perpetrators of the incident have been made, the Panel notes that at a press conference in Benghazi on 3 July 2019, Ahmed al-Mismari, the HAF spokesperson, admitted that the HAF had conducted the air strikes.³⁶ He reportedly went on to say that the HAF regarded the base as a legitimate target and that the HAF had repeatedly targeted it with airstrikes and artillery. The Panel notes that no claim was made that solely HAF-owned air assets were used in the air strikes.

13. On 4 July 2019, the GNA Minister of Interior and Defence, Fathi Bashagha, claimed that the attack was conducted by the United Arab Emirates using an American manufactured F-16 jet.³⁷ He then went on to suggest that Egypt could also be complicit by allowing the UAE aircraft to refuel in Egypt.

³⁴ See C. N. Kingery and G. Bulmash, “Airblast parameters from TNT spherical air burst and hemispherical surface burst”, Technical Report ARBRL-TR-0255 (Ballistics Research Laboratory, Aberdeen Proving Ground, Maryland, United States, April 1984). Assuming peak reflected pressure surface burst.

³⁵ The Panel does not yet have sufficient information to model this aspect of the warhead’s capability with any degree of acceptable accuracy for this incident.

³⁶ <https://www.yenisafak.com/en/news/haftar-forces-admit-to-libya-migrant-camp-airstrike-3484837>. Accessed on 5 July 2019.

³⁷ <https://www.wsj.com/articles/libyas-tripoli-government-blames-u-a-e-for-deadly-airstrike-11562255129>. Accessed on 5 July 2019.

14. The Panel has established that, until now, the only night operational capability³⁸ for the delivery of explosive ordnance by the HAF was the *Wing Loong* unmanned combat air vehicle (UCAV), and possibly the IOMAX Archangel. The HAF is not operating any assets under its sole control with a night operational capability to accurately and precisely deliver HE A/C bombs of the type used in this incident. The attack on Tajura shows some of the hallmarks of the use of precision guided munitions (PGM), as the odds of two unguided ‘dumb’ aircraft bombs both hitting the roofs of buildings, in what is a relatively under developed area in terms of low spatial density infrastructure, would be very low.

15. The Panel also has independent evidence from a reliable confidential source³⁹ that an unknown number of *Mirage* 2000-9 fighter ground attack (FGA) were using Al Khadim airbase,⁴⁰ and Jufra⁴¹ as operating bases at that time. The HAF does not possess such aircraft types. A full maintenance and weapons support team would also need to be provided by the supplying Member State, as the HAF has neither the training, equipment or explosive ordnance types to support the operation of such an aircraft type. The *Mirage* 2000-9 has a fully night operational capable airframe, with the capability to also deliver PGM.

16. Therefore, the Panel finds it highly probable that the air strike was conducted using PGM at night by a modern FGA aircraft owned and operated by a Member State, acting in direct support of the HAF. The Panel reserves identification of this Member State until further physical evidence or imagery emerges to increase attribution confidence levels, and continues to investigate the circumstances of the air strikes.

Continuity of evidence

17. The Panel has concerns about the continuity of physical evidence and hence the veracity of the claims by the local health partners to OCHA as to the effects of the explosion within the DCIM detention centre.

18. Firstly, there appears to be a disparity between the damage levels observed immediately post blast from the security camera imagery (image 15.5) and those that were recorded by the media and other investigators the next day (image 15.6). The security camera footage clearly shows a determined

³⁸ This is the capability to accurately and precisely deliver explosive ordnance against a specific target using the avionic system paired to the airframe and weapons system, as opposed to a pilot’s judgement as to the right release point using passive night vision goggles (PNG).

³⁹ Two further confidential sources have also indicated that *Mirage* 2000-9 aircraft are now operating in Libya in support of the HAF.

⁴⁰ Centred on 31°59'59.10"N, 21°11'40.22"E. The Panel has previously reported on the development and use of Al Khadim airbase by the UAE in paragraphs 124 to 125 and annex 35 of [S/2017/466](#), and paragraphs 111 to 113 of [S/2018/812](#).

⁴¹ Centred on 29°11'54.15"N, 16°0'4.86"E.

effort to break down a door to allow the migrants to egress the building post blast. This would not have been required if the wall had been destroyed by the blast. Similarly, the security camera imagery shows an intact roof gutter line and a wall where the door is; that roof line and wall is no longer there in image 15.6. Independent investigators also report a small bulldozer working in the immediate area on their arrival, but the activity stopped during the period of their visit.

Image 15.5
Immediate post-blast imagery from security camera⁴²



Image 15.6
Post-blast imagery from media⁴³



Sources: Source: 1) Extracted from
<https://www.facebook.com/100004332917324/posts/1319048021582949?s=100024356882840&sfns=mo>. Accessed on 5 July 2019. [L];
 and 2) extracted from <https://almarsad.co/en/2019/07/06/satellite-images-and-video-footage-reveal-new-facts-on-tripoli-migrants-detention-centre/>. Accessed on 6 July 2019. Verified by ground eye-witnesses that visited on 3 July 2019 [R].

19. Secondly, the opinion of an independent investigator concerning the low levels of forensic evidence vis-à-vis human remains and tissue (see earlier) are to a degree supported by the imagery. Close examination of images 15.4 shows no signs of blood splatter on the white colour walls in the immediate area of the bomb crater. This is highly unusual for the claimed number of casualties with what would have been a very high occupational spatial density at the time of the explosion.⁴⁴

20. Thirdly, the security camera video imagery shows the 10:52 minutes between the explosions, and a further 3:09 minutes imagery post explosion. No individuals were observed leaving the detention centre. In the time shown post the second explosion the rescuers had still not managed to unlock or

⁴² Source: Extracted from <https://www.facebook.com/100004332917324/posts/1319048021582949?s=100024356882840&sfns=mo>. Accessed on 5 July 2019.

⁴³ Source: Extracted from <https://almarsad.co/en/2019/07/06/satellite-images-and-video-footage-reveal-new-facts-on-tripoli-migrants-detention-centre/>. Accessed on 6 July 2019. Verified by ground eye-witnesses that visited on 3 July 2019

⁴⁴ The Panel estimates, based on photogrammetry and the claimed casualty levels, that each individual would have been occupying no more than 2.2m² of floorspace. That figure assumes everyone in that part of the detention centre was a fatality or injury.

break down the door to gain access to the detention centre building, and no migrants or refugees had emerged from that side of the building. This evidence contrasts the claims mentioned in the OCHA humanitarian update⁴⁵ that some refugees and migrants were fired upon by guards as they tried to escape.

21. The Panel makes no findings regarding these continuity of evidence related issues, but includes them for background and to assist in any future independent investigation.

Analysis of violations of IHL.

22. The Panel has initially analysed the applicable law in relation to this incident on the basis of its own independent investigations. The Panel has complied with the methodology listed at appendix C to annex 3 of this report.⁴⁶

By the HAF

23. Although it is highly probable that the airframe that delivered the explosive ordnance in this attack was operated by a Member State, those operations were almost certainly in support of the HAF against targets developed by and agreed upon with the HAF air operations organization. Thus, the HAF bears a large burden of command and operational responsibility for the attacks. The Member State supporting the HAF with the air assets used in this attack will also highly probably have violated IHL, and the Panel continues to investigate this aspect.

24. The Panel investigations demonstrated that, while it is possible that some individual fighters may have been present in the Dhaman brigade workshop and storage area, there were civilians, including children, in the detention centre at the time of the air strikes.

25. IHL requires that parties follow the IHL principle of distinction⁴⁷ and take all feasible precautions to separate civilians and military objectives. The Panel finds that although it is possible that the air strike targeted some GNA-AF fighters, the HAF and the Member State failed to respect relevant principles of IHL, including those relating to proportionality,⁴⁸ as the likelihood of excessive harm to civilians and civilian objects could have reasonably been anticipated in the circumstances because:

⁴⁵ OCHA. Humanitarian Update. *Attack on Tajura detention centre*. 3 July 2019.

⁴⁶ The Panel has had its findings confidentially and independently peer reviewed by a legally qualified expert from another Panel.

⁴⁷ See Article 50 of Additional Protocol I to the Geneva Conventions. <https://ihl-databases.icrc.org/ihl/INTRO/470>.

⁴⁸ Under IHL “*launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited*”. (Emphasis added). See CIHL Rule 14.

(1) This likelihood of excessive harm to civilians and civilian objects could have reasonably been anticipated in the circumstances because: (i) the detention centre was a civilian object *prima facie* immune from attack; (ii) the detention centre was functional on the day of the air strike; and (iii) that the timing of the attack at night would be such as to cause a disproportionately high number of civilian casualties. It is reasonable to expect that a commander ordering these air strikes should have been aware of the above factors, given that this information is readily available, and should have taken them into consideration when assessing the ‘concrete and direct military advantage’ of the air strikes.⁴⁹

(2) The Panel notes that the HAF has not provided any information that demonstrated that a significant number of those who died or injured were fighters affiliated to the GNA-AF. Instead, initial information collected by the UN and other organizations from local health partners suggest that the attack may have resulted in the deaths of at least 53 refugees and migrants, with 130 injured,⁵⁰ although this data is still being investigated by the Panel and should be viewed with caution at this time (see above).

(3) It is also relevant that one aircraft bomb detonated inside the detention centre, and not “near” the detention centre in an area the fighters affiliated to the GNA-AF may have been expected to gather.

26. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects.⁵¹ The fact that the HAF and Member State would be aware that it was a detention centre and thus a civilian location where there would ordinarily be a congregation of civilians (see above), meant that the HAF and/or Member State should have been particularly vigilant when undertaking a proportionality assessment and making use of available precautionary measures to minimize the incidental loss of civilian life and damage to civilian property.⁵² It is also not yet clear what precautionary measures were taken, if any, by the HAF and/or

⁴⁹ See CIHL Rule 14.

⁵⁰ In the Galic Trial Judgement (2003), the International Criminal Tribunal for Former Yugoslavia held in respect of a shelling at a football tournament that “*Although the number of soldiers present at the game was significant, an attack on a crowd of approximately 200 people, including numerous children, would clearly be expected to cause incidental loss of life and injuries to civilians excessive in relation to the direct and concrete military advantage anticipated*”. See <http://www.icty.org/x/cases/galic/tjug/en/gal-tj031205e.pdf>.

⁵¹ See 1) CIHL Rule 15; and 2) Article 13(1) of Additional Protocol II to the Geneva Conventions.

⁵² See commentary to CIHL Rule 14, and the United States Department of Defense Law of War Manual (2015), p.1033, which requires combatants to assess in good faith the information that is available to them, when conducting attacks.

Member State, including confirmation that the detention centre was not operational, on the day of the attack. If taken the precautionary measures were ineffective.

By the GNA-AF

27. Imagery from a confidential source taken the morning after the air strike clearly shows the remains of a 4x4 'Technical' with a quad 14.5mm heavy machine gun mounted in the rear of the vehicle (image 15.7). 23 mm ammunition was also observed on the floor in the same area as the vehicle, which was located in the damaged workshop and storage area of the Dhaman brigade (image 15.8).⁵³ This evidence confirms that this particular building was a legitimate military target, but this alone does not justify offensive action against the building (see above).

Image 15.7

Destroyed Quad 14.5mm heavy machine gun



Image 15.8

Ammunition for ZSU 23-2 anti-aircraft cannon



Sources: Confidential [L] and [R].

28. IHL requires that parties follow the IHL principle of distinction and take all feasible precautions to separate civilians and military objectives.⁵⁴

⁵³ An open source released a report after the drafting of this letter that provides further evidence of the presence of weapons, ammunition and military equipment in the GNA Dhaman Brigade workshop and store. <https://almarsad.co/en/2019/07/06/satellite-images-and-video-footage-reveal-new-facts-on-tripoli-migrants-detention-centre/>. Accessed on 7 July 2019. This evidence was supported by the observations of a ground eye-witness.

⁵⁴ CIHL Rules 23 and 24.

29. IHL requires that persons deprived of their liberty be held in premises which are removed from the combat zone,⁵⁵ and that in case of displacement all possible measures be taken in order that the civilian population may be received under satisfactory conditions of safety.⁵⁶

30. The Panel finds that the GNA-AF has violated IHL by locating a DCIM detention centre within a known military compound as:

- (1) Feasible precautions were not taken to separate the civilians held in the DCIM detention centre from the wider military objective of the Dhaman military compound;
- (2) That persons deprived of their liberty and held in the DCIM detention centre were not removed from the combat zone; and
- (3) Satisfactory conditions of safety were not established.

Summary of findings

29. The Panel finds that:

- (1) The HAF deliberately planned and directed two air strikes on the Dhaman military compound on 2 July 2019 that resulted in civilian fatalities and casualties;
- (2) A Member State deliberately executed at least two air strikes, on the Dhaman military compound on 2 July 2019 that resulted in civilian fatalities and casualties;
- (3) The Panel is unconvinced that the HAF and the Member State respected principles in relation to proportionality in this incident. If precautionary measures were taken, they were largely inadequate and ineffective;⁵⁷

⁵⁵ CIHL Rule 121.

⁵⁶ CIHL Rule 131.

⁵⁷ A further indicator that the IHL principles in regard to proportionality are being deliberately ignored by the HAF was the recent statement by the HAF Spokesperson, Ahmed Al-Mismari, that buildings in Tripoli with rooftop antennae would be legitimate targets for air strikes. <https://twitter.com/Lyobserver/status/1148132108109352960> and <https://www.facebook.com/HamzaAlibye/videos/2398685393743262/?s=505040097&sfns=mo>. Accessed on 8 July 2019.

(4) As the HAF had been notified of the geo-coordinates for the DCIM managed detention centres, the HAF is: 1) highly probably responsible for IHL violations regarding the failure on its part to undertake the requisite detailed assessments relating to proportionality and precautions in this attack; and 2) almost certainly responsible for failing to ensure that relevant precautions were taken to minimize the effects on civilians as a result of the air strikes;

(5) Those officers of the HAF that passed the information, or who were otherwise involved in the intelligence gathering and targeting processes in relation to this incident, may also be responsible for any IHL violations to the extent of their contribution; and

(6) The GNA violated IHL by locating a DCIM detention centre within the perimeter of a known military compound, and also by the failure to immediately evacuate the DCIM detention centre after the first air strike of 7 May 2019.

Appendix A to Annex 15: Humanitarian deconfliction – best practice⁵⁸

Background

1. The processes and mechanisms used are often referred to as *deconfliction mechanisms*, *humanitarian notification for deconfliction* or *humanitarian deconfliction*. This document will use the latter term.
2. OCHA defines deconfliction⁵⁹ as *the exchange of information and planning advisories by humanitarian actors with military actors in order to prevent or resolve conflicts between the two sets [of] objectives, remove obstacles to humanitarian action, and avoid potential hazards for humanitarian personnel*.
3. In effect, the aim should be to notify parties to the conflict of the presence of humanitarian agencies and protected facilities in order to allow those agencies to safely engage in their operational activities, or to ensure the parties are aware of the location of facilities protected by international humanitarian law (IHL). It can also contribute to the development of humanitarian space, which allows humanitarian actors to provide assistance and services according to humanitarian principles and in line with IHL.
4. There are debates as to whether the term notification should be used, as deconfliction may suggest that military permission is needed for humanitarian actors to engage in their work. That discussion will continue, but is not an issue for Libya currently, where protection has to be the priority.
5. On 3 May 2016 the Security Council adopted resolution [2286 \(2016\)](#), which covers the protection of medical facilities during conflict in accordance with IHL. On 25 May 2017 the Secretary General emphasised the recommendations in resolution [2286 \(2016\)](#),⁶⁰ in particular that parties to armed conflict should: *record[...] and map [...] the presence of personnel exclusively engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities, and regularly update this information, including through enhanced information exchanges and real-time coordination with medical and humanitarian actors on the ground and the use of appropriate technology*.

⁵⁸ Extract from Panel Advisory of 2 August 2019.

⁵⁹ https://www.unocha.org/sites/unocha/files/Stay_and_Deliver.pdf.

⁶⁰ <https://news.un.org/en/story/2017/05/558172-attacks-hospitals-and-medical-staff-symptoms-grave-disregard-international-law>.

6. Humanitarian deconfliction to the highest standards of accuracy has become essential due to the introduction of precision guided munitions (PGM) with a circular error probability (CEP)⁶¹ of less than 5m. When added to the danger area of the PGM warhead, for example 75m for a medium sized PGM, it allows a strike planning team⁶² to select targets within just over 80m of a civilian object and still argue that the principle of proportionality had been met and that appropriate precautionary measures had been taken.⁶³

7. Although some international organizations, such as ICRC and MSF, have their own bilateral arrangements to parties to a conflict, and OCHA in Yemen have developed a sophisticated humanitarian deconfliction system to contribute to a “no-strike” list of the Saudi Arabia-led coalition, there are no international standards or guidelines. The concept is evolving as experience is gained in ongoing conflicts.

8. The use of a humanitarian deconfliction mechanism does not absolve the parties to a conflict from their obligations under IHL to: 1) protect the civilian population from the effects of armed force; and 2) protect the provision of, and access to, impartial medical assistance and humanitarian aid in non-international armed conflicts such as Libya today.

9. Although the use of a humanitarian deconfliction mechanism does not necessarily prevent the indiscriminate use of explosive ordnance, the Head of OCHA in Yemen has stated that their system is “largely effective”. It may also assist in longer-term investigations in to IHL violations and the establishment of accountability. It is fundamentally a humanitarian imperative to protect life.

Implementation of an effective humanitarian deconfliction mechanism

10. There are a range of tasks necessary to develop and then implement an effective humanitarian deconfliction mechanism (see table 15.A.1). A coordinated multi-agency approach is essential to success.

⁶¹ Circular Error Probability is a measure of a weapon system’s precision or accuracy. It is defined as the radius of a circle, centred about the mean, whose boundary is expected to include the landing points of 50 per cent of the warheads.

⁶² International best practice requires “legal sign off” before a strike is authorized by the responsible commander. This only occurs after selection of the ordnance to be used, and bomb damage impact and blast predictions.

⁶³ Under IHL “*launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited*”. (Emphasis added). See CIHLR 14.

Table 15.A.1
Development and implementation tasks

#	Activity	Remarks
1	Determine interested parties within the international community	<ul style="list-style-type: none"> Plus others as appropriate.
2	Engage in dialogue with parties to the conflict to introduce the concept to them.	<ul style="list-style-type: none"> SRSG engagement?
3	Agree lead agency	<ul style="list-style-type: none"> This has traditionally been OCHA.
4	Appoint individual as Humanitarian Deconfliction Co-ordinator (HDC)	<ul style="list-style-type: none"> Responsible for the development, accuracy and dissemination of a consolidated no-strike list. Should be a senior appointment due to the sensitivity of role and impact of inaccurate data. (P4/P5 equivalent). HDC will require support to develop initial list.
5	Agree geo-coordinate system to be used	<ul style="list-style-type: none"> Decimal (15.0008763N) or Long/Lat (32°50'03.3"N). Conversion between the two can lead to "data garbling". Long/Lat best if Google Earth Pro to be used for mapping.
6	Agree mapping system to be used	<ul style="list-style-type: none"> Google Earth Pro readily available. Essential all agencies use same system to reduce coordinate errors.
7	Develop notification list format and mapping file	<ul style="list-style-type: none"> Examples at annex A. Locations can also be plotted on Google Earth and shared via .kmz files.
8	Agencies send location details to HDC	<ul style="list-style-type: none">
9	HDC develops "no strike" list	<ul style="list-style-type: none"> This will initially be a time-consuming process.
10	"No strike" list sent to participating agencies for review and confirmation	<ul style="list-style-type: none"> Agencies to confirm the accuracy of their data in the list.
11	Participating agencies confirm accuracy or amendments to "no strike" list	<ul style="list-style-type: none">
12	Amended "no strike" list developed and finalised.	<ul style="list-style-type: none">
13	"No strike" list disseminated to participating agencies.	<ul style="list-style-type: none"> Secondary checks at agency discretion.
14	"No strike" list disseminated to conflicting parties	<ul style="list-style-type: none"> Wide dissemination to senior individuals in, and HQ, of both parties until a single point of contact established. "Shot gun"

approach initially.

- Individuals' requested to sign for" the receipt of the "no strike" list.
 - If no signature obtained then record the name, appointment, contact details, and time and date handed over.
- 15 Repeat serials 7 to 13
- Weekly, or as major changes to list due to relocation or new establishment of "safe places"
-

Key factors

11. Key factors to consider include:

- (1) The locations of corner points of individual buildings in isolation is essential;
- (2) Large facilities such as hospitals can be boundary corner point coordinates;
- (3) A common geo-coordinate system must be agreed and used;
- (4) A common mapping system must be agreed and used;
- (5) One individual should be nominated as the HDC; and
- (6) It is essential that parties to conflict formally accept receipt of each "no strike" list.

Annex 16: Attack on Tebu communities in Murzuq (5 August 2019)**Introduction**⁶⁴

1. The indiscriminate use of explosive ordnance (EO) during the air strikes that took place on the 5 August 2019 against Tebu neighbourhoods in Murzuq was indicative of a developing pattern of similar IHL violations by the HAF.

Background

2. These air strikes are as the result of heightened tensions and clashes between the Tebu ethnic group (30% of the city's population) and the Ahali community (66% Arab Fezzan and 4% Tuareg) in the Murzuq area over the last year. These clashes have allegedly included the shelling of the Ahali communities in early August 2019 by the Tebu resulting in a reported nineteen fatalities. It is assessed that the 5 August 2019 air strikes were the result of an effort by the Ahali to persuade the HAF to support them against the Tebu.

3. Tensions between the two communities exist due to: 1) Tebu resentment of past Ahali support for Gaddafi; 2) Ahali support for HAF auxiliary forces led by the Awlad Suleiman and Zwai tribes; 3) Ahali resentment towards the expansion of Tebu political and economic influence since 2011; 4) the restriction, or lack of access, of the Ahali community to the Tebu controlled local health services; 5) Ahali concerns that the Tebu are changing the demographic composition of the area; and 6) control over smuggling networks. The situation in the area is complex and fragile.

4. After the fall of Gaddafi in 2011 the Tebu took over control of the city administration, to the detriment of the Ahali community, Arab tribes, and other minority groups. In February 2019 the HAF, supported by the Arab tribes namely the Fezzan, Awlad Suleiman and Zwai tribes, besieged the city of Murzuq and temporarily took control, which effectively re-established Ahali domination for few days. After the withdrawal of the HAF in late February 2019, latent tensions escalated again as the Tebu retook control. This made the imposition of internal security within the city almost impossible, although mediation by tribal elders permitted temporary ceasefires, which were almost immediately broken shortly after. Fifteen individuals were killed during two days of violence in early June 2019 and the HAF Khaled Ibn al-Walid battalion intervened in an attempt to establish law and order. Conflict reignited after their intervention with allegedly 60 individuals being killed since the start of August

⁶⁴ Developed from a confidential source's internal report and other Panel sources.

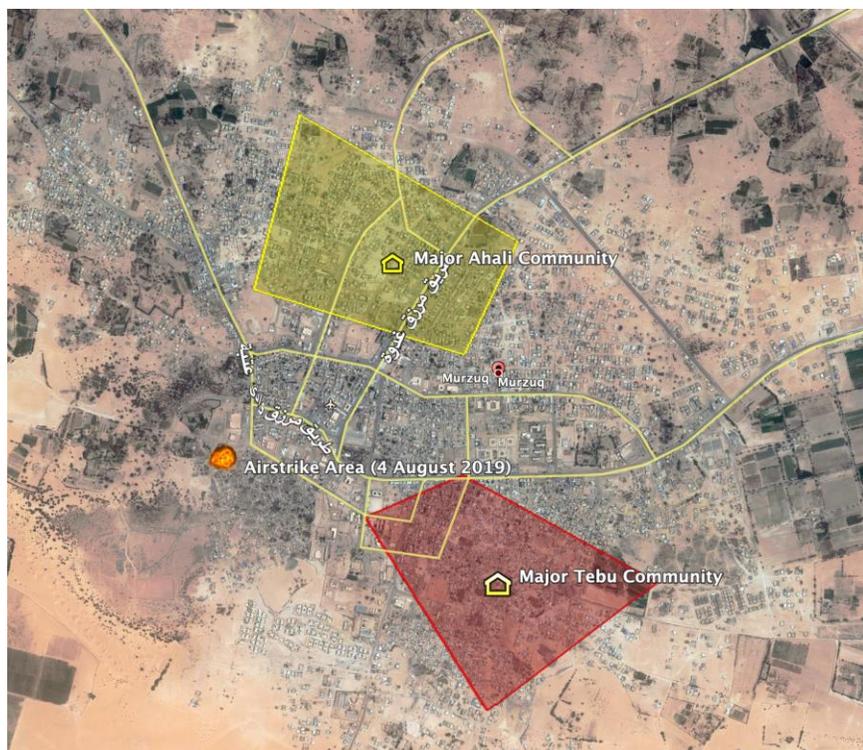
2019.⁶⁵ There is a real risk that the conflict will escalate further as the Tebu are neither internally unified nor aligned to either of the main parties to the wider armed conflict in Libya.

Incident details

5. At 02:47 hours local time on 5 August 2019 four consecutive air strikes targeted Tebu neighbourhoods in Murzuq.⁶⁶ One air strike impacted very close to a civilian wedding location in Blad District (Al Qalaa neighbourhood), shortly followed by a second after first responders had attended. The Panel has not yet assessed whether this was a deliberate “double tap” attack.⁶⁷ The other two air strikes impacted in District 17. Locations are shown in image 16.1.

Image 16.1

Ethic community and EO strike area



Source: Imagery from Google Earth Pro. Information from confidential sources.

⁶⁵ It is not yet clear if this data includes the casualties from the air strikes.

⁶⁶ Centred approximately on 25°54'50"N, 13°54'38"E.

⁶⁷ “Double tap” refers to a deliberate practice where there is a short delay after the first strike allowing the attendance of first responders and investigators, who are then targeted by the second strike.

Casualties

6. The initial open source reports indicated 42 fatalities and more than 60 injured. The Panel has obtained medical records from Murzuq hospital that confirms the 42 casualties (see appendix A).

Technical analysis of physical evidence and determination of EO type

7. The Panel has only obtained limited imagery (extracted from video)⁶⁸ of the air strike locations so far, but this is sufficient to confirm that the location had been subjected to high explosive attack (images 16.2 and 16.3).

Image 16.2
Damaged infrastructure with characteristics of high explosives damage



Image 16.3
Damaged infrastructure with characteristics of high explosives damage



Source: Confidential

8. There was initially only one image of a fragment from an item of explosive ordnance available to date (image 16.4) for visual analysis, but that fragment is sufficient for the Panel to identify the explosive ordnance used at that point as almost certainly a BA-7 *Blue Arrow* air to surface missile

⁶⁸ <https://twitter.com/AlarabyTV/status/1158377118830514178?s=08>, 5 August 2019.

(ASM) (image 16.5). Further imagery was made available on 29 August 2019 from a confidential source (image 16.6 and 16.7), which confirms this initial assessment. This missile type is used in Libya exclusively from the *Wing Loong II* unmanned combat air vehicle (UCAV), which are flown in operational support of the HAF by a Member State.

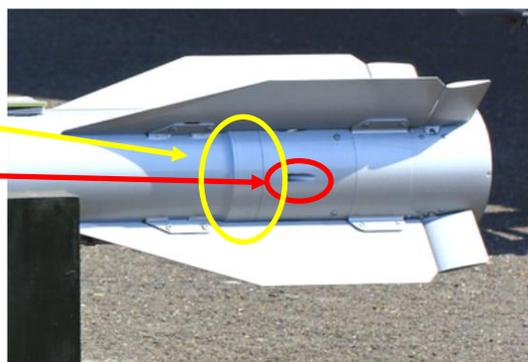
Image 16.4
EO fragment at air strike



Notes:

1. Rearward facing equally spaced bolt.
2. Reduction in fuselage diameter (identifiable after “trumpeting” due to impact).

Image 16.5
BA-7 ASM at Paris Air Show



Notes:

1. One of eight rearwards facing equally spaced bolts
2. Reduction in fuselage diameter.

Image 16.6
BA-7 fragment at air strike



Image 16.7
BA-7 fragment at air strike



Sources: Confidential and Janes' IHS. www.janes.ihs.com.

Attribution of responsibility

9. On the same day as the air strikes, the HAF spokesperson, Ahmed Al Mesmari, stated that the air operations room of the HAF had targeted the Government of National Accord (GNA) backed armed

group of Hassan Musa al-Souqy (a.k.a. al-Tibaoui) (the Southern Protection Force) with aviation assets.⁶⁹ This group is probably supported by Chadian mercenaries, and there is a real risk that it will retaliate for the air strikes.

10. The Ministry of the Interior, House of Representatives and Mayoralty of Murzuq have also alleged that HAF were the perpetrators, and all three organizations have condemned the attack and either condemned UNSMIL or asked for a UN investigation (see appendix B).⁷⁰

11. Based on technical analysis and an understanding of the conflict dynamics in the area the Panel finds that the air strikes were planned and directed by the HAF, and executed by a Member State acting in their direct operational support.

Analysis of violations of IHL

12. The Panel has initially analysed the applicable law in relation to this incident on the basis of its own independent investigations. The Panel has complied with the methodology listed at appendix C to annex 3 of this report.

By the HAF and Member State

13. Although it is almost certain that the airframe that delivered the explosive ordnance in this attack was a *Wing Loong II* UCAV operated by a Member State, those operations were in support of the HAF against targets developed by and agreed upon with the HAF air operations organization. Thus, the HAF bears a large burden of command and operational responsibility for the attacks. The Member State supporting the HAF with the air assets used in this attack will also highly probably have violated IHL, and the Panel continues to investigate this aspect.

14. IHL requires that parties follow the IHL principle of distinction⁷¹ and take all feasible precautions to separate civilians and military objectives. The Panel finds that the HAF and the Member State failed to respect relevant principles of IHL, including those relating to proportionality,⁷² as the likelihood of excessive harm to civilians and civilian objects could have reasonably been anticipated in the circumstances because:

⁶⁹ <https://www.youtube.com/watch?v=-Mq1uB1x3Oc&t=141s>. Accessed 7 August 2019.

⁷⁰ Official UN translations have been requested. The Panel summarizes the contents of each letter in the annex.

⁷¹ See Article 50 of Additional Protocol I to the Geneva Conventions. <https://ihl-databases.icrc.org/ihl/INTRO/470>.

⁷² Under IHL “*launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited*”. (Emphasis added). See CIHL Rule 14.

- (1) the location was obviously a civilian community; and
- (2) the timing of the attack at night would be such as to cause a disproportionately high number of civilian casualties.

14. It is reasonable to expect that the HAF commander planning, directing and ordering these air strikes was aware of the above factors, given that this information is readily available, and the HAF commander should have taken them into consideration when assessing if there were any ‘concrete and direct military advantage’ to the air strikes.⁷³

15. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects.⁷⁴ The fact that the HAF and member State would have been aware that this was a civilian location, where there would ordinarily be a congregation of civilians (see above), meant that they should have been particularly vigilant when undertaking a proportionality assessment and making use of available precautionary measures to minimize the incidental loss of civilian life and damage to civilian property.⁷⁵ It is also not yet clear what precautionary measures were taken, if any, by the HAF and/or Member State. If taken, then the precautionary measures were ineffective.

Summary of findings

17. The Panel finds that:

- (1) The HAF deliberately planned and directed at least one air strike, and almost certainly a further three, on a primarily Tebu area of Murzuq on 5 August 2019 that resulted in civilian fatalities and casualties;
- (2) A Member State deliberately executed at least one air strike, and almost certainly a further three, on a primarily Tebu area of Murzuq on 5 August 2019 that resulted in civilian fatalities and casualties;

⁷³ See CIHL Rule 14.

⁷⁴ See 1) CIHL Rule 15; and 2) Article 13(1) of Additional Protocol II to the Geneva Conventions.

⁷⁵ See commentary to CIHL Rule 14, and the United States Department of Defense Law of War Manual (2015), p.1033, which requires combatants to assess in good faith the information that is available to them, when conducting attacks.

(3) The Panel is unconvinced that the HAF and the Member State, and their respective commanders, respected principles in relation to proportionality in this incident. If precautionary measures were taken, they were largely inadequate and ineffective; and

(4) Any individuals that passed the information, or who were otherwise involved in the intelligence gathering and targeting processes in relation to this incident, may also be responsible for any IHL violations to the extent of their command responsibility.

Appendix A to Annex 16: List of fatalities from Murzuq hospital

Image A.16.1

Murzuq Hospital list of fatalities

التاريخ : 7 / 8 / 2019
الرقم الإشاري :

دولة ليبيا
وزارة الصحة
مستشفى مرزوق العام

قائمة الوفيات التي وصلت إلى مستشفى مرزوق العام
يوم الأحد 2019/8/5 فنتيجة قصف الطيران

العمر	الاسم	ت
33	آدم أوغني وشة	1
46	فرج محمود دركلّة	2
34	عيسى صالح درشوه	3
20	رجب رمضان وردكو	4
19	شعبان سعيد لامين طاهر	5
31	عيسى بركة آدم عثمان	6
28	محمد سوقي حسن	7
17	ونيس سيدى شدة	8
38	جبريل يوسف قدنو	9
35	رمضان بركة صالح	10
20	حسن بركة حسن	11
20	أحمد قدي حسن	12
25	عبد السلام محمود دركلّة	13
30	السوسي تادري حسن	14
19	ابوبكر علي ماي	15
21	عادل صالح بركة	16
23	رمضان صالح بركة	17
19	أسامة محمد يوسق	18
25	محمد اللاشي توشي	19
16	نورالدين محمد علي	20
24	عبد السلام طاهر قدي	21
27	رمضان بركة حسن	22
32	يوسف محمد كوكي	23
31	عبد الرحمن رمضان موسى	24
34	جمعة علي كورمي	25
30	محمد أحمد كوري سيدى	26
46	أحمد توكّة حسن أرزي	27
21	ناصر ابوبكر كوري	28
16	بشير رجب آدم	29
22	عبد الحكيم آدم ملقي	30

071.3162965 071.3162965

التاريخ: 2019 / 8 / 7
الرقم الإشاري:



دولة ليبيا
وزارة الصحة
مستشفى مرزق العام

16	بشير أرزي الأمين	31
20	أحمد رجب أجي	32
29	عبد القادر بويكر بابي	33
24	سعد كوكي صديق	34
27	عبد الرزاق محمد آدم	35
51	عبد الرحمن مالوما آدم	36
18	أحمد هلال عادل	37
16	سند علي بركة	38
26	بلقاسم طاهر السنوسي	39
19	مصطفى علي ابويكر	40
23	محمد عبد الله بوعلي	41
29	حسين إبراهيم وردكو	42

ملحوظة: هذا الكشف مبدئي قابل للإضافة والتعديل.

يعتمده
مكتب الشؤون الطبية بالمستشفى

2019/8/7



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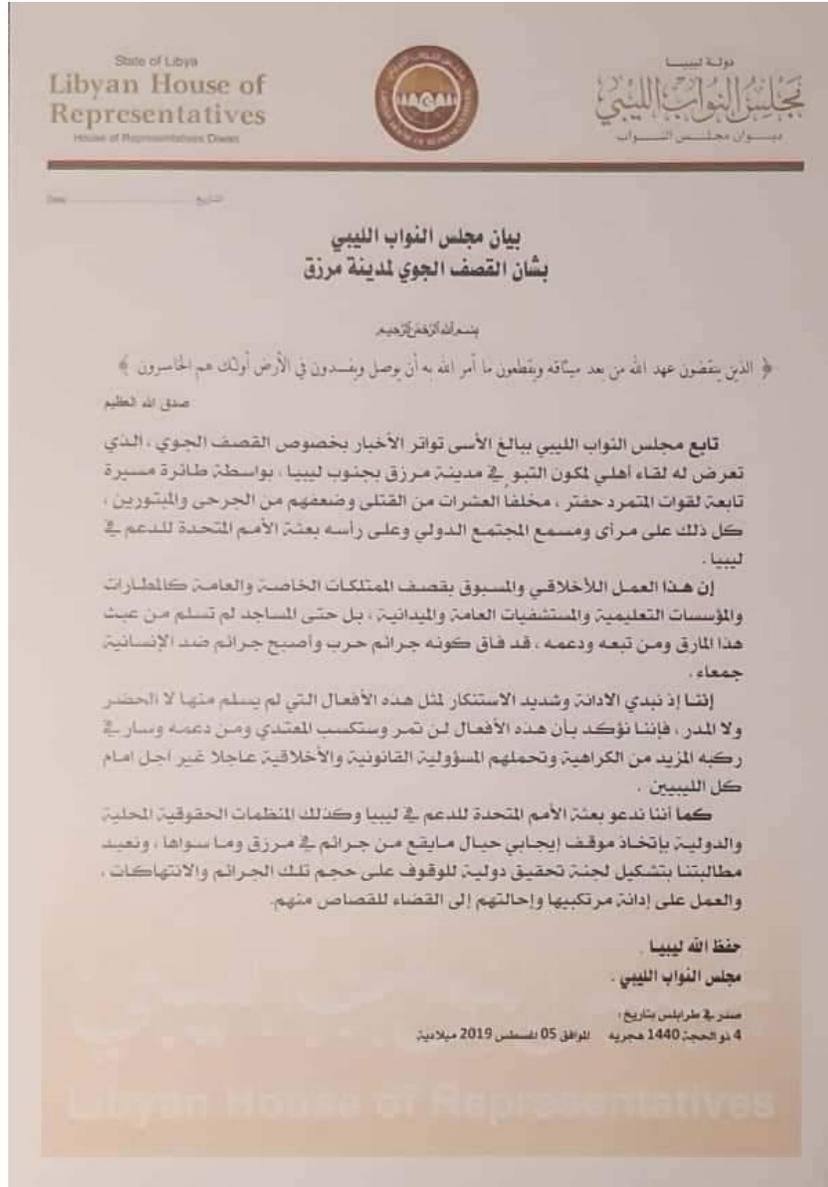
071.3162965

Source: Confidential

Appendix B to Annex 16: Official Libyan statements

Image B.16.1

Statement of House of Representatives



PANEL SUMMARY

This document denounces the air strikes, the silence of the UN, and calls on UNSMIL and the international human rights NGOs to take action (although it is not specific on what type of action it expects).

Image B.16.2
Statement of Ministry of Interior

STATE OF LIBYA
GOVERNMENT OF NATIONAL ACCORD
MINISTRY OF INTERIOR
The Minister's Office



دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

بيان وزارة الداخلية بحكومة الوفاق الوطني بشأن القصف العشوائي الذي تعرضت له مدينة مرزق

تدين وزارة الداخلية بحكومة الوفاق الوطني وتستنكر بأشد العبارات القصف الجوي العشوائي الذي تعرضت له مدينة مرزق "حي القلعة السكني"، مساء يوم أمس الأحد الموافق 4 أغسطس 2019م، والذي راح ضحيته عشرات القتلى والجرحى المدنيين، مؤكدة بأن المجرم الذي قام بهذا العمل الجبان سينال جزاءه جراء هذه الهجمة الوحشية التي قام بها المجرم حفر وتعتبر من جرائم الحرب، وأن هذه الأعمال تؤكد على وحشية هذا الهجوم الذي لا مبرر له سوى ترهيب وقتل الأمنيين.

وتدعو وزارة الداخلية المجتمع الدولي بكافة مكوناته، وبعثة الأمم المتحدة إلى تحمل مسؤولياتهم عن هذه الأعمال الوحشية التي تقوم بها المجموعات المسلحة الخارجة عن الشرعية، وإجراء تحقيق في جرائم الحرب التي يرتكبها حفر وأتباعه ليتم تقديم ومحاسبة مرتكبيها والواقفين وراءها.

كما تدعو الوزارة حكما ومشائخ المنطقة إلى الحوار والإحتكام لصوت العقل ونبذ العنف والخروج بالمنطقة من هذا النفق المظلم وألا يبقوا أسرى لأحقاد الماضي.

وتتقدم الوزارة بأحر التعازي للأسر التي فقدت أقرباءها، داعية الله عز وجل أن يتقبلهم بواسع رحمته وأن يلهم أهلهم وذويهم جميل الصبر والسلوان، وأن يجعل بالشفاء للجرحى والمصابين، مؤكدة بأن مثل هذه الأعمال لا يمكن أن يقوم بها شخص يحمل ذرة إنسانية.

حفظ الله ليبيا وشعبها

وزارة الداخلية
حكومة الوفاق الوطني

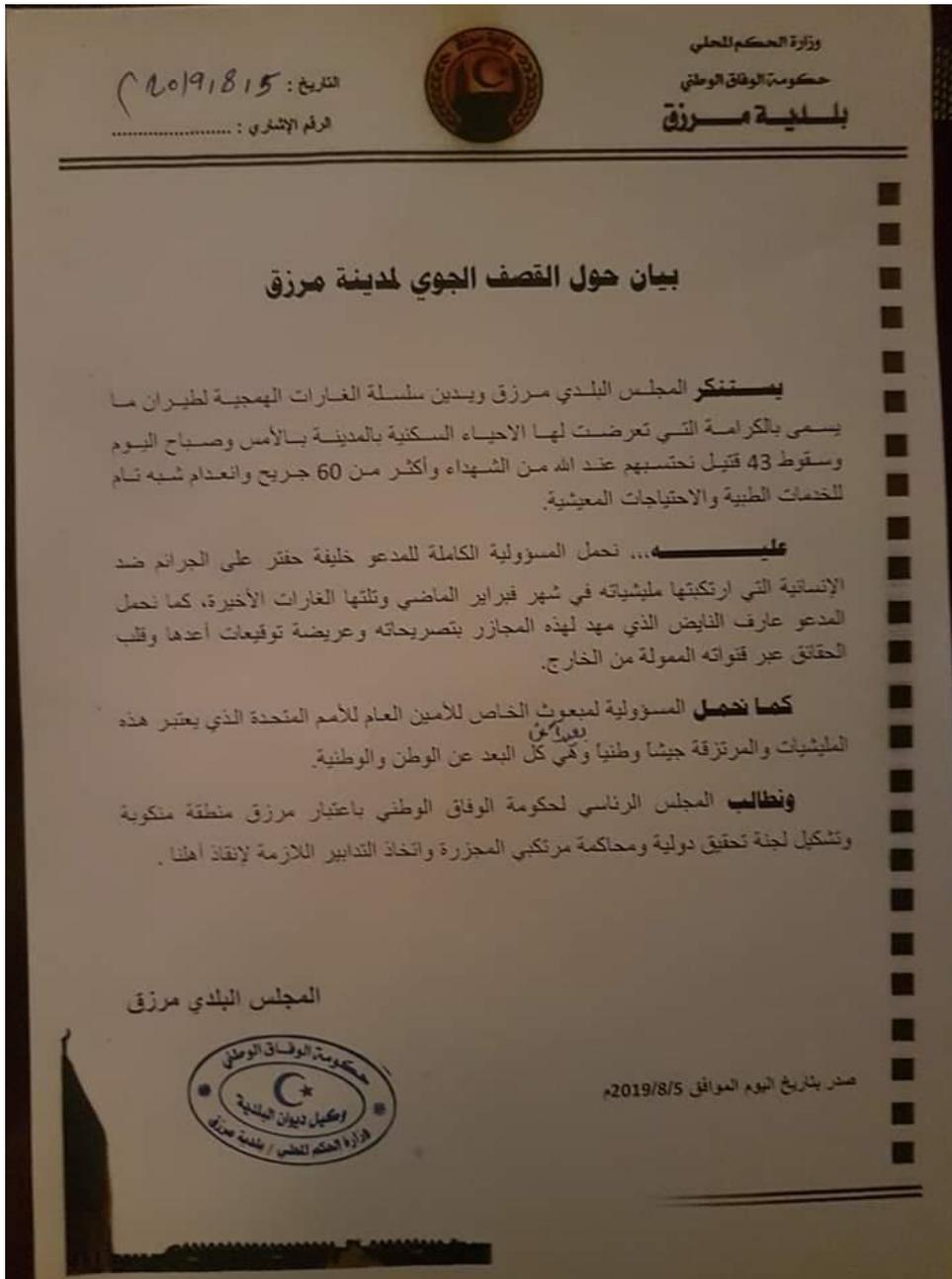
صدر في 2019/8/5م

+218 21 480 3538 +218 21 480 3783-84

PANEL SUMMARY

This document denounces the raid (naming the location as the Al Kalaa neighbourhood), requests dialogue between the elders to reduce tensions and calls for a UN investigation into the “war crime”.

Image B.16.3
Statement of Mayoralty of Murzuq



PANEL SUMMARY

This document denounces the attack, states casualties of 43 dead and 60 injured, and accuses the HAF. It also holds the SRS, Ghassan Salame, responsible as they allege he considers “Haftar’s militia as an army”.

Annex 17: Attack on Zuwarah airport (15/16 August 2019)

Incident details

1. The HAF air force attacked Zuwarah international airport⁷⁶ with air delivered explosive ordnance (EO) at 07:09 hours (local time) on 15 August and at 07:30 hours (local time) on 16 August 2019,⁷⁷ reportedly delivered by a Sukhoi SU-22 fighter ground attack (FGA) aircraft. On 15 August 2019 the HAF spokesperson, Ahmad al-Mismari stated that they had targeted the airport as it was being used as base for Turkish unmanned aerial vehicles (UAV).⁷⁸ In his statement he claimed that the strikes had avoided the runway (see later). The airport was closed until 18 August 2019, and all air operations suspended until the runway had being repaired.

2. UNSMIL deployed an inspection team to the airport on 17 August 2019, and much of the information contained in this annex is from that visit. UNSMIL determined the following damage (also see figure 17.1):

Table 17.1
Damage to Zuwarah international airport from EO impact

<i>Air strike date</i>	<i>Impact point</i>	<i>Geo-coordinates</i>	<i>Damage</i> ^a
15 Aug 2019	Runway 06/24 (NE)	32°57'20.6"N, 12°01'17.2"E	▪ Crater
15 Aug 2019	Off edge of Runway 06/24 (NE)	32°57'19.6"N, 12°01'18.9"E	▪ Crater (1.6m)
15 Aug 2019	Off edge of Runway 06/24 (NE)	32°57'19.6"N, 12°01'18.5"E	▪ Crater (1.0m)
15 Aug 2019	Off edge of Runway 06/24 (NE)	32°57'29.5"N, 12°01'17.3"E	▪ Crater (1.4m)
16 Aug 2019	Building under construction for new fire station	32°57'01.6"N, 12°01'05.7"E	▪ Virtually no damage to building ▪ Pre-fabricated guard building severely damaged
16 Aug 2019	Guard building	32°57'01.8"N, 12°01'06.1"E	▪ Three civilian vehicles damaged ▪ One military vehicle damaged

^a Crater dimensions are for diameter in m.

⁷⁶ Centred on 32°57' 22.22"N, 12° 01' 23.61"E.

⁷⁷ UNSMIL information.

⁷⁸ <https://twitter.com/spoxlna/status/1161997777917947904>, 15 August 2019. Accessed 25 August 2019.

Figure 17.1

Location of EO impact points at Zuwarah international airport (15 and 16 August 2019)**Technical analysis of physical evidence and determination of EO type**

3. The UNSMIL inspection team measured the crater to the side of the runway as 1.0m, 1.4m and 1.6m.
4. Initial reports were that RBK cluster bomb units (CBU) were the EO used for the strike. The Panel supports this reporting based on:
 - (1) One recovered fragment (figures 17.2 and 17.3) has a virtually identical profile, shape and approximate dimensions (400mm v 450mm) as that of the nose of an RBK-500 CBU (example at figure 17.4).

(2) Other recovered fragments (figures 17.5 and 17.6) have the same shape and approximate dimensions (30cm v 25cm) as the ZAB-2.5M incendiary bomblet dispensed by the RBK-500 CBU (example at figure 17.7), which contains 117 bomblets.

Figure 17.2
Recovered fragment ^a



Figure 17.3
Recovered fragment ^b



Figure 17.4
RBK-500 CBU ^c



Figure 17.5
Recovered fragments ^d



Figure 17.6
Recovered fragment ^e



Figure 17.7
RBK-500 CBU ^f



^a UNSMIL.

^b UNSMIL. (Image rotated for comparative effect).

^c UNMAS Libya.

^d UNSMIL.

^e Ibid

^f UNMAS Libya

5. It is highly likely that the crater damage was due to the impact of CBUs that had not dispensed their bomblets during flight. This could be due to either: 1) a failure within the expulsion system within the CBU itself; or 2) the delivery aircraft attack profile was too fast and at too low level to allow correct functioning of the expulsion unit.

6. The RBK-500 CBU is one of the ordnance types that are ballistically paired to be delivered from a SU-22 FGA, has been seen in Libya before and is known to be in the possession of the HAF air force.

Casualties

7. The airport manager reported that there were two casualties from the air strike on 16 August 2019 among the guards from GNA-AF 105 battalion.

Attribution of responsibility

8. HAF has taken responsibility for this air strike.

Analysis of violations of IHL

9. The Panel has initially analysed the applicable law in relation to this incident on the basis of its own independent investigations. The Panel has complied with the methodology listed at appendix C to annex 3 of this report.

By the HAF

10. The Panel is unconvinced of the veracity of the HAF claim that they conducted air strikes against the airport due toUCAV usage as:

- (1) The only hanger large enough to store or hide aUCAV was untouched and over 280m from the buildings damaged;
- (2) The buildings damaged were not large enough to store or hide aUCAV in; and
- (3) It is not logical to hit one end of the runway, as theUCAV have short take-off profiles and could easily use the rest of the runway.

11. The airframe that delivered the explosive ordnance in this attack is known by the Panel to be operational with the HAF, and the HAF air operations centre almost certainly planned, directed and ordered these attacks. The HAF thus bears the command and operational responsibility for these attacks.

12. IHL requires that parties follow the IHL principle of distinction⁷⁹ and take all feasible precautions to distinguish between civilian objects and military objectives. The Panel finds that the civilian airport was a civilian object and not a legitimate military objective at that time, and thus the HAF failed to respect relevant principles of IHL, including those relating to proportionality,⁸⁰ as the

⁷⁹ CIHL Rule 7 – The Principle of Distinction between Civilian Objects and Military Objectives.

⁸⁰ Under IHL “*launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects,*

likelihood of excessive harm to civilian objects could have reasonably been anticipated in the circumstances as the HAF air operations organization must have been aware of the status of the location as a civilian international airport.

13. It is reasonable to expect that the HAF commander planning, directing and ordering these air strikes was aware of the civilian status of the airport, given that this information is readily available, and the HAF commander should have taken this into consideration when assessing if there were any ‘concrete and direct military advantage’ to the air strikes.⁸¹

14. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize (...) damage to civilian objects.⁸² The fact that the HAF were aware that this was a civilian location, where there would ordinarily be a congregation of civilians (see above), meant that they should have been particularly vigilant when undertaking a proportionality assessment and making use of available precautionary measures to minimize the incidental loss of civilian life and damage to civilian property.⁸³ It is also not yet clear what precautionary measures were taken, if any, by the HAF and/or Member State. If taken, then the precautionary measures were ineffective.

Panel findings

15. The Panel finds that by attacking Zuwarah international airport at that time that the HAF were in violation of CIHL Rule 7 - The Principle of Distinction between Civilian Objects and Military Objectives,⁸⁴ CIHL Rule 14 – Proportionality in Attack⁸⁵ and CIHL Rule 15 – Principle of Precautions in Attack.⁸⁶

or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited’. (Emphasis added). See CIHL Rule 14.

⁸¹ See CIHL Rule 14.

⁸² See 1) CIHL Rule 15; and 2) Article 13(1) of Additional Protocol II to the Geneva Conventions.

⁸³ See commentary to CIHL Rule 14, and the United States Department of Defense Law of War Manual (2015), p.1033, which requires combatants to assess in good faith the information that is available to them, when conducting attacks.

⁸⁴ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule7.

⁸⁵ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule14.

⁸⁶ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule15.

Annex 18: Attack on Mitiga airport (6 September 2019)⁸⁷

Incident details

1. At approximately 03:30 hours (local) on 6 September 2019, one item of explosive ordnance (EO) detonated on the perimeter wall north area of the airport and the other two EO impacted in the sea. This was followed at 04:45 hours (local) by the detonation of three more items of EO on the runway⁸⁸ and two taxiways⁸⁹ (see figure 18.1).

Figure 18.1

Location of EO impact points at Mitiga airport (6 September 2019)



Source: Base image from Google Earth Pro, 23 July 2019.

⁸⁷ Information from UNSMIL supported by multiple media sources.

⁸⁸ EO 1 at 32°53'59.61"N, 13°16'32.57"E.

⁸⁹ EO 2 at 32°53'38.43"N, 13°16'9.91"E, and EO 3 at 32°53'44.18"N, 13°16'54.95"E.

2. This attack was the latest in a series of attacks against Mitiga airport using land service ammunition⁹⁰ since the conflict started on 4 April 2019. UNSMIL has numerous attacks during the current conflict additional to HAF air strikes.⁹¹

3. UNSMIL deployed an inspection team to the airport on 6 September 2019, and determined the damage reported at table 18.1. The UNSMIL technical assessment of the impact areas was assisted by the fact that no physical forensic evidence prior had been removed prior to their visit.

Table 18.1

Damage to Mitiga airport from EO impact (6 September 2019)

<i>Impact point</i>	<i>Impact point</i>	<i>Geo-coordinates</i>	<i>Damage</i> ^a
1	Aircraft parking apron	32°53'59.61"N, 13°16'32.57"E	<ul style="list-style-type: none"> ▪ Minor crater in aircraft pan (2.08m x 1.49m). ▪ Remnants of 122mm free flight rocket (FFR) main body in crater at 30° angle of entry.
2	Taxiway	32°53'38.43"N, 13°16'9.91"E	<ul style="list-style-type: none"> ▪ Tail unit of 9M22U 122mm FFR in tarmac.
3	Taxiway	32°53'44.18"N, 13°16'54.95"E	<ul style="list-style-type: none"> ▪ Minor damage. ▪ Fragmentation probably from a 122mm FFR.

^a As reported by UNSMIL.

Technical analysis of physical evidence and determination of EO type

5. At impact point 1, the dimensions of the crater (2.08m x 1.49m) and the distinctive “splatter” pattern identified by UNSMIL technical specialists on the ground at the aircraft parking pan are highly indicative of the impact detonation of an indirect fire weapon system, in this case a 122mm FFR (figure 18.2). The direction of fire was identified from this splatter pattern as being along a bearing of 180° (+/- 15°). The 30° angle of entry indicates that the rocket was fired at near maximum range.

6. The tail unit of a 9M22U 122mm FFR was positively identified by the UNSMIL ammunition specialist at the scene of impact point 2, whereas there was little useful fragmentation for identification purposes at impact point 3.

⁹⁰ Using ground based weapons systems as opposed to the HAF air strikes.

⁹¹ Covered in annex 13.

Figure 18.2
Crater at impact point 1 (6 September 2019)

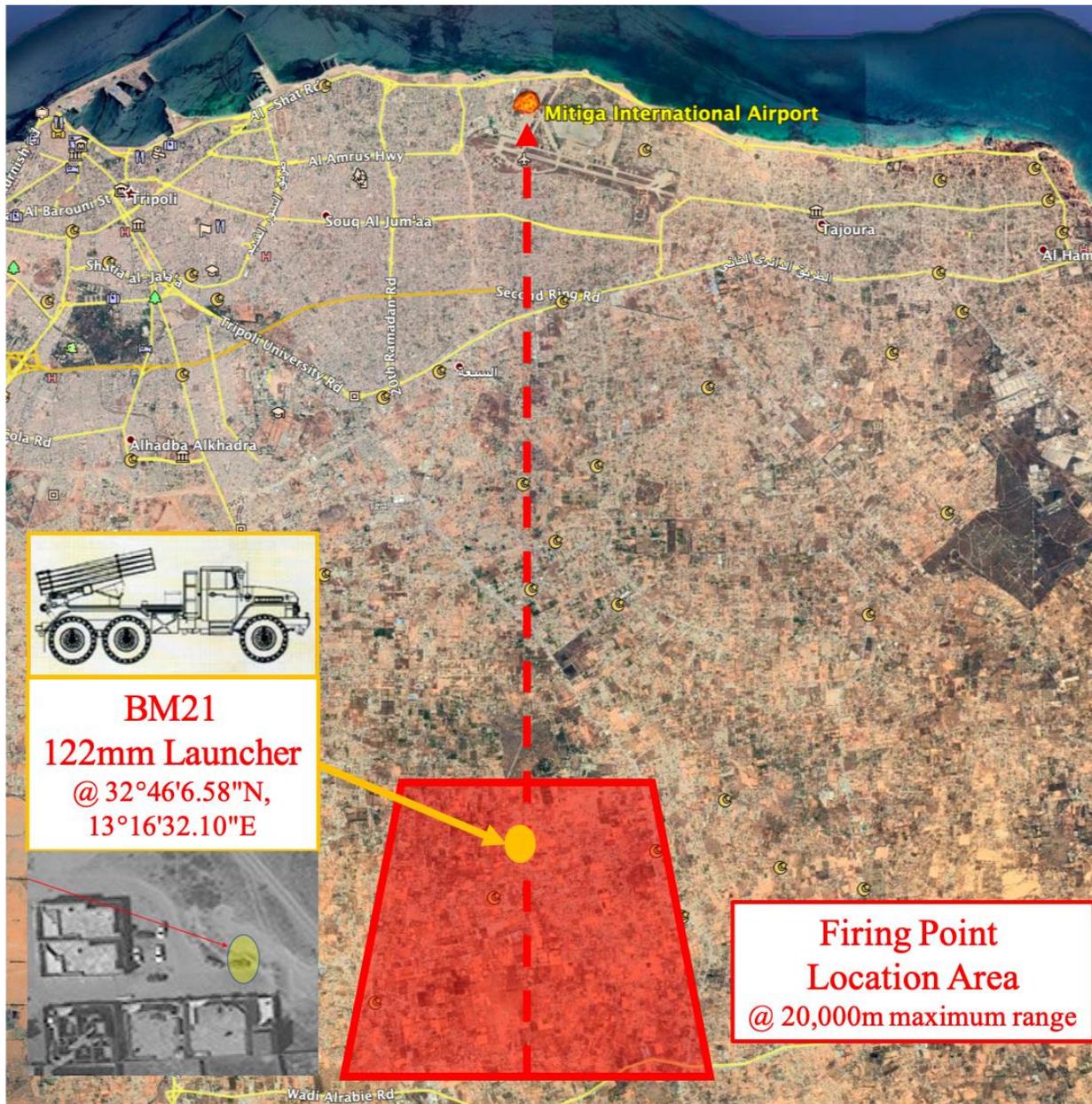


Source: Base image from Google Earth Pro, 23 July 2019.

7. The standard 9M22U 122mm FFR (often referred to as the “Grad”) is fired from the BM21 multi-barrel rocket launcher (MBRL) to a maximum range of 20,380m. From this, and the analysis of the crater dimensions and “splatter” pattern, the Panel finds it almost certain that the explosive ordnance was firing from a location along an approximate back bearing of 180° (+/- 15°) using a centre line between the impact points as shown in figure 18.3. The location area has previously been identified as one in which the BM21 MBRL system has been based and operated from.

8. A confidential source provided information and satellite imagery of the launcher location for this attack being at 32°41'52.45"N, 13°18'30.59"E (also see figure 18.3).

Figure 18.3
Location of firing point (6 September 2019)



Source: Base image from Google Earth Pro, 23 July 2019. BM21 location is from confidential satellite imagery.

Subsequent attacks

18. A further FFR strike against the airport took place at 23:49 hours on 9 September 2019. One 9M22U 122mm FFR impacted in the proximity of the control tower and the other next the Air Afriqiyah hanger.

Figure 18.4

Mitiga airport under attack (9 September 2019)



Figure 18.5

Impact damage (9 September 2019)



Source: Confidential.

GNA-AF response

8. As part of the “drone propaganda war” the GNA-AF released heavily edited video imagery of aUCAV strike against a BM21 MBRL on 8 September 2019 that the GNA-AF alleged had been used in the attacks on Mitiga. The Panel geo-located the position of the BM21 MBRL⁹² and established it was 23,120m from the impact point of the 6 September 2019 attacks. Therefore it could not have initiated the attack against Mitiga on 6 September 2019 from this particular location as it would have been outside the maximum range of the system (see figures 18.6 and 18.7). Notwithstanding that, the GNA-AF strike against this particular BM21 MBRL raises potential IHL concerns.

⁹² 32°41'52.45"N, 13°18'30.59"E.

Figure 18.6
Location of BM21 MBRL (10 July 2019)



Source: Google Earth Pro (10 July 2019)

Figure 18.7
GNA-AF imagery of UCAV strike against BM21 MBRL (X 2019)



Source: Extract from video (2.21 to 2.40min) at <https://www.youtube.com/watch?v=d65m6F-rAY&feature=youtu.be> (Imagery orientated to face north).

9. Although imagery of the UCAV strike was almost certainly released for internal propaganda reasons, it illustrates an operational limitation of the Turkish supplied and operated *Bayraktar* TB2 UCAV. This UCAV is limited in the quantity and size of explosive ordnance that it can deliver, and thus the amount of net explosive mass that can be delivered onto a target. In this case, although the precision guided munition destroyed the BM21 MBRL, there was insufficient explosive mass to ensure total destruction of the payload of 9M22U 122mm FFRs. After the initial explosion (see figure 18.8) at least three 9M22U 122mm FFR were launched ballistically (see figures 18.9 and 18.10) as a result of this initial explosion. On launch the missiles were subjected to the forces of firing, as in a planned launch, and thus the fuzing systems would have been armed as designed. These rockets would then fly in a ballistically stable profile, then impact and detonate indiscriminately within the surrounding civilian area. Although the maximum range of the system is 20,380m, it is much more likely that the missiles would land and detonate at lesser ranges.

Figure 18.8
UCAV initial missile strike on BM21 MBRL



Source: Extracted from video at https://www.youtube.com/watch?v=d65m6F-r_AY&feature=youtu.be, (@ 2.31 min).

Figure 18.9
Resultant uncommanded 9M22U 122mm FFR launch BM21 MBRL (3 seconds after strike)



Source: Extracted from video at https://www.youtube.com/watch?v=d65m6F-r_AY&feature=youtu.be, (@ 2.34 min).

Figure 18.10
Resultant uncommanded 9M22U 122mm FFR launch BM21 MBRL (10 seconds after strike)



Source: Extracted from video at https://www.youtube.com/watch?v=d65m6F-r_AY&feature=youtu.be, (@ 2.41 min).

Casualties

10. None reported.

Attribution of responsibility

11. Although the 122mm BM21 MBRL is ubiquitous in Libya the location of the firing point area makes it certain the HAF was responsible for this attack. The following HAF units were known to be in vicinity of the launch area at the time:⁹³

- (1) 9th brigade (formerly the 7th brigade, a.k.a. the Kanyat);
- (2) 155th brigade;
- (3) 192nd brigade; and
- (4) Tariq bin Ziyad battalion.

Analysis of violations and potential violations of IHL

12. The Panel has initially analysed the applicable law in relation to this incident on the basis of its own independent investigations. The Panel has complied with the methodology listed at appendix C to annex 3 of this report.

By the HAF affiliated armed group

13. The use of FFR in the indirect fire role against populated areas is a violation of IHL no matter the circumstances. Many factors affect the accuracy⁹⁴ and precision⁹⁵ of an indirect fire weapon system, including meteorological conditions, the suspension system of the launcher, knowledge of the ballistic trajectories for differing ranges, the condition of the rocket motor propellant, accuracy of sighting system, and the professionalism of the crew. All these require substantial modelling, field testing, statistical analysis of fall of shot under known conditions, and training. From this a Circular Error Probability (CEP)⁹⁶ can be derived. For the BM21 MBRL firing the 9M22U 122mm FFR at a range of

⁹³ Confidential source.

⁹⁴ The ability to hit a designated target.

⁹⁵ The ability to hit the designated target consistently.

⁹⁶ The CEP is the radius of a circle around a mean point of impact in which over 50% of the rounds fired will impact. A large CEP indicates the level of precision of the weapons system.

nearly 20km the CEP and variables mean that a deflection error of 160m either side of the target and a range error of 300m would not be untypical.⁹⁷

14. IHL requires that parties follow the IHL principle of distinction⁹⁸ and take all feasible precautions to distinguish between civilian objects and military objectives. The Panel finds that the impact areas at the civilian airport were civilian objects and not legitimate military objectives at that time, and thus HAF failed to respect relevant principles of IHL, including those relating to proportionality,⁹⁹ as the likelihood of excessive harm to civilian objects could have reasonably been anticipated in the circumstances as the HAF were certainly aware of the status of the location as a civilian international airport.

15. It is reasonable to expect that the HAF commander planning, directing and ordering this attack was aware of the civilian status of this part of the airport, given that this information is readily available, and the HAF commander should have taken this into consideration when assessing if there were any ‘concrete and direct military advantage’ to the attack.¹⁰⁰

16. IHL also requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize (...) damage to civilian objects.¹⁰¹ The fact that the HAF were aware that this was a civilian location, where there would ordinarily be civilians working shifts, meant that they should have been particularly vigilant when undertaking a proportionality assessment and making use of available precautionary measures to minimize the incidental loss of civilian life and damage to civilian property.¹⁰² It is also not yet clear what precautionary measures were taken, if any, by the HAF. If taken, then the precautionary measures were ineffective.

⁹⁷ GICHD. February 2017. *Explosive Weapon Effects*. pp32-33. (ISBN: 978-2-940369-61-4). Geneva: GICHD.

⁹⁸ CIHL Rule 7 – The Principle of Distinction between Civilian Objects and Military Objectives.

⁹⁹ Under IHL “*launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited*”. (Emphasis added). See CIHL Rule 14.

¹⁰⁰ See CIHL Rule 14.

¹⁰¹ See 1) CIHL Rule 15; and 2) Article 13(1) of Additional Protocol II to the Geneva Conventions.

¹⁰² See commentary to CIHL Rule 14, and the United States Department of Defense Law of War Manual (2015), p.1033, which requires combatants to assess in good faith the information that is available to them, when conducting attacks.

Potentially by the GNA-AF

17. IHL requires military commanders and those responsible for planning and executing decisions regarding attacks to take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects.¹⁰³

18. If the uncommanded launches of 9M22U 122mm FFRs as a result of the *Bayraktar* TB2 UCAV strike against the BM21 MBRL was an isolated incident (paragraphs 8 and 9), then it could not have been “reasonably foreseen” by the GNA-AF and is thus not a violation of IHL.

19. However, if uncommanded launches of 9M22U 122mm FFRs are a frequent or routine occurrence whenever BM21 MBRL are attacked by the precision guided munitions from a *Bayraktar* TB2 UCAV, then the situation could be “reasonably foreseen”. The impact of the 9M22U 122mm FFRs would then be considered as indiscriminate, and routine violations of IHL would be occurring.

Panel findings

20. The Panel finds that by attacking the civilian area of Mitiga airport at that time that a HAF was in violation of CIHL Rule 7 - The Principle of Distinction between Civilian Objects and Military Objectives,¹⁰⁴ CIHL Rule 14 – Proportionality in Attack¹⁰⁵ and CIHL Rule 15 – Principle of Precautions in Attack.¹⁰⁶

¹⁰³ See Article 13(1) of Additional Protocol II to the Geneva Conventions and CIHL Rule 15.

¹⁰⁴ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule7.

¹⁰⁵ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule14.

¹⁰⁶ https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule15.

Annex 19: List of DCIM detention centres

Table 19.1
List of DCIM detention centres as of 20 October 2019

<i>Region</i>	<i>Area</i>	<i>Detention centre</i>	<i>Status</i>	<i># Detainees</i>
West	Tripoli	Ain Zara	Non Operational	0
West	Tripoli	Qasr bin Ghashir	Non Operational	0
West	Tripoli	Gharyan	Non Operational	0
West	Tripoli	Zintan	Operational	Unavailable
West	Tripoli	Zliten	Operational	Unavailable
West	Tripoli	Tajura	Operational ¹⁰⁷	200
West	Misrata	Misrata (Karareem)	Non Operational	203
West	Zuwarah	Zuwarah	Operational	278
West	Zawiya	Abu Isa	Operational	105
West	Tripoli	Abu Salim	Operational	677
West	Tripoli	Elsabaa	Operational	516
West	Tripoli	Janzour (Subsidiary DC)	Operational	72
West	Sabratha	Sabratha	Operational	50
West	Zawiya	Shohada' Nasr	Operational	1229
West	Sirte	Sirte	Operational	106
West	Khoms	Suq al Khamis	Operational	191
West	Tripoli	Tariq al Sikka	Operational	257
South	Sebha	Sebha	Operational	Unavailable
South	Sebha	Brak al Shati	Operational	Unavailable
East	Tobruk	Tobruk	Operational	22
East	Benghazi	Ganfouda	Operational	222

¹⁰⁷ Of the three DC ordered closed by the GNA Ministry of Interior on 1 August 2019, the Tajura facility continues to house detainees. There are two DC in Khoms. Khoms "One" DC is not listed as it was previously ordered closed in addition to the 1 August 2019 order, and is confirmed as closed. The Misrata DC is also confirmed closed.

<i>Region</i>	<i>Area</i>	<i>Detention centre</i>	<i>Status</i>	<i># Detainees</i>
East	Bayda	Baya	Operational	16
East	Ajdabiya	Ajdabiya	Operational	Unavailable
East	Shahat	Shahat	Operational	40
East	Kufra	Kufra	Operational	150

Source: Confidential.

Annex 20: Ministry of Interior statement on DC closures

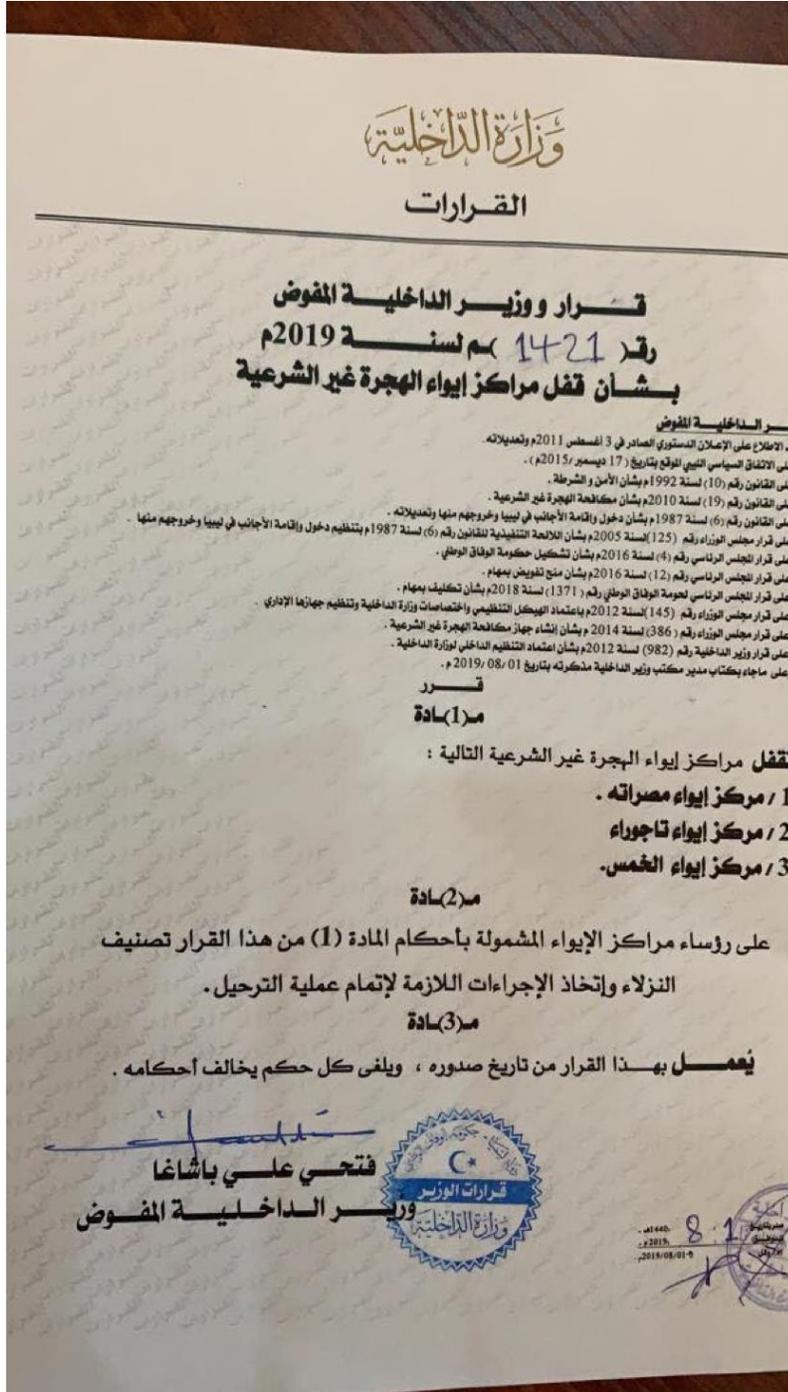
Figure 20.1
Ministry of Interior statement of 1 August 2019

Figure 20.2

Official translation

Issued on 1 August 2019

Ministry of the Interior Decisions

**Decision of the Acting Minister of the Interior
No. 1421 (2019) concerning the closure of illegal migrant shelters**

The Acting Minister of the Interior,

Having reviewed the Constitutional Declaration of 3 August 2011 and its amendments;

The Libyan Political Agreement, which was signed on 17 December 2015;

Act No. 10 (1992) on security and police;

Act No. 19 (2010) on countering illegal migration;

Act No. 6 (1987) on the entry into, residency in and exit from Libya of aliens, and its amendments;

Cabinet Decision No. 125 (2015) regarding the implementing regulation for Act No. 6 (1987) on the entry into, residency in and exit from Libya of aliens, and its amendments;

Presidential Council Decision No. 4 (2016) on the formation of the Government of National Accord;

Presidential Council Decision No. 12 (2016) on the delegation of authority in relation to mandates;

Government of National Accord Presidential Council Decision No. 1371 (2018) on mandates;

Cabinet Decision No. 145 (2012) adopting the organizational structure and the competencies of the Ministry of the Interior and organizing its administrative apparatus;

Cabinet Decision No. 386 (2014) on the establishment of the Department for Combating Illegal Migration;

Minister of the Interior Decision No. 982 (2012) on the adoption of the internal organization of the Ministry of the Interior;

The letter dated 10 August 2019 from the Chief of Staff of the Minister of the Interior;

Decides

Article 1

The following illegal migrant shelters shall be closed: 1. The Misratah shelter;
2. The Tajura' shelter;
3. The Khums shelter.

Article 2

The directors of the shelters covered by article 1 of the present decision shall categorize residents and take appropriate measure to carry out deportation.

Article 3

The present decision shall enter into force on the date of its issuance. All provisions that contravene its provisions are rescinded.

(Signed) Fathi Ali **Bashagha** Acting Minister of the Interior

Annex 21: Al-Nasr brigade, al-Nasr DC and the Zawiyah network

1. On 5 July 2014, the then commander of the Petroleum Facilities Guards, put Mohamed Kashlaf (LYi.025), the head of al-Nasr brigade, in charge of the security of the Zawiyah oil complex. Al-Nasr brigade, with a force of around 3.000 men, has controlled the security of the complex and surrounding areas since 2014. The al-Nasr DC is located on the southern edge of the oil complex.
2. The brigade is involved in a range of illicit activities. It expanded operations to organizing logistics for truck tankers in and out of the oil complex (see paragraph 158 of [S/2018/812](#)). The brigade knows which regional fuel stations in Zawiyah, Surman, Sabratah, Al Ajaylat participate in smuggling, and collects the “taxes” paid by the trucks that load and deliver back and forth.
3. Trafficking and extortion of migrants is another income source for individuals within the brigade’s network. The al-Nasr DC is a known hub for human trafficking where migrants are subject to various forms of human rights abuses. Several migrants interviewed by the Panel named and positively identified the individual who heads the al-Nasr DC as “Osama” or “Osama Zawiyah.” Either he or the individuals under his control facilitated the exploitation, abuse and extortion of migrants. Sexual exploitation and violence, beatings, starvation, and other degrading treatment, including to minors, frequently occur. Osama is a close associate of Mohamed Kashlaf.
4. Despite Libyan authorities’ attempted closure of al-Nasr DC following the designation of Kashlaf in June 2018, it remains fully operational. The adjacent Zawiyah port, approximately 3 km away from the DC, also remains a main disembarkation point for migrants intercepted at sea by the LCG. Abd Al-Rahman al-Milad (LYi.026) a.k.a. Al Bija was previously the commander of that port.
5. Following an attack on the Qasr bin Ghashir DC on 23 April 2019, as a result of the conflict in Tripoli, the al-Nasr DC received approximately 800 transferred migrants. The facility exceeds capacity, housing as of September 2019 approximately 1,230 migrants. The resources provided to the DC by the Libyan authorities are not adequately managed and are overstretched.¹⁰⁸
6. Kashlaf works closely with his brothers Nuri and Abdallah and also with his cousins Walid, Khamza and Samir. Walid Kashlaf plays an essential role in moving and investing the revenues generated by the network. Abd Al-Rahman al-Milad a.k.a. Al Bija is also a known close associate.
7. The Kashlaf clan, from the tribe Awlad Abuhumeira, operates under the umbrella of Ali Boushriba, the tribe’s most influential element in Zawiyah.

¹⁰⁸ Confidential sources.

Figure 21.1
Exact location of the Al-Nasr DC



Source: © 2019 DigitalGlobe Inc.

Annex 22: ISIL (QDe.115) in Libya's killings in Fuqaha (9 April 2019)

Incident details

1. On 9 April 2019, open source media reported¹⁰⁹ that at least thirteen vehicles belonging to ISIL in Libya entered the town of Fuqaha where they immediately cut electricity power and phone communication lines/cell towers. Their first target was Abdelkafi Ahmed Abdelkafi, a member of the municipal guard who was taken by force from his house to the municipality building where he was slaughtered. Once in the Municipality building they abducted Miftah Sasi, Head of the Municipal Guard, and burned the building. Another victim of this assault was Ahmed Sassi, Head of the Municipality, whose house was stormed, and he was murdered in his sleep, then burned along with his house. The group killed at least three other people and burned more than two other buildings, before leaving the town of Fuqaha at 01:45 hours (local time).

2. On 9 April 2019, ISIL in Libya published a statement in its official media branches taking responsibility for the killing of the Head of the Municipal Guard and the Head of the Municipality, together with other “wanted” individuals and arrested others. They also admitted to burning the municipality building and two other civilian houses.

Figure 22.1

Statement of ISIL in Libya on the Fuqaha attack (9 April 2019)



Source: <https://ou7zytv3h2yaosqq.f101.ml/38002>. Accessed 10 June 2019.

¹⁰⁹ <https://www.libyaobserver.ly/news/gunmen-attack-fuqaha-town-al-jufra-central-libya>.

5. On 15 April 2019, ISIL in Libya again released video imagery of their 8 April 2019 incursion into Al Fuqaha, which showed events very similar to the aforementioned crimes. Screenshots of this imagery are at figures 22.3 to 22.7.

Figure 22.3
Burning of a civilian house ^a



Figure 22.4
Abduction of civilians



Figure 22.5
Headquarters of the Fuqaha municipal Guard



Figure 22.6
Miftah Sassi in custody of ISIL Libya



^a All imagery (22.3 to 22.6) from video extract. <https://ou7zytv3h2yaosqq.f101.ml/38052>. 15 April 2019. Accessed 10 June 2019.

Annex 23: Arbitrary detention of Deputy Minister of Defence, Ouheida Abdallah Najim

1. On 22 April 2019, GNA Deputy Minister of Defence, Ouheida Abdallah Najim, while returning home from his office, was abducted in Tripoli. An unidentified group of armed men stopped his convoy and took him, his driver and one security member of his team by force. All were transferred to an unknown location in Misrata.
2. Abdallah Najim spent 42 days arbitrarily detained in that unknown location. During this period, no explanation or information was provided for his arbitrary detention.
3. On or about 3 June 2019 he was taken back to Tripoli and abruptly released in the premises of the AGO. This latter office conveyed that it had no grounds for detaining or arresting him.
4. To date, Abdallah Najim is neither aware of the reasons behind his abduction and detention, nor of the identities or affiliations of the perpetrators.
5. It is the Panel's understanding that an official investigation has not yet been launched.

Annex 24: Disruptions to the GMMR

Background

1. Libya’s national water supply system is nearly completely derived from underground aquifers in southern desert areas pumped via the GMMR and underground wells. Even though disruptions to supply remain localized, the entire system is growing increasingly fragile due to infrastructure deterioration, theft, and intermittent attack. Two such attacks occurred in May and July 2019, of which one is detailed below.

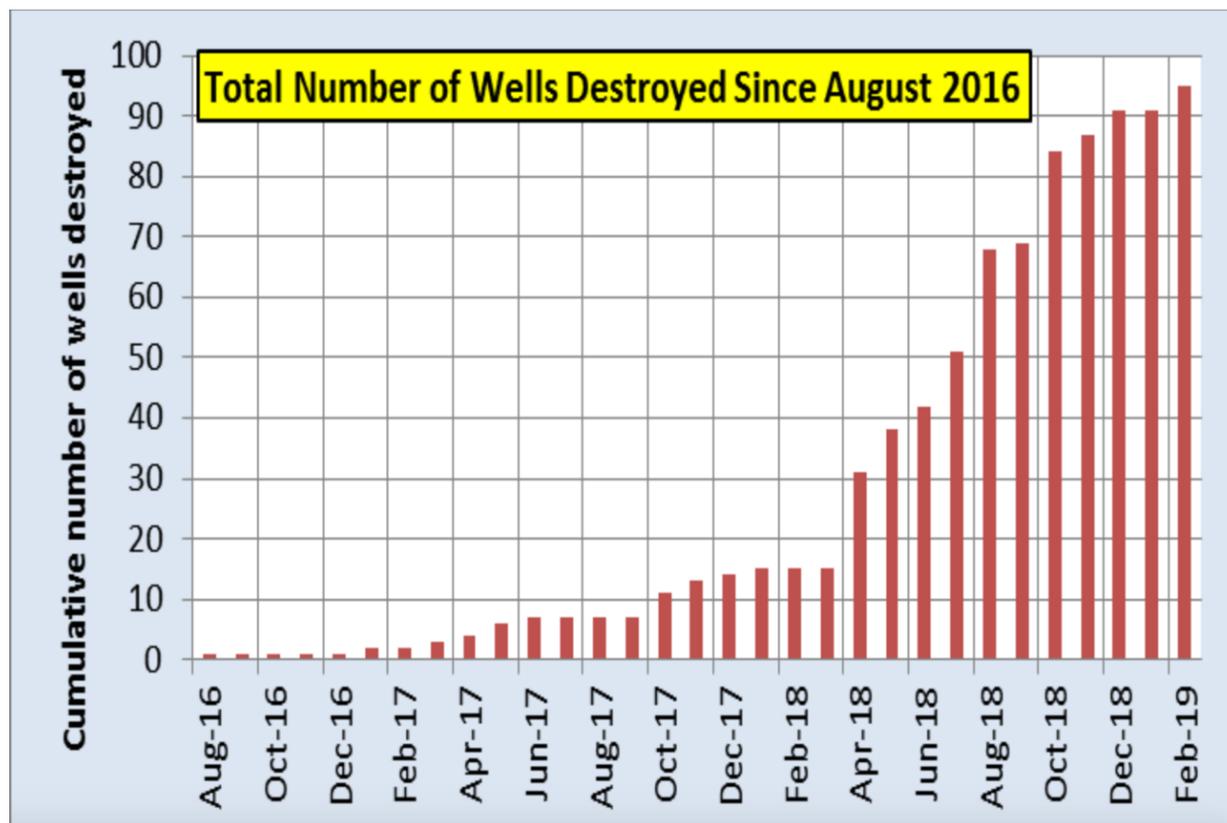
Figure 24.1
Map of the Great Man-Made River (GMMR)



Source: Britannica

2. The gradual stripping of metals from the pumping stations and other wells to sell for scrap has severely degraded infrastructure over time. Attacks on and thefts to wells have dramatically increased since mid-2017 (see figure 24.2). The Panel estimates that 100 wells in the Hasawna area alone have been destroyed. The main pumping station at Qasr bin Ghashir that delivers water to the capital is severely degraded from repeated acts of vandalism.

Figure 24.2
Total number of wells destroyed since August 2016



Source: Libyan Water Authority

Incident details

In October 2017, the SDF arrested al-Mabruk Hneish. In retaliation, HAF 219 brigade purportedly led by his brother, Khalifa Hneish, took control of the southern Hasawna water control station and

threatened to disrupt the supply if al-Mabruk was not released. A negotiation produced the resumption in the water supply, but al-Mabruk remained in detention.

4. On 19 May 2019, 219 brigade took control of the southern Hasawna water control station and then denied supply to the western coastal region including Tripoli (population of approximately 2.5 to 3 million). Water supply was denied for approximately 36 hours (see appendix A). The Panel considers that such a lengthy denial of supply falls within the ambit of an “attack against an object indispensable to the survival of the civilian population”.

5. Negotiations took place during the period of water denial, resulting in the eventual release of al-Mabruk Hneish in June 2019.

Attribution of responsibility

6. Although 219 brigade was in control of the local area during the time of this incident, and there is little doubt that an incident in non-compliance with CIHL 54 – “attacks against objects indispensable for the survival of the population” took place, the Panel has not yet been able to find compelling evidence of the individual or organization responsible.

System vulnerability

7. The design of the complete water system means that there are vulnerable points throughout the system that if attacked or captured means that Tripoli can easily be threatened with the denial of supply and has been illustrated above.

Appendix A to Annex 24. Documentary evidence

Figure A.24.1

Statement by the United Nations Resident and Human Coordinator, dated 20 May 2019



UN Humanitarian Coordinator for Libya strongly condemns the blockage of the Great Man-Made River, cutting off water supply for hundreds of thousands of Libyans

Tripoli, 20 May 2019

On 19 May 2019, during late night hours, a water control station in the Jabal al-Hasawna – southwestern Libya, was deliberately shut down cutting off water supply from the Great Man-Made River (GMMR) to Tripoli and some cities in the western and middle areas of Libya.

The UN Humanitarian Coordinator, Maria Ribeiro, condemns in the strongest terms this act that aims to deprive hundreds of thousands of already embattled Libyans of safe drinking water. "Such attacks against civilian infrastructure that are essential for the survival of the civilian population may be considered war crimes," Ribeiro stressed.

Continuous attacks on the water system further jeopardise levels of health and hygiene among the civilian population, particularly those most vulnerable, including children, and cause further hardship and possible displacement.

The Humanitarian Coordinator reminds all parties of their obligations under International Humanitarian Law and International Human Rights Law to ensure the safety of all civilians and civilian infrastructure, including schools, hospitals, and public utilities, especially water and electricity.

Note for editors:

Since the beginning of 2018, there has been a dramatic increase in the number of wells being sabotaged. Currently, 96 out of 366 wells feeding the Man-Made River are out of service. This was already creating increasing water shortages for the estimated 1.5 million people, including some 600,000 children, who rely on the MMR as their primary supplier of freshwater.

Figure A.24.2
Statement by the administration of the Great Man Made River dated 21 May 2019

التاريخ: 16 رمضان 1440 هـ
الموافق: 2019/5/21
الرقم: _____



جهاز تنفيذ وإدارة
مشروع النهر الصناعي

بيان جهاز تنفيذ وإدارة مشروع النهر الصناعي
بشأن حادثة إيقاف ضخ المياه بمنظومة الحسانة سهل الجفارة

تعرض موقع الشويرف التابع لمنظومة الحسانة سهل الجفارة مساء يوم الأحد الموافق 19 مايو 2019 إلى حادثة اعتداء تمثلت في قيام المواطن بلقاسم احتيش بتهديد الموظفين بالموقع من أجل إيقاف عمليات ضخ المياه بالمنظومة الأمر الذي ترتب عليه انقطاع المياه لقرابة 36 ساعة على كل المدن والمناطق الواقعة بالمنطقتين الغربية والوسطى ، وفي هذا الخصوص فإن جهاز تنفيذ وإدارة مشروع النهر الصناعي يؤكد على ما يلي :-

- أن جهاز تنفيذ وإدارة مشروع النهر الصناعي بنأى بنفسه عن كل التجاذبات والخلافات والصراعات وأنه يرفض بشكل واضح وصريح أن تستخدم المياه والتي هي هبة الله للجميع في المساومة أو التلويح باستخدامها لإملاء أية شروط او مطالب خاصة.
- يمثل مشروع النهر الصناعي الشريان الرئيسي للإمداد المائي بالدولة الليبية حيث يكافح مستخدميه الوطنيين على مدار الساعة وفي ظروف تشغيلية قاهرة من أجل استمرار تدفق مياهه لتغذية كل المدن والمناطق الواقعة على مساراته على حد سواء.
- قام هذا المواطن في عدة مرات سابقة بتهديد الموظفين بقوة السلاح من أجل إيقاف ضخ المياه بمنظومة الحسانة سهل الجفارة كان اولها في شهر اكتوبر 2017 وقام فعلياً بتنفيذ تهديده واييقاف الضخ بالمنظومة في شهر نوفمبر 2017 مطالباً بضرورة إطلاق سراح أخيه المدعو المبروك احتيش والموقوف بمدينة طرابلس ، وفي هذا الصدد بنوه الجهاز إلى ما يلي :-

- انه غير معني البتة بمثل هذه المطالب ويستغرب في الوقت ذاته أن يتم إقحامه فيها والتي تطل عوائلها الوخيمة كل الشعب الليبي.
- قام جهاز تنفيذ وإدارة مشروع النهر الصناعي وفور حدوث الاعتداءات والتهديدات السابقة بمخاطبة وإبلاغ السلطات الرسمية بالدولة للاضطلاع بمسؤولياتها لحماية هذا المشروع الحيوي كما قام بالتواصل مع كل الفعاليات الشعبية والاجتماعية من أجل معالجة هذه الإشكالية.



طرابلس - قصر بن غشير

www.gmmra.org - e-mail: gmrp@gmrp.ly



بنغازي - الموارى

+218 21 361 9440 +218 21 569 2015
+218 21 361 9174 +218 21 360 1482 - 83
ص 1188

+218 61 222 6941 +218 61 222 5091-92
+218 61 222 0195 +218 61 224 0330
ص 9468.641

- إن الوضع الراهن لم يعد يحتمل المزيد من التهاون في حماية هذا المشروع الاستراتيجي والذي يمثل الأمن القومي للدولة وأن الوقت قد حان من أجل تفعيل القانون وتجريم أي اعتداء على هذا المشروع واعتباره جريمة ضد الإنسانية.
- أن جهاز تنفيذ وإدارة مشروع النهر الصناعي يواجه تحديات وعقبات هائلة تجعله غير قادر على الاستمرار في عمليات تشغيله وصيانته وفقاً للمعايير والمواصفات الفنية والقياسية المصممة له وسيتم خلال الأيام القليلة القادمة إصدار بيان لاحق يوضح هذه التحديات بشكل واضح وصريح من أجل قيام الجهات المختصة بالدولة بتحمل مسؤولياتها في هذا الشأن وذلك للحيلولة دون توقف عمليات ضخ مياهه لتأمين الاحتياجات الحضرية والزراعية بالدولة الليبية.

حفظ الله ليبيا



طرابلس، قصر بن غشير

www.gmmra.org - e-mail: gmrp@gmrp.ly

المقر الرئيسي: بنغازي، العواري

+218 21 361 9440 +218 21 569 2015

+218 21 361 9174 +218 21 360 1482 - 83

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Panel summary of the above statement

This confirms the stoppage of water supply in May 2019 to the cities in central and western Libya. It identifies the perpetrator as Belqasim Hneish and highlights that there were two previous instances in October and November 2017, where this individual had attacked the Hassawna water complex and disrupted the water flow.

Annex 25: Failure to implement a release order for Prime Minister Baghdadi al Mahmoudi

1. The Panel has identified the failure to implement a release order in favour of former Prime Minister Baghdadi al Mahmoudi, adopted after a severe deterioration of his health condition was medically confirmed.
2. The release order was issued by the Ministry of Justice on 10 July 2019, and endorsed by the President of the Presidency Council on 20 July 2019.
3. The Panel is investigating the kidnapping and later assassination on 7 August 2019 of Walid al Tarhouni, a senior official of the Ministry of Justice, as there are indications that his death is connected to the release decision.

Figure 25.1
Release order issued by the Ministry of Justice on 10 July 2019

دولة ليبيا
حكومة الوفاق الوطني
وزارة العدل

قرار وزير العدل المفوض
رقم (514) لسنة 2019 م
بشأن الإفراج الصحي

وزير العدل المفوض :-

- بعد الاطلاع على الإعلان الدستوري الصادر بتاريخ 30 أغسطس 2011 م، وتعديلاته.
- وعلى الإتفاق السياسي الليبي الموقع بتاريخ 17 ديسمبر 2015 م.
- وعلى القانون رقم (5) لسنة 2005 م بشأن مؤسسات الإصلاح والتأهيل ولائحته التنفيذية.
- وعلى القانون رقم (12) لسنة 2010 م بشأن علاقات العمل ولائحته التنفيذية وتعديلاتهما.
- وعلى قرار مجلس الوزراء رقم (50) لسنة 2012 م باعتماد الهيكل التنظيمي واختصاصات وزارة العدل وتنظيم جهازها الإداري وتعديله.
- وعلى قرار المجلس الرئاسي رقم (4) لسنة 2016 م بشأن تشكيل حكومة وفاق وطني.
- وعلى قرار المجلس الرئاسي رقم (12) لسنة 2016 م بشأن منح تفويض بمهام.
- وعلى قرار المجلس الرئاسي رقم (256) لسنة 2017 م بشأن تفويض بمهام وزير.
- وعلى قرار السيد / وزير العدل رقم (51) لسنة 2018 م بشأن إعادة تشكيل لجنة الإفراج الصحي.
- وعلى قرار لجنة الإفراج الصحي رقم (15) لسنة 2019 م بشأن الإفراج عن نزيل.
- وعلى كتاب السيد / رئيس لجنة الإفراج الصحي رقم (34) المؤرخ 2019/7/9 م.
- وعلى ما عرضه السيد / مدير مكتب الوزير.

ق ر ر

مادة (1)
يفرج عن النزيل / البغدادي علي المحمودي بمؤسسة الإصلاح والتأهيل عين زارة (ب) إفراجا صحيا.

مادة (2)
يتولى جهاز الشرطة القضائية متابعة حالة المفرج عنه وإذا تبين أن الأسباب الصحية التي دعت إلى الإفراج عنه قد زالت أصدر المحامي العام قرارا بإلغاء أمر الإفراج.

مادة (3)
يعمل بهذا القرار من تاريخ صدوره - وعلى الجهات المعنية تنفيذه .

محمد عبد الواحد عبد الحميد

وزير العدل المفوض
دولة الوفاق الوطني
مكتبة العدل
القرارات
وزارة العدل

10 / 7 / 2019
القانونية / مكتبة

Figure 25.2
Release order endorsed by the GNA on 20 July 2019



The Presidency Council Of The
Government Of National Accord

المجلس الرئاسي
لحكومة الوفاق الوطني

الموضوع :
إشاري : م.ر. 1 / 2063
التاريخ : 2019-07-20م

السيد الفاضل / وزير العدل المفوض
تحية طيبة وبعد ...

بالإشارة إلى كتاب مدير مكتبكم المكلف رقم (325) المؤرخ في 2019/07/11م
المحال بموجبه بناء على تعليماتكم كتاب السيد / مدير إدارة الرعاية الصحية بجهاز
الشرطة القضائية رقم (68) المؤرخ في 2019/07/09م المرفق به صورة من التقرير المعد من
قبل عدد من الأطباء والإستشاريين عن الحالة الصحية للنزيل / البغدادي علي المحمودي.
وإستنادا على أحكام القانون رقم (5) لسنة 2005م بشأن مؤسسات الإصلاح والتأهيل
وما تضمنته من الإفراج عن النزيل المصاب بمرض يهدد حياته بالخطر أو يعرضه للعجز
الكلي ، وذلك بعد عرضه على لجنة طبية متخصصة في هذا الشأن ، وانهقاد
الاختصاص لوزير العدل بإصدار قرار الإفراج ، وعلى الرأي القانوني لمستشارنا القانوني
المعد بالخصوص.

عليه : إجرائاتكم بإصدار القرار اللازم وفقا لاختصاصكم بالإفراج
عن النزيل / البغدادي علي المحمودي ، ومن ثم الإيعاز لجهاز الشرطة القضائية باتخاذ
الإجراءات اللازمة لإتمام عملية الإفراج.

وتفضلوا بقبول وافر الإحترام.

فانز مصطفى السراج
رئيس المجلس الرئاسي لحكومة الوفاق الوطني





صورة إلى
- إدارة الشؤون القانونية والشعائري
- الملف الإداري العام
رئيس اللجنة القانونية

Annex 26: The enforced disappearance of Ms. Siham Sergewa (17 July 2019)

Incident details

1. On 17 July 2019, a group of masked and armed men entered the home of Ms. Siham Sergewa, a Member of the House of Representatives and women's rights activist, shot and wounded her husband, physically assaulted one of her sons and abducted her to an unknown location.
2. Media reported that HAF affiliated groups were more likely to be guilty, as her kidnap effectively silenced her opposition to the HAF offensive against Tripoli^{111 112}.
3. On 18 July 2019, UNSMIL released a statement¹¹³ deploring the enforced disappearance of Siham Sergewa and called on the relevant authorities to investigate the matter and for her immediate release.
4. On 4 August 2019, the official Facebook page of the 'interim government' posted a video and a statement¹¹⁴ of Ibrahim Bushnaf, minister of interior of the 'interim government' accusing "terrorist groups" and "sleeper cells" of the kidnapping, but produced no evidence to support their accusation of terrorist entities. Ibrahim Bushnaf indicated that investigations were being conducted on the case.
5. On 7 August 2019, UNSMIL released a statement¹¹⁵ expressing the concern over the continued enforced disappearance of Ms. Siham Sergewa, noting that the statements made by the 'interim government' authorities do "not convey any reassurance about the wellbeing and the whereabouts of Ms. Sergewa".
6. On 17 October 2019, UNSMIL released a statement¹¹⁶ condemning once again the abduction and the disappearance of Ms. Sergewa, and reiterating the legal responsibility of relevant authorities in eastern Libya to establish her fate and whereabouts.
7. Attempts by the Panel to contact Ms. Siham Sergewa's close family members were unsuccessful. The Panel sought details of the ongoing investigations from the 'interim government' and is yet to receive a response. The fate of Siham Sergewa is unknown to date.

¹¹¹ <https://libyaalahrar.tv/2019/08/05/أولياء-الدم-أم-إرهابيون-اختطفوا-سرفي/>.

¹¹² <https://edition.cnn.com/2019/07/20/africa/libya-sergewa-intl/index.html>

¹¹³ <https://unsmil.unmissions.org/unsmil-statement-continued-enforced-disappearance-house-representative-member-siham-sergewa>

¹¹⁴ <https://www.facebook.com/117982735202495/videos/784011072017339/>.

¹¹⁵ <https://unsmil.unmissions.org/unsmil-statement-continued-enforced-disappearance-house-representative-member-siham-sergewa>.

¹¹⁶ <https://unsmil.unmissions.org/three-months-after-kidnapping-mp-sergewa-unsmil-calls-her-immediate-releases-and-all-victims>

Annex 27: Summary of non-compliance with the sanctions measures (arms) in support of GNA¹¹⁷

1. Tables 27.1 to 27.3 summarizes the non-compliances with paragraph 9 of resolution [1970 \(2011\)](#) covering, air and aviation violations, land service equipment violations and maritime violations identified or confirmed during the period of this report. The Panel also finds the GNA to be in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for all these cases.

Table 27.1

Air and aviation non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph9 to 1970 (2011)</i>	<i>Remarks</i>
New equipment	Bayraktar-TB2 UCAV ^a	<ul style="list-style-type: none"> ▪ Turkey ▪ GNA 	<ul style="list-style-type: none"> ▪ The Member States have not responded to Panel enquiries. ▪ Supply and import.
New equipment	<i>Orbiter-3</i> UAV ^b	<ul style="list-style-type: none"> ▪ GNA 	<ul style="list-style-type: none"> ▪ The supply chain has yet to be ascertained as Member State has not responded to Panel enquiries. ▪ Import.
Transportation	Ilyushin IL-76TD Registered UR-COZ	<ul style="list-style-type: none"> ▪ Turkey ▪ Turkish Office of ProAir-Charter-Transport GmbH^c ▪ Plures Air Cargo,^d Turkey 	<ul style="list-style-type: none"> ▪ Destroyed on ground at Misrata international airport on 6 August 2019. ▪ Panel identified 130 tonnes of suspicious freight cargo on five flights between 3 to 6 July 2019 consigned by the Libyan Embassy, Ankara to the Ministry of Interior, Libya.

¹¹⁷ Also included at table 27.4 is a case of illegal import of blank firing pistols by an organised criminal group(s).

Generic Type	Means / Equipment	Responsible party(ies) in non-compliance with paragraph9 to 1970 (2011)	Remarks
Transportation	Ilyushin IL-18 Registered UR-CNT	<ul style="list-style-type: none"> ▪ Turkey ▪ Ukraine Air Alliance P.J.S.C. ^e ▪ Turkish Office of ProAir-Charter-Transport GmbH ▪ Plures Air Cargo, Turkey 	<ul style="list-style-type: none"> ▪ Panel identified 4.1 tonnes and 8.9 tonnes of UAV components consigned on two flights on 28 May 2019, by the Libyan Embassy, Ankara to the Ministry of Interior, Libya.
Transportation	Ilyushin IL-18 Registered UR-CGW	<ul style="list-style-type: none"> ▪ Turkey ▪ Ukraine Air Alliance P.J.S.C. ▪ Turkish Office of ProAir-Charter-Transport GmbH ▪ Plures Air Cargo, Turkey 	<ul style="list-style-type: none"> ▪ Panel identified 5.2 tonnes and 6.9 tonnes of UAV components consigned on two flights on 30 May 2019 by the Libyan Embassy, Ankara to the Ministry of Interior, Libya.
Transportation	Ilyushin IL-18 Registered UR-CAH	<ul style="list-style-type: none"> ▪ Turkey ▪ Ukraine Air Alliance P.J.S.C. ▪ Turkish Office of ProAir-Charter-Transport GmbH ▪ Plures Air Cargo, Turkey ▪ 	<ul style="list-style-type: none"> ▪ Panel identified 5.4 tonnes and 5.3 tonnes of UAV components consigned on two flights on 31 May and 2 June 2019 by the Libyan Embassy, Ankara to the Ministry of Interior, Libya. ▪

^a <https://baykarsavunma.com/#en>.

^b <https://aeronautics-sys.com>.

^c <https://www.proair.de/en>.

^d <https://www.plures.com.tr/en>.

^e <http://www.uaa-avia.com/en>.

Table 27.2
Land service non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
New equipment	Kirpi 4 x 4 APC ^a	<ul style="list-style-type: none"> ▪ Presidency of Defence Industries,^b Turkey ▪ Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Limited Sti,^c Turkey ▪ GNA 	<ul style="list-style-type: none"> ▪ The Member States have not responded to Panel enquiries. ▪ Delivery to Libya confirmed verbally by Minister of Interior of Libya to Panel on 31 July 2019. ▪ Supply and import.
New equipment	Toyota armoured trucks	<ul style="list-style-type: none"> ▪ GNA Ministry of Interior, Libya 	<ul style="list-style-type: none"> ▪ The Member States have not responded to Panel enquiries. ▪ Delivery to Libya confirmed verbally by Minister of Interior of Libya to Panel on 31 July 2019. ▪ Import.
New equipment	Counter-UAV RF Inhibition and Jamming System	<ul style="list-style-type: none"> ▪ 	<ul style="list-style-type: none"> ▪ Under investigation

^a <https://www.bmc.com.tr/en>.

^b <https://www.ssb.gov.tr/Default.aspx?LangID=2>.

^c <http://www.akdenizroro.com.tr/en/>.

Table 27.3
Maritime non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
Military support	Landing Ship Tank <i>Ibn Ouf</i> (L132)	<ul style="list-style-type: none"> ▪ Italian Navy ^a 	<ul style="list-style-type: none"> ▪ Maintenance work to an armed naval vessel in December 2017 and January 2018.
Transportation	MV <i>Amazon</i> (IMO 7702657)	<ul style="list-style-type: none"> ▪ Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Ltd STI (Turkey) 	<ul style="list-style-type: none"> ▪ Moldova forcibly removed the vessel's flag status on 25 May 2019. ▪ Provisionally registered with Togo International Registration Bureau on 14 June 2019. ▪ Togo cancelled the provisional registration on 20 August 2019.

^a Italian vessels *Capri* (A5353) and *Tremeti* (A5349).

Table 27.4
Organised crime non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
Illegal import by organised criminal group	Atak Zorak Type 2918 blank firing pistols x 5,000	▪ Aykar Makliyat Uluslararsi, ^a Turkey	▪ Seized by customs at Al Khoms on 17 December 2018.
Illegal import by organised criminal group	Ekol P29 blank firing pistols x 20,000	▪ Brother Company for International Trade Toys Shop, ^b Tunisia ▪ Al Kasr Textile Factory, Tripoli, Libya	▪ Seized by customs at Misrata on 30 December 2018.

^a <https://www.aykardenizcilik.com/en/index.php>.

^b Mr Nofal Mustafa, +216 24 524XXX.

Annex 28: Summary of non-compliance with the sanctions measures (arms) in support of HAF

1. Tables 28.1 to 28.3 summarizes the non-compliances with paragraph 9 of resolution [1970 \(2011\)](#) covering, air and aviation violations, land service equipment violations and maritime violations identified or confirmed during the period of this report. The Panel also finds HAF to be in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for all these cases.

Table 28.1

Air and aviation non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
Confirmed	Wing Loong II UCAV ^a	▪ United Arab Emirates	▪ Paired with the Blue Arrow (BA-7) air to surface missile system.
New equipment	Mohadjer-2 UAV ^b	▪	▪ The supply chain has yet to be fully ascertained as Member State has not responded to Panel enquiries.
New equipment	Orlan-10 UAV ^c	▪	▪ The supply chain has yet to be fully ascertained as Member State has not responded to Panel enquiries.
New equipment	Yabhon-HMD UAV ^d	▪ United Arab Emirates	▪ The supply chain has yet to be fully ascertained as Member State has not responded to Panel enquiries.
Transportation	Antonov AN-26 Displaying UP-AN601	▪ Space Cargo Inc, ^e UAE	<ul style="list-style-type: none"> ▪ De-registered by Kazakhstan aviation registry on 7 September 2015. ▪ UP-AN601 markings were removed from aircraft in May 2015, but have subsequently been remarked as a “false flag” ▪ Now flying illegally within Libya as a “stateless” aircraft.
Transportation	Ilyushin IL-76TD Registered UR-CMP	▪ Deek Aviation FZE, ^g UAE	▪ Destroyed on ground at Jufra air base on 25 July 2019.
Transportation	Ilyushin IL-76TD Registered UR-CRC	▪ Deek Aviation FZE, UAE	▪ Destroyed on ground at Jufra air base on 25 July 2019.
Transportation	Ilyushin IL-76TD Registered UP-17601	▪ Sigma Airlines, ^h Kazakhstan	<ul style="list-style-type: none"> ▪ Identified flying in military support in April and June 2019. ▪ Made suspicious flights from Jordan from 23 to 26 June 2019.

Generic Type	Means / Equipment	Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)	Remarks
Transportation	Ilyushin IL-76TD Registered UP-17645	▪ Sigma Airlines, Kazakhstan	▪ Identified at Tamanhant, Sebha on 29 January 2019.
Transportation	Ilyushin IL-76TD Registered UP-17655	▪ ▪	▪ Still under investigation. ▪

^a <http://enm.avic.com/index.shtml>.

^b Iran Aviation Industries Organization (IAIO). www.mod.ir.

^c <https://www.stc-spb.ru>.

^d <http://www.ats-ae.com>. No URL for Adcom Systems.

^e <http://spacecargoinc.com>.

^f <http://www.europeair.kiev.ua>. Ceased trading on 9 August 2019 under Order No908.

^g www.deekaviation.com. URL not operable. Q4-76, Block Q4 Street, Al Ruqa Al Hamra, Sharjah, UAE.

^h <https://airsigma.pro>.

^j Uses www.sonmig.com, which diverts to www.sipj.net.

Table 28.2
Land service non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
New equipment	<i>Panthera F9 APC</i> ^a	▪	▪ The supply chain has yet to be ascertained.
New equipment	<i>Mbombe 6 x 6 IAFV</i> ^b	▪ Jordan	▪ South Africa confirmed that it has not transferred to Libya, and that Jordan is the only other manufacturer ▪ Only Jordan manufactures with the “snakehead” turret seen in Libya.
New equipment	<i>Mared 8 x 8 IAFV</i>	▪ Jordan	▪ Jordan has not responded to Panel enquiries, but this system is not manufactured by anyone else, first displayed in 2018 and has not been sold to any other Member State.
New equipment	<i>Caiman 6 x 6 MRAP</i> ^c	▪	▪ The supply chain has yet to be ascertained.
New equipment	<i>Irigiri 8 x 8 IAFV</i> ^d	▪	▪ The supply chain has yet to be ascertained as Member State has not responded to Panel enquiries.
New equipment	<i>Ratel-60 IAFV</i> ^e	▪	▪ Responsibility yet to be ascertained as Member State has not responded to Panel enquiries.
New equipment	<i>MIM-23 Hawk SAM</i> ^f	▪ United Arab Emirates	▪ Providing close air defence at Jufra air base.
New equipment	<i>Pantsir S-1 SAM</i> ^g	▪ United Arab Emirates	▪ Providing close air defence at Al Khadim and Jufra air bases.
New equipment	<i>Blue Arrow (BA-7) air to surface missile</i> ^h	▪ United Arab Emirates	▪ Paired with the <i>Wing Loong II</i> UCAV.
New equipment	<i>Nashshab RPG-32 variant anti-tank rocket launcher</i> ^j	▪ Jordan	▪ Jordan has not responded to Panel enquiries, but this system is not manufactured by anyone else, and has not been sold to any other Member State.
New equipment	155mm High Explosive Laser Guided Projectile GP6 ^k	▪ United Arab Emirates	▪ The supply chain has yet to be fully ascertained as the UAE has not responded to Panel enquiries.

Generic Type	Means / Equipment	Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)	Remarks
New equipment	Radio Frequency (RF) Inhibition and Jammer System ¹	▪	▪ Responsibility yet to be ascertained as Member State could not identify initial export.
Military support	Military training in Jordan ^m	▪ Jordan ▪	▪ Jordan has not responded to Panel enquiries, but the name of the school is on the wall of a building in the imagery. ▪

^a <http://www.mspv.com>.

^b <http://www.kaddb.com>.

^c <https://www.baesystems.com/en-us/our-company>.

^d <https://www.army.mil.ng/corps-services/>.

^e No URL as company closed.

^f <http://raytheon.com>.

^g www.ump.mv.ru.

^h <http://en.norincogroup.com.cn>.

^j <https://www.jadara.jo>.

^k <http://en.norincogroup.com.cn>.

^l <https://www.same190.com>.

^m <https://www.jaf.mil.jo>.

Table 28.3
Maritime non-compliances

<i>Generic Type</i>	<i>Means / Equipment</i>	<i>Responsible party(ies) in non-compliance with paragraph 9 to 1970 (2011)</i>	<i>Remarks</i>
New equipment	Offshore Patrol Vessel (OPV) <i>Al Karama</i> ^a	<ul style="list-style-type: none"> ▪ Universal Satcom Services F.Z.Z., UAE ▪ Reema Sami Abdullah Al Omari ▪ 	<ul style="list-style-type: none"> ▪ CEO, Al Omari, also in non-compliance due to her personal involvement in the transfer. ▪

^a <https://universalsatcom.com>. Closed by UAE authorities for trading outside area of licence permissions.

Annex 29: MV *Esperanza* to Al Khoms (17 December 2019)

1. Between 13 to 17 December 2019 the MV *Esperanza* (IMO 9252785) offloaded three containers (serial numbers CSOU 410121-9, CSFU 964715-0 and CSFU 964827-0), which during a subsequent inspection by Al Khoms port customs authorities were found to contain 3,000 *Atak Zoraki* 2918 blank firing pistols.¹¹⁸

2. Two Turkish companies consigned the containers to three consignee companies in Libya (table 29.1).

Table 29.1

Consignors and Consignees

<i>Container</i>	<i>Consignor in Turkey</i>		<i>Consignee in Libya</i>		
CSFU410121-0	Aykar Makliyat Uluslararsi ^a	Siyavuspasa Barbaros 5 Kocksinan Is Hane No: 2/20, Istanbul	Man SK,	Al Sahab Company	
CSFU964715-0	Hama Kagit Tekstil Insaat ^b	San Bolgesi Mah Ayrosan 6 Fblok No: 1/49, Ikitelli, Istanbul		Nardeen Al-Haya Company	+2189449XXXX3
CSFU964827-0	Aykar Makliyat Uluslararsi	Siyavuspasa Barbaros 5 Kocksinan Is Hane No: 2/20, Istanbul	Man SK,	Qrauln Company	

^a <http://www.aykardenizcilik.com/en/iletisim.php>.

^b hamatekstil@gmail.com.

3. The Bills of Lading and Cargo Manifests for the three containers do not list the weapons (see appendix A).

4. As of 20 October 2019 the Turkish investigation into this incident was still ongoing, and the Panel continues to monitor.¹¹⁹

¹¹⁸ Confidential source in Misrata.

¹¹⁹ Communication from Member State of 5 August 2019.

Image A.29.2
 Cargo Manifest Container CSOU410121-9

CONTAINERSHIPS ISTANBUL
 as agent for
 CONTAINERSHIPS OYJ
 LINNOITUSTIE 6 C
 02600 ESPOO FI
 EORI: FI0818358-5

C A R G O M A N I F E S T
 03.12.2018 10:39:35 3 of 17

FI	SPARE F1002000
BFE0118	30.11.2018
CONTAINERSHIPS OYJ	FIACPL11071

Authorized consignee
 Signature waived

REPORT AND MANIFEST of the cargo laden on board the BF ESPERANZA, VOYAGE BFE0118
PORT OF LOADING: GEBZE PORT OF DISCHARGE: AL KHUMS
30.11.2018 Port call id: 05.12.2018

Container no	No & kind of pkgs	Description of goods	Gross Weight	Status	Document
FULL CONTAINERS					
B/L No:	IST1804449	(S): AYKAR NAKLIYAT ULUSLARARASI I.H. IHR. LTD. STI. SIYAVUSPAGA MAH. BARBAROS S.NR.	(N): SAME AS CONSIGNEE		
Term:	FF GEBZE - AL KHUMS				
Freight:	Prepaid ISTANBUL				
Customer:	172380 AYKAR NAKLIYAT ULUSLARARASI	KOCASINAN IS SANI NO:2/20			
Reference:	KENDI/2X40 HC	BANHELIEVLER ISTANBUL			
Service:	FCL/FCL	(C): AL SAHAB COMPANY	(D):		
Terminal:	EVYAP				
On-Carriage:	Carrier haulage				
Transit:	No				
Release:	3: Original B/L				
<hr/>					
CSOU410121-9	10 PACKAGE	DRAID PLASTER//PAROQUET HS CODE:321490//441113	6120,000 N	None	
<hr/>					
B/L No:	IST1804517	(S): CIZMECI GIDA SAN. VE TIC. A.S. GEBZE GUSELLER O.S.B. INONU MAH. EBULEFYZ GEBZE 34742 KOCAELI TR	(N): AL FADAL COMPANY TEL:218913378599		
Term:	FF GEBZE - AL KHUMS				
Freight:	Prepaid ISTANBUL				
Customer:	788206 YAMAN CIKOLATA GIDA				
Reference:	NAK KENDI/1X40 HC				
Service:	FCL/FCL	(C): AL FADAL COMPANY TEL:218913378599 TEL:218925001985 2040 ALKHUMS LIBYA	(D):		
Terminal:	EVYAP				
On-Carriage:	Carrier haulage				
Transit:	No				
Release:	3: Original B/L				
<hr/>					
40' 2PW		HS CODE:19053111-19053299			
Tare:	4200 kgs				
Seal no's:	198085				
TOTAL:	1 x 40 2PW				
<hr/>					
B/L No:	IST1804663	(S): HANIMELI MEYIS GIDA URETIM VE DIS TIC.LTD.STI. YENISEHIR MAH.OSMANLI BULVARI,NO:13,KAT: 6 D:616 YENISEHIR FENDIK ISTANBUL	(N): TANTOM FOODS COMPANY AIRPORT STREET BESIDE OIL		
Term:	QF GEBZE - AL KHUMS				
Freight:	Prepaid ISTANBUL				
Customer:	119839 HTS ULUSLARARASI TASIMACILIK				
Reference:	NAK VE VGM KENDI 1X40'HC				
Service:	FCL/FCL	(C): TANTOM FOODS COMPANY AIRPORT STREET BESIDE OIL TANKS TRIPOLI PO BOX 6904 T:218912141206	(D):		
Terminal:	EVYAP				
On-Carriage:	Carrier haulage				
Transit:	No				
Release:	3: Original B/L				
<hr/>					
GESU498527-6	1742 BOX (ES)	HAZELNUT CREAM WITH COCOA HONEY SYRUP HTS CODE:18065960,170290950619	14600,000 N	None	
<hr/>					
40' 2PW					
Tare:	4150 kgs				
Seal no's:	198072				
TOTAL:	1 x 40 2PW				

(S)hipper, (C)onsignee, (N)otify, (D)elivery address

Image A.29.3
 Bill of Lading Container CSFU964715-0

Combined Transport BILL OF LADING
 Bill No. IST1804654
 Reference No.

Shipper
 HAMA KAGIT TEKSTIL INSAAT
 MALESMELERI SAN TIC A.S. IKTIELLI ORGANIZ
 SAN BOLGESI MAH. AYKOSAN 6 FBLOK NO:1/19
 IKTIELLI VD. 4560580057
 BASAKSEHIR ISTANBUL
 hamatekstil@gmail.com

Consignee
 HARDEM AL HAYA
 FOR IMPORT AND EXPORT
 TEL: +218944882023
 AL KUMMS LIBYA

Notify address
 HARDEM AL HAYA
 FOR IMPORT AND EXPORT
 TEL: +218944882023
 AL KUMMS LIBYA

CARRIER
 CONTAS LINE
 Tel: +90 902163787725
 FAX: +90 902163787252

PORT AGENT
 AL HAYA SHIPPING MARITIME CO.
 TRIPOLI +21621 470059/4702193
 ALBUERTA+21651 2422740/2422799

Ocean Vessel	Place of receipt	Port of loading	Number of original Bill
AL REFERANZA	ISTANBUL	ANBARLI MARDAS	

Particulars	Quantity and description of goods	Gross weight, kg	Measurement, m ³
Marks and Nos Seals: 226759	CSFU964715-0 40' 2PW 157 PACKAGE PLASTER (POWDER JOINT) HS CODE 68.09.90.00.00.00 FUMANS ADHESIVE (POWDER JOINT) STYROPOR HS CODE 39.21.90.49.00.00	28600,000 KG	
		28600,000 KG	

*DEMURRAGE TARIFF (PDAY/PCNTR)
 10 DAYS FREE 20' 40'
 11TH-20TH USD 7,5 15,00
 21ST-30TH USD 15,00 30,00
 THEREAFTER 30,00 60,00
 *10 SPECIAL EQUIPMENT
 SURCHARGE TO BE APPLIED
 FOR
 (HC, PW, OT, FR, ...ETC) **

1 x 40' CONTAINER(S) S.T.C.
 157 PACKAGE

28600,000 KG

FREE IN-FREE OUT

Particulars above declared by Shipper

ORIGINAL

RECEIVED the goods in apparent good order and condition and as far as ascertained by reasonable means of checking, as specified above unless otherwise stated.

The Carrier, in accordance with and to the extent of provisions contained in this Bill, and with liberty to sub-contract, undertakes to perform and/or in his own name to procure the performance of the combined transport and the delivery of goods, including all services related thereto from the place and time of taking the goods in charge to the place and time of delivery and accepts responsibility for such transport and such services. One of the Bill of Lading must be surrendered duly endorsed in exchange for the goods or delivery order.

IN WITNESS whereof TWO (2) original Bills have been signed, if not otherwise stated above, one of which being accomplished the other(s) to be void.

Place and date of issue
 ISTANBUL 01.11.2018
 Signed for The Carrier

CONTAINERSHIPS
 MARITIME TRANSPORT
 AND TRADE S.A.
 ISTANBUL - TURKIYE

Image A.29.4
Cargo Manifest Container CSFU964715-0

CONTAINERSHIPS ISTANBUL as agent for CONTAINERSHIPS OYJ LIMNOSTITIE S C 02600 ERPOO FI EORI: FI0818358-5		C A R G O M A N I F E S T 06.12.2018 13:17:29 4 of 8		<table border="1"> <tr> <td>FI</td> <td>SPAKE F1002006</td> </tr> <tr> <td>BFE0118</td> <td>01.12.2018</td> </tr> <tr> <td>CONTAINERSHIPS OYJ</td> <td>FIACPL11071</td> </tr> </table>		FI	SPAKE F1002006	BFE0118	01.12.2018	CONTAINERSHIPS OYJ	FIACPL11071																																					
FI	SPAKE F1002006																																															
BFE0118	01.12.2018																																															
CONTAINERSHIPS OYJ	FIACPL11071																																															
REPORT AND MANIFEST of the cargo laden on board the BF ESPERANZA, VOYAGE BFE0118 PORT OF LOADING: ISTANBUL PORT OF DISCHARGE: AL KHUMS 01.12.2018 Port call id: 09.12.2018				Authorised consignor Signature waived																																												
Container no		No & kind of pags	Description of goods	Gross Weight	Status	Document																																										
None																																																
FULL CONTAINERS																																																
Tare: 4000 kgs		DOOR CASING PROFILE 50*100 GOLDEN OAK																																														
Seal no's:		PANEL PROFIL 25 CM,PANEL PROFIL 25 CM																																														
212288		GOLDEN OAK,DOOR CASING PROFILE 50*130**																																														
TOTAL: 1 x 40 ZDV		Req.collection time: 16.11.2018 08:00																																														
B/L No:	1ST1804684	(S):	HAMA FAGIT TENSTIL ISSAAT MALZEMELERI SAN TIC A.S.IHITELLI ORGANIZ SAN BOLGESI MAH.AYKOSAN 6 FBLK NO:1/49 IKITELLI VD. 4560580057	(N):	NARDEEN AL HAYA	FOR IMPORT AND EXPORT																																										
Term:	FF ISTANBUL - AL KHUMS																																															
Freight:	Prepaid ISTANBUL																																															
Customer:	255331 SISTEM HAZIR GIYIM SAN.VE																																															
Reference:	1X40'HC / 21,11 LIMAN DOLUM																																															
Service:	FCL/FCL	(C):	NARDEEN AL HAYA FOR IMPORT AND EXPORT TEL:+218944892023 AL KOMMS LIBYA	(D):																																												
Terminal:	MARDAS																																															
On-Carriage:	Carrier haulage																																															
Transit:	No																																															
Release:	3: Original B/L																																															
<table border="1"> <tr> <td>CSFU964715-0</td> <td>157 PACKAGE</td> <td>PLASTER (POWDER JOINT)</td> <td>28600,000 N</td> <td>None</td> <td></td> <td></td> </tr> <tr> <td colspan="2">40' ZPW</td> <td>HS CODE 68.09.90.00.00.00</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">Tare: 4200 kgs</td> <td>FUNANS ADHESIVE (POWDER JOINT)</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">Seal no's:</td> <td>STYROPOR</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">226759</td> <td>HS CODE 39.21.90.99.00.00</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">TOTAL: 1 x 40 ZPW</td> <td>Req.collection time: 21.11.2018</td> <td colspan="4"></td> </tr> </table>							CSFU964715-0	157 PACKAGE	PLASTER (POWDER JOINT)	28600,000 N	None			40' ZPW		HS CODE 68.09.90.00.00.00					Tare: 4200 kgs		FUNANS ADHESIVE (POWDER JOINT)					Seal no's:		STYROPOR					226759		HS CODE 39.21.90.99.00.00					TOTAL: 1 x 40 ZPW		Req.collection time: 21.11.2018				
CSFU964715-0	157 PACKAGE	PLASTER (POWDER JOINT)	28600,000 N	None																																												
40' ZPW		HS CODE 68.09.90.00.00.00																																														
Tare: 4200 kgs		FUNANS ADHESIVE (POWDER JOINT)																																														
Seal no's:		STYROPOR																																														
226759		HS CODE 39.21.90.99.00.00																																														
TOTAL: 1 x 40 ZPW		Req.collection time: 21.11.2018																																														
B/L No:	1ST1804662	(S):	INTERSWEET DIS TICARET A.S. MERKEZ MAH.ARIFAGA SOK NO:1 D. 21 YENIBOSNA/BARCELIEVLER-ISTANBUL-TURKIYE TEL:(0090)212 552 51 06	(N):	AL SOROH COMPANY FOR IMPORT FOODSTUFFES L.L.C JANZOUR 9																																											
Term:	FF ISTANBUL - AL KHUMS																																															
Freight:	Prepaid ISTANBUL																																															
Customer:	131935 AZHAR ALANDOLAS FOR KENDI/21.11/1*40'/AL SOROH																																															
Reference:	KENDI/21.11/1*40'/AL SOROH																																															
Service:	FCL/FCL	(C):	AL SOROH COMPANY FOR IMPORT FOODSTUFFES L.L.C JANZOUR 9 STR.BUILDING 9 STR.BUILDING 9 TEL:218942194953/002189160504. 63 TRIPOLI/LIBYA	(D):																																												
Terminal:	MARDAS																																															
On-Carriage:	Carrier haulage																																															
Transit:	No																																															
Release:	3: Original B/L																																															
<table border="1"> <tr> <td>CSOU410190-2</td> <td>3926 BOX (ES)</td> <td>CANDY/COCOLIN</td> <td>19620,260 N</td> <td>None</td> <td></td> <td></td> </tr> <tr> <td colspan="2">40' ZDV</td> <td colspan="5"></td> </tr> <tr> <td colspan="2">Tare: 3840 kgs</td> <td colspan="5"></td> </tr> <tr> <td colspan="2">Seal no's:</td> <td colspan="5"></td> </tr> <tr> <td colspan="2">220545</td> <td colspan="5"></td> </tr> <tr> <td colspan="2">TOTAL: 1 x 40 ZDV</td> <td colspan="5"></td> </tr> </table>							CSOU410190-2	3926 BOX (ES)	CANDY/COCOLIN	19620,260 N	None			40' ZDV							Tare: 3840 kgs							Seal no's:							220545							TOTAL: 1 x 40 ZDV						
CSOU410190-2	3926 BOX (ES)	CANDY/COCOLIN	19620,260 N	None																																												
40' ZDV																																																
Tare: 3840 kgs																																																
Seal no's:																																																
220545																																																
TOTAL: 1 x 40 ZDV																																																
B/L No:	1ST1804683	(S):	TRENDDECOL - HASAN CEKIM KEMALPASA MH. GENCTURK CD. MARVIL SOK. NO.7 LALELI FATIH ISTANBUL	(N):	LOBDH.CO IMPORTING FURNITURE. MINA/KHOMS																																											
Term:	FF ISTANBUL - AL KHUMS																																															
Freight:	Prepaid ISTANBUL																																															
Customer:	157355 GEMINI FREIGHT MANAGEMENT																																															
Reference:	VGM KENDI* 1x20																																															
Service:	FCL/FCL	(C):	LOBDH.CO IMPORTING FURNITURE. (D): MINA/KHOMS 2040 LIBYA	(D):																																												
Terminal:	MARDAS																																															
On-Carriage:	Carrier haulage																																															
Transit:	No																																															
Release:	3: Original B/L																																															
<table border="1"> <tr> <td>CSOU125830-7</td> <td>112 PACKAGE</td> <td>TEXTIL</td> <td>11420,000 N</td> <td>None</td> <td></td> <td></td> </tr> <tr> <td colspan="2">20' XDV</td> <td>HS CODE:540741 491110 630710</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">Tare: 2200 kgs</td> <td>Req.collection time: 23.11.2018</td> <td colspan="4"></td> </tr> <tr> <td colspan="2">Seal no's:</td> <td colspan="5"></td> </tr> <tr> <td colspan="2">220589</td> <td colspan="5"></td> </tr> </table>							CSOU125830-7	112 PACKAGE	TEXTIL	11420,000 N	None			20' XDV		HS CODE:540741 491110 630710					Tare: 2200 kgs		Req.collection time: 23.11.2018					Seal no's:							220589													
CSOU125830-7	112 PACKAGE	TEXTIL	11420,000 N	None																																												
20' XDV		HS CODE:540741 491110 630710																																														
Tare: 2200 kgs		Req.collection time: 23.11.2018																																														
Seal no's:																																																
220589																																																
(S)hipper, (C)onsignee, (N)otify, (D)elivery address																																																

Image A.29.5
 Bill of Lading Container CSFU964827-0

Combined Transport BILL OF LADING

B/L No. IST1804682
 Reference No.

Shipper
 AYKAR NAKLIYAT ULUSLARARASI
 ITH. IHR. LTD. ST. I.
 SIYAVUSPASA MAH. BARBAROS 5. SK.
 KOCAELI MAH. IS HANI NO: 2/2C
 BAHCELIEVLER ISTANBUL
 TR 811

Consignee
 GRAULIN COMPANY

Notify address
 SAME AS CONSIGNEE



CARRIER:
 CONTAINERSHIP DENIZCILIK
 NAKLIYAT VE TIC. A. S. HAL. YOLU
 CAD. NO: 501 PLAZA K: 8
 34742 KOSYATAGI-ISTANBUL
 Tel: TEL: +90 216 578 72 72 (PBX)
 Fax: FAK: +90 216 578 72 52

Place of receipt
 GEBZE

Port of loading
 EVYAP

Place of delivery
 AL. F.HOMS

Freight payable at
 ISTANBUL

Number of original B/L
 3/THREE

Marks and Nos.	Quantity and description of goods	Gross weight, kg.	Measurement, m
Seals: 198092	CSFU964827-0 10 PACKAGE 40' 2PM BRAID PLASTER // PARQUET HS CODE: 321490//441113	6120.000 KG	
		6120.000 KG	

10 DAYS FREE 20* 40*
 11TH-20TH USD 7,5 15,00
 21ST-30TH USD 15,00 30,00
 THEREAFTER 30,00 45,00
 *10 SPECIAL EQUIPMENT
 SURCHARGE TO BE APPLIED
 FOR (RC, PM, OT, FR, ... ETC) *



1 x 40' CONTAINER(S) S.T.C.
 10 PACKAGE 6120.000 KG

FREE IN-FREE OUT

COPY

Freight and charges PCL/FCL (FREIGHT PREPAID) SHIPPER'S STOW, LOAD AND COUNT	Particulars above declared by Shipper RECEIVED in goods in apparent good order and condition and as far as ascertained by reasonable means of checking, as specified above unless otherwise stated. The Carrier, in accordance with and to the extent of provisions contained in this B/L, and with liberty to sub-contract, undertakes to perform and/or in his own name to procure the performance of the combined transport and the delivery of goods, including all services related thereto, from the place and time of taking the goods in charge to the place and time of delivery and accepts responsibility for such transport and such services. One of the B/L's must be surrendered duly endorsed in exchange for the goods or delivery order. IN WITNESS where of TWO (2) original B/L's have been signed, if not otherwise stated above, one of which being accomplished the other(s) to be void. Place and date of issue ISTANBUL 30.11.2018 Signed for The Carrier
---	---

Note:
 The Merchant's attention is called to the fact that according to Clauses 9 to 17 and clause 2.4 of this B/L the liability of the Carrier is limited in respect of loss of or damage to the goods.
 As agents(s) only

Image A.29.6
Cargo Manifest Container CSFU964827-0

Container no.	No & kind of pkgs	Description of goods	Gross Weight	Status	Document						
<p>CONTAINERSHIPS ISTANBUL as agent for CONTAINERSHIPS OYJ LINDITUSIE & C 02600 ESPOO FI ECRI: F10R18358-5</p> <p style="text-align: center;">C A R G O M A N I F E S T 03.12.2018 10:39:36 4 of 17</p> <table border="1" style="float: right;"> <tr> <td>FI</td> <td>SPAKE F1002000</td> </tr> <tr> <td>BFE0118</td> <td>20.11.2018</td> </tr> <tr> <td>CONTAINERSHIPS OYJ</td> <td>F1ACPL11071</td> </tr> </table> <p>REPORT AND MANIFEST of the cargo laden on board the SF ESPERANZA, VOYAGE BFE0118 PORT OF LOADING: EVYAP PORT OF DISCHARGE: AL KHOMS 30.11.2018 Port call id: 05.12.2018</p> <p style="text-align: right;">Authorized consignor Signature waived</p>						FI	SPAKE F1002000	BFE0118	20.11.2018	CONTAINERSHIPS OYJ	F1ACPL11071
FI	SPAKE F1002000										
BFE0118	20.11.2018										
CONTAINERSHIPS OYJ	F1ACPL11071										
FULL CONTAINERS											
B/L No:	IST1804682	(S): AYKAR NAKLIYAT ULUSLARARASI ITH. ITH. LTD. STI. SIVAVUSPASA MAH. BARBAROS 5.SM. KOCASINAN IS HANI NO:2/20 BASKELIEVLER ISTANBUL	(N): SAME AS CONSIGNEE								
Term:	FF GESE - AL KHOMS	(C): QRAULIN COMPANY	(D):								
Freight:	Prepaid ISTANBUL										
Customer:	172380 AYKAR NAKLIYAT ULUSLARARASI										
Reference:	KR081/2K4D HC										
Service:	FCL/FCL										
Terminal:	EVYAP										
On-Carriage:	Carrier haulage										
Transit:	No										
Release:	3: Original B/L										
CSFU964827-0	10 PACKAGE	BRAID PLASTER // PARQUET HS CODE:321490//441113	6120,000 N	None							
40' 2PW											
Tare:	4200 kgs										
Seal no's:											
198092											
TOTAL:	1 x 40 2PW										
B/L No:	IST1804693	(S): MEDSTAR GIDA SANAYI DIS TICARET VE ULUSLARARASI TASIMACILIK LTD STI SULTAN SELIM MAH LALEGUL SOK NKF09 A BLOK	(N): ALKHT ALABIAD FOR IMPORTING FOOD STUFF								
Term:	QF GESE - AL KHOMS	(C): TO THE ORDER OF JUMHOURIA BANK BELKAIH BRANCH TRIPOLI-LIBYA L/C NUMBER:09LCO118196001	(D):								
Freight:	Prepaid ISTANBUL										
Customer:	335588 MEDSTAR KONTEYNER TASIMACILIGI										
Reference:	B12/26-11/10*40HC/FETTAROGLU										
Service:	FCL/FCL										
Terminal:	EVYAP										
On-Carriage:	Carrier haulage										
Transit:	No										
Release:	3: Original B/L										
BSIU934340-4	3900 BOX (EN)	200 ML ONESTAR MIXEDFRUIT DRINK	23480,000 N	None							
40' 2DV		Req.collection time: 26.11.2018 08:00									
Tare:	4000 kgs										
Seal no's:											
223115											
BSIU989328-3	3900 BOX (ES)	200 ML ONESTAR MIXEDFRUIT DRINK	23530,000 N	None							
40' 2DV		Req.collection time: 26.11.2018 08:00									
Tare:	3370 kgs										
Seal no's:											
223127											
BSIU989501-2	3900 BOX (ES)	200 ML ONESTAR GRAPE FRUIT DRINK	23380,000 N	None							
40' 2DV		Req.collection time: 26.11.2018 08:00									
Tare:	3370 kgs										
Seal no's:											
223217											
CSFU964559-0	3900 BOX (ES)	200 ML ONESTAR MIXEDFRUIT DRINK	23800,000 N	None							
40' 2PW		Req.collection time: 26.11.2018 08:00									
Tare:	4200 kgs										
Seal no's:											
223133											
CSOU410461-9	3900 BOX (ES)	200 ML ONESTAR PEACH FRUIT DRINK	23500,000 N	None							
40' 2DV		Req.collection time: 26.11.2018 08:00									
Tare:	4050 kgs										
Seal no's:											
223192											
GESU449507-3	3900 BOX (ES)	200 ML ONESTAR GRAPE FRUIT DRINK	23600,000 N								
		(S)hipper, (C)onsignee, (N)otify, (D)elivery address									

Sources: Confidential

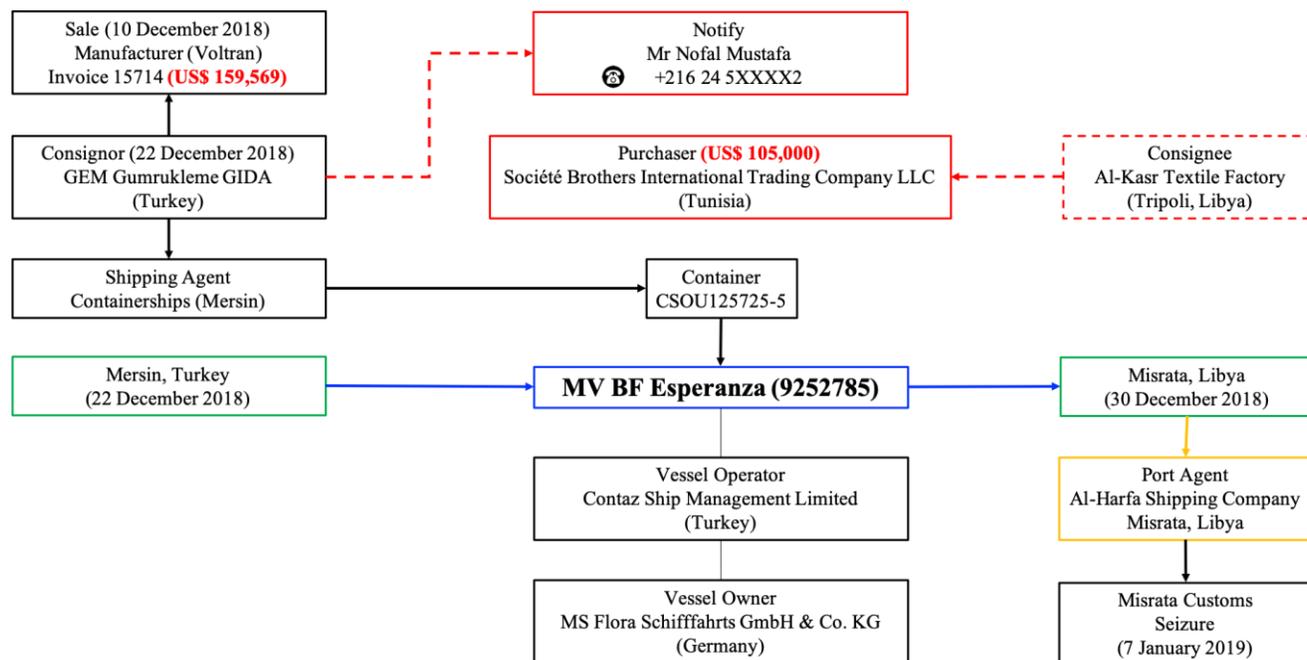
Annex 30: MV *Esperanza* to Misrata (30 December 2018)

1. On 30 December 2018 the MV *Esperanza* (IMO 9252785) offloaded a container (serial number CSOU 125725-5), which during a subsequent inspection by Misrata port customs authorities on 7 January 2019 was found to contain 20,000 Ekol-Voltran P29 blank firing pistols.
2. The pistols were sold by the manufacturer (Voltran) to a Turkish company, Bahriye Nur Karabilgin / Cem Gumrukleme Gida, on 10 December 2018. The invoice listed the price as TRY 849,600 (US\$ 159,569).¹²⁰ Yet the invoice from Bahriye Nur Karabilgin / Cem Gumrukleme Gida listed the price at US\$ 114,000 to a company listed on their invoice as “Brothers Company for International Trade Toys Shop, Liberty Shipping Logistic (LLC), Tunisa”. Neither the Tunisian authorities nor the Panel could elicit a response from this company.
3. Bahriye Nur Karabilgin / Cem Gumrukleme Gida listed the weapons at US\$ 114,000 on their invoice to the Tunisian company. This equates to a loss of approximately US\$ 45,000 (see appendix A). Panel investigations continue as to the rationale for this, but Bahriye Nur Karabilgin / Cem Gumrukleme Gida has not responded to the Panel enquiries.
3. Analysis of the available shipping documentation (see appendix B) identified a discrepancy between the consignee listed on the Bill of Lading (Alfasr Textile Factory, Libya) and that listed on the Export Customs Declaration (Brothers Company for International Trade).¹²¹
4. Bahriye Nur Karabilgin / Cem Gumrukleme Gida incurred an administrative monetary penalty imposed on them by the Ministry of Trade of Turkey for export irregularities.
5. The full supply chain is at figure 30.1.

¹²⁰ Exchange rate on 10 December 2018 was US\$ 1.00 = TRY 5.32434.
[https://www.xe.com/currencycharts/?from=US\\$&to=TRY](https://www.xe.com/currencycharts/?from=US$&to=TRY).

¹²¹ Company address is Société Brothers International Trading Company L.L.C. (registered number 1223805C), 9 Rue El Amir Abdelkader , Jammal, Monastir, Tunisia. The company is now not located at this address and trading activities have ceased. Owned by Ramiz Arbouk (ID 04190992), 85 Avenue La Liberte, 5020 Jemmel, Monastir, Tunisia. A contact number for Brothers Company for International Trade of +216 24 5XXXX2 was provided on shipping order.

Figure 30.1
Supply chain for 20,000 Ekol-Voltran P29 blank firing pistols



5. The Panel finds Soci t  Brothers International Trading Company LLC of Tunisia in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#).

Appendix A to Annex 30: Invoice for sale of EKOL P29 blank firing pistols

Image A.30.1
Voltran invoice

VOLTRAN AV SİLAHLARI ve İNŞAAT SAN. TİC. LTD. ŞTİ.
Sanayi Mahallesi Uran Sokak No:7 Pendik/İSTANBUL - TÜRKİYE
Anadoluh Kurumlar V.D. 9250162172 - Tic. Sic. No: İstanbul 461402
Sermaye: 9.000.000 TL - Tel: 00312 200 55 90 (Dış) Faks :0216 527 83 71
e-mail : info@blank-pistol.com - voltran@blank-pistol.com
www.voltran.com - www.blank-pistol.com

VOLTRAN AV SİLAHLARI ve
İNŞAAT SAN. TİC. LTD. ŞTİ.
Sermaye: 9.000.000 TL
Tel: 00312 200 55 90 (Dış)
Faks: 0216 527 83 71
www.voltran.com



SAYIN
BAHİRİYE NUR KARABİLGİN-Cem Gümrükleme Gıda
Silah Hizm.Dış.Tic
Feritpaşa mh Rauf Denктаş cd Platin sit.
Platin iş merk. No:8 z91 SELÇUKLU-KONYA
MERAM 14938262836



İL KODU : 34
FATURA

FATURA TARİHİ : 10.12.2018
İRSALİYE NO : 00 8487
İRSALİYE TARİHİ : 10.12.2018
SERİ A SIRA NO : 015714

KODU	CİNSİ	BİRİM	MİKTAR	FİYAT	TUTARI
EKOL P29 Sıyah Kuruskt ses tabancası 9mm(k.s.t. P29)		ADET	20.000	30,00	600.000,00

SERİ NO: EP-18100007-18109999/EP-181010000-181015006/EP-18110001-18115000

3065 Sayılı Kanununun 1/1-e maddesine istinaden ihraç kaydıyla satıldığından K.D.V ' si tahsil edilmemiştir.
4760 Sayılı Ö.T.V. Kanununun 8/2 madde gereğince ihraç edilmek üzere teslim edilmiş olup
Ö.T.V tahsil edilmemiştir.

YALNIZ ALTIYUZBINLIRA.

TOPLAM 600.000,00
ÖTV % 20 120.000,00
ARA TOPLAM 720.000,00
KDV % 18 129.600,00
GENEL TOPLAM 849.600,00

ORIGINAL COPY

GÜMRÜK İZLENİ
Gıda-Silah ve Silahsız İşletmeler
Bahriye Nur Karabılgın
Feritpaşa Mah. Rauf Denктаş Cd. Platin Sit.
1207 291 Selçuklu Konya 45090
Sermaye YD: 149.382.628,36 TL
KURUM NO: 9250162172

Banka Hesap Numaralarımız
Ziraat Bankası
TL Hesabı IBAN: TR43 0001 0006 2547 4585 9850 04
USD Hesabı IBAN: TR16 0001 0006 2547 4505 9850 05
EURO Hesabı IBAN: TR86 0001 0006 2547 4585 9850 06
Bütçe 1 Aş12 Sıra

Image A.30.2
CEM Gumrukleme invoice



BROTHERS COMPANY FOR INTERNATIONAL TRADE TOYS
SHOP (LIBERTY SHIPPING LOGISTIC LLC) TUNUSIA

Bahriye Nur KARABİLGİN

Ferit Paşa Mahallesi Rauf Denktaş Caddesi
Platin Sitesi Platin İş Merkezi No:8 Z/91
Gsm.: 0545 314 94 28 Selçuklu/KONYA/TURKEY

MERAM V.D. 149 382 628 36
T.C. SİCİL NO:51288
MERSİS NO: 1493-8262-8360-0001
E-posta: bahriyeturatgumrukleme@hotmail.com



18.12.2018
11.12.2018
18.12.2018
11.12.2018

SERİA SIRA № 010473

Ambalaj Adedi Number of Packaging	Brüt Kilo Gross Weight	Açıklama (Malin Cinsi) Description	Miktar / Net Kilo Quantity	Birim Fiyat / Döviz Unit Price	Tutar / Döviz Amount
10 KOLİ	65 KG	QUART SOBA(ELKTRK SOBA)	60,00 AD	7,00 USD	420,00 USD
2 KOLİ	15 KG	PLASTİK TEPSİ	72,00 AD	0,11 USD	7,92 USD
1 KOLİ	10 KG	PLASTİK FARAŞ	240,00 AD	0,06 USD	14,4 USD
1 KOLİ	11 KG	PLASTİK ASKI	36,00 AD	0,20 USD	7,2 USD
1 KOLİ	5 KG	PLASTİK MANDAL	45,00 AD	0,25 USD	11,25 USD
1 KOLİ	5 KG	PLASTİK MAŞRAPA	120,00 AD	0,09 USD	10,8 USD
1 KOLİ	20 KG	PLASTİK RENDE	144,00 AD	0,19 USD	27,36 USD
10 KOLİ	300 KG	DİKEY ELEKTİRİKLİ SÜPÜRGE	40,00 AD	12,00 USD	480,00 USD
22 KOLİ	253 KG	ELEKTİRİKLİ FAN	22,00 AD	7,17 USD	157,74 USD
30 KOLİ	105 KG	KATMER SACI	30,00 AD	7,00 USD	210,00 USD
556 KOLİ	16.500 KG	K.S.T. P29 SİYAH	20000,00 AD	5,70 USD	114.000,00 USD
1 KOLİ	10 KG	TRAKTÖR VAK HAYVANLI OYUNCAK	50,00 AD	0,77 USD	38,5 USD
1 KOLİ	5 KG	ARABA SETİ OYUNCAK	30,00 AD	0,73 USD	21,9 USD
2 KOLİ	25 KG	KAMYON OYUNCAK	360,00 AD	0,15 USD	54,00 USD
2 KOLİ	50 KG	PLASTİK OYUNCAK	500,00 AD	0,01 USD	5,00 USD
1 KOLİ	8 KG	OYUNCAK BEBEK	216,00 AD	0,16 USD	34,56 USD
1 KOLİ	6 KG	KUTULU BEBEK	14,00 AD	1,14 USD	15,96 USD
643 KOLİ	17.393 KG		21979 AD		115.516,59 USD
TOTAL					
<p>KONTEYNER NO:CSOU 125725-5 İBAN NO : TR 63 0020 5000 0945 9804 9001 02 BANKA SWIFT CODE :KTEFTRIS KUYEY TURK KATILIM BANKASI AŞ KONYA YENİ TOPTANCILAR ŞB /TURKE KAP ADEDİ : 643 KOLİ BRUT KG :17,393 NET KG :17,393 PAYMENT METHOD: %80 PEŞİN %20 MAL MUKABİLİ DELIVERY TERMS : EXWORK KONYA</p>					
YALNIZ;			PRODUCT OF TURKEY		TOPLAM
			İMALATÇI: VOLTRAN AV SİLAHLARI İNŞ. SAN. TİC. V.D: 9250162172		KDV %.....
			G. TOPLAM		

Bu belgenin sevki edilen malla birlikte bulunması halinde ayrıca sevki işlemleri aranmaz.

Eksiksiz Teslim Eden
İmza

Eksiksiz Teslim Alan
İmza

B.Y. MUMTAZ OFSET Filtreli Müşteri Har. Str. 3. Blok No. 16 Tel:Fax: :342 0174 KONYA Selçuk V.D: 9250162172 E-Posta: bahriyeturatgumrukleme@hotmail.com Tar. 13.05.2018/64 B.Y. 2017

Sources: Confidential

Appendix B to Annex 30: Documentation for blank firing pistol transfer on MV *Experanza* (30 December 2018)

Table B.30.1

Analysis of Ekol P29 blank firing pistol transfers (Misrata) (seized on 7 January 2019)

<i>Date</i>	<i>Document</i>	<i>Purchaser</i>	<i>Shipping Agent</i>	<i>Consignee</i>	<i>Remarks</i>
10 Dec 2018	Voltran Invoice 15714 (Image A.X.1)	Bahriye Nur Karabilgin / Cem Gumrukleme Gida Silah Hiozm, Dis Tic, Feritpaşa Mah. Rauf Denktaş Cad. No: 8/Z091, Konya, Turkey	Contaz Ship Management Ltd, ^a Kat 7, Bay Plaza, Hal Yolu Caddesi 5, Kozyatagi Mah, Kadikoy, 34742 Istanbul, Turkey		
22 Dec 2018	Bill of Lading MER1802199 (Image B.X.2)		Contaz Ship Management	Alfasr Textile Factory Tripoli Libya	No address for consignee Container CSOU125725- 5 Declared as toys
22 Dec 2018	Customs Declaration			Brothers Company for International Trade Toys Shop, Tunis, Tunisia	False documentation

^a www.contaz.com.

Image B.30.1

Contaz bill of lading

Konsimento

Combined Transport BILL OF LADING

B/L No.

MER1802189

Reference No.

referans no

Shipper
 CEM GUMRUKLEME GIDA HIZMETLERI
 TIS TIC
 FERITPASA MAH RAUF DENKTAS CAD
 PLATIN ISMERKEZI NO:8 791
 KONYA

Consignee
 ALFASR TEXTILE FACTORY
 TRIPOLI/LIBYA

Notify address
 BPO7HERS COMPANY FOR
 INTERNATIONAL TRADE
 TUNISIA/TUNIS
 TEL: +21



CARRIER:
 CONTAINERSHIPS DENIZCILIK
 ISKILYAT VE TICARET A.S.
 IKONU BULVARI 101 SOKAK
 AKDENIZ-MERSIN
 Tel:
 Fax:

PORT AGENT:
 AL-HARFA SHIPPING CO
 1. EL-JAMALAL BLED. PORT
 STREET MISURATA, P.O. BOX 1155
 TEL: 002185 262740/41
 FAX: 002185 1622655

Place of receipt MERSIN	Port of loading MERSIN	Place of delivery MISURATA	Freight payable at MERSIN	Number of original B/L 3/THREE	Gross weight, kg.	Measurement, m3
Ocean Vessel SE ESPERANZA						
Port of discharge MISURATA						
Marks and Nos	Quantity and description of goods					

SPECIFICATION ATTACHED

1 x 20'	CONTAINER(S) S.T.C.	17393,000 KG	28,0000 CBM
	643 PACKAGE	17393,000 NET	

FREE IN-FREE OUT

COPY

Freight and charges

ALL LCL FREIGHT PREPAID
 SHIPPERS TONNAGE AND COUNT

Particulars above declared by Shipper

RECEIVED the goods in apparent good order and condition and as far as ascertained by reasonable means of checking, as specified above unless otherwise stated.

The Carrier, in accordance with and to the extent of provisions contained in this B/L, and with liberty to sub-contract, undertakes to perform and/or in his own name to procure the performance of the combined transport and the delivery of goods, including all services related thereto, from the place and time of taking the goods in charge to the place and time of delivery and accepts responsibility for such transport and such services. One of the B/Ls must be surrendered duly endorsed in exchange for the goods or delivery order.

IN WITNESS whereof TWO (2) original B/Ls, have been signed, if not otherwise stated above, one of which being accomplished the other(s) to be void.

Place and date of issue
 MERSIN 22.12.2018
 Signed for The Carrier

As agents only

Note:
 The Merchants attention is called to the fact that according to Clauses 8 to 12 and clause 2.4 of this B/L, the liability of the Carrier is, in most cases, limited in respect of loss of or damage

Image B.30.2
False customs declaration by consignor

T.C. GÜMRÜK BEYANNAMESİ No: 0917004

16 Seri: A SEVGI İHRACAT GÜMRÜK İDARESİ
KONYA GÜMRÜK MÜDÜRLÜĞÜ
18060500EX014561
18/12/2018

16 T.C. GÜMRÜK BEYANNAMESİ
2 Gönderici / İhracatçı
BAHRIYE NUR KARABİLGİN
AKŞEMSETTİN MAH. UÇAR SK. 7/24
KONYA/SELÇUKLU 052 - No: 14938262836

16 3 Alıcı
No: 14938262836
BROTHERS COMPANY FOR INTERNATIONAL TRADE TOYS
SHOP LIBERTY SHIPPING LOGISTIC LLC
TUNUS 212 212 -

16 14 Gönderici / İhracatçı
No: 14938262836
BAHRIYE NUR KARABİLGİN
AKŞEMSETTİN MAH. UÇAR SK. 7/24
KONYA/SELÇUKLU 052

16 18 Çukuroba taşıt aracının kimliği ve kayıtlı olduğu ülke
KAMYON P 052
21 Sınır geçecek hareketli taşıt aracının kimliği ve kayıtlı olduğu ülke
GEMİ P 052
25 Sınırdaki taşıtın 26 Dahili taşıtın 27 Yükleme yeri
10 sekti KONYA
28 Sınırda taşıtın bulunduğu yer
MERSİNGÜMRÜK MÜDÜRLÜĞÜ KONYA

16 20 Taahhüt türü
EXW / KONYA
21 Döviz ile toplam tutarı bölümleri
USD 115,516.39
22 Fimansal ve bankacılık kuruluşları
KLUVEÇ LİBÜK KATILIM BANKASI A.Ş. KONYA YENİ TOPTANCIAR...

16 32 Katılım
1 No: 85162999 00 19
33 Eyalet kodu
052
34 Menşei ülke kodu
10 00
35 Ürün kodu
40 00
36 Ürün adı
60 ADET (UNL)

16 37 Ürün kodu
40 00
38 Ürün adı
60 ADET (UNL)

16 39 Eyalet kodu
052
40 Ürün kodu
40 00
41 Ürün adı
60 ADET (UNL)

16 42 Ürün kodu
40 00
43 Ürün adı
60 ADET (UNL)

16 44 E-Fatura V 010473 #18-12-18
bilgi Celd listesi V - #18-12-18
tutarlar ÖDEME ŞEKLİ %80PEŞİN %20 MAL MUKABİLİDİR.

16 47 Vergi türü
Vergi maddesi
Oran
Tutar
05 48 Ödemenin ertelemesi

16 49 Agraşın türü
E.B. Kısa
40 Ürün kodu
40 00
41 Ürün adı
60 ADET (UNL)

16 50 Anıl sonumu
Toplam: No
İmza: C HAREKET GÜMRÜK İDARESİ-

16 51 Öngörülen
52 Temin
53 HAREKET GÜMRÜK İDARESİ KONTROLÜ
54 Yer ve Tarih
KONYA 18/12/2018
Beyanname sahibinin temsilcinin imzası ve pulu
14938262836 BAHRIYE NUR KARABİLGİN

16 55 HAREKET VARİSİ GÜMRÜK İDARESİ KONTROLÜ
56 Temin
57 HAREKET VARİSİ GÜMRÜK İDARESİ KONTROLÜ

Sources: Confidential.

Annex 31: BMC Kirpi 4 x 4 on MV Amazon to Tripoli (18 May 2019)

1. On 30 April 2019, Mr Fathi Bashagha, Minister of the Interior and Defence of the Government of National Accord (GNA), reportedly visited Turkey, where military cooperation between the two countries was discussed.¹²²
2. The Panel received confidential information, and then noted subsequent media coverage (see annex A), that at about 12:00 hours (Local)¹²³ on Saturday, 18 May 2019 a consignment of armoured vehicles was unloaded at the Ro-Ro Terminal on Pier 3 in Tripoli port, Libya, from the motor vessel (MV) *Amazon* (IMO 7702657), then a Moldovan-flagged Ro-Ro cargo vessel.¹²⁴
3. The Panel has identified the armoured vehicles as *Kirpi* 4 x 4 Mine Resistant Ambush Protected (MRAP) vehicles manufactured by BMC of Turkey¹²⁵ (see figures 31.1 and 31.2).¹²⁶ Imagery of the interior of the vehicles indicates that these are ‘new’ vehicles (see figure 31.3).

Figure 31.1
BMC *Kirpi* offloading from *Amazon* ^a



Figure 31.2
BMC company imagery of *Kirpi* ^b



Figure 31.3
Kirpi vehicle interior ^c



^a <https://m.facebook.com/100035146145193/posts/130283384819866/#> = .

^b <https://www.bmc.com.tr/en/defense-industry/kirpi>.

^c Confidential source.

4. Although no weapons were observed on the *Kirpi* 4x4 MRAP vehicles, they are designed to be fitted with heavy machine guns if turreted or fitted with specialist weapons mounts. As these vehicles

¹²² www.libyaobserver.ly/inbrief/interior-minister-arrives-turkey-discuss-military-and-security-cooperation.

¹²³ All timings are Local.

¹²⁴ Satellite imagery of the vehicle entering port is at appendix A.

¹²⁵ BMC, Oruç Reis Mahallesi Tem Otoyolu, Atış Alanı Mevkii Tekstilkent Caddesi No.12, Koza Plaza A Blok 4, Kat No:1004, Esenler, İstanbul, Turkey. www.bmc.com.tr.

¹²⁶ All imagery was originally from a confidential source unless otherwise indicated.

were supplied turreted, the Panel considers that, due to the ease of weapon mounting for the end user, neither paragraph 9 nor paragraph 10 of resolution [2095 \(2013\)](#) applies. Once armed by the GNA their military utility changes from being protective vehicles to vehicles with an offensive capability.

5. Some of the vehicles were then subsequently seen on social media video been driven in convoy through the streets of Tripoli. The Panel has identified that the vehicles were received on behalf of: 1) the Al Somoud Brigade commanded by designated individual Salah Badi (LYi.028) by his assistant Ashraf Mami, of the Al Somoud Brigade; and 2) the Al Marsa militia commanded by Mohamed Bin Ghuzzi, (see figure 31.4).¹²⁷ Vehicles were also supplied to the 33 infantry regiment led by Bashir Khalfalla.

Figure 31.4
Ashraf Mami (L) and Mohammed bin Ghuzzi (R) at Tripoli port on 18 May 2019



Source: https://scontent-mxp1-1.xx.fbcdn.net/v/t1.0-9/60704862_2223762161005751_3543772288954400768_n.jpg?_nc_cat=108&_nc_eui2=AeEv3DBM4WxxRHSAJPKYNi3bdnI6acveHVAai0vOpoXjughTiKR9dD_oZZelABEFbmeqqPzxIsN2P7RfwzrzlHEgd5JBmQ3uhu2ZMaLJfcQsA&_nc_oc=AQniNnUh1np4_SqOj5d6o2AXmHOPaqIbH2sQqZrQYIdN4rbsr_ClgP2Jc9pg8bv_7Tg&_nc_ht=scontent-mxp1-1.xx&oh=aaff8485e7eeca1d1c7d413531912a0a&oe=5E12151E.

6. The Panel also identified that at least two Ford 2533 commercial trucks equipped with gantries and an empty flatbed, and painted in a military olive green, were also discharged from the vessel (figures 31.5 and 31.6). These were equipped with gantries that were almost certainly designed to support the antennae of a command, control, computers and communication (C4) system for unmanned combat aerial vehicles (UCAV) (see figure 31.7 for comparison). The Panel assesses that these were the vehicles to carry the C4 system for the *Bayraktur* TB2 UCAV.

¹²⁷ <https://almarsad.co/en/2019/06/07/the-case-of-the-illegal-ukranian-flights-from-turkey-to-libya-special-rep7ort/>, and confidential source.

Figure 31.5
Ford 2533 truck offloaded from
Amazon



Figure 31.6
Ford 2533 trucks offloaded
from *Amazon*



Figure 31.7
Ford 2533 trucks with C4 gantry
on manufacturers' website



Source for 31.9: <https://baykarsavunma.com/sayfa-Komuta-Kontrol--Haberlesme-Bilgisayar-ve-Istihbarat-C4I.html>. Accessed 2 September 2019.

7. The Panel identified that the ship's voyage commenced at Samsun, Turkey, on 9 May 2019, with its declared destination being Izmir, Turkey. The vessel transited the Bosphorous on 11 May 2019 and went 'dark' for the night of 14/15 May 2019 after having been last identified in the vicinity of Izmir port. Izmir is also the location of the Pınarbaşı production plant¹²⁸ of the *Kirpi* 4 x 4 armoured vehicles. The vessel re-appeared on its automatic identification system (AIS) at 12:18 hours on 15 May 2019. It then changed its destination to Tripoli at 15:16 hours on 15 May 2019. Table 31.1 shows the timeline for the vessel's voyage, and the route is illustrated at appendix B.

Table 31.1
Timeline and route of *Amazon*

<i>Port</i>	<i>Arrival</i>		<i>Departure</i>		<i>AIS</i>	<i>Remarks</i>
	<i>Time</i>	<i>Date</i>	<i>Time</i>	<i>Date</i>		
Samsun, Turkey	18:25	21 April 2019	20:47	9 May 2019	✓	-
Bosphoros, Turkey	06:53	11 May 2019	08:41	12 May 2019	✓	Transit
Dikili, Turkey	20:47	13 May 2019	18:01	14 May 2019	✓	At anchor

¹²⁸ <https://www.bmc.com.tr/en/corporate/about>.

<i>Port</i>	<i>Arrival</i>		<i>Departure</i>		<i>AIS</i>	<i>Remarks</i>
	<i>Time</i>	<i>Date</i>	<i>Time</i>	<i>Date</i>		
Izmir, Turkey	22:09	14 May 2019	12:48	15 May 2019	✓	-
Izmir port area, Turkey	22:56	14 May 2019	12:18	15 May 2019	Dark	Possible Izmir port visit
Egri Liman Channel	16:06	15 May 2019	-	-	✓	Changed destination to Tripoli
Tripoli, Libya	12:02	18 May 2019	-	-	✓	Last AIS log 4:05 hours, 19 May 2010

Source: Confidential.

8. The Panel has confirmed that the vessel docked at Tripoli port, Ro-Ro Terminal on Pier 3, on 18 May 2019 at 12.02 hours and departed on 20 May 2019 at 12:26 hours. The vessel sailed to Samsun port, Turkey arriving at 14:20 hours on 28 May 2019.

9. The vessel is owned by Maya Roro S.A.,¹²⁹ and was operated by Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Limited Sti.¹³⁰

10. As a result of this illicit shipment the Moldovan Flag Administration forcibly excluded the MV *Amazon*, MV *Beril* (IMO 7600720) and MV *Mira* (IMO 7637319), all owned or operated by Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Ltd STI from the Moldovan Flag Registry, (see appendix C). The MV *Amazon* was subsequently provisionally reflagged under the Togo Maritime Administration on 14 June 2019. On learning of the illicit activities of the MV *Amazon* the Togo Maritime Administration also promptly cancelled the provisional registration on 20 August 2019 (see appendix D).

11. The Panel identified that the vehicles were sold to the Presidency of Defence Industries, as BMC have only directly exported such vehicles to Qatar, Turkmenistan or Tunisia.¹³¹ In a meeting with the Panel on 31 July 2019 the Minister of Interior and Defence, Fathi Bashagha, acknowledged the transfer of *Kirpi* armoured vehicles for the Ministry of Interior through the port of Tripoli on 18 May 2019.

¹²⁹ c/o Akdeniz Roro Deniz Tasimac, Dagilgan Kume Evleri 30/A, Evc Mah, Akdeniz, 33100 Mersin, Turkey.

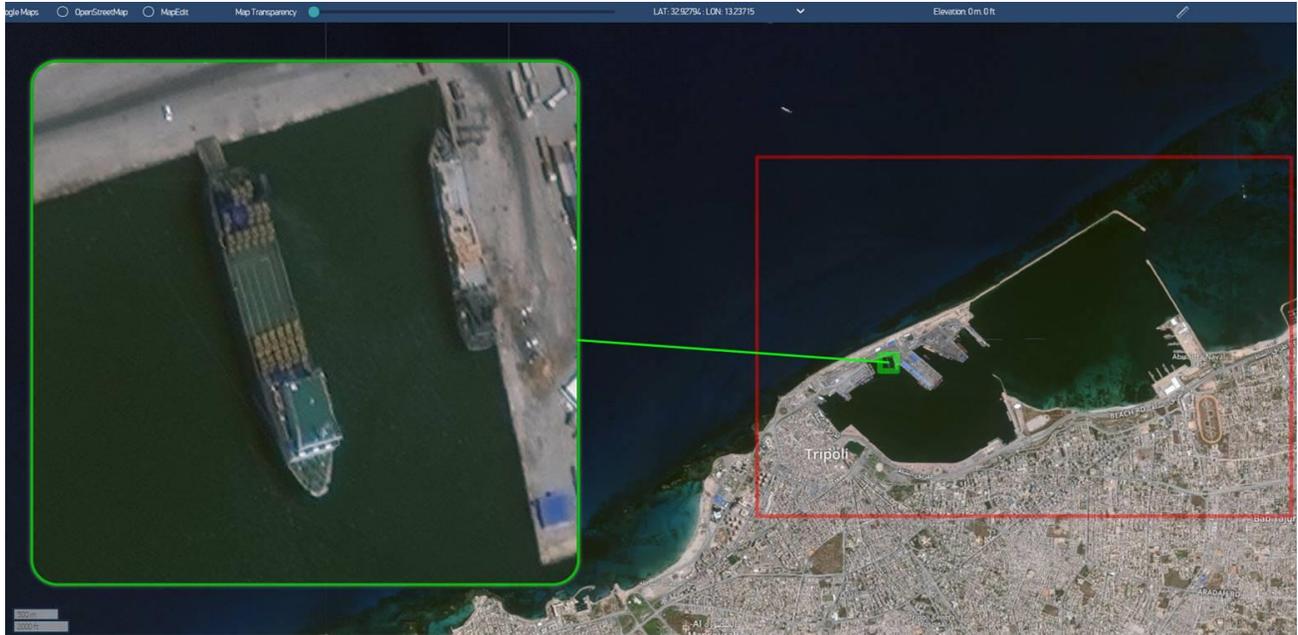
¹³⁰ Akdeniz Roro Deniz Tasimac, Dagilgan Kume Evleri 30/A, Evc Mah, Akdeniz, 33100 Mersin, Turkey. <http://www.akdenizroro.com/filo.html> (the remainder of the website is inaccessible as at 10 June 2019). Note same physical and web address as vessel owner Maya Roro S.A.

¹³¹ Letter to Panel from BMC dated 1 July 2019.

12. The Panel thus finds Turkey, the GNA and Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Limited Sti. in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for their certain involvement in the procurement and physical transfer of military material to the GNA.

Appendix A to Annex 31: Satellite imagery of MV *Amazon* entering Tripoli port

Figure A.31.1
Satellite image of BMC *Kirpi* on deck of MV *Amazon* on docking



Source: Confidential.

Appendix B to Annex 31: Route of MV *Amazon* between 21 April and 18 May 2019

Figure B.31.1
Route of MV *Amazon*



Source: Developed by panel.

Appendix C to Annex 31: Moldovan Flag Administration decision of 25 May 2019

MINISTERUL ECONOMIEI
SI INFRASTRUCTURII
AL REPUBLICII MOLDOVA
AGENȚIA NAVALĂ

șos. Hâncești, 53 et.5
MD-2028 Chișinău
Tel./ Fax.: +37322735345
e-mail info@maradmoldova.md



MINISTRY OF ECONOMY
AND INFRASTRUCTURE
OF REPUBLIC OF MOLDOVA
NAVAL AGENCY

șos. Hâncești, 53 floor 5
MD-2028 Chișinău
Tel./ Fax.: +37322735345
e-mail info@maradmoldova.md

No. 237 from 25th of May 2019

TO OWNER: MAYA RORO S.A.
MARSHALL ISLANDS

TO OWNER: TUNA SHIPPING S.A.
MARSHALL ISLANDS

TO OPERATOR: Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Ltd Sti
Kat 4, Ataturk Bulvari 140, Kale Mah, Ilkadim, 55030 Samsun, Turkey.

To Legal Representant of the owners in Moldova – Lawyers office „Leonid Karagheaur.
Str. Tighina 65, Chisinau, Republic of Moldova

Copy To RO: MARITIME LLOYD

Subject: m/v AMAZON, m/v BERIL, m/v MIRA - Lost Flag of the Republic of MOLDOVA

By present, the Naval Agency of the Republic of Moldova, notifies the owners and operational company of the vessels m/v AMAZON (IMO 7702657), m/v BERIL (IMO 7600720) and m/v MIRA (IMO 7637319) due to illegal actions of transporting 50 military vehicles type KIRPI 4x4 to port Tripoli (Libya) on 18 May 2019 through the vessel AMAZON, against the arms embargo imposed by the Resolution 1970 (2011) Adopted by the Security Council at its 6491st meeting on 26 February 2011. the Naval Agency notifies of the exclusion of mentioned vessels from the State Ship Registry of the Republic of Moldova on basis of:

- 1) Government Decision No. 855 from 30.07.2007 on the approval of the Ships Registration Rules in the Republic of Moldova article. 73, letter d) that stipulates *„shipowner, bareboat-charterer, operator or crew violate international mandatory sanctions for the Republic of Moldova and the provisions of the international treaties to which the Republic of Moldova is a party... as mentioned all vessels operated by the Akdeniz Roro Deniz Tasimaciligi Turizm Sanayi ve Ticaret Ltd Sti will be subject for force exclusion of the vessels form the registry;*
- 2) Resolution 1970 (2011) Adopted by the Security Council at its 6491st meeting, on 26 February 2011, which impose arms embargo in point 9 *„that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types.*

including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories.;

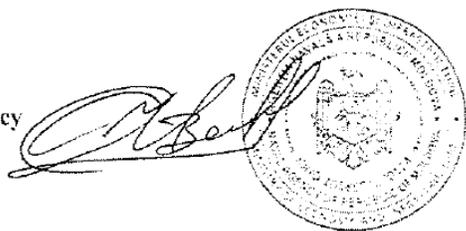
- 3) Letter requests and notifications of the Naval Agency no.223 from 21.05.2019, no.228 from 22.05.2019 and no.235 from 24.05.2019 and refusal of the owner and operational company to cooperate on the mentioned case;
- 4) Confirmation of the transported of armored military vehicles KIRPI 4x4 and „cargo manifest,, copy presented, by the owner of vessel AMAZON (IMO 7702657) on 18 May 2019 by the mentioned operator and owner.
- 5) Internal Order no. 57-P from 25th of May 2019 of the exclusion from the State Ship Registry of the mentioned vessels.
- 6) Owner's declaration of vessel's non-involvement with criminal acts or omissions from 19.10.2016, accordingly to:
 - **point A.1** *„that the aforementioned vessel while registered as Republic of Moldova ship will not be involved in the transportation of any armaments and/or ammunition whatsoever,,*
 - **point B.6** *„ will not be involved in any way in the disputes between nations and parties. or support civil unrest in any country.,*
 - **point C.7** *„the vessel shall immediately be de-registered to the full cost of vessel's. and the flag state will not be liable for any form of claim arising from de-registration of said vessel.,,*

Basing on the above mentioned, the Naval Agency as Maritime Administration of the Republic of Moldova notifies the owners and operational company of the forced exclusion of the vessels m/v AMAZON (IMO 7702657), m/v BERIL (IMO 7600720) and m/v MIRA (IMO 7637319) , the exclusion from the State Ship Registry of the Republic of Moldova from 26th of May 2019.

The mentioned ships lost the Flag of the Republic of Moldova, all flag certificates, class and statutory certificates issued in the name of the Government of the Republic of Moldova **are no more valid and must be returned back to the Administration in original.** All MoUs will be notified about this decision.

Best regards,

Director of Naval Agency
Igor ZAHARIA



Ex. Vadim Pavatuchi
Head of Department „Ships registration, seafarers, State Ships Register.,
+373 791 12 123

Source: Member State

Appendix D to Annex 31 Togo Flag Administration decision of 20 August 2019

REPUBLIQUE TOGOLAISE TRAVAIL – LIBERTE – PATRIE		 TOGOLESE MARITIME AUTHORITY INTERNATIONAL SHIP REGISTRY	
Our Ref: 0041NOC/TG/08/19			
<u>NOTICE OF CANCELLATION OF REGISTRY</u>			
Name of Vessel	IMO	Official Number	Call Sign
AMAZON	7702657	TG-01380L	5 V H N 3

By this notification this Administration has decided to cancel the subject vessel "AMAZON" with IMO No.7702657 from its International Registry as EX OFFICIO as from 20/AUGUST/2019 due to violation of Security Council Resolutions related to arms embargo on Libya.

Therefore, following certificates issued by our Administration for the vessel "AMAZON" have been **CANCELLED** due to the fact that the vessel's activities are in conflict with certain Security Council Resolutions.

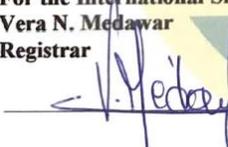
- Provisional certificate of Registry with reference No. TG/REG/139-38512/2236
- Provisional Radio License with reference No. TG/RSL/139-38512/1838
- Provisional Minimum Safe Manning with reference No. TG/MSM/139-38512/1943

Should any Togolese certificate be circulated or used for the subject vessel as of 20TH August 2019, this Administration holds the right to take full and any needed legal action against owners, managers, operators of the vessel.

As well, this notification CAN NOT be used in substitution for deletion certificate.

This cancellation will be validated with immediate effect as from 20TH August 2019.

For the International Ship Registry of Togo
Vera N. Medawar
 Registrar




Source: Member State.

Annex 32: OPV *Al Karama***Rationale for classification as military equipment**

1. Naval ships are differentiated from civilian ships by their design, construction and purpose. Generally, naval ships are damage resilient, with the ability to seal off multi-compartments for damage control purposes to enable the vessel to “float and fight” after multiple catastrophic events. Civilian vessels have lesser damage control measures designed in to them, which enables the vessel to “float” after a single catastrophic event. *OPV Al Karama* is a naval ship by design and construction.
2. Naval ships are either armed, or have the capability of being armed, with weapon systems. When decommissioned the vessel has its armaments removed, but the ability to remount armaments on its deck and superstructure generally remains. The design of the vessel specifically includes hard mounting points on the deck and superstructure for naval ordnance that will absorb and safely transfer the forces of firing. Civilian vessels are not designed with the capability to mount naval ordnance, and thus their superstructure may not be capable for weapons use. *OPV Al Karama* was designed to mount one 40mm cannon and two 20mm cannons. On arrival in Benghazi, *OPV Al Karama* was then re-equipped with one 40mm cannon and two 20mm cannons in exactly the same positions that they were in during Irish naval service. *OPV Al Karama* is a naval ship by its capability to mount naval ordnance with no strengthening of deck or superstructure required.
3. Merchant vessels are designed to carry passengers or cargo. *OPV Al Karama* was designed to carry a naval crew not passengers. The storage on *OPV Al Karama* is designed to support its naval operations, e.g. ammunition magazines for the weapons, food supplies for the crew and spare parts. It does not have holds suitable for the efficient and cost-effective movement of civilian cargo. Its accommodation is not designed for passengers.
4. Naval vessels are painted grey. Civilian vessels are not, to avoid confusion for obvious reasons. The then *Avenhorn* was transferred to the new UAE owners still painted naval grey, despite there been time and the capability to repaint a civilian colour. There was time though to paint the new name *Al Karama* (“Dignity”) on the vessel for the voyage, and this is the name that it entered Libyan military service under.
5. Although the Dutch purchasers had drawn up tentative plans for conversion to a “yacht” no work had been done to prepare the vessel for such a conversion before it was sold.

6. The vessel *Avenhorn* was registered by the Dutch purchasers in Belize as a “Patrol Vessel” and sold as such. They were told that it was to be used for counter-piracy operations near Egypt. The vessel then had its registration transferred to Panama by the new UAE owners, where it was declared as a “Pleasure Yacht” and renamed *Al Karama*. This was a deliberate mis-declaration by the new UAE owners. After delivery to the Libyans on 17 May 2018 the OPV *Al Karama* was then removed from the Panama registry on 23 July 2018 by the new UAE owners, who declared it was for “demolition”. Another deliberate mis-declaration by the new UAE owners, and another indication of a deliberate attempt to disguise the transfer of the vessel.

7. The vessel left Rotterdam bound for Alexandria, Egypt on 4 May 2018. When the vessel was south of Sicily on the morning of 15 May 2018 the crew were instructed by the new UAE owners to divert to Benghazi, Libya and deliver the vessel to a Rear Admiral Farag. The crew were falsely told that the vessel had been sold “in transit”.¹³² The vessel arrived in Benghazi on 17 May 2018, flying the Libyan naval flag, and was met by senior naval officers aboard the armed Libyan Coast Guard patrol vessel ‘247 Izrig’.¹³³

Non transmission of AIS or LRIT

8. The offshore patrol vessel (OPV) *Al Karama* (IMO 7820693), is still not transmitting its automatic identification system (AIS) or long-range identification and tracking system (LRIT), which is a requirement for civilian vessels. Signals from these systems were last detected in the port of Benghazi on 22 May 2018 and since then the vessel has remained ‘dark’.

Naval operations

9. The OPV *Al Karama* was next observed leaving harbour on 29 March 2019 when taking part in a joint naval exercise at sea with HAF naval infantry and the ‘247 Izrig’ (figures 32.3 and 32.4).¹³⁴ It was last seen alongside in Ras Lanuf on 26 April 2019 (see appendix 11).

¹³² Confidential source(s).

¹³³ https://www.youtube.com/watch?v=v6SZfyRc_w.

¹³⁴ https://www.facebook.com/warinformationdivision/posts/2632791356762457?_tn =. Accessed 9 April 2019.

Figure 32.3
OPV *Al Karama* at sea (28 Mar 2019)



Source: www.facebook.com/warinformationdivision/photos/pcb.2632791356762457/2632789716762621/?type=3&theater.

Figure 32.4
OPV *Al Karama* at sea (R) with patrol vessel 247 Izreg (L) (28 Mar 2019)



Source: www.facebook.com/warinformationdivision/photos/pcb.2632791356762457/2632789910095935/?type=3&theater.

Evidence of non-compliance

10. The findings of the Panel are supported by independent and corroborated testimonies of witnesses and the documentary and imagery evidence shown in the appendices at table 32.1:

Table 32.1
Documentary and imagery evidence

<i>Appendix</i>	<i>Evidence Type</i>	<i>Remarks</i>
1	Documentary	International Merchant Marine Registry of Belize registration certificate dated 3 August 2017, which registers the <i>Al Karama</i> (then known as the <i>Avenhorn</i>) as a <u>patrol vessel</u> . Certificate obtained by Russel Ventures.
2	Documentary	Contract of Sale signed 1 February 2018 between Universal Satcom Services F.Z.E. (UAE) and Ahl Ai-Thiqa Security and Safety Equipment Imports Company, Benghazi Libya). Note that this predates the sale of the vessel to Universal Satcom Services F.Z.E. from the then owner, Russell Ventures Limited (Seychelles) (the parent company of Dick van der Kamp Shipsales, Netherlands)
3	Documentary	Memorandum of Agreement dated 26 February 2018 for sale of the <i>Al Karama</i> (then known as the <i>Avenhorn</i>) by Russell Ventures Limited (Seychelles) to Universal Satcom Services FZE

<i>Appendix</i>	<i>Evidence Type</i>	<i>Remarks</i>
4	Documentary	Bill of Sale dated 29 March 2018 for sale of the <i>Al Karama</i> (then known as the <i>Avenhorn</i>) by Russell Ventures Limited (Seychelles) to Universal Satcom Services FZE
5	Documentary	Invoices from Russell Ventures Limited (Seychelles) to Universal Satcom Services FZE dated 26 February and 9 March 2018
6	Documentary	Payments from Universal Satcom Services FZE to Dick van der Kamp Shipsales BV, acting for Russell Ventures Limited (Seychelles) dated 27 February, 26 March, 27 March and 28 March 2018
7	Documentary	Panama Registration Authority Navigation Special Registry certificate of 23 April 2018, which registers the <i>Al Karama</i> (then known as the <i>Avenhorn</i>) as a <u>pleasure yacht</u> . Certificate obtained by Universal Satcom Services FZE
8	Documentary	Email dated 27 May 2018 from Reema Sami Abdullah Al Omari to Dick van den Kamp Shipsales confirming the sale of the vessel to the “Libyan Ministry of Transportation” during its voyage to Alexandria, Egypt
9	Documentary	Government of Fujairah company registration certificate for Universal Satcom Services FZE identifying Reema Sami Abdullah Al Omari as Owner.
10	Documentary	Company certificate for Ahl al-Thiqa Security and Safety Equipment Imports Company, Benghazi.
11	Imagery	Imagery from confidential source showing OPV <i>Al Karama</i> to in Ras Lanuf on 20 April 2019.
12	Imagery	Plan showing retrofitting of weapons to <i>Al Karama</i>

Appendix 1 to Annex 32: International Merchant Marine Registry of Belize registration certificate dated 3 August 2017

Image 32.1.1
Certificate of registration

THIS PATENT IS NOT VALID FOR NAVIGATION
THE VESSEL IS TO REMAIN MOORED IN
DORDRECHT, THE NETHERLANDS



INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE
"IMMARBE"
MERCHANT SHIPS (REGISTRATION) ACT, 2010
PERMANENT PATENT OF NAVIGATION

NAME OF VESSEL
AVENHORN

CALL LETTERS N/A	IMO NUMBER 7820693	REGISTRATION N° 141720373
MMSI NUMBER N/A	OWNERS ID NUMBER 5705934	

NAME AND ADDRESS OF OWNERS
RUSSEL VENTURES LTD., SALAMAT HOUSE, LA POUDBRIERE LANE, VICTORIA, MAHE, SEYCHELLES

DESCRIPTION OF VESSEL

HULL	GROSS TONNAGE	NET TONNAGE	UNDER DECK
	995	299	--

THREE ONE ONE ONE
NAME OF BUILDERS
VEROLME CORK DOCKYARD LTD - IRELAND HULL #973

YEAR BUILT
1980

LENGTH	BREADTH	DEPTH	TYPE OF ENGINES	NAME OF ENGINES MAKERS	SPEED
65,20 M	10,40 M	6,70 M	TWO DIESEL 6PARL200 6 CYL., 2400 HP EACH	SEMT PIELSTICK S.A.	17 Knots

PREVIOUS NAME **LE AISLING** PREVIOUS NATIONALITY **IRELAND**

TYPE OF RADIO EQUIPMENT: **N/A**

ENTITY RESPONSIBLE FOR RADIO ACCOUNTS: **N/A**

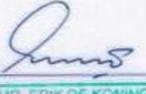
COMPLETE ADDRESS OF ENTITY RESPONSIBLE FOR RADIO ACCOUNTS: **N/A**

SHIPPING AGENT IN BELIZE: **MORGAN & MORGAN (BELIZE) TRUST CORPORATION LTD.**

DATE OF ISSUANCE
AUGUST 3, 2017

The Registrar of the International Merchant Marine Registry of Belize, by the powers vested thereupon by the Merchant Ships (Registration) Act, 2010, hereby authorizes and extends the present Permanent Patent of Navigation.

DESIGNATED OFFICE: 14 ROTTERDAM
POSTBUS 3219 - 3003AE ROTTERDAM
TEL: +31 10 458 7338 FAX: +31 10 458 7601
E-MAIL: registration@hubelmarine.com



Erik A. de Koning
Deputy Registrar

CONTROL N° 04 - N° 009912 F-031-PPN

Source: Member State.

Appendix 2 to Annex 32: Contract of Sale dated 1 February 2018¹³⁵ for sale of the vessel by Universal Satcom Services F.Z.E. to Ahl al-Thiqa Security and Safety Equipment Imports Company, Benghazi¹³⁶

Image 32.2.1
Contract of Sale



¹³⁵ Better quality image has been requested from source.

¹³⁶ Note that the preambular text predates (1 February 2018) the purchase of the vessel from Russel Ventures Limited, although the front cover is dated 17 April 2019.

18 ان يقوم الطرف الثاني بالتصديق المطلوب في شعارى خلال فترة التبريد و ان يقوم لاحقا بتزويد سفره خارج ليبيا

19 يخفى الطرف الاول مسؤوليته عن التأخر بعد تسليمها للطرف الثاني حيث سيتم الغاء جميع سجلات الباكورة و العلم منذ لحظة تسليمها و على الطرف الثاني عمل الترتيبات اللازمة لاستصدار التراخيص و الشهادات اللازمة و هذه الشهادات هي

- International Tonnage certificate - شهادة حمولة تونجة
- Minimum Safe Manning Certificate - شهادة الحد الأدنى من الأوس
- Authorization Letter from Panama Maritime Authority - رسالة الموافقة من سلطات سواحل بحرية بانما
- Seaworthiness Certificate - شهادة صلاحية الأبحر
- Navigation Special Registry Certificate - شهادة التسجيل الخاصة بالملاحة
- Radio Station Provisional License - شهادة ترخيص محطة اذاعة مؤقتة

تد توقيع العقد و قبوله من قبل

<p>الطرف الثاني: شركة اهل الثقة لاستيراد معدات الأمن و السلامة</p> <p>التوقيع: _____</p> <p>التاريخ: _____</p>  	<p>الطرف الاول: شركة بونفيرسا سافكو وسومر</p> <p>التوقيع: _____</p> <p>التاريخ: _____</p>  
---	---

Universal Satcom Services FZE Fujairah Free Zone, P. O Box 50482 Contract No. 2018/05/001V

Source: Confidential

Image 32.2.2

Official translation of the above document

Translated from Arabic

Contract for the sale of a vessel

Universal Satcom Services FZE
17 April 2018

Universal Satcom Services FZE
Fujairah Free Zone, PO Box 50462
Contract No. 2018/05/001V

Contract of sale

On **Thursday, 1 February 2018**, the present contract was concluded between:

1. Universal Satcom Services, a company specialized in technical maritime services, registered in the Fujairah Free Zone, United Arab Emirates, represented in the present contract by Rima Sami al-Umari in her capacity as Director-General of the company, and referred to hereinafter as “the first party”.
2. The Ahl al-Thiqa Safety and Security Equipment Import Company, a company specialized in providing safety and security equipment, registered in Benghazi, Libya, represented in the present contract by Mr. Bushnaf Hasan Hamad and referred to hereinafter as “the second party”.

Introduction

The two parties have agreed that the first party shall provide a maritime vessel with the technical specifications set out in the annex to the present contract, and that the second party shall pay the funds specified in the contract in accordance with the conditions specified therein.

The two parties have agreed to the following:

1. The introduction set forth above shall constitute an inseparable part of the contract.
2. The first party undertakes to supply the maritime vessel and hand it over to the second party within a period of no more than 90 days as of the date of the contract, and to take receipt of the instalment.

3. The value of the contract for the supply of the vessel, under the present contract, shall be US\$ 1,500,000 (one million five hundred thousand United States dollars).

4. Terms of payment:

50 per cent of the value of the contract upon signature;

25 per cent of the value of the contract once the vessel has been shown and inspected at the port of Alexandria by the second party;

25 per cent of the value of the contract upon definitive receipt of the vessel in the port of Benghazi.

5. The prices agreed upon in the present contract shall be final and fixed, and shall not be subject to increase. No changes to the value of the contract may be requested owing to currency fluctuation; or any rise in market prices; or costs of production, labour or transport; or changes in taxes and duties; or the imposition of new taxes or duties; or any other reason.

In addition to the cost, the prices shall include all expenses and fees incurred by the first party in fulfilling the contract, including transport fees; port and dock duties; storage, unloading, assembly, testing and verification expenses, and any other commitments that are needed in order to supply the vessel to which the present contract refers.

6. The first party affirms that the vessel shall be handed over in good and proper condition, and without any flaw.

7. The crew that will convey the vessel to the port of Benghazi shall provide technical training to the crew of the second party, namely general training on how to operate the vessel and the equipment on board, for a period of no more than a week from the date of the handover.

8. The second party shall host the crew in Benghazi during the training period and shall then make arrangements for them to travel out of Libya.

9. The first party disclaims all responsibility for the vessel after it has been handed over to the second party. The vessel's flag and all its registration markings shall be removed from the moment of its handover, and the second party shall make the necessary arrangements to obtain the required licences and certificates, which are as follows:

International tonnage certificate;

Minimum safe manning certificate;
Authorization letter from Panama Maritime Authority;
Seaworthiness certificate;
Navigation special registry certificate;
Radio station provisional licence.

The contract has been signed and accepted by:

The first party: Universal Satcom Services company;	The second party: the Ahl al-Thiqa Safety and Security Equipment Import Company.
---	--

Signed: (*Signature, seal*)

Signed: (*Signature, seal*)

Date:

Date:

PANEL NOTE:

The technical specifications referred to are not included in this document but are in the possession of the Panel.

Appendix 3 to Annex 32: Memorandum of Agreement dated 26 February 2018¹³⁷ for sale of the *Al-Karama*

Image 32.3.1

Memorandum of agreement

MEMORANDUM OF AGREEMENT

Memorandum of Agreement - Seller's Office
 Division of Agriculture for inland fisheries
 P.O. Box 10 - Umm Al-Qura (Dammam)
 P.O. Box 10000 - Dammam
 Telephone: +966 3 833 1111
 Fax: +966 3 833 1112
 E-mail: info@da.gov.sa
SALEFORM 1987
Revised 1988 - 1987 and 1998

Dated: 26th February 2018

1 Rusel Ventures Ltd, First Floor, Commercial House 1, Eden Island, Seyonelle
 2 Hereinafter called the Sellers, have agreed to sell and
 3 Universal Satcom Services Pzr, Fujairah Free Zone, Pobox 50462 Fujairah, U.A.E
 4 Hereinafter called the Buyers, have agreed to buy the MV "AVENHORN"

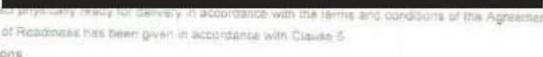
5 Classification: none
 6 Built 1990 by: Vereine Cork Dockyard Ltd, Co. Wick, Ireland
 7 Flag: Belize Plate of Registration: Belize
 8 Call sign: NA Register tonnage: DT/NT 996299
 9 Register number: 141720373 - IMO number 7820680

10 Hereinafter called the vessel on the following conditions:

11 **1. Price**
 12 Price: USD 525 000,- (Say United States Dollars FivehundredandTwentyFive Thousand)

13 **2. Deposit**
 14 As security for the correct fulfilment of this Agreement the Buyers shall pay a deposit of 10 %
 15 (ten per cent) of the Purchase Price by swift bank transfer within 2 (two) banking days after this
 16 Memorandum of Agreement is signed by both parties.

17  BANK, SPIJKENSSE,
 18 
 19 

20 The said Purchase Price shall be paid in full free of bank charges by swift bank transfer to Sellers amount
 21 to Euro van 
 22 Swift Code: 

23 Every dispute arising here from delivery in accordance with the terms and conditions of the Agreement
 24 and Notice of Readiness has been given in accordance with Clause 5

25 **4. Inspections**
 26 The Buyers have inspected the Vessel at "S-Gravenhage", Holland and have accepted the vessel thus the
 27 sale is definite.

28 **5. Place and time of delivery**
 29 The vessel shall be delivered and taken over in Holland "S-Gravenhage", Holland
 30 Expected time of delivery: as soon as possible but between: 23rd March 2018

31 Date of cancelling (see clause 14): 23rd March 2018 - 1700 hrs Dutch time
 32 Should the vessel become an actual, total, compromised or constructive total loss before delivery the
 33 purchase price shall immediately be released to the Buyers and the contract thereafter considered null
 34 and void.

Source: Confidential.

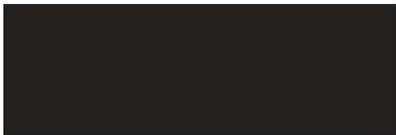
¹³⁷ First page only for clarity. Remainder available from the Panel's records.

Appendix 4 to Annex 32: Bill of Sale dated 29 March 2018 for sale of the *Al-Karama*

Image 32.4.1
Bill of Sale

BILL OF SALE (Body Corporate)

IMO Number	Name of Ship	Number, year and port of registry		Whether a sailing, steam or motor ship	Horse power of engines (if any)
7820693	AVENHORN	Belize / 141720373		Motorvessel	4800
			Metres	Centi-metres	Number of Tons (where dual tonnages are assigned the higher of these should be stated)
Length		65	20	GT	NT
Breadth		10	40		
Moulded depth		6	70	995	299
and as described in more detail in the Register Book.					
<p>We, (a) RUSSELL VENTURES LTD (hereinafter called "the transferors") having our principal place of business at First Floor, Commercial House 1, Eden Island, Seychelles in consideration of the sum of US\$ 525,000.- (Say FivehundredTwentyFive Thousand United States Dollars) paid to us by (b) UNIVERSAL SATCOM SERVICES FZE, Fujairah Free Zone, P.O. Box: 50462, Fujairah, UAE (hereinafter called "the transferees") the receipt whereof is hereby acknowledged, transfer 100 % of the shares in the Ship above particularly described, and in her boats and appurtenances, to the said transferees.</p> <p>Further, we, the said transferors for ourselves and our successors covenant with the said transferees and (c) their assigns, that we have power to transfer in manner aforesaid the premises hereinbefore expressed to be transferred, and that the same are free from all encumbrances (d), mortgages, maritime liens, taxes or any other debts or claims whatsoever.</p> <p>IN WITNESS whereof we have executed this Bill of Sale on the 29th March 2018</p> <p>In the presence of (e) Notary Public</p> <p>(a) Name in full of Body Corporate. (b) Full name(s), and address(es) or transferee(s) with their description in the case of individuals, and adding "as joint owners" where such is the case. (c) "his", "their" or "its" (d) if any subsisting encumbrance add "save as appears by the registry of the said ship". (e) Signatures and description of witnesses, i.e. Director, Secretary, etc. (as the case may be)</p>					



Seen for [redacted]
on the [redacted]
number [redacted] the 29th day of March 2018, by [redacted]
civil law notary practising at Spijkenisse.



APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. Country: THE NETHERLANDS
2. This public document
3. has been signed by [redacted]
4. acting in the capacity [redacted]
4. bears the seal/stamp [redacted]

Certified

5. in Rotterdam
6. on 29-03-2018
7. by the registrar of the district court of Rotterdam
8. no. 18/2335
9. Seal/stamp
10. Signature:



Source: Confidential.

RUSSELL VENTURES LTD

First Floor, Commercial House 1, Eden Island, Seychelles

INVOICE FOR 90 % BALANCE OF THE PURCHASE PRICE

Universal Satcom Services Fze.
Fujairah Free Zone
Pobox 50462
Fujairah
United Arab Emirates

INVOICE NR. AV-02

DATED: 9th March 2018

Herewith we debit you for the 90 % balance of the purchase price for the Vessel "Avenhorn" as per Memorandum of Agreement dated 26th February 2018.

Details of the Vessel:

Name : Avenhorn
Flag : Belize
IMO nr.; 7820693

Amount payable US\$ 472,500,-

(Say FourHundredSeventyTwoThousandFiveHundred United States Dollars)

Vat 0

Payment Terms: Payment in full to be made via Telegraphic Transfer

Bank Details

Beneficiary Name : Dick van der Kamp Shippales BV.
Beneficiary Bank : 
Address : 
IBAN nr. : 
Account nr. : 
Swift Code : 

Source: Confidential.

Appendix 6 to Annex 32: Example payments from Universal Satcom Services FZE to Dick van der Kamp Shipsales BV, acting for Russell Ventures Limited (Seychelles)

1. Four payments were made of US\$ 52,500 (27 February 2018), US\$ 157,500 (22 March 2019), US\$ 157,500 (27 March 2019) and US\$ 157,500 (28 March 2019). Documentation for one payment only is included in the report, the remainder is in the possession of the Panel.

nbf Remittance request form

By Order of Customer

Account Holder Name: **UNIVERSAL SATCOM SERVICES FZE**

Branch: **AL QUAZ** Date: **22 03 18**

Data Account/BAN: **012001154808**

I/We wish to apply for payment: International Transfer Domestic Transfer Draft Account Transfer Manager's Cheque

Remittance Details

For (to) Use: Currency of issue (tick only one box) UAE Dirham US Dollar Euro Pound Sterling Other (please specify)

Account in Foreign Currency (figures): **157 500**

(words) **one hundred fifty seven thousand five hundred dollars only.**

Amount in UAE Dirham: (figures)

(words)

Charge account: Charge my account for sending bank charges only (SHA) Charge my account for sending and receiving bank charges (DUA) Charge from remittance amount (BEN)

Beneficiary Details (BENEFICIARY)

Name: **DICK VAN DER KAMP SHIP SALES BV**

Address/BAN: [REDACTED]

Beneficiary Bank Name: [REDACTED]

Beneficiary Bank Address: [REDACTED]

State / Country / Province: [REDACTED]

State Holding Code: [REDACTED] Title Beneficiary Bank Code

Beneficiary Address: [REDACTED]

Purpose of Payment

Transaction Code* (for domestic AED payments only)

Purpose/Payment Details: **Partial Payment Avenhorn Vessel** **NBF RL0224R181155**

For international payments, code to purpose of payment must be provided. Related to international payments, NBF is a member of payment and not transfer market an auxiliary structure.

Industry

I/We agree to the Terms and Conditions given overleaf.

Notes: hereby agree to expressly follow Bank of Fujairah's policies, which may be amended, modified, or changed without notice by the Bank on account of any branch and/or branch not to make any claim or request for reimbursement. I/We also hereby irrevocably and unconditionally agree and authorize the Bank of Fujairah to debit my/our account in credit or overdraft.

Information of your agreement to process this transaction despite our request. I/We hereby authorize and agree to reimburse you and hold you harmless against all possible claims that may be asserted by the Bank on account of the transaction/ payment being blocked by correspondent banks due to the United States of America / Saudi Arabia / and other countries banks by any international sanctions.

Customer's Signature: [Signature] تاريخ التحويل

Source: Confidential

		Rekeningafschrift			
		Datum afschrift	Aantal bladen	Blad	Volgnr
		05-04-2018	2	002	5
Boekdatum (Rekeningdatum)	Omschrijving	Bedrag af (debet)	Bedrag bij (credit)		
28-03 (28-03)	Deal Ticket ID 4207369 [REDACTED] ONTV AAB USD 157.450,00 GEDEELDE KOSTEN OPDR./BEGUNST. /012001154808 UNIVERSAL SATCOM SERVICES FZE FULL PAYMENT AVENHORN VESSEL RFB FT 180871qY2K			157.450,00	
27-03 (27-03)	[REDACTED] ONTV AAB USD 157.450,00 GEDEELDE KOSTEN OPDR./BEGUNST. /012001154808 UNIVERSAL SATCOM SERVICES FZE /RFB/FT180864P4PN PARTIAL PAYMEN T 2ND AVEN HORN VESSE L			157.450,00	
26-03 (26-03)	OOBSPR. USD157500,00 ONTV AAB USD 157.450,00 GEDEELDE KOSTEN OPDR./BEGUNST. /012001154808 UNIVERSAL SATCOM SERVICES FZE PARTIAL PAYMENT AVENHORN VESSEL RFB FT18081LB4PN			157.450,00	



Source: Confidential

Appendix 7 to Annex 32: Panama Registration Authority Navigation Special Registry certificate of 23 April 2018

Image 32.7.1
Panama Registration Certificate

 PANAMA MARITIME AUTHORITY		REPÚBLICA DE PANAMÁ AUTORIDAD MARÍTIMA DE PANAMÁ	REPUBLIC OF PANAMA PANAMA MARITIME AUTHORITY		
DIRECTORATE GENERAL OF MERCHANT MARINE / DIRECCION GENERAL DE MARINA MERCANTE INTERNATIONAL SERVICE / SERVICIO INTERNACIONAL					
IMO NUMBER Número OMI 7820693	REGISTRATION No. Número Oficial D-1992-3192-PEXT	Call Sign Distrito de Llamado HO9840			
Issued under Law N° 57 dated August 6th, 2008 / Expedido bajo Ley No. 57 de 6 de agosto de 2008					
NAVIGATION SPECIAL REGISTRY / PATENTE ESPECIAL DE NAVEGACION					
Name of Vessel / Nombre del Buque ALKARAMA			Type Vessel / Tipo de Buque YATE DE PLACER (PLEASURE YACHT)		
Registered Owner / Propietario UNIVERSAL SATCOM SERVICES FZE					
Resident Agent / Agente Residente LIC. OCTAVIO SAMANIEGO			Radio Accounting Authority / Autoridad de Cuentas de Radio CORRESPONDENCIA PRIVADA		
Former Name / Nombre Anterior AVERHORN			Previous Flag / Nacionalidad a la que Renunció BELICE		
Built in / Construido en IRLANDA	Builders / Constructores VEROLME CORK DOCKYARD LTD.	Built Material / Material del casco ACERO	Hull Laid / Fecha de Quila *****	Construction Date / Año de Construcción 1979	
Length / Eslora 59.17 MTS	Breadth / Manga 10.40 MTS	Depth / Puntal 5.70 MTS	GRT / TB 995.00	NRT / TN 259.00	Dead Weight / Peso Muerto *****
PROPULSION SYSTEM / SISTEMA DE PROPULSION					
Type of Engines / Tipo de Máquinas MOTOR(ES) DIESEL	Vessel Speed / Velocidad del Buque 17.0 NUDOS	Manufacturer & Cylinders / Fabricante y Cilindros SEMT-PIELSTICK DOS (2) DE SEIS (6) CYLS	Engines Power / Potencia de las Máquinas DOS (2) DE 2400.00 HP / 1790.40 KW		
Issuance Date / Fecha de Expedición VEINTITRES (23) DE ABRIL DE 2018			Expiration Date / Fecha de Expiración VEINTIDOS (22) DE JULIO DE 2018		
Place of Issuance / Lugar de Emisión PANAMA			Pass / Decreto RO No. 10126858A del 23 de abril de 2018		
REMARKS / OBSERVACION					
This certificate is valid for the purpose of navigation only. It does not authorize the vessel to engage in any other activity.					
This certificate is valid for the purpose of navigation only. It does not authorize the vessel to engage in any other activity.					
Type of Vessel / Tipo de Buque <input type="checkbox"/> Cargo <input type="checkbox"/> Fishing <input checked="" type="checkbox"/> Passenger <input type="checkbox"/> Other					
PORT OF DEPARTURE / PUERTO DE SALIDA ROTTERDAM NETHERLANDS					
PORT OF ARRIVAL / PUERTO DE LLEGADA ALEXANDRIA EGYPTO.					
 FERNANDO SOLÓRZANO OFFICER SIGNATURE / FIRMA DEL FUNCIONARIO					

Image 32.7.2

Extract showing reason falsely declared for deregistration (ORIGINAL)¹³⁸

ALKARAMA

IMO No.7820693; Distintivo de Llamada HO9840; año de construcción 1979; tonelaje bruto 995.00; tonelaje neto 299.00; eslora 59.17 mts.; manga 10.40 mts.; puntal 6.70 mts.

- **CANCELACIÓN:** Clasificación de Yate de Placer, con registro oficial N°D-1992-392-PEXT, cancelada del registro panameño el 23 de julio de 2018, para demolición.
- **Propietario Registrado:** Universal Satcom Services FZE, dirección Fujairah Free Zone, P.O. Box 50462, Fujairah, UAE. Emiratos Árabes Unidos.

Image 32.7.3

Extract showing reason falsely declared for deregistration (OFFICIAL UN TRANSLATION)

Alkarama

International Maritime Organization (IMO) number: 7820693; call sign: HO9840; year of build: 1979; gross tonnage: 995.00; net tonnage: 299.00; length: 59.17 metres; breadth: 10.40 metres; depth: 6.70 metres.

- **Deregistration:** The *Alkarama*, a pleasure yacht with official registration number D-1992-392-PEXT, removal from the Panama Registry on 23 July 2018, for demolition.
- **Registered owner:** Universal Satcom Services FZE; Fujairah Free Zone, P.O. box 50462, Fujairah, United Arab Emirates.

Sources: Member State

¹³⁸ Member State letter to Panel dated 31 October 2018.

Appendix 8 to Annex 32: Email dated 27 May 2018 from Reema Sami Abdullah Al Omari to Dick van den Kamp Shipsales

Image 32.8.1

Email from Reema Al Omari

Re: Alkarama

Onderwerp: Re: Alkarama
Van: reema@universalsatcom.com
Datum: 27-05-18 01:35
Aan: dvdk@vanderkamp.com
CC: johnny pacheco <johnnypacheco1963@yahoo.com>, Mirjam Waalboer <mirjam@vanderkamp.com>

Reema Al Omari

Hello Dick

Hope you are well

I received good offer to sell the ship to the Ministry of Transportation in Libya during its journey to Alexandria... so I decided to sell it.

Please keep me updated with any vessels that you have to sell in the future i might be able to sell it for you

Thanks

Reema Omari
CEO
Universal Satcom

Reema Al Omari

On May 22, 2018, at 2:28 PM, D van der Kamp Shipsales – DVDK <dvdk@vanderkamp.com> wrote:

Dear Reema, Johnny,

We are called by journalists saying vessel is in Libya , there is a you tube film that Libyan Navy is awaiting the vessel.

Please clarify this matter.

Thank you,

regards
--

D. van der Kamp Shipsales BV
The Netherlands
Tel +31-181-321754 - Fax +31-181-322910
shipsales@vanderkamp.com - www.vanderkamp.com
As brokers/ managers only - All offers given in good faith but without guarantee
- Sub unsold

Appendix 9 to Annex 32: Government of Fujairah company registration certificate for Universal Satcom Services FZE

Image 32.9.1

Company registration certificate

GOVERNMENT OF FUJAIRAH
 FUJAIRAH FREE ZONE AUTHORITY

حكومة الفجيرة
 هيئة المنطقة الحرة الفجيرة

FUJAIRAH
 المنطقة الحرة
 FREE ZONE

رقم الرخصة : 3829
 License No. :

اسم الشركة : يونيفرسال ساتكوم سيرفيسيز ف.ع.
 Company Name : UNIVERSAL SATCOM SERVICES FZE

مالك : السيدة ريم سامي عبدالله العمري
 Owner : Mrs. Reema Sami Abdullah Al omari

مكان إنشاء الشركة : المنطقة الحرة الفجيرة
 Place of Inc. : FUJAIRAH FREE ZONE

نوع الرخصة : SERVICES
 Type of License :

النشاط : خدمات الصيانة الفنية وخدمات تركيب أجهزة الدعم الفضائية للسفن
 Activity : Technical Support, Installation of Satellite Equipment for Support Vessels & Ships

العنوان : ص.ب. 50462، الفجيرة، ع.م.
 Address : P.O. Box: 50462, Fujairah, UAE

الهاتف : 2282978
 Telephone :

الفاكس : 2282979
 Fax :

الموظف المسؤول : السيدة ريم سامي عبدالله العمري
 Person in Charge : Mrs. Reema Sami Abdullah Al omari

الوظيفة : مدير عام
 Position : General Manager

رقم السجل : 16-FZE-1615
 Registration No. :

تاريخ الانتهاء : 31/12/2017
 Date of Expiry :

رمز الكود الموحد الوطني
 Unified National Custom Code : 00260

Sharief Habib Al Awadhi
 Director General

طر-1133، الفجيرة، الإمارات العربية المتحدة، مكتب : 971 9 2228000 - فاكس : 971 9 2228888
 P.O. Box. 1133, Fujairah, United Arab Emirates T: +971 9 222 8000 F: +971 9 222 8888

E: ffreezone@emirates.net.ae W: www.fujairahfreezone.com

Source: Confidential.

Appendix 10 to Annex 32: Company certificate for Ahl al-Thiqa Security and Safety Equipment Imports Company, Benghazi

Image 32.10.1
Company certificate

172-3302
تاريخ الترخيص: 2012/12/16

مكتب السجل التجاري
بمحافظة بنغازي

شركة أهل الثقة لاستيراد معدات الأمن والسلامة

أسست الشركة بموجب: عقد التأسيس
مدة الشركة: 25 تبدأ من: 2012/12/11 م
رأس المال: المكتتب: 500000 دل
أعضاء مجلس الإدارة:

المدفوع: 150000 دل

نوعها: ذ.م.م
مقرها الرئيسي: بنغازي
وتنتهي في: 2037/12/11 م
عني:

ر.و	الاسم	الجنسية	الصفة	تاريخ التعيين	محل الإقامة	العنوان
1	بوشناف حسن حمد	ليبي	مفوض	2012/12/16	بنغازي	بنغازي
2	هانى فتحى بالقاسم	ليبي	عضوا	2012/12/16	بنغازي	بنغازي
الممثل القانوني:						
ر.و	الاسم	الجنسية	الصفة	تاريخ التعيين	محل الإقامة	العنوان
1	بوشناف حسن حمد	ليبي	مفوض	2012/12/16	بنغازي	بنغازي

Source: Confidential.

Image 32.10.2
Panel translation

Copy of the commercial registry 16/12/2012

Commercial name : Ahl al-Thiqa Company for Safety and Security Apparel Imports

Company created by: Contract of establishment Based in Benghazi

Duration of the company: 25 yrs Starting from 11/12/2012 Ending on 11/12/2037

Capital : 500,000 LYD

Paid/Cash : 150,000 LYD

Members of the Board of Directors:

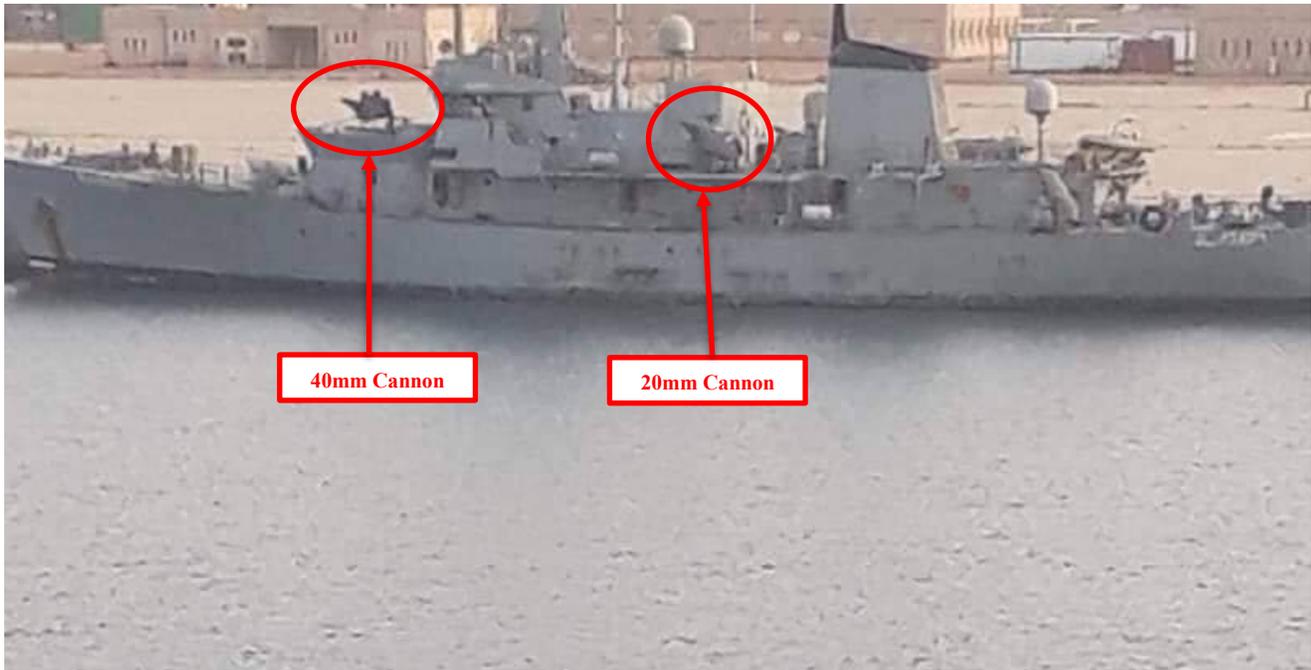
<i>Name</i>	<i>Nationality</i>	<i>Position</i>	<i>Date of nomination</i>	<i>Based</i>	<i>Address</i>
Bushnaf Hasan Hamed	Libyan	Commissioner	16/12/2012	Benghazi	Benghazi
Hani Fathi Belkacem	Libyan	Member	16/12/2012	Benghazi	Benghazi

<i>Name</i>	<i>Nationality</i>	<i>Position</i>	<i>Date of nomination</i>	<i>Based</i>	<i>Address</i>
Bushnaf Hasan Hamed	Libyan	Legal Advisor	16/12/2012	Benghazi	Benghazi

Appendix 11 to Annex 32: OPV *Al Karama* (fitted with weapons) (Ras Lanuf – 26 April 2019)

Image 32.11.1

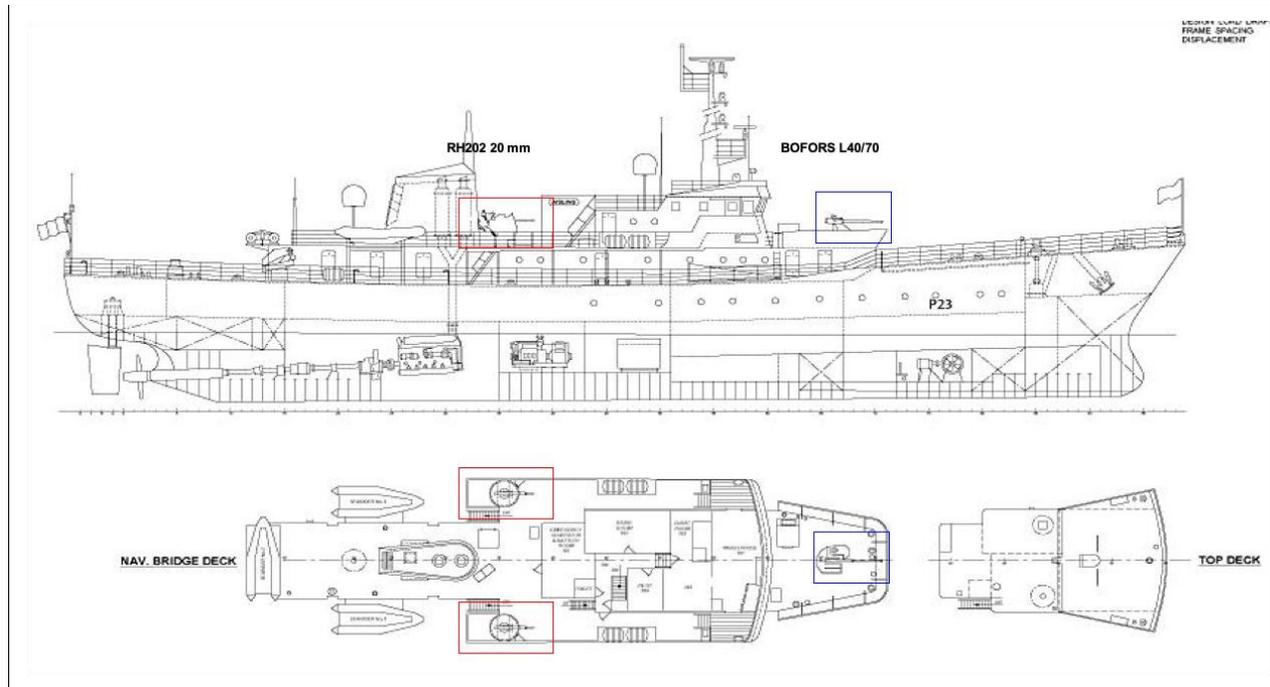
Al Karama in Ras Lanuf



Source: Confidential

Appendix 12: Plan showing retrofitting of weapons to *Al Karama*

Image 32.12.1
Retrofitting of *Al Karama*



Source: Confidential

Annex 33: Non-lethal maritime exceptions

‘Stan Patrol 1605’ Class patrol boats

1. A Member State transferred eight ‘Stan Patrol 1605’ Class patrol boats to the Libyan Coast Guard on 10 January and 22 April 2013. The vessels were manufactured by Damen Shipyard Group of the Netherlands,¹³⁹ and are referred to in paragraph 77 of [S/2018/812](#). Although the vessels were unarmed on transfer, they were fitted with generic equipment mounts,¹⁴⁰ which are also particularly suitable for the mounting of light weapons. The Panel has identified that a number of these vessels have then been armed subsequent to transfer, thus converting them into armed naval vessels.

2. The current names, weaponry mounted on them, and last known locations of the vessels are at table 33.1. Imagery is at figures 33.1 to 33.4.

Table 33.1

Names and last identified locations of Libyan Coast Guard Stan Patrol 1605 Class vessels

#	Name	Location	Coordinates	Date	Remarks
217	Burdi	Tobruk	32°04'36.77"N, 23°58'52.58"E	Oct 2017	
227	Sloug	Ras Al Hilal	32°52'58.06"N, 22°11'22.92"E	May 2018	
237	Besher	Benghazi	32°06'03.31"N, 20°02'51.62"E	Feb 2016	Identified as armed with one BMP-1 73mm Gun.
247	Izreg	Benghazi	32°06'03.31"N, 20°02'51.62"E	Mar 2019	Identified as armed with one ZSU-23-2 cannon.
257	Libda	Al Khoms	32°40'42.56"N, 14°14'25.21"E	Jan 2019	
267	Talil	Zawiyah	32°47'33.45"N, 12°44'52.61"E	Nov 2018	Identified as armed with two 12.7 x 108mm DShK-M variant heavy machine gun.
277	Tukra	Az Zuwaytinah	30°57'15.21"N, 20°06'42.18"E	Mar 2018	
287	Qaminis	Misrata	32°22'20.46"N, 15°12'57.72"E	Dec 2018	Unarmed on 25 April 2016.

Source: Some data from confidential source.

¹³⁹ <https://products.damen.com/en/ranges/stan-patrol/stan-patrol-1605/deliveries/spa-1605-burdi-sloug-besher-izreg>.

¹⁴⁰ Letter from Member State of 16 April 2019.

Image 33.1
237 Beshar (Left)
 Benghazi based



Image 33.2
247 Izreg
 Benghazi based



Image 33.3
247 Izreg
 Benghazi based



Image 33.4
267 Talil
 Zawiya based



Sources: 1) 33.1 and 33.2 from <https://www.albawabhnews.com/show.aspx?id=1789870>; 2) 33.3 from https://www.youtube.com/watch?time_continue=1&v=lp2S4czOoUs (0.27 min); and <https://www.facebook.com/1431260937150207/photos/a.1835184040091226/1985294058413556/?type=3&theater>; and 4) 33.4 from <https://www.facebook.com/warinformationdivision/photos/pcb.2632791356762457/2632789800095946/?type=3&theater>.

‘Corrubia’ Class patrol boats

3. A Member State has confirmed the transfer of two ‘Corrubia’ Class patrol boats to the Libyan Coast Guard, which were previously in service as G92 ‘Alberti’¹⁴¹ and G115 ‘Zannotti’.¹⁴² The first vessel was delivered on 21 October 2018 and named ‘Fezzan (658)’ by the Libyan Coast Guard. The second vessel was delivered in 24 November 2018 and named ‘Ubari (660)’ (figures 33.5 and 33.6).

¹⁴¹ <http://www.gdf.gov.it/repository/re.t.l.a/centro-navale/bandi-di-gara-e-contratti/anno-2016/affidamento-del-servizio-ordinaria-e-straordinaria-manutenzione-g.-92-alberti>.

¹⁴² <http://www.gdf.gov.it/repository/re.t.l.a/centro-navale/bandi-di-gara-e-contratti/anno-2017/fornitura-materiale-elettrico-occorrente-al-201cg.-115-zanotti201d>.

4. The ‘Corrubia’ Class Patrol Boat is a 27m monohull designed as a multiple role tactical platform, and normally has a standard weapon fit of a 30mm / 82 calibre Breda-Mauser Cannon, 1 x 12.7mm medium machine gun and 2 x 7.62mm medium machine guns. The Panel received details of the demilitarization of these vessels prior to transfer from the Member State,¹⁴³ and that States’ rationale that the transfer fell under the auspices of paragraph 10 of resolution [2095 \(2013\)](#).

Figure 33.5
Fezzan (658) in Tripoli (21 Oct 2018)



Figure 33.2
Ubari (660) in Tripoli (24 Nov 2018)



Sources: 1) www.libyaakhbar.com/libya-news/30905.html and www.libyaobserver.ly/news/italy-sends-libya-boat-“fezzan”; and 2) www.libyaobserver.ly/inbrief/libyan-coast-guard-receives-new-vessel-italy.

Annex 34: Operational naval assets

1. The Panel has compiled an analysis of the current and potentially future operational vessels of the Libyan Navy and Coast Guard. The data, which is at tables 34.1 and 34.2 is not yet exhaustive as research continues.

Table 34.1

Operational Libyan Navy / Coast Guard vessels¹⁴⁴

<i>Generic Type</i>	<i>Type</i>	<i>Hull #</i>	<i>Vessel Name</i>	<i>Location</i>	<i>Remarks</i>
Patrol Vessel	Damen Stan Patrol 1605 ^a	217	<i>Burde</i>	Tobruk	Probable HAF controlled.
		227	<i>Sloug</i>	Ras Al Hilal	Probable HAF controlled
		237	<i>Besher</i>	Benghazi	HAF controlled.
		247	<i>Izreg</i>	Benghazi	HAF controlled.
		257	<i>Libda</i>	Al Khoms	
		267	<i>Talil</i>	Zawiyah	Loose GNA-AF control.
		277	<i>Tukra</i>	Az Zuwaytinah	
		287	<i>Qaminis</i>	Misrata	
Patrol Vessel	Damen Stan Patrol 2606				Delivered in 2013. ^b
Patrol Boat	Raidco RPB20	317	<i>Akrma</i>	Benghazi	HAF controlled. Delivered in April 2013. ^c
		327	<i>Janzur</i>	Benghazi	HAF controlled
Patrol Boat	Corrubia Class	658	<i>Fezzan</i>	Tripoli	Donated 2018 by Italy (ex G115 <i>Zanotti</i>)
		660	<i>Ubari</i>	Tripoli	Donated 2018 by Italy (ex G192 <i>Aliberti</i>)
Patrol Boat	PV30-LS Class	634	<i>Sadadah</i> ^e		Six ordered for Coast Guard from Croatia 2006 - 2008. ^f Reported non-operational.
Patrol Boat	Hameln Class	206	<i>Al-Kifah</i>	Tripoli	Seen 2017. ^g
Patrol Boat	Bigliani Class	644	<i>Zuwarah</i>		Maintained by Italy in May 2017 (ex G83 <i>Macchi</i>).

¹⁴⁴ Multi source Panel research.

<i>Generic Type</i>	<i>Type</i>	<i>Hull #</i>	<i>Vessel Name</i>	<i>Location</i>	<i>Remarks</i>
		648	<i>Ras Al Jadar</i>		Maintained by Italy in May 2017 (ex G86 <i>Buoncore</i>).
		654	<i>Sabratha</i>		Maintained by Italy in May 2017 (ex G82 <i>Galiano</i>).
		656	<i>Zawia</i>		Maintained by Italy in May 2017 (ex G84 <i>Fortuna</i>).
Fast Attack Craft-Missile	Combattante Class II G	534	<i>Shafak</i>	Tripoli	Under request to go to Tunisia for repair.
Fast Attack Craft-Missile	Osa II Class				Not confirmed.
Offshore Patrol Vessel	Aisling Class	<i>P23</i>	<i>Al-Karama</i>	Benghazi	HAF controlled.
Minesweeper	Natya Class (Type 266ME)				Not confirmed
Frigate	Koni II Class	212	<i>Al Hani</i>	Malta	Embargoed.
Landing Ship Tank	PS700 Class	132	<i>Ibn Ouf</i>	Tripoli	Refitted in France 2012. Maintained by Italy in 2017/2018. Plans for refit by France in 2019.
		134	<i>Ibn Haritha</i>	Tripoli	Repaired in Abu Sitta 2018.
Salvage Vessel	Spasilac	722	<i>Al Munjed</i>	Tripoli	Under repair in 2017.

^a Donated by Netherlands in 2013.

^b <http://amiinter.com/pdf/MediterraneanDNavies-Oct2013.pdf>.

^c Ibid.

^d J.Binnie. Janes HIS. 23 June 2013.

^e 634 listed but not confirmed. Alternates are 638 *Marsit*, TBC *Tagreft*. Originally numbered 301 – 306.

^f https://www.adria-mar.hr/index.php?option=com_content&view=article&id=46&Itemid=67&lang=en. Accessed 24 July 2019.

^g <https://twitter.com/jeremybinnie/status/920571076580724736?lang=en>. Accessed 24 July 2019.

Table 34.2
Proposed Libyan Navy / Coast Guard vessels

<i>Generic Type</i>	<i>Type</i>	<i>Qty</i>	<i>Supplier</i>	<i>Remarks</i>
Patrol Boat	FPB 98 Mk1	2	OCEA S.A. France	Under Committee consideration.
Patrol Boat	Tuzla Class	4	Dearsan and Gulhan, ^a Turkey	Under Committee consideration.
Patrol Boat	'500' Class	10	Italy	To be donated by Italy. CP515-CP522, CP526 and CP535. Italy considers the vessels do not fall under the list of embargoed goods (<i>military equipment</i>) referred to in resolution 1973 (2011) and as subsequently amended.

^a <http://www.dearsan.com/en/products/57m-patrol-boat.html>.

Annex 35: *Al Hani* frigate (PF212)

Introduction

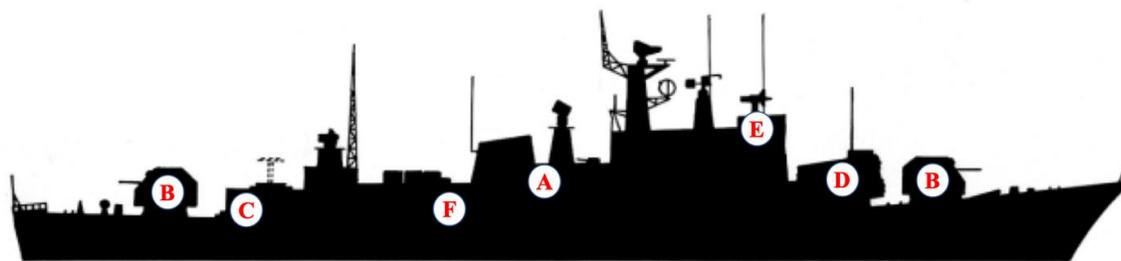
1. The work on the frigate by Cassar Shipyard was primarily focused on ensuring that the vessel is seaworthy with a navigation capability. The two diesel engines have been overhauled, which will now allow the vessel to cruise at 12 knots, with a theoretical top speed of 16 to 18 knots, but the primary single gas turbine is irreparable and is only in the vessel now for ballast and trim requirements. The integrity of the hull was achieved by replacing over 950m² of the steel plate of the hull. The navigational radar is a commercial after-fit and is operational.

Offensive capability

2. It is highly unlikely that the major weapons systems on the frigate can function effectively, even if the ammunition were now available in Libya and in good condition. In 2014 the Libyan Navy plan was for the vessel to go to Cassar Shipyards in Malta for the seaworthiness work, and when complete the vessel was to proceed to Poland for maintenance and overhaul of the major weapon systems. The requirement for the work in Poland being a strong indicator of the ineffectiveness of the weapon systems at that time. There is now no intention that the work planned for Poland will ever take place due to the further degradation of the weapon systems over the last five years.¹⁴⁵

3. Figure 35.1 is a schematic of the vessel showing the location of the major weapons systems cross-reference against Table 1, which summarises the Panel's assessment operability of the weapons systems. The red code letters refer to the weapons systems shown in tables 35.1 and 35.2.

Figure 35.1
Silhouette of Koni II Class frigate



Source: www.janes.ihs.com/. Accessed 5 March 2019.

¹⁴⁵ Interview with the Chief Engineer of *Al Hani*, 9 March 2019.

Table 35.1

Type and status of major weapons systems fitted to *Al Hani* (PF212)

<i>Code</i>	<i>Type</i>	<i>#</i>	<i>Fire Control Radar</i>	<i>Range (m)</i>	<i>Remarks</i>
A	AK-230 30mm Calibre Cannon	63	4 MR-104 Rhys (Drum Tilt)	2,000	<ul style="list-style-type: none"> ▪ Operable after maintenance. Currently rusted. ▪ Manual line of sight operation only
B	AK726 76mm 59 Calibre Gun	4	MR-105 Turel (Hawk Screech)	15,700	<ul style="list-style-type: none"> ▪ Operable after maintenance. Currently rusted. ▪ Manual line of sight operation only
C	S4K33 Osa-MA2 Surface to Air Missile Twin Launchers (SA-N-4 Gecko)	2	4R33 Baza MPZ-301 (Pop Group)	10,000	<ul style="list-style-type: none"> ▪ Inoperable
D	4K51 P-15M 'Termit' Ship to Surface Missile Launchers (SS-N-2C Styx)	4	3Ts-25 Garpun (Plank Shave)	8,000	<ul style="list-style-type: none"> ▪ Inoperable
E	RBU-6000 Smerch-2 213mm Twelve Tube Anti-Submarine Mortar Launcher	1	Hercules Sonar	MG322 5,500	<ul style="list-style-type: none"> ▪ Possibly operable
F	Type 40 USET-95 400mm Torpedo Twin Tubes	2	Active / Passive Homing	10,000	<ul style="list-style-type: none"> ▪ Possibly operable

Note 1: Status of weapon systems determined during Panel inspection on 9 March 2019.

4. Notwithstanding the Panel's assessment of the weapon systems' operability, the Panel considers that it may be prudent for the vessel to undertake some basic demilitarization of the weapons systems prior to final handover to the Libyan Navy. This would deter any attempts to try and even obtain basic functionality of the weapons systems. Cassar Shipyard have indicated that this could be easily done at low cost. Table 35.2 summarizes the Panel's recommendations for such weapon system demilitarization.

Table 35.2

Panel recommendation for basic demilitarization of major weapons systems fitted to *Al Hani* (PF212)

<i>Code</i>	<i>Type</i>	<i>Remarks</i>
B	AK726 76mm 59 Calibre Gun	<ul style="list-style-type: none"> ▪ Remove and destroy MR-105 Turel (Hawk Screech) control panel from operations room.
C	S4K33 Osa-MA2 Surface to Air Missile Twin Launchers (SA-N-4 Gecko)	<ul style="list-style-type: none"> ▪ Remove and destroy 4R33 Baza MPZ-301 (Pop Group) control panel from operations room. ▪ Cut a one-metre length out of the umbilical control cable at the launcher end. ▪ Weld a steel bar across the guidance elevation rails inside the launcher. ▪ Manufacture and weld a 10mm thick steel circular plate and fit over top of missile launcher.
D	4K51 P-15M 'Termit' Ship to Surface Missile Launchers (SS-N-2C Styx)	<ul style="list-style-type: none"> ▪ Remove and destroy 3Ts-25 Garpun (Plank Shave) control panel from operations room. ▪ Cut a one-metre length out of the umbilical control cable at the launcher end. ▪ Full circular weld shut around the forward and rear launch tube covers. ▪ Cut 4 x 200mm diameter holes along inner side of launch tube to act as an escape vent for launch motor gases.
E	RBU-6000 Smerch-2 213mm Twelve Tube Anti-Submarine Mortar Launcher	<ul style="list-style-type: none"> ▪ Remove and destroy launcher.
F	Type 40 USET-95 400mm Torpedo Twin Tubes	<ul style="list-style-type: none"> ▪ Full circular weld shut around the forward and rear tube covers. ▪ Cut 4 x 200mm diameter holes along inner side of launch tube to act as an escape vent for expulsion gases.

Operational capability

5. Although referred to as a frigate, the age, design, lack of operable major weapons systems means that this vessel presents little threat to other naval vessels, particularly if the recommended demilitarization action is initiated to prevent any attempts to bring major weapons systems back into service. It is only suitable now for the patrolling of littoral coastal waters and seamanship training.

6. Theoretically the 76mm naval guns with their 15.7km maximum range could present a threat to the coastal strip. Their effectiveness though would be very limited unless the vessel had quality communications to well-trained naval gunfire support spotting teams ashore. Even if utilised in this role

the blast effects of the approximate 0.5kg high explosive content of a single 76mm shell are no worse than those of the 82mm mortars in plentiful supply to the major armed groups within Libya. This risk is assessed by the Panel as currently low.

Annex 36: Illicit supply of armoured vehicles to Libya

1. The Panel has compiled a summary of the wheeled armoured vehicle assets available to the armed groups in Libya, and imagery to assist identification is at appendix A. Some of these vehicles may have been transferred to Libya for protective use under the auspices of paragraph 9 of resolution [2095 \(2013\)](#), and have subsequently been modified to provide an offensive military capability (see appendix B).

2. Wheeled armoured vehicles include, wheeled infantry armoured fighting vehicles (IAFV), infantry fighting vehicles (IFV), light armoured vehicles (LAV), light armoured multi-purpose vehicles (LAMV), mine resistant ambush protected (MRAP) vehicles, protected patrol vehicles (PPV) and armoured personnel carriers (APC). The technical differences between type are often minimal and dependent on: 1) armour protection levels; 2) crew capacity; 3) the ability to mount turreted weapons; and 4) the manufacturer's marketing strategy. Their ease of modification with a weapons fit makes them a "force multiplier", and removes them from a "non-lethal" status.

Table 36.1

Armoured vehicle assets

<i>Entity</i>	<i>Name</i>	<i>Type</i>	<i>Manufacturer</i>	<i>State</i>	<i>Supplier</i>	<i>Reported</i>	<i>Remarks</i>
Libyan Government ^a	<i>Cobra</i> ^b	LAMV	Streit	UAE	UAE	Paragraph 118 and annex 26 to S/2016/209	▪ Delivered in August 2012 in violation of para 9(b) of resolution 1970 (2011) .
Libyan Government ^a	<i>Cougar</i> ^c	LAMV	Streit	UAE	UAE	Paragraph 118 and annex 26 to S/2016/209	▪ Delivered in August 2012 in violation of para 9(b) of resolution 1970 (2011) .
Libyan Government ^a	<i>Spartan</i> ^d	LAV	Streit	UAE	UAE	Paragraph 118 and annex 26 to S/2016/209	▪ Delivered in August 2012 in violation of para 9(b) of resolution 1970 (2011) .

<i>Entity</i>	<i>Name</i>	<i>Type</i>	<i>Manufacturer</i>	<i>State</i>	<i>Supplier</i>	<i>Reported</i>	<i>Remarks</i>
Saw'iq brigade, Zintan	<i>Jais</i> ^e	MRAP	Nimr	UAE	UAE	Paragraph 119 and annex 27 to S/2016/209	▪ Delivered in 2013.
GNA-AF	<i>Kirpi</i> 4X4 ^f	MRAP	BMC	Turkey	Turkey	New 2019	▪ Delivered 18 May 2019.
HAF	<i>Al Mared</i> 8 x 8 ^g	IAFV	KADDB	Jordan	Jordan	New 2019	▪ First seen 19 May 2019.
HAF	<i>Al Wahsh</i> 4 x 4 ^h	PPV	KADDB	Jordan	Jordan	Annex 28 to S/2018/812	▪
HAF	<i>Caiman</i> ⁱ	MRAP	BAE Systems	UK		Annex 28 to S/2018/812	▪ Seen at Derna, August 2017. ▪ Seen at Benghazi, May 2018.
HAF	<i>Jais</i>	MRAP	Nimr	UAE		Annex 28 to S/2018/812	▪ Seen at Derna, August 2017.
HAF	<i>Mbombe</i> 6 x 6 ^k	IAFV	Paramount	South Africa	Jordan	New 2019	▪ First Seen Benghazi 19 May 2019.
HAF	<i>Panthera</i> T6 4 x 4	APC	MSPV ^l	UAE		Paragraph 142 and annex 29 to S/2016/209 and Paragraph 160 and annex 40 to S/2017/466	▪ Delivered April/May 2015. ▪ Delivered 17 April 2016 on <i>Bahro Abha</i> .
HAF	<i>Panthera</i> F9 4 x 4	APC	MSPV ^m	UAE		Annex 28 to S/2018/812	▪ Seen at Derna, June 2018.
HAF	<i>Spartan</i> ⁿ	LAV	Streit	UAE		Annex 28 to S/2018/812	▪ Seen at Derna, June 2018.
HAF	<i>Tygra</i> ^p	APC	Mezcal	UAE		Paragraph 160 and annex 40 to S/2017/466	▪ Supplied 17 April 2016 on <i>Bahro Abha</i> .
HAF	<i>Irigiri</i> ^q	APC	Nigerian Army			New 2019	▪ Single source reported as seen in Tripoli 2015. Also seen in January 2016 in cargo hold of ship. ^s
HAF	<i>Ratel-60</i> ^r	IFV	Sandock Austral	South Africa		New 2019	▪ First seen 18 April 2018 near Tripoli with HAF 302 Battalion. ^t

^a The vehicles supplied to the Libyan government in 2012 are now in use by both parties to the conflict.

^b <https://www.armored-cars.com/cobra-lamv/>.

^c <https://www.armored-cars.com/cougar-lamv/>.

^d <https://www.armored-cars.com/spartan-asv/>.

^e <https://www.nimr.ae/product/jais4x4/>.

^f <https://www.bmc.com.tr/en/defense-industry/kirpi>.

^g <http://www.kaddb.com/en-us/KADDBs-PORTFOLIO/LAND-SYSTEMS>.

^h <http://www.kaddb.com/en-us/KADDBs-PORTFOLIO/LAND-SYSTEMS>.

ⁱ <https://www.baesystems.com/en/product/caiman-mrap-vehicles>.

^k <http://www.paramountgroup.com/capabilities/land/mbombe-6/>.

^l <http://mispv.com/military/>.

^m <http://mispv.com/military/>.

ⁿ <https://www.armored-cars.com/spartan-asv/>.

^p <http://www.mezcalarmor.com/Armored-Personnel-Carriers/Tygra>.

^q <http://www.vanguardngr.com/2012/06/army-to-unveil-first-nigerian-built-apc/>.

^r https://www.armyrecognition.com/south_africa_african_army_wheeled_armoured_vehicle/ratel_20_6x6_armoured_infantry_fighting_vehicle_20mm_cannon_technical_data_sheet_specifications_pictures_video_11601163.html.

^s <https://twitter.com/DonKlericuzio/status/684663686108151808>.

^t <https://twitter.com/Oded121351/status/1118808298491396096>

Appendix A to Annex 36: Identification imagery of wheeled armoured vehicles

Table A.36.1

Armoured vehicle imagery



Name: COBRA LAMV
Manufacturer: Streit Armoured Cars (UAE)
Affiliation: GNA-AF
First Seen: 2012
First Reported: [S/2016/209](#), para. 118 and annex 26



Name: COUGAR LAMV
Manufacturer: Streit Armoured Cars (UAE)
Affiliation: GNA-AF
First Seen: 2012
First Reported: [S/2016/209](#), para. 118 and annex 26



Name: SPARTAN LAV
Manufacturer: Streit Armoured Cars (UAE)
Affiliation: GNA-AF / HAF
First Seen: 2012
First Reported: [S/2016/209](#), para. 118 and annex 26



Name: KIRPI MRAP
Manufacturer: BMC TURKEY
Affiliation: GNA-AF
First Seen: 2019
First Reported: NEW



Name: RATEL-60 IFV
Manufacturer: Sandock Austral, South Africa
Affiliation: HAF
First Seen: 2016
First Reported: Not previously reported



Name: JAIS MRAP
Manufacturer: NIMR (UAE)
Affiliation: Saw'iq Brigade, Zintan / HAF
First Seen: 2013
First Reported: [S/2016/209](#), para. 119 and annex 27



Name: MARED 8x8 IAFV
Manufacturer: KADDB (Jordan)
Affiliation: HAF
First Seen: 2019
First Reported: NEW



Name: AL WAHSH 4x4 PPV
Manufacturer: KADDB (Jordan)
Affiliation: HAF
First Seen: 2016
First Reported: [S/2016/209](#), annex 26



Name: CAIMAN MRAP
Manufacturer: BAe Systems / Armor Holdings (UK / USA)
Affiliation: HAF
First Seen: 2012
First Reported: [S/2016/209](#), annex 26



Name: MBOMBE 6 x 6 IAFV
Manufacturer: Paramount (South Africa)
Affiliation: HAF
First Seen: 2019
First Reported: NEW



Name: PANTHERA T6 APC
Manufacturer: MSPV (UAE)
Affiliation: HAF
First Seen: 2016
First Reported: [S/2016/209](#), annex 26



Name: PANTHERA F9 APC
Manufacturer: MSPV (UAE)
Affiliation: HAF
First Seen: 2018
First Reported: [S/2018/812](#), annex 28



Name: TYGRA APC
Manufacturer: Mezcal (UAE)
Affiliation: HAF
First Seen: 2016
First Reported: [S/2017/466](#), para. 160 and annex 40



Name: IGIRIGI APC
Manufacturer: Army (Nigeria)
Affiliation: HAF
First Seen: 2015
First Reported: Not previously reported

Appendix B to Annex 36: Examples of modified wheeled armoured vehicles

1. This appendix provides examples of wheeled armoured vehicles, which may have been transferred to Libya for protective use under the auspices of paragraph 9 of resolution [2095 \(2013\)](#), that have subsequently been modified to provide an offensive military capability.

Figure B.36.1

Streit *Spartan* LAV modified with a Type 63 107mm multi barrel rocket launcher fitted to 'snakehead' cupola^a



Figure B.36.2

Streit *Cougar* LAMV modified with a 9M133 *Kornet* ATGW^b



Figure B.36.3

KADDB *Al Wahsh* PPV modified with an 73mm SPG-9 recoilless gun fitted to 'snakehead' cupola^c



^a <https://twitter.com/towersight/status/1169271329033531392>, 4 September 2019.

^b <https://twitter.com/Oded121351/status/1084717353361911808>, 14 January 2019.

^c <https://twitter.com/Oded121351/status/1102829446191558656>, 5 March 2019.

Annex 37: Nashshab RPG-32 anti-tank rocket launcher

1. On 28 May 2019 the Panel identified from open source information the possession of the RPG-32 *Nashshab* shoulder-launched anti-tank rocket system by HAF (image 37.1). This weapon system is produced in Jordan by a co-operative venture between the Joint Stock Company “Scientific Production Association “Bazalt” (JSC “SPA “Bazalt”) of Russia (<http://bazalt.ru/en/>) and the King Abdullah II Design and Development Bureau (KADDB) (<http://www.kaddb.com/>) called the Jadara Equipment and Defence Systems (initially the Jordan Russian Electronics Systems Company) (JRESCO) (<https://www.jadara.jo>) (image 37.2). The Panel notes that, according to authoritative open source information,¹⁴⁶ the Royal Jordanian Army is the only known user of this weapons system to date.

Image 37.1

RPG-32 *Nashshab* with HAF (28 May 2019)Source: <https://twitter.com/Mansourtalk/status/1133996109448253440?s=08>. 30 May 2019.

Image 37.2

Original manufacturers image ^aSource: <https://www.jadara.jo/jadara-products>. Accessed 11 June 2019.

¹⁴⁶ www.janes.ihs.com.

3. On 27 June 2019, GNA-AF captured a range of ammunition and military equipment from HAF. Among this ammunition was at least one RPG-32 *Nashshab* rocket tube (image 37.3). The image clearly shows all of the markings on the rocket tube, which should assist the Jordanian authorities in assisting the Panel in establishing the supply chain for the RPG-32 *Nashshab* to Libya.

Image 37.3

RPG-32 *Nashshab* captured from HAF at Gharyan (27 June 2019)



Source: Confidential

4. The Panel has written to Jordan requesting clarification of the supply chain for this weapon system but has received no response.
5. The Panel finds Jordan in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material to the LNA.

Annex 38: 9K-115-M *Metis* RPG-32 ATGW

1. The 9K115-2 *Metis*, or a variant was first observed as possibly being in use in Libya during 2016.¹⁴⁷ The presence was confirmed by open source imagery on 21 December 2018 (figure 38.1) and 14 July 2019 (figures 38.2 and 38.3).

Image 38.1

9K-115-M *Metis* ATGW confirmed in Libya (21 December 2018)



Source: <https://twitter.com/Oded121351/status/1076092905331351552>, 21 December 2018. Accessed 29 August 2019.

¹⁴⁷ <https://twitter.com/Oded121351/status/745852183934033920>, 23 June 2016. Accessed 29 August 2019.

Image 38.2
9K115-2 Metis with GNA-AF(14 July 2019)



Image 38.3
9K115-2 Metis with GNA-AF (14 July 2019)



Sources: 1) <https://twitter.com/rahbaTajura/status/1150532386419089412>. Accessed 29 August 2019. [L]; and 2) <https://twitter.com/rahbaTajura/status/1150532386419089412/photo/4>. Accessed 29 August 2019. [R].

2. This ATGW system is designed and manufactured by the KPB Instrument Design Bureau (www.kpbtula.ru) of the Russian Federation. The Panel has written to the Member State requesting information to assist in the identification of the supply chain of these ATGW to Libya.
3. The Panel identified open source information¹⁴⁸ alleging that the ATGW were supplied by Turkey. The Panel considers this unlikely and investigations continue.
4. Panel investigations into the supply chain of these ATGW continue.

¹⁴⁸ Source: Wolfram Lacher, (2019) "Who is Fighting Whom in Tripoli: How the 2019 Civil War is Transforming Libya's Military Landscape," SANA Briefing Paper, Box 1, Photo 4, p.14, Geneva: Small Arms Survey. <http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-SANA-BP-Tripoli-2019.pdf>.

Annex 39: 155mm HE Laser Homing Projectile GP6

1. The Panel identified from open source information¹⁴⁹ that on 27 June 2019, forces affiliated to the GNA captured ammunition from the HAF. This ammunition included some projectiles with characteristics virtually identical to the 155mm High Explosive (HE) Laser Homing Projectile (LHP) GP6, which is manufactured by the China North Industries Group Corporation Limited (NORINCO).¹⁵⁰

2. A sealed ammunition container was marked “UAE Armed Forces, Joint Logistics Command C and F Section”. Analysis of the imagery has identified the following markings and documentation, which with the cooperation of the manufacturer’s Member State would allow the supply chain for this particular ammunition to be established.

- (a) Ammunition container for a Contract Number, (DP3/2/6/1/2006/23/A) with a Lot Number of 3-14-519;
- (b) Packed 155mm HE LHP Projectile with a Lot Number of 3 356 2014;
- (c) Unpacked 155mm HE LHP Projectile with a Lot Number of 3 354 2014;
- (d) Quality Certificate for “GP6 155mm Laser Homing Projectile” dated 25 December 2014 for Lot Number “G6-3-14-356”. Inspected by “Huligiang”; and
- (e) Packing Note dated 25 December 2014 for “GP6 155mm Laser Homing Projectile”, Code No. “GP6 155/45, for Series No. “G6-3-14-356”. Manufactured by “China North Industries Corporation”.

¹⁴⁹ Video imagery of post capture is at <https://www.facebook.com/138077846597370/videos/2124863734479235/?v=2124863734479235>. (See 1 min 36 sec to 2 min 09 sec)

¹⁵⁰ www.norinco.com.

Image 39.1
Extract from open source video showing ammunition container markings



Image 39.2
Ibid

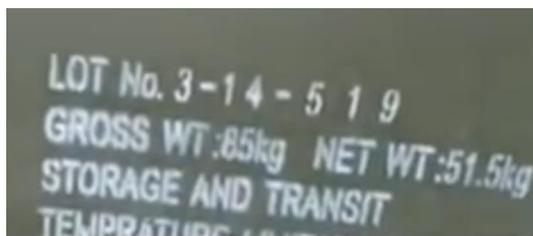


Image 39.3
155mm HE LHP projectile Lot Number 3 356 2014



Image 39.4
155mm HE LHP projectile Lot Number 3 354 2014



Image 39.5
QC for 155mm HE LHP projectile Lot Number 3 356 2014

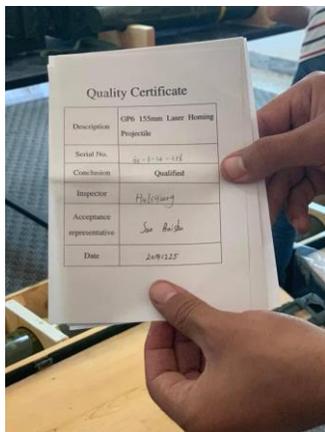
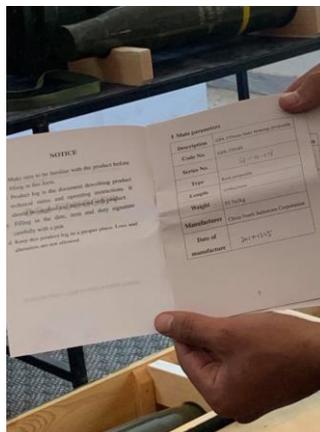


Image 39.6
Packing Note for 155mm HE LHP projectile Lot Number 3 356 2014



Sources: 1) Extract from video imagery of post capture is at <https://www.facebook.com/138077846597370/videos/2124863734479235/?v=2124863734479235>, and 2) <https://www.facebook.com/138077846597370/posts/567454386993045?s=518287117&sfns=xmo>.

3. The Panel has identified that the United Arab Emirates has previously taken delivery of 155mm HE LGP GP6 ammunition from the manufacturer.¹⁵¹ The Panel thus finds that, based on: 1) it being a confirmed system in Emirati use; 2) the accurate markings on the primary ammunition packaging; 3) the colour being distinctive of Chinese rather than Russian Federation ammunition; 4) the previous use of Chinese 155mm precision guided munitions in Libya;¹⁵² 5) the fact that the explosive type is marked “A-IX-II” (seen on Chinese ammunition) rather than “A-IX-2” (seen on Russian Federation manufactured ammunition); and 6) the prior use of Chinese manufactured 155 mm precision guided artillery projectiles in Libya,¹⁵³ that this Chinese manufactured ordnance was a post-delivery transfer to Libya by the United Arab Emirates.

4. The Panel has written to the United Arab Emirates requesting clarification of the supply chain for this weapon system but has received no response.

5. The Panel finds the United Arab Emirates in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material to the HAF.

¹⁵¹ Christopher F Foss. *UAE confirms Chinese 155mm AH4 gun howitzer acquisition*. Jane’s Defence Weekly. <http://www.janes.ihs.com/>. 28 February 2019.

¹⁵² <https://armamentresearch.com/chinese-gp1-series-guided-artillery-projectiles-in-libya/>.

¹⁵³ In paras. 157 to 159 of Panel report [S/2017/446](#) the Panel were inconclusive as to the identity of remnants of a similar projectile. Although a Jane’s report had identified the remnants as being from a Russian manufactured 155mm Krasnopol precision guided artillery projectile, the Panel subsequently, in paras.115 and 117 of Panel report [S/2018/812](#), assessed the projectile remnants as being from a Chinese 155mm GP-1A precision guided artillery projectile.

Annex 40: *Pantsir* S-1 surface to air missile system (SAM)

1. Analysis of open source and confidential satellite imagery identified that at least two *Pantsir* S-1 SAM systems were deployed to provide air defence cover for Jufra air base between 5 March and 19 April 2019 (see figures 40.1 to 40.4).

Figure 40.1
Jufra air base (5 March 2019)^a



Figure 40.2
Jufra air base (19 April 2019)^b



Figure 40.3
Jufra air base (5 March 2019)^c



Figure 40.4
Jufra air base (19 April 2019)^b



^a Google Earth. Accessed 19 August 2019. Location at 29°13'10.0"N, 15°59'44.2"E.

^b Confidential source.

^c Google Earth. Accessed 19 August 2019. Location at 29°12'31.13"N, 16°00'3.64"E.

2. The Panel confirmed from open source imagery (see figure 40.5) the deployment of *Pantsir* S-1 surface to air missile (SAM) systems in support of HAF during a road move north in the area of Gharyan.¹⁵⁴ The Panel also noted an unverified media report¹⁵⁵ that refers to a statement made by a representative of the GNA-AF Joint Operations Room of West Libya on 20 June 2019, which claims that its forces destroyed four *Pantsir* S-1 SAM systems on 18 June 2019.

Figure 40.5

***Pantsir* S-1 in support of HAF near Gharyan (18 June 2019)**

Source: <https://www.jana-ly.co/منتقل-ر-وسي-جوي-دفاع-منظومة-وصول-بالصور/>.

The *Pantsir* S-1 SAM system(s) seen in Libya use the MAN SX45 Heavy Mobility Truck as the system's ground mobility and transporter erector launcher (TELAR) platform. Only the UAE uses this configuration for their *Pantsir* S-1 systems¹⁵⁶ (figures 40.6 and 40.7). All other export variants are mounted on either a 1) BAZ-6909 8x8; 2) Ural-53234 8x8; 3) KamAZ-6560 8x8; or 4) Asrolog MKZT-79230 chassis.

¹⁵⁴ 32°31'36.67"N, 13°13'2.94"E.

¹⁵⁵ <https://www.libyaobserver.ly/news/libyan-air-force-destroys-russian-air-defense-system-used-haftars-forces>.

¹⁵⁶ Binnie J. *UAE may have deployed Pantsir S-1 to Libya*. Jane's Defence Weekly. 19 June 2019. London.

Figure 40.6
***Pantsir S-1* in support of HAF near Gharyan
(18 June 2019)**^a



Figure 40.7
***Pantsir S-1* in UAE on MAN SX45 platform**^b



^a <https://twitter.com/Oded121351/status/1141224351045443584>.

^b Extracted from UAE military promotional video at <https://www.mod.gov.ae/>.

The Panel has written to the United Arab Emirates requesting clarification of the supply chain for this weapon system but has received no response.

The Panel finds the United Arab Emirates in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material to HAF.

Annex 41: Samel-90 electronic countermeasures system

1. In its report [S/2018/812](#)¹⁵⁷ the Panel first reported on the HAF use of a roof mounted electronic countermeasures (ECM) system during a visit to Tunis on 18 September 2017. The Panel identified the system in use again during a visit by the HAF leadership to the Tamanhint air base in Sebha on 13 February 2019.¹⁵⁸
2. The Panel made a preliminary identification of the ECM system and requested the assistance of the manufacturer's Member State in the positive identification of the system. The Member State response was that there were *insufficient identification details (...) to confirm Bulgarian origin*. The Panel then consulted with independent ECM specialists¹⁵⁹ who confirmed that this system was very likely a Bulgarian manufactured Samel-90 mobile improvised explosive device (IED) jammer radio frequency (RF) inhibition system.¹⁶⁰ This finding was based on imagery analysis (figures 41.1 to 41.6), which confirmed that:
 - a. The antenna array is identical in antenna length, separation, and colour coding on the HAF system and that shown on the manufacturer's website; and
 - b. The roof container is identical in size and shape on both systems.
3. An extensive open source search of ECM systems identified no other Radio Frequency (RF) Inhibition and Jammer Systems with these very specific characteristics.
4. The panel considers that the direct supply of this ECM system from the manufacturer, or by the manufacturer's Member State, is highly unlikely. It is almost certainly present due to post-delivery diversion by the initial purchaser, or subsequent owner.
5. The Panel finds the supplier in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material to HAF. The Panel continues to investigate.

¹⁵⁷ Para. 121 and annex 33.

¹⁵⁸ <https://twitter.com/Oded121351/status/109592504227260097>.

¹⁵⁹ <https://solutions-ew.com>.

¹⁶⁰ <https://www.same190.com/en/products/category/jammer-solutions-military-equipment-surveillance-systems/jammer-solutions/mobile-jammer>.

Image 41.1
HAF ECM equipment at Tamanhint (Sebha) air base (13 February 2019)



Note virtually identical type and length of rear antennae array.

Image 41.2
HAF ECM equipment from manufacturers website



Image 41.3
HAF ECM equipment at Tamanhint (Sebha) air base (13 February 2019)



Image 41.4
HAF ECM equipment from manufacturers website



Note the Red, Yellow and Dark Green colour coding and antennae profiles are identical on the forward antennae array, albeit in a different layout.

Image 41.5

Image 41.6

HAF ECM equipment at Tamanhint (Sebha) air base (13 February 2019)



HAF ECM equipment from manufacturers website



Note the virtually identical profile, colouring and design of the roof mounted containers

Sources: 1) LH images from <https://twitter.com/Oded121351/status/1095925042272260097>, 14 February 2019; and b) RH images from <https://www.same190.com/en/products/product/jammer-solutions-military-equipment-surveillance-systems/jammer-solutions/mobile-jammer/mobile-jammer>, accessed 7 September 2019

Annex 42: UAV inhibition and jamming system

1. The Panel noted a report in open source media¹⁶¹ of the presence of an unusual antennae array on the roof of the Tripoli Security Directorate in Libya. The Panel is unconvinced that the array is for the declared purpose of *enhancing communications with the transmitters of the traffic and licensing unit in Tripoli*, as the antennae are not the type normally used for law enforcement high frequency (HF) or very high frequency (VHF) communications.

2. The suspicious antennae array consists of a V-dipole antenna and a flat plate antennae facing skywards, all connected to the base equipment by, probably, eight coaxial cables. This particular antennae array shares many characteristics with those used for the inhibition and jamming of UAV or UCAV, an example being the Gergedan IHA Anti Drone and RCIED Jammer System manufactured by Aselsan A.S. (www.aselsan.com.tr), see figures 42.1 to 42.4.

Image 42.1

GNA ECM equipment on Tripoli Security Directorate (3 August 2019)



Image 42.2

ECM equipment from manufacturers website



Note virtually identical angle and length of V-Pole antennae.

¹⁶¹ <https://www.libyaobserver.ly/inbrief/tripoli-security-directorate-denies-installation-drone-antenna-over-its-building>. Accessed 5 August 2019.

Image 42.3
GNA ECM equipment on Tripoli
SecurityDirectorate (3 August 2019)

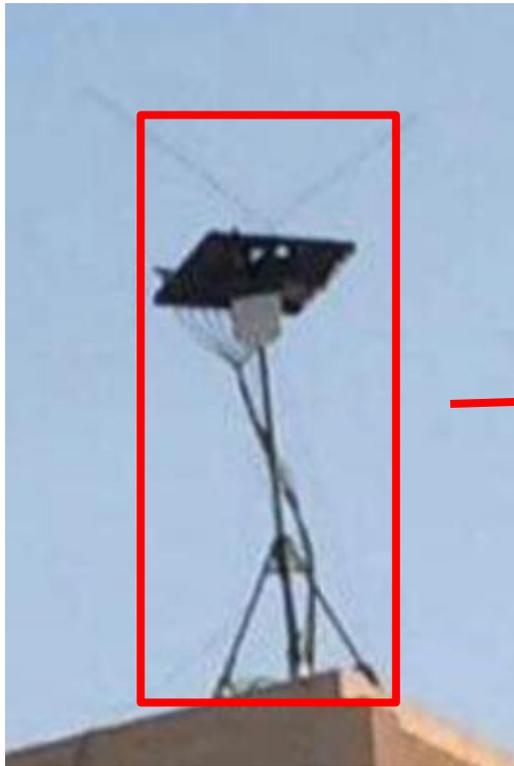


Image 42.4
ECM equipment from manufacturers website



Note the similarity in the plate antenna and tripod.

Sources: 1) LH images from <https://www.libyaobserver.ly/inbrief/tripoli-security-directorate-denies-installation-drone-antenna-over-its-building>. Accessed 5 August 2019; and 2) RH images from Comparison source: Gergedan IHA Anti Drone RCIED Jammer System. https://www.aselsan.com.tr/GERGEDANIHA_AntiDrone_Rcied_Jammer_System_4224.pdf. Accessed 5 August 2019.

3. The Panel consulted with independent ECM specialists¹⁶² who confirmed that this system was very likely designed primarily for the inhibition and jamming of UAVs.
4. The Panel considers that, as this inhibition and jamming system has clear military utility, being specifically designed to decoy or down UAV and UCAV by the emission of active electromagnetic signals, it falls within the category of military equipment pursuant to paragraph 9 of resolution [1970 \(2011\)](#).

¹⁶² <https://solutions-ew.com>.

Annex 43: HAF military training in Jordan

1. A wide range of recent open source imagery (see images 43.1 to 43.6) dated 26 April 2019 showed imagery of individuals from the HAF Tariq Bin Ziyad battalion graduating from a recent military training course(s) at the Prince Hashem bin al Hussein School for Special Operations.¹⁶³
2. The training was visited by general Khayri al Tamimi, Head of the HAF general commander's office (shown circled in images 43.1 and 43.3).

Image 43.1

Jordanian SOF Officers accompany general Khayri al Tamimi



Image 43.2

Vehicle checkpoint (VCP) drills



Image 43.3

HAF general Khayri al Tamimi meets students



Image 43.4

Confidence training



Image 43.5

Prisoner handling training



Image 43.6

Unarmed combat training



¹⁶³

[https://ipfs.io/ipfs/QmXoyvizjW3WknFiJnKLwHCnL72vedxjQkDDP1mXW06uco/wiki/Joint_Special_Operations_Command_\(Jordan\).html](https://ipfs.io/ipfs/QmXoyvizjW3WknFiJnKLwHCnL72vedxjQkDDP1mXW06uco/wiki/Joint_Special_Operations_Command_(Jordan).html).

Geo-coordinates: 32°0'55"N 36°7'49"E.



Sources: 1) <https://twitter.com/Oded121351/status/1122025974743302145/photo/1>; 2) https://m.facebook.com/story.php?story_fbid=847197048962469&id=253215761693937; 3) <https://alurdunyya.net/2757>; https://m.facebook.com/story.php?story_fbid=1187692564722517&id=258861140939002; 4) <https://www.libyaakhbar.com/libya-news/929549.html>; 5) <https://www.alderaah-news.net/world/4693555/الاردن-اجتماعات-مهمة-في-الاردن>; and 6) <https://mena-monitor.org/news/اللقاء-التميمي-ينتقد-الضباط-الليبيين>. Accessed 27 April 2019.

3. The Panel finds Jordan in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military support to HAF.

Annex 44: Operational military aviation assets

1. The panel is compiling an analysis of the current military aviation assets of the GNA-AF and HAF. The data, which is at tables 44.1 and 44.2 is not yet exhaustive as research continues. Aircraft shown in *red italics* have been damaged or destroyed since the start of the conflict on 4 April 2019.

Table 44.1

GNA-AF operational military aviation air assets

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Construction #</i>	<i>Last seen</i>	<i>Remarks</i>
Transport Helicopter	Mi-2	06		529946106	Jun 2018	▪
	Mi-2	86		529913086	Aug 2018	▪
	Mi-8	1464 ^a			2016	▪ From Egypt.
	Mi-8					▪
	Mi-171E	7304		171E00196137304U	Apr 2019	▪ Ex-Air Transport Europe, Slovakia.
	Mi-171E	7305		171E00196137304U	Apr 2019	▪ Ex-Air Transport Europe, Slovakia.
	<i>CH-47 Chinook</i>		<i>LC010</i>			<i>Aug 2018</i>
Attack Helicopter	Mi-24	918			Apr 2019	▪
	Mi-24	962			Apr 2019	▪
	Mi-35 ^c	954				▪ From Sudan.
	Mi-35	959				▪
	KA50/52 Alligator/Hokum				Possible	▪ Single source
Fighter Attack	Ground	<i>Mirage F-1AD</i>	<i>403</i>		<i>Apr 2019</i>	▪ Crashed on 24 April 2019 due to engine failure
		<i>Mirage F-1ED</i>	<i>501</i>		<i>May 2019</i>	▪ Shot down May 2019. ^c

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Construction #</i>	<i>Last seen</i>	<i>Remarks</i>
	<i>Mirage F-1ED</i>	<i>508</i>			<i>Apr 2019</i>	▪ Cannibalized at Misrata.
	Mirage F1-BD	205 ?				▪ Missing parts and need engine. At Mitiga.
	MiG-23MLD	117		2960326117/18125	Apr 2019	▪ Tripoli military parade. Probably ex-6117.
	MiG-23MLD	474		2960326474/18418	Apr 2019	▪ Probably ex-6474.
	MiG-23U	8212			Apr 2019	▪
	MiG-23	7202			Apr 2019	▪
Ground Attack	<i>G2A-E Galeb</i>	116			<i>Apr 2019</i>	▪ One shot down on 4 July 2019. Registration number not yet known
	G2A-E Galeb	134			Apr 2019	▪
	G2A-E Galeb	173	10173		Sep 2018	▪
	G2A-E Galeb	182	10182		Feb 2019	▪
	G2A-E Galeb	187	10187		Apr 2019	▪
	G2A-E Galeb	205	10205		Apr 2019	▪
	G2A-E Galeb	207	10207		Apr 2019	▪
Trainer / Ground Attack	Aero L-39C Albatross	1102			Apr 2019	▪
	Aero L-39C Albatross	1108			Apr 2019	▪
	Aero L-39C Albatross	1939		131939	Apr 2019	▪
	Aero L-39C Albatross	1941			Apr 2019	▪
	Aero L-39C Albatross	3602			Apr 2019	▪
	<i>Aero L-39C Albatross</i>	<i>3605</i>			<i>Jul 2019</i>	▪ One shot down on 4 July 2019. ^g ▪ Registration number not yet known.
	<i>Aero L-39C Albatross</i>	<i>9440</i>			<i>Aug 2019</i>	▪ One destroyed at Misrata on 7 Aug 2019. ^h
	Aero L-39C Albatross	9441		931441	Apr 2019	▪
	<i>Aero L-39C Albatross</i>	<i>9443</i>		<i>931443</i>	<i>Apr 2019</i>	▪ One shot down on 10 April 2019. Registration number not yet known.

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Construction #</i>	<i>Last seen</i>	<i>Remarks</i>
	<i>Aero L-39C Albatross</i>	9445			<i>Apr 2019</i>	<ul style="list-style-type: none"> ▪ One crashed due to engine malfunction. Registration number not yet known. ▪

^a Reported in paragraph 134 to [S/2016/209](#).

^b <https://medium.com/war-is-boring/libyas-chinook-helicopters-are-old-as-hell-97595e4e94ca>. Accessed 24 July 2019.

^c Reported in paragraph 85 to [S/2014/106](#).

^d <https://twitter.com/Oded121351/status/1120921862039642112>. Accessed 25 April 2019.

^e <https://www.independent.co.uk/news/world/middle-east/libya-national-army-pilot-portugal-captured-tripoli-fighter-jet-lna-a8903176.html>. Accessed 24 July 2019.

^f <https://thedefensepost.com/2019/07/05/libya-lna-l-39-downing/>. Accessed 24 July 2019.

^g <https://twitter.com/BabakTaghvaei/status/1147109862532423680>.

^h <https://www.egypttoday.com/Article/2/73685/LNA-destroys-fighter-jet-on-Misrata-Airport-runway>.

Table 44.2
HAF operational military air assets

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Construction #</i>	<i>Last seen</i>	<i>Remarks</i>
Transport Helicopter	Mi-2	23			Sep 2018	▪
	Mi-2	057		5410225057		▪ Ex Sudan 373.
	Mi-2	089			Oct 2017	▪
	Mi-8/17				May 2018	▪
	Mi-8/17				May 2018	▪
	Mi-8/17				May 2018	▪
Utility Helicopter	AW-109	5A-DTJ			May 2018	▪
Attack Helicopter	Mi-24P	785	2175 ^a		Feb 2019	▪
	Mi-24P	353 ^b			Apr 2019	▪ Painted grey.
	Mi-35P	193			July 2019	▪ Painted grey.
Fighter Ground Attack	MiG-23UB	8008 ^c			July 2019 ^d	▪
	MiG-23UB	7502 ^e			Aug 2019	▪ Two seater. Possibly above.
	Mig-23BN	4136			Aug 2019	▪ Maintenance in Labraq. ^f
	MiG-21F ^g	243 ^h			Apr 2019	▪ Eight MiG-21 delivered from Egypt pre-Mar 2015. ▪
	Mig-21UM				Apr 2019	▪
	<i>Mig-21F</i>	<i>404ⁱ</i>		<i>75066404</i>	<i>Apr 2019</i>	▪ <i>One shot down on 14 Apr 2019.^k</i> ▪ <i>Registration number not confirmed.</i>
	<i>Su-22UM-3K</i>	<i>16</i>			<i>Apr 2019</i>	▪ <i>Al-Watyah.^l</i>
	<i>Su-22UM-3K</i>	<i>23</i>			<i>Oct 2019</i>	▪ <i>One destroyed at Al-Watyah on 19n June 2019.^m Other over Tripoli on 10 October 2019.ⁿ</i>
	<i>Mirage F-1AD</i>	<i>402</i>			<i>Apr 2019</i>	▪ <i>Needs major inspection and is not flying.</i>
<i>Mirage F-1ED</i>	<i>515</i>				▪ <i>Needs major inspection and is not flying.</i>	

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Construction #</i>	<i>Last seen</i>	<i>Remarks</i>
Ground Attack	IOMAX Archangel ^p	2282			Jul 2016	<ul style="list-style-type: none"> ▪ From UAE. ▪ ▪ ▪ ▪ <i>Destroyed May 2019.</i> ▪ <i>Destroyed May 2019.</i>
Trainer / Ground Attack	Aero L-39C Albatross ^q	N393W A	533623		May 2018	<ul style="list-style-type: none"> ▪ Operated by Sonnig S.A.^r ▪ Was last seen in 2018 demilitarized.
	<i>Aero L-39C Albatross^s</i>	<i>9444</i>			<i>Jul 2019</i>	<ul style="list-style-type: none"> ▪ Emergency landing in Tunisia on 22 July 2019.
Trainer	Marchetti SF-260WL	310		29-004		<ul style="list-style-type: none"> ▪

^a Reported in paragraph 122 to [S/2017/446](#).

^{b1)} https://twitter.com/Arn_Del/status/1119000886041292801. Accessed 18 April 2018. and 2) https://twitter.com/aldin_wv Accessed 20 April 2018.

^c <https://libya.liveuamap.com/en/2019/13-april-video-preparations-of-lna-air-force-today-for-strikes>. Accessed 13 April 2019; and <https://twitter.com/SaharaNws/status/1153608120708542464/photo/1> Accessed 22 July 2019.

^d Coordinates 29°11'59.43"N, 16°00'18.75"E. Jufra Airbase.

^e <https://twitter.com/Mansourtalk>. Accessed 21 April 2019.

^f <https://twitter.com/Oded121351/status/1155695244828205057>. Accessed 4 August 2019.

^g Reported in paragraph 135 and annex 28 to [S/2016/209](#).

^h https://twitter.com/lina_not. 10 April 2019.

^j https://twitter.com/lina_not. 9 April 2019.

^k <https://southfront.org/pro-gna-forces-shot-down-mig-21-of-libyan-national-army-near-tripoli/>. Accessed 26 July 2019.

^l <https://twitter.com/search?q=aldin&src=typd>. 19 April 2019.

^m <https://twitter.com/Oded121351/status/1154735525393252352>. Accessed 26 July 2019.

ⁿ <https://www.marsad.ly/en/2019/10/09/libyan-army-downs-warplane-for-haftars-forces-in-southern-tripoli/>. Accessed 11 October 2019.

^p Reported in paragraph 128 to [S/2017/446](#) as AT-802i.

^q Reported in paragraph 92 and annex 28 to [S/2018/812](#).

^r Now <http://www.sipj.net>.

^s Reported in paragraph 92 and annex 28 to [S/2018/812](#).

Annex 45: Operational unmanned (combat) aerial vehicle (UAV and UCAV) assets

1. The panel has compiled an analysis of the current UAV and UCAV assets of the GNA-AF and HAF. The data, which is at tables 45.1 and 45.2 is not yet exhaustive as research continues. UAV/UCAV shown in *red italics* have been damaged or destroyed since the start of the conflict on 4 April 2019.

Table 45.1
GNA-AF operational UAV/UCAV assets

Type	Model	Tail #	Serial #	Last seen	Remarks
Unmanned Aerial Vehicle (UCAV)	Combat Vehicle				
	<i>Bayraktar TB2</i>			<i>Jun 2019</i>	▪ UCAV destroyed at Mintage on 6 Jun 2019. ^a
	<i>Bayraktar TB2</i>			<i>Jun 2019</i>	▪ One destroyed at Mitaga on 6 Jun 2019. ^b
	<i>Bayraktar TB2</i>			<i>Jun 2019</i>	▪ UCAV destroyed at Mitiga on 30 Jun 2019. ^c
	<i>Bayraktar TB2</i>			<i>Jul 2019</i>	▪ Report of 6 Jul 2019 stated four UCAV destroyed. ^d Details not known.
	Bayraktar TB2			Jul 2019	▪ 8 x UCAV delivered 3 - 6 Jul 2019. Highly likely by Sky Aviatrans IL-76 (UR-COZ).
	<i>Bayraktar TB2</i>			<i>Jul 2019</i>	▪ UCAV destroyed on 22 Jul 2019. Details TBC.
	<i>Bayraktar TB2</i>			<i>Jul 2019</i>	▪ Report of 31 Jul 2019 now claims 8 UCAV destroyed. ^e
	<i>Bayraktar TB2</i>			<i>Jul 2019</i>	▪ Ibid
	<i>Bayraktar TB2</i>			<i>Jul 2019</i>	▪ Ibid
Unmanned Aerial Vehicle (UAV)	Orbiter 3				▪ UCAV destroyed near Sirte on 3 Aug 2019. ^f
	<i>Bayraktar TB2</i>			<i>Aug 2019</i>	▪ Reported destroyed near Al Nimwah air base on 5 Aug 2019. ^g
	Bayraktar TB2			Jul 2019	▪
	<i>Bayraktar TB2</i>			<i>Oct 2019</i>	▪ Near Misrata.
	Orbiter 3				▪ Three alleged donated by Turkey.
	<i>Orbiter 3</i>			<i>Jul 2019</i>	▪ UAV destroyed on 29 Jul 2019. ^h
	<i>Orbiter 3</i>			<i>Jul 2019</i>	▪ UAV destroyed on 31 Jul 2019. ⁱ

<i>Type</i>	<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Last seen</i>	<i>Remarks</i>
	Possible Vestel Karayel				<ul style="list-style-type: none"> ▪ Imagery limited.^k ▪

^a <https://www.egypttoday.com/Article/1/71282/Libyan-army-destroys-2nd-Turkish-drone-at-Mitiga-Int-1>. Accessed 24 July 2019.

^b Ibid.

^c <https://www.express.co.uk/news/world/1147321/turkey-news-libya-civil-war-Khalifa-Haftar-Recep-Tayyip-Erdogan-world-war-3>. Accessed 24 July 2019.

^d 1) <https://aawsat.com/english/home/article/1801511/Ina-sarraj-seeking-weapons-turkey-compensate-militia-losses>; and 2) <https://www.egypttoday.com/Article/1/71282/Libyan-army-destroys-2nd-Turkish-drone-at-Mitiga-Int-1>. Accessed 24 July 2019.

^e <https://m.aawsat.com/english/home/article/1837556/libya's-sarraj-admits-receiving-arms-turkey>. Accessed 31 July 2019.

^f <https://twitter.com/libyaalahrartv/status/1157625597687939072?s=12>. Accessed 4 August 2019.

^g <https://www.alaraby.co.uk/english/indepth/2019/8/21/the-significance-of-drones-in-the-libyan-conflict>. Accessed 5 September 2019.

^g <https://twitter.com/BabakTaghvaei/status/1155930634000318464>. Accessed 29 July 2019

^h https://twitter.com/Mansourtalk/status/1156901216762421248?ref_. Accessed 8 August 2019

^j <https://twitter.com/Oded121351/status/1146768533281497093>. Accessed 7 August 2019.

Table 45.2
HAF operational UAV/UCAV assets

<i>Type</i>		<i>Model</i>	<i>Tail #</i>	<i>Serial #</i>	<i>Last seen</i>	<i>Remarks</i>
Unmanned Aerial Vehicle (UCAV)	Combat Vehicle	<i>Wing Loong II UCAV</i>				<ul style="list-style-type: none"> Maintained and operated by UAE. Two identified on satellite image of 23 Jul 2016, IHS 1650890, CNES. Possible up to eight deployed, but unconfirmed.
		<i>Wing Loong II UCAV</i>			<i>Aug 2019</i>	<ul style="list-style-type: none"> UCAV destroyed near Abugrein on 3 Aug 2019.^a Probably at 31°19'21.10"N, 15°16'25.32"E.
		<i>Wing Loong II UCAV</i>			<i>Oct 2019</i>	<ul style="list-style-type: none"> Near Tripoli
Unmanned Vehicle (UAV)	Aerial	<i>Yabhon-HMD</i>			<i>Jun 2019</i>	<ul style="list-style-type: none"> Four captured by GNA at Gharyan on 29 Jun 2019.
		<i>Yabhon-HMD</i>			<i>Jun 2019</i>	<ul style="list-style-type: none">
		<i>Yabhon-HMD</i>	<i>25</i>		<i>Jun 2019</i>	<ul style="list-style-type: none">
		<i>Yabhon-HMD</i>	<i>26</i>		<i>Aug 2019</i>	<ul style="list-style-type: none"> Inspected by Panel on 4 Aug 2019.
		<i>Possible Orlan-10</i>			<i>Apr 2019</i>	<ul style="list-style-type: none"> Destroyed on 29 Apr 2019 east of Sirte by GNA forces.^b

^a <https://twitter.com/libyaalahrartv/status/1157625597687939072?s=12>. Accessed 4 August 2019. Well reported.

^b Twitter, @oded121351. 29 April 2019.

Annex 46: Blue Arrow (BA-7) air to surface missile¹⁶⁴

1. During the night of 19/20 April 2019, GNA-AF units were attacked by aerially delivered explosive ordnance whilst 28 km along the road heading south west from Al Azizya to Yefren. The Panel obtained from a confidential source, imagery of missile remnants at the scene and this has been used in this analysis.

2. The Panel also has imagery from two other night strikes near Camp Moz¹⁶⁵ and Wadi Rabia, which show similar component types as the Al Azizya strike.¹⁶⁶ Video imagery¹⁶⁷ shows other air attacks on Tripoli, which are almost certainly from air to surface missiles as: 1) the explosive ordnance is in powered flight, indicating a rocket motor; and 2) the missile trajectory is flat, not parabolic, indicating it is operating under guidance and not in free flight.

3. The Panel identified a range of characteristics that are virtually identical to those of the *Blue Arrow* BA-7 (LJ-7) air to surface missile (ASM) or variant (see table 1 and appendix A for the Al Azizya air strike).¹⁶⁸ The Panel has compared the imagery against a range of known ASM and only the BA-7 ASM has the specific characteristics shown in table 46.1.

Table 46.1

Analysis of recovered components

<i>Images in Annex</i>	<i>Component</i>	<i>Technical comment</i>
A / B	Missile fuselage	▪ Reduction in missile diameter
C / D	Missile fuselage	▪ Eight rearward facing equally spaced securing bolts

4. The only aviation asset currently available to the parties at that time with a known night flying capability were the two HAF Mi-24P attack helicopters. These do not have the capability to fire BA-7 missiles with any degree of accuracy. The BA-7 ASM is ballistically paired¹⁶⁹ to very few delivery

¹⁶⁴ Also see Wing Loong II annex 47.

¹⁶⁵ Near 32°50'47.95"N, 13°16'8.08"E.

¹⁶⁶ Although the Panel is still analysing those images in detail and corroborating the source, the images show other unique characteristics of the BA-7 such as the profile of the rear fins and venturi.

¹⁶⁷ <https://sputniknews.com/middleeast/201904281074523730-air-strike-libya-tripoli/>.

¹⁶⁸ Imagery from Al Azizya air strike on 19/20 April 2019 is at appendix B.

¹⁶⁹ This is a process to integrate the weapons system to an airframe type and then operationally qualify it for use. It requires software upgrades to the delivery system avionics, sighting and release systems to ensure that when the missile is aimed and delivered to a target that it actually follows the correct ballistic trajectory to accurately strike that target. The use of instrumented range facilities is needed for live firing trials to ensure

systems, and it is the technical assessment of the Panel that the weapon system has not been ballistically paired with any of the indigenous aviation assets identified in Libya to date.¹⁷⁰ Such ballistic pairing requires a high level of technical skill, supported by extensive live trials on instrumented ranges to validate the ballistic pairing. No such ranges have ever been identified in Libya.

5. The BA-7 ASM is ballistically paired to fly with the *Wing Loong II* series of unmanned aerial vehicle (UAV) that have been operated in Libya in support of HAF by the United Arab Emirates since 2016.

6. The Panel has written to the United Arab Emirates requesting clarification of the supply chain for this weapon system but has received no response. The Panel thus finds the United Arab Emirates in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material and support to HAF.

accuracy and confidence in the integrated systems.

¹⁷⁰ See annex 44.

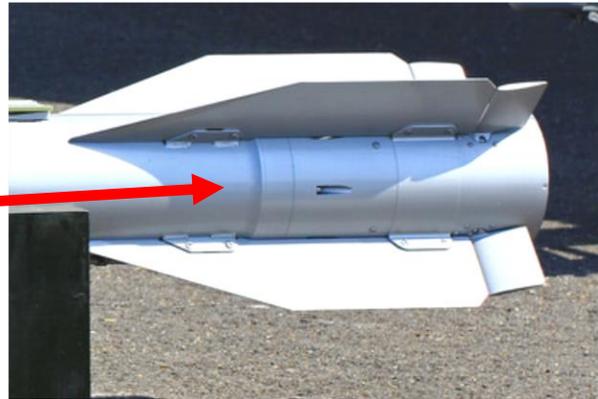
Appendix A to Annex 46: Imagery analysis (Al Azizya air strike 20 April 2019)

Image A.46.1

Comparison of remnants against confirmed BA-7



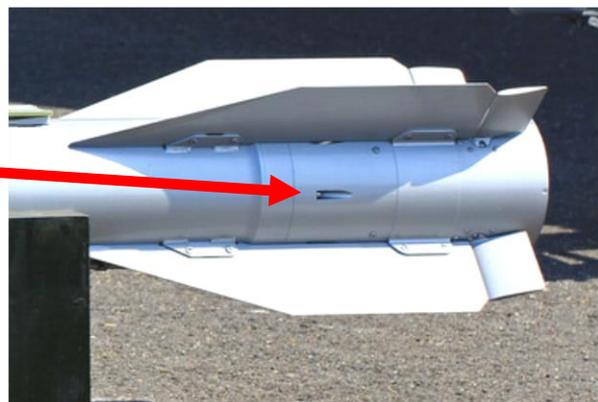
A. Imagery of missile remnant
Note: Reduction in fuselage diameter (identifiable after "trumpeting" due to impact)



B. BA-7 Missile Paris Air Show
Note: Reduction in fuselage diameter



C. Imagery of missile remnant
Note: Rearward facing equally spaced bolt



D. BA-7 Missile Paris Air Show
Note: One of eight rearwards facing equally spaced bolts

Sources: 1) Confidential source; and 2) Janes IHS Defence.

Appendix B to Annex 46: Imagery from Al Aziziya airstrike (20 April 2019)

Image B.46.1

Still imagery showing of BA-7 Blue Arrow remnants



Source: Confidential

Annex 47: UAE *Wing Loong II* UCAV used in support of HAF operations

1. On 3 August 2019, a crashed *Wing Loong II* UCAV being used in support of HAF operations was located near Abughrayn by GNA-AF (see images 47.1 to 47.4).

Image 47.1
**Crashed *Wing Loong II* UCAV near Abugrein
(3 August 2019)**



Image 47.2
Ibid



Image 47.3
Ibid



Image 47.4
Ibid



Sources: 1) <https://twitter.com/libyaalahrartv/status/1157625597687939072?s=12>; and 2) Confidential source.

2. The serial numbers of three *Blue Arrow* (BA-7) ASM located at the crash site were identified from the imagery as: 1) E-111-002 dated 15 September 2015; 2) E-013-002 dated 15 September 2015;

and 3) E-236-001 dated 15 January 2015 (see images 47.5 to 47.7). A tracing request was sent to the country of manufacture.

Image 47.5

Blue Arrow (BA-7) ASM serial number E-111-002 dated 15 September 2015



Image 47.6

Blue Arrow (BA-7) ASM serial number E-013-002 dated 15 September 2015

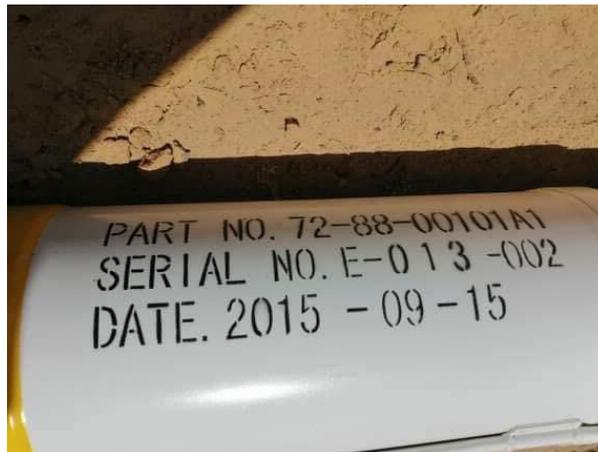


Image 47.7

Blue Arrow (BA-7) ASM serial number E-236-001 dated 15 September 2015



Image 47.8

Blue Arrow (BA-7) ASM at crash site



Sources: 1) <https://twitter.com/libyaalahrartv/status/1157625597687939072?s=12>; and 2) Confidential source.

3. The Panel has written to the United Arab Emirates requesting clarification of the supply chain for this weapon system but has received no response.

4. The Panel finds the United Arab Emirates in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military material to the HAF.

Annex 48: Turkish *Bayraktar* TB-2 UCAV operating in support of the GNA

Operations

3. The Panel became aware of the presence of a medium altitude long endurance UAV being operated in support of the GNA-AF on 14 May 2019 when open source information showed the remnants of a UAV that was downed in the area of Jufra. The first clear video imagery of a UAV operating over Tripoli was posted on social media on 4 June 2019 (figure 48.1), which was of a very different design to the *Wing Loong* II UCAV known to be operating in support of HAF at that time. Confirmatory imagery has appeared widely on social media since, including clear video imagery of a *Bayraktar* TB2 UCAV taxiing on Mitiga international airport runway on 28 August 2019.¹⁷¹

Figure 48.1
Probable HAF *Bayraktar* TB2 UCAV over Tripoli (4 June 2019)



Source: Extracted from video at <https://www.youtube.com/watch?v=Fe-cc6jb5uQ&feature=youtu.be>. Accessed 2 September 2019. Also see: https://twitter.com/ly_box/status/1137857595862130688.

2. Until late July 2016 the *Bayraktur* TB2 UCAV operations were primarily against HAF positions on the front line between the two parties around Libya. This was due to their range being line of sight limited to between 150 to 200km. This changed on 26 July 2019 when Jufra air base, which is 360km

¹⁷¹ <https://www.addresslibya.com/en/archives/49934>.

from Misrata, was attacked and two IL-76TD aircraft were destroyed on the ground.¹⁷² As the strike was obviously conducted using precision guided munitions, and no fixed wing aircraft were identified in the area, this was a very strong indicator that ground based relay units had been placed strategically at the edge of GNA-AF controlled areas. These relay systems would extend the range of a *Bayraktur* TB2 UCAV by another 150km to 200km, thus bringing Jufra within their range.¹⁷³

Casualty rate

3. HAF has specifically targeted the GNA-AF UCAV capability with some degree of success, but the claimed number of *Bayraktur* TB2 losses (15) now exceeds the twelve reported as been delivered to the GNA-AF. This is illustrative of the major propaganda battle surrounding the “drone war”. Table 48.1 summarises the confirmed and claimed *Bayraktur* TB2 losses to date.

Table 48.1

Summary of HAF *Bayraktur* TB2 UCAV destroyed (14 May 2019 to date)

<i>Date</i>	<i>Location</i>	<i>Confirmed</i>	<i>Claimed</i>	<i>Remarks</i>
14 May 2019	Jufra	Imagery ^a		▪
01 Jun 2019	Gharyan		HAF ^b	▪
06 Jun 2019	Mitiga		HAF ^c	▪ Destroyed on ground by FGA.
06 Jun 2019	Mitiga		HAF ^d	▪ Destroyed on ground.
13 Jun 2019	Mitiga		Media ^e	▪ Destroyed on ground. Date TBC.
13 Jun 2019	Mitiga		Ibid	▪ Destroyed on ground. Date TBC.
30 Jun 2019			Media ^f	▪
25 Jul 2019	Jufra	Imagery	HAF ^g	▪
1 Aug 2019	Mitiga		Media ^h	▪ Destroyed on ground.
5 Aug 2019	Al Nimwah		HAF ^j	▪ Destroyed on ground.
3 Sep 2019	Wadi al-Rabie		HAF ^k	▪ Shot down.
13 Sep 2019	Jufra		HAF	▪
13 Sep 2019	Jufra		HAF	▪
13 Sep 2019	Kufru		HAF	▪
19 Oct 2019	Misrata		HAF	▪

^a Includes <https://www.addresslibya.com/en/archives/45885>. Multiple sources.

^b <https://aawsat.com/english/home/article/1750766/ina-announces-downing-turkish-drone-tripoli-battles>.

¹⁷² 1) European Space Imaging Press Release of 3 August 2019. Image of 29 July 2019; and 2) https://mobile.twitter.com/Arn_Del/status/1155525947040378880, 28 July 2019; and 3) <https://www.bloomberg.com/news/articles/2019-07-26/tripoli-government-says-it-struck-haftar-s-main-forward-airbase>. Accessed 2 September 2019.

¹⁷³ A confidential source has also confirmed the likely deployment of ground based relay systems.

^c <https://www.addresslibya.com/en/archives/46875>.

^d <https://www.addresslibya.com/en/archives/46880>.

^e <https://www.africaintelligence.com/mce/corridors-of-power/2019/06/13/recep-tayyip-erdogan-s-drones-fly-to-fayez-sarraj-s-rescue.108361236-art>.

^f <https://www.africaintelligence.com/mce/corridors-of-power/2019/07/04/fayez-sarraj-to-get-eight-more-turkish-drones.108364176-art>.

^g Includes <https://www.addresslibya.com/en/archives/48741>. Multiple sources.

^h <https://www.addresslibya.com/en/archives/49064>.

^j <https://www.alaraby.co.uk/english/indepth/2019/8/21/the-significance-of-drones-in-the-libyan-conflict>.

^k <https://twitter.com/Oded121351/status/1168782590804971520>.

^l <http://english.alarabiya.net/en/News/north-africa/2019/09/13/Libyan-army-destroys-Turkish-aircraft-positions-in-Misrata.html>.

Turkish military support to UCAV operations

4. The Panel noted that in a statement to the media on 6 June 2019, the commander of the HAF air force organization, major general Mohammad Al-Manfour, commented on the presence of thirty Turkish fighters working for militias allied to the GNA-AF.¹⁷⁴ A subsequent more extensive media report¹⁷⁵ on 30 June 2019 produced a list of twenty-one names and imagery of eighteen Turkish passports of a claimed Turkish military support team in Libya led by Major General Irfan Tut Ozert. The other three individuals being from Pakistan. The report also showed imagery from a security camera showing the team checking in to their hotel in Tripoli.

5. Supporting documentation for the media report included a handwritten memo (figure 48.2) allegedly from the GNA Minister of Interior and Defence, Fathi Bashagha, to the immigration authority requesting entry facilitation for five members of the team; but the Panel notes that these names do not match any on the eighteen passport copies published.

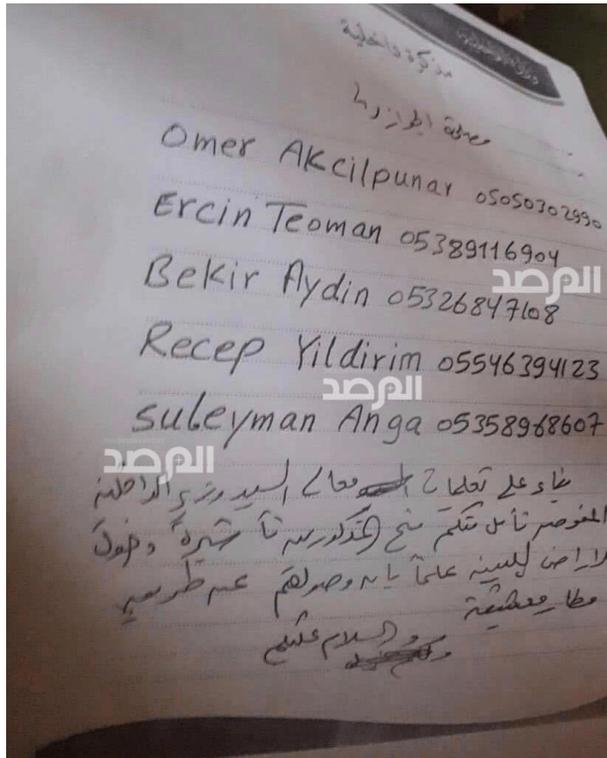
6. On 23 July 2019, the Panel met with the Turkish Ministry of Foreign Affairs (MFA) in Ankara, Turkey. The MFA stated that the above event was to review the security of their Embassy, but provided no further details. One of the passports published proved to be of an official at the meeting in Ankara. The Panel assesses that most of the team were deployed to operate and maintain the *Bayraktar* TB2 UCAV. Turkey has yet to respond to the Panel request for clarification.¹⁷⁶

¹⁷⁴ <https://www.addresslibya.com/en/archives/46872>. Accessed 2 September 2019.

¹⁷⁵ <https://almarsad.co/en/2019/06/30/bayraktar-killer-drones-run-by-turkish-military-experts-in-tripoli-exclusive-al-marsad-report/>. Accessed 2 September 2019.

¹⁷⁶ Panel letter of 12 July 2019.

Figure 48.2
**Handwritten note on headed Ministry of Interior
 paper allegedly from GNA Minister of Interior**



Source: Confidential source.

Figure 48.3
Panel translation

On the instructions of the Minister of Interior, please provide the afore mentioned people with access visas to the Libyan territory upon their arrival at Mitiga airport.

7. A subsequent media report claims that further Turkish military personnel arrived at Misrata international airport on 23 August 2019 on board a Libyan Wings commercial flight from Ankara or Istanbul.¹⁷⁷

8. The Panel has written to Turkey requesting clarification of the supply chain for this weapon system but has received no response.

¹⁷⁷ <https://ahvalnews.com/libya-turkey/mercenaries-arrived-turkey-libyas-misrata-says-lna-spokesperson>.

Annex 49: Transfer of military material to GNA-AF by UAA P.J.S.C. AN-12

1. Three Ukrainian registered Antonov AN-12BK aircraft (registrations UR-CAH, UR-CAJ and UR-CNT) and one Ukrainian registered Antonov AN-12BP aircraft (registration UR-CGW) were identified by the Panel operating in support of the GNA-AF as a military cargo aircraft. The aircraft were operated by Ukraine Air Alliance P.J.S.C.¹⁷⁸ of 21 Vozziednannia Avenue, 02154 Kiev, Ukraine, but owned by Cargo Air Chartering¹⁷⁹ of X1-05, SAIF Zone, PO Box 8408, Sharjah, United Arab Emirates.

2. Ukraine Air Alliance P.J.S.C was approached by the Turkish office of ProAir-Charter-Transport GmbH¹⁸⁰ (ProAir Charter) with a proposal for ten charter flights during May and June 2019 to transfer aviation spare parts to Libya. All cargo on these flights was consigned by the Libyan Embassy in Ankara to the Ministry of Interior in Tripoli. The Panel obtained copies of the Air Waybill and Cargo Manifest for ten flights made between 27 May and 16 June 2019 from Istanbul to Misrata by the Antonov AN-12 aircraft (UR-CAH, UR-CAJ, UR-CGW and UR-CNT) that transported 62.5 tonnes of UAV components (see sample at appendix A). The Panel is in the possession of all the other Air Waybills and Cargo Manifests for these flights.

3. On 29 May 2019 the operations department of Ukraine Air Alliance P.J.S.C sent an Email (at 15:53 hours from to specifically instruct ProAir Charter to ensure that the Air Waybills were all clearly and exactly marked in the handling information part of the form as “*NO DG,¹⁸¹ NO AMMO, NO WEAPON*” (see appendix B). Such information is not routinely submitted, nor required, unless designed to try and disguise the military nature of a cargo. The same Email instructed ProAir Charter to ensure that the nature of the cargo exactly matches “*generator, spare parts, consumer goods etc*” on documentation. The cargo on the flights shown at table 49.1 was all listed as “Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)”. The Panel wrote to Turkey and the GNA-AF requesting clarification of the cargo but received no response.

4. On 29 May 2019 ProAir Charter sent an Email (using same Email addresses) to Ukraine Air Alliance P.J.S.C confirming that “*all unmanned aerial vehicle components (...) are not related to DG, AMMO, WEAPON and dual-use cargo*” (see appendix B). The Panel is unaware of any large commercial unmanned aerial vehicles (UAV) being used by the Ministry of Interior of Libya, and none

¹⁷⁸ <http://www.uaa-avia.com/>.

¹⁷⁹ <http://www.cargoairchartering.aero>.

¹⁸⁰ <https://www.proair.de/en>. Baris Mah, Belediye Cad, Ginza Lavinya Apt 30D, Beylikduzu, Istanbul, Turkey. (Fax: +90 212 872 0780).

¹⁸¹ Dangerous Goods.

have ever been observed at airports or in flight. The only UAV identified as operating from GNA-AF airfields is the Bayraktar TB2 unmanned combat aerial vehicle (UCAV).

5. The Antonov AN-12 has a load capacity of 20 tonnes, yet the flights listed in table 49.1 were for loads of between 4.1 to 8.9 tonnes, which indicates that the cargo “bulked out” the load compartment before maximum weight could be achieved. This is indicative of large bulky items such as the fuselage or wings of a UAV that are large, yet air filled and relatively light. All flights took place at night between approximately 23:45 hours to 06:30 hours, and the aircraft Mode S transponders were often not seen on commercial aviation tracking websites once the aircraft had left Turkish air space. Both these suggest an attempt to disguise their destination. ProAir Charter also obtained diplomatic clearance from the Ministry of Foreign Affairs of Turkey to fly to Misrata with aviation spare parts. Again this is unusual for a commercial flight.

6. The cargo agent used for all flights was Plures Air Cargo¹⁸² of No 9, Block B3, Egs Business Park, Yeşilköy, Bakırköy, Istanbul, Turkey, who would also certainly have been aware of the true nature of the cargo based on the external packaging. This is the same cargo agent used for the suspicious flights of Ilyushin IL-76TD aircraft (UR-COZ) (see 0 50).

Table 49.1

Ukraine Air Alliance P.J.S.C. AN-12 aircraft flights using flight number UKL4073 from Ankara to Misrata

<i>Departure Date</i>	<i>#</i>	<i>Flight</i>	<i>From</i>	<i>To</i>	<i>Mass (tonnes)</i>	<i>Declared Cargo</i>
28 May 2019	UR-CNT	UKL4073	Ankara	Misrata	4.1	<ul style="list-style-type: none"> ▪ Drone parts ▪ Was initially for 8.9 tonnes but that cargo too big for aircraft.
29 May 2019	UR-CAJ	UKL 4075	Ankara	Misrata	5.2	<ul style="list-style-type: none"> ▪ Furniture parts
30 May 2019	UR-CGW	UKL4073	Ankara	Misrata	5.2	<ul style="list-style-type: none"> ▪ Ground Control Station, Data Terminal System, Aviation Spare Parts, Mobile Tool Case, Drone Fuselage
30 May 2019	UR-CGW	UKL4073	Ankara	Misrata	6.9	<ul style="list-style-type: none"> ▪ Brake Disc Set, Nose Landing Gear, Generator, Wing Pitot, Mechanical Tools
31 May 2019	UR-CAH	UKL4073	Ankara	Misrata	5.4	<ul style="list-style-type: none"> ▪ Generator, UAV Wing and Tail, Fuelling Station

¹⁸² <https://www.plures.com.tr/en>. Also listed on the Air Waybill as Plures Travel Akt Turizm Kargo Havacilik Insaat TIC Ltd STI, Istanbul, Turkey.

<i>Departure Date</i>	<i>#</i>	<i>Flight</i>	<i>From</i>	<i>To</i>	<i>Mass (tonnes)</i>	<i>Declared Cargo</i>
1 June 2019	UR-CAJ	UKL4073	Ankara	Misrata	4.3	▪ Ground Control Station, UAV Fuselage, Radio Tools
2 June 2019	UR-CAH	UKL4073	Ankara	Misrata	5.3	▪ Generator, UAV Fuselage
15 June 2019	UR-CNT	UKL4082	Ankara	Misrata	6.2	▪ UAV Fuselage, UAV Wing, Ground Data Systems, Spare Parts, Tools
15 June 2019	UR-CAJ	UKL4085	Ankara	Misrata	5.9	▪ Ground Control Stations, Fuelling Station, Spare Parts, Tools
16 June 2019	UR-CAJ	UKL4087	Ankara	Misrata	5.1	▪ Drone Fuselage, Drone Wings, Fuel Station, Tripods, Tools
				TOTAL	53.6 tonnes	
				L		

7. An analysis of the Cargo Manifests for the above flights identified that components for at least three completeUCAV (table 49.2).

Table 49.2

Analysis ofUCAV components shipped between 28 May – 16 June 2019.

<i>Departure Date</i>	<i>#</i>	<i>UAV Fuselage</i>	<i>UAV Wings</i>	<i>Ground Control Station</i>	<i>Data Terminal Station</i>	<i>Other Components</i>	<i>UAV</i>
28 May 2019	UR-CNT						1
29 May 2019	UR-CAJ						0
30 May 2019	UR-CGW			1	1		1
30 May 2019	UR-CGW						1
31 May 2019	UR-CAH		1				1
1 June 2019	UR-CAJ	1		1			

<i>Departure Date</i>	<i>#</i>	<i>UAV Fuselage</i>	<i>UAV Wings</i>	<i>Ground Control Station</i>	<i>Data Terminal Station</i>	<i>Other Components</i>	<i>UAV</i>
2 June 2019	UR-CAH	1					1
15 June 2019	UR-CNT	1	1				1
15 June 2019	UR-CAJ			1			1
16 June 2019	UR-CAJ	1	1				1
TOTALS		4	3	3	1		9

8. On 30 July 2019, the Aviation Security Council of the Aviation Service of Ukraine issued instructions that banned flights by all Ukrainian registered aircraft from conducting flights into Libya due to “the worsening security situation”.

9. The Panel has written to Turkey, Ukraine Air Alliance P.J.S.C., Pro Air Charter and Plures Air Cargo requesting clarification and further information on the activities of these particular aircraft. Only Ukraine Air Alliance P.J.S.C responded.

10. The Panel finds Turkey, Ukraine Air Alliance P.J.S.C., ProAir Charter and Plures Air Cargo in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for their almost certain involvement in the transfer of military material to the GNA-AF.

Appendix A to Annex 49: Air freight documentation (example)

Image A.49.1

Cargo Manifest (UR-CNT) flight UKL 4073 from Istanbul to Misrata

CARGO MANIFEST

I.C.A.O. ANNEX 9 APPENDIX 3

Owner or Operator : UKRAINE AIR ALLAINCE Date : 27 MAY 2019
 Marks of Nationality : UKRAINE / URCNT Flight No : UKL4073
 Point of Loading : (ESB) ANKARA Point of Unloading : (MRA) MISRATA

AWB NO	NUMBER OF PACKAGES	NATURE OF GOODS	GROSS WEIGHT (KG)	FINAL DESTINATION
271 0001 0710	23	DRONE PARTS	4.100	Misrata, Libya
TOTAL		23		4.100

TRANSFER CARGO

N . I . L

SERVICE CARGO

N . I . L

*23 pieces 400 kg by piece
 Ciba kapsle
 Alshaye Dary
 Serial No 21525
 M. J. J.*



Source: Confidential.

Image A.49.2
 Air Waybill (UR-CNT) flight UKL 4073 from Istanbul to Misrata

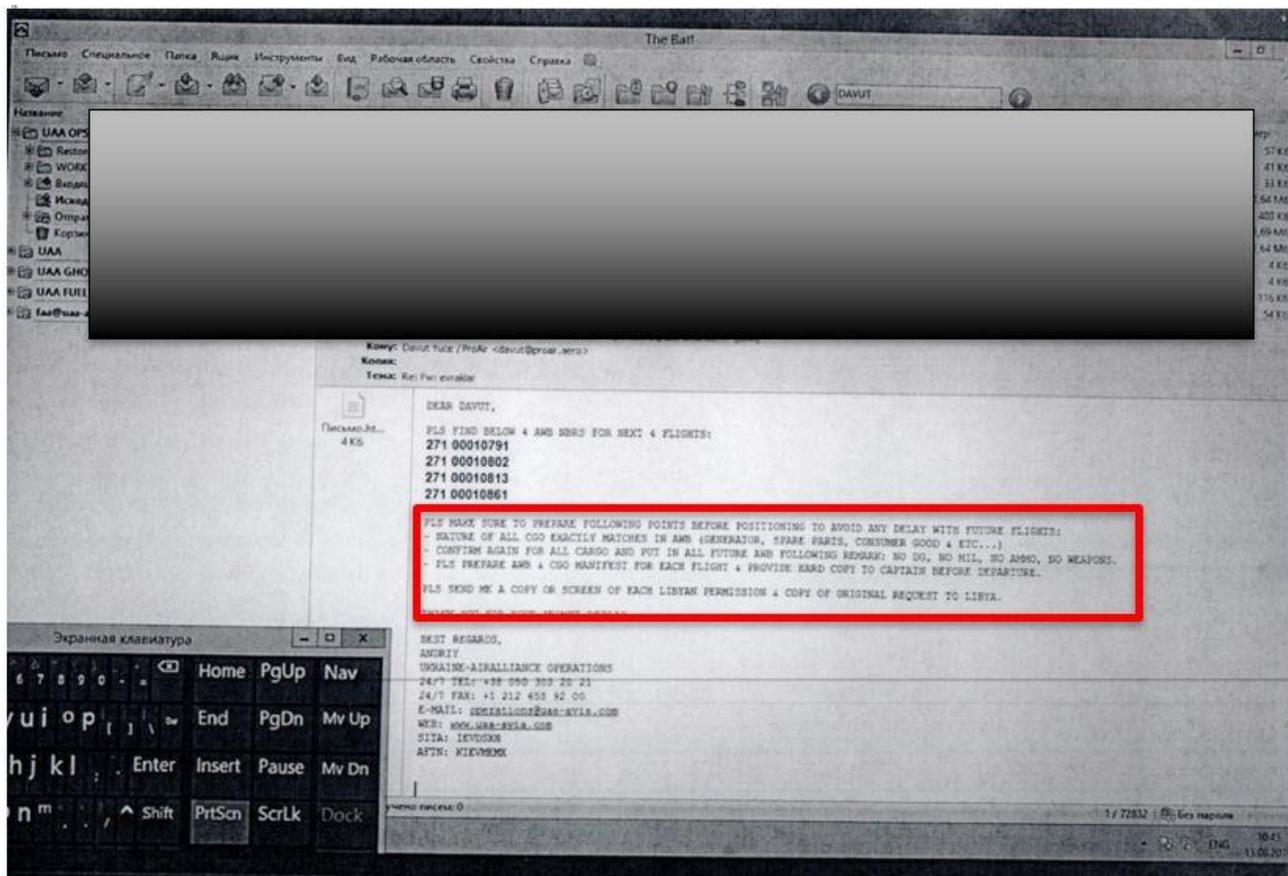
271 IST 0001 0710		271 IST 0001 0710	
Shipper's Name and Address LIBYAN EMBASSY (ANKARA) CINNAH CAD. NO:60 06690 ANKARA / ANKARA / TURKEY		Shipper's Account Number Not Negotiable UKRAINE AIR ALLIANCE Air Waybill issued by	
Consignee's Name and Address LIBYA MINISTRY OF INTERIOR TRIPOLI / LIBYA		Consignee's Account Number I agree that the goods described herein are accepted in apparent good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Issuing Carrier Agent Name and City PLURES AIR CARGO ISTANBUL / TURKIYE		Accounting Information //FREIGHT PREPAID//	
Agent's Reference Number 8847976 001 06		Account Number Reference Number Optional Shipping Information	
Airport of Origin (IATA Code) and requested Routing to ESSENBOOR AIRPORT		Reference Number Optional Shipping Information	
By First Carrier UKRAINE AIR ALLIANCE		Currency Code USD	
Airport of Destination MISRATA AIRPORT		Declared Value for Carriage N.V.D.	
Flight Date 27.05.2019		Flight Number UKL 4073	
Handling Information NO DG, NO AMMO, NO WEAPON		Amount of Insurance XXX	
No of Pieces 23		Nature and Quantity of Goods DRONE PARTS NOT RESTRICTED	
Weight 4100.0		Total AS AGREED	
Main Class K Q		Chargeable Weight 4100	
Rate AS AGREED		Total Charge AS AGREED	
Prepaid AS AGREED		Total Other Charges Due Agent AS AGREED	
Total Prepaid AS AGREED		Total Collect AS AGREED	
Currency Conversion Rates AS AGREED		CC charges in Dest. Currency AS AGREED	
For Carrier's Use only at Destination Charges at Destination		Total Collect Charges AS AGREED	

Source: Confidential.

Appendix B to Annex 49: Email correspondence

Image B.49.1

Ukraine Air Alliance P.J.S.C Email to ProAir Charter (29 May 2019)



PLS MAKE SURE TO PREPARE FOLLOWING POINTS BEFORE POSITIONING TO AVOID ANY DELAY WITH FUTURE FLIGHTS:
 - NATURE OF ALL CGO EXACTLY MATCHES IN AWB (GENERATOR, SPARE PARTS, CONSUMER GOOD & ETC...)
 - CONFIRM AGAIN FOR ALL CARGO AND PUT IN ALL FUTURE AWB FOLLOWING REMARK: NO DG, NO MIL, NO AMMO, NO WEAPONS.
 - PLS PREPARE AWB & CGO MANIFEST FOR EACH FLIGHT & PROVIDE HARD COPY TO CAPTAIN BEFORE DEPARTURE.

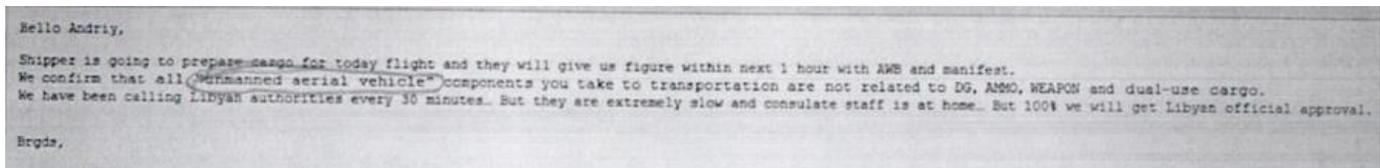
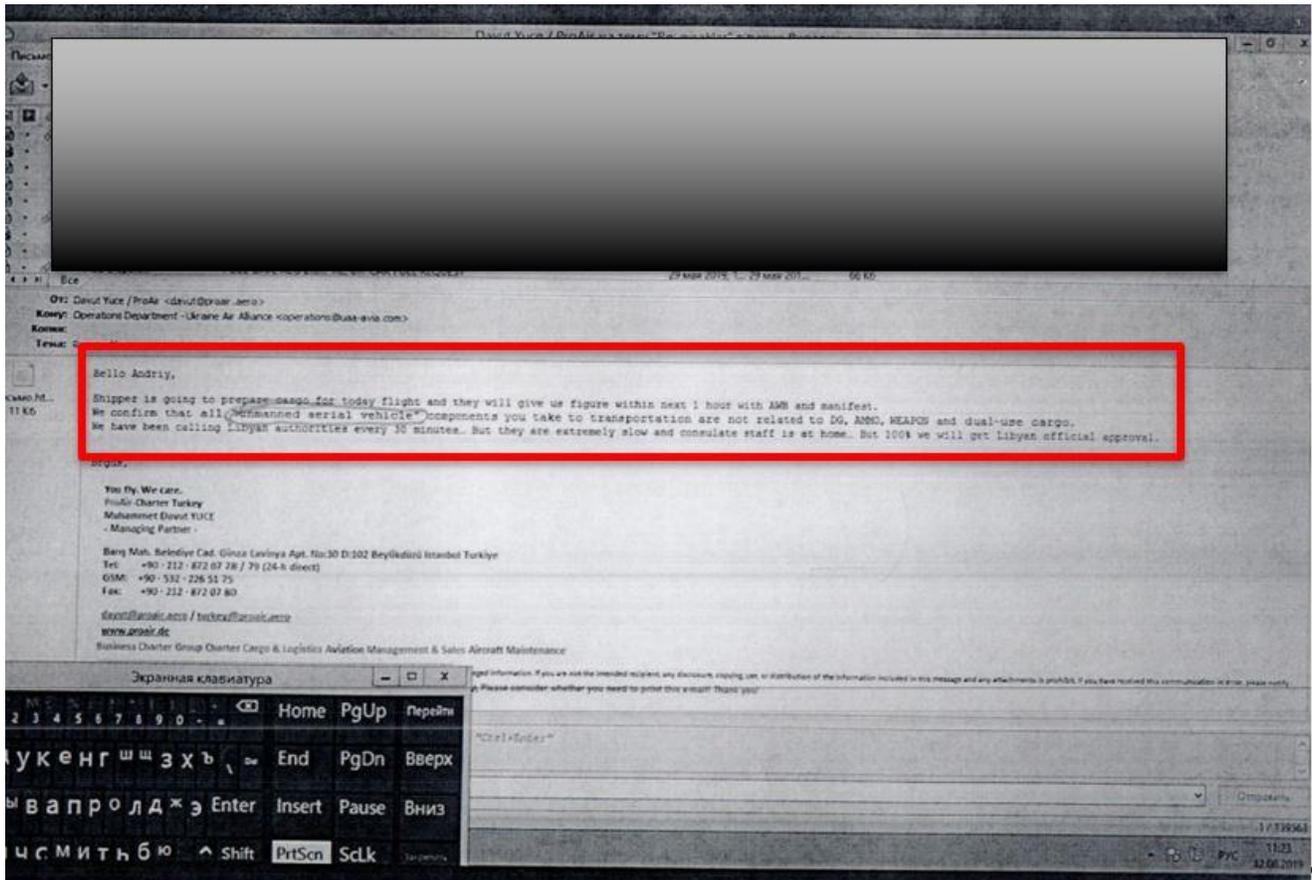
PLS SEND ME A COPY OR SCREEN OF EACH LIBYAN PERMISSION & COPY OF ORIGINAL REQUEST TO LIBYA.

THANK YOU FOR YOUR PROMPT REPLAY.

BEST REGARDS

Source: Confidential.

Image B.49.2
ProAir Charter Email to Ukraine Air Alliance P.J.S.C (29 May 2019)



Source: Confidential.

Annex 50: Transfer of military material to the GNA-AF by Sky AviaTrans L.L.C. IL-76

1. The panel identified a Ukrainian registered Ilyushin IL-76TD (registration UR-COZ) operating in support of the GNA-AF as a military cargo aircraft. The aircraft was operated by Sky AviaTrans L.L.C. of 37/97 Jilanskaya Str, 01033 Kiev, Ukraine,¹⁸³ but owned by Volaris Business LP of Suite 4199, 5 Mitchel House, Edinburgh, EH6 7BD.

2. On 1 August 2018 Sky AviaTrans L.L.C. and Volaris Business LP concluded an agreement on the provision of air services, in which Sky AviaTrans L.L.C. would transport cargo for Volaris Business LP. The contract¹⁸⁴ places the onus on Volaris Business LP obtaining the relevant flight documentation, import/export permits and customs clearances, and makes it clear that the aircraft shall not be used to transport military related cargo. The document was signed on behalf of Volaris Business LP by O.M. as a director of the company. O.M. is also listed as an “individual person with significant control” on Form SLP PSC01 received at Companies House, Scotland on 6 June 2018, where Volaris Business LP is registered as a “wholesale” business. The document was signed on behalf of by Sky AviaTrans L.L.C. by O.K. as the Finance Director, as O.M. is also a Director of Sky TransAvia L.L.C.¹⁸⁵

3. On 4 June 2019 Sky AviaTrans L.L.C. was approached by the Turkish office of ProAir-Charter-Transport GmbH¹⁸⁶ (ProAir Charter) with a proposal for five charter flights during May and June 2019 to transfer car spare parts to Libya. For all these flights the Libyan Embassy in Ankara consigned the cargo to the Ministry of Interior in Tripoli. All the Air Waybills were marked in the Handling Information part of the form as “NO DG,¹⁸⁷ NO AMMO, NO WEAPON”. Such information is not routinely submitted, nor required, unless designed to try and disguise the military nature of the cargo.

4. The Panel obtained examples of the Air Waybill and Cargo Manifest for the flights made between 3 – 21 July 2019 from Ankara to Misrata by the Ilyushin IL-76TD aircraft (UR-COZ) (see sample at appendix A). The Panel is in the possession of all the other Air Waybills and Cargo Manifests for these flights.

¹⁸³ <http://skyaviatrans.com.ua/about-us/>. Although their Air Operator Certificate lists a different address of 6 Mykola Shepekliev St, 03062 Kiev, Ukraine. Tel +38 44 287 5707.

¹⁸⁴ No 03-08/18 dated 1 August 2018.

¹⁸⁵ Company directorship identified from the signatory of a letter (reference 164/1) from Sky AviaTrans L.L.C to the Libyan Embassy dated 12 August 2019.

¹⁸⁶ <https://www.proair.de/en>. Baris Mah, Belediye Cad, Ginza Lavinya Apt 30D, Beylikduzu, Istanbul, Turkey. (Fax: +90 212 872 0780).

¹⁸⁷ Dangerous Goods.

5. The cargo on the flights shown at table 50.1 was all listed as “Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)”. The Panel wrote to Turkey and the GNA requesting clarification of the cargo but received no response. The Panel considers it neither realistic nor credible that the GNA would either fly, nor need, a total of 138.1 tonnes of vehicle parts over such a short period, and would be highly unlikely to use such an expensive delivery means. Additionally, it would be unusual to specifically charter an aircraft with a payload of 48 to 52 tonnes dependant on type, and then only use approximately 50% capacity on each flight. The tonnages shipped, if vehicle parts as claimed, would not “bulk out” the cargo space.¹⁸⁸ Thus the veracity of the documentation is not accepted by the Panel as a true reflection of the cargo. Due to the duplicity documentation surrounding these flights, combined with the identity of the consignor and consignee, and the low cargo payloads for the aircraft type the Panel considers that the cargo was military material of high volume and relatively low mass, such as the fuselage and wings of unmanned combat aerial vehicles (UCAV).¹⁸⁹

6. The cargo agent used for all flights was Plures Air Cargo¹⁹⁰ of No 9, Block B3, Egs Business Park, Yeşilköy, Bakırköy, Istanbul, Turkey, who would also certainly have been aware of the true nature of the cargo based on the external packaging. This is the same cargo agent used for the suspicious flights of Antonov AN-12 aircraft (UR-CAH, UR-CGW and UR-CNT) (see 0 49).

Table 50.1

Sky AviaTrans IL-76TD (UR-COZ) aircraft flights from Ankara to Istanbul

<i>Departure Date</i>	<i>#</i>	<i>From</i>	<i>To</i>	<i>Mass (tonnes)</i>	<i>Declared Cargo</i>
3 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	21.2	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)
3 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	31.1	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)
4 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	27.5	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)
5 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	25.1	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)

¹⁸⁸ The distance from Ankara to Misrata is 1,810km, and the maximum range of a IL-76TD with maximum load of 50 tonnes is 4,000km, so the Panel has discounted any argument that the differential between the actual cargo loads and the maximum cargo load was required for fuel to negate refuelling in Misrata.

¹⁸⁹ Also see allegation in paragraph 7 of <https://www.al-monitor.com/pulse/originals/2019/09/turkey-gulf-libya-is-becoming-a-scene-of-proxy-war.html>, 11 September 2019.

¹⁹⁰ <https://www.plures.com.tr/en>. Also listed on the Air Waybill as Plures Travel Akt Turizm Kargo Havacilik Insaat TIC Ltd STI, Istanbul, Turkey.

<i>Departure Date</i>	<i>#</i>	<i>From</i>	<i>To</i>	<i>Mass (tonnes)</i>	<i>Declared Cargo</i>
6 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	25.1	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)
21 July 2019	UR-COZ	Ankara (Esenboga)	Misrata	8.1	▪ Spare Parts (Mirrors, Lights, Indicators, Brake Systems, Tyres)
TOTAL				138.1 tonnes	

7. On 30 July 2019, the Aviation Security Council of the Aviation Service of Ukraine issued instructions that banned flights by all Ukrainian registered aircraft from conducting flights into Libya due to “the worsening security situation”. Sky AviaTrans L.L.C. obtained an exemption from this instruction and on 5 August 2019 the aircraft was destroyed on the ground at Misrata air academy.

Figure 50.1

Sky AviaTrans IL-76TD (UR-COZ) destroyed at Misrata (5 August 2019)



Source: <https://hyser.com.ua/community/105551-molniya-sbit-ukrainskiy-transportnyy-samolet-il-76-otorvalo-hvost-pervye-podrobnosti-chernogo-vtornika>.

8. The Panel has written to Turkey, Volaris Business LP, Sky AviaTrans L.L.C., Pro Air Charter and Plures Air Cargo requesting clarification and further information on the activities of this particular aircraft. Only Sky AviaTrans L.L.C. responded.

9. The Panel finds Turkey, Pro Air Charter and Plures Air Cargo in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for their involvement in the transfer of military material to the GNA.

10. Although the Panel has not found Volaris Business LP and Sky AviaTrans L.L.C. in non-compliance, the companies' system of due diligence requires significant revision. There were enough indicators surrounding these flights to suggest that this contract was not as it seemed (see paragraph 5 above). Even a simple analysis of the declared cargo would have revealed to the company that you cannot physically fit 40 car tyres in a 0.35m x 1.22m x 1.22 m package; the maximum would be 10. Similarly a declared weight of a package of 4,000kg is 3,500kg more than the weight of 40 car tyres.

Appendix A to Annex 50: UR-COZ sample Cargo Manifest and Air Waybill

Image A.50.1

Cargo Manifest (UR-COZ) flight KTR7721 from Ankara to Misrata

 SKYAVIATRANS				
Cargo Manifest OperatorSKY..AVIATRANS.....				
Marks of Nationality and Registration. UR-COZ Flight No. KTR7721 Date. 04.06.2019				
Point of loading LTAC - ANKARA Point of unloading. HLMS - MISURATA (Place) (Place)				
Air Waybill Number	Number of packages	Nature of goods*	For use by operation only	For official use only
000-1000 0327	37 PCS 27500 KG	SPARE PARTS (MIRRORS, LIGHTS, INDICATORS, BRAKE SYSTEMS, TYRES)	TAYFUN TEKELIOGLU SN <i>[Signature]</i>	0603
		<i>Emhamed Ahamed</i> <i>4/7/2019</i>		

Source: Confidential.

Image A.50.2
 Air Waybill (UR-COZ) flight KTR7721 from Ankara to Misrata ^a

000 ESB 1000 0327		000 ESB 1000 0327	
Shipper's Name and Address LIBYAN EMBASSY (Ankara) Cinnah Cad. No:60 06690 Cankaya - Ankara TURKEY		Shipper's Account Number	Not Negotiable Air Waybill Issued by SKY AVIATRANS
Consignee's Name and Address Libya Ministry of Interior Tripoli LIBYA		Consignee's Account Number	Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity
Issuing Carrier's Agent Name and City PLURES AIR CARGO		Accounting Information FREIGHT PREPAID	
Agent's IATA Code 88-47304-0014		It is agreed that the goods described herein are accepted in apparent good order and condition (except as noted by marks) SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER, AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Airport of Departure (Aisle or First Carrier and Recommended Routing) ESEBBOGA AIRPORT ANKARA		Reference Number	Optional Shipping Information
To	By	By	By
MRA SKY AVIATRANS (KTR)			
Currency	Declared Value for Carriage	Declared Value for Customs	
USD	ppppppppppp N.V.D.	N.C.V.	
Amount of Insurance	INSURANCE - If Carrier offers insurance and such insurance is requested in accordance with the conditions thereof, insurable interest to be insured in figures in box marked Amount of insurance		
XXX			
Handling Information NO DG, NO AMMO, NO WEAPON			
No of Pieces 37	Gross Weight 27500	Rate Class K	Commodity Item No. Q
Chargeable Weight 27500	Rate AS AGREED	Charge AS AGREED	Total AS AGREED
Nature and Quantity of Goods SPARE PARTS (MIRRORS, LIGHTS, INDICATORS, BRAKE SYSTEMS, TYRES)			
Prepaid AS AGREED		Other Charges NOT-RESTRICTED	
Weight Charge		Collect	
Valuation Charge		Tax	
Total Other Charges Due Agent		Total Other Charges Due Carrier	
Total Prepaid AS AGREED		Total Collect	
Currency Conversion Rates		CC Charges in Dest. Currency	
For Carrier's Use only at Destination		Charges at Destination	
Executed on		Signature of Issuing Carrier or its Agent	
04.07.2019 ANKARA ESEBBOGA AIRPORT		PLURES AIR CARGO INTERNATIONAL TRANSPORTATION Signature of Shipper PLURES TRAVEL AKT TURIZM KARGO HAVACILIK TASLAMA TIC LTD ŞTI ISTANBUL TURKIYE	
ORIGINAL 3 (FOR SHIPPER)			

Source: Confidential.

Annex 51: Small ISR UAV in Libya

A. Orbiter-3

1. On 29 July 2019 an unarmed ISR UAV was downed near Surt by GNA-AF.¹⁹¹ The remnants from the UAV on the imagery analysed by the Panel have characteristics virtually identical to those of the Orbiter-3 UAV variants designed and manufactured by Aeronautics Limited.¹⁹²

Image 51.1 to 51.4

Remnants of downed Orbiter-3 UAV



Sources: 1) <https://twitter.com/BabakTaghvaei/status/1155930634000318464>, 29 July 2019; and 2) Extract from video imagery at <https://twitter.com/MansourTalk/status/1156901216762421248>, 1 August 2019.

2. The panel considers that the direct supply of this UAV from the manufacturer, or by the Member State, is unlikely. It is more likely present due to post-delivery diversion by the original purchaser, or subsequent owner, and is certainly a non-compliance with paragraph 9 of resolution 1970 (2011) by the supplier and the GNA-AF. Panel investigations continue and a response from the manufacturer's Member State is awaited.

B. Orlan-10

3. The remnants shown in images 51.5 to 51.7 are from an unarmed ISR UAV that was downed by militia affiliated to the HAF on the outskirts of Sirte on, or about, 29 April 2019. The UAV is fitted with the same electro-optical payload that has a distinctive array of twelve lens (image 51.7) and has

¹⁹¹ A second was reportedly shot down near Al-Azizya on 30 July 2019, but the Panel has been unable to obtain imagery to verify this. <https://www.marsad.ly/en/2019/08/08/israel-made-drones-downed-over-libya/>. Accessed 22 August 2019.

¹⁹² <https://aeronautics-sys.com>.

been seen on Orlan-10 UAV recovered from other conflict zones.¹⁹³ The remnants shown in images 51.8 to 51.10 are from an unarmed ISR UAV that crashed in Ain Zara and was recovered by the GNA-AF affiliated 27 Brigade on, or about, 20 September 2019. The remnants from the UAV on the imagery of both incidents analysed by the Panel have characteristics virtually identical to those of the *Orlan-10* UAV variants designed and manufactured by the Special Technological Centre,¹⁹⁴ Saint Petersburg, Russian Federation.

Images 51.5 to 51.7

Remnants of downed Orlan-10 UAV (29 April 2019) ^{a b}



Images 51.8 to 51.10

Remnants of downed Orlan-10 UAV (20 September 2019) ^c



^a <https://twitter.com/Oded121351>, 29 April 2019.

^b https://twitter.com/imp_navigator/status/1123126784059428864, 30 April 2019.

^c <https://www.facebook.com/447617966027848/posts/510190706437240/>, 20 September 2019.

¹⁹³ Binnie J. *Russian UAV recovered in Libya*. Janes Defence Weekly. 30 April 2019. London.

¹⁹⁴ <https://www.stc-spb.ru>.

4. The panel considers that the direct supply of this UAV from the manufacturer, or by the Member State, is unlikely. It is more likely present due to post-delivery diversion by the original purchaser, or subsequent owner and is certainly a non-compliance with paragraph 9 of resolution 1970 (2011) by the supplier and HAF. Panel investigations continue and a response from the manufacturer's Member State is awaited.

C. *Mohadjer* variant

5. Images 51.13 is of an unarmed ISR UAV identified in the possession of the HAF in late 2017.¹⁹⁵ The Panel has identified characteristics on the UAV virtually identical to those of a *Mohadjer* UAV variant designed and manufactured by Qods Aviation Industry Company,¹⁹⁶ Tehran, Iran (image 51.14).

Image 51.13
Mohadjer-10 variant UAV with HAF
(October 2017)



Image 51.14
Mohadjer-10 variant UAV manufacturers image
(October 2017)



Sources: 1) <https://warisboring.com/who-gave-iranian-made-drones-to-libyas-tobruk-regime/>. 16 October 2017 [L]; and 2) <https://thearkenstone.blogspot.com>. Photographer Hossain Zohrevand. [R].

5. The panel considers that the direct supply of this UAV from the manufacturer, or by the Member State, is unlikely. It is more likely present due to post-delivery diversion by the original purchaser, or subsequent owner, or battlefield capture from the GNA-AF. The Islamic State of Iran, in response to Panel enquiries, stated that “(...) similar variants can be easily built by any party who has the necessary knowhow”. Their response did not explicitly deny that the pictured UAV was a *Mohadjer* variant UAV.

¹⁹⁵ www.africaintelligence.com/MCE/power-brokers/2017/10/05/haftar-s-strage-iranian-drone.108274620-BRC, 5 October 2017. Accessed 22 August 2019.

¹⁹⁶ Now incorporated within the Iran Aviation Industries Organization (IAIO). www.mod.ir.

The transfer of the UAV to Libya is certainly a non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) by the HAF and a supplier yet to be identified. Panel investigations continue.

D. Yabhon-HMD

6. On 1 June 2019 an unarmed ISR UAV was downed near Surt¹⁹⁷ by the GNA-AF.¹⁹⁸ On 27 June 2019 components for three UAV of the same type were captured by the GNA-AF at Gharyan (image 51.15). From imagery the Panel identified characteristics virtually identical to those of the Yabhon-HMD variant designed and manufactured by Adcom Systems, Mussafah, Abu Dhabi, United Arab Emirates (<https://adcomsystems.weebly.com/>). The Panel wrote to the United Arab Emirates who stated that the imagery was not that of a Yabhon-HMD variant UAV.

7. On 4 August 2019 the Panel inspected remnants from one of these captured UAV, that had been subsequently recovered to Tripoli (images 51.15 to 51.22). The Panel identified characteristics virtually identical to those of the Yabhon-HMD variant, and a parachute and fuel control unit (FCU) designed and manufactured by Adcom Systems, and identified components marked Advanced Target Systems, Abu Dhabi, United Arab Emirates.

Image 51.15
UAV components captured at Gharyan (27 June 2019)



Image 51.16
UAV inspected by Panel (4 August 2019)



Image 51.17
UAV inspected by Panel (4 August 2019)



¹⁹⁷ Video imagery of the UAV immediately after capture is at <https://twitter.com/TurkishAF/status/1135129231367778304>, 2 June 2019. Accessed 22 August 2019.

¹⁹⁸ A second was reportedly shot down near Al-Azizya on 30 July 2019, but the Panel has been unable to obtain imagery to verify this. <https://www.marsad.ly/en/2019/08/08/israel-made-drones-downed-over-libya/>. Accessed 22 August 2019.

Image 51.18
Parachute marked ATS, Abu Dhabi

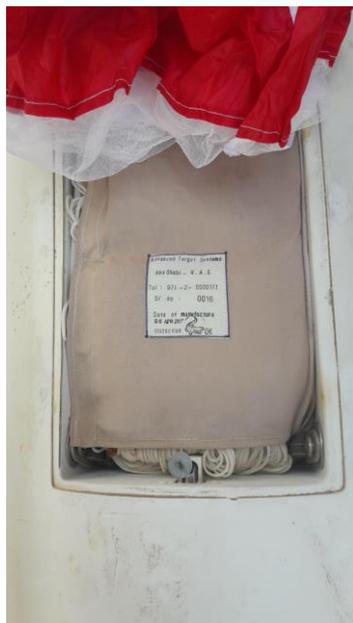


Image 51.19
Enhanced image of parachute markings

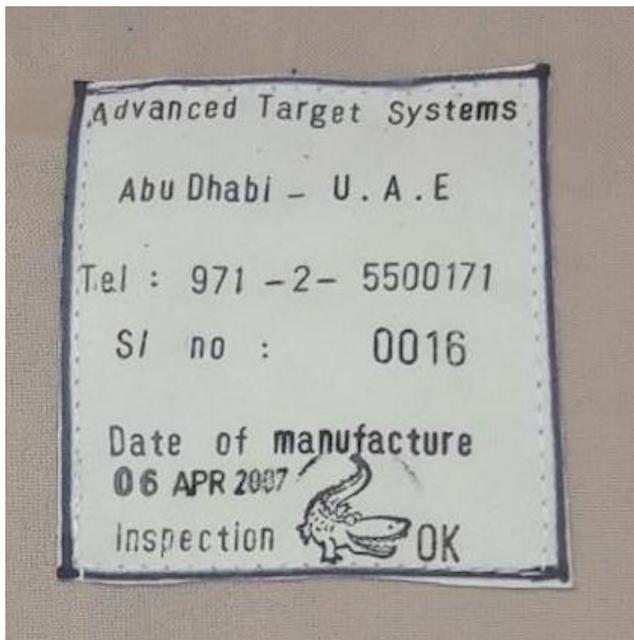


Image 51.20
ATS Fuel Control Unit
Serial Number N2 039

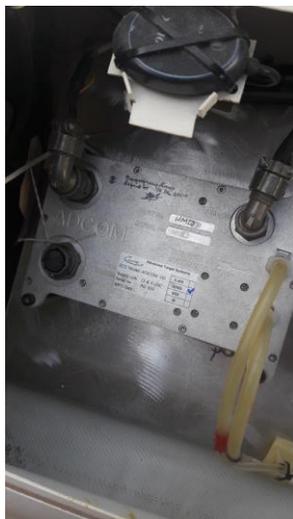


Image 51.21
ATS RF Transceiver 1/5U
Serial Number RT 2027

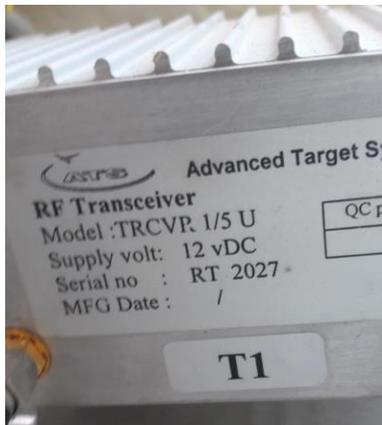


Image 51.22
ATS Servo Control Unit



Sources: 1) 51.15 from <https://twitter.com/Oded121351/status/1144301014771818501>, 27 June 2019. Accessed 22 August 2019; and 2) Images 51.16 to 51.22 taken by Panel. 4 August 2019.

8. The Panel challenges the initial assessment of the United Arab Emirates, and in light of the additional evidence finds that these UAV are almost certainly a variant of the Yabhon-HMD UAV. The Panel finds that the transfer of this UAV type to Libya is a non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) by HAF and a supplier yet to be confirmed. Panel investigations continue.

E. Sea Cavalry SD-60B

9. The Panel identified from open source information¹⁹⁹ that a UAV was captured near Benina, Libya on 17 August 2019 by HAF. The remnants from the UAV on the imagery analysed by the Panel (images 51.23 and 51.24) have characteristics very similar to those of the Sea Cavalry SD-60B UAV designed and manufactured by Xiamen Hanfeiyang Aviation Technologies (probably also trading as Xiamen Han's Eagle Aviation Technology Company Limited)²⁰⁰ (image 51.25).

Image 51.23
UAV captured near Benina (17 August 2019)

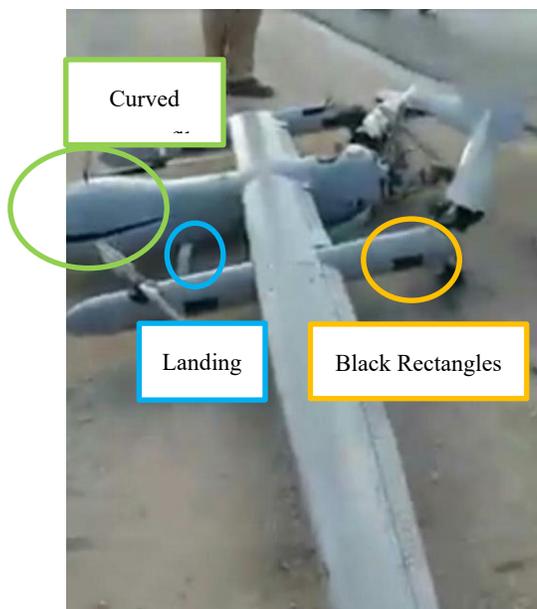


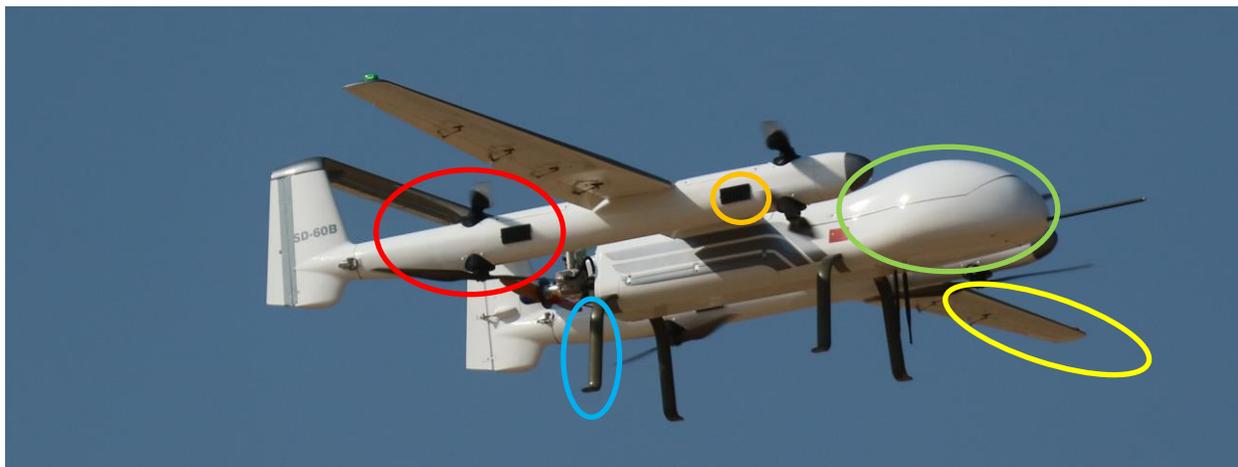
Image 51.24
UAV captured near Benina (17 August 2019)



¹⁹⁹ <https://twitter.com/Oded121351/status/1162959265830723584>, 17 August 2019.

²⁰⁰ <http://www.hans-eagle.com/EN/products/hqbyd/4.html>.

Image 51.25
Sea Cavalry SD-60B manufacturers image



Sources: 1) 51.23 and 51.24 from <https://twitter.com/Oded121351/status/1162959265830723584>, 17 August 2019; and 2) 51.25 from <http://www.hans-eagle.com/EN/products/hqbyd/4.html>.

10. Sea Cavalry UAV Intelligence Surveillance and Reconnaissance (ISR) variants are known to be either on trial or in use by the Chinese People's Liberation Army Navy (PLAN).²⁰¹ Open source information²⁰² placed the PLAN frigate Xi'an (Hull No 153) of the 32nd Naval Escort Fleet in transit off the coast of Benghazi on 14 and 15 August 2019. The vessel was in transit from Malta to Alexandria. The Panel assesses it as likely that the UAV was lost over Libya during maritime environmental and operational trials as to the UAV's ISR capabilities. The Panel does not consider this to be a non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) by the Member State.

²⁰¹ <https://www.janes.com/article/87009/chinese-navy-deploys-new-vtol-uav>.

²⁰² <https://www.africaintelligence.com/mce/corridors-of-power/2019/09/05/the-chinese-army-loses-its-first-drone-in-libya.108371106-eve?CXT=PUB>.

Annex 52: Civilian aircraft in support of HAF operations

1. This annex contains further information on aircraft either confirmed as, or very highly suspected of, providing military aviation transport support to HAF.

Space Cargo Inc - Antonov AN-26 (UP-AN601)

2. An Antonov AN-26 aircraft (flying under registration UP-AN601) has been observed routinely operating in support of HAF as a military cargo aircraft (figures 52.1 and 52.2). The Panel has identified that this aircraft was removed from Kazakhstan national aircraft registry (see appendix A) on 22 June 2015 after sale to Space Cargo Inc (PO Box 7812, Sharjah Airport International Free Zone, A4-703, Sharjah, United Arab Emirates) (<http://spacecargoinc.com>). The Libyan Civil Aviation Authority have also confirmed that the aircraft is not on their registry.²⁰³

Figure 52.1
Antonov AN-26 UP-AN 601 at Bani Walid
(1 November 2017)



Figure 52.2
Antonov AN-26 UP-AN 601 at Sharara oil field
(18 February 2019)



Sources: 1) 52.1 from <https://twitter.com/MOHBENLAMMA/status/925780874662170625>. Accessed 23 February 2019; and 2) 52.2 from <https://twitter.com/Oded121351/status/1097582983542919168>. Accessed 23 February 2019.

3. The aircraft is marked with the logo of a United Arab Emirates based company, H.A.D Jet Cargo LLC (Office 805, Prime Tower, Al Abraj Street, Business Bay, Dubai (PO Box 214995), (www.hadjetcargo.com). The company has confirmed to their authorities that they have never owned, operated, lease or otherwise dealt with this aircraft.²⁰⁴

²⁰³ LCAA letter of 15 May 2019.

²⁰⁴ HADJet letter of 2 August 2019.

4. The aircraft is therefore flying in Libya with false markings under a false national air registry number, (UP-AN601), which is in contravention with the requirements of the Convention on International Civil Aviation (the Chicago Convention).²⁰⁵

5. The Panel has written to Space Cargo Inc requesting information relating to the activities of this aircraft in Libya but has received no response.

6. The Panel notes that the Antonov AN-26 is also designed to be used in the light bomber role when fitted with four BDZ-34 weapon hard points on its fuselage. The Panel is monitoring this matter.

Sky Prim Air S.R.L. - Ilyushin IL-18D (ER-ICS)

7. An Ilyushin IL-18D aircraft (flying under Moldovan registration ER-ICS) is still routinely flying in support of HAF as a military cargo aircraft (figures 52.3 and 52.4). This aircraft was removed from the Moldovan national aircraft registry on 8 July 2015 (see appendix B).

8. The LCAA have confirmed to the Panel that this aircraft does not hold a Libyan registration.²⁰⁶ This aircraft is therefore also flying in Libya with false markings under a false national air registry number, (ER-ICS), which is in contravention with the requirements of the Chicago Convention.

Figure 52.3
Ilyushin IL-18D in Benghazi (June 2017)^a



Figure 52.4
Ilyushin IL-18D in Gharyan (May 2019)^a



Sources: 1) 52.3 from <http://www.airliners.net/photo/Untitled/Ilyushin-IL-18D/4434469/L;> 2) 52.4 from <https://m.facebook.com/100013292748991/posts/678218769297875?sfns=xmo>.

9. It was reported on the AeroTransport DataBase (www.atdb.org) that the aircraft had been transferred to the Kazakhstan national air registry as UP-18496. The Kazakh authorities have investigated this and found that an Ilyushin IL-18GR is registered with their registry as IL-18496 by

²⁰⁵ <https://www.icao.int/publications/pages/doc7300.aspx>.

²⁰⁶ LCCA letter to Panel of 10 July 2019.

Southern Sky, but it is not the same aircraft. ER-ICS has serial number 099-03, whereas IL-I8496 has serial number 092-02.

10. The Panel identified in its report [S/2017/466](#)²⁰⁷ that aircraft ER-ICS is owned and operated by Sky Prim Air S.R.L of Moldova. The Panel has written to Moldova to request any relevant information arising as the result of a reported investigation by their national authorities into Sky Prim Air S.R.L. owned by Grigore Ghilan. Notwithstanding this, the Panel finds Sky Prim Air S.R.L in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military support to HAF, and continues to investigate.

Deek Aviation F.Z.E. - Ilyushin IL-76TD (UR-CMC and UR-CMP)

11. Two Ilyushin IL-76TD aircraft (registered UR-CMP and UR-CRC) were destroyed by a GNA air strike against Jufra air base on 26 July 2019 (see figures 52.5 and 52.6).

Figure 52.5
Destroyed IL-76TD at Jufra air base (26 July 2019)



Figure 52.6
Ibid



Sources: 1) 52.5 European Space Imaging Press Release of 3 August 2019. Image of 29 July 2019. [L]; and 2) 52.6 https://mobile.twitter.com/Arn_Del/status/1155525947040378880, 28 July 2019. Accessed 4 September 2019 [R].

12. The panel has identified that although the aircraft were owned by Infinite Seal Incorporated (British Virgin Islands),²⁰⁸ and operated by Europe Air L.L.C. of Ukraine, on 1 October 2014 Europe Air L.L.C. concluded a general agreement on cargo transportation with Deek Aviation F.Z.E.²⁰⁹ (Q4-

²⁰⁷ Paras. 3 and 4 to annex 35.

²⁰⁸ Trident Chambers, PO Box 146, Road Town, Tortola, British Virgin Islands.

²⁰⁹ The company website (www.deekaviation.com) has lapsed. General Manager is Rajiv Kumar Sharma. +971 6 57XXXX2.

76, Block Q4 Street, Al Ruqa Al Hamra, Sharjah, United Arab Emirates). The contracts²¹⁰ place the onus on the relevant flight documentation and customs clearances being obtained by Deek Aviation F.Z.E and makes it clear that the aircraft shall not be used to transport military related cargo.

13. Deek Aviation F.Z.E were contracted by Global Aviation Services Group (<http://www.global-aviationgroup.com>)²¹¹ to transport humanitarian aid. The Panel has a copy of the Cargo Manifest and Air Waybill for the flight made by these aircraft on 25 July 2019 immediately prior to their destruction. The documentation is completed for a flight from Fujairah (OMFJ), United Arab Emirates to Labraq airport (HLTQ), Al Bayda, Libya and then onward to Jufra air base (HL69). The aircraft manifest states that the cargo for UR-CMP was 15.785 tonnes of Medicinal Equipment, Medicine and Food Stuff and for UR-CRC was four ambulance vehicles with a mass of 12.1 tonnes; both cargos to be delivered to Labraq airport. The cargo capacity of a single IL-76TD is 52 tonnes, which means both loads could probably have been carried on a single aircraft.²¹² No documentation was provided for any cargo that may have been carried from Al Bayda to Jufra. Deek Aviation F.Z.E has not yet responded to the Panel's requests for further information and the investigation continues.

14. Europe Air L.L.C. had its Air Operating Certificate suspended by the Ukrainian civil aviation authorities on 27 July 2019,²¹³ the lease agreement with Infinite Seal Incorporated was terminated on 9 August 2019²¹⁴ and the Europe Air L.L.C. ceased trading that day.²¹⁵

Sigma Airlines – Ilyushin IL-76TD (UP-I7601 and UP-I7645)

15. Two Ilyushin IL-76TD aircraft (registered UP-I7601 and UP-I7645) have been identified as flying in support of HAF as a military cargo aircraft (figures 52.7 and 52.8 for UP-I7601, and figures 52.9 and 52.10 for UP-I7645).

²¹⁰ No 28052014-1013407230 dated 28 May 2014 for UR-CCMC, and No 27042018-1013409303 dated 27 April 2018 for UR-CRP.

²¹¹ PO Box 2828, Tripoli, Libya, aradi@global-aviationgroup.com, +218 21 351 4068.

²¹² A standard ambulance is 6m long x 2.3m wide. The load compartment of an IL-76TD is 24.5m long x 3.4 m wide. This would leave a floor cargo space free of 26m², highly probably enough space for 15.8 tonnes of other cargo at one tonne per m².

²¹³ <https://open4business.com.ua/ukraine-suspends-operator-certificate-of-europe-air-carrier/>.

²¹⁴ Letter 181-IS

²¹⁵ Order No: 908.

Figure 52.7
IL-76TN (UP-I7601) (April 2019)



Figure 52.8
IL-76TN (UP-I7601) (June 2019)



Sources: 1) Original – confidential source; then 2) reproduced on <https://twitter.com/DavidBiutitaman/status/1144498937329438720>, 17 June 2019. [L]; and 2) https://twitter.com/Arn_Del/status/1144981837212717056, 29 June 2019. [R].

Figure 52.9
IL-76TN (UP-I7645) at Tamanhint air base (Sebha), (29 January 2019)



Figure 52.10
IL-76TN (UP-I7645) at Tamanhint air base (Sebha), (29 January 2019)



Source: Extracted from video imagery from HAF media office at <https://www.youtube.com/watch?v=llUD4rD1jfA&feature=youtu.be>, 29 January 2019 in which the HAF themselves refer to the aircraft as a “military cargo plane”.

16. The Ilyushin IL-76TD aircraft (UP-I7601 and UP-I7645) are owned by Air Almaty J.S.C. (LMY) of Kazakhstan, but have been leased to, and operated by, Sigma Airlines²¹⁶ (SGL) of Kazakhstan since October 2017.²¹⁷

²¹⁶ <https://airsigma.pro/>. Markov Str 11, Almaty, 050013, Kazakhstan. The company also has an office in Ajman, United Arab Emirates.

²¹⁷ <http://www.aertransport.org/php/go.php?query=operator&qstring=Sigma+Airlines&where=126307&luck=>. Restricted access.

17. The Panel finds Sigma Airlines in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision of military support to HAF.

18. The Panel also continues to maintain an overview of the activities of one other Ilyushin IL-76TD aircraft operated by Sigma Air (registration UP-17655).

Appendix A to Annex 52: Removal of Antonov AN-26 (UP-AN601) from Kazakhstan Civil Aviation Authority register

Figure A.52.1
Certificate of removal



ҚАЗАҚСТАН РЕСПУБЛИКАСЫ
ИНВЕСТИЦИЯЛАР ЖӘНЕ ДАМУ МИНИСТРЛІГІ
АЗАМАТТЫҚ АВИАЦИЯ КОМИТЕТІ
MINISTRY OF INVESTMENTS AND DEVELOPMENT
OF THE REPUBLIC OF KAZAKHSTAN
CIVIL AVIATION COMMITTEE

КУӘЛІК
CERTIFICATE

ӘУЕ КЕМЕСІНІҢ ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ
АЗАМАТТЫҚ ӘУЕ КЕМЕЛЕРІНІҢ МЕМЛЕКЕТТІК ТІЗІЛІМІНЕН ШЫҒУЫ ТУРАЛЫ
OF DE-REGISTRATION FROM CIVIL AVIATION AUTHORITY REPUBLIC OF KAZAKHSTAN

№ 196

Осымен куәландырамыз, әуе кеме түрі: **АН-26**
Hereby is confirm that present Aircraft type: An-26

Сериялық (зауыттық) нөмірі: **0503**
Serial Number: 0503

Меншік иесі: **SPACE CARGO INC.**
Which belong to: SPACE CARGO INC.

Қазақстан Республикасының азаматтық әуе кемелерінің мемлекеттік тізілімнен ШЫҚТЫ.
was taken the State Register Civil aircraft Republic of Kazakhstan off.

Төраға
Chairman

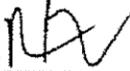
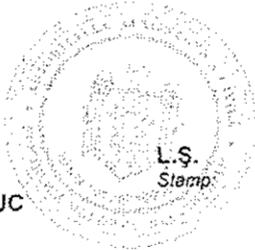


Б. Сейдахметов
B. Seidakhmetov

2015 жыл 08 қазан
October 08, 2015

Appendix B to Annex 52: Removal of Ilyushin IL-18D (ER-ICS) from Moldova Civil Aviation Authority register

Figure B. 52.1
Certificate of removal

REPUBLICA MOLDOVA AUTORITATEA AERONAUTICĂ CIVILĂ		REPUBLIC OF MOLDOVA CIVIL AVIATION AUTHORITY
CERTIFICAT DE RADIERE A ÎNMATRICULĂRII <i>CERTIFICATE OF DEREGISTRATION</i> No./Nr. <u>CD-0418</u>		
<p>Prin prezentul se certifică că aeronava de tipul <u>ILYUSHIN IL-18D</u>, nr. de serie 187009903, cu înmatriculare anterioară <u>ER-ICS</u>, a fost radiată din Registrul Aerian al Republicii Moldova, iar însemnele de înmatriculare <u>ER-ICS</u> au fost anulate.</p> <p><i>This is to certify that the aircraft type <u>ILYUSHIN IL-18D</u>, serial number 187009903, formerly bearing nationality and registration marks <u>ER-ICS</u>, has been removed from the Aviation Register of the Republic of Moldova and the marks <u>ER-ICS</u> have been cancelled.</i></p>		
Data eliberării: 08.07.2015 <i>Date of issue:</i>	Director interimar <i>Acting director</i>  Semnătura: _____ <i>Signature:</i>	 L.S. <i>Stamp:</i>

Annex 53: Summary of parallel currency security features

1. Annex 56 to Panel report [S/2017/416](#) summarised the difference in security features between the CBL 20LYD and CBL 50LYD denomination notes printed by De La Rue Limited in 2013 and the parallel ECBL currency 20 LYD and 50 LYD denomination notes printed by *Goznak* J.S.C. in 2016.
2. Tables 53.1 and 53.2 are an update to that report,²¹⁸ and summarize the security features of the higher denomination CBL 50 LYD notes printed by De La Rue Limited in 2013 and the parallel ECBL currency 50LYD denomination notes printed by *Goznak* J.S.C. in 2016 and 2019. The specialist report concluded that “the noticeable differences between the notes may cause uncertainty to the people and result in a reduced public acceptability”. The currency is vulnerable to counterfeiting. Some of the security features are not fully explained in order to protect the security of the currency. In general bank notes have three levels of security features: 1) Level 1 for public recognition; 2) Level 2 for bank tellers; and 3) Level 3 for Central Banks.

Table 53.1

Summary of publicly recognisable (Level 1) security features CBL 50 LYD denomination notes v *Goznak* 50 LYD denomination notes

#	Feature	CBL 50 LYD (2013)	“Goznak” 50LYD (2016)	Remarks
1	SPARK® Orbital™ feature printed in silk screen with optical variable ink.	Present.	Missing, replaced with an inferior Moon and Star printed in offset, which is fluorescent under ultra-violet (UV) light.	▪ Key public recognition feature (Level 1).
2	Position and size of serial number figures.	Vertical and to the right of the holographic stripes with increasing size figures.	Two horizontal serial numbers with equal size figures.	▪ Public recognition is compromised by differences in appearance.

²¹⁸ Based on a security analysis by an internationally accredited and recognized testing laboratory used widely by Central Banks; Ugra (www.ugra.ch). 2013 CBL note serial number 0073446 and 2016 ECBL parallel note serial number 183001 were tested. EBCL 2019 notes serial numbers 1080001 and 1080002 were then compared against the 2016 results.

#	Feature	CBL 50 LYD (2013)	“Goznak” 50LYD (2016)	Remarks
3	Obverse design in intaglio Printing: Lighthouse image.	Original size.	Reduced in size.	<ul style="list-style-type: none"> Reduction necessary to accommodate the horizontal, red serial number.
4	Embossed latent image with denomination value in metallic ink on front side.	Present.	Missing.	<ul style="list-style-type: none"> Key public recognition feature (Level 1).
5	Windowed security thread.	Present (lenticular).	Different to original (holographic).	<ul style="list-style-type: none"> Significant change.
6	Embedded security thread.	Appears as a continuous black line when viewed against the light.	Missing.	<ul style="list-style-type: none"> Key public recognition feature (Level 1).
7	Holographic foil stripe.	Demetallized design.	<p>Non demetallized.</p> <p>Different colours.</p> <p>Holographic images switch at different angles.</p>	<ul style="list-style-type: none"> Key public recognition feature (Level 1).

Figure 53.1
2013 CBL LYD50 (Obverse)



Figure 53.2
2016 "Goznak" LYD50 (Obverse)

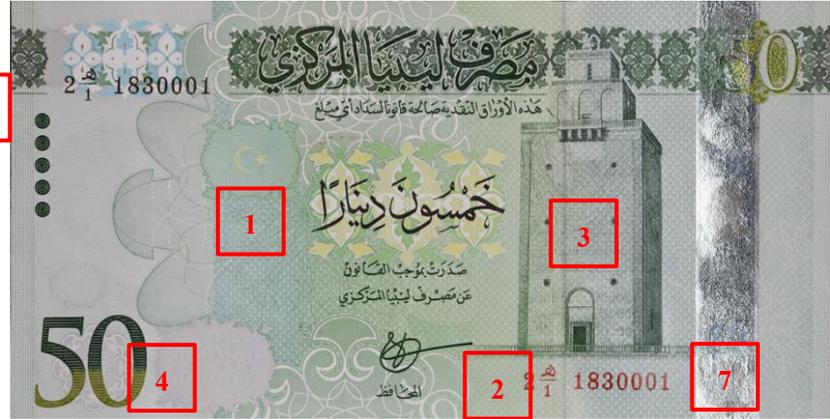


Figure 53.3
2013 CBL LYD50 (Reverse)



Figure 53.3
2016 "Goznak" LYD50 Reverse)



Table 53.2

Summary of Machine and Central Bank recognisable (Levels 2 and 3) security features CBL 50 LYD notes v “Goznak” 50 LYD denomination notes

#	Feature	CBL 50 LYD (2013)	“Goznak” 50LYD (2016)	Remarks
A	Infra-red @900nm.	Right half of rock arch visible.	Rock arch split into two images.	<ul style="list-style-type: none"> This will affect machines that validate notes by reading the infra-red pattern.
B	Level 3 Covert feature - Enigma® feature.	Present.	Not Present.	<ul style="list-style-type: none"> Required for Central Bank only authentication.
C	Gemini® feature.	Present.	Yellow/Green in daylight. Yellow/Red under UV light.	<ul style="list-style-type: none"> Professional recognition is compromised by differences in appearance.
D	Detectable magnetic ink on horizontal serial number on left of notes.	Normal.	Lower levels detected.	<ul style="list-style-type: none"> Level 3 security feature This could affect the set-up of note sorting machines.
E	Embedded magnetic thread.	Present.	Uses a windowed thread with magnetic properties.	<ul style="list-style-type: none"> This could affect the set-up of note sorting machines.
F	Cornerstone® on corners to strengthen notes	Present.	Not present.	<ul style="list-style-type: none"> This will reduce the life cycle of the ECBL parallel currency.

Figure 53.5
2013 CBL LYD50 (Obverse)



Figure 53.7
2013 CBL LYD50 (Reverse)

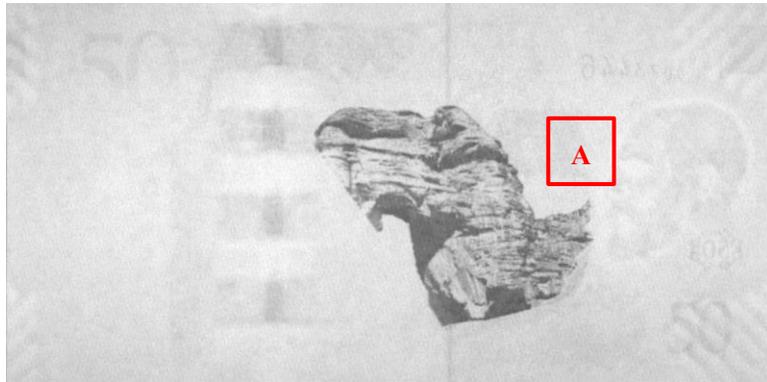
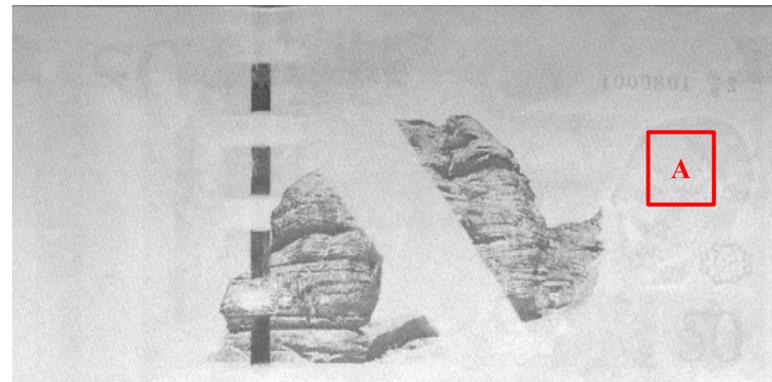


Figure 53.6
2016 "Goznak" LYD50 (Obverse)



Figure 53.8
2016 "Goznak" LYD50 Reverse)



Annex 54: Communication from the Eastern NOC

Figure 54.1

Communication from the Eastern NOC



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ :
الموافق :

الإشاري :
الملف :

NOC Circulation No 1-2019

Date: 12-05-2019

Dear

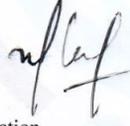
The board of directors of the Libyan National Oil Corporation (NOC) is deeply concerned by the false statements circulated by Mr. Mustafa Sanallah, it's previous chairman who has recently been relieved from his responsibility by the internationally and nationally recognized Libyan House of Representative.

Such disruptive statement can only compromise our objectives of maintaining operation of unified and sustainable oil and gas production and export of oil and gas and our commitment to our international partner.

At this juncture of widening conflict we wish to assure all our associates and clients of our on-going commitment to maintaining unified efficient operations and ask that measures be taken by the UN and international community to deter Sanallah from his divisive actions and disruptive allegations and demand effective supervisory consultation to assure transparency and accountability of our NOC operations which has been seriously breached during Sanallah's tenor.

For explanation of current administrative structure and events leading to NOC decision to change its leadership please see attached document.

Sincerely,
Board of Directors,
National Oil Corporation





بنغازي - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org <https://m.facebook.com/NOCL.LIBYA/>



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ :

الموافق :

الإشاري :

الملف :

Attachment A:

1. First of all it is pertinent to know that the current formal chairman of the board of NOC is Mr. Almabruk Sultan and not Mr M. Sanallah. Mr. Sultan was appointed by the Libyan Government, which is endorsed by Libyan House of Representatives (The parliament) on 26/12/2018. Sanallah, on the other hand was only appointed by an unrecognized acting minister of oil during the era of the Libyan Dawn government which is neither recognized internationally nor had any legitimacy in Libya. He was relieved from his position by the legitimate Libyan government and Parliament in 2014.
2. The official NOC Headquarter is in the city of Benghazi according to Parliament Law No.4 (2018) and not in Tripoli as alleged by Sanallah.
3. The on going presence of criminal militias in Tripoli and its persistent influence and control of how Libyan oil and gas revenue is handled was in part one of the main reasons that the government and its principal institutions, including NOC was relocated to Benghazi.
4. Our concern with splitting the NOC and the implications of this on the unity of the country and its governance was the main reason we felt that a graded peaceful transition of the leadership of NOC was needed. However it soon became obvious that pressure from various Tripoli region Militias continued to permit unabated the smuggling of subsidized petroleum products. Militias in Tripoli were also allowed to protect the NOC building in Tripoli and to oversee much of its transactions and embezzle it to pay enormous salaries and fees for shady security operations.
5. Despite the success of Libyan National Army (LNA) in recapturing and securing most of the Oil Fields and operations in Libya, Sanallah failed to acknowledge this to our international oil partners and continued to deal in his principal with criminal militias. There is no question that our company could not have increased and sustained its oil production at the 1.2 million daily barrels if it was not for the security achieved by LNA.
6. Our headquarters and its official board in Benghazi continued to tolerate much of the illegal measures taken by Mr. Sanallah so not to disturb production or compromise confidence with our international partners. However more recently we have noticed that Sanallah was loosing his presumed neutrality and making statements contrary to the realities on the ground and the delicacy needed to navigate around the risky potential of splitting the NOC, which we categorically refuse.

1



بنغازي - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org <https://m.facebook.com/NOCL.LIBYA/>



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ :

الموافق :

الإشاري :

الملف :

7. As the war to liberate Tripoli from the wrath of controlling criminal militias commenced, Sanallah put the essential principal of neutrality in jeopardy by allowing our Libyan Petro-Air carriers to fly militias and their casualties from Misratah and Tripoli to Turkey, a country blatantly engaged in illegal weapon and fighter transfers to Libya.

8. There are many illegal and suspicious decisions made by Mr. Sanallah such as signing an inappropriate exclusive contract with Glencore to market Sarir-Messla blend and others. These have resulted in opening several investigations by us, the legitimate NOC based in Benghazi and by the energy oversight committee of the Libyan Parliament.

9. Despite numerous investigations and reports by the Libyan Audit Bureau, including one of 2017 (The annual report of Libyan Audit Bureau (LAB2017), page 209- year 2017) where it was clearly expressed that Sanallah's solo decision making and the lack of transparency has lead to suspicious transactions and potential kick backs which could be accountable under international and US laws.

10. Unexplained transactions; in the same report (LAB2017), page 219- line 21, Sanalla covered for paid business trips for 77 persons, expected to be militia members.

11. In his hungry quest for staying in the position illegally, Sanallah accusing the legitimate and legal NOC of participating in smuggling operations, ignoring intentionally that NOC is the only legitimate and legal body according to Libyan Laws and regulations.

12. NOC will take all required legal actions against Sanallah's actions and his disruptive and irresponsible statements.

National Oil Corporation



2

بنغازي - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org https://m.facebook.com/NOCL.LIBYA/

Annex 55: Letter on the status of Chairman of the NOC

Figure 55.1

Letter from the Permanent Mission of Libya to the United Nations

MINISTRY OF FOREIGN AFFAIRS
LIBYAN MISSION
TO THE UNITED NATIONS - NEW YORK



وزارة الخارجية
بعثة ليبيا
لدى الأمم المتحدة - نيويورك

No. 000572

18 June 2019

Excellency,

I have the honor to refer to your letter no. S/AC.52/2019/PE/OC.186 dated 17 June 2019, regarding a communication dated 12 May 2019, signed by an unnamed individual on behalf of a Board of Directors of the "Libyan Interim Government" National Oil Corporation located in Benghazi.

In this regard, the Mission would like to reiterate and affirm that the National Oil Corporation in Tripoli, presided by Mr. Mustafa Sanaallah is the sole legitimate authority recognized by and works under the auspices the Government of National Accord to export crude oil and refined petroleum products.

Henceforth, I would like to express my gratitude for your kind information and humbly urge the Panel not to merit communications that are not course through the Permanent Mission of the State of Libya to the United Nations.

Please accept the assurances of my highest consideration.

Elmahdi Elmajerbi
Ambassador & Chargé d'Affaires



Lipika Majumdar Roy Choudhury
Coordinator
Panel of Experts Established
Pursuant to resolution 1973 (2011)
Concerning Libya

309 East 48th Street, New York, NY 10017 • Tel: 212-752-5775 • Fax: 212-593-4787 • Email: info@libyanmission-un.org

Annex 56: Statement by the eastern National Oil Corporation

Figure 56.1

Undated statement issued by the eastern NOC, received by the Panel on 9 October 2019

National Oil Corporation

Statement No. 4 by the National Oil Corporation for 2019

The National Oil Corporation is concerned about statements made repeatedly by the Head of the United Nations Support Mission in Libya (UNSMIL), Ghassan Salamé, in connection with his interference in Libyan internal affairs in general and oil-related issues in particular; in doing so, he is clearly overstepping the terms of reference of his mandate in Libya.

In that regard, the Corporation, which is an agency of the Libyan Interim Government and sanctioned by the House of Representatives, wishes to stress that it is the sole sovereign institution charged with all administrative and technical aspects of the management of the oil sector, in accordance with the country's current regulations and laws.

It also wishes to underline that, under Libyan law, claims by Mustafa San'allah that he is the Chair of the National Oil Corporation and has the support of the so-called international community will avail him nothing when he is called to account before the Libyan courts, in particular given that he has thrown in his lot with the government of the militias.

UNSMIL and its head, to the extent that they have the right at all, should focus above all on combating the smuggling of fuel and oil derivatives that is going on in the west and south-west of the country, which amounts to the squandering of oil revenue, and having all those responsible placed under international sanctions.

Moreover, the head of UNSMIL should not turn a blind eye to the violations being committed by the parallel corporation in Tripoli by blocking the delivery of fuel to the civilian airports of Benghazi, Abraq and Zintan. Those violations amount to crimes against humanity.

In conclusion, the task with which the head of UNSMIL has been entrusted is to act impartially and without breaching the laws of the State of Libya.

God save Libya!

Board of Directors
[Stamp of the National Oil Corporation,
Statements, Board of Directors]

Annex 57: New board of directors of Brega in the east

Figure 57.1

Decision of the eastern NOC appointing a new board of directors of Brega in the east

المؤسسة الوطنية للنفط - بنغازي
NATIONAL OIL CORPORATION - BENGHAZI

الحكومة الليبية المؤقتة

القرارات

نفط

قرار مجلس الإدارة
رقم (125) لسنة 2019م

بشأن إعادة تشكيل مجلس إدارة شركة البريقة لتسويق النفط

مجلس الإدارة

بعد الاطلاع على الإعلان الدستوري المؤقت الصادر في (3) أغسطس 2011 وتعديلاته
وعلى القانون رقم (25) لسنة 1955م بشأن النترول وتعديلاته
وعلى القرار رقم (10) لسنة 1979م بشأن إعادة تنظيم المؤسسة الوطنية للنفط
وعلى القرار رقم (75) لسنة 2007 بشأن مرتبات العاملين الوطنيين في المؤسسة الوطنية للنفط
وعلى القرار رقم (17) لسنة 2007 بشأن القواعد والشروط لشغل الوظائف بالمؤسسة الوطنية للنفط
وعلى القرار رقم (267) لسنة 2007 بشأن اعتماد اللائحة المالية للمؤسسة الوطنية للنفط
وعلى القانون رقم (12) لسنة 2010 بشأن علاقات العمل ولائحته التنفيذية
وعلى القرار رقم (247) لسنة 2013 بشأن تحديد المقار الرئيسية لبعض الجهات
وعلى قرار مجلس النواب رقم (24) لسنة 2014 بشأن منح الثقة للحكومة الليبية المؤقتة
وعلى قرار مكتب رئاسة مجلس النواب رقم (4) لسنة 2017 بشأن تعديل القرار رقم (10) لسنة 1979م
وعلى قرارات مجلس الوزراء رقم (276-277) لسنة 2017م بشأن تقرير حكم يتعلق بالمؤسسة الوطنية للنفط
وعلى قرار مجلس الوزراء رقم (879) لسنة 2018 بشأن إعفاء من مهام وتقرير حكم
وعلى كتاب رئيس مجلس الوزراء رقم (رم ا-669-18) المؤرخ في 2018/2/11م بشأن إعادة تشكيل مجالس إدارات الشركات
المنفصلة التابعة للمؤسسة الوطنية للنفط.

وعلى اجتماع مجلس الإدارة باعتباره الجمعية العمومية العاشر والمنعقد بتاريخ 2019/9/4م.

ق ر ر

المادة (1)

يعاد تشكيل مجلس إدارة شركة البريقة لتسويق النفط من السادة المذكورين أدناه:-

رئيساً	السيد / م.خيرا لله صالح عبد السلام
عضواً	السيد / م.فتح الله محمد خير القرزاني
عضواً	السيد / م.عبد السلام فرج عبد الله اسماعيل
عضواً	السيد / فرج عبد الله زمر موت

المادة (2)

عمل مجلس الإدارة الجديد المشكل بموجب هذا القرار طبقاً للقوانين والتشريعات النافذة وأحكام النظام الأساسي للشركة
تحقيق أهدافها وأهداف قطاع النفط وفقاً للخطة المعتمدة بالخصوص.

المادة (3)

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المعنية وضعه موضع التنفيذ

مجلس الإدارة

بنغازي بتاريخ (8 - 9 - 2019م)

شركة البريقة 9 (00218)614782561 - (00218)614782560

@libya-noc.org | https://www.facebook.com/NOCL-LIBYA/

Figure 57.2
Official translation

Translated from Arabic

Libyan Interim Government

National Oil Corporation - Benghazi

Decisions

Decision No. 125 (2019) of the Board of Directors concerning the reconfiguration of the Board of Directors of the Brega Petroleum Marketing Company

The Board of Directors

- Having considered the interim Constitutional Declaration of 3 August 2011, as amended, and:
- Act No. 25 (1955) concerning petroleum, as amended;
- Decision No. 10 (1979) reorganizing the National Oil Corporation;
- Decision No. 75 (2007) concerning the salaries of national employees of the National Oil Corporation;
- Decision No. 17 (2007) concerning rules and conditions of employment of the National Oil Corporation;
- Decision No. 267 (2007) concerning rules and conditions of employment of the National Oil Corporation;
- Act No. 12 (2010) concerning work relations and its implementing regulation;
- Decision No. 247 (2013) identifying the headquarters of certain entities;
- Decision No. 24 (2014) of the House of Representatives expressing confidence in the Libyan Interim Government;

- Decision No. 4 (2017) of the Office of the Presidency of the House of Representatives amending Decision No. 10 (1979);
- Decisions No. 276 and No. 277 (2017) of the Cabinet recording a judgment regarding the National Oil Corporation;
- Decision No. 879 (2018) of the Cabinet containing a dismissal and recording a judgment;
- Memorandum *ra-mim-alif-669-18* of 11 February 2018 concerning the reconfiguration of the boards of directors of the subsidiary oil companies of the National Oil Corporation;
- The meeting of the tenth plenary assembly of the Board of Directors on 4 September 2019;

Decides:

Article 1

The Board of Directors of the Brega Petroleum Marketing Company is hereby reconfigured with the following membership:

Mr. Khayrullah Salih Abdulsalam	Chair
Mr. Fathullah Muhammad Khayr al-Fazzani	Member
Mr. Abdulsalam Faraj Abdullah Isma'il	Member
Mr. Faraj Abdullah Zammut	Member

Article 2

The new Board of Directors appointed by virtue of the present Decision shall act in accordance with the laws and regulations in force and the Basic Statute of the company with a view to achieving its goals and those of the oil sector and shall comply with the plans adopted for that purpose.

Article 3

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

Board of Directors

Issued in Benghazi on 8 September 2019

Figure 57.3

Decision from the “interim government” endorsing the above decision adopted by the eastern NOC



رئاسة مجلس الوزراء

الحكومة الليبية المؤقتة

القرارات

قرار رئيس مجلس الوزراء رقم (90) لسنة 2019م
بتقرير حكم يتعلق بقرار مجلس إدارة المؤسسة الوطنية للنفط رقم 125 لسنة 2019م بشأن
إعادة تشكيل مجلس إدارة شركة البريقة لتسويق النفط

رئيس مجلس الوزراء
بعد الإطلاع :

- على الإعلان الدستوري المؤقت الصادر في 3 أغسطس لسنة 2011م وتعدلاته
- وعلى قانون النظام المالي للدولة
- وعلى القانون رقم 25 لسنة 1955م بشأن البترول وتعدلاته
- وعلى القانون رقم 10 لسنة 1979م في شأن إعادة تنظيم المؤسسة الوطنية للنفط
- وعلى القانون رقم 12 لسنة 2010م بشأن إصدار قانون علاقات العمل ولائحته التنفيذية
- وعلى القانون رقم 3 لسنة 2019م بشأن اعتماد الميزانية العامة للدولة لسنة 2019م
- وعلى قرار مجلس النواب رقم 22 لسنة 2014م بشأن تكليف رئيس للحكومة الليبية المؤقتة.
- وعلى قرار مجلس النواب رقم 24 لسنة 2014م بشأن منح الثقة للحكومة الليبية المؤقتة.
- وعلى قرار مجلس النواب رقم 10 لسنة 2018م بشأن منح الثقة لبعض الوزراء
- وعلى قرار مجلس النواب رقم 3 لسنة 2019م بشأن منح الثقة لبعض الوزراء
- وعلى قرار اللجنة الشعبية العامة / سابقا رقم 10 لسنة 1979م بشأن إعادة تنظيم المؤسسة الوطنية للنفط وتعدليه
- وعلى قرار مجلس الوزراء رقم 526 لسنة 2016م بشأن اعتماد الهيكل التنظيمي وتنظيم الجهاز الإداري لديوان مجلس الوزراء .
- وعلى قرار مجلس إدارة المؤسسة الوطنية للنفط رقم 125 لسنة 2019م بشأن إعادة تشكيل مجلس إدارة شركة البريقة لتسويق النفط
- وعلى كتاب السيد/ رئيس مجلس إدارة المؤسسة الوطنية للنفط رقم 38/2/1 بتاريخ 2019/9/9م

قـــــــــرر

مادة (1)

بموجب هذا القرار ولمقتضيات المصلحة العامة يعتمد قرار مجلس إدارة المؤسسة الوطنية للنفط رقم 125 لسنة 2019م بشأن إعادة تشكيل مجلس إدارة شركة البريقة لتسويق النفط

مادة (2)

يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المعنية تنفيذه وينشر في الجريدة الرسمية



عبدالله عبد الرحمن الثني
رئيس مجلس الوزراء

مصرى
تاريخ
الصفحة
القانونية

13 محرر / 144
12 / 9
2019



www.lpms.ly

+218 69 525 2187

+218 69 525 2194

info@lpms.ly

قرنادق

Figure 57.4

Official translation

Libyan Interim Government

Presidency of the Cabinet

Decisions

Decision No. 90 (2019) of the Prime Minister containing the record of a judgment on Decision No. 125 (2019) of the Board of Directors of the National Oil Corporation regarding the reconfiguration of the Board of Directors of the Brega Petroleum Marketing Company

The Prime Minister

Having considered:

- The interim Constitutional Declaration of 3 August 2011, as amended;
- The Financial Regulation Act of the State;
- Act No. 1 (1955) concerning petroleum, as amended;
- Act No. 10 (1979) reorganizing the National Oil Corporation;
- Act No. 12 (2010) enacting the Work Relations Act and its implementing regulation;
- Act No. 3 (2019) adopting the 2019 General Budget of the State;
- Decision No. 22 (2014) of the House of Representatives appointing the Head of the Libyan Interim Government;
- Decision No. 24 (2014) of the House of Representatives expressing confidence in the Libyan Interim Government;
- Decision 10 (2018) of the House of Representatives expressing confidence in certain ministers;
- Decision No. 3 (2019) of the House of Representatives expressing confidence in certain ministers;
- Decision No. 10 (1979) of the then General People's Committee reorganizing the National

Oil Corporation;

- Decision No. 526 (2016) of the Cabinet endorsing the organizational structure and regulating the administration of the Cabinet Office;

- Decision No. 125 (2019) of the Board of Directors of the National Oil Corporation concerning the reconfiguration of the Brega Petroleum Marketing Company;

- Memorandum No. 38/2/1 of the Board of Directors of the National Oil Corporation dated 9 September 2019;

Decides

Article 1

By virtue of the present Decision and the requirements of the public good, Decision No. 125 (2019) of the Board of Directors of the National Oil Corporation concerning the reconfiguration of the Brega Petroleum Marketing Company is hereby endorsed.

Article 2

This decision shall enter into force on the date of its issuance, the relevant parties shall be required to implement it, and it shall be published in the *Official Gazette*.

(Signed) Abdallah Abdulrahman **al-Thinni**

Prime Minister

Issued on 13 Muharram A.H. 1441 (12 September 2019)

Annex 58: Decision of the eastern LIA board of trustees

Figure 58.1

Decision of the eastern NOC appointing a new chairman and board of directors of Brega in the east

Libyan Investment Authority
المؤسسة الليبية للاستثمار

الرقم الإشاري :
التاريخ :

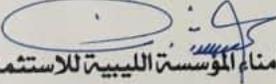
**قرار مجلس الأمناء رقم (2) لسنة 2018م
بإعفاء رئيس مجلس إدارة المؤسسة الليبية للاستثمار من مهامه وتكليف بديلا عنه**

بعد الأطلاع :
- على قانون النظام المالي للدولة .
- على القانون رقم (12) لسنة 2011م بشأن تأسيس علاقات العمل ولائحته التنفيذية .
- على قرار رقم (208) لسنة 2006م بشأن تأسيس المؤسسة الليبية للاستثمار .
- على القانون رقم (13) لسنة 2010م بشأن التنظيم الإداري للمؤسسة الليبية للاستثمار .
- على قرار مجلس وزراء الحكومة الليبية المؤقتة رقم (2) لسنة 2014م بشأن إعادة تشكيل مجلس أمناء المؤسسة الليبية للاستثمار .
- وعلى ما تقرر في اجتماع مجلس أمناء المؤسسة الليبية للاستثمار العادي الثاني للعام 2018م المنعقد بتاريخ 2018/9/17م بمقر ديوان رئاسة مجلس الوزراء بمدينة البيضاء .

(قرار)
مادة (1)
- يعفي د.عبدالسلام أحمد الكزه من مهامه كرئيس مجلس إدارة المؤسسة الليبية للاستثمار .

مادة (2)
- يكلف د.حسين محمد حسين بمهام رئيس مجلس إدارة المؤسسة الليبية للاستثمار .

مادة (3)
يعمل بهذا القرار من تاريخ صدوره وعلى الجهات المعنية تنفيذه


مجلس أمناء المؤسسة الليبية للاستثمار



رود الحجازي
(تكليف)

شارع سالم سويكر المتفرع من شارع دبي - بنغازي - ليبيا
Mail: info@lia.com.ly

Libyan Investment Authority

المؤسسة الليبية للاستثمار

المؤسسة الليبية للاستثمار
Libyan Investment Authority

قرار مجلس الأمناء رقم (2) لسنة 2019 م بإعادة تشكيل مجلس إدارة المؤسسة الليبية للاستثمار

بعد الاطلاع :

- على قانون النظام المالي للدولة
- على القانون رقم (12) لسنة 2011 م بشأن علاقات العمل ولائحته التنفيذية
- على قرار رقم (208) لسنة 2006 م بشأن تأسيس المؤسسة الليبية للاستثمار
- على القانون رقم (18) لسنة 2010 م بشأن التنظيم الإداري للمؤسسة الليبية للاستثمار
- على قرار مجلس وزراء الحكومة الليبية المؤقت رقم (2) لسنة 2014 م بشأن إعادة تشكيل مجلس أمناء المؤسسة الليبية للاستثمار
- وعلى مقرر في اجتماع مجلس أمناء المؤسسة الليبية للاستثمار للعام 2018 لتعقد بتاريخ 11/8/2018 م بمقر ديوان رئاسة الوزراء بمدينة البيضاء
- وعلى مقرر في اجتماع مجلس إدارة المؤسسة الليبية للاستثمار لتعقد بتاريخ 13/11/2018 م بمدينة بنغازي

قرر

مادة (1)

يعاد تشكيل مجلس إدارة المؤسسة الليبية للاستثمار على النحو التالي :

رئيساً	د. حسين محمد حسين
عضواً	د. الطاهر عبد الله القلعوز
عضواً	الاستاذ. نجاه محمد يونس
عضواً	السيد محمد احمد ابوبكلش
عضواً	السيد حسن خليل حسن
عضواً	السيد محمد علي زيدان
عضواً	السيد فوزي فرج موسى

مادة (2)

يعمل به من تاريخ صدوره وعلى الجهات المعنية تنفيذه

مجلس أمناء المؤسسة الليبية للاستثمار

صدر في البيضاء 20/2/2019 م

شارع سالم سويكر المتفرع من شارع دبي - بنغازي - ليبيا
Email: info@lia.com.ly

Source: confidential

Figure 58.2

Panel translation

**Decision of the Board of Trustees n°2 of 2018
On dismissing the Chairman of the Board of Directors of LIA and appointing a new one.**

After reviewing :

- The financial law of Libya.
- Law n°12 of 2011 on establishment of work relations and its executive list
- Decision n°208 of 206 on the establishment of LIA
- Law n°13 of 2010 on the administrative organization of LIA
- Decision n°2 of 2014 of the ministerial council of the interim government on the restructuring of the board of trustees
- On the outcome of the second regular meeting of the board of trustees on 17.9.2018 in Al Bayda

Decides :

Article 1:

To dismiss Dr. Abdessalam Ahmed Al Kezzah from his duties as Chairman of the Board of Directors of LIA

Article 2:

To appoint dr. Hussein Mohamed Hussein as new head of the BOD of LIA.

Article 3:

This decision is valid upon issuance

Signed: Board of trustees of LIA

The Libyan Investment Authority

Decision of the LIA Board of Trustees n°2 of 2019 to restructure its Board of Directors

After reviewing :

- Law n°12 of 2011 on establishment of work relations and its executive list
- Decision n°208 of 206 on the establishment of LIA
- Law n°13 of 2010 on the administrative organization of LIA
- Decision n°2 of 2014 of the ministerial council of the interim government on the restructuring of the Board of Trustees
- The outcome of the second regular meeting of the Board of Trustees on 17.9.2018 in Al Bayda

(d)

(e) Decided to :

Article 1:

Restructure the LIA's Board of Director as follows:

Husein Mohamed Husein	Chairman
Taher Abdallah Al Gala'ouz	member
Najat Mohamed Younis	member
Mohamed Ahmed Abukelch	member
Hasan Khalil Hasan	member
Mohamed Ali Zaydane	member
Fawzi Faraj Musa	member

Article 2:

This decision is valid upon issuance

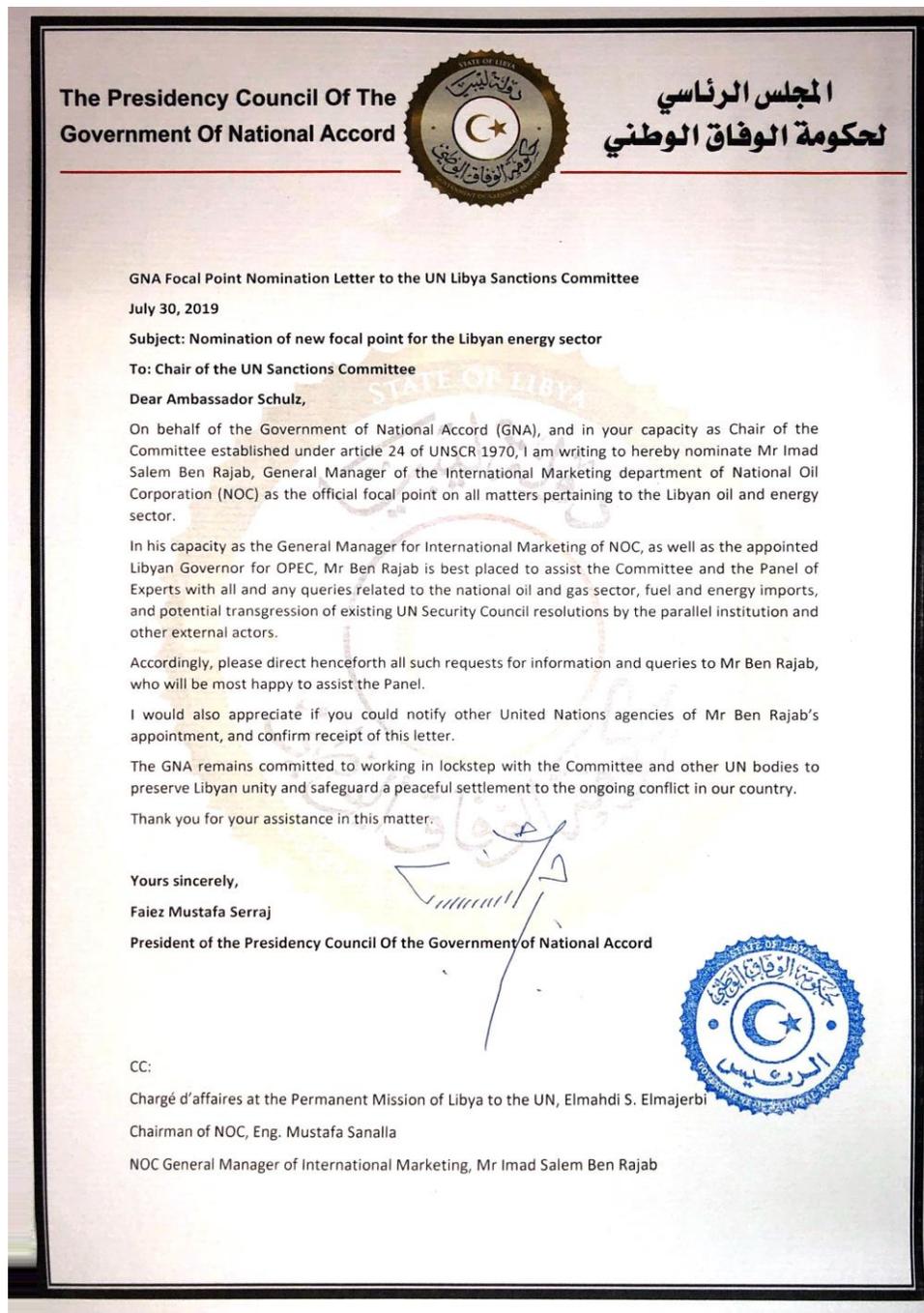
Signed: Board of Trustees of LIA

Issued in Al Bayda on 20.2.2019

Annex 59: Letter of appointment of new focal point pursuant resolution 2146 (2014)

Figure 59.1

Letter of appointment of new focal point



Annex 60: Documented attempts to illicitly export crude oil from eastern NOC

Figure 60.1

Allocation Certificate dated 8 April 2019



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ: 08/04/2019
الموافق: 08/04/2019

الإجمالي: C.O.M.19.04.0148
الملف: C.O.M.19.04.0148

To : SULACO GROUP
Attention : Mr. "BO" Guy R. Friddell IV
Reference No. : C.O.M.19.04.0148
Subject : Allocation Certificate

Allocation Certificate No 02/04/2019

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **SULACO GROUP** in our call, 2,000,000 bbls of Sarir/Messla blend crude oil loading Marsa El Hariga port On FOB **Sulaco Group (2018-C-006)** Contract No. **[002-March-2019]**, to be loaded between 5th of May 2019 to 20th of June 2019, as per contract No. **SULACO GROUP (2018-C-006)[002-March-2019]** And we will accommodate your nominated vessel accordingly.

Yours Sincerely,




Dr. Farag H. Gaith
Acting/ Crude Oil Marketing Manager
International Marketing

cc:

- Member of the Board of Director for marketing.
- Crude Dept.
- Company file

بنغازي - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org <https://m.facebook.com/NOCL.LIBYA/>

Figure 60.2
Allocation Certificate dated 16 May 2019



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ : 16/05/2019
الموافق : 16/05/2019

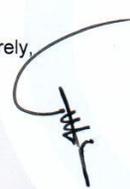
الإشاذى : C.O.M.19.05.0156
الملف :

To : HASSAN ENERGY LIMITED
Attention : Mr. MOHAMMED A. HAY
Reference No. : C.O.M.19.05.0156
Subject : Allocation Certificate

Allocation Certificate No 05/05/2019

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **HASSAN ENERGY LIMITED** in our call, 1,000,000 bbls of Sarir/Messla blend crude oil loading Marsa El Hariga port On FOB **HASSAN ENERGY LIMITED (2018-C-007)** Contract No. **[005-May-2019]**, to be loaded between 01st of July 2019 to 15th of August 2019, as per contract No. **HASSAN ENERGY LIMITED (2018-C-007) [005-May-2019]** And we will accommodate your nominated vessel accordingly.

Yours Sincerely,




Dr. Farag H. Gaith
Acting/ Crude, Gas & Products Marketing Manager
International Marketing

cc:

- Member of the Board of Director for marketing.
- Crude Dept.
- Company file

بنغازى - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org https://m.facebook.com/NOCL.LIBYA/

Figure 60.3
Terms of reference for a Sales and Purchase contract, valid until 20 July 2019

DEAL TERMS OF REFERENCE

Producer:
National Oil Company (NOC) – Libya

Seller:
ALLOCATION HOLDER (via NETOIL)

Buyer: TBN

Refinery:
To be notified by the buyer at least 14 days before first day of laycan for loading

Product: Crude oil
Origin: Libya
Grade:
Approx. blend of Sarrir 65% Messila 35% (+/- operational tolerance)

Specifications:
API 36.5 [Assay Reports Attached]

Contractual Quantity:
Total Quantity 01 million US Barrels (+/- 5% operational tolerance)

Quantity:
Cargo to be 1,000,000 BBL (+/- 5 % Seller's option) Term of Contract:
First cargo Spot & then we agree on a Contract for subsequent deliveries Terms of delivery: CIF

Load-port:
Mersa al Hariga (Libya)

Discharge port: To be notified

Date range for loading:
First Cargo to be available for loading within 15 days after signing of SPA and receipt of Letter of Credit.

Price:
Based on FOB ex El Hariga; dated Brent Per US Barrel plus the freight as actual Pricing period:
05 days around BL date, 2 days before BL, 2 days after BL (1-1-0-1-1) where 0 is BL date; in case of BL date is non-publication, then three immediate publications prior BL date and two after BL date shall be used for pricing.

Payment:
By Irrevocable, Confirmed Letter of Credit (LC) payable at sight upon presentation of valid shipping documents; LC to be issued from an acceptable Bank in verbiage provided by the Seller Documents for payment.

1. Commercial Invoice (1 original + 3 copies) 2. Certificate of Origin 3. Original 3/3 Bill of Lading 4. Certificates of Quality & Quantity issued by jointly appointed surveyor at Load- port 5. Time Chart 6. Ullage Report 7. Master's Receipt for documents Invoiced Quantity: As per Bill of Lading

Page | 2

Quality:
To be determined at Load-port before loading of the Vessel by jointly appointed surveyors; costs to be shared equally Survey & Inspections:
By jointly appointed Independent Inspectors at Load-port

Insurance:
Seller to arrange and pay for Insurance of the cargo

Title:

Title of the Oil to pass to the Buyer upon payment received in the Seller's designated bank account

Risk:

Risk of loss or damage shall pass to the Buyer when the Oil passes through the manifold connection of the Performing Vessel at Load-port.

Taxes & Duties:

Each part to pay their respective taxes

Laytime:

36 + 6 Hours SHINC

Vessel Nomination:

To be nominated by the Seller for acceptance of Buyer and Port Authorities, approvals shall not be withheld without assigning valid reasons

Demurrage:

As per CP of performing vessel

ISPS:

Parties shall comply with the requirements of International Code of Security of Ship & of Port Facilities.

Non-Disclosure:

Parties shall keep all information discreet & confidential and shall not share with third parties.

General Terms & Conditions: INCOTERMS & as agreed in SPA

Page | 3

Applicable Law:

UN Convention on Contracts for the International Sale of Good of Vienna, 11 April 1980 Arbitration & Place:

International Chamber of Commerce at London

Validity:

This Term sheet is valid for signing of SPA between the Buyer & the Seller until 20 July 2019, subject to usual due diligence clearance

PROCEDURE:

1. Seller to issue this TOR/Deal Recap;
2. Buyer to negotiate & agree
3. Seller to issue draft of SPA & LC (open for negotiations)
4. Parties sign SPA & LC verbiage
5. Parties nominate their respective banks for transaction
6. Seller to nominate vessel and share Q-88
7. Seller to obtain approvals of nominated vessel from NOC and Load-port authorities
8. NOC to advise Load date range
9. Nominated vessel to tender NOR within Laydays for Loading
10. NOC shall provide permissions to Inspectors to conduct surveys, take samples and to perform their duties safely.
11. NOC shall issue Documents pertaining to Shipment.
12. Shipping documents are prepared
13. NOC shall let Vessel depart promptly and ensure safety of Vessel to International waters
14. Seller &/or NOC to lodge Shipping Documents in the Bank for Payment
15. Payment affected as agreed
16. Transaction completes We look forward hearing from you a favorable reply and hope to have a mutually beneficial long-term relationship with your esteemed company.

Thanking you in anticipation, Yours truly,

Figure 60.4

Inquiry in the market to charter a tanker to export crude oil from Marsa el Hariga (Tobruk), dated 30 September 2019

From: [REDACTED]
Sent: Monday, September 30, 2019 5:15 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Libya

Below inquiry received bss Libya/Curacao

Begin forwarded message:

Subject: Libya
Date: 30 September 2019 at 15:25:31 EET
To: [REDACTED]

To : [REDACTED]
Kind Attention : Chartering Desk
Date : 30.09.2019

Privately Count Energy
12 X 1 Million barrels crude oil
Load 1/2 sp(s) Libya intention Marsa El Hariga / Tubrok
Discharge 1/2 sp(s) Curacao
Laycan Oct 2019 thru Sept 2020 – first cargo to be lifted 1 Oct / 15 Nov 2019
Laytime 96 hrs shinc
2.5 pct comm

Pls offer firm

Sources: Confidential.

Annex 61: Jet A-1 aviation fuel sold quantities in the east

Figure 61.1

Jet A-1 aviation fuel sold quantities in the East.

شركة البرقة لتسويق النفط
مقر: طريق المدينة الصناعية الجديدة

مراسلات الشركة الداخلية

إلى السيد: مفاتيح سالم سلامة	من: علي محمد المقصبي
الوظيفة: مراقب التوريد و النقل البحري في (م.ش.و.)	الوظيفة: منسق مراقبة الأرصدة م.ش.و.
الموضوع: مبيعات كيرومين طويران خلال النصف الأول من عام 2019م	التاريخ: 08 / ذي القعدة / 1440 هـ الموافق: 2019/07 / 11 م

تحية طيبة وبعد ..

تحيل إليكم الكميات المباعة من منتج (ك - ط) - بحسب طلبكم منا - في مستودعات المناطق الوسطى خلال النصف الأول من عام 2019م وهي بالترتيب على الدرجة العادية.

الشهر	مبيعات م.المنقار	مبيعات مستودع طريق	مبيعات مستودع البريقة	مبيعات م.المرير	مبيعات مستودعات المطارات
شهر يناير	-	1,022,000	40,000	-	3,478,089
شهر فبراير	-	1,290,000	40,000	-	3,507,958
شهر مارس	-	925,000	252,000	-	4,487,080
شهر أبريل	2,095,000	1,035,000	199,000	-	6,558,457
شهر مايو	205,000	1,920,000	180,000	-	8,763,620
شهر يونيو	-	1,170,000	100,000	732,000	7,307,491
مجموع	2,300,000	7,362,000	811,000	732,000	34,102,695

الإجمالي النهائي = 45,307,695 لتر يعادل 36,000 ط/مصري

وتقبلوا منا فائق الاحترام و التقدير

منسق مراقبة الأرصدة م.ش.و.
علي محمد المقصبي

شركة البرقة لتسويق النفط
مقر: طريق المدينة الصناعية الجديدة

- صورة لتسليم: معبر عام المنطق (إ.و.)
- صورة لتسليم: معبر عام المنطق (إ.و.)
تق. م.ج. البقران

6107
2019
11

Source: Confidential

Figure 61.2
Unofficial translation

Brega Petroleum Marketing Company

Company Internal Communications

From Ali Mohamed Al Magsabi	To Mr. Muftah Salim Salama
Quality: Inventory Control Coordinator	Quality: Supply and Maritime Transport Control Specialist
Date: July 7, 2019	Subject: aviation kerosene sales during the first half of 2019

After greetings,

Upon your request, please find below the sold quantities of aviation kerosene, in the Central region warehouses during the first half of 2019 in Litre regular grade

Sales Month	Al Mangar warehouse sales	Tobruk warehouse sales	Brega warehouse sales	Sarir warehouse sales	Airports warehouses sales
January	-	1,022,000	40,000	-	3,478,089
February	-	1,290,000	40,000	-	3,507,958
March	-	925,000	525,000	-	4,487,080
April	2,095,000	1,035,000	199,000	-	6,558,457
May	205,000	1,920,000	180,000	-	8,763,620
June	-	1,170,000	100,000	732,000	7,307,491
Total	2,300,000	7,362,000	811,000	732,000	34,102,695

Overall total = 45,307,695 litres equivalent of 36,000 metric tons

Regards,

Inventory Control Coordinator

Ali Mohamed Al-Magsabi

Source: Confidential

Annex 62: Arrest warrants issued by the Attorney General's Office on 7 February 2019

Figure 62.1

Arrest warrants issued by the AGO on 7 February 2019

1. The Panel holds a copy of the above indicated document.

Figure 62.2

Official translation of the above

2. The Panel holds a copy of the above indicated document.

Annex 63: List of trusted petrol stations issued by Brega

Figure 63.1

List of trusted petrol stations issued by Brega

1. The Panel holds a copy of the list of trusted petrol stations issued by Brega.

Annex 64: Quantities of refined products distributed by Brega since 2012

Table 64.1

Quantities of refined petroleum products distributed by Brega, 2012 to April 2019, in litres.

<i>Year</i>	<i>Region</i>	<i>Gasoline</i>	<i>Diesel</i>	<i>Kerosene</i>
2012	East	1,296,561,000	426,747,200	67,379,000
	Tripoli	1,582,850,000	455,382,600	135,243,000
	Misrata	523,033,000	247,243,500	0
	Zawiyah	764,710,000	326,092,000	0
	Sebha	252,831,000	116,494,650	50,000
2013	East	1,452,890,500	537,694,300	36,640,800
	Tripoli	1,823,994,500	669,305,200	128,400,000
	Misrata	637,079,300	367,286,000	0
	Zawiyah	893,711,000	372,078,000	0
	Sebha	314,360,000	179,614,500	0
2014	East	1,288,186,000	577,309,700	577,309,700
	Tripoli	1,254,861,900	402,610,500	74,834,000
	Misrata	771,646,000	437,767,000	101,000
	Zawiyah	1,175,677,000	472,764,000	0
	Sebha	169,244,200	113,300,000	0
2015	East	1,295,185,500	475,190,750	5,581,650
	Tripoli	1,312,224,000	315,791,500	43,238,000
	Misrata	554,943,000	280,387,000	0
	Zawiyah	1,162,978,000	480,982,000	380,000
	Sebha	252,050,000	90,833,000	0
2016	East	1,353,369,000	469,718,800	25,361,000
	Tripoli	1,781,998,000	531,148,500	45,244,000
	Misrata	660,936,000	335,235,000	0

<i>Year</i>	<i>Region</i>	<i>Gasoline</i>	<i>Diesel</i>	<i>Kerosene</i>
2017	Zawiyah	1,045,820,000	512,660,000	0
	Sebha	356,202,000	134,956,000	0
	East	1,427,195,000	508,418,300	24,621,500
	Tripoli	1,867,226,000	360,732,500	42,172,000
	Misrata	812,916,000	510,133,000	68,000
	Zawiyah	830,990,000	190,300,000	0
	Sebha	171,868,000	33,330,000	0
2018	East	1,541,191,000	570,349,400	21,005,500
	Tripoli	2,01,989,800	237,999,000	6,306,000
	Misrata	911,110,000	475,107,000	120,000
	Zawiyah	739,450,000	179,645,000	0
	Sebha	25,043,000	2,251,000	0
	East	519,035,000	217,694,030	12,380,000
2019 (until April)	Tripoli	445,165,000	76,528,000	6,700,000
	Misrata	330,380,000	163,860,000	84,000
	Zawiyah	223,690,000	68,790,000	0
	Sebha	41,908,000	7,838,000	0

^a Brega Petroleum Marketing Company

Annex 65: Letter calling for abolishment of the monopoly of the distribution companies

Figure 65.1

Letter of the Minister of Interior

*Translated from Arabic***State of Libya
Government of National Accord
Ministry of the Interior
Office of the Minister**Ref. No.: *shin.sin/1154*

Date: 18 August 2019

Sir,

I write in response to the letter of the Chair of the National Oil Corporation (ref. no. 3457/4-1-25) of 13 August 2019 regarding the low level of fuel withdrawals by the four petroleum distribution companies (Sharara Oil Services, Al-Rahila, OilLibya and Highway Service Company) and their failure to monitor petrol stations and their operations.

The low withdrawal rate has led to a crisis in the supply of fuel to petrol stations and the closure of some stations. There is no justification for any of this, given that the Ministry has provided all petrol stations in and around Tripoli with the required protection. Security officials in no way interfere with the operation of those petrol stations and it is believed that the companies may be deliberately holding back from taking delivery of their daily fuel allowances in order to justify requests to increase oil imports from abroad or to reopen petrol stations closed by court order as the Office of the Public Prosecutor conducts a criminal investigation into smuggling activities.

Given all of the above and the fact that the matter relates to a basic necessity that affects security and services, the Ministry deems it necessary to issue a decision on ending the monopoly exercised by the four fuel distribution companies on this activity, in order to ensure that petrol station owners and operators work directly with the Brega Petroleum Marketing Company and obtain their supplies from its depots, without any intermediaries to facilitate operations. This should fully resolve the current crisis.

(Signed) Fathi Ali **Bashagha**
Acting Minister of the Interior

Chair of the Presidential Council
Government of National Accord

cc:

Director of the National Oil Corporation
Classified matters department of the Office

Annex 66: Letters issued by the Municipal Council of Zawiyah

Figure 66.1
Official translation

Translated from Arabic

Municipal Council of Zawiyah

Date approved: 12/11/2018

Re: Response to media statements made by the board of the National Oil Corporation

(a) The oil refining complex in Zawiyah comprises:

1. The Azzawiya Oil Refining Company, with its refinery, oil terminal and oil blending and asphalt production facilities;
2. The Brega Petroleum Marketing Company (fuel and gas supply depots);
3. The Akakus Oil Operations and its oil terminal;
4. The Specific Training Centre for Oil Industries;
5. The Arabian Gulf Oil Company (oil terminals).

(b) We would like to state that:

1. The surface area of the oil complex totals 250 ha and falls within the city limits;
2. The Zawiyah oil refinery was established in 1973 and has not been further developed since;
3. The safety fences have been in a state of disrepair since 2008 and are not fit for purpose;
4. This vast area has no security cameras, alarms or electronic protection systems, and the guards are not authorized to bear arms;
5. The area is not equipped with internal or perimeter gates to control movement within or around the oil complex;
6. Perimeter watchtowers are dilapidated and out of use;
7. The Zawiyah oil complex has not suffered any systematic attacks or sabotage and has not been the scene of armed clashes;
8. Unlike in the central and eastern parts of the country, the oil complex has not been subject to closures; nor have exports been interrupted. On the contrary, any stoppages or strikes have been extremely limited in scope and have been resolved with minimal losses through the use public pressure;
9. All the installations in the oil complex are meeting production targets and the Akakus company is exporting approximately one third of Libyan output through the Zawiyah oil terminal;
10. During the battle of Tripoli International Airport in 2014 and the fire that subsequently engulfed the Tripoli depot, it was the firefighting squad from the Zawiyah oil complex that was first on the scene to contain the fire; the Zawiyah depot and oil tankers were the nearest at hand to tackle the fuel crisis in the capital and to resume work after the recent crisis there;
11. We have referred to the report of the fuel crisis committee on what lies behind the smuggling. Reports by the depot management confirm that the amount of fuel being siphoned off daily has continued to drop and, compared with the Tripoli and Misratah depots, is the lowest in the country;

12. The irregularities and breaches within the oil complex were all carried out by individuals who infiltrated it through the main gate or openings in the perimeter fence;

13. We believe that the timing of these allusions to a possible suspension of operations at the Zawiyah is not conducive to carrying out economic reform, given that production has picked up again and the price of crude has risen.

(c) The Municipal Council of Zawiyah has been taken aback by statements casting the City of Zawiyah, which is responsible for the security of the oil complex, in a bad light before public opinion, both at home and abroad. The daily acts of sabotage, closures and kidnappings of oil workers to which all oil facilities – fields, refineries and terminals – and even the offices of the National Oil Corporation itself are subjected elicit no such response. The City of Zawiyah, however, has been scrupulous about maintaining security at the oil complex. Some 7,000 employees, regular visitors and students enter and leave the complex every day. We must ask, what has the National Oil Corporation done since 2011 to support sustainable development or to remediate harm suffered by the population and the environment? We demand a commission of inquiry to examine these facts closely and verify them so that we might present a true picture of the City of Zawiyah.

Yours sincerely,

(Signed) Eng. Jamal Abdunnasser **Bahr**
Mayor of the Municipality of Zawiyah

Annex 67: Routes employed by fuel smugglers from Zawiyah

Figure 67.1

Routes used and main check points crossed by fuel smugglers



- A. Located at 32°45'29.8"N 12°41'31.3"E, is the first check point after the oil complex, under the control of an armed group affiliated to the Awlad Sagir tribe.
- B. Located at 32°28'37.9"N 12°40'33.0"E, in the town of Bir Bin Shuaib, is the second check-point common to both routes, under the control of an armed group affiliated to Awlad Sagir tribe with some elements from the Al Hirarat tribe.

South Route:

- C. Located at 32°28'37.9"N 12°40'33.0"E, this check point is known as the "T-Check Point", under the control of Imad al Tarabulsi forces.
- D. Located at 32°01'15.5"N 11°56'45.1"E, in the town of Shakhshuk, is under the control of armed groups from Jadu.

West Route:

- E. Located at 32°33'49.3"N 12°25'15.2"E, this check point is known as "roundabout al-Jeweili" and is under the control of Zinati armed groups.
- F. Located at 32°34'12.9"N 12°20'16.8"E, this check point is known as "South Surman route" and is under the control of Zinati armed groups.
- G. Located at 32°45'33.8"N 12°28'22.5"E, in the city of Sabratha, this check point is under the control of listed individual Mus'ab Mustafa Abu al Qassim Omar (LYi.024), a.k.a. Musa Abu Ghayn.
- H. Located at 32°50'36.1"N 12°14'35.0"E, in the western exit of the city of Sabratha, near the entrance of the Mellitah Oil and Gas complex, this check point was under the control of listed individual, Ahmad Oumar Imhamad al-Fitouri (LYi.023), a.k.a. Al Ammu Dabbashi, and now is controlled by the Sabratha Military Council.

Annex 68: Specifications of the diesel oil imported by Libya

Figure 68.1
Specifications for diesel oil

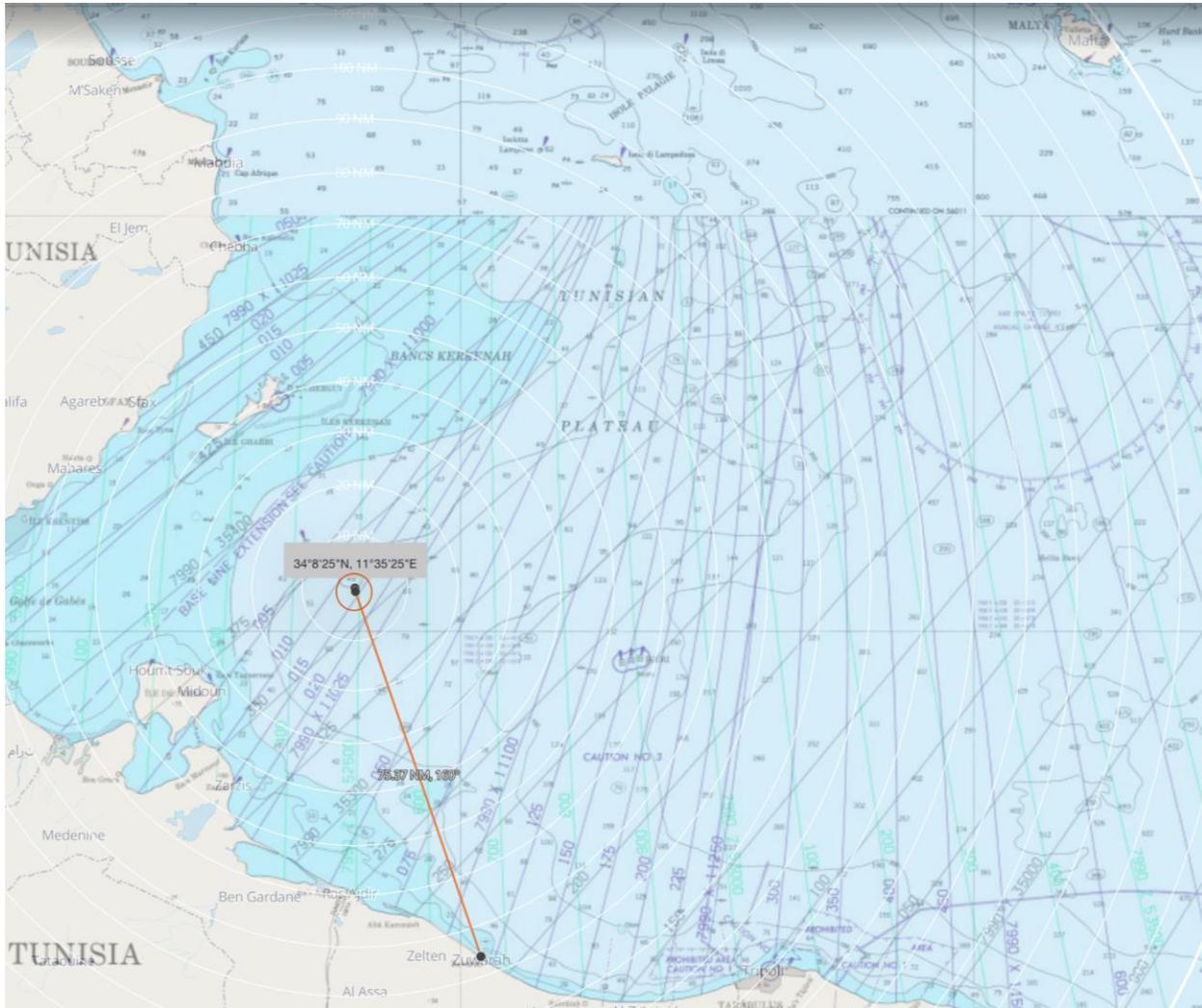
Libyan specification for Diesel Oil no. (1)
126/2007

No	TEST NAME	METHOD	UNIT	Limit
1	Specific Gravity @ 15.6 °C	ASTM D-1298		report
2	Distillation	ASTM-D-86	Vol.%	< 65
	Recovery @ 250 °C	ASTM-D-86	Vol.%	85 (min.)
	Recovery @ 350 °C	ASTM-D-86	Vol.%	85 (min.)
	95% vol.	ASTM-D-86	°C	360 (max)
3	Flash point	ASTM-D-93	°C	60 (min.)
4	Viscosity @ 40 °C	ASTM-D-445	cSt	2 - 5
5	Pour Point	ASTM-D-97	°C	Winter -1 (max) Summer +3 (max)
6	Total Sulfur	ASTM-D-4294	Wt%	0.1 (max)
7	Heat of Combustion (Gross)	ASTM-D- 4868	Kcal/kg	10600 (min)
8	Cu Corrosion (3hours@ 50 °C)	ASTM-D-130		No. (1)
9	Acid No. (Total Acidity)	ASTM-D-974	mg/KOH/g	0.1
10	Carbon Residue (CONR)10%RES	ASTM-D-189	Wt%	0.15 (max)
11	Ash Content	ASTM-D-482	Wt.%	0.01 (max)
12	Cetane Index by calculation	ASTM-D-976		46 (min)
	Cetane Index by measuring			51 (min)
13	Cloud Point	ASTM-D-2500	°C	Winter + 3 Summer +6
14	Polyaromatic	ASTM-D-6591	°C	11 (max)

Annex 69: Indication of the area where Ship-to-Ship transfers of Libyan fuel are taking place

Figure 69.1

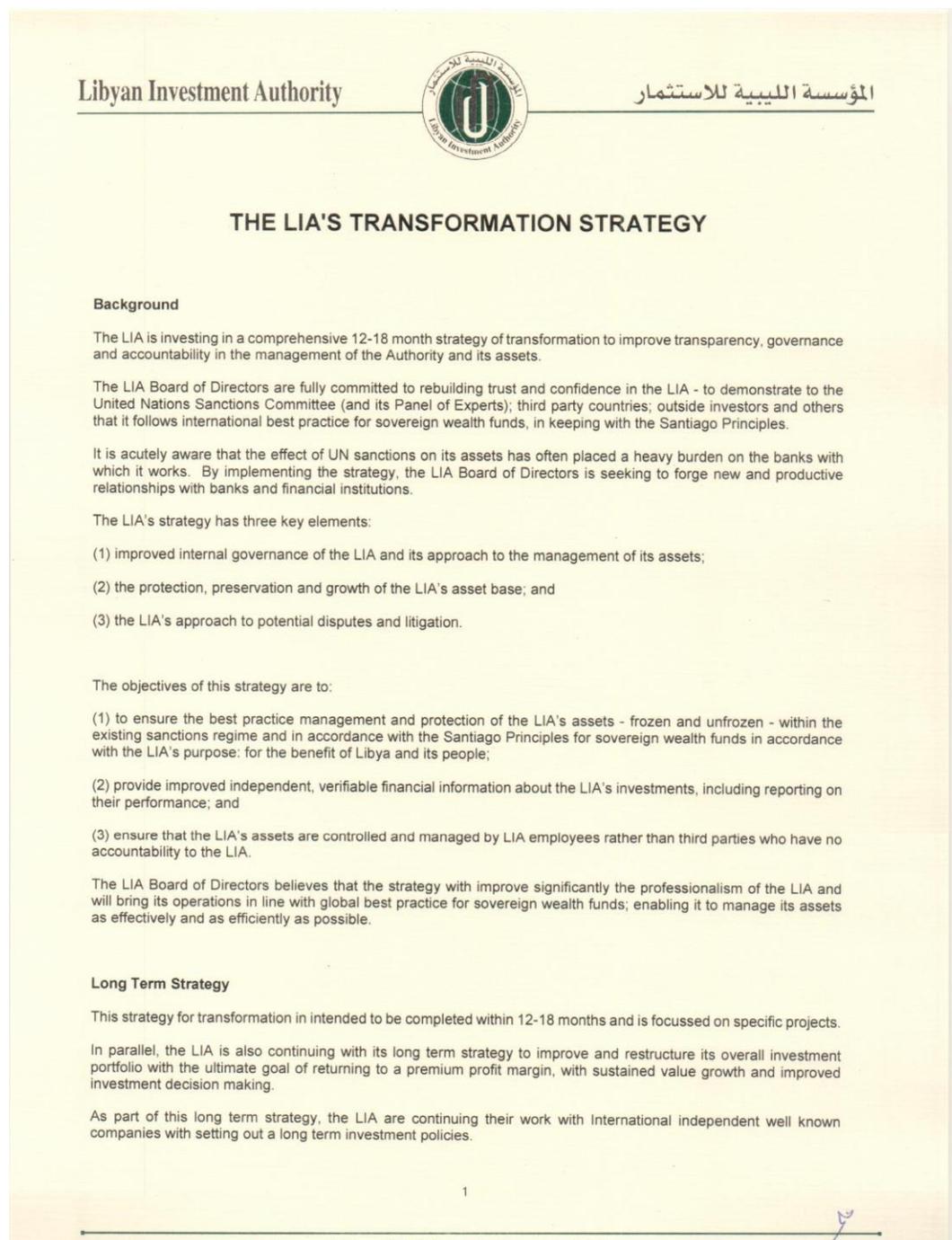
Approximate location of the area where STS transfers. 34°8'25"N, 11°35'25" E



Annex 70: LIA strategy

Figure 70.1

LIA strategy to improve transparency, governance and accountability





Governance and Management

The governance and management reforms element of the LIA's strategy involve an extensive programme to ensure that the LIA is able to observe international best practices for sovereign wealth funds and for the LIA's frozen funds to be managed as effectively and as efficiently as possible within the framework of the United Nations' existing sanctions regime.

Under these reforms, the LIA is committed to taking concrete and practical steps to create more efficient and coherent internal structures and procedures to provide greater transparency to its activities and, ultimately, to protect and grow its investments astutely.

For example, the LIA has commenced in implementing with a high qualified global training institutions for training and development of its staff and is embarking upon a programme in partnership with the international community parites to improve its accountability and internal management systems.

The LIA has also become a member in the International Forum of Sovereign Wealth Funds (IFSWF) to aim for a greater level of governance.

The LIA Board of Directors acknowledge and recognise the size of the task. Implementing the strategy is challenging and the reforms are reliant upon external professional consultants being hired to provide both expert and independent guidance and resource. For example, the LIA Board of Trustees has given permission to the LIA Board of Directors to propose external auditors and experts in forensic review. In addition, international consultants with relevant first class expertise will be appointed over the coming months to advise on internal management reforms, as well as investment reporting; forensic capability and project and process management.

These reforms will require the co-operation of the banks and financial institutions which manage and have custody of the LIA's assets – so that the LIA can properly evaluate its investments and make informed choices with respect to future dealings.

The LIA's strategy is fundamental to the LIA's contribution to economic reform in Libya and has been discussed and adopted by the LIA Board of Directors .

Asset Protection

The asset protection reforms element of the LIA's strategy are designed – within the existing sanctions regimes - to protect the LIA's assets (frozen and unfrozen) becoming subject to unwanted attachment and/or other enforcement orders where parties to disputes have obtained judgments and orders against the State of Libya and/or other Libyan state entities - as has been attempted in certain jurisdictions.

Too often third parties with claims against the State of Libya have simply sought to attack LIA assets by way of court enforcement applications, as such assets are generally of high value and are perceived to be readily available in numerous jurisdictions. However, the LIA is not an emanation of the State of Libya and its assets are not to be used to cover judgments against Libya.

Legal

The LIA recognises that its reputation has been impacted by its involvement as a counterparty in litigation and significant efforts are being made to ensure that the LIA alone (and not third parties with little, if any, accountability) manages and directs its disputes and ensures that, where formal proceedings become necessary, they are handled efficiently and effectively – to serve the LIA's best interests – both long and medium term and legally and commercially.

The intention is also to reduce senior management time in managing a portfolio of international litigation, which in turn distracts from the LIA's ability to deal with its core business.

A significant number of the LIA's disputes involve individuals purporting to act on behalf of, or giving instructions on behalf of, the LIA. This situation has arisen directly out of a dispute concerning the valid Chairman of the Authority, which the LIA Board of Directors (appointed by the Government of Accord's Council of Ministers) is actively seeking to bring to a close in the English Courts.

**Conclusion**

The LIA's reform strategy and long term strategy are both fundamental to ensuring that the Authority remains profitable and that its assets are safeguarded for the future of Libya and its people.

This is imperative because the LIA has a critical contribution to make to economic reform in Libya and it hopes that banks and financial institutions that wish to work in partnership with the LIA share this vision.

The implementation of the reform strategy is being carried out in full co-operation and agreement with the other key economic and political institutions and international community parties has been discussed and adopted by the LIA Board of Directors.

We look forward to working together with world-class banks and financial institutions to further the objectives described above.

—Dr. Ali Mahmoud Hassen Mohammed
Chairman&CEO
Libyan Investment Authority

Annex 71: Legal and other issues faced by designated entities

Legal disputes

1. Supreme Court of Libya - Details of the two appeals, which the Supreme Court of Libya decided on 10 April 2019 were provided in annex 58 to [S/2018/812](#).
2. It should be noted that the Administrative Chamber of the Supreme Court has set aside the two judgments of the Administrative Chamber of the Benghazi Court based on that Court's lack of jurisdiction. The Supreme Court made no findings on the main grounds, viz., the matter of legality of the formation and functioning of the Board of Trustees and, consequently, that of the Board of Directors.

Other legal cases in Libya

3. The court case filed by Mr. Abdulmagid Breish is pending.
4. The Panel has learned that a former Chairman of LIA, Mohsen Derrigia, had filed a case in the Tripoli Court, challenging his removal as he was not formally dismissed. The lower court had turned down his application on the ground that decisions of the Board of Trustees are not subject to legal review. The Supreme Court, in its decision of 20 March 2019, accepted his appeal and overturned the judgment of the lower court.
5. United Kingdom – The case is before Mr. Justice Andrew Baker in the Queen's Bench Division, Commercial Court. The applicant here is Dr. Ali Mahmoud Hassan Mohamed. The respondents are the Receivers, the LIA, Mr. Abdulmagid Breish, former Chairman of the LIA and Dr. Hussein Mohamed Hussein Abdlmola, Chairman of LIA east.
6. The applications before the Court seek: A declaration that Dr. Mahmoud has been since 15 July 2017 and remains validly appointed as Chairman of the LIA with authority, therefore, to exercise control over the property the subject of the receivership order in question; an order that the respective receivership order be discharged with whatever may be the appropriate consequential orders and directions, including for transfers of assets in the hands of the receivers.
7. After detailed discussion, Justice Baker held on the preliminary issues:
 - a. *“The question of which body represents or has at any material time represented the executive authority and Government of Libya falls to be determined, if it arises before this court, under English law; and*

b. The executive authority and Government of Libya is represented today and has been represented since at least 19 April 2017 by the Government of National Accord and the Presidency Council, and that is so if and insofar as relevant to and for the purpose of Article 6 of Law No. 13 of 1378 DP (2010) made by the then General People's Congress of Libya or for any other purpose to which the question might matter if it arises before this court in relation the Applications."

8. By further order of 10 July 2019, the respondents, Breish and Hussein, were given permission to appeal in respect of the above Order of 14 February 2019.

9. The issues to be tried were listed in Annex 1 of the order dated 10 July 2019. Permission was also given for expert evidence in the field of Libyan law. The issues to be considered by the experts are detailed in Annex 1 of the order dated 25 July 2019.

10. Since there was a dispute over authority, the Court appointed receivers who would handle particular assets and pursue the litigation on behalf of LIA (paragraph 16 of Annex 58 to [S/2018/812](#)). The Panel does not have full details of these cases.

11. Proper conduct of litigation is essential as some assets of LIA are subject to attachment, or attempts are being made to attach. The claims leading to such attachments are not against the LIA, but against the Libyan state for pre-2011 contracts. Lack of proper monitoring and defence of these cases risks loss of LIA assets.

Long Term Portfolio (LTP)

12. The LIA authorities explained the difficulties they encounter in managing the assets of the Long Term Portfolio. The Panel has confirmed that the assets (approximately US\$ 10 billion) have been held in the name of LFIC from well before the assets freeze became operative and are all frozen. These assets are generating profit.

13. Representatives of the LTP and of the BoD of the LIA in Tripoli emphasised that the LTP was a separate company and pointed to its registration in 2018 in the Commercial Register of Tripoli to prove this point. The Panel, however, ascertained that decision 767 of 1991 created a committee to manage a portfolio to invest the gains from shares in FIAT, sold for substantial profit in the late 1980s. This decision did not create a legally independent entity. It has neither articles of association nor a certificate of incorporation. This portfolio was run by the LFIC. Currently, all the investments are in the name of the LFIC. Previous Chairmen had recommended the integration of this Portfolio into the LIA but this was not done. The LIA claims that the LTP is a separate legal entity and has appointed a Chairman and BoD for the LTP. Previous Chairmen of the LIA have stated that is not a separate legal entity.

14. The Panel has not yet confirmed the validity or otherwise of the claims above, as these have arisen post 2011 and would not affect the assets freeze. These assets were, and are, still legally in the name of LFIC, which is acknowledged by the LIA. Regardless of whether the LIA chooses to nominate a new BoD, as was done in 2017, the assets cannot be legally transferred, more so as the legal existence of LTP as an independent company, is not free from doubt.

15. The BoD of the LIA in Tripoli reconstituted the board of LTP by decision number 20/2017 issued in December 2017. Sami Mabrouk was removed as chairman of the LTP and Atef Al Bahri was appointed the new chairman per the decision. Sami Mabrouk is resident in Jordan as the head of the representative office of the LTP there. He left Tripoli in 2014 to establish this office, which was registered in Jordan on 6 August 2015. The Panel has seen the decision of the BoD of the LIA, signed by Hassan Bouhadi, then chairman, to establish the office to Jordan.²¹⁹ Sami Mabrouk's refusal to hand over to Atef al Bahri has engendered a dispute between the two offices, with even the Jordanian authorities refusing to recognize the appointment of Atef al Bahri. Sami Mabrouk also challenged his removal in Tripoli courts.

16. The assets in Jordan are apparently frozen, but the Panel awaits supplementary information to determine the proper implementation of the assets freeze. The Panel is further enquiring into the allegations of mismanagement and misappropriation of funds by various Libyan authorities.

17. An audit of the funds, other financial assets and economic resources, belonging to the LTP and its representative office in Jordan may shed light on the effective implementation of the assets freeze. An audit should encompass all assets, which are declared to be not subject to the assets freeze, and all assets controlled directly or indirectly. It is known, for instance, that large sums were transferred in the past for the purported administrative running of the LIA Malta office. It is necessary to verify how these transfers were effected and how these sums were not subject to the assets freeze.

18. This case also illustrates the confusion generated by two boards of LIA, one in Tripoli and one in the east and how this affects the management of LIA assets (see paragraph 23).

Issues with financial institutions and member states

19. Both designated entities face problems with the KYC processes, particularly in HSBC UK and HSBC Luxembourg, and are consequently unable to access to or obtain information on their funds even though the banks are collecting its monthly management fees. The completion of the KYC process,

²¹⁹ Reference to Hassan Bouhadi in paragraphs 217 and 218 of [S/2017/466](#).

which includes updating of LIA's authorised signatory list, is linked to the pending litigation in the United Kingdom.

20. The Panel specifically asked the designated entities if the national regulator had been approached. Their response was that it is time consuming and they cannot afford the delay. This does not appear convincing as the net result is that they still cannot have access to the funds. The Panel advised that they could submit exemption requests as per the provisions of the resolutions. The representatives of the designated entities responded by pointing out instances of considerable delay at the level of the financial institutions and the national authorities in processing the documents and sending onwards to the Committee. This issue could be addressed by simplified and quicker procedures for processing exemption requests.

Implementation Assistance Notice 6

21. LIA is facing problems of financial flow pursuant to issue of IAN 6 as funds which were earlier freely available are now frozen. When access to funds is requested, some financial institutions delay and seek clarification as to whether the funds are free or frozen.

22. LIA also raised the issue of funding of subsidiaries, one being Libyan African Investment Company (LAICO). Earlier, the interest from frozen accounts, which was considered free money, contributed to the debt payments of hotels managed by LAICO. This is no longer possible. LIA now requires approval for release of frozen funds for payment of the outstanding loans of the hotels. LIA is using LFIC funds in Libya to fund the LAICO hotels. This is in terms of a decision of the BoT of LIA. LAICO is not subject to the UN assets freeze. It is, however, subject to the assets freeze under EU regulations. Nevertheless, it appears that LIA had been utilising their funds, which ought to have been frozen, to help LAICO out of its financial difficulties. Now that these funds, being income accrued from frozen funds, have been correctly frozen, LIA is making known its difficulties. This issue is relevant in the context of governance and management issues of LIA and its subsidiaries.

LIA East

23. The 'interim government' continues to appoint a parallel Board of Directors for the LIA. Dr. Hossein is the current Chairman and he is also a party to the court case relating to the removal of the receivers, pending in the United Kingdom. This Board has no control over the LIA assets. Nevertheless, this is one of the issues which make financial institutions wary in allowing access to funds.

Annex 72: Designated individuals

1. On 16 February 2019, the Panel interviewed Mohammed Kashlaf (LYi.025) and Abd Al-Rahman al-Milad (LYi.026) in Libya. The Panel explained the assets freeze and travel ban measures, including the delisting procedure to them.
2. Mohammed Kashlaf (LYi.025) said that he works for the PFG, and he confirmed that he is still receiving his salary from the Ministry of Defence through the PFG. Since 2014 he has been tasked with securing the perimeter of the oil complex in Zawiyah. He requested sight of the evidence submitted for his designation as he cannot prepare a defence without it.
3. Abd Al-Rahman al-Milad (LYi.026) explained that he had been in charge of the Coast Guard port facility at the Zawiyah oil complex since 2013. He also asked for the evidence leading to his designation. He claimed that he had saved many migrants and referred to his role in seizing several vessels. He refused to provide his pay slip or any other documentation.

Annex 73: Suggestions for passenger profiling system

1. Some countries have developed their own system to process passenger information and some others use the Global Travel Assessment System (GTAS), which is a license-free software application, developed by the US Customs and Border Protection and made available by the World Customs Organization (WCO) to member countries free of cost. GTAS is an Open Source web application for improving Global Security by using industry-standard Advance Passenger Information (API) to screen commercial air travellers. It was developed in response to resolution [2178 \(2014\)](#) to help the world combat terrorism and improve travel security for everyone.
2. For this purpose, the following are required:
 - c. Legislation mandating the airlines/master of the vessels etc. to electronically submit passenger information in a prescribed format at stipulated time to the competent authorities (Customs/Immigration/Border Force). Some countries may ask for only basic travel information of the passengers, collected before the departure of the aircraft (API- Advance Passenger Information) or it can be more detailed including information furnished by the passenger at the time of purchase of ticket (both API and PNR data).
 - d. The competent authority can screen the passenger information using an automated system, against certain dynamic risk parameters, to identify the targeted or risky passengers. Using this system, persons subject to travel ban can easily be identified, when they enter or leave a country.