



安全理事会

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2021 年 3 月 8 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谨依照第 2509(2020)号决议第 12 段随函转递专家小组工作的最后报告。

报告于 2021 年 2 月 18 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，委员会于 2021 年 3 月 5 日审议了报告。

请提请安全理事会成员注意本信和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

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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

2019 年 4 月 4 日附属于哈利法·哈夫塔尔的武装团体对黎波里的袭击所引发的军事冲突主导了 2020 年上半年的局势。在整个武装对抗期间和之后，哈夫塔尔附属部队和民族团结政府继续得到国家和非国家行为体越来越多的支持。2020 年 1 月，哈夫塔尔附属部队控制了重要石油码头和油田，导致事实上的石油封锁。民族团结政府 2020 年 4 月重新控制了西海岸，并于 2020 年 6 月初将哈夫塔尔附属部队赶出的黎波里周围地区，到 2020 年 7 月将战线转移到中部地区苏尔特和朱夫拉。2020 年 8 月至 10 月，双方军事指挥官在联合国利比亚支助团(联利支助团)的主持下进行了停火谈判。与此同时，达成了一项暂时冻结石油收入的协议，促成哈夫塔尔附属部队的石油封锁结束，国家石油公司对石油设施的不可抗力令逐步解除。2020 年 10 月 23 日，联利支助团宣布了利比亚两方签署的停火协议的条款，但他们对执行协议的承诺仍值得怀疑。2020 年 11 月 7 日，联利支助团启动了一个政治谈判轨道，称为利比亚政治对话论坛。

在整个任务期间，利比亚问题专家小组查明了威胁利比亚和平、稳定或安全的多种行为，并认定针对国家机构和设施的袭击增多。利比亚平民，包括移民和寻求庇护者，继续遭受普遍存在的违反国际人道法和国际人权法行为及侵犯践踏人权行为之害。被指认的恐怖主义团体在利比亚仍然活跃，尽管其活动有所减少。他们的暴力行为继续对该国的稳定和安全产生破坏性影响。

武器禁运仍然完全无效。直接支持冲突各方的会员国公然大肆违反武器禁运规定，完全无视制裁措施。它们控制了整个供应链，使侦查、阻断或拦截工作变得复杂。这两个因素使得武器禁运的执行更加困难。

东部当局继续试图非法出口原油和进口航空燃料。2019 冠状病毒病(COVID-19)疫情对全球需求和船用燃料价格产生影响，导致精炼石油产品的海上非法出口暂时停止。燃料继续通过陆路走私，尽管规模很小。

有证据表明，被指认实体内的实益所有权和法定所有权、金融交易和投资控制权一直缺乏透明度。已查明一起不遵守资产冻结规定的案件。需要对子公司的活动进行监控。利比亚投资管理局对制裁的影响所作预测不准确。在动用被冻结资金方面存在各种问题，冻结资产的办法也不统一，需要予以解决。

对被指认个人的资产冻结和旅行禁令措施仍未得到有效执行。

目录

	页次
一. 背景	5
A. 引言	5
B. 与利益攸关方和机构的合作	5
二. 威胁利比亚和平、稳定或安全或阻碍或破坏利比亚顺利完成政治过渡的行为	6
A. 利比亚武装团体动态	6
B. 国际恐怖主义团体和个人	6
C. 外国武装团体和战斗人员	7
D. 可能造成或导致挪用利比亚国家资金的行为	8
E. 阻碍或破坏利比亚顺利完成政治过渡的行为	9
F. 对利比亚境内空中、陆地或海港的袭击	9
G. 对利比亚国家机构或设施的攻击	9
H. 违反适用的国际人权法或国际人道法的行为或侵犯人权的行为	10
三. 武器禁运的执行情况	14
A. 调查工作面临的挑战	15
B. 对冲突动态的影响	15
C. 海上违规行为和拦截	18
D. 会员国违反武器禁运规定进口的行为	21
E. 某会员国违反武器禁运规定出口的行为	26
F. 空运线	27
G. 私营军事和保安公司的参与	30
H. 对违反武器禁运行为的回应	33
I. 所报告违反行为的最新情况	33
四. 国家机构的统一	34
A. 利比亚中央银行	34
B. 利比亚投资局	35
C. 国家石油公司	35
五. 防止非法出口或非法进口石油	36

A.	非法出口原油的尝试	36
B.	防止非法出口精炼石油产品	36
C.	非法进口航空燃料	38
六.	对被指认实体实施资产冻结.....	38
A.	概览	38
B.	转型战略	38
C.	子公司	39
D.	制裁对被冻结资金的影响	41
E.	动用被冻结资金	43
七.	对被指认人员实施资产冻结和旅行禁令.....	45
A.	关于不遵守旅行禁令的最新情况	45
B.	关于被指认人员的最新情况	45
C.	为有效执行资产冻结和旅行禁令措施而采取的行动.....	45
八.	建议	46
九.	附件	48

一. 背景

A. 引言

1. 本报告根据第 2509(2020)号决议第 12 段向安全理事会委员会提交，所述期间为 2019 年 10 月 25 日专家小组提交上一次报告(S/2019/914)到 2021 年 1 月 24 日，¹ 其中列入了该报告所详述的正在进行中的各项调查的最新情况。关于利比亚制裁制度演变情况的概述见本报告附件 1。²
2. 专家小组在进行调查时，遵循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)。尽管因 2019 冠状病毒病(COVID-19)大流行，前往利比亚和其他目的地的旅行受到限制，但专家小组仍保持了可达到的最高证据标准。
3. 专家小组以确凿证据为依据开展工作，并遵守了关于答辩机会的标准。³ 专家小组在调查中保持了透明度、客观性、公正性和独立性。

B. 与利益攸关方和机构的合作

4. 所咨询的会员国、组织和个人名单见附件 4。专家小组的通信记录见附件 5。专家小组通过商业电子平台与委员会、会员国和其他对话者，包括其他专家小组保持联系。专家小组还就重要问题向委员会提交了 13 份最新资料。
5. 专家小组得益于与联合国利比亚支助团(联利支助团)的定期交流。欧洲联盟地中海军事行动(伊里妮行动)也向专家小组提供了支助，特别是支助专家小组调查冲突双方不遵守武器禁运的情况和非法进出口石油产品的情况。
6. 专家小组于 2020 年 11 月下旬前往利比亚，并承认由于 COVID-19 的限制，旅行遇到困难。然而，专家小组前往利比亚对其执行任务仍然至关重要，会员国和联合国相关机构对此应给予优先考虑。
7. 尽管利比亚国民军联络人参加了 2020 年 5 月 8 日举行的视频会议，但他没有对专家小组的信函作出回应。2020 年 7 月 20 日，该联络人告知专家小组，他将被一个新的联络委员会取代，但没有提供任何联系信息。专家小组试图联系利比亚国民军官员以解决这一问题，但没有成功。

¹ 所有超链接均于 2021 年 1 月 31 日访问。

² 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。简称和缩写表见附件 2。

³ 关于方法和答辩机会的更多资料见附件 3。

二. 威胁利比亚和平、稳定或安全或阻碍或破坏利比亚顺利完成政治过渡的行为

A. 利比亚武装团体动态

8. 专家小组注意到,各种武装团体或其领导人在总理委员会的直接领导下日益整合。武装团体,特别是纳瓦西旅、格涅瓦和特别威慑部队,继续渗入国家机构,使这些团体不正当地合法化,并助长了安全结构内的竞争(见附件 6)。

9. 武装团体的一个惯用手段是用录音资料进行要挟,以获得觊觎的政府职位,从而获得权力和金钱。

10. 据保密消息来源称,2020 年 11 月下旬,的黎波里革命旅领导人海赛姆·塔朱里试图从阿拉伯联合酋长国经突尼斯返回的黎波里,但被突尼斯当局拦阻。2020 年 12 月 11 日,社交媒体报道塔朱里出现在利比亚。⁴ 此后,他在扎维耶会见了其他民兵领导人和成员,包括被指认的个人穆罕默德·阿明·阿拉比·卡什拉夫(LYi.025)和纳瓦西旅附属人员穆罕默德阿布·达拉。这些事态发展标志着武装团体进一步重组,其目的是破坏内政部(见附件 6)。

11. 2020 年 11 月 10 日,律师 Hanan al-Baraasi 在班加西的一条主要街道上开车行驶时,光天化日之下被人枪杀。al-Baraasi 大胆直言,对哈里发·哈夫塔尔多有批评。她在遇害前一天发布了多个直播视频,批评利比亚国民军财务腐败,并承诺将公布指证哈夫塔儿的儿子萨达姆的相关证据。⁵ 一年半前议员 Siham Sergewa 被绑架,案件仍未解决,如今 al-Baraasi 又遭暗杀,这是暴力压制女性公众人物的又一例证。

B. 国际恐怖主义团体和个人

12. 民族团结政府所属部队和哈夫塔尔附属部队瓦解了恐怖主义小组,并逮捕了一些知名个人。被捕者包括伊拉克和黎凡特伊斯兰国-利比亚(QDe.165)领导人 Abu Abdallah Al-Libi 和伊斯兰马格里布基地组织(QDe.014)领导人 Hassan Al-Washi。这些逮捕行动促使 2020 年第三季度恐怖袭击减少(见附件 7)。

1. 伊拉克和黎凡特伊斯兰国-利比亚(QDe.165)

13. 来自伊拉克和黎凡特伊斯兰国-利比亚(QDe.165)的威胁仍然不大,部分原因是其领导人已被逮捕。该团体的成员主要在南部沙漠城市泰拉根、奥巴里和古杜沃活动。他们以小团体形式穿越利比亚南部与乍得、尼日尔和苏丹的边境。他们的活动资金主要来自石油和毒品走私。该团体继续在沿海城市塞卜拉泰和的黎波里维持潜伏小组。拜尼沃利德仍然是包括伊拉克和黎凡特伊斯兰国-利比亚(QDe.165)在内的所有恐怖主义团体的庇护港。

⁴ 见 https://twitter.com/emad_badi/status/1337469823404679172, 2020 年 12 月 11 日。

⁵ 见 <www.facebook.com/100055605323049/videos/153680939828749/>, 2020 年 11 月 10 日。

2. 伊斯兰马格里布基地组织(QDe.014)

14. 伊斯兰马格里布基地组织(QDe.014)在利比亚处于蛰伏状态，尽管其在塞卜拉泰等地仍有小组存在。2020 年 11 月 28 日，哈夫塔尔附属部队⁶ 第 116 Tarek Ibn Ziyad 营在奥巴里逮捕了伊斯兰马格里布基地组织一个小组的 7 名成员。

3. Mohamed Bahrin(Al Far)案

15. 利比亚总检察长办公室 2017 年 10 月 17 日就第 131 号案件发出逮捕令，逮捕对象为利比亚国民 Mohamed Bahrin(又名 Al Far)。总检察长办公室怀疑他是在塞卜拉泰的伊拉克和黎凡特伊斯兰国-利比亚(QDe.165)的成员。尽管有这一逮捕令，Bahrin 先生继续担任民族团结政府所属部队扎维耶安全总局下属的“Isnad Force”指挥官。在公开来源媒体上发布的 Bahrin 的照片显示，他虐待和羞辱哈夫塔尔附属部队准将 Mohamed Al-Jagm，后者的飞机 2020 年 12 月 7 日被民族团结政府所属部队击落(见附件 8)。

C. 外国武装团体和战斗人员

16. 乍得和苏丹武装团体仍然活跃在利比亚，并参与了冲突。许多苏丹战斗人员被部署到哈夫塔尔附属部队的黎波里战役前线，执行防御和安全任务。双方都有大量叙利亚战斗人员，这进一步加剧了利比亚境内的不安全状况。

1. 乍得反对派团体

17. 拯救共和国军事指挥委员会于 2020 年 6 月 26 日宣布中立，目前主要驻扎在乍得和利比亚边境地区。该团体在经历了内部分裂和官兵开小差之后，已经失去了大规模作战能力。

18. Mahdi Ali Mahamat 领导的乍得变革与和谐阵线已将其力量从朱夫拉扩大到利比亚南部的塞卜哈、泰曼欣特和比拉克。他们从这些基地调配部署兵力来保护哈夫塔尔附属部队的军事设施和一些石油设施。

2. 苏丹团体和《苏丹和平朱巴协议》的影响

19. 苏丹过渡政府与由至少 12 个苏丹反对派团体组成的名为苏丹革命阵线的武装团体联盟签署了《苏丹和平朱巴协议》，⁷ 除其他安排外，该协议对反对派团体成员实行大赦，并规定将他们的领导人纳入政治进程。《协议》引发了许多苏丹武装团体成员从利比亚向外转移。苏丹解放军/明尼·米纳维派已将至少 40 辆车运往达尔富尔。同样，数十部正义与平等运动的车辆已经离开利比亚领土，途经乍得北部前往达尔富尔。穆萨·希拉勒团体和在利比亚由 Yusif Ahmed Yusif

⁶ 其中包括以前被称为哈利法·哈夫塔尔利比亚国民军(现更名为阿拉伯利比亚武装部队)的武装团体以及国内和外国武装团体。专家小组用“哈夫塔尔附属部队”这一称呼来涵盖所有附属于哈夫塔尔的武装团体。

⁷ 原文全文可查阅 <https://constitutionnet.org/sites/default/files/2020-10/2020.10.03%20-%20Juba%20Peace%20agreement%20%28Arabic%29%20%28signed%29.pdf>, 2020 年 11 月 9 日。

(Karjakola)领导的苏丹解放军/阿卜杜勒·瓦希德派没有签署《协议》，仍在利比亚保留人员。

3. 在利比亚的苏丹快速支援部队

20. 在 S/2019/914 号文件第 24 和 25 段中，专家小组指出在利比亚境内存在快速支援部队。专家小组现已确定，2019 年 7 月 25 日至 9 月 17 日，快速支援部队向朱夫拉部署了约 700 名战斗人员，但他们没有看到战斗。⁸ 这些战斗人员返回时被指示对他们的部署保持沉默。此后，有媒体报道称，一份泄露的文件显示，快速支援部队最近出现在利比亚。专家小组可以认为这些报告不准确或是捏造的。

21. 附件 9 载有关于乍得和苏丹团体的详细资料。

4. 黑盾安保服务公司案

22. 专家小组确定，设在阿联酋的黑盾安保服务公司通过两家设在苏丹的客户公司，即“Al Ameerah 外部招聘办公室”和“Amanda 办公室”，以虚假借口招募了 611 名苏丹国民。他们由阿联酋军官监督，在阿拉伯联合酋长国的 Al-Ghayathi 营地⁹ 接受军事训练。2020 年 1 月 22 日，一批 276 名苏丹新兵在不知情的情况下被送到利比亚，在那里，哈夫塔尔附属部队第 302 营给他们下达了保护拉斯拉努夫石油设施的任务。他们从未被部署到战场。在提出抗议六天后，他们被撤出了利比亚(见附件 10)。

5. 叙利亚战斗人员

23. 2019 年 12 月下旬以来，叙利亚战斗人员一直在利比亚活动。他们的人数从本报告所述期间开始时的 4 000 人到最多 13 000 人不等，这取决于冲突和区域动态以及资金供应情况。至少有 4 000 名叙利亚战斗人员在民族团结政府所属部队的指挥下行动，其中包括 250 名未成年人。专家小组确定，附属于民族团结政府的叙利亚人在利比亚营地接受训练(见附件 11)，附属于哈夫塔尔附属部队的叙利亚人与 ChVK Wagner 一起行动(见下文第 94 段)。¹⁰

D. 可能造成或导致挪用利比亚国家资金的行为

24. 自 2015 年成立以来，利比亚国民军军事投资局一直从事废金属非法出口，非法销售燃料(见下文第 127 段)，向外国国民出售捕鱼许可证和签证，没收营公司、农场、养牛场、酒店和海滩度假村。军事投资局逐步扩大势力范围，为哈夫塔尔附属部队带来了可观收入，使其有必要的资金支持军事活动，并为高级领导层带来了经济利益(见附件 12)。

⁸ 了解部署详情的保密信息来源。

⁹ 北纬 23°51'01.6"，东经 52°48'03.9"。

¹⁰ ChVK 是“私营军事公司”的俄语首字母缩写。在整个报告中，Wagner organization 被称为 ChVK Wagner。

E. 阻碍或破坏利比亚顺利完成政治过渡的行为

25. 专家小组确定，在 2020 年 11 月初举行的由联合国主持的利比亚政治对话论坛首轮会议期间，至少有 3 名与会者被行贿，让其投票给特定总理候选人。卷入这一事件的利比亚政治对话论坛参加者断然拒绝了贿赂。这个问题当时引起了媒体的极大关注。利比亚总检察长办公室也收到论坛成员和民间社会团体对此事的投诉。专家小组不打算就此问题提出任何进一步报告。关于这一特定事件的更多细节见机密附件 13。

F. 对利比亚境内空中、陆地或海港的袭击

26. 如 S/2019/914 号文件第 40 至 42 段所述，在的黎波里战役期间，首都唯一运营的国际机场的黎波里米提加机场一直是哈夫塔尔附属部队的战略目标。多次袭击¹¹ 造成平民受伤，基础设施受损，人道主义活动受到影响。2020 年 1 月 22 日，一名哈夫塔尔附属部队发言人宣布¹² 在机场上空设立禁飞区，因为机场要用于发射土耳其无人驾驶作战飞机和接收叙利亚战斗人员。2020 年 2 月 12 日，哈夫塔尔附属部队确认这一禁令适用于联利支助团飞行进入米提加。¹³

G. 对利比亚国家机构或设施的攻击

27. 武装团体继续对国家石油公司施压。2020 年 1 月 18 日至 20 日，哈夫塔尔附属部队威胁使用武力控制国家石油公司的石油码头和油田(见下文第 107 段)。2020 年 7 月 25 日，外国战斗人员进入济莱和沙巴油田。

28. 2020 年 11 月 23 日，一个武装团伙试图进入在的黎波里的国家石油公司总部。2020 年 12 月 6 日，情报总局的 Mustafa Al-Weheishy 打电话给布雷加石油销售公司高级雇员，要求提供敏感信息。布雷加公司拒绝转达信息，因为情报总局对该公司没有法律权力，国家石油公司向总检察长办公室报告了此事。2020 年 12 月 14 日，纳瓦西旅的一伙人前往布雷加公司，传唤 3 名高级雇员与情报总局会面，并要求告知公司一名高级官员的住址。这一事件是武装团体和国家机构之间界限模糊的又一个例子(见上文第 8 段)。

29. 大人工河管理局报告了至少 4 次对供水系统的袭击，包括 2020 年 4 月 6 日、5 月 9 日、7 月 13 日和 8 月 9 日的袭击，¹⁴ 这些袭击使的黎波里、泰尔胡奈和利比亚西部其他城市无法供水。

¹¹ 见 <https://twitter.com/UNSMILibya/status/1221503029746307072>，2020 年 1 月 26 日；
<https://twitter.com/UNSMILibya/status/1232986061250408449>，2020 年 2 月 27 日；
www.dw.com/ar/قصف-جوي-يستهدف-المطار-المدني-الوحيد-العامل-في-طرابلس (2020 年 7 月 1 日，URL 不再有效)；
Reuters, “Tripoli airport shelling hits fuel tanks, passenger plane-ministry”，2020 年 5 月 9 日。

¹² 见 www.facebook.com/watch/?v=661293197945718，2020 年 1 月 22 日。

¹³ 见 www.facebook.com/LNAspox/videos/517072922269763/，2020 年 2 月 12 日。此后航班已恢复。

¹⁴ 见 www.facebook.com/manmaderiver/posts/2649074425215372，2020 年 4 月 7 日；
www.facebook.com/manmaderiver/posts/2720643431391804，2020 年 5 月 9 日；
www.facebook.com/manmaderiver/posts/2894371374019008，2020 年 7 月 15 日；
www.facebook.com/manmaderiver/posts/2964414533681358，2020 年 8 月 9 日。

30. 利比亚电力总公司报告称，武装团体对该公司在鲁韦斯、胡姆斯和扎维耶发电站的工作人员发动了至少 4 次袭击。¹⁵ 2020 年全年，利比亚西部和南部发生了几十起电缆和输电部件被盗事件。尽管一再呼吁利比亚当局进行调查，但目前尚未查明这些袭击的肇事者。

31. 对供水和电力基础设施的频繁袭击凸显了国家设施的脆弱性和平民的艰难处境。¹⁶

H. 违反适用的国际人权法或国际人道法的行为或侵犯人权的行为

32. 冲突双方都犯下了违反第 2213(2015)号决议第 11(a)段规定并在随后各项决议中得到重申的适用法律框架的行为。

33. 2020 年上半年，由于敌对行动升级，平民伤亡增加，造成伤亡的主要原因是地面战斗、战争遗留爆炸物、定点清除和空袭，¹⁷ 前两者是 2020 年第二季度导致人员死亡的主要原因。

1. 平民被迫流离失所

34. 专家小组确定，哈夫塔尔附属部队突击部队的谢里夫·马尔加尼强迫平民离开他们在班加西的家园。¹⁸ 受害者向专家小组讲述了武装人员如何冲进他们的房子，发出死亡威胁，命令居民及其子女连夜离开。¹⁹

2. 任意拘留、酷刑和法外处决

35. 官方拘留设施等地继续发生任意拘留和虐待囚犯的事件。如 S/2018/812 号文件第 40 段所述，专家小组继续听取曾被特别威慑部队关押在米提加监狱的人员的证词。他们报告称遭到任意拘留、酷刑、没收财产，男性狱警对被拘留妇女进行性侮辱。已认定哈立德·希什里(又名布提)在这方面发挥了主导作用。专家小组要求黎波里与特别威慑部队代表会面，但没有成功。

¹⁵ 见 www.facebook.com/gecol.org/posts/1535998079921344，2020 年 11 月 13 日；
www.facebook.com/gecol.org/posts/1471447213043098，2020 年 9 月 2 日；
www.facebook.com/gecol.org/posts/1402027973318356，2020 年 6 月 13 日。

¹⁶ 1977 年 6 月 8 日《1949 年 8 月 12 日日内瓦四公约关于保护非国际性武装冲突受难者的附加议定书》(第二议定书)第十四条禁止攻击民用物体，特别是对平民生存不可或缺的物体。可查阅 <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?action=openDocument&documentId=AA0C5BCBAB5C4A85C12563CD002D6D09>。

¹⁷ 联合国利比亚支助团(联利支助团)，“平民伤亡报告：2020 年 4 月 1 日至 6 月 30 日”，2020 年 7 月 29 日。

¹⁸ 见 https://twitter.com/emad_badi/status/1269673977053667332，2020 年 6 月 7 日。

¹⁹ 《1949 年 8 月 12 日日内瓦四公约关于保护非国际性武装冲突受难者的附加议定书》(第二议定书)第十七条禁止在非国际性武装冲突中强迫平民流离失所。

泰尔胡奈

36. 正如 2020 年 4 月中旬在塞卜拉泰和苏尔曼发生的那样(见附件 14), 6 月初民族团结政府从哈夫塔尔附属部队手中接管泰尔胡奈之后发生了报复和抢劫行为, 据报利比亚当局试图阻止这些行为(见附件 15)。

37. 自 2020 年 6 月以来, 在泰尔胡奈和的黎波里南部发现了乱葬坑。尽管已确认其中有战斗人员²⁰ 的尸体, ²¹ 但大多数死者似乎是平民。²² 民族团结政府特别强调发现的这些情况, 并将其与关于在“卡尼亚特”控制区实施的多起绑架、酷刑和杀戮事件的报告相联系(见附件 16)。

38. “卡尼亚特”几年来一直在该地区活动而不受惩罚。他们之前与民族团结政府结盟, 为第 7 旅, 自 2019 年初以来成为哈夫塔尔附属部队第 9 旅。专家小组认定阿卜杜拉希姆·什卡基(又名卡尼)制造了多起绑架和非法羁押事件, 一些被绑架和被羁押者最终被杀害。随着挖掘工作的继续, 被他杀害的人员的身份正在确认, 其中包括:

(a) 2019 年 12 月 19 日从其泰尔胡奈家中被绑架的一名男子。他之前在社交媒体上分享了他儿子发布的一条批评“卡尼亚特”的信息。他随后失踪, 直到民族团结政府夺回该市后, 一名泰尔胡奈居民在回家路上在一口井里发现了他的尸体, 后得到其家属确认;

(b) 2021 年 1 月 10 日, 莱拉·赫鲁达的家人从泰尔胡奈一处墓地中挖掘出的遗体中辨认出莱拉的尸体。²³ 2020 年 4 月 5 日, 阿卜杜拉希姆·什卡基绑架并任意羁押了莱拉及其两个姐妹哈瓦和里玛。

39. 专家小组继续调查 2018 年底沙欣·阿卜杜拉·穆罕默德·纳吉被绑架事件以及大屠杀案件。

3. 贩运人口和偷运移民

40. 尽管存在冲突以及 COVID-19 使行动受限, 利比亚仍然是移民和寻求庇护者的过境国和目的地国。发生贩运、绑架勒索、酷刑、强迫劳动、性暴力和性别暴力以及杀戮事件的情况很普遍。专家小组之前确定的大多数网络继续通过拜尼沃利德和其他枢纽运作(S/2019/914, 第 50 段)。

²⁰ 欧洲联盟向利比亚当局提供法证和脱氧核糖核酸分析方面的技术援助和能力建设, 以确定受害者的身份。

²¹ 在泰尔胡奈医院发现的 106 具尸体中, 已确认有 28 具为哈夫塔尔附属部队战斗人员的尸体。

²² Tim Whewell, “How six brothers - and their lions - terrorized a Libyan town”, BBC News, 2021 年 1 月 7 日。

²³ 见 www.facebook.com/lpc.ly/videos/426675065212063, 2021 年 1 月 10 日。

41. 在意大利、马耳他和欧洲联盟的协助以及土耳其的培训下，由国防部领导的利比亚海岸警卫队加大了海上拦截活动的力度。2020 年下半年，内政部海岸安全总局也为阻止移民在利比亚沿岸流动作出了更大贡献。²⁴

42. 虽然大多数被送回利比亚的人最终被关在侵犯人权行为猖獗的设施中，但仍有数百人下落不明。²⁵ 利比亚海岸警卫队队长阿卜杜拉·图米亚上校向专家小组确认，上岸人员中无人下落不明。²⁶ 由于羁留中心人满为患，利比亚海岸警卫队“有时被迫把他们放走”。打击非法移民局局长马布鲁克·阿卜杜勒-哈菲兹上校澄清说，打击非法移民局在各港口没有常驻人员。²⁷ 利比亚海岸警卫队拦截一艘船只后，他们会联系打击非法移民局，随后打击非法移民局派工作人员前往登陆点。他强调，打击非法移民局会登记所有移交给羁留中心的人员。打击非法移民局没有告诉专家小组向羁留中心移交人员的标准。没有提供关于数据收集的作用和调查设施的信息，²⁸ 阿卜杜勒-哈菲兹上校说这些不属于打击非法移民局的管辖范围。

43. 阿卜杜勒-哈菲兹上校将羁留中心的必要性与欧洲联盟成员国的移民政策联系在一起，强调目前在羁留中心的移民中有 99% 是在海上被利比亚海岸警卫队拦截并移交的。²⁹ 虽然他否认了关闭所有羁留中心的想法，但他向专家小组介绍了一项重组政策，该政策旨在瓦解走私网络并使打击非法移民局能够更好地进行管控(见附件 18)。

44. 内政部长法特希·巴沙加承认羁留中心的情况带来的挑战。他还将羁留中心的存在与一些欧洲国家就阻止移民穿越地中海(相关政策和协议见附件 17)进行施压相联系。他还强调了边境管理带来的挑战，以及确保人道主义援助到达移民手中的必要性。³⁰

45. 巴沙加先生强调，利比亚境内所有移民中只有不到 0.5% 被关押在羁留中心(截至 2020 年 11 月估计有 2 000 人，³¹ 而利比亚境内有 574 146 名³² 移民)。绝大多数人被关押在非官方设施中，生活条件恶劣。

²⁴ 2019 年，9 225 名移民被拦截并送回利比亚，而有 19 500 人试图离开利比亚。2020 年，有 11 891 名移民被拦截，而有 28 162 人试图离开利比亚。

²⁵ 国际移民组织(移民组织)，“在利比亚失踪的移民是令人最为关切的事项”，2020 年 4 月 17 日。

²⁶ 专家小组的访谈，2020 年 9 月 1 日。

²⁷ 同上。

²⁸ 移民组织，“在利比亚失踪的移民是令人最为关切的事项”。

²⁹ 最近注意到陆上拦截出现激增，联合国难民事务高级专员公署(难民署)，“难民署就指定利比亚为海上救援之后人员登陆的安全第三国和安全之地的立场”，2020 年 9 月。

³⁰ 专家小组的访谈，2020 年 4 月 23 日。

³¹ 难民署，“难民署最新资料：利比亚”，2020 年 12 月 18 日。保密消息来源提供的数据显示，截至 2020 年 12 月，东部被关押在当局运营的羁留中心中的移民人数为 572 人。

³² 51% 位于利比亚西部，31% 位于东部，18% 位于南部。移民组织，“利比亚境内流离失所者和回返者报告：第 33 轮——2020 年 9 月至 10 月”，2020 年 12 月 16 日。

46. 专家小组继续对扎维耶的纳斯尔羁留中心进行调查,³³ 发现其实际管理者乌萨马·库尼·易卜拉欣实施了多项违反国际人道法和国际人权法的行为(见附件 19)。受害者讲述了绑架勒索、酷刑、性暴力和性别暴力、强迫劳动和杀戮行为。尽管经常发表声明宣布关闭该中心(见下文建议 4(a)), 但该中心仍在运作。

米兹达

47. 2020 年 5 月 27 日在米兹达发生的屠杀显示了移民的处境。共有 26 名孟加拉国人和 4 名来自撒哈拉以南非洲的人死亡, 11 名孟加拉国人受伤。

48. 2020 年 7 月, 专家小组对曾在的黎波里接受治疗的 9 名孟加拉国幸存者进行了访谈。这 9 人从达卡出发, 途经阿拉伯联合酋长国和埃及, 于 2019 年和 2020 年由贝尼纳国际机场进入利比亚, 在每个阶段都得到了中介网络的协助。他们每个人向孟加拉国人贩子支付的金额从 5 000 美元到 8 000 美元不等。由于 COVID-19 危机, 每个人在班加西都难以找到工作, 因此再次通过向中间人付费前往的黎波里。车队在行驶途中遭一个武装团伙袭击, 这些移民被带到米兹达, 并同被羁押的其他数十名不同国籍的移民一起被关押在一个黑暗的仓库里大约 10 天。每天, 一名利比亚人在两名撒哈拉以南非洲人的陪同下多次进入仓库, 折磨被羁押者, 威胁要杀死他们, 并要求每名孟加拉国幸存者支付 12 000 美元以获得释放。所有人都指认优素福·穆罕默德·阿卜杜勒·拉赫曼(又名优素福·巴苏尔·贾里德·布萨菲)为那名利比亚人贩子, 称他为头目或黑帮头子, 此人随后被其他被羁押者杀害。得知他被杀后, 一群全副武装的男子冲进仓库, 不分青红皂白地向被羁押者开枪, 然后驾车碾过他们的身体。仍在仓库里的受伤人员装死, 直到另一群人进来营救他们。时至今日, 其余 120 至 150 名移民的下落尚不得而知。

49. 屠杀发生时, 米兹达处于哈夫塔尔附属部队的控制之下。目前, 民族团结政府控制该市, 因此承担起了逮捕和起诉犯罪人的责任。内政部长于 6 月底撤换了当地的安全局长, 并发表声明呼吁米兹达安全局逮捕犯罪人(见附件 20)。总检察长已责成当地检察官进行调查, 但迄今尚未取得重大进展(见下文建议 4(b)和(c))。

50. 孟加拉国当局宣布逮捕了几名涉嫌组织或教唆将本国国民贩运到利比亚的人员。³⁴

4. 爆炸物袭击

51. 上半年记录了 18 起针对学校的袭击事件。截至 2020 年 11 月底, 已有 32 起针对医疗卫生基础设施的袭击事件, 这使利比亚成为全球有记录的袭击医疗卫生设施和人员事件数目第四高的国家。³⁵

³³ 在 S/2019/914 号文件中, 专家小组强调了纳斯尔羁留中心和扎维耶石油大院之间的联系, 两者都由穆罕默德·阿明·阿拉比·卡什拉夫(LYI.025)指挥的纳斯尔旅控制。

³⁴ “3 confess to trafficking Bangladeshis to Libya”, *Daily Star* (Bangladesh), 2020 年 6 月 21 日; Bdnews24, “Bangladesh arrests Libyan national on human-trafficking charges”, 2020 年 8 月 7 日。

³⁵ 联合国, 人道主义事务协调厅, “11 月人道主义简报: 利比亚”, 2020 年 12 月 18 日。

52. 2020 年第一季度，在哈夫塔尔附属部队的黎波里行动的目标地区，至少发生了 11 起直接对医疗设施和工作人员引爆爆炸物的事件。例如，的黎波里的哈德拉总医院在 72 小时内三次遭袭(见附件 21)。

53. 2020 年 1 月 4 日对的黎波里军事学院的空袭和 2020 年 6 月 3 日对本加希尔堡的空袭等空袭事件造成重大人员伤亡，令公众震惊，并致使冲突一方指控另一方犯有战争罪。

的黎波里军事学院

54. 2020 年 1 月 4 日，的黎波里军事学院遭到空袭，造成 30 名³⁶ 学院学生死亡，多人受伤(见附件 22)。无论军事学院学生是平民身份还是军事身份，³⁷ 袭击的合法性取决于他们是否积极参与敌对行动。战争法禁止对没有积极参加敌对行动的人(包括武装部队成员)的生命与人身施以暴力。³⁸ 对军事人员的培训可能相当于直接参与敌对行动，但前提是其以执行具体的敌对行动为目的。³⁹ 没有迹象表明黎波里军事学院的军官学员参与了这种具体行动的任何准备措施，也没有任何证据表明该军事学院被用作任何其他军事目的的基地。⁴⁰ 鉴于这两个因素，专家小组认定，这次袭击几乎肯定违反了国际人道法的规定。

本加希尔堡

55. 2020 年 6 月 3 日晚上大约 10 时，本加希尔堡有 17 名平民在家中或附近被炸死，其中包括一个家庭的 9 人，另有 16 人受伤。⁴¹ 在哈夫塔尔附属部队撤离前，该地区在 2020 年 6 月 2 日至 4 日间发生了激烈的武装冲突。专家小组无法核实哈夫塔尔附属部队离开该地区的确切时间。尽管专家小组获得的图像无疑显示该地区遭受了多次爆炸性袭击，但图像分辨率不足以确定所用爆炸物的类型和来源。

三. 武器禁运的执行情况

56. 专家小组根据第 1970(2011)号决议第 9 至 13 段并经其后各项决议修订的规定进行调查，发现在本报告所述期间广泛存在一再公然违反武器禁运的行为。这导致武器禁运完全无效。

³⁶ 见附件 22，附录 A(2020 年 1 月 5 日民族团结政府卫生部的声明)。其他信息来源称有 26 人死亡；见 www.youtube.com/watch?v=wWkgzhZuSmg，2020 年 8 月 27 日。

³⁷ 受训人员有军号，从军队领取工资，三年后将以少尉身份毕业。因此，他们是军官学员。死者被追授少尉身份(见附件 22，附录 B 和 C)。

³⁸ 1949 年 8 月 12 日日内瓦四公约共同第 3 条。

³⁹ Nils Melzer, *Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law* (Geneva, ICRC, 200) p. 47.

⁴⁰ 保密来源。

⁴¹ 见 <https://airwars.org/civilian-casualties/lc413-june-3-2020/>，2020 年 6 月 3 日。

57. 安全理事会在第 2213(2015)号决议第 19 段中促请会员国在本国有“合理理由认为货物中有”第 1970(2011)号决议“第 9 段规定禁止[……]的物项时”，检查所有货物。专家小组认为，它在发给有关会员国的信函中提供了具体信息，加上开放源媒体进行了广泛报道，因此这些国家完全有理由进行检查。因此，专家小组认定埃及、约旦、阿拉伯叙利亚共和国、土耳其和阿拉伯联合酋长国没有遵守第 2213(2015)号决议第 19 段的规定，因为它们没有检查从其境内始发或途经其领土、目的地为利比亚的有合理理由认为其可疑的商船或飞机所载货物。

A. 调查工作面临的挑战

58. 对供应链的调查很复杂，因为几乎所有供应链都完全在冲突各方的控制之下。对专家小组调查给予的合作极其有限，相关方面通常对要求提供装运单据的请求置之不理，或者提供的信息非常有限。专家小组注意到，约旦、土耳其和阿拉伯联合酋长国要么是对专家小组关于武器贩运和供应链的询问不予答复，要么是作出答复，但未提供详细信息。因此，专家小组认定三国一再不遵守第 2509(2020)号决议第 13 段。这种有限的合作削弱了专家小组全面履行任务的能力，致使其无法向委员会提供安全理事会要求的有充分记录支撑的结论。

59. 由于一些会员国执行第 2214(2015)号决议第 3 段所述措施，确定不遵守和违规行为或其他情况变得更加复杂，安全理事会在该段中敦促会员国“采用一切手段消除恐怖行为[……]对国际和平与安全构成的威胁”。这往往需要在得到民族团结政府批准的情况下，向利比亚境内或在利比亚上空部署军事资产。这些活动违反了第 1970(2011)号决议第 9 段的要求，安理会在该段中决定“所有会员国应立即采取必要措施，阻止[……]直接或间接向阿拉伯利比亚民众国供应、出售或转让任何类别军火或相关物资”。专家小组认为，第 1970(2011)号决议是根据《联合国宪章》第七章第四十一条通过的，因此它优先于第 2214(2015)号决议，因为该决议敦促会员国按照《宪章》行事。⁴²

B. 对冲突动态的影响⁴³

60. 本报告所述期间冲突动态的变化可以清楚地说明这些一再违反武器禁运行为的影响。2019 年底，实地出现了战术僵持局面，哈夫塔尔附属部队控制了进入的黎波里的要道。他们的固定翼战斗机对地攻击机、旋转翼攻击直升机(Mi24/35)和无人驾驶作战飞机(无人战斗机)(翼龙二号) (S/2019/914, 第 103-110 段, 附件 45 和 47)使其对该国大部分地区拥有局部空中优势。民族团结政府控制着的黎波里和米苏拉塔的城市地区。民族团结政府所属部队只具备使用土耳其提供的巴伊拉克塔尔 TB-2 无人驾驶作战飞机进行局部无人战斗机打击的能力，当这些无人

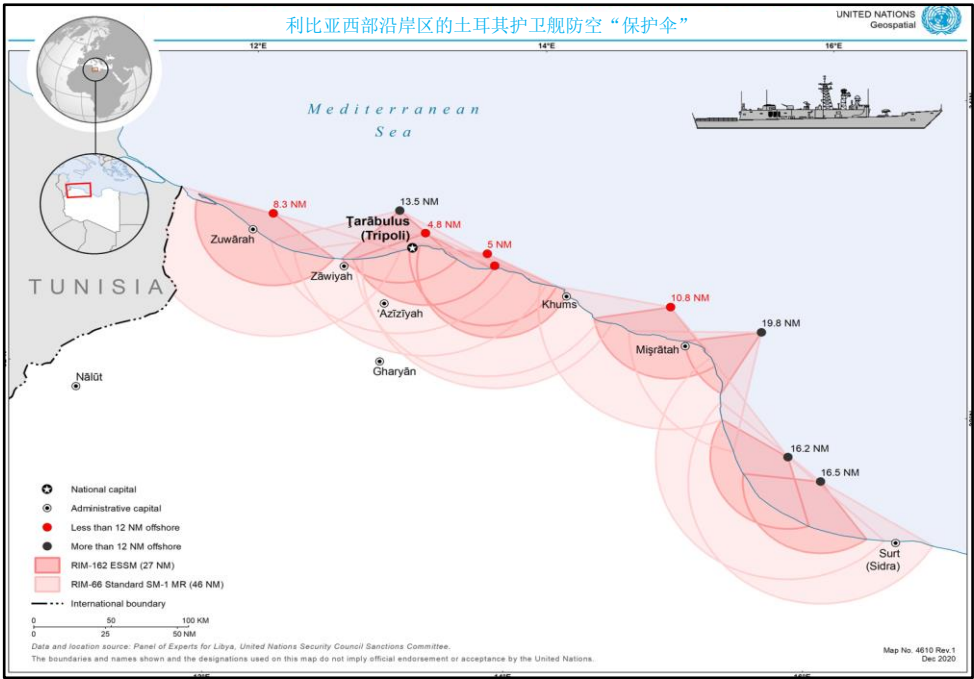
⁴² 报告见 S/2016/209, 第 126 段; S/2017/416, 第 147 段; S/2018/812, 第 108 和 109 段; S/2019/914, 第 93 段。

⁴³ 编写本部分所依据的材料: (a) 保密军事来源; (b) 联利支助团的报告; (c) Ioannis Sotirios Ioannou and Zenonas Tziarras, *Turning the Tide in Libya: Rival Administrations in a New Round of Conflict*, Policy Brief, No. 01/2020 (Nicosia, Prio Cyprus Centre, 2020); (d) 专家小组正在开展的的分析; (e) Jason Pack and Wolfgang Puzstai, “Turning the tide: how Turkey won the war for Tripoli”, Middle East Institute, 2020 年 11 月 10 日; (f) 社交媒体评论。

战斗机位于的黎波里和米苏拉塔机场的行动基地时，容易受到地面攻击，而在发射时很容易被铠甲 S-1 防空系统在空中摧毁，该系统最初由阿拉伯联合酋长国于 2019 年提供给哈夫塔尔附属部队(S/2019/914，第 96 段，附件 28 和 40)，在 2020 年年中由俄罗斯联邦提供给俄罗斯私人军事行动人员(见附件 23)。哈夫塔尔附属部队的战术是试图将民族团结政府所属部队从阵地引到农村地区，从而使他们容易受到更猛烈的攻击，但这些战术基本失败。到这个阶段，哈夫塔尔附属部队的军事胜利似乎依赖于一场局部消耗战。

61. 2019 年 11 月 27 日，民族团结政府与土耳其签署了安全与军事合作协议，⁴⁴ 这明显表明土耳其将加强其在利比亚的军事作用。此后不久，土耳其部署了 G 级护卫舰(见附件 24)，为利比亚西部海域沿岸提供中程防空“保护伞”(见图一)，MIM-23 “隼”式地对空导弹系统⁴⁵ 为的黎波里和米苏拉塔的机场提供地区防御。这些系统得到了科尔库特近程防空系统(见附件 26)和便携式防空导弹系统的支持，以保护重要地点。

图一
在利比亚西部海域沿岸(支持民族团结政府所属部队)的土耳其防空“保护伞”图示



62. 因此，2020 年初，哈夫塔尔附属部队的局部空中优势实际上已不复存在，这使土耳其可以畅通无阻地通过利比亚西部港口和机场集结军事物资，以支持民族团结政府所属部队。土耳其部署了军事顾问，这使民族团结政府所属部队能够获

⁴⁴ Abdullah Bozkurt, “Full text of new Turkey, Libya sweeping security, military cooperation deal revealed”, Nordic Monitor, 2020 年 12 月 16 日。

⁴⁵ 专家小组报告了 MIM-23 “隼”式系统保卫朱夫拉的情况；见 S/2019/914，第 97 段。另见附件 25。

得专业军事人员的建议，这些人接受过北大西洋公约组织的战术培训，并具有丰富的近期军事行动经验。进行了专业化的行动规划，确定了阶段性目标，并为实现这些目标划拨了资产。这使得民族团结政府所属部队在行动部署上有了更大的灵活性，使他们能够比哈夫塔尔附属部队更快地对事件做出反应。在哈夫塔尔附属部队中，每一项军事决定都必须得到最高层的批准。

63. 2020年3月27日，法耶兹·萨拉杰总理宣布开始和平风暴行动，⁴⁶ 民族团结政府所属部队在海域沿岸发动攻势。G级护卫舰和科尔库特近程防空系统相结合，使得能够在民族团结政府所属部队地面部队周边形成一个移动的防空罩，这使得哈夫塔尔附属部队的航空资产在军事上失去作用。增强的行动情报能力包括土耳其使用的信号情报和巴伊拉克塔尔TB-2无人战斗机(可能还有土耳其航空航天工业公司安卡S无人战斗机)提供的情报、监视和侦察(见附件27)。因此，得以开展一场旨在削弱哈夫塔尔附属部队地面部队能力的非对称消耗战。民族团结政府所属部队从黎波里突围，得到了“风暴”T155 155毫米自行火炮(见附件28)和T-122萨卡里亚多管火箭炮系统(见附件29)的支持，这些系统对哈夫塔尔附属部队使用的20世纪中期的主战坦克和重炮发射远程精确弹药。随后，无人战斗机或STM Kargu-2(见附件30)和其他巡飞弹等致命自主武器系统追击后勤车队和后撤的哈夫塔尔附属部队，并与之发生远程交火。已对致命自主武器系统进行了程序设置，使其在无需操作者和弹药之间联通数据的情况下攻击目标，实际上真正具有了“开火、忘记和找到”能力。哈夫塔尔附属部队自己的无人战斗机和小型无人机的信号情报、监视和侦察能力因科拉尔电子战系统的电子干扰而失去效用。⁴⁷

64. 这些新的战场技术提供的集中火力和态势感知使民族团结政府所属部队地面部队战力显著倍增，慢慢地削弱了哈夫塔尔附属部队的行动能力。哈夫塔尔附属部队没有接受过相关训练，无法抵御这种新技术的有效使用，也没有什么因素激励他们这么做，因此通常会在混乱中撤退。一旦撤退，他们就会受到无人战斗机和致命自主武器系统的持续骚扰，事实证明，这是挫败阿拉伯联合酋长国提供的铠甲S-1地对空导弹系统的一个非常有效的组合。该系统损失惨重，即使是被动将其用于光电作用以避免民族团结政府所属部队干扰时也是如此。铠甲S-1的威胁被消除后，没有能使哈夫塔尔附属部队真正抵御远程空袭的保护措施。

65. 在这场通常看不见，当然也是不平衡的消耗战中，土耳其在冲突中引入先进军事技术是导致2020年在利比亚西部击败哈夫塔尔附属部队的决定性因素。远程空中技术与有效的混合情报及情报、监视和侦察能力结合，扭转了民族团结政府所属部队在冲突中的形势。在这场之前强度低、技术性低的冲突中，避免伤亡和保护部队是冲突双方的优先事项。2020年5月部署米格-29A(见附件31)和苏霍伊苏-24(见附件32)FGA飞机，以及俄罗斯私营军事公司运行铠甲S-1地对空导弹系统(见下文第94段)，导致两军之间再次发生军事对峙。

⁴⁶ Middle East Monitor, “Sarraj announces launch of Operation Peace Storm in response to Haftar attacks”, 2020年3月27日。

⁴⁷ 保密来源。

C. 海上违规行为和拦截

66. 由于违规者采取了三项反监视措施，在港口查实海上违规行为的工作变得更加复杂棘手，这三项措施是：(a) 在日间商业卫星覆盖的 90 分钟内暂停卸货或仅在夜间卸货；(b) 在利比亚港口使用集装箱屏蔽；(c) 不放松民族团结政府所属部队和哈夫塔尔附属部队在 2019 年发起的对社交媒体的打击。

67. 尽管如此，专家小组制定了一套海运交货特征指标(见附件 33)，帮助确定出现不遵守规定情况的可能性，从而确定专家小组的调查重点。船只需要符合多项指标，才能归类为专家小组感兴趣的目标或报告违规。

68. 专家小组查明了表 1 和表 2 所列船只的 5 起海上违规行为、1 起极有可能的违规行为和 2 起拦截行为(全部详情见附件 34(民族团结政府所属部队)和附件 35(哈夫塔尔附属部队))。专家小组致函表中所列船只的船东和运营者所属会员国，目前正在等待几个国家的答复。

表 1

海上违规行为(支持民族团结政府所属部队)

船名 ^a	国际海事组织 编号	船旗	违规行为			特征 指标序号	说明
			已确认	极有可能	拦截		
Ana 号	7369118	阿尔巴尼亚 帕劳		✓	✓	8	<ul style="list-style-type: none"> 2020 年 3 月更名为商船 Pray 号 显示假的海事组织编号 7295666 在第二次航行中被拦截 2020 年 9 月更名为商船 VAV 号，并改换船旗
Bana 号	7920857	黎巴嫩	✓			10	<ul style="list-style-type: none"> 军用车辆
Cirkin 号	7728699	坦桑尼亚联 合共和国和 圣多美和普 林西比(假)	✓			9	<ul style="list-style-type: none"> 军用车辆 更名为商船 Guzel 号 悬挂假船旗
独鹰号	8708830	巴拿马	✓			10	<ul style="list-style-type: none"> 防空系统

^a 按字母顺序排列。

表 2
海上违规行为(支持哈夫塔尔附属部队)

船名 ^a	国际海事组织 编号	船旗	违规行为			特征 指标序号	说明
			已确认	极有可能	拦截		
海湾石油 4 号	9439345	利比里亚	✓			5	• Jet A-1 为作战补给
皇家钻石 7 号	9367437	马绍尔群岛			✓	5	• Jet A-1 为作战补给 • 货物被欧洲联盟 地中海军事行动 (伊里妮行动)缴获
日出王牌号	9338840	巴哈马	✓			2	• 用作“技术装备” 的 4×4 车辆 ^b • 专家小组认为这属于 技术违规 ^c

^a 按字母顺序排列。

^b “技术装备”指经改装后配备武器的轻型运货卡车。专家小组通常不会认为转让民用 4×4 车辆是违规行为，但在该案中，仅转让规模和目的地就该引起怀疑。

^c 无法合理要求该公司当时知道转让这些民用车辆会构成违规，并采取行动改进其尽职调查方案和程序。

69. 专家小组认定，表 3 所列船东和(或)运营者违反了第 1970(2011)号决议第 9 段关于向利比亚转让军用物资的规定。

表 3
已确认的海上违规行为(船只、公司和船东)

船只	船旗	船东 ^a	运营者 ^a	向下列实体转让	说明
Ana 号	阿尔巴尼亚	阿尔巴尼亚 Shega Trans S.A.	阿尔巴尼亚 Shega-Group S.A.	民族团结政府	• 2020 年 3 月更名为 商船 Pray 号
Bana 号	黎巴嫩	黎巴嫩 Med Wave Shipping S.A.	黎巴嫩非洲地中海 航运公司	民族团结政府	• 1 次(可能 3 次)违规
Cirkin 号	坦桑尼亚 联合共和国	土耳其红线 航运和贸易 公司	土耳其 Avrasya 船务有限公司	民族团结政府	• 2 次违规 • 船只由土耳其水上 军事部队护送
海湾石油 4 号	利比里亚	阿拉伯联合 酋长国 AA 海洋公司	阿拉伯联合酋长国 海湾航运服务公司	哈夫塔尔附属 部队	• Jet A-1 为作战补给

船只	船旗	船东 ^a	运营者 ^a	向下列实体转让	说明
独鹰号	巴拿马	利比里亚 Dytamar 船务 有限公司	黎巴嫩非洲地中海 航运公司	民族团结政府	<ul style="list-style-type: none"> 1 次违规 所有权和管理与商船 <i>Bana</i> 号有关联
日出王牌号	巴哈马	日本 Snowscape 汽 车运输公司	日本三井 Osk 航 运有限公司	哈夫塔尔附属 部队	<ul style="list-style-type: none"> 600 多辆用作“技术装备”的 4×4 车辆

^a 完整联系方式和案件详情见附件 34 和 35。

1. 区域应对措施

70. 安全理事会第 2473(2019)和 2526(2020)号决议延长了对利比亚附近公海船只的检查权限。⁴⁸ 欧洲联盟海军地中海索菲亚行动的任务期限尽管延长到 2020 年 3 月 31 日，⁴⁹ 但没有足够的海军资产在海上进行实际检查，该行动主要履行训练和监视职责。

71. 2020 年 4 月 1 日，“伊里妮行动”取代“索菲亚行动”。“伊里妮行动”的任务更侧重于直接接触，以支持查明和拦截武器转让。其任务期限至 2021 年 3 月 31 日。⁵⁰

72. 2020 年 5 月 22 日，“伊里妮行动”协助开展了一项协调行动，⁵¹ 防止哈夫塔尔附属部队使用 *Jal Laxmi* 号油轮(国际海事组织(海事组织)编号：9213222)。哈夫塔尔附属部队原计划在图卜鲁格附近海域把这艘船用作加油船；这一计划若成功实施，则构成非法出口精炼石油产品(见下文第 117 段)。

73. 2020 年 6 月 10 日，“伊里妮行动”海军资产三次试图检查悬挂坦桑尼亚联合共和国国旗的商船 *Cirkin* 号，但遭到三艘土耳其护卫舰的阻挠，声称该船在他们的保护之下。2020 年 6 月 11 日，*Cirkin* 号商船停靠米苏拉塔，在那里秘密卸货，当时“封锁”了港口，暂停所有其他商业活动(见附件 34 附录 D)。

74. 2020 年 9 月 10 日，FGS 汉堡号护卫舰(F-220 型)奉“伊里妮行动”行动指挥官之命登上皇家钻石 7 号油轮(海事组织编号：9367437)。检查证实，货物是运往班加西的 Jet A-1 航空燃料。专家小组此前曾报告，⁵² 它认为，当向利比亚东部供应的 Jet A-1 数量大大超过以往民用航空活动所需数量时，该航空燃料属于作战补给，因此是第 1970(2011)号决议第 9 段规定范围内的军用物资。根据第 2292(2016)号决议第 5 段并经安全理事会第 2526(2020)号决议强化的规定扣留了

⁴⁸ 第 2292(2016)号决议第 3 和第 4 段首次授予权限。

⁴⁹ 欧洲理事会 2019 年 9 月 26 日第 2019/1595 号决定(共同外交和安全政策)。

⁵⁰ 欧洲理事会 2020 年 3 月 31 日第 2020/472 号决定(共同外交和安全政策)。

⁵¹ 包括会员国、船旗国、船只和货运保险公司。

⁵² 见 S/2019/914，第 147 段，以及 2019 年 8 月 23 日和 2020 年 3 月 24 日致委员会的信函。

该油轮及其货物。“伊里妮行动”海军资产护送皇家钻石 7 号油轮至希腊 Agios Georgios。2020 年 9 月 25 日，拉夫里奥中央港务局根据第 1970(2011)号决议第 9 段并经其后相关决议修订的规定，正式扣押了这批货物。

75. 与海湾石油 4 号油轮的情况一样(见下文第 130 段)，⁵³ 这批航空燃料的预定接收者是直接受哈夫塔尔附属部队控制的实体，几乎可以肯定，这些燃料是用来支持军事活动的。因此，专家小组认为，在此类情况下，转让 Jet A-1 也属于“与军事活动有关的其他援助”的范围，因而违反了第 1970(2011)号决议第 9 段。

D. 会员国违反武器禁运规定进口的行为

76. 为便于参考，按时间顺序列出了违反武器禁运的行为(见表 4 至表 7)。包含重大违规行为详细情况及证据的信息图表载于所示附件。

表 4

违反武器禁运的转让行为(支持民族团结政府所属部队)^a

查明日期	类型	设备/活动	责任方	附件	说明
2019 年 10 月 23 日	转让军用物资	Aselsan 科拉尔电子战系统	土耳其	不适用	• 保密来源
2019 年 11 月 16 日	转让弹药	Dehleyvah 反坦克制导导弹		附件 36	• 伊朗伊斯兰共和国制造 ^b
2020 年 1 月 17 日	转让武器	6 个 MiM-23 “隼”式地对空导弹系统	土耳其	附件 25	• 卫星图像
2020 年 1 月 17 日	转让武器	12 个 Aselsan Korkut Twin 35 毫米加农自推式防空系统	土耳其	附件 26	• 由独鹰号商船运送
2020 年 1 月 27 日	转让弹药	Roketsan UMTAS 反坦克导弹	土耳其	不适用	• 保密来源
2020 年 1 月 28 日	转让军用物资	4 艘 G 级护卫舰	土耳其	附件 24	• 正在进行
2020 年 3 月 21 日	转让军用物资	FNSS ACV-15 装甲战车	土耳其	附件 37	• 由 Bana 号商船运送
2020 年 3 月 21 日	转让武器	风暴 T-155 型 155 毫米自推式榴弹炮	土耳其	附件 28	• 由 Bana 号商船运送
2020 年 4 月 6 日	转让军用物资	IAI Harpy 巡飞弹		附件 38	
2020 年 4 月 19 日	转让军用物资	TAI Anka 无人驾驶作战飞机	土耳其	附件 27	• 基于残骸图像的可信度大于 80%
2020 年 5 月 21 日起	转让军用物资	C-130E Hercules 飞机 ^c	土耳其	附件 39	

⁵³ 详见附件 86。

查明日期	类型	设备/活动	责任方	附件	说明
2020 年 5 月 23 日	转让军用物资	F-16 C 或 D FGA ^c	土耳其	不适用	• 保密来源
2020 年 5 月 27 日	转让军用物资	STM <i>Kargu-2</i> 型巡飞弹	土耳其	附件 30	
2020 年 6 月 28 日	转让武器	<i>Misagh-2</i> 地空导弹	土耳其	附件 40	• 很可能是土耳其 • 伊朗伊斯兰共和国制造
2020 年 7 月 8 日起	转让军用物资	A400B 阿特拉斯飞机 ^c	土耳其	附件 39	
2020 年 7 月 18 日	转让武器	Roketsan T-122 <i>Sakarya</i> 多管火箭炮系统	土耳其	附件 29	
2020 年 10 月 9 日	转让弹药	120 毫米烈性炸药迫击炮弹		附件 41	• 批号 04-17 和 01-18; 保加利亚制造
2020 年 10 月 10 日	培训 ^d	在利比亚胡姆斯为民族团结政府所属部队提供潜水培训	土耳其	附件 42	
2020 年 10 月 13 日	培训	在利比亚塔朱拉为民族团结政府所属部队提供 T155 风暴 155 毫米榴弹炮技术培训	土耳其	附件 43	
2020 年 10 月 14 日	培训	在土耳其伊斯帕达“利比亚培训学院”为 171 旅民族团结政府所属部队士兵进行步兵训练	土耳其	附件 44	
2020 年 10 月 20 日	培训	土耳其顾问和辅导员在利比亚胡姆斯为利比亚海岸警卫队提供培训	土耳其	附件 45	
2020 年 10 月 21 日	培训	在土耳其特种部队基地为民族团结政府提供特种部队训练	土耳其	附件 46	
2020 年 11 月 1 日	转让军用物资	Lenco <i>Bearcat G3</i> 4×4 装甲运兵车		附件 47	• 可能从哈夫塔尔附属部队缴获
2020 年 11 月 18 日	培训	土耳其顾问和辅导员在利比亚胡姆斯为民族团结政府所属部队提供前方观察兵培训	土耳其	附件 48	

查明日期	类型	设备/活动	责任方	附件	说明
2020 年 11 月 30 日	培训	土耳其顾问和辅导员在利比亚塔朱拉为民族团结政府所属部队提供绕绳下降培训	土耳其	附件 49	

^a 在本表及随后三个表格中，专家小组在相应的附件中提供了有关公司和设备的参考详情。

^b 在本表及随后所有其他表格中，专家小组并不认为制造国始终参与了违反武器禁运的行为，除非在“责任方”一栏中特别列出。

^c 军用飞机每次进入利比亚，都构成一次违反武器禁运行为。

^d 专家小组认为，土耳其向民族团结政府所属部队提供的培训都不属于“安全或解除武装援助”的范畴，因此不属于第 2095(2013)号决议第 10 段所载的豁免范围。

77. 2019 年 11 月 19 日，在社交媒体上发现 3 封民族团结政府内部信件的图片，其中提到向土耳其转移资金，用于采购内政部的特定必需品。由于这笔资金的接受方是土耳其军备集团 SSTEK，⁵⁴ 因此几乎可以肯定这些款项是用于采购违反第 1970(2011)号决议第 9 段提供的军用物资。这些交易的摘要载于表 5，相关文件载于附件 50。⁵⁵

表 5

授权将民族团结政府资金转移给土耳其武器公司的文件摘要

日期	自	至	内容
2019 年 6 月 2 日	内政部长法特希·巴沙加	中央银行行长	请求向土耳其武器集团 SSTEK 转账 7 040 万欧元 (7 879 万美元) ⁵⁶
2019 年 7 月 17 日	审计长 Muhammad Milad Hadid	内政部	内政部长 2019 年 7 月 15 日请求向土耳其武器集团 SSTEK 转账 1.699 亿欧元(1.908 亿美元)
2019 年 11 月 3 日	内政部长法特希·巴沙加	中央银行行长	请求向土耳其武器集团 SSTEK 转账 1.69 亿欧元 (1.887 亿美元)

⁵⁴ 见 www.sstek.com.tr/。

⁵⁵ 专家小组 2019 年 12 月 19 日的信函。没有收到任何答复。

⁵⁶ 在转账请求之日兑换成美元的数额。例如见 www.xe.com/currencytables/?from=LYD&date=2019-06-02。

表 6

违反武器禁运的转让行为(支持哈夫塔尔附属部队)

查明日期	类型	设备/活动	责任方	附件	说明
2018 年 5 月 14 日	与军事活动有 关的培训	约旦皇家军事学院哈夫 塔尔附属部队人员培训	约旦	附件 51	• 前未查出
2019 年 10 月 16 日	转让弹药	Krusik 120 毫米 M62P8 迫 击炮弹	阿拉伯 联合酋 长国	附件 52	• 制造商确认向阿拉伯联合 酋长国供货
2019 年 11 月 19 日	转让军用物资	KADDB <i>Mared</i> 8×8 步兵 装甲战车	约旦	附件 53	• 第一次看到蛇头炮塔
2019 年 12 月 11 日	转让军用物资	AOI <i>Terrier</i> LT-79 装甲运 兵车	埃及	附件 54	• 在美利坚合众国 <i>Armored Group</i> 许可下在埃及制造
2019 年 12 月 22 日	转让军用物资	MSPV <i>Panthera</i> T6 装甲 运兵车	阿拉伯 联合酋 长国	不适用	• 全新车辆 • 最早在 S/2018/812 号 文件附件 29 中报告
2020 年 1 月 1 日起	转让军用物资	IL-76 货机 ^a	俄罗斯 联邦	附件 55	•
2020 年 2 月 4 日	转让军用物资	Inkas <i>Titan</i> -DS 装甲运兵车	阿拉伯 联合酋 长国	附件 56	•
2020 年 2 月 10 日	转让军用物资 (从利比亚转 出)	将至少 9 架翼龙-II 无人 驾驶作战飞机从哈迪姆 (HL59) 转移到埃及的 Uthman 空军基地(HE27)	阿拉伯 联合酋 长国	附件 57	• 从利比亚向新作战基地 转让军用物资的违规行为
2020 年 2 月 26 日	转让军用物资	Streit <i>Spartan</i> 4×4 装甲运兵车	阿拉伯 联合酋 长国	不适用	• 全新车辆 • 最早在 S/2018/812 号 文件附件 29 中报告在 利比亚存在
2020 年 3 月 10 日	转让军用物资	C17A <i>Globemaster</i> 飞机 ^a	阿拉伯 联合酋 长国	附件 55	• 保密来源
2020 年 3 月 20 日	转让军用物资	Dahua DHI-UAV-D- 1000JHV2 反无人机枪		附件 58	• 市面有售
2020 年 4 月 12 日	与军事活动有 关的培训	阿拉伯叙利亚空军第 64 直 升 机 旅 在 Marj Ruhayyil/Blay 军用机场 为哈夫塔尔附属部队提 供米 24D(米-25 出口版) 攻击直升机飞行员培训	阿拉伯 叙利亚 共和国	附件 59	• 为期 6 个月的飞行员课程

查明日期	类型	设备/活动	责任方	附件	说明
2020 年 4 月 18 日	转让弹药	KBP RPO-A <i>Shmel</i> 温压弹药		附件 60	<ul style="list-style-type: none"> 自 2007 年交货以来交付的新批次
2020 年 5 月 12 日	转让军用物资	达索幻影 2000-9 对地攻击战斗机 ^a	阿拉伯联合酋长国	附件 61	<ul style="list-style-type: none"> 在朱夫拉(HL69)和图卜鲁格(HLTQ)空军基地运作
2020 年 5 月 18 日	转让军用物资	米格-29A 对地攻击战斗机(>9) ^a	俄罗斯联邦	附件 31	<ul style="list-style-type: none">
2020 年 5 月 18 日	转让军用物资	苏霍伊苏-24 对地攻击战斗机(>4) ^a	俄罗斯联邦	附件 32	<ul style="list-style-type: none">
2020 年 5 月 23 日	转让军用物资	装甲运兵车, 型号待确认	俄罗斯私营军事公司	附件 62	<ul style="list-style-type: none"> ChVK Wagner
2020 年 5 月 26 日	转让军用物资	MIC VPK <i>Tigr-M</i>	俄罗斯私营军事公司	附件 63	<ul style="list-style-type: none"> ChVK Wagner
2020 年 6 月 5 日	转让武器	T-62 MV 升级版主战坦克	俄罗斯私营军事公司	附件 64	<ul style="list-style-type: none"> 俄罗斯私营军事公司(待确认)
2020 年 6 月 8 日	转让弹药	俄罗斯联邦制造的 TulAmmo 7.62×39 毫米 小武器弹药		不适用	<ul style="list-style-type: none"> 在泰尔胡奈附近的俄罗斯私营军事公司旧的战斗阵地发现 批号 A421, 2019 年 11 月生产
2020 年 7 月 7 日	转让弹药	ML-8 防升降起爆器诱杀装置	俄罗斯私营军事公司	附件 65	<ul style="list-style-type: none"> 俄罗斯私营军事公司(待确认)
2020 年 7 月 12 日	转让军用物资	铠甲 S-1 防空系统	俄罗斯联邦	附件 23	<ul style="list-style-type: none"> 在 KaMAZ 平台上, 所以不是阿拉伯联合酋长国的系统 由某私营军事公司运营
2020 年 7 月 29 日	转让军用物资	141 辆 4×4 车辆, 供哈夫塔尔附属部队使用	阿拉伯联合酋长国	附件 66	<ul style="list-style-type: none"> 在马耳他缴获
2020 年 7 月 29 日	转让弹药	PMN-2 型杀伤人员地雷	俄罗斯私营军事公司	附件 67	<ul style="list-style-type: none"> 俄罗斯私营军事公司(待确认) 位于俄罗斯私营军事公司以前的阵地

查明日期	类型	设备/活动	责任方	附件	说明
2020 年 8 月 5 日	转让军用物资	LEMZ 96L6/E 防空系统 目标捕获雷达		附件 68	• 发射器系统尚未查明
2020 年 9 月 16 日	与军事活动有关的培训	在约旦皇家军事学院 培训哈夫塔尔附属部队人员	约旦	附件 69	•
2020 年 9 月 21 日	转让军用物资	与阿拉伯联合酋长国某 公司生产的 <i>Tundra</i> 装甲 车非常相似的装有车顶 武器的装甲车		不适用	• 被咨询的制造商否认这是 <i>Tundra</i> ，但没有提供其他解释
2020 年 9 月 23 日	转让弹药	POM-2R 型杀伤人员地雷	俄罗斯 私营军事公司	附件 70	• 批号 583-1-96
2020 年 11 月 16 日	转让军用物资	与 G5 非常相似的 155 毫 米加榴炮		附件 71	•
2020 年 11 月 16 日	转让军用物资	<i>Morava</i> 128 毫米多管火 箭系统		附件 72	• 塞尔维亚制造

^a 军用飞机每次进入利比亚，都构成一次违反武器禁运行为。

表 7

身份不明的供应商和用户违反武器禁运的行为

查明日期或 活动日期	类型	设备/活动	附件	说明
2019 年 11 月 6 日	转让军用物资	厦门 <i>Mugin</i> 4450 无人驾驶飞机	附件 73	• 市面有售
2020 年 4 月 14 日	转让武器	WB <i>Warmate</i> 巡飞弹	附件 74	•

E. 某会员国违反武器禁运规定出口的行为

78. 2020 年 5 月 18 日，哈夫塔尔附属部队撤离 Watiyah 空军基地。⁵⁷ 在民族团结政府所属部队缴获的军用物资中，有一套相对完整的铠甲 S-1 系统(见图二和三)。该系统随后在某武装团体的控制下运到祖瓦拉。经过持有该铠甲 S-1 系统的武装团体、民族团结政府和某会员国的谈判，该系统从祖瓦拉转移到黎波里米提加机场，并置于土耳其的保护之下，以确保它不会被“意外使用”。

⁵⁷ Patrick Wintour, “UN-backed Libyan forces take key airbase from rebel general”, *The Guardian*, 2020 年 5 月 18 日。

图二

在 *Watiyah* 的铠甲 S-1(2020 年 5 月 18 日)^a



^a 见 <https://twitter.com/Oded121351/status/1262343178356736003>, 2020 年 5 月 18 日。

图三

在 *Watiyah* 的铠甲 S-1(2020 年 5 月 18 日)^a



^a 见 <https://twitter.com/M1923Y/status/12623340208572702741>, 2020 年 5 月 18 日。

79. 这套铠甲 S-1 系统后来作为美利坚合众国外国军事开发计划的一部分被获取，随后转移出利比亚。⁵⁸

80. 2020 年 7 月 1 日，专家小组给了美国作出答复的机会，但他们在 2021 年 1 月 21 日的答复中没有提供任何相关信息。专家小组认为，这一转移违反了第 1970(2011)号决议第 10 段，因为美国使用悬挂本国国旗的飞机从利比亚转出了军用物资。

F. 空运线

81. 专家小组确定了一系列可疑活动的特征指标(见附件 75)，如将其综合考虑，强有力地表明中央规划的空运线主要在以下地点间运作：(a) 阿拉伯联合酋长国和埃及西部/利比亚东部(哈夫塔尔附属部队)；(b) 俄罗斯联邦经阿拉伯叙利亚共

⁵⁸ Tom Rogan, “US seizes advanced Russian military system in Libya”, *Washington Examiner*, 2020 年 6 月 19 日；Samer Al-Atrush, “Libya, How the US and Turkey agreed to share a captured Russian defence system”, *The Africa Report*, 2021 年 2 月 25 日；两个保密来源。

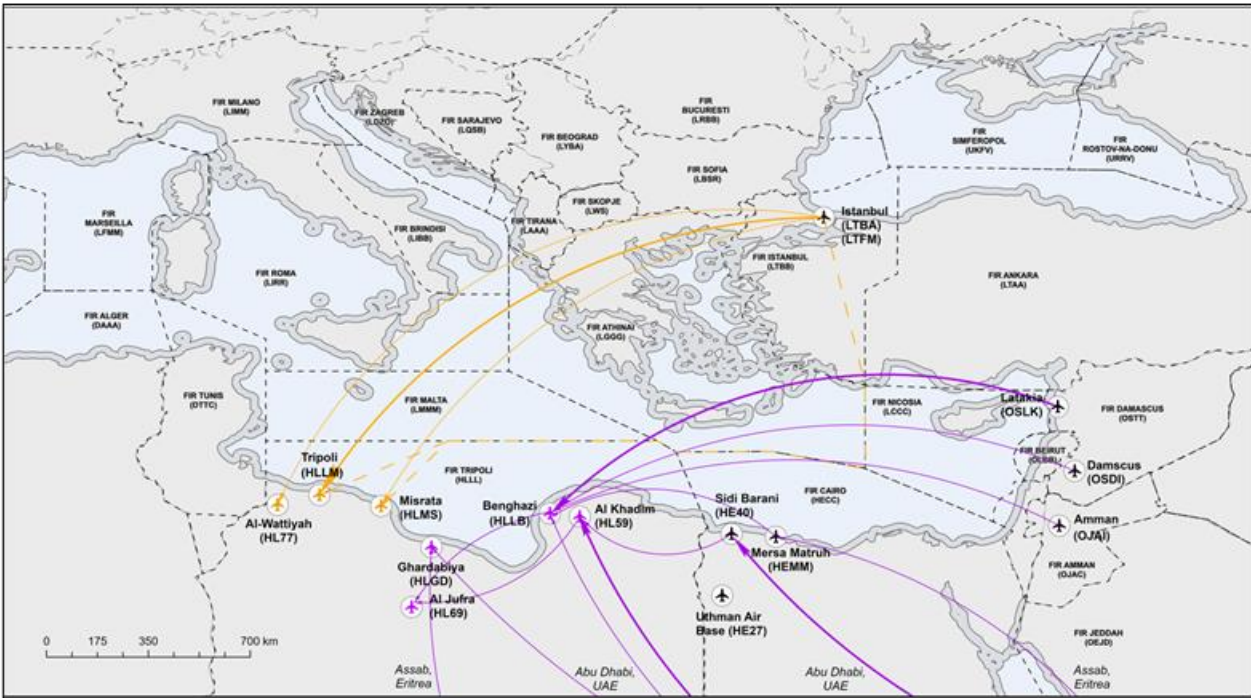
和国至利比亚东部(哈夫塔尔附属部队)；(c) 土耳其至利比亚西部(民族团结政府)(见图四)。航线、航空运营商和可疑飞行的全部详情见附件 39 和 55。

82. 在本报告所述期间，哈夫塔尔附属部队和民族团结政府所属部队的空运再补给活动都很广泛。所有飞行均为不定期或特别包机飞行，试图通过不在广播式自动相关监视应答机上广播来掩盖路线。

83. 至埃及空军基地的空运线飞行是至利比亚的更广泛供应链的一部分。专家小组认定，由于这条空运线是“间接……供应……军火或相关军用物资……及其他援助”(第 1970(2011)号决议，第 9 段)，因此构成该空运线的飞机运营商违反了该段规定。尽职调查本应确定货物的军事性质和预期最终用户。

图四

武器贩空运线示意图



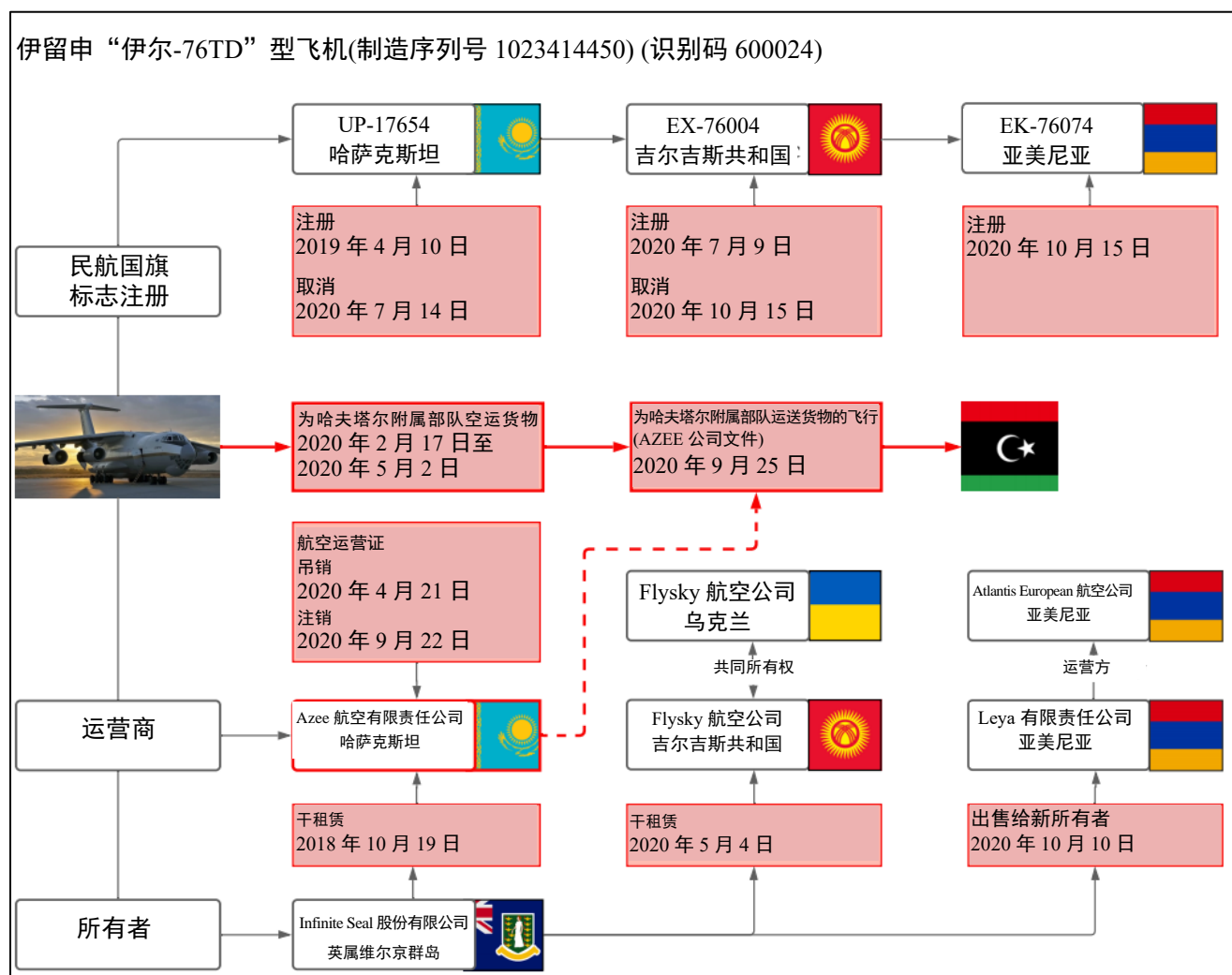
注：地图由高级防务研究中心(C4ADS)绘制，专家小组提供了投入。

84. 专家小组注意到，航空公司、运营商、承租人和代理商有能力应对制裁调查和制裁措施，确保业务连续性。它们非常灵活，可以在国际社会能够做出反应前采取行动，还可以采取必要措施，以除其他外掩饰自己的活动、改变飞机注册、更换航空运营商。如果一家航空运营公司怀疑自己正在受到专家小组过于密切的调查，就会在新管辖区成立一家新公司，从所有者那里重新租赁相同的飞机。所有者会避免可能被指认的情况，因为其采取“干”租赁飞机方式，即由航空运营公司负责提供机组人员和安排租赁。一个典型的例子是伊留申“伊尔-76TD”型飞机(制造序列号 1023414450)，其有三个运营商，在 18 个月时间里在三个不同的国家航空注册机构注册(见图五和附件 75 的文件分析)。在这种情况下，仅因非法使用这架飞机而指认航空运营商将收效甚微，因为该飞机不是将受到资产冻结

的公司的所有资产，可以被所有者租赁给新的航空运营商。专家小组认为，应参照第 2270(2016)号决议第 19、22 和 23 段的规定，将飞机与船只同等对待，应对飞机采取强制取消注册、禁止降落和(或)资产冻结措施。这是瓦解空中贩运行动的唯一有效方式(见建议 1)。

图五

伊留申“伊尔-76TD”型飞机(制造序列号 1023414450)信息图



85. 在特定情况下，如图五所示情况，可以考虑对所有者和航空运营商采取制裁措施，因为如果说所有者不知道改变航空运营商和注册机构的理由，这令人难以置信。值得注意的是，Infinite Seal 股份有限公司在 Azee 航空有限责任公司(见附件 55 附录 D)航空运营证被吊销后，迅速转换了干租赁安排，以便飞机能够继续飞行。随后，在那次重新租赁后，这架飞机很快被卖掉了。

G. 私营军事和保安公司的参与

1. “Opus 项目” 私营军事干预

86. 2019 年 6 月，专家小组查明了一个资金充足的私营军事公司行动，其名为“Opus 项目”(见附件 76)，旨在为哈夫塔尔附属部队提供武装攻击旋转翼航空、情报监视侦察机、海上拦截、网络、无人驾驶飞行器以及情报融合和目标定位能力。“Opus 项目”计划还包括绑架或终结利比亚境内被视为高价值目标的人员。在该行动的规划、管理和财务运作方面主要使用了 3 家总部设在阿拉伯联合酋长国的公司，即：(a) Lancaster 6 DMCC 公司；(b) L-6 FZE 公司；(c) Opus Capital Asset Limited FZE 公司。这些公司由 Christiaan Paul Durrant(澳大利亚)和 Amanda Kate Perry(大不列颠及北爱尔兰联合王国)控制和管理，地面小组组长是 Stephen John Lodge(南非)。专家小组认定所有三家公司和个人都违反了第 1970(2011)号决议第 9 段的规定，因其违反或协助规避利比亚武器禁运规定。

87. 原计划设想从约旦购买多余的军用直升机，但这一计划失败了，因为约旦当局知晓了该计划的内容并于 2019 年 6 月 18 日暂停了飞机拍卖。这使得“Opus 项目”小组不得不启动应急规划，迅速确定并采购新飞机。这些飞机包括从一家南非公司购买的 3 架中型通用直升机和从一家阿拉伯联合酋长国公司购买的 3 架轻型通用直升机。他们还在很短的时间内从一家百慕大公司购买了一架安东诺夫 AN-26B 型飞机，从一家保加利亚公司购买了一架 LASA T-Bird 轻型攻击机，从一家奥地利公司购买了一架皮拉图斯 PC-6 型情报监视侦察机。这三架飞机是在可进行任何付款和正常尽职调查前部署的，从而表明控制拥有飞机的公司的第四个人 Erik Dean Prince(美国)协助了这次行动的采购。其他人无法在这么短的时间内安排这些飞机的出售。专家小组进一步调查发现，Prince 先生曾在 2019 年 4 月 14 日或前后在开罗向哈利法·哈夫塔尔提出了行动建议。因此，专家小组认定 Prince 先生也违反了第 1970(2011)号决议第 9 段，因其至少协助规避利比亚武器禁运规定。

88. 分别于 2019 年 6 月 25 日和 26 日从安曼和瓦莱塔发动了该行动的旋转翼攻击和海上拦截部分。这些私营部门军事人员抵达班加西时由已作为该行动网络以及情报融合和目标定位小组的一部分部署的人员接应。

89. 计划的旋转翼飞机和海上拦截部分于 2019 年 6 月 29 日中止，当时 Lodge 先生决定将 20 名私营部门军事人员撤离到马耳他，在从班加西到瓦莱塔的 350 海里航程中，他们使用了两艘特种部队规格的硬船身充气艇。在航行中，不得不遗弃其中一艘充气艇。决定撤离是因为哈利法·哈夫塔尔不满意为行动采购的替代飞机，对小组管理人员发出了威胁。情报融合和目标定位小组没有参加撤离。

90. 2019 年 6 月 25 日，皮拉图斯 PC-6 型情报监视侦察机部署到利比亚。专家小组确认，这架飞机至少在 2019 年 6 月 26 日至 2020 年 12 月 24 日期间被用于在利比亚境内开展情报监视侦察行动(从班加西、朱夫拉和比拉克沙提)。这架飞机的情报监视侦察能力使哈夫塔尔附属部队获得了情报监视侦察和目标定位活动的战力倍增手段。

91. 2020 年 4 月和 5 月,“Opus 项目”私营部门军事人员再次部署到利比亚,以定位并摧毁高价值目标,但他们计划使用阿拉伯联合酋长国供应的军事装备。行动无疾而终,因为旋转翼飞机的任何动能攻击行动都极易受到民族团结政府所属部队防空能力的拦截(见上文第 62 段)。部署旋转翼飞机在当时会是一项自杀式任务,除非首先由固定翼飞机或无人驾驶作战飞机清理出一条通行路线。

92. 阿拉伯联合酋长国可向专家小组提供大量协助,但该国尚未对任何索取资料请求作出答复,约旦和南非的答复也几乎没有提供专家小组所要求的实质性信息。

2. ChVK Wagner⁵⁹

93. 围绕部署 ChVK Wagner 以支持哈夫塔尔附属部队的行动安全措施很有效,关于其组织、结构、行动任务和伤亡情况的可核查的公开来源信息有限。尽管如此,专家小组仍从各种来源⁶⁰证实,ChVK Wagner 自 2018 年 10 月以来就在利比亚存在。初期部署是为装甲车的修理和维修提供技术支持。

94. 到 2019 年初,部署活动已发展到提供行动战斗支援,2019 年和 2020 年期间估计部署人数增至 800 至 1 200 名 ChVK Wagner 行动人员。ChVK Wagner 行动人员参与更专业化的军事任务,如担任炮兵前沿侦察员和前进空中管制员,提供电子对抗专业知识并作为狙击小组部署。在 2019 年和 2020 年初,他们的部署成为哈夫塔尔附属部队的有效战力倍增手段。

95. 专家小组注意到,俄罗斯联邦军用飞机的飞行在 2018 年 10 月出现高峰,随后在 2019 年 1 月/2 月又出现高峰,这与关于向利比亚部署 Wagner ChVK 行动人员的初步报告相吻合(见附件 55 附录 A)。

96. 在 2020 年 3 月 23 日民族团结政府所属部队发起“和平风暴行动”后,ChVK Wagner 部队与其哈夫塔尔附属部队盟友一起撤离(见附件 62)。专家小组证实,ChVK Wagner 2020 年 5 月 27 日已撤出拜尼沃利德。2020 年 7 月 1 日,ChVK Wagner 军事行动人员据报驻扎在朱夫拉(HL69)、比拉克(BCQ)、卡加比亚(HLGD)、塞卜哈(HLSS)、沃丹(HL72)和沙拉拉石油设施。

97. 这次撤离与米格-29A 飞机(见附件 31)、苏-24 飞机(见附件 32)和铠甲 S-1 防空系统(见上文第 65 段)的部署恰巧一致。所有这些都由 ChVK Wagner 操作,此时其人数已增至约 2 000 人。⁶¹ 尽管达成了 2020 年 10 月 25 日的停火协议,但没有迹象表明 ChVK Wagner 从利比亚撤出。

⁵⁹ 证据载于附件 77。

⁶⁰ 消息来源:国际组织报告;公开的资料来源;开源卫星图像;多个保密来源。

⁶¹ 不包括 ChVK Wagner 招募和部署的 2 000 名叙利亚战斗人员。

3. Rossiskie System Bezopasnosti 集团

98. 专家小组首先在 2017 年期间确认在利比亚东部存在另一家俄罗斯联邦私营军事公司 Rossiskie System Bezopasnosti 集团⁶² (S/2017/466, 附件 43), 但这涉及一项合法商业战争遗留爆炸物清除合同, 以清除班加西附近一个工业生产基地的地雷和战争遗留爆炸物。⁶³ 2019 年底该集团被确认⁶⁴ 已提供大约 15 名技术人员, 他们在哈迪姆空军基地负责升级、维护或翻修俄罗斯制造的米格和苏霍伊地面攻击机。该小组曾暂住在迈尔季的唯一一家酒店。⁶⁵

4. SADAT 国际防务咨询公司

99. 有多份可信报告⁶⁶ 称, 土耳其 SADAT 国际防务咨询公司⁶⁷ 向民族团结政府所属部队和叙利亚战斗人员提供了军事训练, 而且 SADAT 公司负责监督和支付约 5 000 名亲民族团结政府的叙利亚战斗人员的费用。⁶⁸ 尽管 SADAT 公司否认在利比亚开展任何私营军事公司活动,⁶⁹ 但专家小组认为, 基于 SADAT 公司在训练阿拉伯叙利亚共和国境内的叙利亚战斗人员方面的作用、⁷⁰ 会员国的报告以及公开来源媒体报道的深度和广度, SADAT 公司更有可能是在利比亚参与开展了活动。此类活动属于第 1970(2011)号决议第 9 段的范畴, 因为提供军事“训练”显然违反了决议。

5. 其他提供者

100. 专家小组确认了两个签约向民族团结政府提供国防和安全相关咨询意见的商业实体。专家小组查阅了机密文件, 其中包括每个实体公开声明的咨询任务, 并确信它们的活动是为了就利比亚安全部门的中长期组织和结构提供咨询意见。

⁶² 见 <http://rsb-group.org/>。Rossiskie System Bezopasnosti 集团是一家总部设在莫斯科的私营军事和安保咨询公司, 已在联合国注册工作(编号 403872)。

⁶³ 中心位于北纬 32°00'23.57", 东经 20°07'57.47"。

⁶⁴ 保密来源。

⁶⁵ 迈尔季酒店。保密消息来源还告诉专家小组, 2020 年 1 月 1 日至 7 日有 4 名俄罗斯人曾住在同一家酒店。

⁶⁶ 1) Suat Cubukcu, “The rise of paramilitary groups in Turkey”, Small Wars Journal, 2018 年 3 月 3 日; Ioannou and Tziarras, “Turning the tide in Libya”, 第 3 页; Africa Intelligence, “Turkish military company Sadat turns Erdogan-Sarraj alliance into business opportunity”, 2020 年 6 月 8 日; Eren Ersozoglul, “Sadat: the Turkish mercenaries who support Islamist groups”, Sofrep, 2020 年 7 月 7 日; Colin Freeman, “Erdogan nurtures elite mercenary force to rival Russia's Wagner Group”, The Telegraph, 2020 年 9 月 12 日; 美利坚合众国国防部总监察长办公室, East Africa Counterterrorism Operations: North and West Africa Counterterrorism Operations – Lead Inspector General Report to the United States Congress, 1 April 2020 – 30 June 2020 (2020), 第 35 页; 两个保密信息来源和一个会员国。

⁶⁷ 见 www.sadat.com.tr。

⁶⁸ 专家小组不相信媒体关于某一利比亚安保提供者与 SADAT 公司合作执行这项任务的报道。

⁶⁹ 2020 年 7 月 29 日给专家小组的信。

⁷⁰ 见 www.globalsecurity.org/military/world/europe/tu-sadat.htm。

此类工作是对联利支助团安全机构处自 2012 年以来开展的国防和安全部门改革举措的补充。⁷¹ 因此，专家小组认为这一咨询工作属于第 2095(2013)号决议第 10 段的范围，其中安全理事会决定“专供保安或协助利比亚政府开展解除武装工作的……任何技术援助……的提供，不再需要……通知委员会”，也属于第 2214(2015)号决议第 8 段的范围，其中安理会强调“必须向利比亚政府提供支持 and 援助，包括为其提供必要的安全和能力建设援助”。

H. 对违反武器禁运行为的回应

101. 一些会员国和区域组织针对设在其境内或在其境内注册的实体不遵守武器禁运的情况采取了一系列行动(见附件 78)。

I. 所报告违反行为的最新情况

1. Deek Aviation FZE

102. 在 S/2019/914 号文件(另见附件 28 和 52)中，专家小组报告了阿拉伯联合酋长国 Deek Aviation FZE 公司⁷² 的违反行为，涉及其运营的两架伊留申“伊尔-76TD”型飞机(UR-CMP 和 UR-CRC)，这两架飞机在民族团结政府对朱夫拉空军基地(HL69)的空袭中被摧毁。2020 年 11 月 5 日，专家小组收到一会员国的信，该会员国在信中告知专家小组 Deek Aviation FZE 公司已通知其主管当局货物为人道主义援助物资。未提供任何证据来支持这一说法，专家小组在 2019 年得出的关于违反第 1970(2011)号决议第 9 段的结论依然不变。提供人道主义援助是经常向专家小组提供的“幌子”。图六说明为什么人道主义援助说法常常被轻易驳回。

⁷¹ 见第 2542(2020)号决议，其中安全理事会决定“帮助巩固民族团结政府的治理、安全和……安排”(第 1(三)段)以及“为利比亚主要机构提供支持”(第 1(四)段)。

⁷² 见 www.deek.aero。

图六
空运援助与弹药的对比



四. 国家机构的统一

103. 根据第 2509(2020)号决议第 5 段的要求审查了这一问题。

A. 利比亚中央银行

104. 专家小组注意到，利比亚中央银行执行董事会 2020 年 12 月 16 日举行了会议，这是该年度举行的第一次会议。他们一致同意将汇率统一为 4.48 利比亚第纳尔兑换 1 美元(即贬值 322%)。在 2021 年 1 月 3 日实施贬值前，执行董事会于 2020 年 12 月 31 日举行了后续虚拟会议。恢复执行董事会会议以及商定统一汇率是朝着恢复机构统一迈出的两个重要步骤。

105. 专家小组没有关于利比亚中央银行审计工作进展的进一步信息。⁷³

⁷³ 联利支助团，“联合国高兴地宣布启动对利比亚中央银行两个分行的国际金融审查”，2020 年 7 月 27 日。

B. 利比亚投资局

106. 经过长时间诉讼，2020 年 3 月 25 日，一个联合王国法院裁定阿里·穆罕默德是合法任命的利比亚投资局主席。设在的黎波里的主席的权威似乎没有受到挑战。2020 年 11 月 18 日，利比亚投资局董事会正式将穆罕默德先生的任期延长了 3 年，并任命了 2 名来自利比亚东部的新成员进入利比亚投资局执行董事会，使其成员总数达到 7 人。

C. 国家石油公司

107. 2020 年 1 月，据称在利比亚东部自发举行的要求石油封锁的示威迫使国家石油公司宣布东部的石油和天然气出口终端以及沙拉拉和菲勒油田受到不可抗力⁷⁴ 影响。石油收入的分配是封锁背后的一个核心因素。2020 年 9 月至 10 月，不可抗力状态逐步解除，结束了 8 个月没有石油出口的局面。不可抗力状态得以解除的原因是，此前商定了冻结存储石油收入的利比亚海外银行的国家石油公司账户中的这些收入(见附件 79)。

108. 冻结得到了利比亚问题国际后续行动委员会经济工作组的认可，实施冻结是一项临时措施，直到达成更持久的经济安排。目前共计 23.5 亿美元的石油收入仍处于冻结状态。这一决定使利比亚中央银行不得不动用本已微薄的利比亚外汇储备来支付预算费用。

109. 国家石油公司支持继续冻结石油收入，以确保石油生产不中断。这一行动也将使国家石油公司能够对油井、出口终端和相关石油设施进行监督。出于同样的原因，国家石油公司还赞成在 5+5 联合军事委员会议程中的统一和重组石油设施警卫队的提案。这支部队实际上分成东部和西部两个分支。

110. 国家石油公司的目标是将石油设施警卫队完全置于其控制之下，采用新的名称并装备现代技术。预计其成员将不受政治派别或部落归属的影响。重组后的部队将由大约 2 500 名行动人员组成，不到目前石油设施警卫队的 10%。将在利比亚西南部穆尔祖格盆地的伊拉温油田⁷⁵ 启动一个试点项目。

111. 由 Mustafa Sanalla 领导的设在的黎波里的国家石油公司保留作为主要机构的作用，但它依然对 Almabruk Sultan 领导的设在班加西的“东部国家石油公司”的活动感到关切。这一平行实体得到设在贝达的非合法政府的支持，继续挑战 Sanalla 的权威，以获得对利比亚原油出口的控制(见附件 80)。东部国家石油公司继续努力出口原油、进口精炼石油产品(见下文第 115 和 130 段)。

112. 由于民族团结政府拨款不足，国家石油公司还面临预算限制。这些资金不足以满足因解除不可抗力状态和 COVID-19 危机而增加的石油设施维护需求。资金紧张可能削弱国家石油公司维持不断增长的石油生产水平的能力。

⁷⁴ 不可抗力是在国家石油公司面临其无法控制的情况时免除其供应石油或天然气的法律义务的一项合同条款。一般来说，当导致实施不可抗力条款的情况消除时，就会解除不可抗力状态。

⁷⁵ Uwaynat 附近，北纬 25°46'31.0"，东经 10°33'39.5"。

113. 卜雷加石油营销公司⁷⁶ 执行董事会 2020 年 4 月 30 日进行了重组，任命了新主席 Ibrahim Abubridaa(见附件 81)。此后，平行的“东部卜雷加公司”停止了大部分非法活动(S/2019/914，第 139 段)。

五. 防止非法出口或非法进口石油

A. 非法出口原油的尝试

114. 没有根据第 2146(2014)号决议第 11 段指认任何船只。

115. 专家小组记录了一次出口原油的尝试。2020 年 8 月 20 日签署了延长购销合同有效期的协议和随后的分配证明。没有选定船只来装载货物(见附件 82)。

116. 专家小组还监测到数次非法出口凝析油的尝试。⁷⁷ 至少两次尝试在稍后阶段中止。在一个案例中，选定了一艘船只来装载凝析油货物。为解决问题，利比亚当局联系了有关船只的船旗国，随后该行动被中止(见附件 83)。

B. 防止非法出口精炼石油产品

117. 与前几年相比，精炼石油产品的非法出口活动大幅减少。由于当地动态以及 COVID-19 疫情暴发对全球经济的影响，海上燃料走私活动暂时停止。另一方面，通过陆路转运燃料现象持续存在，在一些地区甚至有所增加，尽管仍是规模相对较小的活动。

118. 利比亚有关机构仍然保持警惕，继续开展活动，遏制燃料走私。成立了名为“联合部队”的新军事单位，其任务包括打击燃料走私(见附件 84)，该单位已开展了几次打击陆路燃料走私者的行动。⁷⁸ 隶属于内政部的黎波里安全局逮捕了阿布德·拉赫曼·米拉德(LYi.026)(见下文第 176 段)，其除其他外面临燃料走私指控。利比亚总检察长办公室负责这项以及其他与非法出口石油产品有关的调查。

119. 负责向四家分销公司⁷⁹ 供应燃料的卜雷加石油营销公司继续提高供应链的透明度和监督。燃料交付的详细情况继续在其网站上公布。⁸⁰ “可信”加油站名单得到保持和更新(S/2019/914，第 157 段)。实施了新的最佳做法，使治理得到改善，其中包括客户核查和市场分析。

⁷⁶ 卜雷加石油营销公司是国家石油公司的子公司，负责储存并向利比亚的分销公司供应燃料。

⁷⁷ 凝析油是通常在生产时从天然气流中分离出来的液态轻烃混合物。

⁷⁸ Safa Alharathy, “Joint force arrests alleged ISIS members, fuel smugglers and migrants”, Libya Observer, 2020 年 9 月 30 日; Rabia Golden, “Joint force seizes four fuel smuggling trucks”, Libya Observer, 2020 年 8 月 16 日。

⁷⁹ Shararah Oil Services、Libya Oil、Rahilah 和 Turek Saria。

⁸⁰ 见 <https://brega.ly/category/sales/>(阿拉伯文)。

120. 燃料分销公司继续深陷内部法律纠纷，面临效率问题。它们的历史债务仍未解决(S/2019/914，第 160 至 162 段)。卜雷加石油营销公司开启了与分销公司的谈判轨道。同时，该公司确保西部地区的燃料供应，建立了 8 个常设加油站，目标是在 2021 年底前再开设 13 个加油站。⁸¹

1. 扎维耶网络

121. 由穆罕默德·阿明·阿拉比·卡什拉夫(LYi.025)领导的纳斯尔旅继续控制扎维耶油田区。在被拘留前，阿布德·拉赫曼·米拉德(LYi.026)是在油田区的利比亚海岸警卫队分队的实际负责人(另见上文第 118 段和下文第 176 段)。2020 年下半年出现了小型走私团伙，导致与既有团伙关系紧张。扎维耶网络为维持城市现状作出了巨大努力。该网络依然在燃料走私方面发挥核心突出作用(S/2019/914，第 164 段)。

2. 海上非法出口

122. 由于 COVID-19 大流行对世界贸易的影响，2020 年全球船用燃料需求急剧下降。⁸² 舱载燃料很容易获得，意味着市场价格仍然很低，包括在利比亚和马耳他附近的船舶加油区。目前马耳他的轻柴油(0.1%含硫量)的平均价格为每公吨 453 美元，2019 年 12 月则为 655 美元。⁸³

123. 原油和舱载燃料价格的急剧下降也推升了对作为浮式储存装置的油轮的需求。精炼产品的浮式储存能力在 2020 年 5 月中旬达到峰值，⁸⁴ 对油轮的需求持续走高。⁸⁵

124. 对舱载燃料的需求减少，燃料供应量大，燃油价格下跌，可用的成品油油轮少，这对从利比亚通过海路非法出口精炼产品(主要是轻柴油(0.1%含硫量))的平行市场产生了负面影响。

125. 因此，通过海上转运燃料的情况几乎为零，没有油轮被列入制裁名单。

126. 祖瓦拉和阿布凯马什走私网络的基础设施仍然完好无损，其随时开展非法出口活动的状态并未削弱。一旦全球对舱载燃料的需求恢复，预计这些网络的非法活动将会恢复(见下文建议 2)。

⁸¹ 目前运营的加油站有 3 个在米苏拉塔、2 个在黎波里、1 个在盖尔扬、1 个在穆萨拉塔、1 个在兹利坦。

⁸² Jack Jordan, “The bunker industry’s 2020 fell flat for all the wrong reasons”, Ship and Bunker, 2021 年 1 月 7 日。

⁸³ 见 www.oilmonster.com/bunker-fuel-prices/malta-mgo-01-price/8/94。2020 年 12 月 18 日。

⁸⁴ Hellenic Shipping News, “Refined oil product temporary floating storage at 65mn barrels”, 2020 年 7 月 13 日。

⁸⁵ Jack Wittels and Prejula Prem, “Demand to store a glut of diesel at sea is rising fast”, Bloomberg, 2020 年 9 月 16 日。

3. *Jal Laxmi* 号内燃机油轮案例

127. 2020 年 5 月, 专家小组收到信息, 称一艘成品油油轮打算从图卜鲁格非法出口重燃料油和轻柴油, 如果成功, 这将成为不遵守第 2146(2014)号决议的情况(见附件 85)。

4. 从陆路非法出口

128. 精炼石油产品继续通过陆路非法出口。虽然规模不大, 但与前几年相比, 这种活动有所增加, 特别是在利比亚西部, 主要是继续从扎维耶油田区经乔什和纳卢特向突尼斯转运粗柴油。在扎维耶地区的平行市场上, 一公升汽油的售价为 0.5 利比亚第纳尔(0.11 美元), 2019 年 9 月的售价则为 0.75 利比亚第纳尔(0.17 美元)。一公升粗柴油的最高价达到 2.00 利比亚第纳尔(0.45 美元), 2019 年则低于 1.00 利比亚第纳尔(0.22 美元)。⁸⁶

129. 在利比亚南部和东南部, 许多加油站仍然关闭或以非官方价格出售燃料。通常只能在平行市场找到燃料用品, 燃料价格从库夫拉地区的 2.4 利比亚第纳尔(0.54 美元)到穆尔祖格的 1.75 利比亚第纳尔(0.39 美元)不等。与利比亚国民军有关联的 Subul al-Salam 旅在库夫拉地区的燃料转运中发挥重要作用。

C. 非法进口航空燃料

130. 专家小组跟踪并报告了一起实例和一次《利比亚政治协议》框架外实体尝试向班加西进口航空燃料的活动(见上文第 75 段和附件 86)。专家小组认定这样的进口构成对国家石油公司完整性的威胁(见建议 3)。

六. 对被指认实体实施资产冻结

A. 概览

131. 专家小组继续与两个被指认实体, 即利比亚投资局(又称利比亚外国投资公司)(LYe.001)和利比亚非洲投资组合(LYe.002), 以及其他相关方接触。

B. 转型战略

132. 利比亚投资局于 2020 年 12 月 15 日向委员会提交了转型战略, 表示打算建议对制裁制度进行调整。

133. 利比亚投资局 2019 年开始转型战略工作, 并于 2020 年聘请 Oliver Wyman 有限公司协助根据关于主权财富基金的“圣地亚哥原则”⁸⁷ 制定战略。该项目⁸⁸ 侧重于制定广泛的投资准则、风险管理战略、雇员行为守则和基本能力建设。

⁸⁶ 2021 年 1 月 3 日, 利比亚中央银行将其货币对美元汇率从 1.39 利比亚第纳尔(每美元)大幅贬值至 4.48 利比亚第纳尔(每美元)。另见第 102 段(上文)。

⁸⁷ 见 www.ifswf.org/santiago-principles-landing/santiago-principles。

⁸⁸ 在启动转型战略之前, 实施了一个由联合王国资助的单独项目, 为治理改革和遵守“圣地亚哥原则”奠定了基础。

134. 利比亚投资局收到了项目的建议，并承诺从 2021 年 1 月开始实施。虽然这一改革早就应该进行，而且是朝着正确方向迈出的一步，但专家小组认为，利比亚投资局只有一项尚未实施的转型计划，夸大了其对“圣地亚哥原则”的遵守程度。专家小组将继续监测该计划的实际执行情况。

C. 子公司

135. 专家小组先前在 S/2018/812 号文件第 221 段和 S/2019/914 号文件第 209 段中报告了子公司的情况以及第 1 号执行援助通知的适用情况。专家小组评论了会员国对子公司采取的不同做法，并建议审查第 1 号执行援助通知，因为它与安全理事会决议的相关规定相冲突。

136. 考虑对子公司实施制裁的其他因素如下(有案例研究支持):

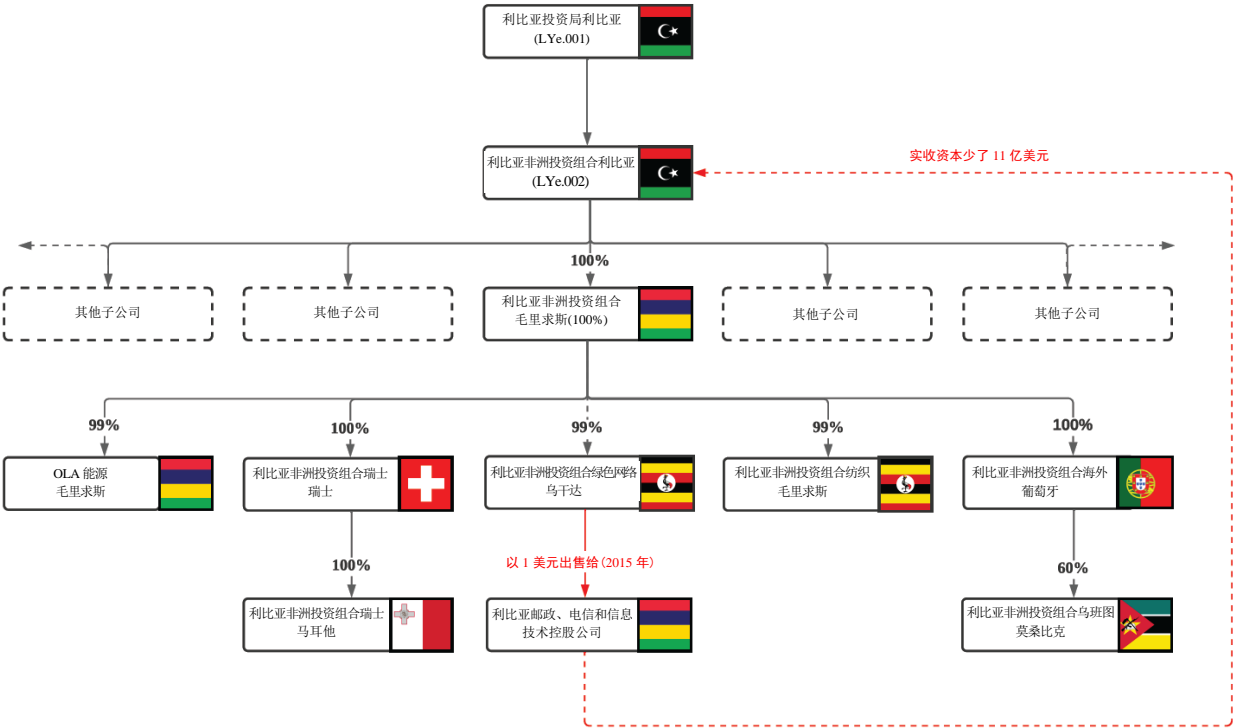
- (a) 大部分资产非母公司直接持有，而是由子公司持有；
- (b) 被指认实体对大多数重要子公司持股 100%，并在这些公司的决策和治理中发挥着重要作用；
- (c) 没有母公司的合并财务报表，就无法了解子公司的活动、资产和财务状况；
- (d) 许多子公司表现不佳，并得到母公司的资金支持；
- (e) 利比亚投资局集团内的实益所有权、法定所有权和投资控制权缺乏明确性，例如长期投资组合；
- (f) 实益所有权和控制权是在若干法域适用资产冻结的重要决定因素。

137. 专家小组认为，需要对子公司的活动、收入和支出进行监测，以避免资产减少或外逃(见附件 87)。

1. 案例研究：利比亚非洲投资组合绿色网络的转让

138. 2015 年，利比亚非洲投资组合(LYe.002)将其在一家子公司的权益转让给另一家公司(利比亚非洲投资组合及其子公司的完整结构见附件 87)。利比亚非洲投资组合毛里求斯作为控股公司于 2006 年成立，是利比亚非洲投资组合利比亚的全资子公司。利比亚非洲投资组合毛里求斯有五家子公司，包括乌干达的利比亚非洲投资组合绿色网络有限公司(见图七)。

图七
利比亚非洲投资组合与利比亚非洲投资组合绿色网络的关系



139. 2015 年，利比亚非洲投资组合将其在利比亚非洲投资组合绿色网络的股份以 1 美元的面值转让给利比亚邮政、电信和信息技术控股公司，但约 11 亿美元的实际价值仍然反映在利比亚非洲投资组合的资产负债表上。在利比亚非洲投资组合大会通过决议纠正这一差额之前，这一问题无法解决。专家小组注意到利比亚投资局是唯一的股东，因此构成了利比亚非洲投资组合大会(见附件 88)。

140. 子公司是母公司资产负债表上的一项资产。冻结资金和其他金融资产包括防止使用、改变、移动、转让或获取资金和其他金融资产，除非在特定免除管制程序下获得允许。利比亚非洲投资组合绿色网络的转让具有分散利比亚非洲投资组合资产和降低这些资产价值的效果。

141. 专家小组认为，这项转让不符合资产冻结规定。

2. Palladyne/Upper Brook 案

142. 尽管荷兰公司 Palladyne 国际资产管理公司在 2014 年被解除董事职务，随后在 2019 年 11 月的法律上诉中败诉(S/2019/914，第 184-192 段)，但 Palladyne 仍然是在开曼群岛注册的所有三只 Upper Brook 基金的投资经理，实际控制着资产。自 2014 年以来，Upper Brook 基金和利比亚投资局从未试图将 Palladyne 从投资经理的职务上替换下来。

143. 利比亚投资局任命一名法政审计师来确定资产的位置和价值。审计报告已于 2020 年 9 月提交给利比亚投资局，但尚未与专家小组分享。⁸⁹

144. 利比亚投资局既不了解也控制不了原始投资价值 7 亿美元的资产，其中 98.5%在德意志银行(见下文建议 5 和 6)。

145. 本案再次凸显了涉及子公司的交易不透明以及德国和荷兰对规定解释不同所带来的风险(见附件 89)。

3. 长期投资组合

146. 专家小组重申其立场，即通过长期投资组合管理的资产在法律上过去是、现在依然是在利比亚外国投资公司名下(S/2019/914，附件 71)。这反映在利比亚投资局、托管银行和金融机构的报告中。在分析制裁的影响时(第 152 段)，利比亚投资局称这些资产属于长期投资组合，没有更准确地称其属于利比亚外国投资公司。

147. 专家小组认为利比亚投资局是在混淆这些资产的法定所有权，使其容易被滥用。因此，专家小组建议将长期投资组合列入被指认实体名单(见下文建议 7)。

148. 长期投资组合管理委员会前主席 Sami Mabrouk 表示，2013 年 6 月，他在约旦开设了一个新的投资组合，资金来自被冻结的利比亚外国投资公司资产的利息和股息。利息和股息本身本应被冻结，因此新投资组合的设立不符合第 1970(2011)号决议第 20 段的规定。之所以出现这种情况是因为利比亚外国投资公司的资产管理缺乏透明度，加上对公司和个人的问责力度很小。

149. 如果约旦当局回应了专家小组索要信息的请求，专家小组的分析本来还可以更加深入。⁹⁰ 专家小组建议立即冻结利比亚外国投资公司和长期投资组合在约旦的所有资产(见下文建议 8)。

150. 对长期投资组合法律和财务状况的分析见附件 90。

4. 审查第 1 号执行援助通知

151. 考虑到第 1 号执行援助通知与决议之间的矛盾、上文概述的其他因素以及第 1 号执行援助通知的适用不统一的问题，专家小组认为需要审查第 1 号执行援助通知的适用性，以避免资产分散的风险(见下文建议 9)。

D. 制裁对被冻结资金的影响

152. 利比亚投资局向专家小组提供了涵盖 2011 年至 2019 年的两份报告:(a) 一份由一家国际咨询公司编写的报告(咨询人报告)，涵盖据称制裁对利比亚投资局的负面影响；(b) 另一份是应专家小组要求提供的报告，其中详细列明了所有股

⁸⁹ 2020 年 10 月 19 日致利比亚总检察长办公室的信。

⁹⁰ 2019 年 9 月 5 日和 2020 年 6 月 1 日的信。

票和股息的情况(总体报告)。由于这两份报告之间存在重大不一致，专家小组利用彭博系统的信息作为独立来源对报告进行了分析。

153. 咨询人报告承认，利比亚投资局投资基金已从 2017 年 12 月的 193 亿美元增加到 2019 年 12 月的 201 亿美元。

154. 咨询人报告选取了在股票市场表现不佳且利比亚投资局投资额最大的公司进行比较。报告只考虑了股价回报，而没有考虑实收股息总额，因为如果把后者包括在内，投资回报总额将大大增加。

155. 专家小组审查了咨询公司选取的四只利比亚投资局股票样本的投资表现。如表 8 所示，计入股息后具体情况清晰可见。

表 8
四只股票在咨询人报告和彭博系统中的回报率对比
(百分比)

	地点	部门	差异 (咨询人报告)	总回报率 (彭博系统)	少报回报率
巴斯夫	德国	化学品	8.0	67.3	59.3
拜耳	德国	药品	27.4	82.2	54.8
通用电气	美利坚合众国	工业	(37.7)	(4.4)	33.3
裕信银行	意大利	银行	(82.4)	(25.6)	56.8

156. 专家小组关于咨询人报告的结论如下：

- (a) 在整个市场指数中每个基金只比较四只股票这一基本方法是有缺陷的；
- (b) 股息是总回报的重要组成部分，但却被完全忽略了；
- (c) 报告中列出的损失纯属假设。影响量化分析假设利比亚投资局退出股本投资，并在其他方面进行再投资。不能保证新投资的表现与市场一致，特别是考虑到没有适当的投资指导方针、适当的内部控制程序以及监督；
- (d) 忽略了证券组合中很大一部分是长期战略资产这一事实。如果这些股票不交易，就与预测假设回报无关，如同资金被投资于别处一样。这些控股公司包括巴斯夫、意大利埃尼集团、意大利器械工业投资公司(列奥那多股份有限公司)、西班牙国家石油公司、培生和裕信银行。

157. 咨询人报告指出，制裁对利比亚非洲投资组合投资的影响微乎其微，因为在 2011 年至 2019 年期间，约 96% 的基金(FM Capital 有限责任公司和 Palladyne 国际资产管理公司)得到了积极管理。据了解，两个会员国于 2011 年向 FM Capital 有限责任公司发放了许可证，允许该公司积极交易/管理资产。分析中也没有纳入一些活跃交易的利比亚投资局投资。这又凸显了因会员国解释不同而造成的混乱。

158. 在总体报告中,自 2011 年以来,以美元和欧元持有的股票总回报有所增加。以美元持有的股票投资增长 61%,这一表现相当可观。以英镑持有的股票呈下降趋势(见表 9)。

表 9
股票回报趋势

货币	2011 年	2019 年
美元	22.62 亿	36.70 亿
欧元	25.83 亿	31.07 亿
英镑	5.89 亿	3.56 亿

159. 咨询人报告中提出的现金抽样分析表明,欧洲中央银行的负利率和欧洲票据清算所收取的额外费用确实影响了利比亚投资局基金。利比亚投资局曾多次提出这一问题,并一再被建议与相关国家当局接触,因为财政政策是每个会员国的责任。利比亚投资局和民族团结政府都没有这样做。与其在对此事没有权威的论坛上提出这个问题,还不如与相关国家当局接触更符合他们的利益。

160. 库存现金的负利息估计为 2 300 万美元。没有对股票和利比亚中央银行或托管银行定期存款的应计收入/收益进行分析。这些将继续产生利息,应与上述负利息相抵,以更准确地反映总体情况。从 2011 年到 2018 年 12 月发布第 6 号执行援助通知期间,还收到了来自被冻结资金的利息和其他收益(S/2018/812,第 199 段),用于资助日常业务。

161. 总之,必须全面看待资产冻结的影响问题。利比亚投资局没有可以导致投资方法发生变化的投资政策或资产配置指南。因此,放松制裁显然会给被冻结资产带来风险。

162. 专家小组重申其在 S/2018/812 号文件第 224 段中的结论,即财务费用是业务成本的一部分,不能称为损失,并重申其在 S/2018/812 号文件第 228 段中对股票的意见。

163. 利比亚投资局需要聘用一家国际咨询公司向专家小组提供报告,咨询人报告与总体报告之间存在差异,利比亚投资局无法提供经审计的合并账目,这些都表明利比亚投资局是一个没有适当建立的后台办公室、适当会计部门和充分财务控制程序的组织。如果在这种情况下持续下去的时候放松制裁,就会像缺乏投资政策一样,显然会给利比亚人民的资金带来风险。

E. 动用被冻结资金

164. 专家小组审查了会员国根据第 1970(2011)号决议第 19 段和第 2009(2011)号决议第 16 段为允许动用资金而采取的办法。专家小组还审议了被指认实体就获权动用被冻结资金方面的问题提交的材料。

165. 专家小组注意到，资产冻结的标准定义⁹¹ 是防止以任何方式转移、转让、改变或使用、获取或处理资金，从而导致资金的数量、数额、地点、所有权、持有、性质、目的地发生变化或者其他导致资金得以使用的变化，包括证券组合管理。专家小组还注意到，安全理事会第 1970(2011)号决议第 19(a)段列出了一系列适用于资产(无论这些资产属于个人还是实体)的最低限度减损措施。除了第 19(a)段，再无条文规定可免除管制的例行活动。

166. 联合王国对第 1970(2011)号决议第 19(a)段的解释与专家小组的解释基本一致。联合王国同意，任何将“交易活动/资产管理活动”自动归入基本开支定义的一般政策都是对第 19(a)段的错误解释。然而，联合王国认为解释第 19(a)段时必须考虑利比亚金融制裁制度的目的。其目的之一是确保最终将被冻结资产归还给利比亚人民。在此基础上，联合王国认为，在特定的有限情况下，基本开支的定义可以解释为包括“交易活动/资产管理活动”。联合王国表示，发放此类许可证并非授权被指认实体动用被冻结资金，因此资产冻结的意图得以维持。

167. 专家小组认为，交易或资产管理活动既不属于基本开支，也不符合第 1970(2011)号决议第 19(a)段概述的其他条件。如果免除管制的通知不在第 1970(2011)号决议第 19、20 或 21 段和第 2009(2011)号决议第 16 段的任何现有规定范围内，则不予考虑，无论被指认实体是否有权动用被冻结资金。任何其他办法都不符合目前资产冻结的定义和意图。

168. 咨询人报告显示，尽管冻结了资产，但利比亚投资局和利比亚非洲投资组合的一些资产仍得到积极管理。这突出表明，需要审查第 1970(2011)号决议第 19 段规定的适用情况，以确保统一适用。鉴于一些会员国对该段的解释不一致，专家小组建议委员会就第 19 段规定的免除管制范围提供适当指导(见下文建议 10)。

169. 专家小组注意到，并非所有会员国都遵守要求，在打算授权动用被冻结资金时通知委员会。此外，向专家小组提供的信息不足，导致难以查明不遵守规定的情况。除非会员国监管当局在向专家小组提供财务数据方面发挥更积极的作用，否则促进有效执行制裁措施的建议将受到限制。

170. 被指认实体提出了由于具体的免除管制规定和从会员国获得许可证的程序延误而无法动用被冻结资金满足其所有需求的问题。

171. 曾有基于就 2011 年前的合同向利比亚国家提出的索赔而扣押或企图扣押利比亚投资局被冻结资产的情况(S/2018/812 第 198 段和 S/2019/914 附件 71)，包括比利时的一起案件。⁹² 这些扣押行为有可能导致利比亚投资局被冻结资产流失。

172. 附件 91 载有关于动用被冻结资金的更多详情。

⁹¹ 正如许多会员国的金融立法和行政指示中通常定义的那样。

⁹² Louis Colart, “Revirement du gouvernement sur le dossier «libyen» du prince Laurent: déblocage en vue?”, Le Soir, 2021 年 1 月 13 日(法语)。

七. 对被指认人员实施资产冻结和旅行禁令

A. 关于不遵守旅行禁令的最新情况

173. 在 S/2019/914 号文件第 219 至 221 段中, 专家小组报告了阿布·扎伊德·奥马尔·杜尔达(LYi.006)和赛义德·穆罕默德·卡扎夫-达姆(LYi.003)不遵守旅行禁令的情况。专家小组要求埃及和利比亚提供最新情况, 但尚未得到答复。

B. 关于被指认人员的最新情况

174. 专家小组提供了以下个人的其他身份信息:

LYi.012

姓名: 1: 穆罕默德 2: 穆阿迈尔 3: 卡扎菲
 又名: Muhammed Muammar Muhammed Abdul Salam
 护照号: 阿曼护照号: 03824969(签发日期: 2014 年 5 月 4 日)
 身份证号码: 97183904(阿曼)

LYi.026

姓名: 1: 阿卜杜勒 2: 拉赫曼 3: 米拉德 4: 无
 又名: Abdurahman Salem Ibrahim Milad
 出生日期: 1986 年 7 月 27 日
 护照号: G52FYPR(签发日期: 2014 年 5 月 8 日; 有效期至: 2022 年 5 月 7 日)

175. 专家小组还证实, 艾莎·穆阿迈尔·穆罕默德·阿布-明亚尔·卡扎菲(LYi.009)和穆罕默德·穆阿迈尔·卡扎菲(LYi.012)都拥有阿曼公民身份。阿曼政府为他们提供住房和基本开支。萨菲亚·法尔卡什·巴拉西(LYi.019)自 2015 年以来一直居住在埃及, 没有任何居留证件, 也没有得到当局的经济支持。

C. 为有效执行资产冻结和旅行禁令措施而采取的行动

176. 利比亚在有效执行资产冻结措施方面进展缓慢。虽然利比亚总检察长办公室采取了行政措施来查明被指认人员的资产, 但迄今为止, 这些措施尚未导致资产被查明, 更不用说冻结了。2020 年 5 月 20 日, 内政部指示利比亚中央银行执行关于下列被指认人员的各项决议: 穆萨卜·穆斯塔法·阿布卡西姆·奥马尔(LYi.024)、艾哈迈德·奥马尔·伊穆罕默德·费图里(LYi.023)、穆罕默德·阿明·阿拉比·卡什拉夫(LYi.025)和阿卜杜勒·拉赫曼·米拉德(LYi.026)。虽然利比亚中央银行 2020 年 5 月 31 日承认收到了请求, 但尚不清楚是否采取了任何行政行动。

177. 2020 年 10 月 14 日, 阿卜杜勒·拉赫曼·米拉德(LYi.026)因被控贩运人口和走私燃料而被的黎波里安全局逮捕, 并被临时拘留。专家小组尚未收到利比亚对他的财务和财产进行调查的详细情况。他于 2020 年 10 月被捕的情况表明, 民

族团结政府安全部门内部存在利益冲突，妨碍了执法工作。米拉德被捕引起军事检察官的强烈反应，他要求将这名利比亚海岸警卫队指挥官交由他处理。⁹³ 在起草本报告时，米拉德下落不明。

178. 专家小组没有从其他会员国收到关于资产查明工作或个人身份信息资料。

179. 制裁名单中缺乏完整的识别信息阻碍了这些措施的有效执行。

八. 建议

180. 专家小组的建议：

给安全理事会的建议

- 建议 1. 考虑授权委员会指认飞机并对其进行下列措施：(a) 取消国旗登记；(b) 颁布入境禁令；(c) 颁布飞越禁令。[见上文第 84 段]
- 建议 2. 授权会员国在利比亚沿海公海检查它们有合理理由认为非法出口或企图出口原油或精炼石油产品的驶往或离开利比亚的船只。[见第 126 段]
- 建议 3. 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 130 段]

给委员会的建议

- 建议 4. 敦促利比亚：
 - (a) 采取措施结束对移民和寻求庇护者的任意羁留[见第 42-46 段]；
 - (b) 通过尊重被告人的权利、向受害者提供赔偿并分享有关所涉实体或人员信息的公平和透明的程序，有效调查、逮捕和起诉米兹达杀戮案的行凶者并将其绳之以法[见第 47-50 段]；
 - (c) 调查杀戮案发生时被关押在米兹达仓库的其他被羁押者的状况，并与专家小组分享调查结果[见第 47-50 段]。
- 建议 5. 敦促利比亚投资局(LYe.001)恢复对 Upper Brook/Palladyne 资产的控制。[见第 144 段]
- 建议 6. 敦促有关会员国冻结在其管辖范围内的 Upper Brook/Palladyne 的所有资产。[见第 144 和 145 段]
- 建议 7. 将长期投资组合列为利比亚投资局(LYe.001)的别名。[见第 147 段]
- 建议 8. 敦促有关会员国查明、审计和冻结利比亚外国投资公司和长期投资组合在其管辖范围内持有的所有资产。[见第 149 段]

⁹³ 2020 年 12 月 13 日军事检察官的信。

- 建议 9. 鉴于第 1 号执行援助通知与决议相矛盾，并考虑到关于其适用不统一的补充信息和存在资产分散风险，审查第 1 号执行援助通知的适用性。
[见第 151 段]
- 建议 10. 就第 1970(2011)号决议第 19 段规定的免除管制范围提供指导，特别是澄清是否设想到了被指认实体的被冻结资产得到积极管理的情况。[见第 168 段]
- 建议 11. 在制裁名单上加入补充识别信息。[见第 174 段]
- 建议 12. 迅速审议专家小组自 2018 年以来分别提供的关于符合安全理事会有关决议所载指认标准的实体和人员的信息。

九. 附件

Contents	<i>Page</i>
Annex 1	Overview of the evolution of the Libya sanctions regime..... 51
Annex 2	Abbreviations and acronyms 54
Annex 3	Methodology..... 58
Annex 4	Member States, organizations and institutions consulted..... 64
Annex 5	Summary of Panel correspondence 66
Annex 6	Continued encroachment of armed groups on state institutions..... 72
Annex 7	Counter-terrorism related events in Libya (2020) 74
Annex 8	The Case of Mohamed Bahrin 77
Annex 9	Chadian and Sudanese presence in Libya..... 83
Annex 10	Background and timeline of the Black Shield case 88
Annex 11	Geolocations of Syrians in Libya (May to August 2020)..... 99
Annex 12	Funding sources for the LNA's Military Investment Authority..... 102
Annex 13	Bribery attempts at the Libyan Political Dialogue Forum..... 119
Annex 14	Sabratha and Surman 120
Annex 15	Minister's statement following GNA takeover of Tarhuna (6 June 2020)..... 122
Annex 16	Ministry of Justice's statement on Tarhuna mass graves (10 June 2020) 123
Annex 17	Overview of the Libya-Malta and Libya-Italy migration agreements and evolution of the EUNAVFOR MED Operation..... 124
Annex 18	Overview of the situation in DCIM detention centres according to Colonel Mabrouk Abdelhafid (1 September 2020) 125
Annex 19	Provisions of international human rights law (IHRL) and international humanitarian law (IHL) applicable to the situation of migrants and asylum seekers..... 126
Annex 20	Ministry of Interior statement on Mizdah (28 May 2020) 128
Annex 21	Ministry statement on Al-Khadra General Hospital (9 April 2020)..... 129
Annex 22	Evidence related to the attack on Tripoli Military Academy (4 January 2020) 130
Annex 23	Infographics for Pantsir S-1 AD system (on KaMAZ 6560 mobility platform) 137
Annex 24	Infographics for Gabya Class frigates 140
Annex 25	Infographic for HAWK MiM-23 air defence system 142
Annex 26	Infographics for Korkut Twin 35mm Air Defence system..... 143
Annex 27	Infographic for TAI Anka UCAV 145
Annex 28	Infographic for Firtina T-155mm self-propelled howitzer..... 146
Annex 29	Infographic for T122 Sakarya MLRS 147
Annex 30	Infographic for STM Kargu-2 loitering munition 148
Annex 31	Infographic for Mig-29A FGA..... 149
Annex 32	Infographic for Sukhoi SU-24 FGA..... 150
Annex 33	Maritime non-compliance profile indicators 151
Annex 34	Summary of maritime non-compliances (trafficking to GNA-AF)..... 152
Annex 35	Summary of maritime non-compliances (trafficking to HAF) 174
Annex 36	Infographic for Dehleyvah ATGM..... 177
Annex 37	Infographic for FNSS ACV-15 178
Annex 38	Infographic for Harpy loitering munition..... 179

Annex 39	Airbridges in support of the GNA-AF	180
Annex 40	Infographic for Misagh-2 MANPADS.....	191
Annex 41	Bulgarian manufactured 120mm Mortar Bomb	192
Annex 42	GNA-AF Diver Training in Khoms	193
Annex 43	GNA-AF Training on T155 Firtina Howitzer	194
Annex 44	GNA-AF Military Training	195
Annex 45	GNA Coast Guard Training	196
Annex 46	GNA-AF Special Forces Training.....	197
Annex 47	LENCO Bearcat APC with GNA-AF	198
Annex 48	GNA-AF Forward Observation Officer (FOO) Training	199
Annex 49	GNA-AF Abseil Training.....	200
Annex 50	GNA payments to Turkish arms group SSTEK	201
Annex 51	HAF Training in Jordan (2018).....	207
Annex 52	Serbian manufactured P62M8 120mm Mortar Bomb	208
Annex 53	Infographic for KADDB Mared 8x8 MPAV with “snakehead” turret.....	209
Annex 54	Infographic for TAG/AOI Terrier LT79 AFV	210
Annex 55	Airbridges in support of HAF	211
Annex 56	Infographic for Inkas Titan-DS APV	282
Annex 57	Wing Loong II UCAV redeployed to Egyptian airbase	283
Annex 58	Infographic for Dahua counter-drone weapon	284
Annex 59	HAF Pilot Training in Syria	285
Annex 60	Infographic for KBP RPO-A Shmel.....	286
Annex 61	Infographic for Dassault Mirage 2000-9	287
Annex 62	Infographic for “Wagner” armoured vehicle.....	288
Annex 63	Infographic for MIC VPK Tigr-M APV	289
Annex 64	Infographic for T-62 main battle tank upgrade	290
Annex 65	Infographic for ML-8 anti-lift initiator.....	291
Annex 66	Infographic for interdiction of 4x4 vehicles in Malta	292
Annex 67	Infographic for PMN-2 anti-personnel mine (APM).....	293
Annex 68	Infographic for 96L6/E C-Band acquisition radar.....	294
Annex 69	Training at RMC Jordan (16 September 2020)	295
Annex 70	Infographic for POM-2R anti-personnel mine (APM)	296
Annex 71	Infographic for G5 155mm / 45 calibre gun howitzer.....	297
Annex 72	Infographic for 128m Morava 128mm multi-barrel rocket system (LRSCM).....	298
Annex 73	Infographic for Xiamen Mugin 4450 unmanned aerial vehicle (UAV)	299
Annex 74	Infographic for WP Warmate loitering munition	300
Annex 75	Airbridge non-compliance profile indicators	301
Annex 76	Project Opus PMC operation.....	306
Annex 77	ChVK Wagner in Libya	428
Annex 78	Member States and regional organizations responses during 2020 to arms embargo violations	467
Annex 79	Oil blockade	468
Annex 80	Letters from eastern authorities challenging the NOC legitimacy	469
Annex 81	New Board of Directors of Brega Petroleum Marketing Company	474
Annex 82	Attempts to illicitly export crude oil	475
Annex 83	Attempts to illicitly export condensate.....	477
Annex 84	Establishment of the ‘Joint Forces’ to fight fuel smuggling	478

Annex 85	The case of M/T Jal Laxmi	481
Annex 86	The case of M/T Gulf Petroleum 4 and M/T Royal Diamond 7.....	489
Annex 87	Subsidiaries	496
Annex 88	Documentation regarding LAP GreenN transfer.....	515
Annex 89	Palladyne/Upper Brook Case	518
Annex 90	LTP as a separate entity	522
Annex 91	Access to frozen funds	547

Annex 1 Overview of the evolution of the Libya sanctions regime

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

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

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

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

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

6. In resolution [2095 \(2013\)](#), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.
7. By resolution [2144 \(2014\)](#), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.
8. By resolution [2146 \(2014\)](#), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.
9. By resolution [2174 \(2014\)](#), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability 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.
19. By resolution [2473 \(2019\)](#), the Council further extends the authorizations, as set out in resolution [2292 \(2016\)](#) and extended by resolutions [2357 \(2017\)](#) and [2420 \(2018\)](#), for a further 12 months from the date of adoption of the resolution.
20. By resolution [2509 \(2020\)](#), the Council extended until 30 April 2021 the authorizations provided by and the measures imposed by resolution [2362 \(2017\)](#), in relation to attempts to illicitly export crude oil from Libya.
21. By resolution [2526 \(2020\)](#), the Council further extends the authorizations, as set out in resolution [2292 \(2016\)](#) and extended by resolutions [2357 \(2017\)](#), [2420 \(2018\)](#), and [2473 \(2019\)](#), for a further 12 months from the date of adoption of the resolution.

To date the Committee has published six implementation assistance notices which are available on the Committee's website.¹

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

Annex 2 Abbreviations and acronyms

ACA	Administrative Control Authority
ACV	Armoured Combat Vehicle
AFV	Armoured Fighting Vehicle
AGO	Attorney General's Office
AIS	Automatic Identification System
ALOC	Air Line of Communication
AOC	Air Operator Certificate
APC	Armoured Personnel Carrier
APM	Anti-Personnel Mine
APV	Armoured Patrol Vehicle
ASM	Air to Surface Missile
ATC	Air Traffic Control
ATGM	Anti-Tank Guided Missile
ATGW	Anti-Tank Guided Weapon
AQ	Al-Qaida
AQIM	Al-Qaida in the Islamic Maghreb
ARMSCOR	South Africa's Department of Defence acquisition agency
ATGM	Anti-Tank Guided Missile
BCP	Border Checkpoint
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	Directorate for Combating Illegal Migration
ECB	European Central Bank
ECBL	Eastern Central Bank of Libya
ENOC	Eastern National Oil Corporation
EOD	Explosive Ordnance Disposal
ERA	Explosive Reactive Armour
EU	European Union
EUBAM	European Union Border Assistance Mission EUC
EUNAVFOR	EU Naval Force Mediterranean
EUR	Euro
EUROJUST	EU Judicial Cooperation Unit
FACT	Front pour l'Alternance et la Concorde au Tchad
FAE	Fuel/Air Explosive
FATC	Fusion and Targeting Cell
FGA	Fighter Ground Attack
FIBUA	Fighting in Built Up Areas
FIR	Flight Information Region
	End-user certificate

FOO	Forward Observation Officer
FSG	Frontier Service Group
GACS	General Administration for Coastal Security
GIS	General Intelligence Service
GMMR	Great Man-Made River
GNA	Government of National Accord
GNA-AF	Government of National Accord Affiliated Forces
GOJO	Government of Jordan
GSA	General Sales Agency Agreement
GSLF	Gathering of the Sudan Liberation Forces
GT	Gross Tonnes
HAF	Haftar Affiliated Forces
HFO	Heavy Fuel Oil
HMV	High Mobility Vehicle
HVT	High Value target
IAFV	Infantry Armoured Fighting Vehicle
IAI	Israeli Aircraft Industries
IAN	Implementation Assistance Notice
ISR	Intelligence Surveillance and Reconnaissance
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
IDP	Internally Displaced Persons
IED	Improvised explosive device
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMO	International Maritime Organization
IOM	International Organization for Migration
ISIL	Islamic State in Iraq and the Levant
ISIR	Intelligence Surveillance and Reconnaissance
ITAR	International Traffic in Arms Regulations
JEM	Justice and Equality Movement
JNIM	Jamaat Nusrat al Islam wal Muslimin
JSC	Joint Stock Company
KADDB	King Abdullah II Design and Development Bureau
km	kilometres
LAFICO	Libyan Arab Foreign Investment Company, a.k.a. LFIC
LAICO	Libyan African Investment Company
LAIP	Libyan African Investment Portfolio
LASA	Light Attack and Surveillance Aircraft
LAWS	Lethal Autonomous weapons Systems
LCG	Libyan Coast Guard
LFB	Libyan Foreign Bank
LFIC	Libyan Foreign Investment Company, a.k.a. LAFICO
LIA	Libyan Investment Authority
LIFG	Libyan Islamic Fighting Group
LLC	Limited Liability Company

LM	Loitering Munition
LNA	Libyan National Army
LOC	Lines of Communication
LPDF	Libyan Political Dialogue Forum
LRIT	Long-Range Identification and Tracking system
LTP	Long Term Portfolio
LUH	Light Utility Helicopter
LYD	Libyan Dinar
MANPADS	Man Portable Air-Defense System
MBT	Main Battle Tank
MIA	Military Investment authority
MGO	Marine Gasoil
MLRS	Multi-Launch Rocket System
MMSI	Maritime Mobile Service Identity
MRAP	Mine Resistant Ambush Protected
MSPV	Minerva Special Purpose Vehicle
MSR	Main Supply Route
MUH	Medium Utility Helicopter
M/T	Motor Tanker
M/V	Motor Vessel
NATO	North Atlantic Treaty Organization
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
Panel	Panel of Experts
PAR	Parti d'Action Républicaine
PC	Presidency Council
PIAM	Palladyne International Asset Management
PFG	Petroleum Facilities Guard
PMC	Private Military Company
RHIB	Rigid Hulled Inflatable Boats
RPA	Remotely Piloted Aircraft
RSB	Rossiskie System Bezopasnosti
RSF	Rapid Support Forces
RWS	Remote Weapon System
SACAA	South African Civil Aviation Authority
SALW	Small Arms and Light Weapons
SAM	Surface to Air Missile
SARWP	Stabilised Advance Remote Weapon Platform
SEAD	Suppression of Enemy Air Defence
SIGINT	Signal Intelligence
SRAC	Sudanese Revolutionary Awajening Council
SRF	Sudanese Revolutionary Front
SCUBA	Self-Contained Underwater Breathing Apparatus

SDF	Special Deterrence Force
SEAD	Suppression of Enemy Air Defence
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
TMA	Tripoli Military Academy
TPF	Tripoli Protection Force
TRB	Tripoli Revolutionaries Brigade
UAE	United Arab Emirates
UAV	Unmanned Aerial Vehicle
UCAV	Unmanned Combat Aerial Vehicle
UID	Unidentified
UMTAS	Uzun Menzilli Tanksavar Sistemi
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMAS	UN Mine Action Service
UNSMIL	UN Support Mission in Libya
URL	Unified Resource Locator
US AFRICOM	United States Africa Command
USD	United States Dollars
UTC	Universal Coordinated Time
VBIED	Vehicle Borne IED
VBSS	Vessel Board Search and Seizure
VTC	Video Conferencing
WFP	World Food Programme

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 3.A.1

UN GIS place names Libya



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

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or 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/materiel in support. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
 - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
 - (b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:
 - (i) Result in the individual moving assets if they get warning of a possible recommendation for designation;
 - (ii) Restrict further access of the Panel to vital sources;
 - (iii) Endanger Panel sources or Panel members;
 - (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or
 - (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.
3. If the circumstances set forth in 2 (b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.
4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.
5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.
6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.
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/her government) to communicate on his/her behalf on subsequent interactions with the Panel.

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

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

1. The Panel adopted the following stringent methodology to ensure that its investigations met the highest possible evidentiary standards, despite it being prevented from visiting 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 corroborative or contradictory information regarding the Panel's findings.
- (c) In carrying out its investigations on deprivation of liberty and associated violations the Panel relies on the following sources of information:
- (i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;
 - (ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;
 - (iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iv) Medical documentation and, where applicable, death certificates;
 - (v) Documentation issued by prison authorities;
 - (vi) Interviews with medical personnel who treated the victim, wherever possible;
 - (vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;
 - (viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;
 - (ix) Statements issued by the party to the conflict responsible for the incident; and/or

- (x) Open source information to identify other corroborative or contradictory information regarding the Panel's findings.
 - (d) In carrying out its investigations on other violations, which can include forced displacement and threats against medical workers, the Panel relies on information that includes:
 - (i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;
 - (ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iii) Documentation relevant to verify information obtained;
 - (iv) Statements issued by the party to the conflict responsible for the incident; and/or
 - (v) Open source information to identify other 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, as called upon by paragraph 13 of resolution [2509 \(2020\)](#), the Panel may consider this 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 supports the Panel's findings beyond that included in its reports. Appropriate precautions will be taken though to protect the anonymity of its sources.

Annex 4 Member States, organizations and institutions consulted

1. This list excludes 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 ^{a b}

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO / Individual</i>
Austria		Permanent Mission to the UN	
Bangladesh		Permanent Mission to the UN Embassy to Libya	
Belgium ^a		EEAS	
China ^{a,b}		Permanent Mission to the UN	
Egypt	Ministries of Foreign Affairs, Finance and Defence	Permanent Mission to the UN	
France ^{a,b}	Ministries of Foreign Affairs, Finance and Defence	Permanent Mission to the UN Embassy to Libya (in Tunis)	NGO
Germany ^a	Ministries of Foreign Affairs, Finance, and Economy and Energy	Permanent Mission to the UN	Deutsches Bundesbank
Italy		Permanent Mission to the UN HQ EU NAVFOR	MEDU Individuals
Jordan		Permanent Mission to the UN	
Libya	Presidency Council, Ministries of Interior, Defence and Justice, Libyan Coast Guard, Audit Bureau, security agencies	Permanent Mission to the UN IOM UNHCR UNSMIL	Designated entities CBL NOC Individuals NGOs
Malta	Ministry of Foreign Affairs	Permanent Mission to the UN	Individuals
Morocco	Ministries of Foreign Affairs, Interior, and General Directorate of National Security		
Netherlands	Ministries of Foreign Affairs,	Eurojust Europol ICC	Individuals
South Africa			Individuals
Spain		EU Satellite Centre	
Sudan		Permanent Mission to the UN	Individuals
Sweden	Inspectorate of Strategic Projects		
Switzerland		Permanent Mission to the UN UN OHCHR	Individuals NGO

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO / Individual</i>
Tunisia ^{a,b}	Ministries of Foreign Affairs Defence, Finance, Interior and Central Bank	Permanent Mission to the UN EU Delegation to Libya EUBAM	NGO Individuals
United Arab Emirates		Permanent Mission to the UN	Individuals
United Kingdom ^{a,b}	Foreign, Commonwealth and Development Office, and Treasury	Permanent Mission to the UN	Individuals NGO AirWars
USA ^{a,b}	State Department, OFAC	Permanent Mission to the UN	C4ADS

^a Countries indicated 'a' are members of the Security Council (2020).

^b Countries indicated 'b' are members of the Security Council (2021).

^c Mainly by VTC / electronic platform.

Annex 5 Summary of Panel correspondence ³

Table 5.1
Correspondence with Member States (2441 (2018) Mandate)
(25 October 2019 – 10 February 2020) ^a

<i>Member State</i>	<i># letters sent by the Panel ^b</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
Albania	3	2	1
Bahamas	1	1	0
Belize	1	1	0
British Virgin Islands	2	2	0
Comoros Islands	1	1	0
Egypt	3	3	0
France *	1	1	0
Isle of Man	1	1	0
Israel	1	0	1
Italy	5	5	0
Japan	1	0	1
Jordan	4	2	2
Kazakhstan	3	3	0
Lebanon	4	2	2
Libya	10	0	10
Malta	1	1	0
Marshall Islands	1	1	0
Moldova	1	0	1
Mongolia	2	1	1
Morocco	2	2	0
Netherlands	1	1	0
Panama	1	1	0
Romania	1	1	0
Russian Federation *	1	0	1
Serbia	1	1	0
Sierra Leone	1	0	1
Sudan	1	1	0
Tunisia	4	1	3
Turkey	8	4	4
Ukraine	5	5	0
United Arab Emirates	9	5	4
United Kingdom *	3	2	1
United States of America *	5	4	1
Total	91	55	36

^a 25 October being the date that the last report was submitted to the Committee and for which data was then available.

^b Does not include letters requesting visas or visits.

³ Excluding updates to the Committee or letters to the Chair.

Table 5.2
Correspondence with Member States (2509 (2020) Mandate)
(11 February 2020 to 24 February 2021) ^a

<i>Member State</i>	<i># letters sent by the Panel ^b</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
Albania	1	1	0
Algeria	1	1	0
Antigua and Barbuda	1	0	1
Australia	1	1	0
Austria	2	2	0
Bangladesh	4	1	3
Bermuda	3	3	0
Bulgaria	4	4	0
British Virgin Islands	3	3	0
China	1	0	1
Cyprus	2	2	0
Czech Republic	1	1	0
Egypt	12	9	3
Eritrea	2	2	0
Ethiopia	2	0	2
France	2	2	0
Honduras	1	1	0
Iran	1	0	1
Israel	2	2	0
Italy	1	0	1
Jordan	7	5	2
Kazakhstan	8	8	0
Kuwait	1	0	1
Kyrgyz Republic	3	3	0
Lebanon	1	1	0
Libya	26	6	20
Malta	1	1	0
Mauritius	2	2	0
Mongolia	1	0	1
Morocco	1	0	1
Netherlands	4	3	1
Niger	2	0	2
Nigeria	2	0	2
Oman	2	1	1
Palau	1	1	0
Panama	3	1	2
Poland	1	1	0

<i>Member State</i>	<i># letters sent by the Panel^b</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
Korea (Republic of)	1	1	0
Russian Federation	9	4	5
San Marino	2	2	0
Saudi Arabia	4	1	3
Serbia	5	2	3
South Africa	1	0	0
South Sudan	2	1	1
Sudan	6	0	6
Sweden	1	1	0
Switzerland	3	2	1
Syria	1	0	1
Tajikistan	4	3	1
Tanzania	1	0	1
Tunisia	4	4	0
Turkey	11	3	8
Uganda	2	0	2
Ukraine	7	5	2
United Arab Emirates	18	9	9
United Kingdom	5	5	0
Total	205	116	89

^a 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.

^b Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Table 5.3

**Correspondence with regional organizations and other entities (2441 (2018) Mandate)
(25 October 2019 – 10 February 2020)**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies</i>	<i># awaiting reply</i>
DCIM (Libya)	2	1	1
EuroControl	1	1	0
Haftar Affiliated Forces	3	0	3
Libyan Investment Authority	1	1	0
UNHCR	1	0	1
Total	8	3	5

^a 25 October being the date that the last report was submitted to the Committee and for which data was then available.

Table 5.4

**Correspondence with regional organizations and other entities (2509 (2020) Mandate)
(11 February 2020 to 24 February 2021)^a**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies^b</i>	<i># awaiting reply</i>
AGO Libya	1	0	1
EU NAVFOR Operation IRINI	2	2	0
Haftar Affiliated Forces	4	0	4
Libya African Investment Portfolio	1	1	0
Libyan Investment Authority	1	1	0
Total	9	4	5

^a 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.

^b Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Table 5.5

**Correspondence with commercial companies (2441 (2018) Mandate)
(25 October 2019 – 10 February 2020)^a**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies</i>	<i># awaiting reply</i>
Aviator at Work, South Africa	1	0	1
BMC, Turkey	1	1	0
Boies Schiller Flexner LLP, USA	1	0	1
Bridgeporth, UK	2	2	0
Cobham Industries, UK	1	1	0
Federal Advocates, USA	2	1	1
FlightRadar24, Sweden	1	0	1
Creative City Fujairah Media Free Zone Authority, UAE	1	0	1
Global Africa Aviation South Africa and Zimbabwe, South Africa	1	0	1
Holman Fenwick Willan MEA LLC, UAE	12	11	1
Hyundai Motors, Republic of Korea	1	0	1
Inmarsat, UK	1	1	0
IWAS, UAE	1	1	0
National Bank of Dubai, UAE	1	0	1
Nissan Motor Company, Japan	1	0	1
Panzer Logistics, Republic of South Africa	1	1	0
Presidency Defence Industries, Turkey	1	0	1
Remm Style and Travel, UAE	1	0	1
Sadat Security, Turkey	1	0	1
Speedway, Botswana	1	1	0
The Armoured Group FZE, UAE	1	0	1
Weevind Law, South Africa	1	0	1
Total	36	21	16

^a 25 October 2019 being the date that the last report was submitted to the Committee and for which data was then available.

Table 5.6
Correspondence with commercial companies (2509 (2020) Mandate)
(11 February 2020 to 24 February 2021) ^a

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies ^b</i>	<i># awaiting reply</i>
ABC Bank, UAE	2	2	0
African Express, Romania	1	1	0
Afrifin Logistics FZE, UAE	2	1	1
African Mediterranean Lines S.A.L., Lebanon	4	1	3
AIK Energy, Romania	1	1	0
Airborne Technologies, Austria	1	0	1
AK Gemi, Turkey	2	0	2
Akar Group, Turkey	1	1	0
ALA International, UAE	1	0	1
Almat Cars, Jordan	1	0	1
Altobigy Excellence, UAE	1	1	0
Alwan, UAE	1	0	1
Amber Tiger Limited, UK	1	1	0
Arkas, Turkey	2	0	2
Arpeni, Indonesia	1	0	1
Avrasya Shipping Co Limited, Turkey	3	0	3
Bereket, Turkey	2	0	2
BNP Libya	1	0	1
Boies Schiller Flexner, USA	1	1	0
Bravo Energy, UAE	1	1	0
Bridgforth, UK	1	1	0
Cabada, Allard Y Asociados LLC, Panama	1	0	1
Cargo Air Chartering FZE, Ukraine	1	1	0
CCM CGA, France	1	1	0
CPC Corporation, Taiwan, province of China	3	1	2
CSM, Germany	1	0	1
Eagle Enterprise, South Sudan	1	1	0
Emarat, UAE	2	1	1
EMO Investment, Trading and Marketing of Oil and Derivatives LLC, UAE	3	2	1
Fehn Ship Management, Germany	1	1	0
Frontier Services Group, China	1	0	1
Gardaworld, Canada	2	1	1
Gulf Shipping Services FZE, UAE	1	0	1
Handytankers, Denmark	1	0	1
Hanjin Tankers, Singapore	1	0	1
Henkel AG and Company, KGaA, Germany	1	1	0
Holman Fenwick Willan MEA LLC, UAE	15	12	3
IMS Hellenic, Greece	3	0	3

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies ^b</i>	<i># awaiting reply</i>
Jones Group International, USA	1	1	0
Kuloviec, David, LLC, USA	4	4	0
Kurstvaart Harlingen	1	1	0
Landseadoor, Indonesia	2	0	2
Lenco LLC, USA	1	1	0
Libyan Express, Libya	3	2	1
Maersk Shipping, Denmark	1	0	1
Mahoney Shipping & Marine Services, Egypt	1	0	1
Maleth Aero, Malta	1	1	0
Med Wave Shipping S.A., Lebanon	1	0	1
Middle East Maritime Consult, Lebanon	1	0	1
Mitsubishi Motors, Japan	1	1	0
MSPV LLC, UAE	1	0	1
Murex, UK	1	1	0
Nissan Motor Company, Japan	1	0	1
New Stage Shipping, Malaysia	2	0	2
New Wave Shipping Company S.A., Greece	2	2	0
Oil and Gas Global Services Ltd, Bulgaria	1	0	0
Pioneer, Egypt	1	1	0
Presidency of Defence Industries, Turkey	1	0	1
Rana Maritime Services S.A., Lebanon	1	1	0
Rose Partners Limited, UK	2	2	0
Sadat International Defence Consultancy, Turkey	1	1	0
Saida for Tourism, Lebanon	1	0	1
SCF Management Services, UAE	1	0	1
Security Side, Libya	1	1	0
SMEA, San Marino	2	2	0
Space Cargo FZE, UAE	2	2	0
Thales, France	1	0	1
Toyota Motor Company, Japan	1	1	0
United Shipping, Libya	1	0	1
Weewind Law, RSA	2	2	0
Total	116	62	54

^a 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.

^b Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Annex 6 Continued encroachment of armed groups on state institutions

1. The détente among Tripoli's competing armed groups started to unravel after HAF's withdrawal from Libya's west in June 2020. The competition among the armed groups came to a head in August 2020, as peaceful protests erupted in Tripoli, Misrata, and Zawiya over deteriorating living conditions, most notably extended power outages during the summer. The Panel received first-hand accounts and videos showing the firing of live ammunition to disperse a demonstration in Martyrs' Square in downtown Tripoli—an area controlled by the al-Nawasi armed group. There were reports of arbitrary detentions and injuries among protestors that the Panel was unable to independently verify. Some GNA officials⁴ denied the involvement of al-Nawasi in responding to the protests, amidst assertions that Haftar had bought the allegiance of some armed groups in Libya's west, and perhaps fanned the flames of the summer protests, to push the Presidency Council to resign.

2. The Minister of Interior issued public statements in support of the right to peaceful protest, which put him at odds with the GNA's stated position that some of the protestors engaged in acts of sabotage and destruction of property, and that the LNA and its affiliates exploited the protests for political gain. Prime Minister Sarraj announced the suspension of Minister of Interior Bashagha on 28 August 2020 (decree 562), pending an investigation into the Minister's public statements and permits/authorizations concerning the protests. The suspension was subsequently lifted on 3 September 2020 (decree 584).

3. On 1 September 2020, the PC brought the Special Deterrence Force (SDF) under its direct control (decree 578). Furthermore, the PC appointed armed group leaders in critical security positions:

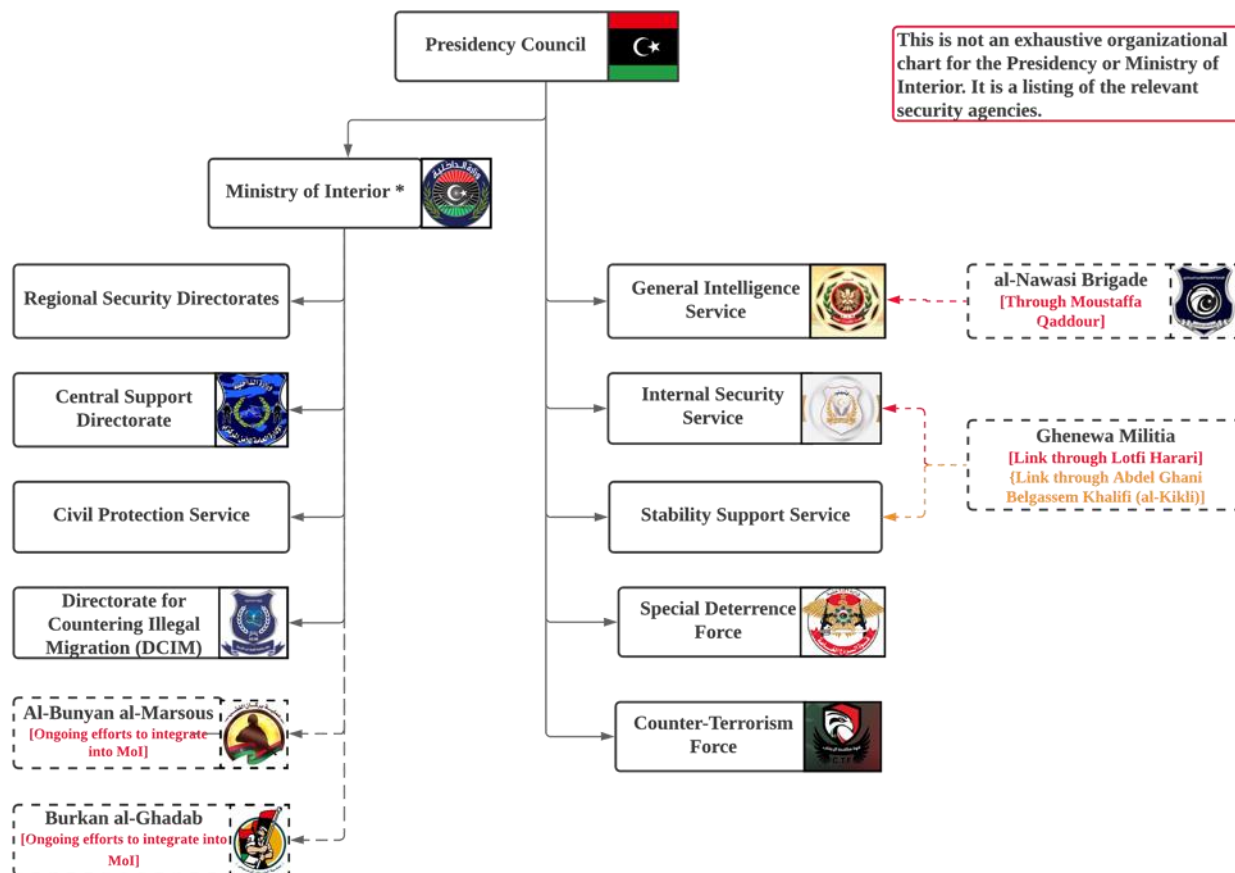
- (a) On 8 September 2020, the PC appointed armed group leaders Imad Trabelsi (formerly of the Western Joint Security Room) as the deputy head of the General Intelligence Service (decree 595) and Lotfi Harari (formerly of the Ghenewa militia) as the deputy head of the Internal Security Service (decree 596), with both services reporting directly to the PC;
- (b) On 11 January 2021, the PC established the Stability Support Service (decree 26), another force under its direct authority; and
- (c) On 17 January 2021, the PC appointed the Ghenewa militia leader Abdel Ghani Belgasseem Khalifa as the head of the new service (decree 38).

4. The Panel notes that al-Nawasi Brigade affiliates Al-Tahir Urwah and Mohamed Bu Dara', who were named in S/2019/914, Annex 12, in a reported 2019 attack on the Minister of Finance, have been reportedly appointed as attachés to Libyan posts abroad and presumably receive diplomatic immunity. The Panel has confirmed that Urwah is a Consular Attaché at the Libyan Embassy in Tunis. The Panel learned that Abu Dara' is a police officer, whom the Ministry of Interior suspended and placed on a no-fly list in April 2020 pending the investigation into the assault claim, yet he was reportedly appointed by the Ministry of Foreign Affairs as a health attaché at the Libyan Consulate in Istanbul.

⁴ Panel meeting with WMZ Commander Osama Juweili on 31 August 2020, and meeting with Nawasi leader Mustafa Qaddour on 1 December 2020.

Figure 6.1

A chart showing various security services and armed groups with lines of authority to the Presidency Council and the Ministry of Interior



Annex 7 Counter-terrorism related events in Libya (2020)

1. The Panel has not been able to independently verify some of these events.

Table 7.1

Reported counter-terrorism related events in Libya

Date	Event	Source
29 Feb 2020	The spokesperson of the LNA's Sebha Joint Security Room announced that a Sudanese doctor identified as Omar Fadl Al Sayed Mohammed Lamine a.k.a. Abu Abdallah was arrested for his affiliation with ISIL-Libya and plan to carry out a terrorist attack.	https://www.addresslibya.co/ar/archives/90268 , 1 March 2020.
26 Mar 2020	HAF 128 battalion arrested and interviewed a Syrian fighter in Nakliyyah, named Ibrahim Mohammed Darwish, who claimed to be member of the listed terrorist group Al-Nusrah Front for the People of the Levant (QDe.137) fighting with the GNA-AF.	https://www.facebook.com/aldola.01/videos/503118253718281/ , 26 March 2020.
3 Apr 2020	LNA official Twitter account announced that Fathi Al-Rubaie, an alleged terrorist affiliated with ISIL-Libya, was captured with 18 other terrorists in Tripoli.	https://twitter.com/LNA2019M/status/1246132285923045385 (account suspended by Twitter). https://www.albayan.ae/one-world/arabs/2020-04-05-1.3821450 , 5 May 2020.
23 Apr 2020	LNA spokesperson Al Mismari declared that LNA forces arrested the Egyptian national Mohammed Mohammed Al Sayyed fighting alongside the GNA in Tripoli. This individual is reportedly linked to Hicham Achmaoui, an Egyptian terrorist affiliated to Al Qaida.	https://alarab.co.uk/-/لاقبض-على-اعداء-اوي-يدفع-لعسلة-دكتة-لواق-2020-24-ابريل-يل-لاهلين
28 Apr 2020	The GNA affiliated Special Deterrence Forces (SDF) announced the arrest of a Sudanese national born in Surt named Saeed Kamel Saeed Abdelkarim, an alleged member of Ansar Al Charia Benghazi (QDe.146).	https://www.jana-ly.co/-/لن-خلية-لواق-لن-تتذك-لشياء-لوع , 28 July 2020.
30 Apr 2020	HAF allegedly arrested an ISIL-Libya fighter, Tarik al-Baroussi (a.k.a. Abu Abdullah), on the Wadi Rabea axis in southern Tripoli.	https://sahafahnet.com/show6858650.html , 1 May 2020.
25 May 2020	LNA's spokesman Al-Mismari announced that HAF arrested in Tripoli an ISIL-Libya member named Muhammad al-Ruwaidani, known as Abu Bakr al-Ruwaidani. He was described as "one of the most dangerous members of the Daesh terrorist organization".	https://middle-east-online.com/en/lna-forces-arrest-commander-tripoli , 25 May 2020.
5 Jul 2020	Misrata's Joint Security Operations Room (JSOR) captured a Syrian ISIL fighter named Omar Dabbous, who entered Libya in 2016 as a refugee from Syria.	https://ar.libyaobserver.ly/article/8879 , 6 July 2020.
6 Jul 2020	The GNA's Ministry of Interior declared that Al Zawiyah security forces have detected a terrorist cell belonging to ISIL-Libya. The cell was planning to perpetrate attacks in Libya.	https://www.eanlibya.com/-/لاقبض-على-خلفاء-لإرهابية-تداعش , 6 July 2020.
14-15 Sep 2020	HAF undertook an overnight raid on an alleged ISIL-Libya cell in the Abd al-Kafi neighborhood in Sebha. According to HAF officials, the raid resulted in the deaths of three Saudi men, one Egyptian who held Australian identity papers and two Libyans. Two women were also arrested, one Libyan and the other Egyptian.	https://arabic.rt.com/middle_east/1154215-الجيش-الليبي-يقتل-أربعة-دواعش-بمدينة-سبها-الجنوبية/ , 17 September 2020.

Date	Event	Source
21 Sep 2020	HAF's spokesperson Al-Mismari claimed the arrest an ISIL-Libya member in the town of Ghadduwah in southern Libya, linked to the previously disrupted 'Abd al-Kafi neighborhood' cell. He revealed that Abu Muad Al Iraqi a.k.a. Abu Abdallah Al Libi leader of ISIL-Libya Africa was among those killed in the aforementioned cell.	https://www.skynewsarabia.com/middle-east/1378499-زعيم-داعش-شمال-أفريقيا , 25 September 2020
24 Sep 2020	HAF's Khalid Bin Walid Brigade claimed through their official social media, that their commander Youssef Hussein Saleh, survived an assassination attempt allegedly carried out by ISIS-Libya members in the Nassriya district of Sebha.	https://www.facebook.com/permalink.php?story_fbid=186347676337937&id=112790383693667 , 26 September 2020.
30 Sep 2020	The GNA Ministry of Defence's Joint Force captured 5 alleged ISIL-Libya members south of the Libyan town of Al-Jmeel, near the Tunisian border. Those arrested include 2 Libyans, 2 Tunisians, and another African National.	http://alwasat.ly/news/libya/296950 , 2 October 2020.
3 Oct 2020	HAF's 116 Infantry Brigade claimed to have arrested a terrorist cell responsible for carrying out kidnappings and murders between the cities of Jufra and Sebha. The cell is composed of 3 Libyans and 7 African nationals.	https://www.facebook.com/108639650637318/posts/193502715484344/ , 5 October 2020.
18 Oct 2020	GNA's Counter-Terrorism Force Commander, Major General Mohammed Al-Zein, announced on Libyan television that four ISIL-Libya suspects had been arrested for connections to a terrorist group in two separate operations at Khoms and in the outskirts of Tripoli. These individuals were reportedly planning to carry out attacks in Libya.	https://akhbarlibya24.net/2020/10/19/تفكيك-خلية-إرهابية-بطن-ابلس-والخمس , 20 October 2020.
28 Nov 2020	HAF's spokesperson Al-Mismari announced that HAF conducted an operation against al-Qaeda in the Islamic Maghreb (AQIM), in Awbari, which resulted in the arrest of Hasan Washi (an ex-JNIM member) one of the leaders of the group and six other individuals.	https://www.facebook.com/الرابطة-116-ممشاة-الي-587393035071266 , 10 December 2020.

Table 7.2
Alleged terrorism related events in Libya

Date	Event	Source
17 May 2020	ISIL-Libya (QDe.165) claimed responsibility through the official ISIL (QDe.115) weekly publication "Annaba'a", of an attack using Katyusha rockets against HAF members in Taminhint base.	Official ISIL weekly publication "Annaba'a". Official ISIL weekly publication "Annaba'a" n°235 , https://s34.f102.casa/pdf/235.pdf , 21 May 2020.
18 May 2020	ISIL-Libya (QDe.165) claimed an attack against the HQ of HAF 628 infantry battalion in Traghin using Katyusha rockets.	Ibid.
19 May 2020	ISIL-Libya (QDe.165) claimed an attack against HAF Tarek Ibn Ziyad battalion using Katyusha rockets.	Ibid.
23 May 2020	ISIL-Libya (QDe.165) claimed a vehicle-borne improvised explosive device (VBIED) attack against a security checkpoint of HAF 628 infantry battalion near the entrance of Taraghin, 140 km south of Sebha.	Official ISIL weekly publication "Annaba'a" n°236 , https://s34.f102.casa/pdf/236.pdf , 28 May 2020.
25 May 2020	ISIL-Libya (QDe.165) claimed an attack against a military police station in the city of Traghin.	Ibid.
26 May 2020	ISIL-Libya (QDe.165) in Libya claimed burning crop fields in Traghin belonging to an LNA member.	Ibid.
30 May 2020	Members of ISIL-Libya (QDe.165) claimed burning crop fields in Ghaduwwah belonging to a Libyan Police member named Saleh Qaddafi.	Official ISIL weekly publication "Annaba'a" n°237 , https://s34.f102.casa/pdf/237.pdf , 04 June 2020.

<i>Date</i>	<i>Event</i>	<i>Source</i>
2 Jun 2020	ISIL-Libya (QDe.165) claimed a bomb attack against a Shopping Centre belonging to a member of HAF in Um' Al Aranib, south of Sebha.	Ibid.
3 Jun 2020	ISIL-Libya (QDe.165) claimed a rocket attack against HAF forces stationed in Tamenhint base.	Official ISIL weekly publication "Annaba" a n°238, https://s34.f102.casa/pdf/238.pdf , 11 June 2020.
1 Sep 2020	A failed suicide bombing took place at a GNA-aligned checkpoint at the Al-Ghariyan roundabout, near Janzour. There were no casualties	https://arabic.rt.com/middle_east/1149697-بأولى-الصور-انتحاري-على-دراجة-نارية-يفجر-نفسه-قرب-بوابة-بالعاصمة-الليبية-طرابلس , 3 September 2020.

Annex 8 The case of Mohamed Bahrún

1. The Panel observed a video recording (figure 8.1) posted on March 2016 by the official Facebook page of the GNA affiliated Rada group, of a testimony of a detained member of the terrorist group ISIL-Libya, identified as Ahmed Sassi Al Fallah (alias Abu Allaith). He narrated the background of his activities as a member of the terrorist group and described how Mohamed Bahrún “Al Far” facilitated his passage, along with his associates, from Sabratha to Zawiyah where he was arrested.

Figure 8.1

Extract from video published by Rada’s official Facebook page

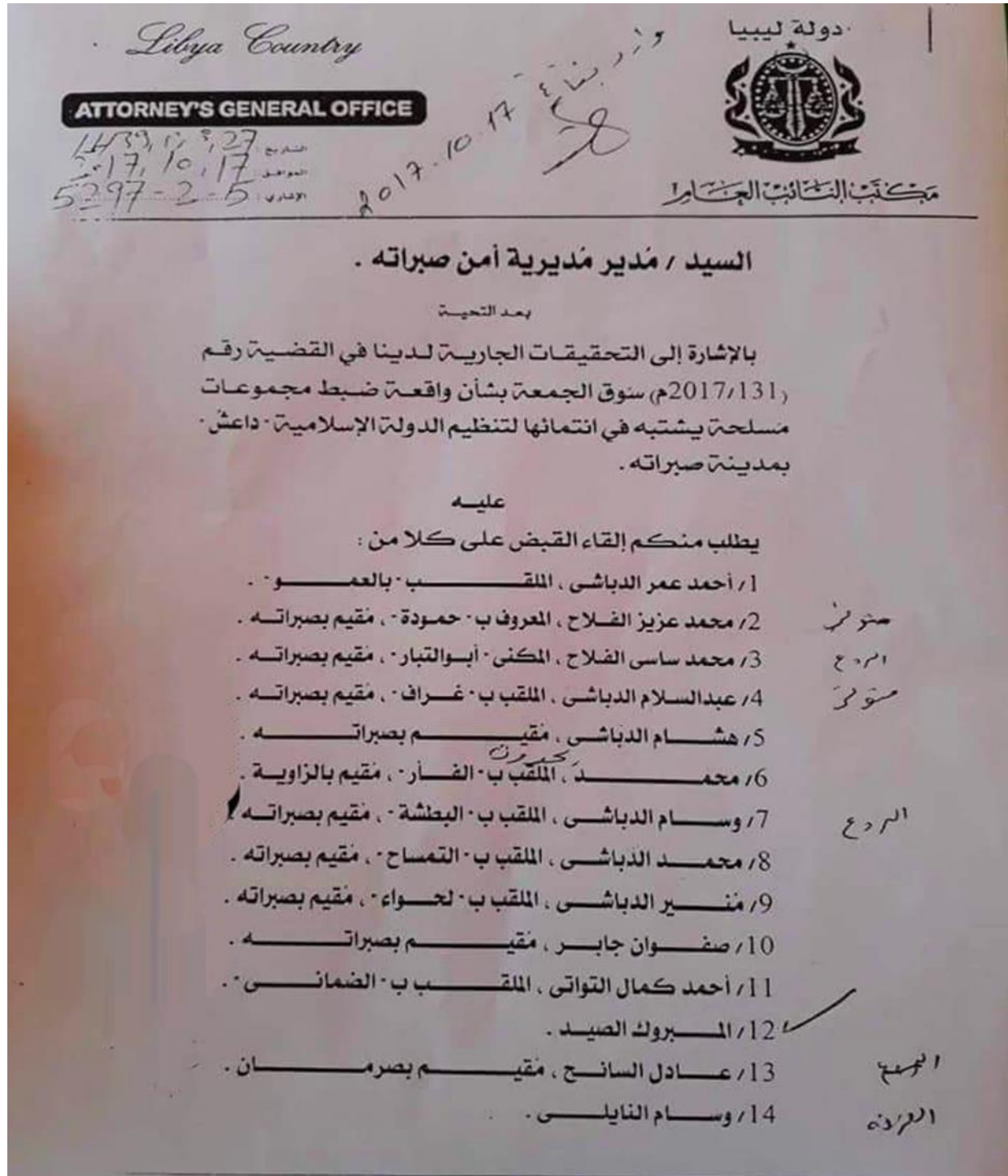


Source: <https://fb.watch/1TowkuhXG5/>.

2. On 17 October 2017, an arrest warrant addressed to the Security Directorate of Sabratha was issued by the AGO (figure 8.2), for several individuals suspected of connection with ISIL-Libya in Sabratha, in relation to case n°131 of 2017. This list included Mohammed Bahrún.

Figure 8.2

Arrest warrant issued by the AGO



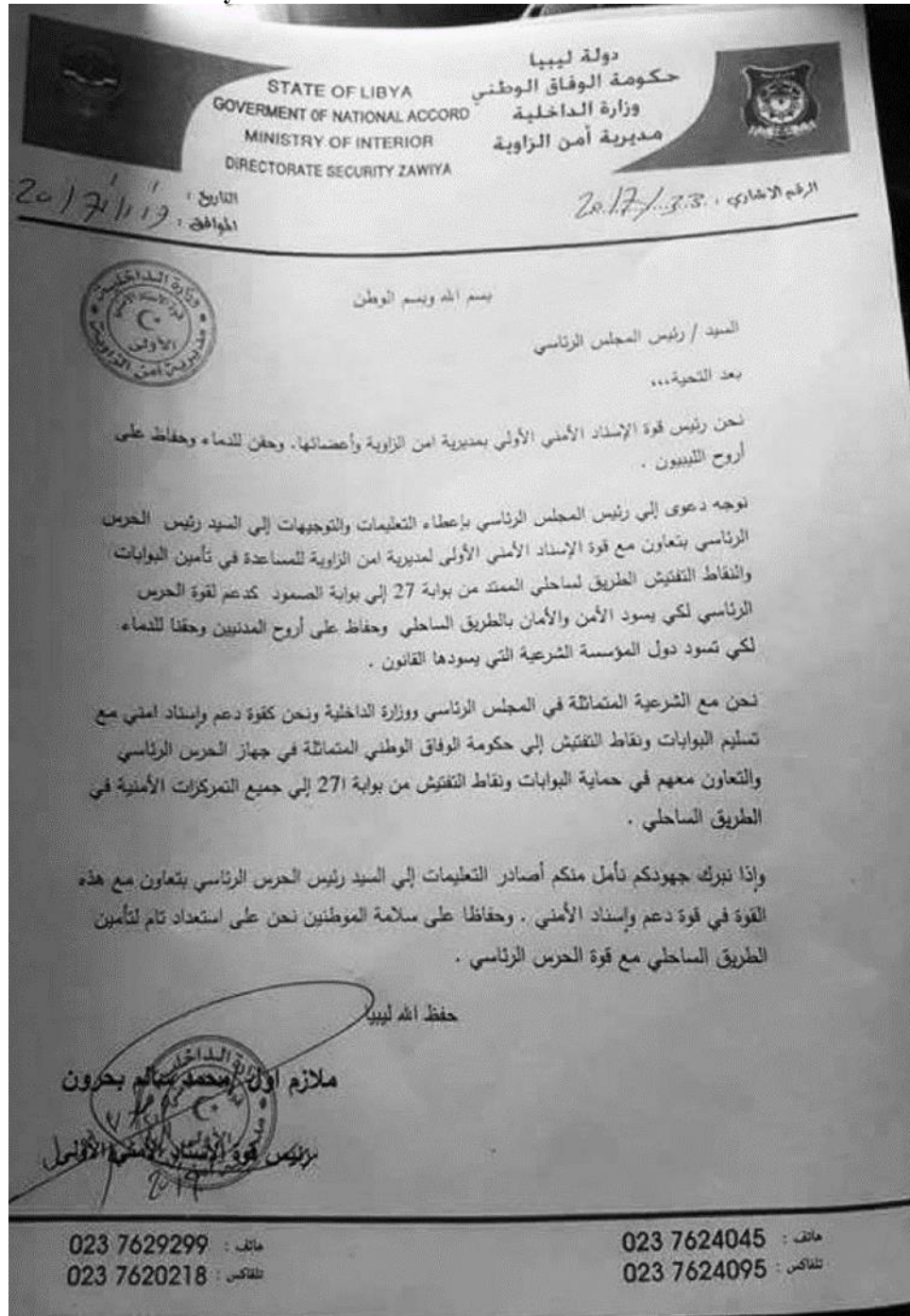
Source : <https://www.almasarly.com/2019/12/07/2/>, /ال-، /أسير-الجيش-من-هو-، November 2020 بعد-تعدى-الوفاق-على

3. On July 2017, Mohammed Bahrin sent a letter on Ministry of Interior letter head (figure 8.3), to the Prime Minister, asking to be put in charge of securing the coastal road and proposing a cooperation

with the Presidential Guard on the matter. Mohammed Bahrin signed the letter as 'First Lieutenant', Head of Al Isnad Force (affiliated to the Security Directorate of Al Zawiyah).

Figure 8.3

Letter addressed by Mohamed Bahrin to the PC



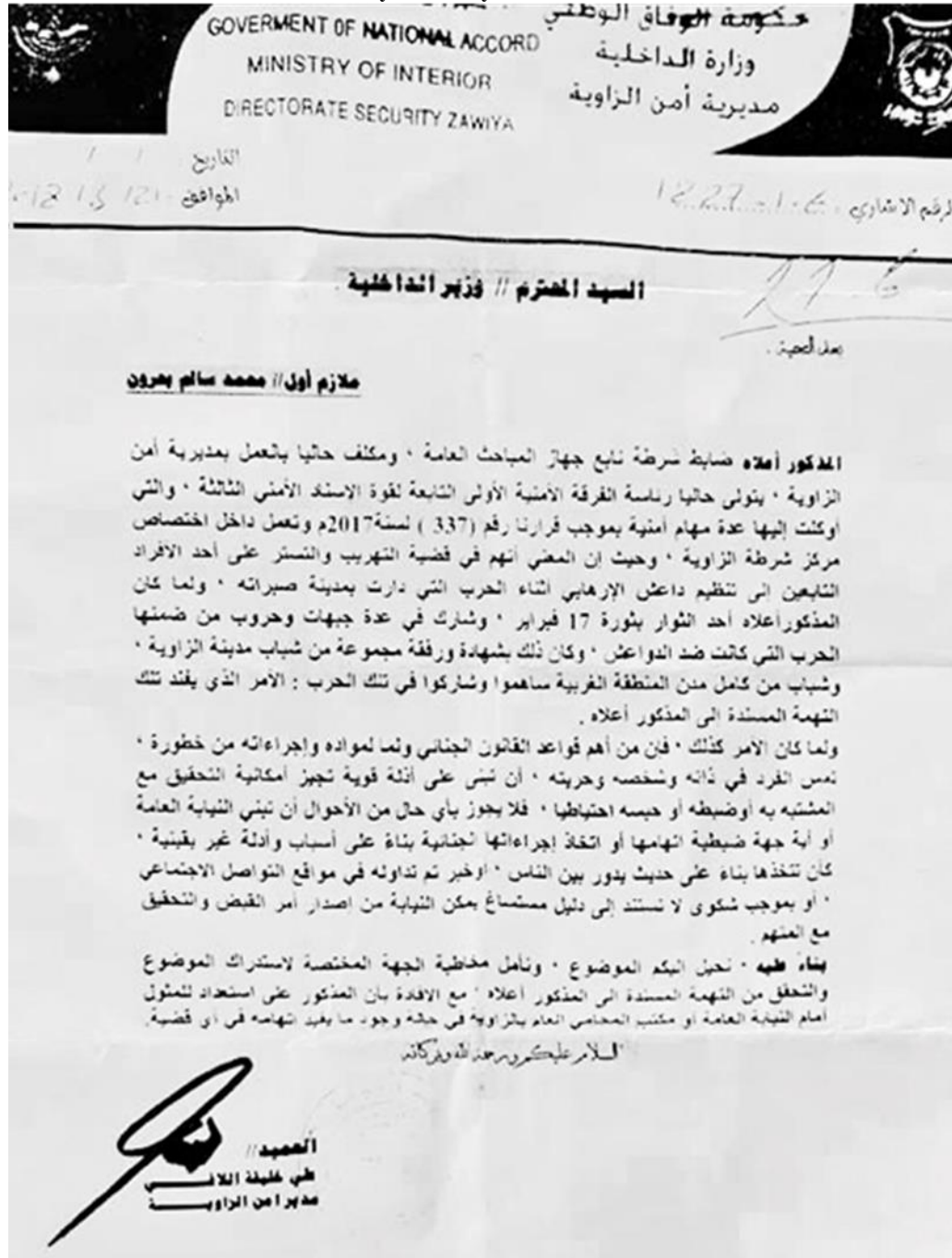
Source: <https://www.almasary.com/2019/12/07/على-الوفاق-تعدى-بعد-2>, 2. November 2020.

4. On March 2018, a letter to the Minister of Interior from the Head of Al Zawiyah Security Directorate, Ali Allafi, confirmed that Mohamed Bahrin was a member of the Security Directorate of

Zawiyah. It contested the arrest warrant issued by the AGO and implicitly refused to execute the warrant, claiming a lack of incriminating evidence against Bahrin (figure 8.4).

Figure 8.4

Letter from the Director of Al Zawiya security to GNA Minister of Interior



Source: <https://i1.wp.com/almarsad.co/wp-content/uploads/2019/12/B4BF0AB9-FC53-4C0B-A12B-1B234CC1F2AD.jpeg>, November 2020.

5. In an open-source image of December 2019,⁵ Mohammed Bahrin appears to be clearly mistreating a HAF prisoner identified as the pilot Brigadier General Aamer Al-Jagm. This prompted the GNA Minister of Interior to issue a letter to the Security Director of Zawiya, condemning the mistreatment of the prisoner, describing it as “against human rights” and asking for a restructuring of the “Isnad Force” by appointing competent officers to command it (figure 8.5).

Figure 8.5

Letter from the GNA Minister of Interior to the Director of Al Zawiya Security



Source : <https://almarsad.co/2019/12/08/-131-باشاغا-على-وقم-فضيحة-قضية-داعش-131-باشاغا/>
[8039612740077092864 2590488894381120 80216719/يتهم-o-1/](https://almarsad.co/2019/12/08/-131-باشاغا-على-وقم-فضيحة-قضية-داعش-131-باشاغا/), 2 November 2020.

⁵ <https://twitter.com/evTucFAt8C3Rt1G/status/1325927528100409344/photo/1>, 2 November 2020.

6. The Panel finds that the treatment of Brigadier General Aamer Al-Jagm constitutes an IHL violation.⁶
7. Following the letter from the Minister of Interior, further images were published in December 2019,⁷ of Mohammed Bahrn, dressed in an official military uniform, in the presence of the detained LNA pilot Brigadier General Aamer Al-Jagm, suggesting that Bahrn explicitly belonged to the GNA Ministry of Interior.
8. The Panel has copies of the following documentary evidence:
 - a. AGO Travel Ban and Renewal of Arrest Warrant against Mohamed Bahrn, and 40 other individuals, dated 3 July 2019, as they were wanted in relation to investigations concerning the arrest of an ISIL-Libya affiliated individuals in Sabratha;
 - b. A subpoena issued by the AGO on 20 August 2019, addressed to the Ministry of Interior, asking for Mohamed Bahrn to present himself to the OGA for an interview relating to case n°131 of 2017; and
 - c. A letter from the Libyan Ministry of Interior to the Director of Al Zawiya Security, dated on 28 August 2019, asking him to make Mohamed Bahrn comply with the subpoena issued by the AGO on 20 August 2019.
9. To date, Mohamed Bahrn has refused to comply with the subpoenas. The arrest warrants issued against him are still valid, and he remains under the implicit protection of the Security Directorate of Al Zawiya, where he commands an armed force (Al Isnad Force).

⁶ Article 3 common to the 1949 Geneva Conventions and Additional Protocol II provide that persons deprived of liberty for reasons related to the conflict must also be treated humanely in all circumstances. In particular, they are protected against murder, torture, as well as cruel, humiliating or degrading treatment.

⁷ <https://pbs.twimg.com/media/ELM15TrXYAM4rhs>, 1 November 2020.

Annex 9 Chad and Sudanese presence in Libya

1. The Chadian armed groups is omni-present in the South of Libya and have become part of the social life. Sources of the Panel have reported that cities like Hun and Murzuq have seen an increasing number of Chadians nationals established in those cities where their armed presence is heavily noticed. On 17 July 2020, the GNA official media⁸ reported on the arrival of new batches of Chadian fighters and have been witnessed in the city of Hun.

1. Chad (CCMSR)

2. This GNA-affiliated group issued a communiqué on 26 June 2020 claiming it will “*keep neutrality in the inter-Libyan conflict*” and focus on Chad.⁹ It has lost some of its operational capacities and its movement across the south is now restricted because of the risk of being targeted by HAF. Most of the elements of the Group are based presently in the border area between Libya and Chad in the area of Kouri Bougoudi. Sources of the Panel indicate that they operate at least 100 vehicle in the border area.¹⁰

2. Chad (FACT)

3. This group, which was based in Al Jufra has been expanding its camps through Sebha, Tamenhint and Brak Shati. It is reportedly moving its command base to the area of Jabal Al Aswad. It has been reinforced during the reporting period by some splinters of CCMSR after the latter suffered splits and defections. The leader of FACT claims neutrality in the Libyan conflict,¹¹ however his forces are guarding some HAF bases in the south. Elements of this group also serve among HAF’s 116 and 128 battalions.

3. Sudan

4. The recruitment of Sudanese individuals by HAF is still active, especially by 116 and 128 battalions, whose forces are composed of hundreds of Sudanese combatants. 128 battalion is the main point of contact for the Sudanese groups in terms of daily supplies of food, arms and ammunition, and salaries. These groups are generally present in the areas of Jufra, Waddan, Hun, Suknah (where some Sudanese groups have training camps), Zillah and its mountainous area of Al Haruj.

5. On 10 August 2020 the GNA reported on a convoy of Sudanese fighters, affiliated to HAF, of at least 70 vehicles passing from the city of Brega on their way to Surt¹². Sources of the Panel indicated

⁸ <https://twitter.com/BurkanLy/status/1284057888051216384>, 13 December 2020.

⁹ <https://www.facebook.com/pg/www.CCMSR/posts/>, 5 September 2020.

¹⁰ Military Parade of the CCMSR published online. <https://www.facebook.com/watch/?v=3998649556843858>, 31 August 2020.

¹¹ Panel interview with Mahmat Ali Mahdi, leader of FACT.

¹² <https://twitter.com/BurkanLy/status/1292769503298957313>, 27 October 2020.

that the Sudanese fighters were used to reinforce and secure the outposts around HAF's defensive line of Surt. The Sudanese units within HAF participated actively in the June 2020 Sharara oil blockade.¹³

6. The Sudanese groups affiliated to HAF, for example the Gathering of the Sudan Liberation Forces (GSLF) and Sudan Liberation Army-Abdul Wahid (SLA/AW) were still operating in Libya with no apparent change in their chain of command by the beginning of the reporting period. However, the Juba Peace Agreement prompted the movement of the elements of the signatories out of Libya. Sources of the Panel indicated that large numbers were still on standby in Libya.

7. At the end of December 2020 a video posted on the internet¹⁴ showed a grouping of GSLF forces of at least 100 vehicles highly likely in the desert of south Libya. Sources of the Panel indicated that at least 200 vehicles belonging to GSLF were spotted moving from Tamassah to Waw, then further out heading south west. This suggests a possible return to Sudan as Taher Hajar, leader of this group is a signatory of the Sudanese peace agreement. The GSLF is one of the main Sudanese groups supporting HAF (see figure 9.1)

Figure 9.1
GSLF vehicle with HAF insignia



4. Sudan (SLA/MM)

8. This group was highly active in the combat front lines of HAF. It has been reinforced by continuous recruitment, with weaponry provided by LNA during 2020. Its presence was visible during most of HAF's military operations in the outskirts of Tripoli (see figure 9.2) where they were tasked to secure the rear echelons of the forces. They took part also in the battle led by HAF to take over Surt in January 2020, along with other non-Libyan combatants of African nationalities, highly likely recruited as

¹³ Communiqué of the NOC: <https://noc.ly/index.php/ar/new-2/6029->, 12 June 2020.

¹⁴ GSLF demonstration in Libya https://web.facebook.com/100057021698416/posts/153072283270161/?sfnsn=wa&_rdc=1&_rdc, 30 December 2020.

individual fighters. At least forty vehicles belonging to this group started the process of leaving Libya after Minni Minawi, leader of the group, signed the peace agreement but the Panel estimates that a larger number is still in Libya.

Figure 9.2

SLA beret found by GNA-AF in Abugrein axis after an attack on HAF



Source : https://twitter.com/emad_badish/status/1249357469991780353.

5. Sudan (Justice and Equality Movement (JEM))

9. Led by Abdelkarim Cholloy in Libya, JEM components were still present in Libya by the beginning of 2020, but with less visible fighting activities. Sources of the Panel indicated that elements of this group (including at least sixty vehicles) started to move south in September 2020,¹⁵ as this group is also a signatory of the Juba Peace Agreement.

6. Sudan (Abdallah Banda¹⁶ Group)

10. Reported to have been active in the border area between Libya and Chad. The group is composed of at least 100 combatants. Elements have been operating under the command of other Sudanese groups including SLA/MM.

7. Sudan (Sudanese Revolutionary Awakening Council (SRAC))

11. SRAC elements in Libya include those members of Musa Hilal's group that fled to Libya after his arrest. His force is composed of a few hundred fighters in Libya. They are highly likely cohabitating with some of the Sudanese groups in the south.

¹⁵ https://web.facebook.com/permalink.php?story_fbid=128082732342695&id=11270477388049, 20 December 2020.

¹⁶ An-ex JEM commander wanted by the ICC.

8. Arrest of Sudanese individuals on their way to Libya

12. On 29 June 2020,¹⁷ 19 July 2020¹⁸ and 4 December 2020,¹⁹ the Sudanese authorities announced the arrest of at least 820 Sudanese nationals who were allegedly going to work as mercenaries in Libya. The Panel was unable to determine whether the Sudanese nationals were migrants, victims of human smugglers or combatants. No response was received from the Sudanese authorities to Panel enquiries related to the process of recruitment, itineraries and facilitators of the transfer of these Sudanese nationals to Libya.

9. Forged document regarding Sudanese Rapid Support Forces (RSF) in Libya

13. In early December 2020, open media sources²⁰ reported that an internal document issued by the RSF informs of “the arrival of 1,200 members of the RSF to Al Jufra base in accordance with the ongoing military and security arrangements with Libya and the UAE”. On 3 December 2020, the RSF spokesperson²¹ challenged the authenticity of the document and presented evidence as to the fabrication of the document (figure 9.3). On 14 December 2020,²² the RSF spokesperson claimed that the same forged document was fabricated by an individual based outside Sudan, against whom charges have been brought.

¹⁷ <https://www.middleeastmonitor.com/20200629-sudan-arrests-122-mercenaries-heading-for-libya/>, 12 December 2020.

¹⁸ <https://english.alarabiya.net/en/News/middle-east/2020/07/19/Sudan-forces-arrest-160-mercenaries-en-route-to-Libya>, 9 June 2020.

¹⁹ <https://libyareview.com/8506/sudan-arrests-fighters-heading-to-libya/>, 15 August 2020.

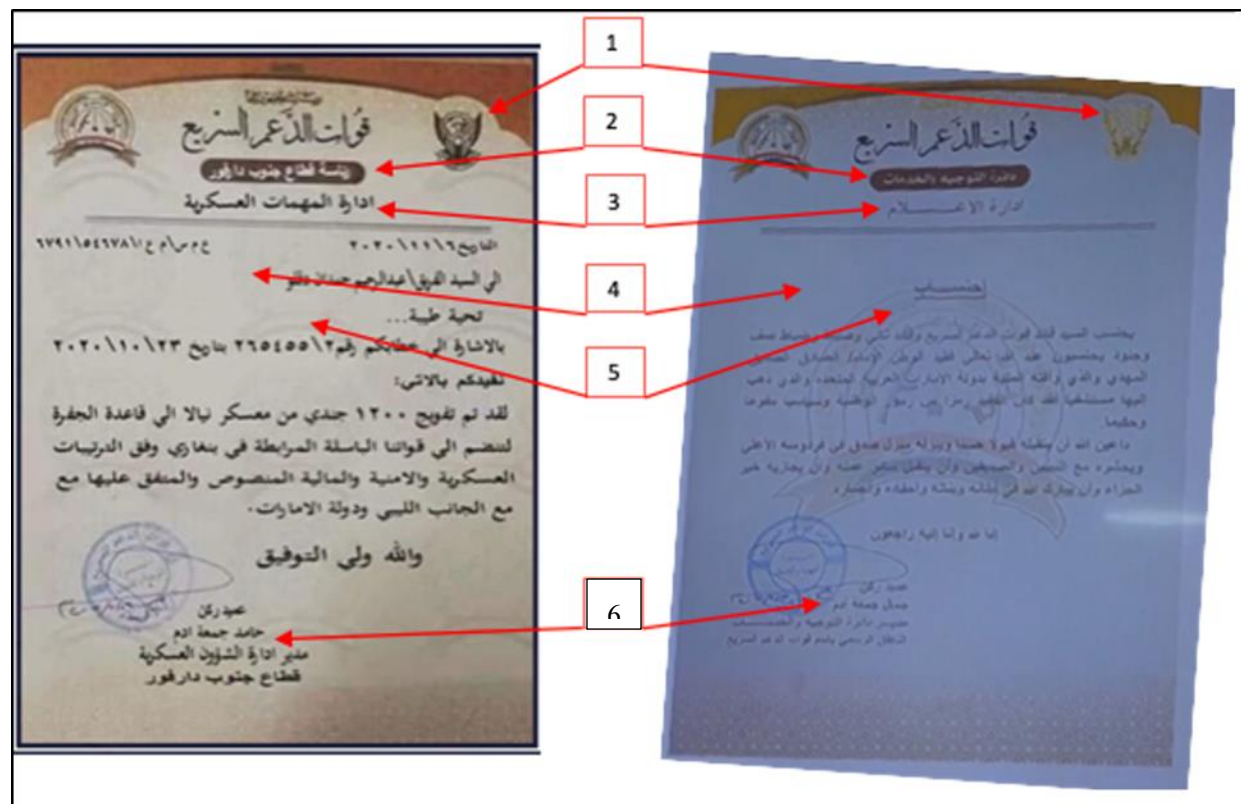
²⁰ <https://www.aljazeera.net/news/politics/2020/12/8/وثيقة-مسربة-تؤكد-إرسال-مرتزقة>, Accessed 8 December 2020

²¹ <https://www.youtube.com/watch?v=EpZHMgnh4BU>. Accessed 5 December 2020.

²² <https://youtu.be/PZHtrYlw8NQ>, Accessed 5 December 2020

Figure 9.3

Comparison between the real format of an RSF document (Left) and the fabricated one (Right)



- ¹ The eagle logo represented in the RSF's official insignia is originally in yellow but appears in black in the forged one;
- ² The font and size of the header are different and unaligned with the shape in the background;
- ³ The document outline is exclusive to the "Bureau of Media" of the RSF and not used in any other department of the institution. Furthermore, there is no department called the "Administration of Military Operations" within the RSF;
- ⁴ The color of the background of RSF's official documents are white, while it is yellow in the forged one;
- ⁵ The watermark on an official document is one fading insignia in the center of the paper ; in the forged document there are more than 9 watermarks of the same insignia;
- ⁶ The header of the document reads in Arabic " the Office of Military operations" but it is signed by the head of the "Office of Military Affairs", normally they should match;




Source: Confidential.

Annex 10 Background and timeline of the Black Shield case

1. In early September 2019 an Emirati company, Black Shield Security Services Company, undertook the recruitment of 611 Sudanese nationals through its client companies “Al Ameera” and “Amanda” promising job opportunities in the UAE as civilian security guards in Abu Dhabi, as shown in sample contracts (see figure 10.1).

Figure 10.1

Black Shield contract with one of the Sudanese recruits

  	
MB198401350AE *MB198401350AE*	
<p align="center">عقد عمل غير محدد المدة Unlimited Term Employment Contract</p>	
Contract No. : MB198401350AE	رقم العقد: MB198401350AE
<p align="center">إنه في يوم الاثنين الموافق 02/09/2019 في دولة الإمارات. أبو ظبي بين كل من :</p>	
<p align="center">It is on Monday corresponding to 02/09/2019 in Abu Dhabi, UAE. This Contract has been made by and between:</p>	
<p align="center">منشأة (الاسم) : بلاك شيلد للخدمات الأمنية - شركة شخص فاعلة BLACK SHIELD SECURIT SERVICES - SOLE PROPRIETORSHIP L.L.C.</p>	
Establishment Name	رقم المنشأة: 1048853
Establishment No : 1048853	رقم مميز :
Special Number :	الشكل القانوني : فريدة
Legal Form : Individual	
Address Emirate : Abu Dhabi	العنوان الإمارة : أبو ظبي
District : ABU DHABI	المنطقة : أبو ظبي
Street : ABU DHABI	الشارع : أبو ظبي
Land Line : [REDACTED]	الهاتف الأرضي : [REDACTED]
Mobile : [REDACTED]	الهاتف المحمول : 0 [REDACTED]
P.O. Box No. : [REDACTED]	صندوق البريد : [REDACTED]
Email : [REDACTED]	البريد الإلكتروني : [REDACTED]
Fax : [REDACTED]	الفاكس : [REDACTED]
Represented by	ويعتبرها
Name : [REDACTED]	الاسم : [REDACTED]
Passport No [REDACTED]	رقم الجواز : [REDACTED]
Nationality : EMIRATES	الجنسية : الإمارات
Title : OWNER	الصفة : مالك
Address Emirate : Abu Dhabi	العنوان الإمارة : أبو ظبي
District : ABU DHABI	المنطقة : أبو ظبي
Street : ABU DHABI	الشارع : أبو ظبي
Land Line : [REDACTED]	الهاتف الأرضي : [REDACTED]
https://eservices.mol.gov.ae/molforms/JobOfferViewer.aspx?Random=1179836	

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وزارة الموارد البشرية
والتوظيف

MB198401350AE

MB198401350AE

Mobile : [REDACTED] : الهاتف المحمول
P.O. Box [REDACTED] : صندوق البريد
Email : [REDACTED] : البريد الإلكتروني
Fax : [REDACTED] : الفاكس

ويُشار إلى ما ذكر في هذا البند (بالطرف الأول) في عقد العمل ومُلحقه .

Hereinafter referred to as (The First Party) in this Employment Contract and the Annex thereof,

To hire : [REDACTED] : في تشغيل:
Mr/Ms : [REDACTED] : السيد
Name : [REDACTED] : الاسم
Nationality : SUDAN : الجنسية : السودان
Passport No [REDACTED] : رقم جواز السفر

— ويُشار إلى ما ذكر في هذا البند بالطرف الثاني أو العامل / أو العاملة في عقد العمل ومُلحقه .

Hereinafter referred to as (The Second Party/ Worker) in this Employment Contract and the Annex thereof.

ويُشار إلى ما ذكر في هذين البندين (1 و 2) معاً (بالطرفين / أو الطرفين) في عقد العمل ومُلحقه .

Both the First Party and the Second Party are hereinafter referred to as (The Parties/ Both Parties) in this Employment Contract and the Annex thereof.

تمهيد

حيث أبدى الطرف الأول رغبته في التعاقد مع الطرف الثاني لتشغيله في العمل المحدد أدناه ، لذلك وقّع الطرفان سابقاً عرض العمل رقم (MB198401350AE) لسنة (22/09/2019) ، وقد اتفقا فيما بينهما على البنود التالية ، بعد أن أقر كل منهما بأهليته للتعاقد وبأن هذا التمهيد ، و عرض العمل السابق توقيعهما منهما ومُلحقه ، جزء لا يتجزأ من هذا العقد ومُلحقه :

Preamble

Whereas the First Party expressed the desire to contract with the Second Party to be employed in the below-mentioned job; therefore, both Parties have previously signed the Job Offer No. (MB198401350AE) of the year (22/09/2019), after both Parties have acknowledged their legal capacity to enter into this Contract and that this preamble, the Job Offer previously signed by the same and the Annex hereof shall be an integral part of this Contract. Now therefore, both Parties have agreed to enter into this Contract as per the following terms:

البند الأول

يلتزم الطرف الثاني بأن يعمل لدى الطرف الأول بوظيفة / أو بهيئة حارس الأمن ، بدولة الإمارات العربية المتحدة في إمارة : أبو ظبي

First Article

The Second Party shall work for the First Party in the job/profession of Security Guard within the UAE, (Emirate Name: Abu Dhabi.).

البند الثاني

تبدأ علاقة العمل بين الطرفين من تاريخ دخول النولة في: 22/09/2019 أو من تاريخ تعديل الوضع في

Second Article

10/09/2020

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وزارة الموارد البشرية
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The labour relation shall commence from the date of entering the State by the Second Party on or from the date of status amendment on 22/09/2019.

البند الثالث

يعمل الطرف الثاني لدى الطرف الأول تحت التجربة ، وتكون مدة هذه التجربة (6 شهر)

Third Article

The Second Party (MAY) work under a probation period of (6 month/s) to the First Party.

البند الرابع

تكون الراحة الأسبوعية للطرف الثاني لمدة 1 ، ويلتزم الطرف الأول بتحديد هذه الأيام وإعلام الطرف الثاني بها من تاريخ بدء علاقة العمل.

Fourth Article

The Second Party's weekly rest shall be 1 day(s). The First Party shall determine such day(s) and inform the Second Party thereof at the commencement date of the employment relationship.

البند الخامس

في حال رغبة أحد الطرفين إنهاء هذا العقد ، فإنه يلتزم بتقديم اخطار بالإنتهاء للطرف الآخر مسبقاً بمهلة إنذار مدتها (1) قبل التاريخ المحدد للإنتهاء ، وتكون هذه المدة متماثلة للطرفين

Fifth Article

Should either party desire to terminate this Contract, such party shall notify the other party of such desire within (1 Months) as a prior notice before the determined date of termination. Such period shall be similar for both parties.

(البند السادس)

اتفق الطرفان على أن يعمل الطرف الثاني لدى الطرف الأول مقابل : أجر شهري مقداره AED 1840 (الف وثمانمائة و اربعون درهما) ويشمل هذا الأجر الآتي:

الأجر الاساسي ومقداره : (ثمانمائة و اربعون درهما) 840AED

البدلات

بدل سكن : بالطرف الأول

بدل انتقال : (خمسمائة درهما) 500AED

: أية بدلات أخرى

أخرى : 500

ويكون التزام الطرف الأول بسداد الأجر ، وقيام الطرف الثاني باستلام هذا الأجر ، طبقاً للنظم القانونية التي تقررها الوزارة

Sixth Article

Both Parties agree that the Second Party shall work for the First Party in return for Monthly Wage of 1840 AED (One thousand eight hundred forty) . Such wage shall include:

The Basic Salary at an amount of AED 840(Eight hundred forty)

Allowances:

These allowances should include without limitation:

Housing Allowance: FIRST PARTY

Transport Allowance: AED 500(Five hundred)

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وزارة الموارد البشرية
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MB198401350AE

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Other Allowances :

other : 500

The First Party shall pay the wage and the Second Party shall receive the wage according to the regulations determined by MOHRE.

البند السابع

علاقة العمل ، التي ينظمها هذا العقد ، علاقة تعاقدية رضائية ، ولا يُلزم أي طرف من الطرفين باستمرار تعاقد مع الطرف الآخر بغير إرادته ، على أن يتحمل الطرف الذي أنهى العلاقة بإرادته المنفردة كافة التبعات القانونية المترتبة على ذلك وفقاً لما هو محدد بملحق هذا العقد وفقاً لأية أنظمة قانونية أخرى سارية بالوزارة . وتنتهي علاقة العمل بين الطرفين إذا توافرت حالة من الحالات المنصوص عليها في البند (2) من بنود ملحق هذا العقد .

Seventh Article

The labour relationship, governed by this Contract, shall be a contractual, consensual relationship. Neither Party shall be obliged to continue such contractual labour relationship with the other Party without its consent, provided that the Party terminating the Contract at its sole discretion shall bear all legal consequences resulting therefrom as stipulated in the Annex enclosed herewith and according to any MOHRE Applicable Laws. The labour relationship between both Parties shall end if any of the events set forth in Article (2) of the Annex enclosed herewith occurs.

البند الثامن

يقر الطرف الأول بأنه أطلع الطرف الثاني تفصيلاً على كافة البنود الواردة في ملحق هذا العقد (سبعة بنود) كما يقر بأن هذا العقد وملحقه مطابق لعرض العمل وملحقه ، والذي سبق للطرف الثاني توقيعه في دولة الاستقدام أو داخل الدولة.

Eighth Article

The First Party acknowledges that it has informed the Second Party of all the articles stipulated in the Annex enclosed herewith (7 articles in total) and that this contract and the Annex hereof are consistent with the Job Offer and the Annex thereof previously signed by the Second Party in the state of recruitment or inside the UAE.

البند التاسع

يقر الطرف الثاني بأنه أطلع تفصيلاً على كافة البنود الواردة في ملحق هذا العقد (سبعة بنود) وعلم بكافة ما تضمنه من أحكام، كما يقر بأن هذا العقد وملحقه مطابق لعرض العمل وملحقه ، والذي سبق أن قام بتوقيعه في دولة الاستقدام أو داخل الدولة.

Ninth Article

The Second Party acknowledges that it has thoroughly reviewed all the articles stipulated in the Annex enclosed herewith (7 articles in total), is well aware of all provisions contained therein and that this Contract and the Annex hereof are consistent with the Job Offer and the Annex thereof previously signed by the Second Party in the State of recruitment or inside the UAE.

البند العاشر

يقر الطرفان بأن كافة بنود ملحق العقد جزء لا يتجزأ منه ، ومكملة له تماماً ، ويلتزمان بكل ما ورد فيها .

Tenth Article

Both Parties acknowledge that the articles stipulated in the Annex enclosed herewith constitute an integral and complementary part hereof and shall be binding on both Parties.

(البند الحادي عشر)

لا توجد شروط اضافية

Eleventh Article

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البند الثاني عشر

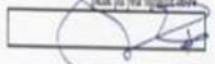
يُحرر هذا العقد من ثلاث نسخ ، بعد أن تمّ توقيعه من الطرفين ، ويحتفظ كل منهما بنسخة ، والنسخة الثالثة مودعة لدى الوزارة .

Twelfth Article

This Contract has been made in three counterparts duly signed by both Parties. Each Party shall receive a copy and the third one shall be kept at MOHRE.

توقيع الطرف الأول
First Part's Signature

الطرف الأول
Please put your signature below



توقيع الطرف الثاني
Second Party's Signature



This document is signed electronically

بصمة إبهام اليد [redacted] للعامل من ذوي المستوى المهاري الرابع أو الخامس

Thumb print of [redacted] the Worker of fourth/fifth skill level

New Electronic Work Permit

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تصريح عمل إلكتروني جديد

يمكنك تحميل الملاحق من www.mohre.gov.ae

2. On 9 September 2019, the Sudanese recruits were transported to Abu Dhabi from Khartoum on Etihad Airways, Dubai Airlines and Air Arabia, after receiving entry visas (see figure 10.2). The process continued until the arrival of the last batch in Abu Dhabi in January 2020.

Figure 10.2

Electronic visa granted to one of the recruits

الهئية الاتحادية للهوية والجنسية
FEDERAL AUTHORITY FOR IDENTITY & CITIZENSHIP

United Arab Emirates

eVisa - إذن دخول إلكتروني

0 2 1 0 1 2 0 1 9 0 2 0 3 1 9 5 5 4

EXPO 2020

عمل
EMPLOYMENT

إذن دخول رقم : [REDACTED]

تاريخ ومحل الإصدار : [REDACTED]

الإدارة العامة للأقامة وشؤون الأجانب / أبوظبي

ENTRY PERMIT NO : [REDACTED]

Date & Place of Issue : [REDACTED]

NATURALIZATION AND RESIDENCY ADMINISTRATION

U.I.D No : [REDACTED]

أموذج دخول دولة الإمارات العربية المتحدة إلى : [REDACTED]

الاسم بالكامل : [REDACTED]

الجنسية : جمهورية السودان

محل الميلاد : KHARTOUM

تاريخ الميلاد : [REDACTED]

رقم الجواز : [REDACTED]

المهنة : حارس أمن

المراقبون : [REDACTED]

Full Name : [REDACTED]

Nationality : SUDAN

Place of Birth : SUDAN

Date of Birth : [REDACTED]

Passport No : [REDACTED] / ORDINARY PASSPORT

Profession : SECURITY GUARD

Accompanied By : [REDACTED]

Sponsor الكفيل

Name : Black shield security services - Sole Proprietorship L.L

Address : Per No : 630506 Tel No : 00971503179992 Mob No : 0502154212 P.O.Box : 0

الاسم : بلاك شيلد للخدمات الأمنية - شركة الشخص الواحد

العنوان : [REDACTED]

Per No : 630506 Tel No : 00971503179992 Mob No : 0502154212 P.O.Box : 0

الاسم : بلاك شيلد للخدمات الأمنية - شركة الشخص الواحد

العنوان : [REDACTED]

Director of Entry & Residency Department

Fees Paid

You can verify this visa through the following link
<https://smartservices.ica.gov.ae/echannels/web/client/default.html#/fileValidity>

مدير إدارة أفونات الدخول والإقامة

استوفيت الرسوم

يمكنك التأكد من صحة هذه التأشيرة عبر الرابط التالي:

ترحب بك دولة الإمارات العربية المتحدة وتتمنى لك إقامة سعيدة ويرجى التأكد من تعديل الوضع أو المغادرة قبل انتهاء فترة صلاحية التأشيرة لتتمكن من الترحيب بك مرة أخرى

3. On arrival at Abu Dhabi airport, delegates of Black Shield Company took the passports from the recruits. The recruits were transferred on UAE military transport to the Ghayathi military camp (see

figure 10.3). They were later inspected and deprived of their cellular phones, given military uniforms (see figure 10.4) and organized into groups of approximately thirty-five to ninety-nine. The most experienced members of the groups were placed in command. The Sudanese recruits were later subjected to medical examination after which ten individuals were sent back to Sudan due to their unfitness.

Figure 10.3

Buses used by the UAE armed forces to move the recruits



Figure 10.4

The Sudanese recruits wearing military uniforms in one of the hangars of Ghayathi camp



4. The remaining 392 individuals underwent three months of military training inside Ghayathi camp, supervised by a former Sudanese Armed Forces officer and a UAE Armed Forces officer. The training

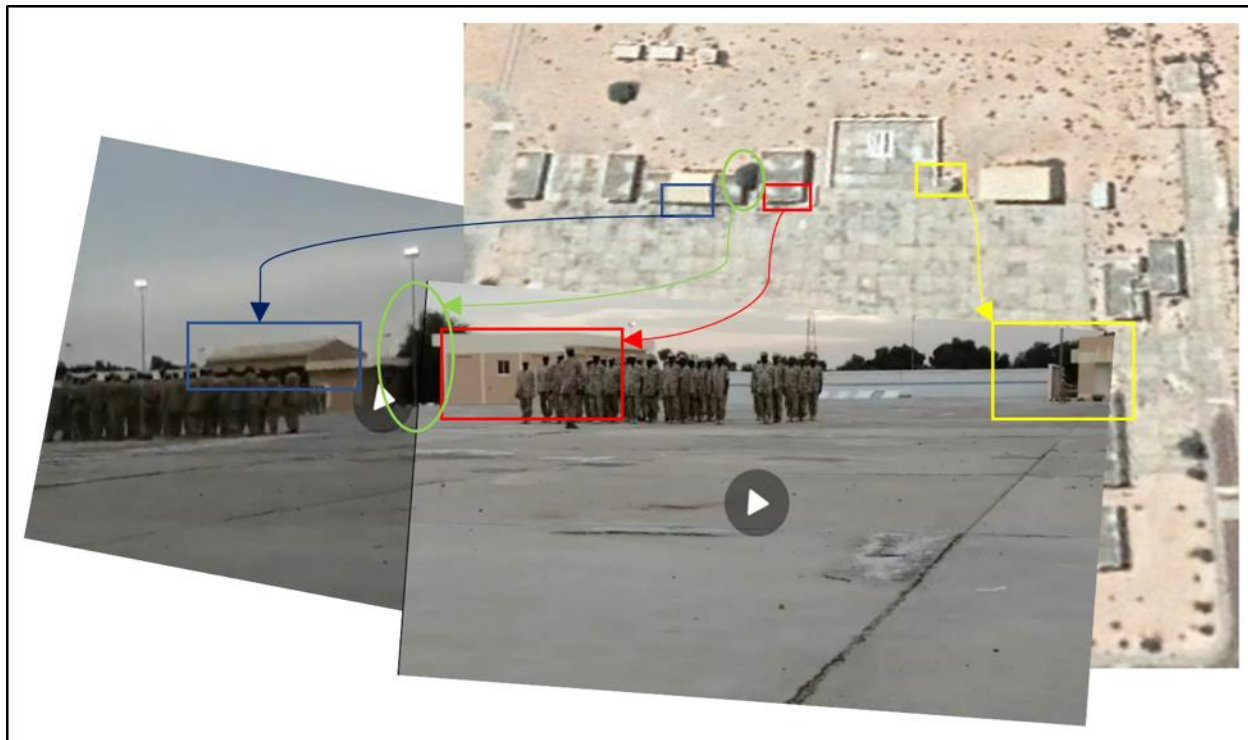
included SALW weapon training (see figure 10.5), small unit offensive and defensive tactics and first aid. The Panel notes that this included chemical defence training. Tactical training and live firing took place in a desert area near the Saudi Arabian border. The Panel is looking further into the involvement of the UAE officers in the training. Their names were given and corroborated by several recruits and the Panel is examining this aspect. The Panel holds a video recorded secretly in the Ghayathi camp by one of the Sudanese recruits showing the Sudanese recruits undergoing close order drill in military uniform. (see figure 10.6)

Figure 10.5

Example of training material

Figure 10.6

Sudanese recruits training in Ghayathi camp (23°51'01.6"N 52°48'03.9"E)²³



5. After completion of the aforementioned training, an evaluation and inspection committee from UAE Armed Forces Headquarters assessed the recruits and recommended a continuation of the training for two more weeks. At the end of the training period, an Emirati officer informed the recruits that their salary had been increased from USD 500 to USD 1,000 per month.

6. The Sudanese recruits were later divided into two groups. The first, comprising 276 individuals, was transported to Al-Reef airbase from where they were flown on an Emirati C-130 military cargo plane to Al Abraq (HLLQ) in Libya, without their prior knowledge. On 22 January 2020, they were transferred by air to Ras-Lanuf airport, before an overland move to an abandoned camp in the area between Ras Lanuf and Al Sidra. The recruits interviewed by the Panel stated that they found empty shells and rounds as well as destroyed tanks and vehicles in the camp (see figure 10.7).

²³ Confidential sources and Google Earth Pro.

Figure 10.7

Geo-location of the camp near Ras-Lanuf (30°31'23.6"N, 18°28'36.7"E)²⁴



7. On 23 January 2020, the Sudanese recruits were introduced to an individual named Issa Daoud Al-Qabsi (figure 10.8) who identified himself as a representative of the UAE based Black Shield Company, commander of the region and belonging to the HAF 302 Saeqah battalion. He explained to the recruits the nature of their work in Libya, which would consist of guarding Libyan oil installations. He then issued orders to distribute military uniforms, prepare weapons, and bring cars to the recruits. He added that their salary was now USD 3,000 with an additional USD 700 bonus as an incentive to work. He informed them also that their salaries had nothing to do with the UAE, and that it was for the period of their service in Libya.

²⁴ Confidential sources and Google Earth Pro.

Figure 10.8
Issa Daoud Al-Qabsi



8. On the same day, the recruits were handed their mobile phones, and were then able to contact their families and explain to them that they had been deceived and sent to fight in Libya. This led to their families to stage demonstrations in front of the UAE embassy in Khartoum on 26 January 2020, demanding that the UAE immediately return their relatives from Libya.

9. After six days in Libya, on 28 January 2020, the 276 recruits were airlifted to the Jabal Al Akhdar military base east of Benghazi, then onward to Al-Reef Airport in Abu Dhabi, and later transported back to Ghayathi camp to re-join the remainder of the recruits who had not been sent to Libya.

10. On 30 January 2020, a group of individuals identifying themselves as representatives of Black Shield held a meeting with eight representatives of the victims. They apologized to the Sudanese recruits and offered them USD 3,000 for each member of the group that returned from Libya on the condition that they appear in a live video to deny what was reported in media outlets (including Al-Jazeera) on their deployment in Libya without their consent. This was refused by the Sudanese representatives from the recruits.

11. On 31 January 2020, the 611 recruits began repatriating to Sudan using civilian airlines from the UAE.

Annex 11 Geolocations of Syrians in Libya (May to August 2020)

24 May 2020

Al Hamza camp, Tripoli
(32°47'12.9"N, 13°10'29.4"E)

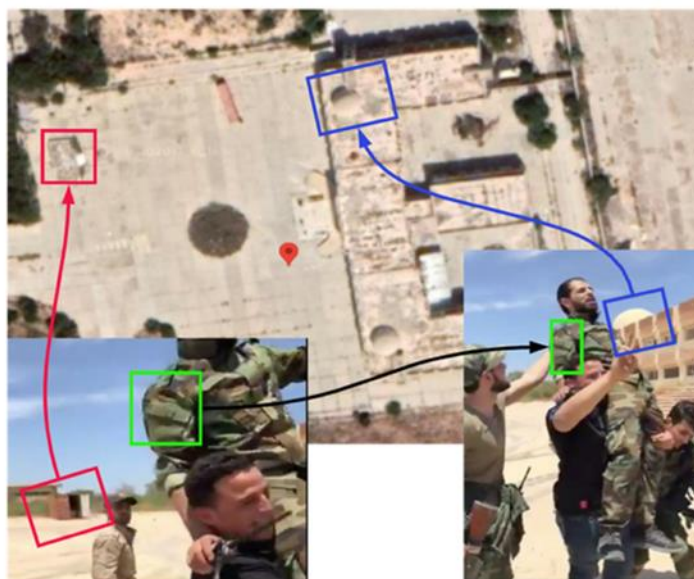
On 24 May, a video published on social media shows a Syrian commander reportedly from the Suliman Shah Brigade, called Abu Mut'eb.

He is speaking in Syrian dialect, and is celebrating the capture of the Hamza camp near Tripoli, by the GNA and Syrian fighters.

Primary sources

1. <https://twitter.com/LibyaReview/status/1264550527389634561>, 24 May 2020.
2. Initial location provided by https://twitter.com/il_kanguru/status/1264579996296917004, 24 May 2020. Then further refined by Panel
3. Google Earth Pro - Satellite imagery.

Developed by UN Panel of Experts.



May 2020

Salaheddine, Tripoli
(32°47'27.8"N, 13°13'37.5"E)

The LNA released a video recovered from Syrian fighters documenting their armed presence in Salaheddine district. The video shows the armed individuals, speaking in Syrian dialect, heading aboard an armoured personnel carrier to storm a villa.



Primary sources

1. <https://www.youtube.com/watch?v=yX22cgsnNZ8>, 1 May 2020.
2. Initial location provided by https://twitter.com/il_kanguru/status/1256694241734074369, 2 May 2020. Then further refined by Panel..
3. Google Earth Pro - satellite imagery.

Developed by UN Panel of Experts.

15 July 2020

Al Yarmouk, Tripoli
(32°47'53.2"N, 13°13'27.5"E)

On 14 July 2020, pictures published by social media show a Syrian individual identified as "Abu Saraqeb" in Al Yarmouk camp in Tripoli. This individual appears holding Libyan banknotes (of 5 dinars), believed to be his salary, and dressed in official Libyan police uniform in the same camp.

A video published in social media in the same period shows the training of alleged Syrians in the Al Yarmouk camp.



Primary sources

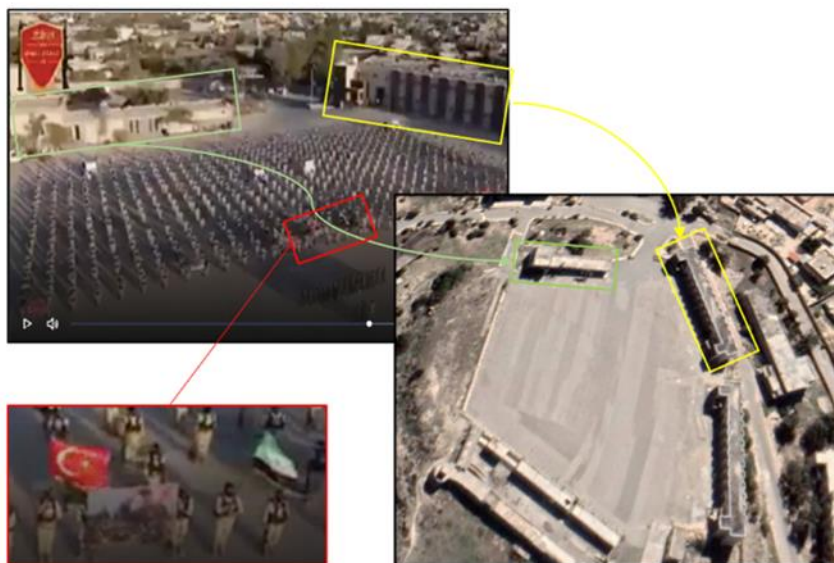
1. <https://twitter.com/KhaledDernah3/status/1282821314164731904>, 15 July 2020.
2. <https://twitter.com/KhaledDernah3/status/1282818942067773440>, 15 July 2020.
3. Google Earth Pro - Satellite imagery.

Developed by UN Panel of Experts.

5 August 2020

Sidi Blal Camp, Tripoli
(32°49'11.0"N 12°57'13.8"E)

A video made by the Syrian group "Suleiman Shah" of their elements in the GNA-AF camp of Sidi Blal in Janzour, praising the turning of Hagia Aya into a mosque by the Turkish government. The elements can be seen holding the Turkish and Syrian flags.



Primary sources:

1. <https://www.alarabiya.net/ar/north-africa/2020/08/05/-التدخل التركي شاهد المرئزة غي-عروض-بطرابلس-وصور-أردوغان شمالا-المكان>, 10 August 2020.
2. Google Earth Pro – Satellite Imagery.

Developed by UN Panel of Experts

Annex 12 Funding sources for the LNA's Military Investment Authority

1. This Annex provides a snapshot of the illegal activities and measures undertaken by the Military Investment Authority (MIA) to expand its funding sources and bring in sizeable revenue for HAF.
2. This annex contains documents relating to the Military Investment Authority.

Appendix A to annex 12: Illegal export of scrap metal

1. The documents below demonstrate the MIA's illegal takeover of the scrap metal export business in Libya's east

Figure 12.A.1

Laissez Passer for transport of scrap from Al-Nafura Oilfield to Tobruk 13 September 2018



Source: <https://globalinitiative.net/wp-content/uploads/2019/06/GITOC-Predatory-Economies-Eastern-Libya-WEB.pdf>, June 2019, p.11.

Figure 12.A.2
Official UN translation

Translated from Arabic

**Armed Forces General Command
Military Investment Authority**

Subject: [illegible] vehicles
File No.: *mim ta'/13*
Date: 13 September 2018

To: Commander, Ajdabiya Operation Room
All gateways and security checkpoints

The trucks carrying scrap driven by the persons noted in the attached list of 50 individuals, beginning with Ahmad Idris and ending with Abdulazim Abdulhamid, are authorized to move from the Nafurah field to the city of Tubruq.

The persons concerned are asked to facilitate their task.

(Signed)
Brigadier
Faraj **Idris**
Director,
Commercial
Department
Military
Investment
Authority

Copy to:

Secretary of the General Command (for information)
Inspector General of the Armed Forces (for information)
Director of the Military Intelligence Department (for information)
Director of the Military Police Department (for information)
General file (for archiving)

Figure 12.A.3

MIA authorization for loading of scrap on to M/V *Al-Nur* in Tobruk (12 June 2018)

Source: <https://globalinitiative.net/wp-content/uploads/2019/06/GITOC-Predatory-Economies-Eastern-Libya-WEB.pdf>, June 2019, p.11.

Figure 12.A.4
Official UN translation

Translated from Arabic

**Armed Forces General Command
Military Investment Authority**

Ref. No.: *alif'kha'sin* 676/167

12 June 2018

To:

Director, Directorate of Security, Sea Port of Tubruq -
Director-General, Sea Port of Tubruq -
Head, Customs Office, Sea Port of Tubruq -
Director, Libyan Ports Company -
Chief, Tubruq naval base -

Subject: Awa'il shipping contractors

We should be grateful if you would authorize the aforementioned company to complete the procedures for the entry and loading the ship Al-Nur with a cargo of 5,000 tons of scrap.

Regards,

(Signed) Muhammad al-Madani Abdulhafiz **al-Fakhiri**

Major General (Pilot)

Head, Military Investment Authority

cc:

- Secretary-General, General Command, for information
- Department of Military Intelligence, for information
- Inspector-General of the Armed Forces, for information
- Director, Department of Investment, for follow-up
- Department of Military Intelligence, for information
- Archive
- Abdulhamid Ahmad al-Fakhiri

Figure 12.A.5
Sign on MIA official scrap collection vehicle



**General Command
Military Investment Committee**
In application of the General Commander to
collect scrap in the city of Benghazi

Source: <https://globalinitiative.net/wp-content/uploads/2019/06/GITOC-Predatory-Economies-Eastern-Libya-WEB.pdf>, June 2019, p.12.

Figure 12.A.6
Sample bill of lading showing the MIA as the scrap shipper

BILL OF LADING

TO BE USED WITH CHARTER-PARTIES

B/L NO 1
Reference No

Shipper:

MILITARY INVESTMENT AUTHORITY BENGHAZI, LIBYA

On Behalf INEIST IC VE DIS TICARET LIMITED SIRKETI
On Behalf NEW WEST COMIMPEX SRL
CUI RO 14472003 ORC J13/726/2002
CONSTANTA AL CAPIDAVA NR.3 ROMANIA

Consignee:

AL MADENA AL MONAWARA CO.FOR CONSTRUCTION MATERIALS
Import Villa 48, Street – Maadi-Cairo –Egypt

Notify Address:

AL MADENA AL MONAWARA CO.FOR CONSTRUCTION MATERIALS
Import Villa 48, Street – Maadi-Cairo –Egypt

Vessel

MV OSMAN PRINCE

Port of loading:

BENGHAZI, LIBYA

Port of Discharge:

DAMIETTA PORT / EGYPT


Shipper's description of goods	Gross Weight
STEEL SCRAP IN BULK	6025.516 METRIC TONNES

SHIPPED ON BOARD : 02 /09/2019
Freight payable as per charter party

*Remarks: total figures as per Draft Survey
F.I.O.S.

(of which on deck at shipper's risk, the carrier not being responsible for loss or damage howsoever arising)

Freight payable as per CHARTER-PARTY dated: 15/07/2019 Freight payable as per charter party Received on account of freight Time used for loading31... days..... hours	SHIPPED at the port loading in apparent good order and condition On board the vessel for carriage to the port of Discharge so near Thereto as she may safely get the goods specified above. Weight, measure, quantity, condition, contents and value unknown IN WITNESS whereof the master or Agent of the said vessel has signed The number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall void. FOR CONDITIONS OF CARRIAGE SEE OVERLEAF <table border="1"> <tr> <td>Freight payable as per charter party</td> <td>Place and date of issue: Benghazi,02-09 -2019</td> </tr> <tr> <td>Number of original Bs/L; 3 (THREE)</td> <td>Signature: Nazih Oustah MASTER OF M/V OSMAN PRINCE</td> </tr> </table>	Freight payable as per charter party	Place and date of issue: Benghazi,02-09 -2019	Number of original Bs/L; 3 (THREE)	Signature: Nazih Oustah MASTER OF M/V OSMAN PRINCE
Freight payable as per charter party	Place and date of issue: Benghazi,02-09 -2019				
Number of original Bs/L; 3 (THREE)	Signature: Nazih Oustah MASTER OF M/V OSMAN PRINCE				



Source: Confidential

Figure 12.B.1



**إدارة العامة للقوات المسلحة
هيئة الإستثمار العسكري
لجنة تنظيم ومتابعة إستجلاب العمالة الوافدة**

الموضوع : موافقة
 رقم الملف : 2652.167
 التاريخ : 18.6.2019

**السيد / مدير مديرية أمن منفذ مطار بنينا الدولي
السيد / رئيس مصلحة الطيران المدني**

بعد التحية ...

ت	الأسم	الجنسية	رقم جواز السفر
1	[REDACTED]	مصري	[REDACTED]
2	[REDACTED]	مصري	[REDACTED]
3	[REDACTED]	مصري	[REDACTED]
4	[REDACTED]	مصري	[REDACTED]
5	[REDACTED]	مصري	[REDACTED]
6	[REDACTED]	مصري	[REDACTED]
7	[REDACTED]	مصري	[REDACTED]

بناءً على الموافقة الممنوحة لـ شركة تفوق الجبل سسبى وسعدرات البشرية) لغرض دخول المذكورين أعلاه للأراضي الليبية، عليه لا مانع من دخولهم عبر منفذ مطار بنينا الدولي والقادمين من مطار قرطاج الدولي - تونس .

علماً بأن صلاحية الموافقة (90) يوماً من تاريخ صدورهما لمرة واحدة . والسلام عليكم ورحمة الله وبركاته .

مبروكة من جهاز سطر الضيق
 مبروكات


أبو حسان عبد الحليم
 رئيس لجنة تنظيم ومتابعة
 استجلاب العمالة الوافدة / المكلف

صورة منه إلى :
 - جهاز التفويضات الأمنية / للمعام.
 - وزارة الداخلية / للمعام.
 - مساعد رئيس مصلحة الجوازات والجنسية والمتعلقة بالشؤون / للمعام.
 - مكتب الصناديق العام - للمخطط.
 (تم إعداد هذا الملف بتمويل من الصندوق)

Source: Confidential

Figure 12.C.1

مكتب القائد العام

شهادة العامة للقوات المسلحة الليبية
التاريخ : 05 . 12 . 2017 م
الوقت :

رقم الملف م قع / 167 / 3160

بسم الله الرحمن الرحيم
السيد - رئيس مجلس الوزراء بالحكومة الليبية المؤقتة
يتم عرض الموضوع على

بعد التحية :-

لا يخفى عليكم ما آلت اليه المشاريع الزراعية والانتاجية والصناعية نتيجة الوضع الراهن للبلاد حيث تعرضت للسراقات والنهب والتدمير بسبب عدم وجود حماية تؤمن سير عملها بالشكل المطلوب علماً بأن أغلب هذه المشاريع اسست كمرافق تابعة للقوات المسلحة العربية الليبية ..

- وقد تقدم الينا بعض مدراء هذه المشاريع بطلبات لغرض إعادة التبيعية لهئية الاستثمار العسكري والأعمال العامة بالقيادة العامة بهدف إعادة تفعيل هذه المشاريع وتأمين الحماية والحراسة لها ودعماً للمجهود الحربي للقوات المسلحة العربية الليبية .

- لذا تحيل اليكم عدد (3) كشوفات تعوي عدد (96) مشروع ممن تم حصرهم من قبل اللجنة المكلفة بالخصوص وذلك لاستصدار قرار يضم هذه المشاريع الي هيئة الاستثمار العسكري والأعمال العامة بالقوات المسلحة العربية الليبية .

تفضلوا بقبول فائق التقدير واحترام والسلام عليكم ورحمة الله وبركاته

القائد العام
Dr. Mohamed Elmaghrabi

(ختم)

المضير أركان حرب
خليفة أبو القاسم حضرة
القائد العام للقوات المسلحة العربية الليبية

صورته معني
- هوية المستلمة : الاسم
- جهة الاستلام : العنوان العامة : القسم
- صفاء الصناديق : الخطة
والان خبطة التاريخ والمكان ...

21-01654

مكتشف بالمشاريع الزراعية والانتاجية والمجمعات والمزارع ومحطات تربية الابقار والدواجن والفاوق والقرى السياحية والمتنزهات والاستراحات والشركات والاجهزة والمصانع المراد استصدار قرار بترجييعها ونقل تبعيتها لهيئة الاستثمار العسكري والاشغال العامة.

ت	اسم المشروع	ملاحظات
1	وادي الباب الزراعي	
2	جريدة الزراعي	
3	الراوية الزراعي الانتاجي	
4	السريخ الانتاجي الشمالي - الجنوبي	
5	الكفرة الانتاجي	
6	الكفرة الاستيطاني	
7	المنطقة زراعية - الغريقة - البيضاء	
8	المنطقة الزراعية - المرح القديم	
9	مشروع بندر الزراعي	
10	الوادي الفارغ للنخيل - الحسيات	
11	خمسة مليون نخلة وزيتونة - الواحات	
12	اللود الزراعي للنخيل والزيتون	
13	الصحابي الزراعي للنخيل والزيتون والحبوب والثروة الحيوانية	
14	الاريل للحبوب والثروة الحيوانية	
15	مكنوسة للحبوب والثروة الحيوانية	
16	تهالة للحبوب والثروة الحيوانية	
17	الدبول للحبوب والثروة الحيوانية	
18	برجوج للحبوب والثروة الحيوانية	
19	عافية الزراعي للنخيل والزيتون	
20	تساوه للحبوب والثروة الحيوانية	
21	ايراون للحبوب والثروة الحيوانية	
22	الديسة للحبوب والثروة الحيوانية	
23	الويغ للحبوب والثروة الحيوانية	
24	نيمة الزراعي للنخيل والزيتون والحبوب	
25	قشة والهيرة الزراعي للنخيل والزيتون	
26	الجرف القاري للنخيل والزيتون	
27	محمية البيضاء	
28	محمية صرمان - جنوب صرمان	
29	مزارع الواحات	
30	وادي الربيع	
31	مزرعة بوبكر يونس - جالو	

32	مزرعة جندوبة الانتاجية الاصابع
33	مزرعة الكبريعة والمحلات التجارية
34	المزرعة العسكرية - اشيش
35	مزرعة الحكيتية - شعاب
36	مزرعة الاسماك رأس الهلال
37	عدد 4 - مزارع معمر القذافي او جلد
38	الابقار - اجدايا
39	تربية الابل - اجدايا
40	الابقار - رأس الهلال
41	محطات الابقار
42	محطة دواجن اجرة
43	محطة دواجن مرنوبة
44	محطة دواجن اسلنطة
45	محطة دواجن الرومانية
46	محطة دواجن غوط السلطان
47	فندق الواحات - الجفرة
48	فندق السفينة الزرقاء - طرابلس
49	فندق تاقرت - طرابلس
50	فندق الفضيل - بنغازي
51	مصيف قرقارش العسكري
52	مصيف اشبيليا - بنغازي
53	المصيف العسكري - بنغازي
54	مصيف الخمس - النقازة
55	مصيف تلليل
56	مصيف امعتيق
57	مصيف غوط الرمان - تاجوزاء
58	مصيف الشاحلي الذهبي - قرقارش
59	مصيف سيدي الاندلسي - تاجوزاء
60	مصيف جنزور - طرابلس
61	قرية الهروج السياحية - تاجوزاء
62	منتزة ودان السياحي - الجفرة
63	استراحة معمر طلميشة والاراضي المحيطة بها
64	استراحة الشام - اجدايا
65	سوق دورين تيتا - البيضاء
66	سوق دورين - البيضاء
67	سوق بالعون التجاري بنغازي

68	السوق الخرساني طرابلس
69	شركة جرمة للملاحة - بنغازي
70	شركة شحات للملاحة والنقل البحري
71	شركة افريقيا للمهندسة
72	الشركة العالمية للإنتاج
73	الشركة الرومانية للدواجن
74	شركة الخدمات التموينية
75	شركة الجرف القاري
76	شركة التنمية والتطوير
77	جهاز الفضيل للإنتاج - بنغازي
78	جهاز الانتاج - طرابلس
79	جهاز التحدي
80	جهاز نهر الحياة
81	جهاز 50 أكتوبر للإنشاءات
82	جهاز حفر الابار و انشاء خزانات المياه و السدود
83	مركز الزحف الاخضر للأعمال الفنية
84	مركز اللون للأعمال الفنية
85	مصنع القطن العلي ومستلزماته
86	مصنع الافران - اجدابيا
87	مصنع الاواني - العجيلات
88	مصنع الدفايات - الزمره
89	مصنع بلاط مصراته
90	خلاطة اسمنت مصراته
91	مصنع اعلاف الفلاح
92	مصنع القوارب - بنغازي
93	صالة اجواد للمناسبات
94	مطبعة الشروق ((بيروت)) - لبنان
95	المطبعة العسكرية - بنغازي
96	المطبعة العسكرية طرابلس

لواء طيار //

محمد المدني عبد الحفيظ الفاخري

رئيس هيئة الاستثمار العسكري

والاشغال العامة

Figure 12.C.2
Official translation

**Libyan Armed Forces General Command
Office of the General Commander**

File No.:

Date: 5 December 2017

mim qa ayn / 167 / 3160

To: The Prime Minister of the Libyan Interim Government

Sir,

It is no secret to you what has happened to agricultural, productive and industrial projects as a result of the current situation of the country. They have been robbed, looted and destroyed because they do not have sufficient protection to operate as desired. Most of these projects were originally established as facilities of the Libyan Arab Armed Forces.

Some of the managers of those projects have submitted to us requests to restore their affiliation with the Military Investment and Public Works Authority of the General Command to ensure protection for their projects and revitalize them in the service of the military efforts of the Libyan Arab Armed Forces.

We hereby submit to three pages containing a list of 96 projects that have been identified by the committee charged in that regard, with a view to a decision being issued to bring these projects under the aegis of the Military Investment and Public Works Authority of the Libyan Arab Armed Forces.

Accept, Sir, the assurances of my highest consideration.

May the peace, mercy and blessings of God be upon you.

Annexes: Three pages

(Signed) Khalifah Abu al-Qasim **Haftar**
Field Marshal
General Commander of the Libyan Arab Armed Forces

cc:

The Oversight Agency, for information
The Military Investment and Public Works Authority, for information
General outgoing file, for records

List of agricultural and productive projects, reserves, farms, cattle and poultry stations, hotels, tourist villages, parks, rest areas, companies, agencies and factories with regard to which a decision should be issued restoring or transferring them to affiliation with the Military Investment and Public Works Authority

<i>Project name</i>	<i>Observations</i>
1 Wadi al-Bab agricultural project	
2 Jardinah agricultural project	
3 Zawayah agricultural and productive project	
4 Sarir North-South productive project	
5 Kufrah productive project	
6 Kufrah settlement project	
7 Ghariqah – Bayda’ agricultural zone	
8 Marj al-Qadim agricultural zone	
9 Bandar agricultural zone	
10 Wadi al-Farigh date palm project - Husayyat	
11 Five million palm and olive trees - Wahat	
12 Lud agricultural project for date palms and olive trees	
13 Sahabi agricultural project for date palms, olive trees, grains and livestock	
14 Aril grain and livestock project	
15 Maknusah grain and livestock project	
16 Tahalah grain and livestock project	
17 Dabwat grain and livestock project	
18 Barjuj grain and livestock project	
19 Afiyah agricultural project for date palms and olive trees	
20 Tasawah for grain and livestock	
21 Irawan grain and livestock project	
22 Disah grain and livestock project	
23 Waygh grain and livestock project	
24 Ninah date palm, olive tree and grains agricultural project	

	<i>Project name</i>	<i>Observations</i>
25	Tashnah and Hirah date palm and olive tree agricultural project	
26	Jarf al-Qari date palm and olive tree project	
27	Baydan reserve	
28	Surman reserve - South Surman	
29	Wahat farms	
30	Wadi Rabi'	
31	Bubakr Yunus farm - Jalu	
32	Jandawiyah Farm productive project - Asabi'ah	
33	Karimiyah farm and shops	
34	Military farm - Ashnishan	
35	Kutaybah farm - Shahat	
36	Ra's al-Hilal fish farm	
37	Four of Muammar al-Qadhafi's farms - Awjilah	
38	Cattle project - Ajdabiya	
39	Camel-raising project - Ajdabiya	
40	Cattle project - Ra's al-Hilal	
41	Cattle stations	
42	Jakhirah poultry station	
43	Martubah poultry station	
44	Suluntah poultry station	
45	Rumaniyah poultry station	
46	Ghut al-Sultan poultry station	
47	Wahat Hotel - Jufra	
48	Blue Ship Hotel - Tripoli	
49	Taqrifat Hotel - Tripoli	
50	Fadil Hotel - Benghazi	
51	Qarqarish military resort	

<i>Project name</i>	<i>Observations</i>
52 Seville resort - Benghazi	
53 Military resort - Benghazi	
54 Khums resort - Naqazah	
55 Tallil resort	
56 Mitiga resort	
57 Ghut al-Rumman resort – Ta’jura’	
58 Golden Beach resort - Qarqarish	
59 Sidi al-Andalusi resort – Ta’jura’	
60 Janzur resort – Tripoli	
61 Al-Haruj tourist village – Ta’jura’	
62 Wadan tourist park – Jufra	
63 Mu‘ammar Tulmaythah rest area and surrounding land	
64 Sham rest area – Ajdabiya	
65 Dawrayn Tita market – Bayda’	
66 Dawrayn market – Bayda’	
67 Bil‘awn commercial market – Benghazi	
68 Khurasani market – Tripoli	
69 Jarmah shipping company – Benghazi	
70 Shahat shipping and marine transport company	
71 Africa engineering company	
72 Global production company	
73 Rumaniyah poultry company	
74 Catering services company	
75 Continental Shelf company	
76 The development and improvement company	
77 Fadil production agency - Benghazi	
78 Production agency - Tripoli	
79 Tahaddi agency	

	<i>Project name</i>	<i>Observations</i>
80	Nahr al-Hayat agency	
81	5 October construction agency	
82	Well drilling, water reservoir and dam construction agency	
83	The Zakhf al-Akhdar centre for technical works	
84	Alwan centre for technical works	
85	Medical cotton factory and accessories	
86	Oven factory – Ajdabiya	
87	Crockery factory – Ajaylat	
88	Heater factory – Zahra	
89	Cement factory – Misratah	
90	Misratah cement mixer	
91	Farmer’s feed factory	
92	Boat factory – Benghazi	
93	Ajwad events hall	
94	Shorouk Press (Beirut) – Lebanon	
95	Military press – Benghazi	
96	Military press – Tripoli	

(Signed) Muhammad al-Madani Abdulhafiz **al-Fakhiri**
 Air Force General
 Head of the Military Investment and Public Works Authority

Annex 13 Bribery attempts at the Libyan Political Dialogue Forum

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 14 Sabratha and Surman

1. In [S/2017/466](#), annex 17, the Panel reported on the human smuggling networks in the western coastal towns of Sabratha, Surman and Zawiyah, and clashes among those competing criminal networks. Annex 18 of the same report documented their fuel smuggling activities.
2. Subsequently, some of the smuggling leaders identified by the Panel were designated on 7 June 2018, namely: Musa'ab Omar (LYi.024), Ahmed Omar al-Fitouri (LYi.023), Mohammed Kashlaf (LYi.025), and Abd Al-Rahman al-Milad (LYi.026).
3. In April 2019, HAF seized control of the western coastal region as part of the Flood of Dignity military campaign. On 13 April 2020, however, the GNA wrested control of the coastal region from HAF and reasserted its authority over Sabratha and Surman.
4. The Panel received reports of summary executions,²⁶ acts of retribution including the burning of private homes²⁷ and desecration of corpses²⁸ in the first few days of the GNA's retake of the coastal cities. There were also reports of a prison break in Surman, and the subsequent release of 401 prisoners:²⁹ an unlawful act that threatens peace and security in Libya.
5. During the GNA's operation, the aforementioned designated smugglers became highly visible in the military offensive against HAF-affiliates. On 13 April 2020, an online video³⁰ showed al-Milad joining the GNA's operation in Sabratha. On 15 April 2020, al-Fitouri followed suit and appeared in an online video³¹ in which he declared his cooperation with the GNA and urged Sabratha to come under its control. Multiple photos of Kashlaf circulated online showing him presumably in Sabratha or Surman.
6. The rampant lawlessness that took place around mid-April as part of the GNA's operation on the western coast threatens the return of another cycle of retribution. In addition, the high visibility of the UN-designated smugglers alongside GNA forces, despite an active arrest warrant issued against them by the AGO, raises concerns about the resurgence and expansion of human and fuel smuggling networks on Libya's western coast.

²⁶ A violation of the right to life protected notably by Article 6(1) of the ICCPR and Article 4(2)(a) of Additional Protocol II to the Geneva Conventions of 12 August 1949 relating to the protection of victims of non-international armed conflicts; extra-judicial executions also amount to war crimes under article 8(2)(c)(iv) of the ICC Statute.

²⁷ A war crime under Article 8(2)(e)(xii) of the ICC Statute.

²⁸ Prohibited by Article 8 of Additional Protocol II.

²⁹ <https://www.reuters.com/article/us-libya-security/u-n-concerned-by-alleged-abuses-prison-break-in-west-libyan-towns-idUSKCN21X336>, 15 April 2020.

³⁰ <https://twitter.com/LyWitness/status/1250405268208451585>, 15 April 2020.

³¹ <https://twitter.com/LibyaReview/status/1250522602096988161>, 15 April 2020.

Image 14.1

Al-Milad (pictured right) appeared in Sabratha alongside Abdelmalak Al-Madani (pictured left) a self-proclaimed spokesperson of the GNA's Volcano of Anger operation



Source: <https://www.facebook.com/644257106018850/photos/a.697240460720514/895808660863692>, 13 April 2020.

Image 14.2

Kashlaf presumably in Sabratha circa 13 April 2020



Source: <https://www.facebook.com/1045745755454822/photos/pcb.3340204026008972/3340192209343487>, 13 April 2020.

Annex 15 Minister's statement following GNA takeover of Tarhuna (6 June 2020)

1. The Minister of Interior congratulates the people of Libya and its security and military forces for the liberation of Tarhuna and simultaneously requests these forces to protect civilians and civilian properties; those who would take advantage of the chaos to violate the law will be held accountable.

Figure 15.1

Minister of Interior's statement dated 6 June 2020

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 ضرورة الانضباط الأمني وعدم ارتكاب أية مخالفات للتشريعات النافذة بالمناطق المحررة

في الوقت الذي تُهنئ فيه وزارة الداخلية بحكومة الوفاق الوطني جميع الشعب الليبي وقواه الأمنية والعسكرية التي شاركت في تحرير المناطق المغتصبة من قبل ميليشيات الكرامة، بهذا النصر العظيم الذي سيسطره التاريخ بأحرف من ذهب كصفحة مشرقة من صفحات الدولة المدنية الحرة الديمقراطية؛ فإن وزارة الداخلية تهيب بجميع القوى العسكرية والأمنية التي أوكل إليها تأمين المناطق المحررة بمختلف أنحاء ليبيا بأن تعمل على ضبط الأمن وحماية أرواح وأعراض وممتلكات المواطنين في تلك المناطق انطلاقاً من واجبها القانوني تطبيقاً لقانون الحراسة والحماية.

كما أن الوزارة تدعو جميع منتسبي الجهات العسكرية والأمنية بالمناطق المذكورة ليكونوا مثلاً للحرص التام على تكذيب ما يسند العدو لهم من كونهم مصدر الاختراقات الأمنية من استلاء على أموال المواطنين وأعمال انتقامية؛ وهي تنبه كل من تسول له نفسه استغلال الفوضى الأمنية إلى ارتكاب أي من المحظورات بأنه سيكون عرضة للملاحقة الأمنية والقضائية مهما كانت صفته تطبيقاً للنصوص الجزائية المنصوص عليها في قانون العقوبات العام وقانون العقوبات العسكري والتشريعات الأخرى ذات العلاقة وعلى رأسها قانون الحراسة والحماية وقرار المجلس الرئاسي بفرض حالة الطوارئ، والتي تغلظ العقوبة على مثل هذه الأفعال المرتكبة في حالة الحرب إلى الإعدام أو السجن المؤبد أو السجن وفق التكييف القانوني للفعل المرتكب.

الأمر غاية في الأهمية، وهو محل متابعة يومية ومستمرة من قبلنا ولن نتهاون مع من يحاول تلويث الانتصارات التي حققها الشجعان ودفع ثمنها شهداؤنا الأبرار.



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وزير الداخلية المفوض

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Annex 16 Ministry of Justice's statement on Tarhuna mass graves(10 June 2020)

1. The Joint Commission tasked with the identification and documenting of human rights violations is monitoring the rising casualties due to the explosion of landmines laid in civilian homes; specialized teams have also exhumed bodies from mass graves and wells discovered in Tarhuna after its liberation from the Al Kaniyat.

Figure 16.1

Ministry of Justice's statement dated 10 June 2020



Annex 17 Overview of the Libya-Malta and Libya-Italy migration agreements and evolution of the EUNAVFOR MED Operation

1. In February 2020, the Libya-Italy memorandum of understanding on migration that provides Italian support to Libyan maritime authorities to intercept boats and return migrants to Libya was renewed for three years. In July 2020, the Italian parliament approved the financial component of the agreement.³²
2. In March 2020, the EU decided to end an anti-migrant smuggling operation primarily involving only surveillance aircraft, known as Operation SOPHIA, and to deploy naval vessels with the primary task of upholding the UN arms embargo, under the name of Operation IRINI.³³
3. In June 2020, Libya signed with Malta an agreement “*in the area of combating illegal immigration*” by which Malta committed to finance two coordination centres and to propose, to the European Commission and the Member States of Europe, the increase of financial support to help the Government of the National Accord, namely, in securing the southern borders of Libya and enhancing interception capacities.

³² <https://www.web24.news/u/2020/07/italian-parliament-approves-transfer-to-libyan-coast-guard.html>; <https://www.forbes.com/sites/iredominioni/2020/07/18/italy-refinances-immigration-agreement-with-libya-amid-protests/#6ad0cfb3c49a>

³³ <https://www.operationirini.eu/mission-at-a-glance/>

Annex 18 Overview of the situation in DCIM detention centres according to Colonel Mabrouk Abdelhafid (1 September 2020)

1. None of the DCs in the East are under DCIM authority. The staff there continue to receive salaries but the centres are not operating.
2. DCIM is in the process of reserving the DC situated on Zawiyah street in Tripoli for women, children and the most vulnerable.
3. The Ministry of Interior has closed three of those nominally operating under its authority: Al Khums, Misrata Tajura.
4. The activities of two others are provisionally suspended: Souk el Khamis and Western Zawiya. Their managers are suspected of corruption and are under investigation. The situation of Dahr Al Jabal is under close monitoring.³⁴
5. The following centres are operating under the DCIM: Zliten and Abu Salim in Tripoli, Zuwarah, Shohada' Nasr in Zawiya and Brak al Shati in Sebha. Colonel Mabrouk pointed out the situation of Tariq Al Sikka as problematic.

³⁴ The Dahr Al Jabal (Zintan) DC has been totally evacuated on 18 January 2021
<https://twitter.com/UNHCRLibya/status/1351186543524904967/photo/1>

Annex 19 Provisions of international human rights law (IHRL) and international humanitarian law (IHL) applicable to the situation of migrants and asylum seekers

IHRL

- (1) United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air;
- (2) United Nations Convention Against Torture, Article 1 which prohibits torture and other cruel, inhuman or degrading treatment or punishment;
- (3) International Covenant on Civil and Political Rights (ICCPR), Article 6, which protects the right to life;
- (4) ICCPR, Article 7, which prohibits torture and cruel, inhuman or degrading treatment or punishment;
- (5) ICCPR, Article 8, which prohibits servitude and forced or compulsory labour;
- (6) ICCPR, Article 9, which prohibits arbitrary detention and affirms the right to liberty and security; and
- (7) ICCPR, Article 10, which imposes a human treatment and respect for the inherent dignity of the human person.

The abovementioned provisions of IHRL apply to State officials or to a “*person acting in an official capacity*”³⁵ and to non-State actors who exercise government-like functions and control over a territory.³⁶

IHL

- (1) Common Article 3 to the four Geneva Conventions of 12 August 1949, applicable in the case of an armed conflict not of an international character, which prohibits violence to life and person, in particular murder, mutilation, cruel treatment and torture and outrages upon personal dignity; and
- (2) Article 4 of the Protocol Additional to the Geneva Conventions of 12 August 1949³⁷ (Protocol II), which prohibits violence to health and physical or mental well-being of persons, any form of corporal punishment, collective punishments, rape, enforced

³⁵ Article 1, CAT.

³⁶ See, for example, the Reports of the High Commissioner for Human Rights on the implementation of Human Rights Council Resolution 7/1, 6 June 2008: 1) [A/HRC/8/17](#), para. 9; 2) [A/HRC/12/37](#), para. 7; 3) [A/HRC/17/45](#), para. 62; and 4) [A/HRC/25/21](#), para. 11.

³⁷ Relating to the protection of victims of non-international armed conflicts.

prostitution and any form of indecent assault, slavery and the slave trade in all their forms as well as threats to commit any of the foregoing acts.

The provisions of IHL apply to all the parties in the context of an armed conflict.

Annex 20 Ministry of Interior statement on Mizdah (28 May 2020)

1. Minister Bashaga calls on the Mizdah Security Directorate to arrest the relatives of the alleged murdered migrants trafficker who are said to have killed 26 Bangladeshi and four Africans, and injured eleven others, in retaliation for his murder.

Figure 20.1

Statement on Mizdah

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 حول جريمة قتل مواطن ليبي وعدد من المهاجرين غير الشرعيين بمنطقة مزدة

بالإشارة لجريمة قتل المواطن "ي. م. ع. ب. ا" موليد 1990 مقيم بمنطقة مزدة، والمشتبه في ضلوعه بالإتجار بالبشر، من قبل مهاجرين غير شرعيين أثناء قيامه بعملية تهريبهم.

حيث قام أهالي المجني عليه برد فعل انتقامي على مقتله، بأن قاموا بقتل 26 شخص من الجنسية البنغلادشية و 4 أشخاص أفارقة، وإصابة 11 شخص مهاجر إصابات متفاوتة نقلوا على إثرها لمستشفى الزنتان لتلقي العلاج.

عليه أصدرت وزارة الداخلية بحكومة الوفاق الوطني التعليمات لمديرية أمن مزدة باتخاذ كافة الإجراءات القانونية لضبط الجناة، والتعميم على أسماءهم وملاحقتهم والتبصص عليهم وتقديمهم للعدالة.

وإذ تؤكد وزارة الداخلية بأنه مهما كانت الدوافع لجريمة القتل الجماعي فالقانون لم يعطي الحق للمواطن باستيفاء الحق بالذات، ونؤكد على أن القانون سيكون هو الرادع لكل شخص مهما كانت الأسباب.



وزارة الداخلية
حكومة الوفاق الوطني

صدر بطرابلس بتاريخ 28 مايو 2020م

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Annex 21 Ministry statement on Al-Khadra General Hospital (9 April 2020)

1. Tripoli's Al-Khadra General Hospital (designated by the Ministry of Health as the capital's main center for treating and isolating COVID-19 patients) was a repeated target of shelling, with recorded attacks on 6, 7, and 9 April 2020 that injured multiple health workers, and severely damaged the hospital building and equipment.
2. The Ministry of Health 9 April 2020 statement on the Al-Khadra General Hospital reported that the hospital was attacked three times within 72 hours. The repeated attacks forced the Ministry of Health to temporarily suspend the hospital operations.

Figure 21.1

Statement on the Al-Khadra General Hospital



Source: Social Media

Annex 22 Evidence related to the attack on Tripoli Military Academy (4 January 2020)

1. This annex contains statements, imagery and official reports relating to the attack.

Appendix A to Annex 22: Attack on Tripoli Military Academy (4 January 2020)

Figure 14.A.1

5 January 2020 statement by the GNA Ministry of Health on the airstrike that targeted the Tripoli Military Academy, which killed 30 and wounded 33



وزارة الصحة بحكومة الوفاق الوطني

January 5 · 🌐

...

#عضو_المجلس_الرئاسي #الوكيل_العام يتفقدان جرحى قصف الكلية العسكرية بطرابلس

|5 يناير 2020| #أبوالنيران | أجرى عضو المجلس الرئاسي السيد "عماري زايد" والوكيل العام لوزارة الصحة السيد "محمد هيثم عيسى" ليلة البارحة زيارة طارئة لتفقد الأحوال الصحية لجرحى قصف الكلية العسكرية بطرابلس .

هذا وبلغ عدد ضحايا قصف الكلية العسكرية بطرابلس #30 شهيداً و #33 جريح ، كما رافق السيدان عضو المجلس والوكيل العام عدد من أعضاء مجلس النواب خلال الزيارة التي شملت كل من مستشفى الهضبة العام (الخضراء سابقاً) ومستشفى الحوادث أبي سليم ومقر الكلية العسكرية.

وفي تعليق له حول قصف الكلية العسكرية قال الوكيل العام إنه "وبالرغم من حجم الفاجعة والمأساة التي خلفتها هذه الجريمة النكراء وفي الوقت الذي عبرنا فيه جميعاً عن دهشتنا لهذا التماذي السافر لقصف مؤسسات الدولة التعليمية والمنشآت المدنية.. فإننا نثني على جهود الأطقم الطبية العاملة ونؤكد على جاهزية مستشفيات العاصمة في تقديم أفضل الخدمات الطبية والاستجابة الجيدة لاستيعاب جرحى ومصابين وشهداء العدوان الغاشم على مقر الكلية العسكرية الهضبة".

وتابع الوكيل العام قوله " .. نتقدم بالشكر لكافة العاملين بوزارة الصحة على تناديهم لمواصلة كافة الأطقم الطبية.. الجميع هنا من مديري المستشفيات ورؤساء الأقسام والجراحين والمسعفين والأطباء ..كانوا ملتزمين بعملهم الإنساني ويعملون من أجل التقليل من معاناة ضحايا هذا العدوان السافر "

Appendix B to Annex 22: Report on the explosion of a missile at the Military College, Tripoli

Figure 14.B.1

Official translation of a Ministry of Defence report on the explosion of a missile at the Military College., Tripoli

Translated from Arabic

Office of the General Staff

**Military Engineering
Department**

Subject: Technical report

Date: 12 Rajab A.H. 0000

Corresponding to 10 March
A.D. 2020

Report on the explosion of a missile at the Military College, Tripoli

On 5 January 2020, the Director of the Military Engineering Department, acting on oral instructions from the Chief of the General Staff, ordered a technical committee to go to the Military College, which is located in the Hadabah area, in order to carry out a technical inspection of the targeted location, at which 32 students were killed and others injured. After examining the site and collecting fragments caused by the explosion, the technical committee found that:

1. The site was attacked by a drone;
2. The fragments gathered indicate that they are from a Blue Arrow 7 BY-7 guided missile;
3. The technical specifications of the missile are as follows:
 - (a) Made in China;
 - (b) For use against armoured vehicles and small ground targets;
 - (c) Equipped with a semi-automatic laser guidance system;
 - (d) The missile had been armed with a large quantity of highly explosive material that could cause significant damage even to armoured targets;
 - (e) The committee determined that the surface of the College's square consists of two layers:
 - The first layer is made of reinforced concrete and approximately 25 cm thick;
 - The second layer is made of asphalt and approximately 10 cm thick, according to the maintenance officer of the Military College.

Students (deceased)

#	No.	Rank	Four-part name	Remarks
1.	12533	Freshman student		
2.	12535	Freshman student		
3.	12536	Freshman student		
4.	12539	Freshman student		
5.	12540	Freshman student		
6.	12542	Freshman student		
7.	12543	Freshman student		
8.	12550	Freshman student		
9.	12552	Freshman student		
10.	12554	Freshman student		
11.	12556	Freshman student		
12.	12557	Freshman student		
13.	12559	Freshman student		
14.	12560	Freshman student		
15.	12561	Freshman student		
16.	12563	Freshman student		
17.	12565	Freshman student		
18.	12568	Freshman student		
19.	12569	Freshman student		
20.	12570	Freshman student		
21.	12571	Freshman student		
22.	12575	Freshman student		
23.	12576	Freshman student		
24.	12582	Freshman student		
25.	12583	Freshman student		
26.	12541	Freshman student		

Students* (injured) (upper-level)

#	No.	Rank	Four-part name	Remarks
1.	12299	Upper-level student	[REDACTED]	[REDACTED]
2.	12397	Upper-level student	[REDACTED]	[REDACTED]
3.	12698	Upper-level student	[REDACTED]	[REDACTED]

Military Engineering Department**Injured students* (freshmen)**

#	No.	Rank	Four-part name	Remarks
1.	12581	Freshman student	[REDACTED]	[REDACTED]
2.	12573	Freshman student	[REDACTED]	[REDACTED]
3.	12585	Freshman student	[REDACTED]	[REDACTED]
4.	12572	Freshman student	[REDACTED]	[REDACTED]
5.	12580	Freshman student	[REDACTED]	[REDACTED]
6.	12584	Freshman student	[REDACTED]	[REDACTED]
7.	12544	Freshman student	[REDACTED]	[REDACTED]
8.	12546	Freshman student	[REDACTED]	[REDACTED]
9.	12549	Freshman student	[REDACTED]	[REDACTED]
10.	12562	Freshman student	[REDACTED]	[REDACTED]
11.	12548	Freshman student	[REDACTED]	[REDACTED]
12.	12579	Freshman student	[REDACTED]	[REDACTED]
13.	12547	Freshman student	[REDACTED]	[REDACTED]
14.	12531	Freshman student	[REDACTED]	[REDACTED]
15.	12558	Freshman student	[REDACTED]	[REDACTED]

Appendix C to Annex 14: Press release of the Libyan Army

Figure 14.C.1

Press release from the standing committee for humanitarian affairs of the Libyan Army



Source: https://www.lana-news.ly/art.php?id=187230&lang=ar&p=2&ctg_id=5. Last accessed 12 January 2021

Figure 14.C.2

Official translation of the press release

The standing committee for humanitarian affairs of the Libyan Army confirms that it has initiated preliminary investigations with a view to prosecuting, at the local and international levels, those who attacked the Military College students

Published on 4 January 2021 at 14:23:00

Tripoli, 4 January 2021 (WAL) — The standing committee for humanitarian affairs of the Libyan Army announced that those who died in the Military College attack have been promoted to the rank of second lieutenant and that their relatives, like those of their colleagues who survived the tragedy, would be paid a salary on a permanent basis. In a statement issued on the occasion of the first anniversary of the attack against the Military College students, the committee said that it has initiated preliminary investigations with a view to prosecuting, at the local and international levels, the perpetrators. In addition, the committee has been charged by the Minister of Defence of the Government of National Accord to

pursue charges at the International Criminal Court relating to the civil rights of the Military College students who were killed or wounded. The committee, in its statement, reaffirmed that it had been following up on this flagrant violation since the latter part of last year, in coordination with the Association of the Families the Dead and Wounded, and that it has spared no effort to overcome all administrative difficulties that might prevent it from fulfilling its mandate. The committee said that, on this painful occasion, it should be remembered that those heroes had left behind mothers, fathers, wives, children, friends, colleagues and people who love them, and that we must all console them and stand with them. The committee called upon local and international judicial authorities to continue their efforts to identify the perpetrators and ensure that they are punished severely. (WAL)

Annex 23 Infographics for Pantsir S-1 AD system (on KaMAZ 6560 mobility platform)

North of Ajdabiyah (12 July 2020)

Video and still imagery of almost certainly a Pantsir S-1 mounted on the KaMAZ 6560 platform, which is one of the two mobility platforms used for the non-export version of the system.

This is the first imagery identified by the Panel of the Pantsir S-1 missile system mounted on this particular ground mobility platform.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011).



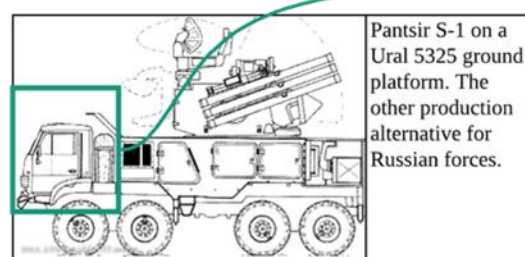
Production Pantsir S-1 on KaMAZ 6560 ground mobility platform. NOTE: Distinct driver cab differences: 1) sloping cab; 2) drivers steps; 3) front bumper; 4) window shapes; etc..



Pantsir S-1 on KaMAZ 6560 ground mobility platform in Libya on 12 July 2020. NOTE: Distinct driver cab difference to Pantsir S-1 previously identified as being in Libya 2019.



Pantsir S-1 supplied to UAE in Libya on 19 June 2019. NOTE: MAN SX45 Heavy High Mobility Truck as the ground mobility platform. Reported in S/2019/519.



Pantsir S-1 on a Ural 5325 ground platform. The other production alternative for Russian forces.

Primary sources

1. <https://twitter.com/Abdoko99/status/1282088104300601347>, 12 July 2020.
2. <https://twitter.com/RALee85/status/1282091191950094336>, 12 July 2020.
3. <https://twitter.com/Oded121351/status/1141224351045443584>, 19 June 2019.
4. www.ihs.janes.com. (Subscription). 23 July 2013.
5. www.the-blueprints.com/blueprints/tanks/tanks-n-p/64270/view/pantsir-s1_sa-22_greyhound_ural-5325/.

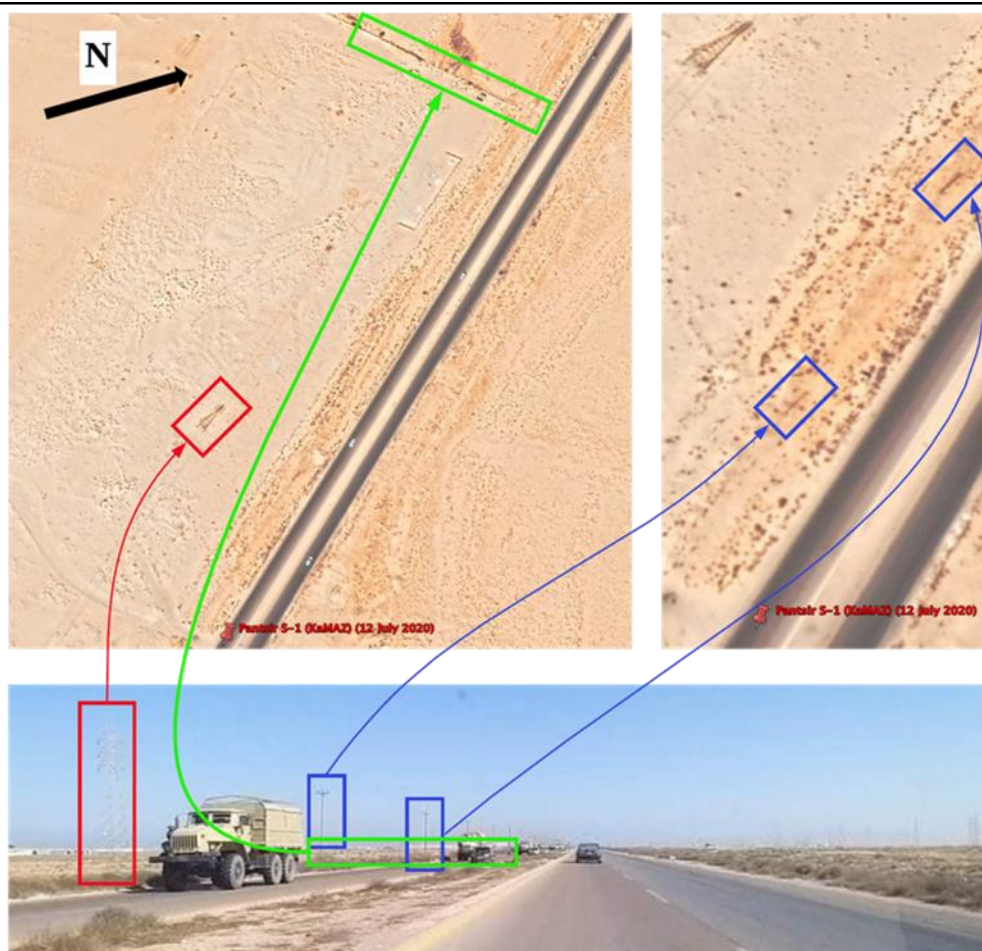
Developed by UN Panel of Experts

North of Ajdabiyah (12 July 2020) (30°52'47.38"N, 20°12'29.09"E)

Convoy containing Pantsir S-1 SAM system mounted on the KaMAZ 6560 platform was geo-located to the road North of Ajdabiyah.

This is the first imagery identified by the Panel of the Pantsir S-1 missile system mounted on this particular ground mobility platform. Still extracts from a video were used for this geo-location.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011).









Primary sources

1. <https://twitter.com/Abdoko99/status/1282088104300601347>, 12 July 2020.
2. <https://twitter.com/RALee85/status/1282091191950094336>, 12 July 2020.
3. https://twitter.com/il_kanguru/status/1282487495528194048, 13 July 2020.

Developed by UN Panel of Experts

Figure 23.1
Description Pantsir S-1 locations in September 2020.

	
11 Sep 2020 29° 26' 53.64"N, 15° 52' 51.11"E	14 Sep 2020 29° 26' 19.59"N, 15° 50' 10.98"E
	
14 Sep 2020 29° 17' 0.79"N, 15° 49' 06.03"E	14 Sep 2020 29° 17' 33.80"N, 15° 52' 15.78"E
	
14 Sep 2020 29° 24' 35.60"N, 15° 53' 54.65"E	18 Sep 2020 29° 10' 01.18"N, 15° 47' 35.81"E

Annex 24 Infographics for *Gabya* Class frigates

28 January - 30 June 2020

Location: Libyan Coast

Turkish '*Gabya*' Class frigates were first identified operating within Libyan territorial waters (12 NM) on 28 January 2020 when they were used to escort the MV *Bana* into Tripoli. The MV *Bana* was confirmed by the Panel as carrying military equipment for the GNA.

The deployment of these frigates within and on the edge of Libyan territorial waters provides the GNA-AF with an effective air-defence "umbrella" along the littoral controlled by their forces.

These vessels have also being used to "escort" non-Turkish flagged civilian vessels in order to deny EU NAVFOR MED the opportunity to inspect vessels suspected of carrying military material.

The Panel thus finds that Turkey was in repeated non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the *direct (...) transfer (...) of military material* and the *provision (...) of other assistance* to Libya.

Sources

1. <https://twitter.com/LibyaPro2/status/1222268972185391104>, 28 January 2020.
2. Twitter, osinteditor / Planetscope. 25 - 30 June 2020 (illustrative of coverage).
3. Janes IHS (Subscription).

Developed by UN Panel of Experts.



9 August 2020

(32°40'57"N, 14°14'50"E)

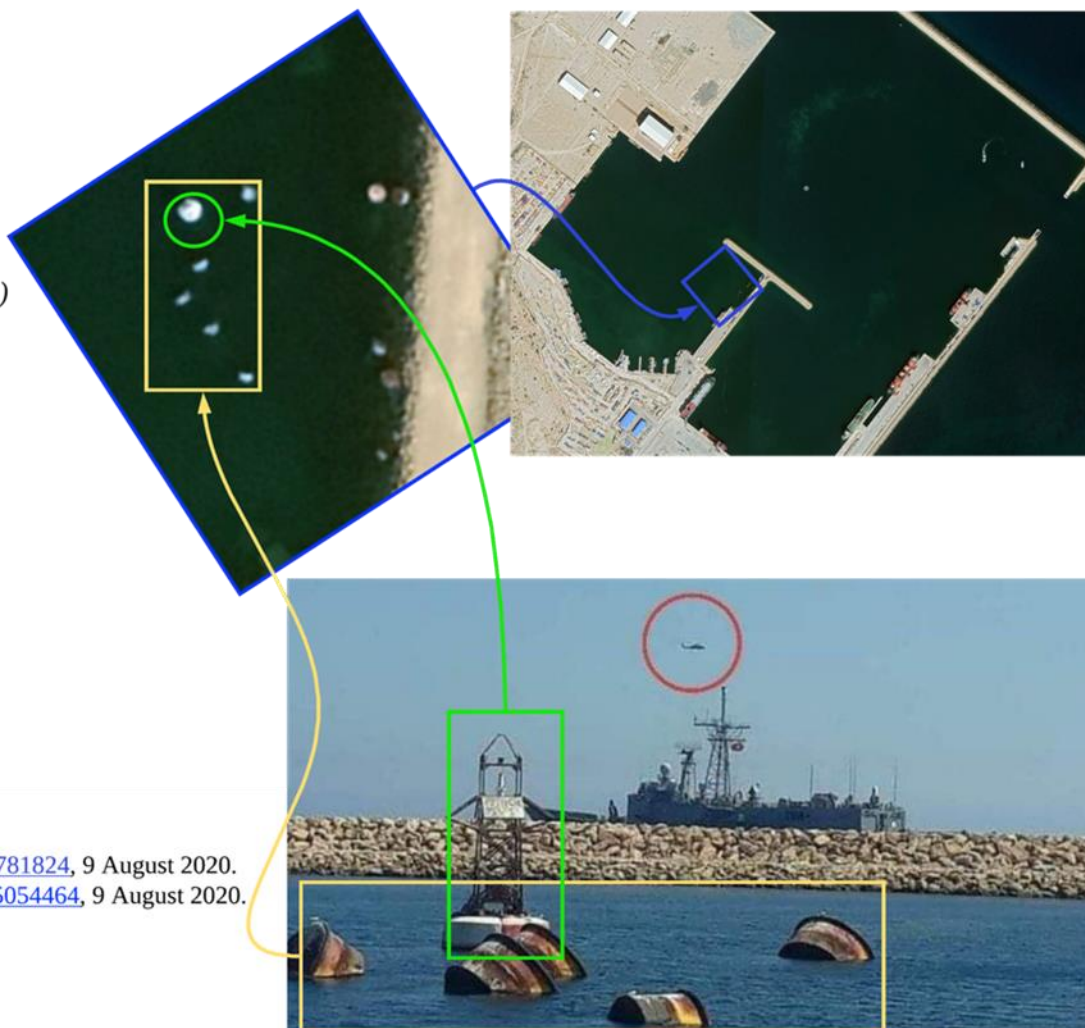
The Turkish 'Gabya' Class frigate F490 *Gazientep* was identified as being in Khoms port on 9 August 2020.

This port visit is a violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct (...) transfer (...) of military materiel* and the *provision (...) of other assistance* to Libya.

Sources

1. <https://twitter.com/LibyaReview/status/1293944617352781824>, 9 August 2020.
2. https://twitter.com/Libya_OSINT/status/1293865285125054464, 9 August 2020.
3. Google Earth Pro.
4. Janes IHS (Subscription).

Developed by UN Panel of Experts



Annex 25 Infographic for HAWK MiM-23 air defence system

Tripoli (Mitiga Airport) (21 January 2020)
 32°53'45.36"N, 13°16'45.62"E

One of three HAWK MIM-23 air defence system deployed with missiles on beam indicating high alert state.

An operating AN/MPQ radar with rotating radar dish was also seen in the vicinity.

The deployment of this system to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).



Primary sources

1. Confidential source.
2. Google Earth Pro.
3. Twitter communication with @il_kanguru.

Developed by UN Panel of Experts

Annex 26 Infographics for Korkut Twin 35mm Air Defence system

Tripoli Port (16 January 2020)
 32°54'07.14"N, 13°10'33.12"E

An Aselsan manufactured Korkut SSA Twin 35mm self propelled anti-aircraft gun (SPAAG) leaving Tripoli port at night on a low loader.

The Korkut KKA Command and Control vehicle integrates three SSA SPAAG into one system.

System Capability:

- Max Range: 12,500
- Slant Range: 4,000m
- Velocity: 1,020m/s
- 20 Round Bursts in 0.7s
- Air burst ATOM round
- Tungsten sub-projectiles

The deployment of this system to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/eha_gundem/status/1218296620330164224, 17 January 2020.
2. https://twitter.com/il_kanguru/status/1218058165205508096, 17 January 2020.
3. Google Earth Pro.

Developed by UN Panel of Experts

The infographic consists of several images and text blocks. At the top left, text describes the location (Tripoli Port) and the system (Korkut SSA Twin 35mm SPAAG). Below this, a photo shows the vehicle on a low loader. To the right, a close-up of the gun is shown with a red box. Below the vehicle photo, a photo of a building is shown with a blue box. To the right of the building photo, an aerial view of a port area is shown with a blue box. Arrows link the text to the images: an orange arrow from 'Korkut SSA Twin 35mm SPAAG' to the vehicle photo, a red arrow from 'gun' to the close-up, a blue arrow from 'building' to the building photo, and a blue arrow from 'port area' to the aerial view.

Misrata Airport (25 February 2020)

Korkut Twin-35mm self propelled anti-defence system (SPADS) located at:

KKa1 32°19'12.79"N, 15°03'14.00"E
 SSA1 32°18'33.97"N, 15°04'02.01"E
 SSA2 32°18'38.96"N, 15°04'05.70"E
 SSA3 32°18'34.96"N, 15°04'13.63"E

4,000m Air Defence 'bubble' for conventional ammunition. Extended range for "ATOM" ammunition.

KKa is the radar control system for integrating the fire of three SSA self propelled anti-aircraft guns (SPAAG) on to one target.

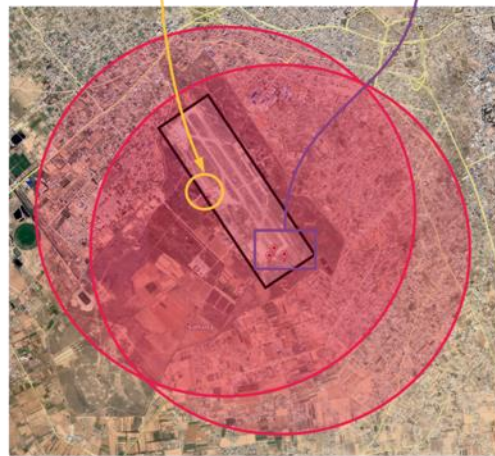
The SSA SPAAG can operate alone or be controlled by the KKa.

The deployment of this system to Libya by Turkey is in non-compliance with paragraph 9 of resolution 1970 (2011).

Primary sources

1. Confidential source.
2. Google Earth Pro.

Developed by UN Panel of Experts.



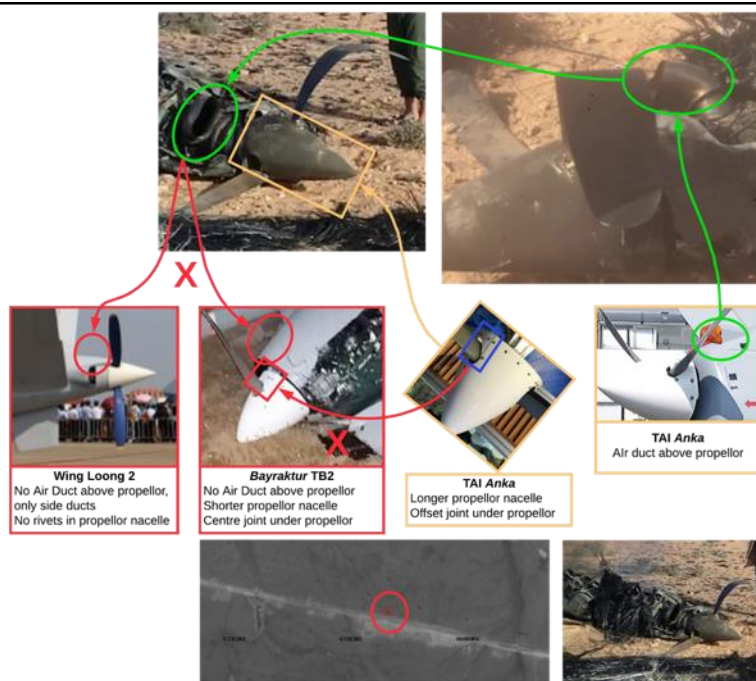
Annex 27 Infographic for TAI Anka UCAV

Abu Grein (19 April 2020)

Imagery from the remnants of a downed UCAV indicates that the Turkish manufactured TAI *Anka* UCAV is now be operational over Libya.

Allegedly shot down by a *Pantsir* S-1 near Abu Grein. Provisional geo-location is in area of 31°22'38"N, 15°30'25 "E.

If this is the first sighting of an TAI *Anka* UCAV in Libya, then the deployment of this system to Libya by Turkey is in non-compliance with paragraph 9 of resolution 1970 (2011).



Primary sources

1. <https://twitter.com/LNA2019M/status/1251876366024413188>, 19 April 2020.
2. <https://www.dropbox.com/s/c7bvlik5k7kgq2p/Screenshot%202020-04-20%2013.09.53.png?dl=0>, accessed 20 April 2020.
3. <https://www.flickr.com/photos/aerofossile2012/30427784405>, accessed 20 April 2020.
4. <https://maps.southfront.org/made-in-turkey-destroyed-in-libya-another-bayraktar-tb2-combat-drone-downed-photos-videos/>, 31 March 2020.
5. https://twitter.com/il_kanguru/status/1252158756403765248, 20 April 2020.
6. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts

Annex 28 Infographic for Firtina T-155mm self-propelled howitzer

T-155 *Firtina* 155mm / 52 calibre Howitzer onboard MV *Bana* (28 January 2020)
32°54'16"N, 13°11'01"E

Turkish manufactured T-155 '*Firtina*' 155mm/52 Calibre Howitzers were identified on board the MV *Bana* (IMO 7920857) prior to disembarkment in Tripoli on 28 January 2020.

First manufactured in Turkey in 2003 and upgraded to the '*Firtina* New Generation' (FNG) in 2017, with FNG version exhibited at IDEX 2019. Initial analysis is that this is not the FNG version as there is no evidence of a serrated track plate cover, nor a SARP Remote Weapon System (RWS) on the turret.

MV *Bana* made this voyage from Mersin, Turkey to Tripoli, Libya from 24 to 28 January 2020. On calling at Genoa, Italy on 3 February 2020 the vessel was detained and the Master arrested.

The deployment of this system to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. Twitter, @LNA2019M, 30 January 2019.
2. customer.janes.com. (Subscription), 9 July 2019.
3. <https://www.pinterest.at/pin/388787380324671801/>, 21 February 2006.
4. <http://cmano-db.com/facility/1724/>. Accessed 31 January 2020.
5. Confidential source.

Developed by UN Panel of Experts



Annex 29 Infographic for T122 Sakarya MLRS

Rocketsan T-122mm *Sakarya* MLRS

Tripoli (18 July 2020) / Sirte (26 November 2020)

Imagery from Libyan social media first identified the presence of a 122mm *Sakarya* multi-launch rocket system (MLRS) deployed in support of GNA -AF in the Tripoli area.

The system is manufactured in Turkey by Rocketsan and is only in service with Turkey, Azerbaijan and the UAE.

On 27 November 2020 further imagery was identified showing live firing of the system by the GNA near Sirte. The use of UN type hazard labels on the ammunition packaging, and the condition of the packaging, makes it certain that the ammunition is newly introduced into Libya and not a legacy of the old regime.

The transfer of this MLRS to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/Ozkok_A/status/128440255552923648, 18 July 2020.
2. <https://www.roketsan.com.tr/en/product/t-122-mbri-multi-barrel-rocket-launcher-mbri-system/>, Accessed 18 July 2020.
3. <https://twitter.com/smmLibya/status/1332237579857620994>, 27 November 2020.
4. www.ihjanes.com. (Subscription). 14 October 2019.

Developed by UN Panel of Experts.



17 July 2020, 122mm *Sakarya* MLRS near Tripoli



27 November 2020, Live firing of 122mm *Sakarya* MLRS near Sirte

Annex 30 Infographic for STM Kargu-2 loitering munition

Abu Grein (25 May 2020)

Imagery from the remnants of a downed loitering munition indicates that the Turkish manufactured STM *Kargu-2* rotary wing loitering munition is now operational over Libya.

This is the first sighting of a STM *Kargu-2* rotary wing loitering munition in Libya, and this a non-compliance of paragraph 9 of resolution 1970 (2011).

STM *Kargu-2* rotary wing loitering munitions have only been operational with the Turkish Armed Forces since January 2020.

The deployment of this system to Libya by Turkey is in non-compliance with paragraph 9 of resolution 1970 (2011).

Primary sources

1. Confidential.
2. <https://www.stm.com.tr/en/products/kargu>. 20 April 2020.
3. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts



Annex 31 Infographic for Mig-29A FGA

18 May - 18 June 2020

1. Khmeimim Airbase (OSLK), Syria
(35°24'33.30"N, 35°56'41.01"E)

2. Al Jufra Airbase (HL69), Libya
(29°12'0.83"N, 16° 0'11.58"E)

Satellite imagery of 18 May 2020 identifies six MiG-29 aircraft at RFF Khmeimim Airbase in Syria. The aircraft no longer show on the subsequent 19 May 2020 imagery.

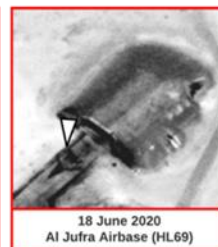
Imagery taken on 19 May 2020 shows a MiG-29 on runway being towed to hardened aircraft shelters at Al Jufra Airbase, Libya. Subsequent imagery of 25 May 2020 also identifies a MiG-29 at Al Khadim airbase, Libya. In flight imagery shows some MiG-29 with RFF markings and also some unmarked, and it is not clear where and when imagery obtained.

It is assessed as almost certain that some old Syrian Air Force MiG-29 have been supplied to HAF, with newer MiG-29 replacing them within the Syrian Air Force. Erosion of body paint being an indicator.

Primary sources

1. https://twitter.com/Brian_Castner/status/1263572061492035607, 19 May 2020.
2. https://www.facebook.com/USAoutofSyria/posts/617284718873488?_tn=-R, 20 May 2020.
3. <https://www.dvidshub.net/image/6220925/russia-deploys-military-fighter-aircraft-libya>, 26 May 2020
4. https://twitter.com/Arm_Del/status/1265985704410128389, 28 May 2020.
5. <https://www.africom.mil/pressrelease/32941/new-evidence-of-russian-aircraft-active-in-li>, 18 June 2020
6. www.ihs.janes.com, (Subscription). Accessed 24 May 2020.
7. Maxar Technologies Limited and Google Earth Pro - satellite imagery.
8. Confidential sources.

Developed by UN Panel of Experts



Annex 32 Infographic for Sukhoi SU-24 FGA

24 May - 18 June 2020

1. Al Khadim Airbase (HL59), Libya
(31°59'48.14"N, 21°12'1.44"E).

2. Al Jufra Airbase (HL69), Libya
(29°11'29.25"N, 16°0'25.66"E).

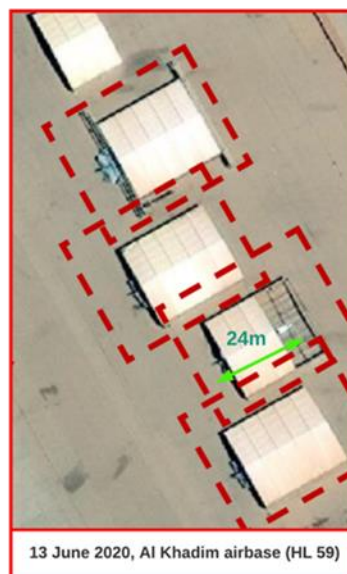
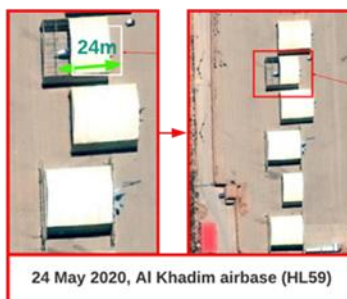
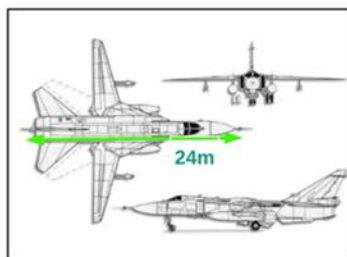
From satellite imagery of 24 May 2020 four SU-24 Fighter Ground Attack (FGA) aircraft were first identified by UNSMIL as being in in new pre-fabricated hangers at Al Khadim airbase (HL59), Libya. Subsequently confirmed by an independent source. These aircraft formed part of the "air package" delivered by the Russian Federation via Syria.

On 18 June 2020 the US Digital Visual Information Distribution Service published imagery of an SU-24 FGA aircraft active at Al Jufra airbase (HL69). The Panel finds the image credible based on the runway layout, which is unique to Al Jufra, at the point where the aircraft is active. Shadow analysis from www.mooncalc.org suggests that the image was taken at approximately 20:00 hours.

Primary sources

1. <https://www.africom.mil/pressrelease/32941/new-evidence-of-russian-aircraft-active-in-lj>. 18 June 2020.
2. <https://www.dvidshub.net/image/6244656/new-evidence-russian-aircraft-active-libyan-airspace>. 18 June 2020.
3. www.ihs.janes.com, (Subscription). Accessed 24 May 2020.
4. Maxar Technologies Limited and Google Earth Pro - satellite imagery.
5. UNSMIL.
6. Confidential sources.

Developed by UN Panel of Experts.



The response from the Member State to the Panel's tracing request was that there was insufficient detail for their consideration.

Nevertheless the presence of these aircraft in Libya is in non-compliance with paragraph 9 of resolution 1970 (2011).

Annex 33 Maritime non-compliance profile indicators

Table 33.1

Maritime non-compliance profile indicators

#	Type	Indicator	Remarks
1	Visibility	Automatic Identification System (AIS) ^a	▪ “Dark activity” periods.
2	Route(s)	Destination Ports	▪ The ports of Gabes and Algiers are often inaccurately declared. ▪ Unusual routing from past voyages
3	Ownership	Frequent change of vessel’s owners	▪ Multiple ownership changes. ▪ Lack of corporate on-line presence.
4	Operators	Frequent change of vessel’s operators	▪ Multiple operator presence ▪ Lack of corporate on line presence.
5	Vessel Name	Frequent change of vessel’s name	▪
6	Vessel Tonnage	Tonnage Range	▪ Comparison to tonnage of known non-compliant vessels.
7	Commercial Relationships	Linkages	▪ Links between owners / operators / agents.
8	Flag of Registry	Flags of convenience	▪
9	Documentation	Accuracy	▪ Transparency in supplying to Panel. ▪ Accuracy of completion.
10	Cargo Shielding	Container layout on weather deck	▪ Containers are used to line the edge of the weather deck to shield the remainder of the deck from external view.
11	Cargo Analysis	Volumetric and mass analysis	▪ Does reported weight and packaging match declaration on documentation.
12	Sanction Listings	Current or previous listings of owner, operator or vessel	▪ Previous reports by other UN Panels and Monitoring Groups ▪ Sanctions lists of Member States

^a Or Long Range Identification and Tracking system (LRIT).

Annex 34 Summary of maritime non-compliances (trafficking to GNA-AF)

1. A summary of all non-compliances with paragraph 9 of resolution [1970 \(2011\)](#) for the maritime delivery of arms and military materiel to GNA-AF is shown in table 34.1 below, whilst infographics with more detail and evidence are in the appendices.

Table 34.1

Vessels of interest to the Panel (arms trafficking to GNA-AF chronologically)

Name	IMO	GT	Flag registry at time	Vessel owner	Commercial manager	Date	Delivery confirmed / event	Remarks
Bana	7920857	9,367	Lebanon	Med Wave Shipping S.A., ^a Lebanon	African Mediterranean Lines S.A.L., ^b Lebanon	3 Jan 2020	▪ Called at Misrata port.	▪ See appendix A. ▪ Commercial manager was beneficial owner. Relation with M/V <i>Single Eagle</i> .
						28 Jan 2020	▪ Called at Tripoli port. ▪ <i>Korkut</i> SPAAG ▪ <i>Flirtina</i> 155mm Howitzer T155 ▪ <i>ACV-15</i> FNSS IAFV ▪ 40mm/60 cannon	▪ Crew provided evidence that military materiel offloaded on this voyage.
						07 Jul 2020	.	▪ Vessel arrived in Aliaga, Turkey, to be broken up.
Single Eagle	8708830	6,429	Panama	Dytamar Shipping Limited, Liberia Office in Lebanon ^c	African Mediterranean Lines S.A.L., ^b Lebanon	16 Jan 2020	▪ <i>Korkut</i> SPAAG	▪ See appendix B. ▪ Commercial manager was beneficial owner. Same as M/V Bana
						30 Oct 2020	▪ Vessel arrived in Chittagong, Bangladesh, to be broken up.	
Ana	7369118	7,564	Albania	Shega Trans S.A., ^d Albania	Shega Group S.A., ^d Albania	18 Feb 2020	▪ Called at Tripoli port.	▪ See appendix C. ▪ Targeted by HAF artillery.

<i>Name</i>	<i>IMO</i>	<i>GT</i>	<i>Flag registry at time</i>	<i>Vessel owner</i>	<i>Commercial manager</i>	<i>Date</i>	<i>Delivery confirmed / event</i>	<i>Remarks</i>
			Palau			19 Mar 2020	▪ Renamed Pray, at Haydarpasa port, Istanbul, Turkey.	
						Sept 2020	▪ Renamed VAV, under the flag of Palau.	▪ Authorized by the flag to one single voyage, under tow, in ballast condition and unmanned, from Istanbul to Izmir, Turkey, for demolition.
<i>Cirkin</i>	7728699	5,846	Tanzania	Redline Shipping and Trading Company, ^c Turkey	Avrasya Shipping Co Ltd, ^f Turkey	28 May 2020	▪ Called at Misrata port ▪ M60 MBT. ▪ MiM-23 <i>HAWK</i> .	▪ See appendix D. ▪ Vessel escorted by two Turkish surface assets.
			Sao Tome & Principe (false)			11 June 2020	▪ Called at Misrata port.	▪ Vessel escorted by three Turkish surface assets.
						January 2021	▪ Renamed GUZEL under the flag of Sao Tome & Principe (false)	▪ New flag is fraudulent.

^a c/o African Mediterranean Lines S.A.L., Orient Queen Homes Building, John Kennedy Street, Ras Beirut, Beirut, Lebanon. +961 1 367368. (operations@africamedlines.com).

^b Orient Queen Homes Building, John Kennedy Street, Ras Beirut, Beirut, Lebanon. +961 1 373473. (admin@africamedlines.com).

^c c/o African Mediterranean Lines S.A.L., Orient Queen Homes Building, John Kennedy Street, Ras Beirut, Beirut, Lebanon. +961 1 373473.

^d Ruge Tefta Tashko 10, Tirane, Albania. www.shega-trans.com/. +355 4 255008. (info@shega-trans.com).

^e c/o Avrasya Shipping Co Ltd, Karaca Apartimani, Gezi Caddesi 22/3, Liman Mah, Ilkadim, 55100 Samsun, Turkey. (info@avrasyashipping.com).

^f Karaca Apartimani, Gezi Caddesi 22/3, Liman Mah, Ilkadim, 55100 Samsun, Turkey. (info@avrasyashipping.com).

Appendix A to Annex 34: M/V Bana (IMO 7920857)

1. At the end of January 2020, the Panel identified the merchant vessel M/V *Bana* (IMO 7920857) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple “dark periods” of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port. The Panel identified two particular voyages of interest.

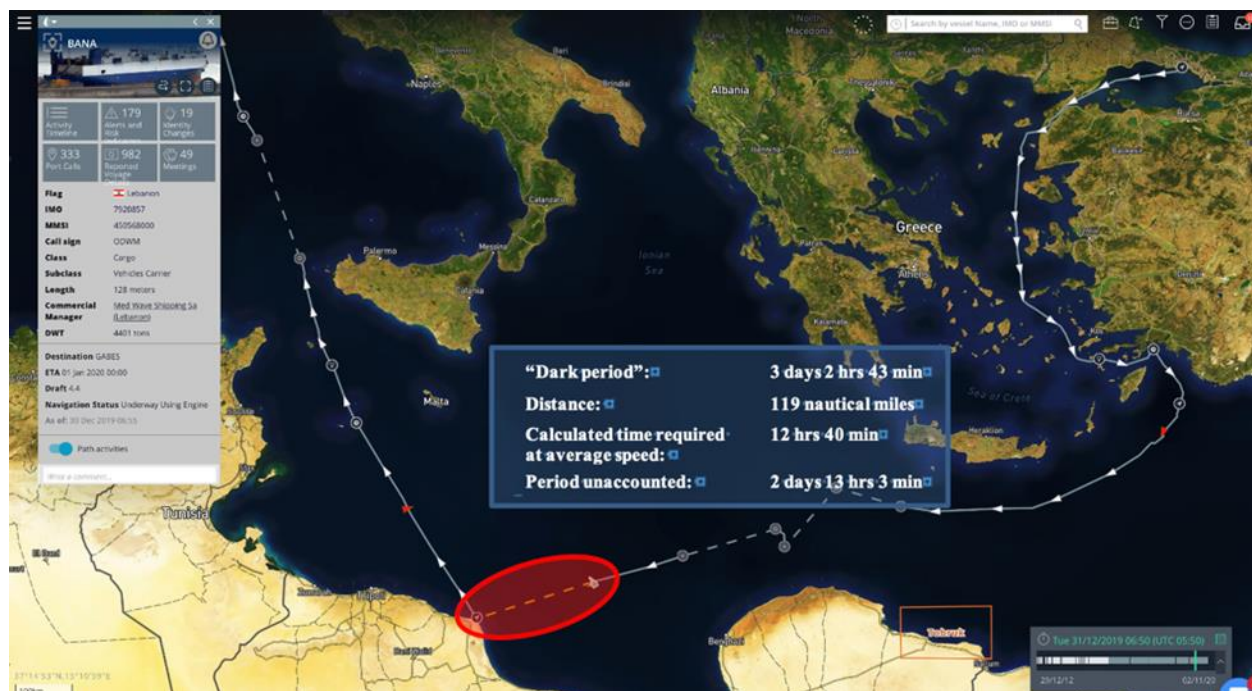
Voyage of Interest 1

2. M/V *Bana* (IMO 7920857) departed Istanbul anchorage area, Turkey, during the early hours on 25 December 2019, with a declared destination port of Gabes, Tunisia. The vessel’s Automatic Identification System (AIS) was disconnected at 06:50 hours³⁸ on 31 December 2019 and was re-connected at 09:35 hours on 3 January 2020, whilst offshore Misrata port, Libya, resulting in a “dark period” of 3 days 2 hours and 43 minutes. There is no evidence of the vessel visiting Gabes, Tunisia.

3. Based on the vessel’s average speed until switching off its AIS, the time required to cover the “dark period” distance would be 12 hours and 40 minutes. Therefore, a time period of 2 days 14 hour and 3 minutes was unaccounted for. See figure 34.A.1.

Figure 34.A.1

Route followed by M/V *Bana* (IMO 7920857) in December 2019 / January 2020 with indication of the “dark period”



Voyage of Interest 2

³⁸ All indicated hours are in Local Time.

4. A subsequent voyage to Libya by M/V *Bana* (IMO 7920857), departed Mersin, Turkey at 07:37 hours on 24 January 2020, with the declared destination port again being Gabes, Tunisia. The vessel's AIS was disconnected at 07:08 hours on 27 January 2020 and was re-connected at 21:41 hours on 29 January 2020, whilst on a track clearly departing from Libya and not Tunisia. This resulted in a "dark period" of 2 days, 14 hours and 33 minutes.

5. Based on the vessel's average speed until switching off its AIS, the time required to cover the "dark period" distance would be 1 day, 5 hours and 48 minutes. Therefore, a time period of 1 Day 8 hours 44 minutes was unaccounted for. In addition, on the late evening of 28 January 2020 and early morning of 29 January 2020 the vessel was identified off Tripoli as being escorted by a Turkish 'Gabya' Class frigate into the port of Tripoli, Libya. See figures 34.A.2 and 34.A.3.

Figure 34.A.2

Route followed by M/V *Bana* (IMO 7920857) in its second voyage of interest in January 2020 with indication of the "dark period"

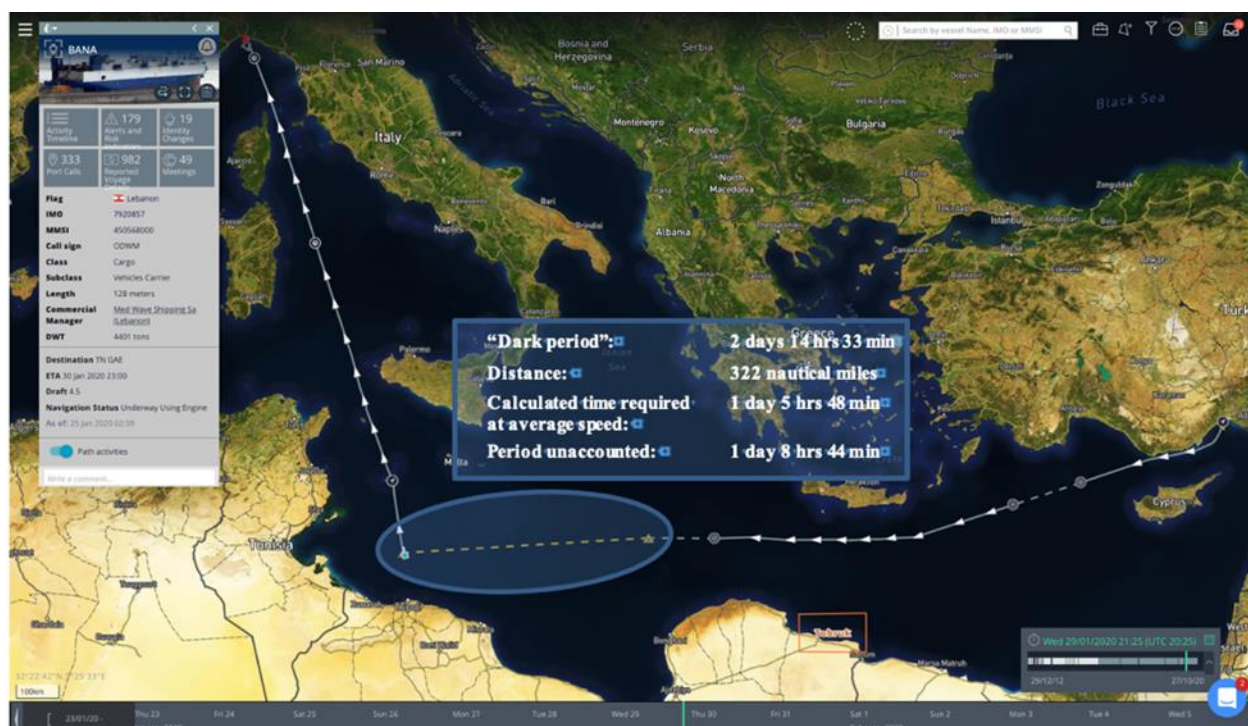


Figure 34.A.3
M/V *Bana* (IMO 7920857) escorted by a 'Gabya' class frigate



6. The Tripoli port call is also confirmed by a bunker delivery note at Tripoli port, dated 29 January 2020, in which is stated that the vessel received bunker fuel between 8:20 and 15:20 hours See figure 34.A.4.

Figure 34.A.4
Bunker delivery note for M/V Bana (IMO 7920857)

Nada Al BEHAR
For Shipping

شركة ندى البحار
للتوكيلات الملاحية

BUNKER DELIVERY NOTE

Vessel Name : Bana Barge name : Marwah
Vessel IMO Number : 7920857 Supply Date : 29-01-2020
Owner/Operator's : African Mediterranean Lines Port : Tripoli

Product	Viscosity @ 50°C	Viscosity @ 40°C	Density @ 15°C	Flash Point °C	Sulphur % max (m/m)	Quantity Metric Tons
IFO	cst	(not applicable)		°C		MT
MGO	(not applicable)	3.01 CST	0.85	68.0 °C	0.050	275
IFO/MGO						

Sample no: MGO IFO
Marpol Sample no: (from barge manifest)
VESSEL: AA 60070
MARPOL: AA 60071
BARGE: AA 60072

METHOD OF SAMPLING: CONTINUOUS DRIP
BUNKER BARGE PUMPING RATE: 80 MT/HOUR
RECEIVING VESSEL'S INTAKE LINE CAPACITY: MT/HOUR

FUELOIL ANALYSIS REPORT NUMBER
GASOIL ANALYSIS REPORT NUMBER
GASOIL (BLENDING) ANALYSIS REPORT NUMBER

17020/2020

Barge Alongside Date	Hose Connected Date	Start Pumping Date	Finish Pumping Date	Barge Departed Date
29-01-2020	29-01-2020	29-01-2020	29-01-2020	29-01-2020

The Marine Fuel(s) described herein, is/are ordered by the Captain/Master of the receiving vessel(s), are delivered in accordance with general terms and conditions (GTC) of sale (a copy of which has been provided to buyer before delivery) and on credit of the vessel. And disclaimers as to creation of a maritime lien in the amount of the purchase price and delivery charges and/or restrictions as to the authority of the ship's officer signing this receipt to bind the vessel and her owner to the above are null and void.

OUR GTC (GENERAL TERMS & CONDITIONS) IS AN ESSENTIAL AND COMPLEMENTARY PART OF THIS DOCUMENT AND SALE AGREEMENT. THE FUEL SUPPLIED IN THIS DELIVERY IS IN CONFORMITY WITH REGULATION 16(1) OR 16(2) AND REGULATION 18(1) OF ANNEX VI OF MARPOL 73/78.

Supplier's Confirmation **Receiving Vessel's Confirmation**

SIGNATURE: *[Signature]*
MASTER OF M.T. MARWAH
STAMP

M/V BANA
CH ENG
SIGNATURE: *[Signature]*
MASTER/CHIEF ENG. of M.V.
STAMP

BANA
IMO NUM
7920857
BEIRUT

C.R.N. 1527 21472 Tel: 644 7000 Fax: 644 2821 E-Mail: bank@nabehar.com
EDUCATION (DIPLOMA)

Source: Confidential.

7. M/V *Bana* (IMO 7920857) departed Tripoli, Libya, for destination Genoa, Italy, where the vessel was seized and its captain arrested, on 6 February 2020. This as result of an investigation initiated by the local authorities related to the Tripoli visit.

Military materiel trafficked in violation of the arms embargo

8. The Panel has had access to the written testimonies of three crew members of M/V *Bana* (IMO 7920857) regarding both the above referred voyages. The testimonies were provided to the Italian authorities in the context of the ongoing investigation and judicial procedures initiated after the seizure of the vessel and arrest of its Captain on 6 February 2020. According to these testimonies:

- (a) The stop in the port of Mersin, Turkey, corresponding with the second voyage of interest (22 to 24 January 2020) was not initially included in the navigation plan;
- (b) While in Mersin, Turkey, tanks, trucks with rocket launchers and machine guns, all-terrain vehicles and containers marked with stickers indicating ‘explosive’ were loaded on board of the vessel;
- (c) Instead of proceeding to Gabes, Tunisia, as planned, the vessel diverted its course towards Tripoli, Libya, while escorted by two Turkish frigates;
- (d) On the evening of 28 January 2020, the vessel arrived at Tripoli port, Libya, where the military materiel was unloaded under the control of Libyan and Turkish military personnel;
- (e) Ten soldiers from the Turkish army embarked the vessel in Mersin, Libya, and disembarked in Tripoli, Libya;
- (f) There were multiple and deliberate disconnections of the AIS to conceal the whereabouts of the vessel at the different stages of the voyage; and
- (g) The vessel had conducted previous trips from Turkey to Libya loaded with similar military materiel.

9. The Panel obtained access to images taken by the crew on board M/V *Bana* (IMO 7920857) during the second voyage of interest. Military materiel is clearly visible (figure 34.A.5). There is also an image taken from the bridge in which the escorting ‘Gabya’ class frigate is visible (figure 34.A.6).

Figure 34.A.5

'Firtina' T-155 Howitzer (sand colour) and 'Korkut' SSA Twin 35 mm cannon (green camouflage) on board M/V *Bana* (IMO 7920857)



Figure 34.A.6

M/V *Bana* (IMO 7920857) being escorted by a 'Gabya' class frigate off Tripoli

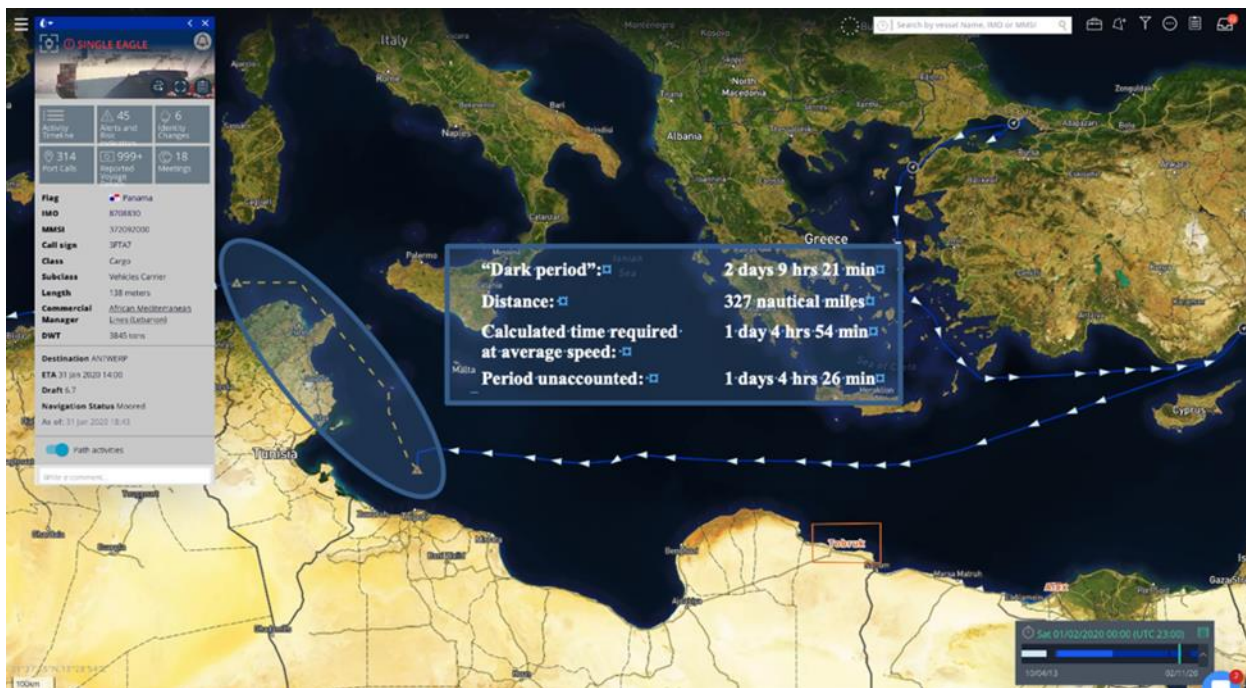


Appendix B to Annex 34: M/V Single Eagle (IMO 8708830)

1. In January 2020, the Panel identified the merchant vessel M/V *Single Eagle* (IMO 8708830) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple “dark periods” of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port.
2. The M/V *Single Eagle* (IMO 8708830) departed Mersin, Turkey, on 12 January 2020, with a declared destination port of Algiers, Algeria. When 53 nautical miles off the Libyan coast the vessel changed course onto a heading of 90 degrees, the most direct track for Tripoli, Libya. The vessel’s AIS was disconnected at 08:47 hours on 15 January 2020, soon after the course change, and re-connected at 18:08 hours on 17 January 2020, resulting in a “dark period” of 2 days, 9 hours and 21 minutes.
3. Based on the vessel’s average speed until switching off its AIS, the time required to cover the “dark period” distance would be 1 day, 4 hours and 54 minutes. Therefore, a time period of 1 day, 4 hour and 26 minutes was unaccounted for. See figure 34.B.1.

Figure 34.B.1

Route followed by M/V *Single Eagle* (IMO 8708830) in December 2019 / January 2020 with indication of the “dark period”



4. The Tripoli port call is confirmed by a bunker delivery note at Tripoli port, dated 16 January 2020, in which is stated that the vessel received bunker between 4:30 and 11:30 hours. See figure 34.B.2.

Figure 34.B.2
Bunker delivery note for M/V Single Eagle (IMO 8708830)

Nada Al BEHAR For Shipping		شركة ندى البحار للتوكيلات الملاحية
BUNKER DELIVERY NOTE		
Vessel Name : Single Eagle	Barge name : Marwah	
Vessel IMO Number : 8708830	Supply Date : 16-01-2020	
Owner/Operator's : African Mediterranean Lines	Port : Tripoli	

Product	Viscosity @ 50° C	Viscosity @ 40° C	Density @ 15° C	Flash Point °C	Sulphur % max (m/m)	Quantity Metric Tons
IFO	cst	(not applicable)	0.86	68.0 °C	0.050	258
MGO	(not applicable)	3.01 CST				

IFO/MGO Sample no. Marpol Sample no. (from barge manifest) VESSEL MARPOL BARGE	MGO AA 60055 AA 60058 AA 60059	IFO _____ _____ _____	METHOD OF SAMPLING CONTINUOUS DRIP	BUNKER BARGE PUMPING RATE: 40 MT/HOUR RECEIVING VESSEL'S INTAKE LINE CAPACITY: MT/HOUR
--	---	--	---	---

FUELOIL ANALYSIS REPORT NUMBER					
GASOIL ANALYSIS REPORT NUMBER					
GASOIL (BLENDING) ANALYSIS REPORT NUMBER					
Barge Alongside Date	Hose Connected Time	Start Pumping Date	Finish Pumping Date	Barge Disconnected Date	
16-01-2020	04:30	16-01-2020	05:30	16-01-2020	16-01-2020

The Marine fuel(s) described herein, as ordered by the Captain/Master of the receiving vessel, are delivered in accordance with general terms and conditions (GTC) of sale (a copy of which has been provided to buyer before delivery) and on credit of the vessel. And disclaims as to quality of a maritime lien in the amount of the purchase price and delivery charges and/or restrictions as to the authority of the ship's officer signing this receipt to bind the vessel and her owner to the above are null and void.

OUR GTC (GENERAL TERMS & CONDITIONS) IS AN ESSENTIAL AND COMPLEMENTARY PART OF THIS DOCUMENT AND SALE AGREEMENT. THE FUEL SUPPLIED IN THIS DELIVERY IS IN CONFORMITY WITH REGULATION 16/1 OR 16/2 AND REGULATION 16/3 OF ANNEX VI OF MARPOL 73/78.

Supplier's Confirmation SIGNATURE :  MASTER OF M.T. MARWAH STAMP : 	Receiving Vessel's Confirmation SIGNATURE :  MASTER OF M.V. ENG. EL M.V. STAMP : 
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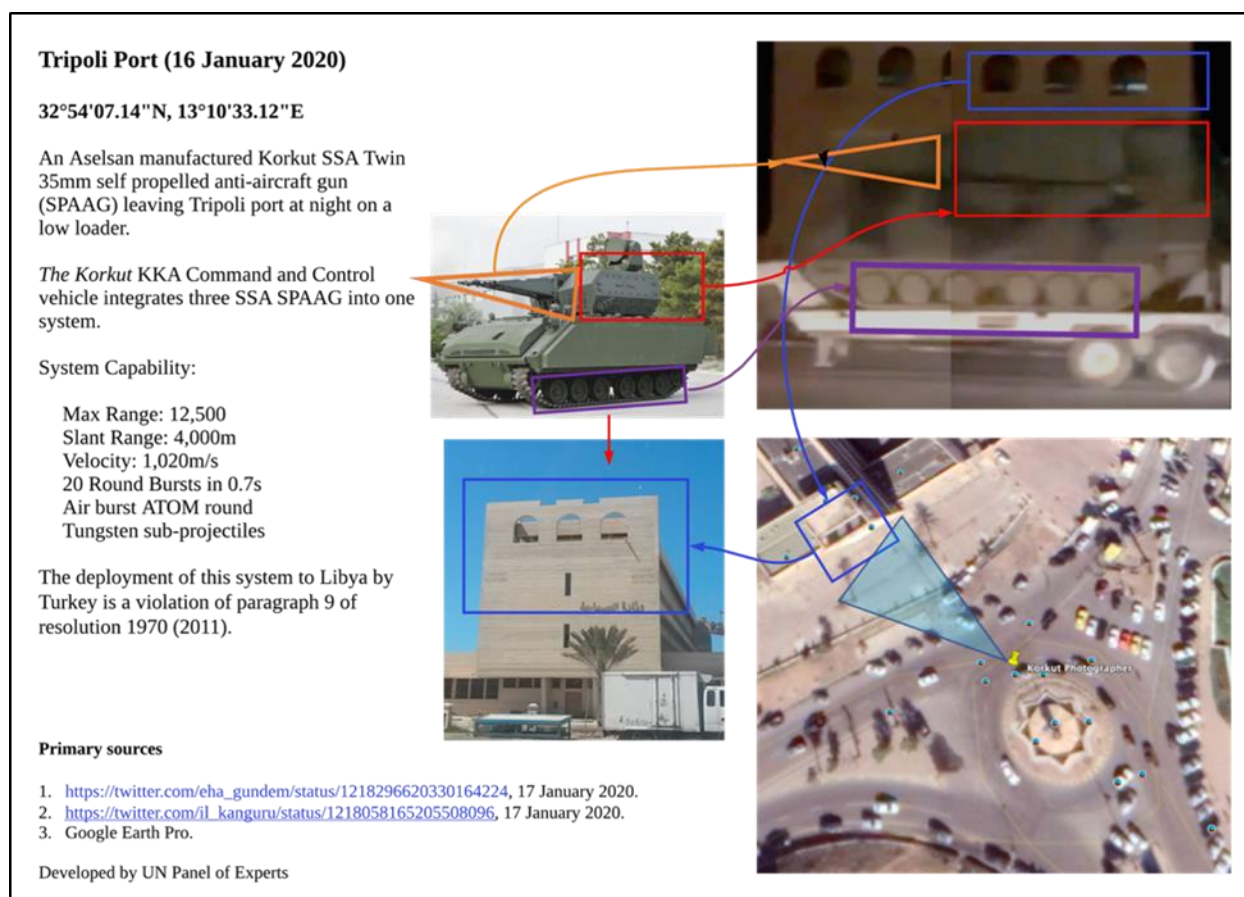
CHARTERED BY: ... / SPO: 21472 Tel: 647056 Fax: 647051 E-Mail: ...@nabehar.com

Source: Confidential.

5. On 16 January 2020, social media reported that M/V *Single Eagle* (IMO 8708830) had made an undeclared, covert port call to Tripoli where it off loaded some cargo and then departed.³⁹ The timing of the report is consistent with the approximate period of port call of M/V *Single Eagle* (IMO 8708830).
6. Social media also recorded the movement from Tripoli port of low loader vehicles of tracked armoured vehicles of a type not seen in Libya before.⁴⁰
7. The Panel has geo-referenced the images to Tripoli port gates, that show a low loader transporting an Aselsan manufactured Korkut SSA Twin 35mm self-propelled anti-aircraft gun from the docks. See figure 34.B.3.

Figure 34.B.3

Korkut SSA Twin 35mm gun leaving Tripoli Port on a low loader



³⁹ https://twitter.com/Rjaonkey_mhamad/status/1217744456394444800/photo/1, 16 January 2020.

⁴⁰ <https://twitter.com/MstrMax11/status/1217953086884536326>, 16 January 2020.

Appendix C to Annex 34: M/V Ana/Pray (IMO 7369118)

1. In March 2020, the Panel identified merchant vessel M/V Ana (IMO 7369118) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple “dark periods” of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port.

2. On 9 February 2020 the M/V Ana (IMO 7369118) departed Mersin, Turkey, central berth 14, at 13:31 hours⁴¹, with a declared destination port of Gabes, Tunisia. The vessel’s AIS went dark from 21:44 hours on 12 February 2020. The vessel was identified as being present in the Port of Tripoli, Libya on 18 February 2020, when it was the target of an attack by armed forces affiliated to Khalifa Haftar. See figure 34.C.1.

Figure 34.C.1

M/V Ana (IMO 7369118) present at Tripoli port on 18 February 2020



Source: <https://twitter.com/YorukIsik/status/1229941521417457664>, 18 February 2020

3. Note that the owner’s name (Shega Line) had been removed from the hull of the vessel, and the Albanian national emblem removed from the exhaust pipes. See figure 34.C.2.

⁴¹ All indicated hours are in Local Time.

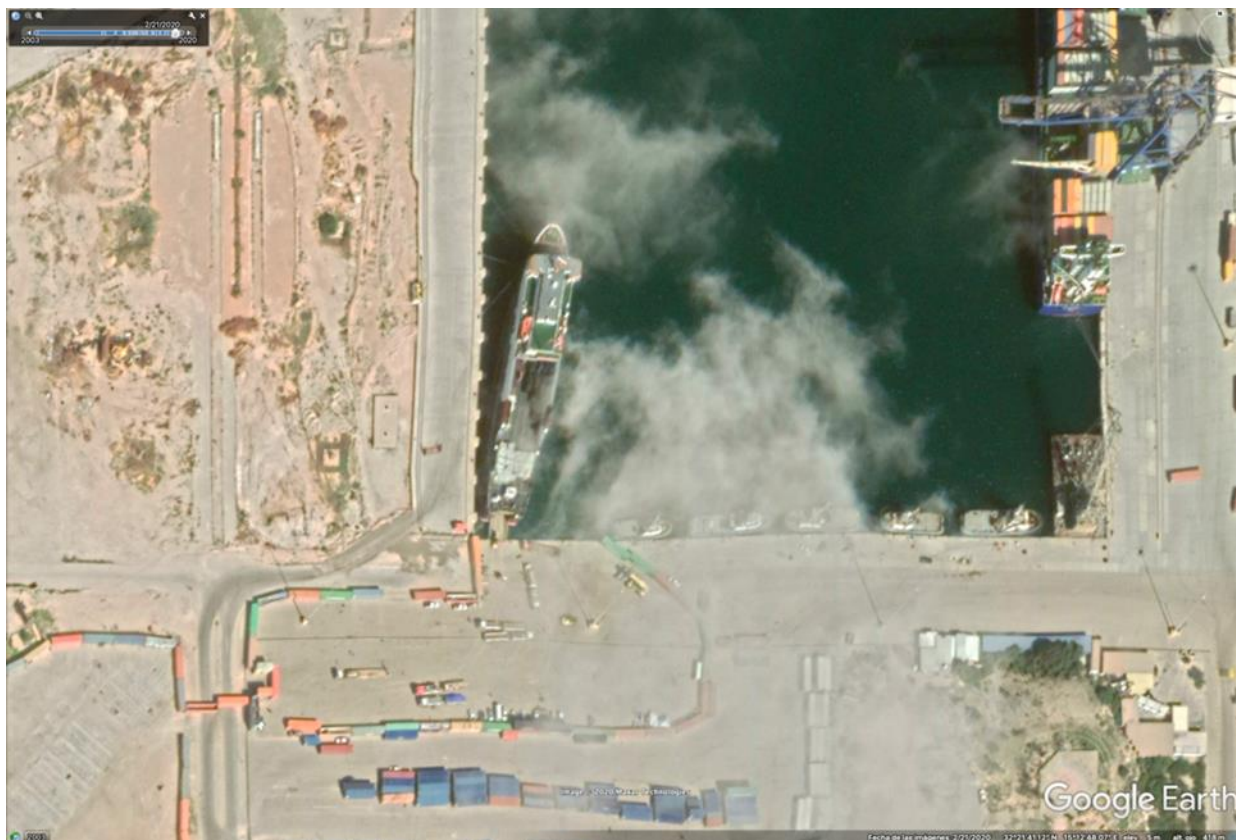
Figure 34.C.2
M/V Ana (IMO 7369118) present at Koper, Slovenia, on 27 December 2019



Source: Marjan Stropnik on Marine Traffic. <https://www.marinetraffic.com/ar/photos/of/ships/shipid:6162062/#forward>. Accessed 7 January 2021.

4. The vessel was later identified offloading cargo at Misrata port on 21 February 2020. The operation was concealed by a barrier of containers. Its AIS remained disconnected. See Figure 34.C.3.

Figure 34.C.3
M/V Ana (IMO 7369118) present at Misrata port on 21 February 2020



Source: Maxar Technologies for Google Earth.

5. The vessel re-connected its AIS at 10:16 hours on 8 March 2020, whilst on a direct track departing from Misrata, Libya, resulting in a “dark period” of 24 days 12 hours and 31 minutes. There is no evidence of the vessel ever visiting Gabes, Tunisia as declared.

6. Based on the vessel’s average speed until switching off its AIS, the time required to cover the “dark period” distance would be 12 hours and 4 minutes. Therefore, a time period of 24 days and 26 minutes was unaccounted for. See Figure 34.C.4.

Figure 34.C.4

Route followed by M/V Ana (IMO 7369118) with indication of the “dark period”



7. M/V *Ana* (IMO 7369118) called at Haydarpasa port, Turkey, berth number 7, at 20:26 hours on 11 March 2020. At 04:52 hours on 15 March 2020 the vessel moved to berth number 10. See figure 34.C.6.

Figure 34.C.6

View of Haydarpasa port, berth number 10.



Source: Google Street View.

8. At 17:08 hours, on 16 March 2020, an image of M/V *Ana* (IMO 7369118) was taken at Haydarpasa port, Turkey, berth number 10, in which it can be distinguished that the name “Pray” is now written in the hull. See Figure 34.C.7

Figure 34.C.7

M/V *Ana* (IMO 7369118) displaying the name “*Pray*”, at Haydarpasa port, berth number 10, on 16 March 2020

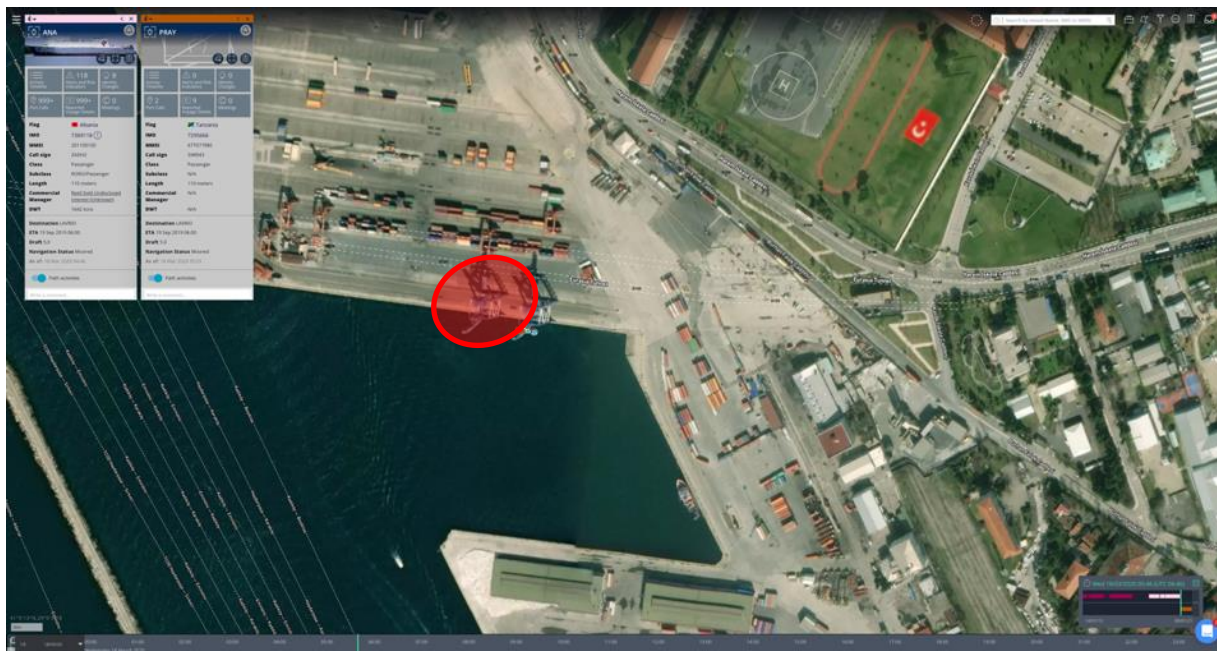


Source: Yoruk Isik on Marine Traffic. <https://www.marinetraffic.com/ar/photos/of/ships/shipid:6162062/#forward>, Accessed 7 January 2021.

9. M/V *Ana/Pray* (IMO 7369118) disconnected its AIS at 05:46 on 18 March 2020. Only 9 minutes later, at 05:55 hours, a new AIS signal is displayed from same berth number 10, Haydarpasa port, Turkey. The signal was identifying a 110-meter length, Tanzanian-flagged, passenger vessel, named *Pray*, with IMO number 7295666. See figure 34.C.8.

Figure 34.C.8

AIS signals of M/V *Ana* (IMO 7369118) and M/V *Pray* (false IMO 7295666) displayed on the same location within 9 minutes time-lapse, on 18 March 2020



10. Note that:

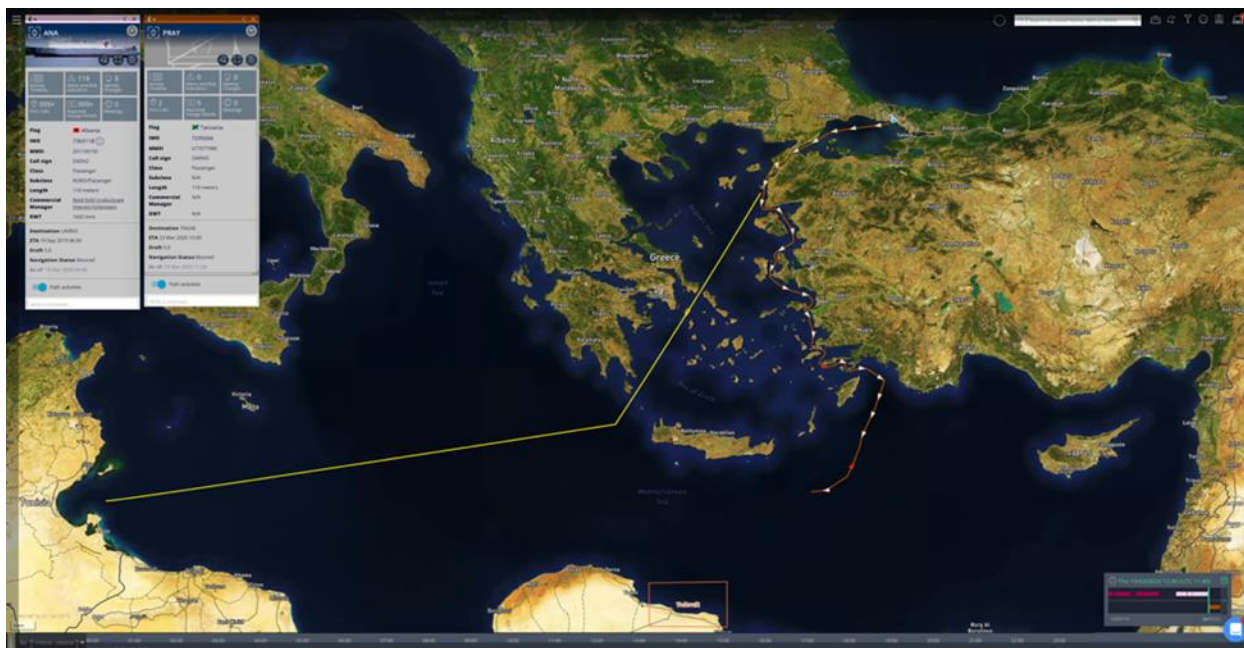
- (a) M/V *Ana* (IMO 7369118) and M/V *Pray* (false IMO 7295666) displayed their AIS signals at the exact same location within a 9-minute interval;
- (b) The signal displayed by M/V *Pray* (false IMO 7295666) indicated a vessel of identical length as M/V *Ana* (IMO 7369118); and
- (c) M/V *Ana* (IMO 7369118) has not displayed any AIS signal since it was last disconnected.

11. According to the IMO number scheme manager, IHS Maritime, the IMO number 7295666, displayed by M/V *Pray*, is a number that has never been used or issued to any vessel.

12. M/V *Ana* (IMO 7369118), renamed as M/V *Pray* and displaying false IMO number 7295666, departed Haydarpasa port, Turkey, at 12:46 hours on 19 March 2020 with a declared destination port of Gabes, Tunisia. Despite its declared destination, the vessel did not follow the shortest and most economical route, but one along the Turkish coast designed to avoid Greek territorial waters. See figure 34.C.9

Figure 34.C.9

Route followed by M/V *Ana* (IMO 7369118) renamed as M/V *Pray*, with indication of the usual commercial route



13. At 08:35 hours on 23 March 2020, while on a track consistent with Gabes, Tunisia, M/V *Ana* (IMO 7369118), renamed as M/V *Pray*, conducted a sharp change of course. According to social media, the change in the course was the result of the intervention of French Frigate *Provence* (D652).⁴² The vessel set sail to Antalya, Turkey, where it remained anchored between 26 and 29 March 2020. According also to social media, the vessel was escorted by two Turkish Navy *Gabya* class frigates.⁴³

14. At 21:22 hours on 31 March 2020, M/V *Ana* (IMO 7369118), renamed as M/V *Pray*, called at Mersin port, Turkey, passenger terminal number 1, where it remained until 23:30 hours of 6 April 2020.

15. At 10:19 hours on 12 April 2020, the vessel called to Haydarpasa port, Turkey, berth number 10. At 18:40 on 21 May 2020, the vessel was moved to berth number 5, where it displayed its AIS signal, with a large number of interruptions, until 18 November 2020. See figure 34.C.10

⁴² <https://almarsad.co/en/2020/03/28/french-navy-intercepts-ship-with-turkish-weapons-heading-for-libya/>

⁴³ <https://twitter.com/AegeanHawk/status/1243851532124270592?s=20>

Figure 34.C.10
M/V Ana (IMO 7369118) present at Haydarpasa port, Turkey, berth number 5, on 25 August 2020



Source: Maxar Technologies for Google Earth.

16. In September 2020, M/V *Ana* (IMO 7369118) was renamed M/V *Vav* and registered under the flag of Palau. It was authorized by the flag to conduct one single voyage, to Izmir, Turkey, under tow, on ballast condition and unmanned, for demolition. The certificate of registry expired on 11 January 2021.

17. The Panel finds that M/V *Ana* (IMO 7369118) conducted a partial / incomplete offload in Tripoli port. A barrier of containers was used to shield the offloading in Misrata.

18. According to social media, a new delivery of weapon systems was received on 21 February 2020, when M/V *Ana* (IMO 7369118) was being offloaded in Misrata.⁴⁴

⁴⁴ <https://www.facebook.com/2383067438376999-الصمود-لواء-الضوء/photos/a.2383155261701550/3362817587068641>

Appendix D to Annex 34: M/V Cirkin (IMO 77286990)

1. In June 2020, the Panel identified merchant vessel M/V *Cirkin* (IMO 7728699) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple “dark periods” of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port.
2. On 24 May 2020 the M/V *Cirkin* (IMO 7728699) departed Haydarpasa port, Turkey, berth number 7, at approximately 11.30 hours⁴⁵, with a declared destination port of Alexandria, Egypt. At 09:21 hours on 26 May 2020, while heading west 157 nautical miles north of Marsa Matruh, Egypt, the vessel changed its destination to Gabes, Tunisia.
3. The Panel finds this was done to justify not following the shortest and most economical route, but one along the Turkish coast designed to avoid Greek territorial waters. See figure 34.D.1.

Figure 34.D.1

Route followed by M/V *Cirkin* (IMO 7728699) on its first voyage with indication of the usual commercial route



4. Although the vessel’s AIS was connected during the whole voyage, its IMO number and home port were no longer displayed on the hull. Its name was changed to “Kin”.
5. During its voyage, M/V *Cirkin* (IMO 7728699) was escorted by two Turkish naval vessels.
6. M/V *Cirkin* (IMO 7728699) called at Misrata port, Libya, at 11:26 hours on 28 May 2020. The vessel berthed prior to all other vessels in the port area. Containers were used to conceal the offloading.
7. M/V *Cirkin* (IMO 7728699) departed Misrata at 09:16 hours on 29 May 2020. The vessel called at Haydarpasa port, Turkey, berth number 7, at 07:14 hours on 4 June 2020. At 12:57 hours on the same day the vessel moved to berth number 10.

⁴⁵ All hours are in Local Time unless otherwise indicated.

8. M/V *Cirkin* (IMO 7728699) then departed Haydarpasa port, Turkey, berth number 10, at 12:33 hours on 7 June 2020, with again a declared destination port of Gabes, Tunisia. As in its previous voyage, the vessel did not follow the shortest and most economical route, but one along the Turkish coast designed to avoid Greek territorial waters. See figure 34.D.2.

Figure 34.D.2

Route followed by M/V *Cirkin* (IMO 7728699) on its second voyage with indication of the usual commercial route



9. During its second voyage, M/V *Cirkin* (IMO 7728699) was escorted by a Turkish Naval Task Force comprising the *Gabya* class frigates *Gokceada* (F494) and *Gokoba* (F496) and the *Barbaros* class frigate *Orucreis* (F245). These Turkish assets were declared to be providing associated support to the NATO Operation SEA GUARDIAN.⁴⁶

10. At 03:40 hours (UTC) on 10 June 2020, the vessel was interrogated by Operation IRINI naval assets. One of the Turkish frigates escorting the vessel replied informing that M/V *Cirkin* (IMO 7728699) was: (1) chartered by the Turkish State; (2) under their control and protection; and (3) transporting medical supplies to Libya. Later that day, at 16:58 hours (UTC), M/V *Cirkin* (IMO 7728699) was interrogated by an Operation SEA GUARDIAN Naval asset. Although the answers provided were consistent with the previous ones, the Turkish Naval Force hindered attempts to approach the vessel by navigation manoeuvres including the use of radar emissions from the TMKu fire control radar of Turkish frigate *Orucreis* (F245) and a TMX fire control system.

11. M/V *Cirkin* (IMO 7728699) called at Misrata port, Libya, at 11:27 hours on 11 June 2020. On arrival, the vessel berthed immediately prior to all other vessels in the port waiting area. Containers were once again used to shield the offloading operation.

⁴⁶ <https://mc.nato.int/missions/operation-sea-guardian>.

12. The Panel finds that:

- (a) The Turkish Navy claims that M/V *Cirkin* (IMO 7728699) transported medical supplies are totally unconvincing; and
- (b) M/V *Cirkin* (IMO 7728699), and the Turkish Navy escort frigates *Orucreis* (F245), *Gokceada* (F494) and *Gokoba* (F496), all violated paragraph 9 of resolution [1970 \(2011\)](#).

Annex 35 Summary of maritime non-compliances (trafficking to HAF)

1. A summary of all non-compliances with paragraph 9 of resolution [1970 \(2011\)](#) for the maritime delivery or arms and military materiel to HAF is shown in table 35.1 below, whilst infographics with more detail and evidence are in the appendices and in 0.

Table 35.1

Vessels of interest to the Panel (arms trafficking to HAF (chronologically))

<i>Name</i>	<i>IMO</i>	<i>GT</i>	<i>Flag registry</i>	<i>Vessel owner</i>	<i>Commercial manager</i>	<i>Date</i>	<i>Delivery confirmed / event</i>	<i>Remarks</i>
<i>Sunrise Ace</i>	9338840	58,685	Bahamas	Snowscape Car Carriers S.A. ^a Japan	Mitsui Osk Lines Ltd, ^b Japan	2 Jan 2020	▪ 500+ 4x4 for conversion to “Technical”.	▪ See appendix A ▪ Loaded in Amman, Jordan. ▪ Offloaded in Misrata.
<i>Gulf Petroleum 4</i>	9439345	8,539	Liberia	AA Marine Inc, ^c UAE	Gulf Shipping Services FZE, UAE ^c	13 Mar 2020	▪ 10, 954 tonnes of Jet A-1.	▪ See 0. ▪ Loaded in Sharjah. ▪ Offloaded in Benghazi.
<i>Royal Diamond 7</i>	9367437	8,539	Marshall Islands	Gsh2 Chem-Prod Carrier I As ^f Singapore	Hanjin Overseas Tanker Pte Ltd ^g Singapore	10 Sep 2020	▪ 10,245 tonnes of Jet A-1	▪ See 0. ▪ Offload expected in Benghazi but aborted. ▪ Boarded by Operation IRINI. ▪ Ownership and management fully cooperated with the Panel.

^a A subsidiary of Mitsui O.S.K. Lines, Shosen Mitsui Building 1-1 Toronomon 2-Chome, Minato-ku, Tokyo 105-8688. (www.mol.co.jp).

^b Shosen Mitsui Building 1-1 Toronomon 2-Chome, Minato-ku, Tokyo 105-8688

^c Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, United Arab Emirates. +971 6 740 9982.

^c Gulf Shipping Services FZC, Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, UAE. Fax: +971 6 740 9982. (gulf.petroleum@hotmail.com).

^d c/o Ims Hellenic Co. 9, Filellinon Street, 185 36 Piraeus, Greece. +30 210 429 2714. (ims.hellenic@gmail.com).

^e 9, Filellinon Street, 185 36 Piraeus, Greece. +30 210 429 2714. (ims.hellenic@gmail.com).

^f 58-00, One Raffles Place, 1, Raffles Place, Singapore 048616. +65 6533 1040

^g 07-01, PSA Building, 460, Alexandra Road, Singapore 119963. +65 6373 5153. (chem@hanjin.com).

Appendix A to Annex 35: M/V *Sunrise Ace* (IMO 9338840)

1. The M/V *Sunrise Ace* (IMO 9338840) departed Aqaba New Port, terminal number 4, Jordan, at 07:29 hours⁴⁷ on 26 December 2019 and called at Benghazi port, Libya, at 21:46 hours on 1 January 2020.
2. The Panel identified that M/V *Sunrise Ace* (IMO 9338840) offloaded over 500 4x4 vehicles suitable for conversion to “technicals”. The Panel noted from social media that a large number of 4x4 vehicles were for the use by forces affiliated to Khalifa Haftar.⁴⁸ During the offload an individual was heard to say “these are for the Marshall” meaning Haftar. See figure 35.A.1.

Figure 35.A.1

Footage caption of the vehicles on board M/V *Sunrise Ace* (IMO 9338840).



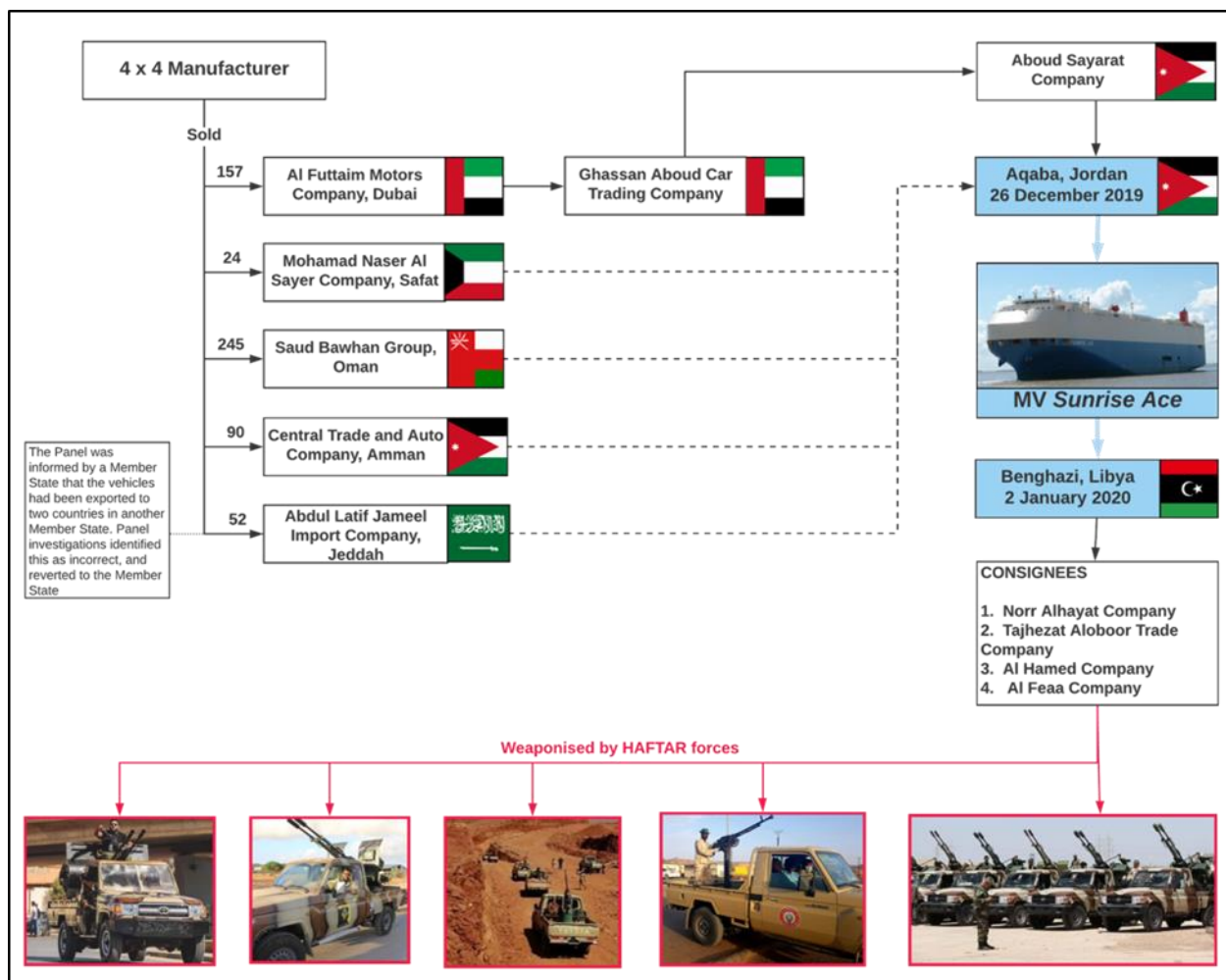
Source: <https://www.facebook.com/watch/?v=2315215998580109>, 2 January 2020.

Figure 35.A.2

Infographic for M/V *Sunrise Ace* (IMO 9338840)

⁴⁷ All hours in Local Time.

⁴⁸ See video imagery where an individual clearly states “ (...) *this is following the orders of the Marshall* (...) *This is 2020 , they are here to support all the fronts*”. The Marshall being Khalifa Haftar. <https://www.facebook.com/watch/?v=2315215998580109>, 2 January 2020. Last accessed January 2021



Annex 36 Infographic for Dehleyvah ATGM

16 November 2019

Imagery from Libyan social media shows what is almost certainly an Iranian manufactured *Dehleyvah* anti tank guided missile (ATGM) system in possession of an armed group affiliated to the GNA (GNA-AF).

The system can be positively identified as a *Dehleyvah* ATGM by these distinctive features: 1) end cap chamfer; 2) position and type of script; 3) overall body colour; and 4) extruded tube material.

The transfer of this MLRS to Libya is a non-compliance to paragraph 9 of resolution 1970 (2011).



Stock image of *Dehleyvah* ATGM from S/2018/594



Primary sources

1. <https://twitter.com/Oded121351/status/1195782673760997379>, 16 November 2019.
2. <https://m.facebook.com/الطايح-الغور-دلا-تادام-م-ي-ب-ل-ل-ش-ج-ل-111093587002043/>.
3. www.ihs.janes.com. (Subscription). 4 March 2020.
4. Annex 42 to Panel report S/2018/594. *Dehleyvah* ATGM annex.

Developed by UN Panel of Experts

Annex 37 Infographic for FNSS ACV-15

Onboard MV *Bana* (28 January 2020)

32°54'16"N, 13°11'01"E

The Turkish manufactured **FNSS ACV-15** armoured fighting vehicle (AFV) was first identified on board the MV *Bana* (IMO 7920857) prior to unloading.

MV *Bana* made this voyage from Mersin, Turkey to Tripoli, Libya from 24 to 28 January 2020. On calling at Genoa, Italy on 3 February 2020 the vessel was detained and the Master arrested.

An FNSS ACV-15 was subsequently observed on social media in the area of Ain Zara, south east of Tripoli on 21 March 2020, having been captured by LNA forces from the GNA-AF.

The deployment of this system to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).



Stock image of FNSS ACV-15
(with different modular weapon mount)



Primary sources

1. Twitter, @LNA2019M, 30 January 2019.
2. [customer.janes.com](https://www.janes.com). (Subscription). 27 January 2020.
3. Confidential source for imagery on board MV *Bana*.
4. <https://twitter.com/Oded121351/status/1241386418481569795>. 21 March 2020.
5. <https://twitter.com/Oded121351/status/1241642995763552256>. 22 March 2020.
6. <https://www.facebook.com/watch/?v=2958199914226208>. 22 March 2020.

Developed by UN Panel of Experts

Annex 38 Infographic for Harpy loitering munition

Western Libya (6 April 2020)

This is highly probably the remnants of an Israeli Aircraft Industries (IAI) *Harpy* Loitering Munition System. The engine cowl (in red circle) is distinct to the IAI *Harpy* weapon systems and different to that used in the larger IAI *Harop*.

The *Harpy* has a communication range of 200km, but it is believed it can be programmed to fly to a "loiter area" at greater range. The system has an endurance of 9 hours at 15,000 feet altitude, and contains a 16kg explosive warhead. It is designed to target radar systems in a Suppression of Enemy Air Defence (SEAD) role, and can operate autonomously when it detects a radar emission in its "loiter area" or be guided by an operator using its electro-optical system within its 200km communication range.

Confirmed to have been supplied to Turkey, it is assessed that this system was transferred in support of the GNA to neutralise the UAE SA-22 *Pantsir* AD system deployed in support of HAF by forcing that system to limit radar emissions.



Primary sources

1. <https://twitter.com/RALee85/status/1247194276179689472>, 6 April 2020.
2. www.ihs.janes.com. (Subscription). 6 April 2018.
3. www.iai.co.il/p/harop, accessed 7 April 2020.
4. <https://uavenginesltd.co.uk/products/ar731-38-bhp/>, accessed 7 April 2020.

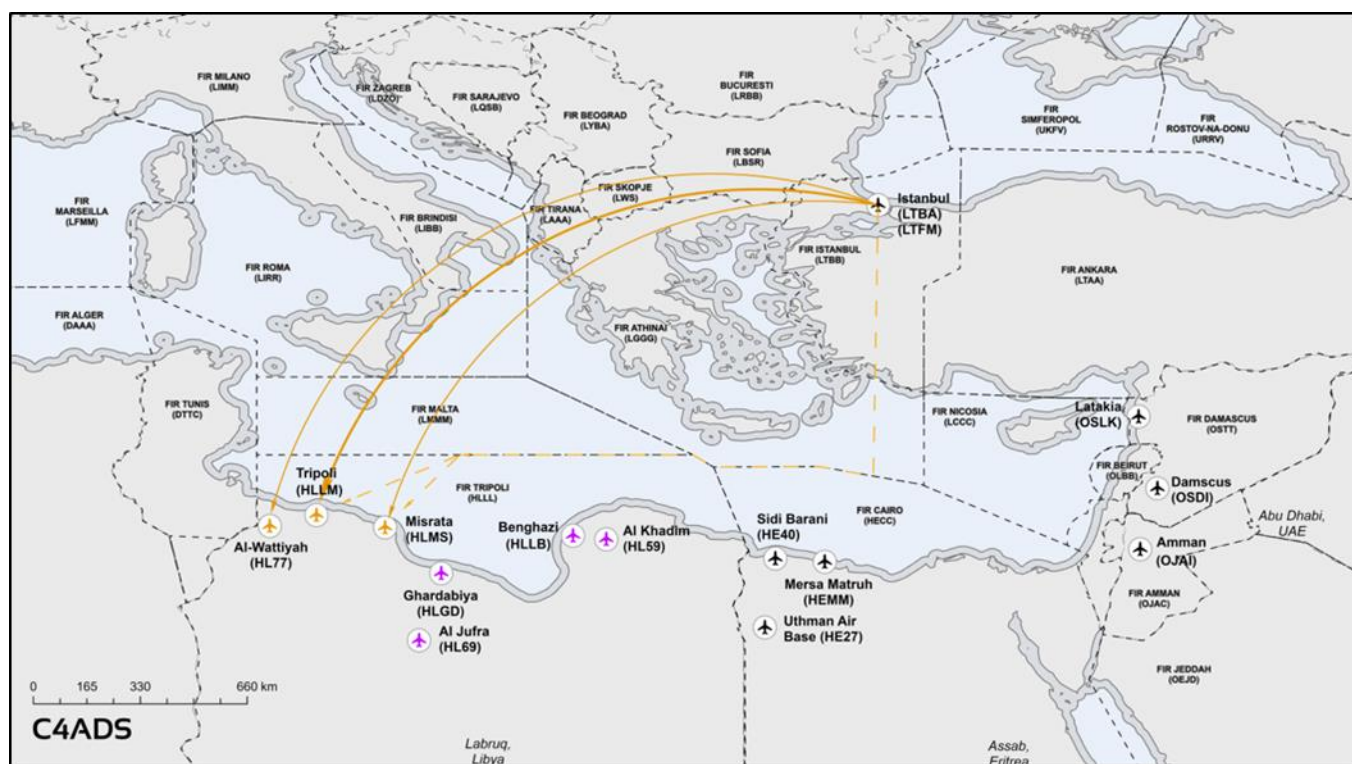
Developed by UN Panel of Experts.

Annex 39 Airbridges in support of the GNA-AF

1. The Panel has used a wide range of sources⁴⁹ to identify an increase in covert, non-scheduled and/or charter civilian flights from primarily Turkey to Western Libyan airports controlled by GNA-AF. The Panel has written to the States of the owners and operators of the aircraft listed in the appendices requesting copies of the flight manifests and air waybills for these particular flights.
2. The GNA-AF is almost certainly using civilian commercial airlines to form a major part of its supply chain for military materiel. There are regular flights from Western Libya to Turkey, yet it is almost impossible to book a seat on any of these flights. The Panel has identified the aircraft and operators shown in table X.1.1 as of particular interest. All of these aircraft have routinely used their aircraft registration number rather than a flight callsign when communicating with air traffic control and broadcasting on ADS-B. This is unusual, and a strong indicator that the flight is not for fare paying passengers. Suspicious flights are routine.

Figure 39.1

Overview of GNA-AF airbridges⁵⁰



⁴⁹ Flight data for flights shown in all of the annexes is based on data received from a combination of : 1) Confidential sources; 2) www.flightradar24.com; 3) www.radarbox.com; 4) www.italmilitaradar.com; 5) C4ADS analysis; 6) Twitter @Gerjon ; and 7) Twitter @YorukIsik.

⁵⁰ Base map courtesy of C4ADS.

Table 39.1

Libyan registered commercial aircraft of interest to the Panel

<i>A/C #</i>	<i>A/C type</i>	<i>Hex Code</i>	<i>Operated by</i>	<i>Owned by</i>	<i>Remarks</i>
5A-LAP	A320-214	018078	Libyan Airlines ^a	Operator	▪ Wholly owned by Government of Libya.
5A-LAQ	A320-214	01807A	Libyan Airlines	Operator	▪
5A-LAR	A320-202	01807B	Libyan Airlines	Operator	▪
5A-LAT	A320-202	01807F	Libyan Airlines	Operator	▪
5A-ONA	A320-214	01802E	Afriqiyah Airlines ^b	Operator	▪ Wholly owned by Government of Libya.
5A-ONB	A320-214	01802F	Afriqiyah Airlines	Operator	▪
5A-ONJ	A320-214	018057	Afriqiyah Airlines	Operator	▪ Removed from storage on 19 March 2020.
5A-ONO	A320-214	018070	Afriqiyah Airlines	Operator	▪ Removed from storage on 2 March 2020.
5A-POL			Police Aviation	Government of Libya	▪ Virtually daily flights.
5A-WLB	A319-112	018087	Libyan Wings ^c	DAE Capital ^d	▪
5A-WLC	A319-112	01808F	Libyan Wings	DAE Capital	▪
5A-WLD	A319-112	018090	Libyan Wings	DAE Capital	▪ Removed from storage on 16 March 2020.

^a www.libyanairlines.aero. Website inaccessible. <http://www.libyahavayollari.com.tr/en/iletisim.html>. Old website active.

^b <https://www.afriqiyah.aero/en/>. Accessed 18 July 2020.

^c <https://libyanwings.ly>. Accessed 18 July 2020.

^d <https://dubaiaerospace.com/dae-capital/>. Accessed 18 July 2020.

3. The Panel has also identified that Turkey initiated an airbridge to Western Libyan airbases in mid-May 2020 using Turkish Air Force military cargo aircraft. A summary is at appendix A. The Panel finds that Turkey is in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the transfer of military materiel to Libya.

4. The Panel has also identified that Qatar made at least six flights to Western Libyan airbases between 21 May 2020 to 3 June 2020 using Qatari Air Force military C-17 Globemaster cargo aircraft (A7-MAC and A7-MAO). A summary is at appendix B. The Panel finds that Qatar is in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the transfer of military materiel to Libya, that materiel at a minimum being the military cargo aircraft.

5. The 5+5 Joint Military Committee ceasefire agreement of 23 October 2020⁵¹ provided challenges to the Panel's monitoring of the air bridges, as empty military cargo aircraft could enter Libya to remove military equipment as required by the initial ceasefire agreement to remove foreign fighters in 90 days,

⁵¹ https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf, 23 October 2020.

which was amended on 3 November 2020 to the *withdrawal of foreign forces from the contact lines*.⁵² As such, they would have very similar profile indicators to aircraft suspected of trafficking. Whilst the introduction of such military cargo aircraft into Libya is a violation of the arms embargo, it would clearly be inappropriate of the Panel to report it as such if it were engaged in the removal of military equipment. It would of course be helpful if the Member States involved informed the Committee in advance of such flights to allow the Panel to deconflict them.

⁵² <https://www.libyaherald.com/2020/11/04/55-joint-military-commission-agrees-permanent-ceasefire-steps-at-ghadames-meeting/>, 4 November 2020.

Appendix A to Annex 39: Turkish military aircraft in support of GNA

1. The Panel has identified the Turkish military cargo aircraft shown in table 39.A.1 as of interest to the Panel. The Panel has identified 89 confirmed flights into Libya by Turkish Air Force military cargo aircraft during 21 May to 31 December 2020 (see table 39.A.2 and figures 39.A.2 and 39.A.3). The list is not exhaustive as the Turkish Air Force adopted an indirect route to avoid certain Flight Information Regions (FIR).⁵³ This route follows the Istanbul / Nicosia FIR boundary and then the Athens / Cairo FIR boundary until reaching the Tripoli FIR, (see yellow dotted line on figure 39.A.1).

Figure 39.A.1

Turkish military aircraft routing to Libya⁵⁴

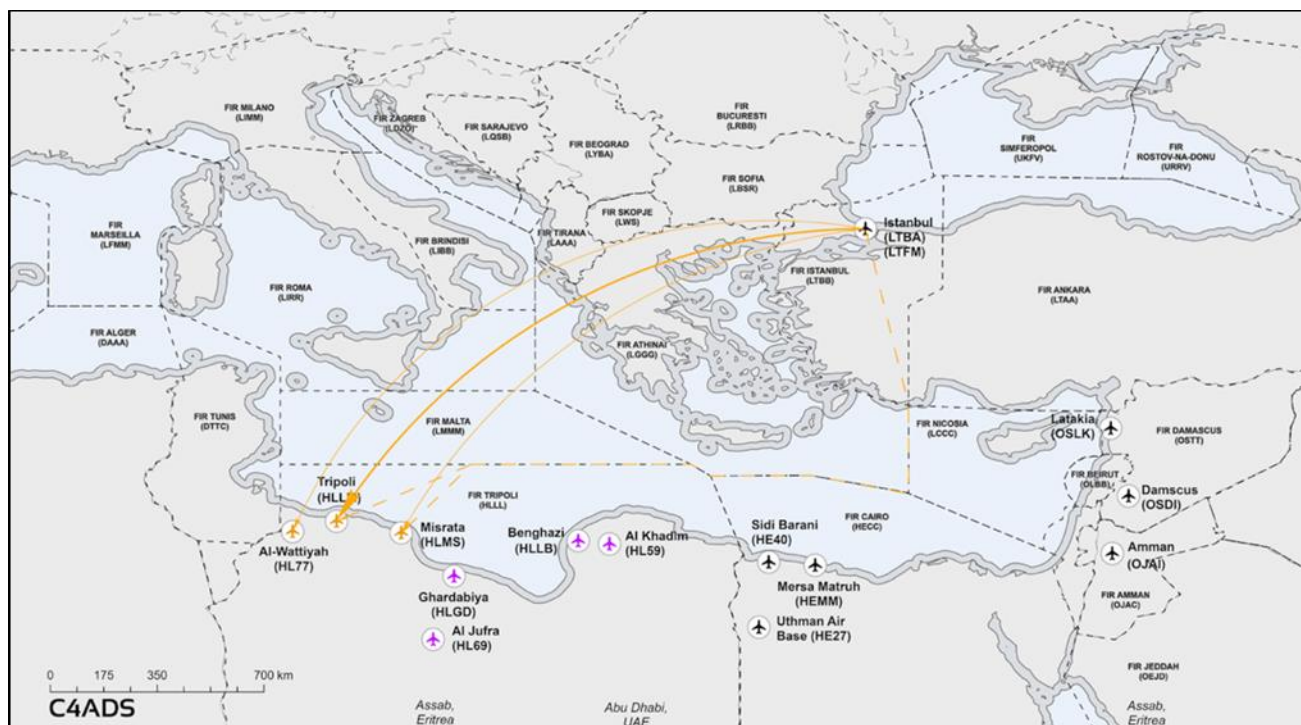


Table 39.A.1

Turkish military aircraft of interest to the Panel

A/C #	A/C type	Mode-S #	Unit	Remarks
13-0009	A400M	4B8208	221 Breeze Squadron	Based at Kayseri/Erkilet ^a
14-0013	A400M	4B820C	221 Breeze Squadron	Based at Kayseri/Erkilet
14-0028	A400M	4B820E	221 Breeze Squadron	Based at Kayseri/Erkilet

⁵³ A Libyan NGO, the Silphium Foundation for Studies and Research, has reported identifying 105 Turkish Air Force flights. https://www.facebook.com/211203056228201/photos/a.211240296224477/691316024883566/?_rdc=1&_rdr, 31 December 2020.

⁵⁴ Base map courtesy of C4ADS.

A/C #	A/C type	Mode-S #	Unit	Remarks
15-0051	A400M	4B820F	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
16-0055	A400M	4B8210	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
17-0078	A400M	4B8211	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
17-0080	A400M	4B8212	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
17-0093	A400M	4B8213	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
17-0094	A400M	4B8214	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
18-0093	A400M	4B8213	221 <i>Breeze</i> Squadron	Based at Kayseri/Erkilat
61-0693	C-130E	4B8220	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat
61-2634	C-130E	4B8221	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat
61-13188	C-130E	4B8225	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat
71-01468	C-130E	4B8228	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat
TBC	C-130E	4B821F	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat
TBC	C-130E	C9D52F	222 <i>Flame</i> Squadron	Based at Kayseri/Erkilat

^a LTAU. Joint Airbase. 38°46'13"N, 35°29'43"E.

Figure 39.A.2

Summary of flights from Turkey by Turkish military aircraft (1 May to 31 December 2020)

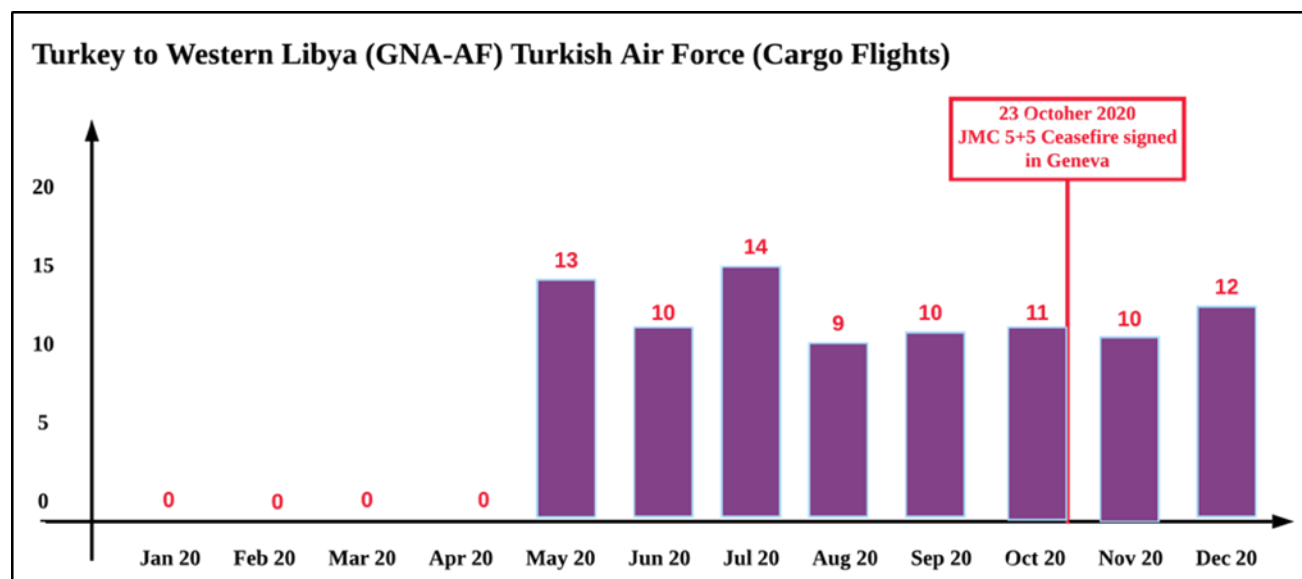


Figure 39.A.3

Summary of maximum cargo (tonnes) from Turkey by Turkish military aircraft (1 May to 31 December 2020)

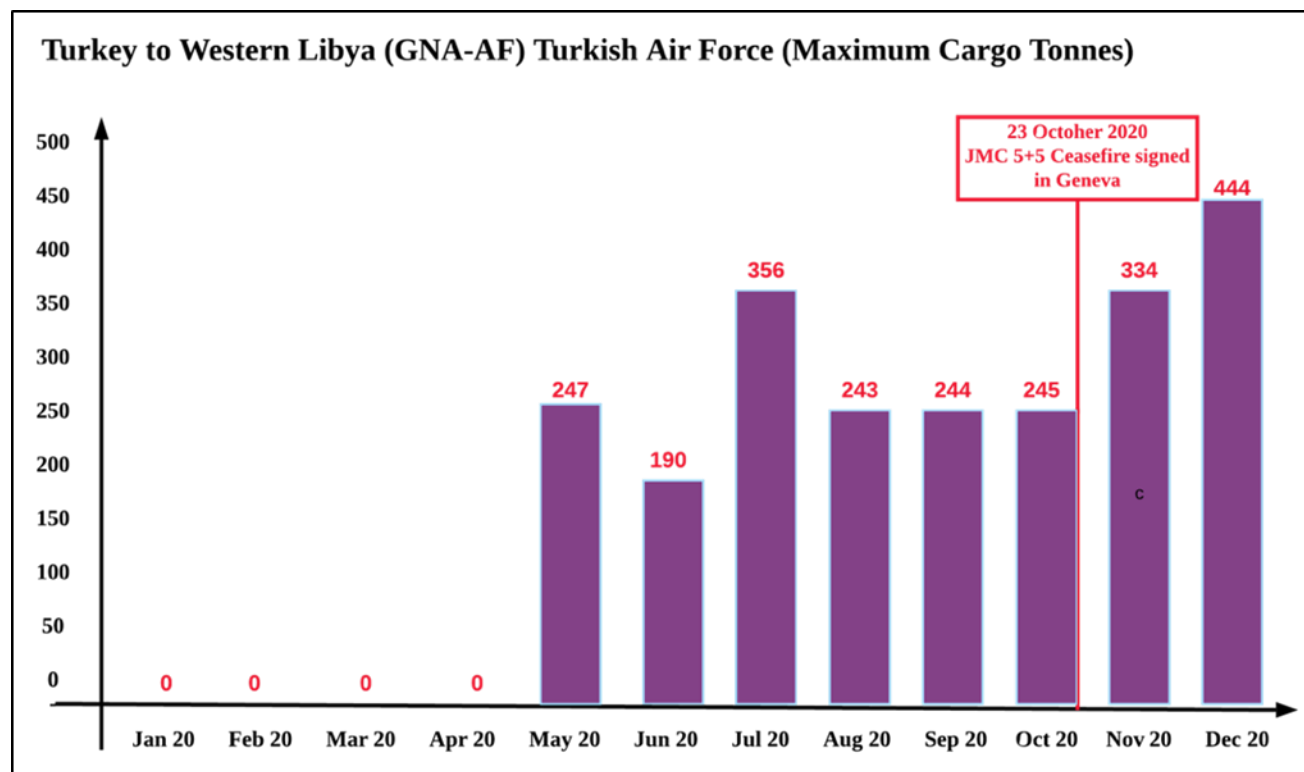


Table 39.A.2

Suspicious flights from Turkey to Western Libya by Turkish military aircraft (2020)

#	Date	A/C #	Mode-S #	Type	To	Maximum load (t)	Remarks
1	21 May 2020		C9D52F	C-130E	Misrata ^a	19	
2	23 May 2020	61-3188 ⁵⁵	4B8225	C-130E	HLMS	19	
3	23 May 2020		C9D52F	C-130E	HLMS	19	
4	24 May 2020	61-3188	4B8225	C-130E	HLMS	19	
5	24 May 2020		C9D52F	C-130E	HLMS	19	
6	26 May 2020	61-3188	4B8225	C-130E	HLMS	19	
7	26 May 2020		C9D52F	C-130E	HLMS	19	
8	27 May 2020	61-3188	4B8225	C-130E	HLMS	19	
9	27 May 2020	71-1468	4B8228	C-130E	HLMS	19	
10	29 May 2020	61-3188	4B8225	C-130E	Unknown	19	
11	29 May 2020	71-1468	4B8228	C-130E	Unknown	19	
12	31 May 2020	61-3188	4B8225	C-130E	HLMS	19	
13	31 May 2020	71-1468	4B8228	C-130E	HLMS	19	
14	2 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
15	2 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
16	3 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
17	6 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	

⁵⁵ Possibly 61-03188.

#	Date	A/C #	Mode-S #	Type	To	Maximum load (t)	Remarks
18	6 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
19	11 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
20	11 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
21	24 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
22	24 Jun 2020	71-1468 ⁵⁶	4B8228	C-130E	HLMS	19	
23	29 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
24	8 Jul 2020	61-3188	4B8225	C-130E	Tripoli	19	
25	8 Jul 2020	17-0055	4B8210	A400M	Tripoli	37	
26	9 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
27	16 Jul 2020	71-1468	4B8228	C-130E	Al Wattiyah ^b	19	
28	16 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
29	17 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
30	18 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
31	18 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
32	19 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
33	20 Jul 2020		C9D25F	C-130E	HL77	19	
34	21 Jul 2020	61-2634	4B8221	C-130E	HL77	19	
35	25 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
36	29 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
37	29 Jul 2020		4B821F	C-130E	HL77	19	
38	7 Aug 2020	61-2634	4B8221	C-130E	HL77	19	
39	14 Aug 2020	61-2634	4B8221	C-130E	HL77	19	
40	15 Aug 2020		4B821F	C-130E	HL77	19	
41	16 Aug 2020	61-0693	4B8220	C-130E	HL77	19	
42	16 Aug 2020	17-0078	4B8211	A400M	HLMS	37	
43	16 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
44	21 Aug 2020		4B821F	C-130E	HL77	19	
45	21 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
46	25 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
47	1 Sep 2020	61-0693	4B8220	C-130E	HL77	19	
48	1 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
49	1 Sep 2020	17-0080	4B8212	A400M	HLMS	37	
50	3 Sep 2020	61-0693	4B8220	C-130E	HL77	19	
51	3 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
52	3 Sep 2020	17-0080	4B8212	A400M	HLMS	37	
53	5 Sep 2020	61-2634	4B8221	C-130E	HL77	19	
54	5 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
55	7 Sep 2020	17-0055	4B8210	A400M	Tripoli	37	
56	11 Sep 2020	71-1468	4B8228	C-130E	HL77	19	

⁵⁶ Possibly 71-01468.

#	Date	A/C #	Mode-S #	Type	To	Maximum load (t)	Remarks
57	1 Oct 2020	15-0051	4B820F	A400M	HLMS	37	
58	1 Oct 2020	16-0055	4B8210	A400M	HLMS	37	
59	1 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
60	2 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
61	7 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
62	15 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
63	15 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
64	16 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
65	18 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
66	18 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
67	23 Oct 2020		4B821F	C-130E	HL77	19	
23 Oct 2020 Ceasefire							
68	5 Nov 2020	18-0093	4B8213	A400M	HLMS	37	
69	5 Nov 2020	61-0693	4B8220	C-130E	HL77	19	
13 Nov 2020 HL77 extended to take A400M							
70	21 Nov 2020	71-1468	4B8228	C-130E	HL77	19	
71	21 Nov 2020	17-0078	4B8211	A400M	HLMS	37	
72	26 Nov 2020	16-0055	4B8210	A400M	HL77	37	First A400M landing at Al Watiya
73	26 Nov 2020	17-0078	4B8211	A400M	Zuwarah	37	
74	26 Nov 2020	18-0093	4B8213	A400M	HL77	37	
75	28 Nov 2020	16-0055	4B8210	A400M	HL77	37	
76	28 Nov 2020	17-0078	4B8211	A400M	HL77	37	
77	28 Nov 2020	18-0093	4B8213	A400M	HL77	37	
78	1 Dec 2020	17-0078	4B8211	A400M	HL77	37	
79	1 Dec 2020	18-0093	4B8213	A400M	HL77	37	
80	1 Dec 2020	18-0094	4B8214	A400M	HL77	37	
81	4 Dec 2020	15-0051	4B820F	A400M	HL77	37	
82	4 Dec 2020	17-0078	4B8211	A400M	HL77	37	
83	4 Dec 2020	18-0093	4B8213	A400M	HL77	37	
84	16 Dec 2020	14-0028	4B820E	A400M	HL77	37	
85	16 Dec 2020	18-0093	4B8213	A400M	HL77	37	
86	25 Dec 2020	16-0055	4B8210	A400M	HL77	37	
87	25 Dec 2020	18-0093	4B8213	A400M	HL77	37	
88	29 Dec 2020	16-0055	4B8210	A400M	HL77	37	
89	29 Dec 2020	17-0078	4B8211	A400M	HL77	37	

^a HLMS. Joint Airbase. 32°19'31"N, 15°03'39"E.^b HL77. Military Airbase. 32°28'20"N, 11°54'00"E.

2. The Panel noted a build-up of ground stored cargo at Misrata airport⁵⁷ during the initial period of the Turkish Air Force flights (see figures 39.A.4 to 39.A.7).⁵⁸

Figure 39.A.4
Misrata airport (23 April 2020)



Figure 39.A.5
Misrata airport (13 May 2020)



Figure 39.A.6
Misrata airport (1 June 2020)



Figure 39.A.7
Misrata airport (14 June 2020)



3. The Panel also noted that on approximately 9 July 2020 the focus of C-130 inbound flights moved from Tripoli/Misrata to Al Watiyah (HL77), whereas the A400 flights continued to Misrata. The hardstanding for aircraft at Al Watiyah was increased by 70m x 140m between 20 August and 2 September 2020. The runway (10R/28L) runoff was repaved for 300m at each end, potentially extending the effective runway length from 3,200m to 3,800m.

⁵⁷ Centred on 32°18'44.87"N, 15°03'48.60"E.

⁵⁸ Image sources: <https://twitter.com/ahmedabdo1806/status/1273601918095556608>, 18 June 2020.

4. This part of the runway was then resurfaced and remarked between 13 and 23 November 2020. This allows the Turkish Air Force A400B and Qatar Air Force C-17 Globemaster to operate more safely, and a Turkish Air Force A400B was identified first using this runway on 26 November 2020.

Figure 39.A.8

Al Watiyah airport runway 10R/28L extension

Figure 39.A.9

Al Watiyah airport runway 10R/28L extension

5. As these are military aircraft their landings at Libyan airports means that Turkey has violated paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix B to Annex 39: Qatari military aircraft in support of GNA

1. The Panel has identified the Qatari Air Force military cargo aircraft shown in table X.B.1 as of interest to the Panel. The Panel has identified suspicious flights of Qatari Air Force military cargo aircraft into Libya (table X.B.2). The list is not exhaustive as flight data is not available to the Panel as the routing avoids air traffic control en route, and since 3 June 2020 the Mode-S transponders for these aircraft have been disabled.

Table 39.B.1

Qatari military aircraft of interest to the Panel

<i>A/C #</i>	<i>A/C type</i>	<i>Hex Code</i>	<i>Unit</i>	<i>Cargo Load (tonnes)</i>	<i>Remarks</i>
A7-MAC	C-17A	06A255		76.6	
A7-MAO	C-17A	06A27C		76.6	

Table 39.B.2

Suspicious flights from Qatar by Qatari military aircraft

<i>#</i>	<i>Date</i>	<i>Flight #</i>	<i>A/C #</i>	<i>Type</i>	<i>From</i>	<i>To</i>	<i>Flight #</i>	<i>Remarks</i>
1	21 May 2020		A7-MAC	C-17A				
2	23 May 2020	TUAF223	A7-MAC	C-17A	Istanbul	Libya		
3	23 May 2020	TUAF224	A7-MAO	C-17A	Istanbul	Libya		
4	26 May 2020		A7-MAC	C-17A				
5	26 May 2020		A7-MAO	C-17A				
6	3 Jun 2020		A7-MAC	C-17A				Mode-S tracking disabled

2. As these are military aircraft their landings at Libyan airports means that Qatar has violated paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Annex 40 Infographic for Misagh-2 MANPADS

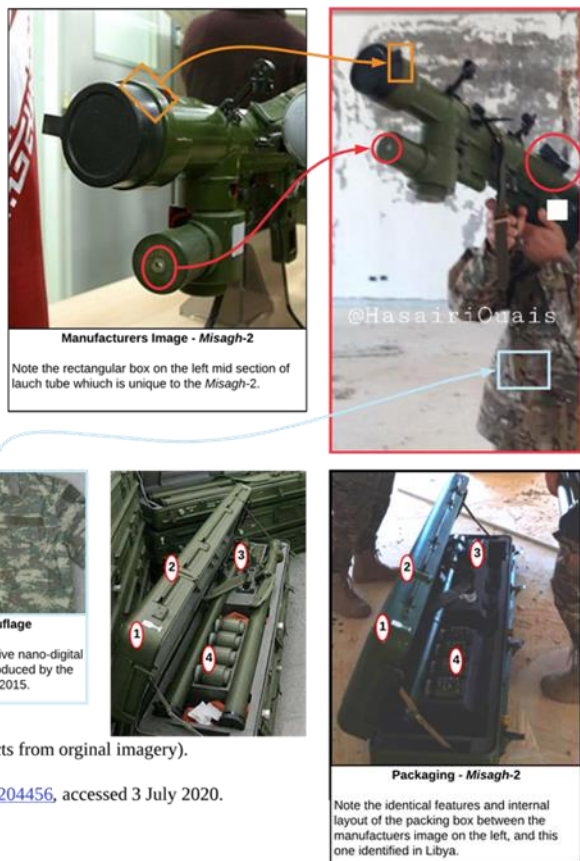
Eastern Libya (28 June 2020)

The Panel has identified from social media the presence of the *Misagh-2* man-portable air defence system (MANPADS) in Libya.

The *Misagh-2* MANPADS is manufactured by Iran at the Shahid Kazemi Industrial Complex in Tehran.

A single source has reported that *Misagh-2* MANPADS were supplied to Turkey by Iran during 2018/2019, which were apparently originally destined for the Syrian Army. Some verification of that information is provided by the fact the individual in the image from Libya is wearing Turkish uniform. Covert flights by Chamwings Airlines have also been identified flying to Iran, returning in time to meet ongoing flights to Libya.

This is the first sighting of an *Misagh-2* MANPADS system in Libya, and thus a violation of paragraph 9 of resolution 1970 (2011) by the perpetrator.



Primary sources

1. <https://twitter.com/HasairiOuais/status/1277226350026383361>, 28 June 2020. (Extracts from original imagery).
2. <https://twitter.com/BabakTaghvaei/status/1277570666183700485>, 29 June 2020.
3. <https://www.worthpoint.com/worthopedia/turkish-army-nano-digital-camouflage-457204456>, accessed 3 July 2020.
4. FARS News Agency. Photo: Satyar Enami.
5. www.ihs.janes.com. (Subscription). 21 May 2019.

Developed by UN Panel of Experts

Annex 41 Bulgarian manufactured 120mm Mortar Bomb

Western Libya (9 October 2020)

Imagery from the website of the "Sons of Lions" Mortar Unit of the GNA Western Command shows the presence of a batch of 120mm high explosive (HE) Mortar Bombs not previously seen in Libya before.

The markings on the ammunition identify that it was produced in January 2018, whereas markings on primary packaging shows ammunition manufactured in April 2017. The markings also indicate that the ammunition was manufactured by the Arsenal 2000 JSCo Dunarit company of Bulgaria. The Panel has confirmed that the bombs are from a consignment under Export Licences 017610 (18 February 2020) and 017677 (18 March 2020) for the Turkish Land Forces Command as the end user.

The transfer of this ammunition to Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/i/status/1314628386258653185>, 9 October 2020.
2. https://www.facebook.com/pages/category/Interest/نواذل الجنوب افريقي-115506966518255/?_rdc=2&_rdc, Accessed 17 October 2020.
3. customer.janes.com, (Subscription), 14 October 2019.
4. Member State, 18 February 2021.

Developed by UN Panel of Experts.



Annex 42 GNA-AF Diver Training in Khoms

GNA Diving Training in Khoms (10 October 2020)

On 10 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces providing a six-week diving training course to the GNA in Al Khoms.

From the imagery available the training appears to be in Self-Contained Underwater Breathing Apparatus (SCUBA) skills, similar to a basic introduction to diving course. It is not apparent if the training is constrained to compressed air diving only, or whether the use of enhanced oxygen gases such as NITROX is being taught. The skills learnt would restrict the students to shallow water coastal diving only.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the LNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://www.haberler.com/son-dakika-haberleri-danismanlik-anlasmasi-kapsaminda-libya-silahli-13658626-haberi/>, 10 October 2020.
2. Technical analysis by confidential source.

Developed by UN Panel of Experts



Annex 43 GNA-AF Training on T155 Firtina Howitzer

GNA T155 *Firtina* 155mm Howitzer Training

On 13 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training the GNA in the operation of the **T-155 'Firtina' 155mm/52 Calibre Howitzer**. This weapon system was first identified in Libya after delivery on the MV *Bana* on 28 January 2020.

The system was identified as a **T-155 'Firtina' 155mm/52 Calibre Howitzer** by: (1) a loading tray next to the breech block; and (2) what appears to be Turkish text on the red plate top left of the breech.

On 27 November 2020 imagery was posted of the movement of a **T-155 'Firtina' 155mm/52 Calibre Howitzer** by the GNA-AF near Sirte, and of the same weapon type live firing near Tajura on 27 November 2020..

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/tcsavunma/status/1315965629392990211>, 13 October 2020.
2. [customer.janes.com](https://www.janes.com). (Subscription), 9 July 2019.
3. Technical analysis by confidential source.
4. https://twitter.com/Libya_OSINT/status/1331743968703500290, 25 November 2020.
5. https://twitter.com/Libya_OSINT/status/1332159462619181057, 27 November 2020.

Developed by UN Panel of Experts



25 November 2020, Movement of T-155 Firtina near Sirte



27 November 2020, Live firing of T-155 Firtina near Tajura

Annex 44 GNA-AF Military Training

GNA Military Training in Turkey (13 October 2020)

On 13 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training 171 Libyan soldiers at the "Libyan Army College" in Isparta, Turkey (possibly at 37°47'06"N, 30°34'45"E).

The training appears to be in basic infantry skills: (1) Fighting in Built Up Areas (FIBUA); (2) patrolling; (3) anti-ambush drills; (4) concealment by smoke; (5) navigation; and (6) marksmanship.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/tcsavunma/status/1316301037658148864>, 13 October 2020.
2. Technical analysis by confidential source.

Developed by UN Panel of Experts



Annex 45 GNA Coast Guard Training

GNA Coast Guard Training in Libya (20 October 2020)

32°41'7.25"N, 14°14'27.17"E

On 20 October 2020 imagery was published of Turkish advisors (1) training or mentoring the Libyan Coast Guard in their Al Khums base.

The imagery also shows the Corrubia Class Patrol Boat *Ubari* (#660) (2), which was donated by Italy in November 2018. Reported in annexes 33 and 34 and of Panel report S/2019/914.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the LNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/tcsavunma/status/1318470272366923776>, 20 October 2020.
2. <https://twitter.com/Oded121351/status/1318472701854519296>, 20 October 2020.
3. S/2019/914.

Developed by UN Panel of Experts



Annex 46 GNA-AF Special Forces Training

GNA Special Forces Training in Turkey (19 - 21 October 2020)

On 21 October 2020 imagery was published of Turkish Special Forces training Libyan soldiers at the Special Forces Command in Ankara, Turkey. The GNA Chief of Staff, Lieutenant General Muhammad al-Haddad was visiting the troops in training, and also met with Turkish Minister of Defence Hulusi Akar (1) and Chief of Staff General Yasar Guler (2) on 19 October 2020.

The training appears to include: (3) immediate first aid; and (4) free fall parachuting. (5) Note distinctive maroon beret worn by qualified members of Turkish OKK (Special Forces).

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <http://en.alwasat.ly/news/libya/298686>, 19 October 2020.
2. <https://twitter.com/BurkanLy/status/1318856636702855168>, 21 October 2020.
3. <https://twitter.com/BurkanLy/status/1318856619883679744>, 21 October 2020
4. Technical analysis by confidential source.

Developed by UN Panel of Experts



Annex 47 Lenco Bearcat APC with GNA-AF

Lenco Bearcat G3 4x4 APC in Tripoli (1 November 2020)

A US manufactured **Lenco Bearcat G3** 4x4 APC armoured fighting vehicle (AFV) was first identified in Libya in the possession of the 310st Infantry Brigade at the GNA Hamza ibn Abdul-Muttalib training centre in Tripoli on 1 November 2020.

The Panel does not consider that this was supplied direct to Libya by the equipment manufacturer and is present as a result of post-delivery diversion. It is possible that this armoured vehicles is a battlefield capture by GNA-AF from HAF.

The deployment of this armoured vehicle to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/Oded121351/status/1322981134318391296>, 1 November 2020.
2. [customer.janes.com](https://www.janes.com). (Subscription). 27 January 2020.

Developed by UN Panel of Experts.



Manufacturers image. Note slight modifications (in orange circles) that may assist in the identification of end use.



Annex 48 GNA-AF Forward Observation Officer (FOO) Training

GNA Forward Observation Officer (FOO) Training in Libya (18 November 2020)

On 18 November 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training Libyan soldiers to operate as Forward Observation Officers (FOO).

The role of the FOO is to coordinate and direct the fire from all indirect weapon systems (artillery, free flight rockets, mortar etc) and also direct strike aviation on to a target. The FOO usually deploys with the forward combat units and acts as their interface for supporting firepower.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/tcsavunma/status/1329015285152616454>, 18 November 2020.
2. <https://twitter.com/Oded121351/status/1329056881797718023>, 18 November 2020.
3. <https://www.msb.gov.tr/en-US/Press/News>. Accessed 23 November 2020.

Developed by UN Panel of Experts



Annex 49 GNA-AF Abseil Training

GNA -AF Abseil Training

Tajura (32°50'39.87"N, 13°28'16.94"E)

On 18 November 2020 imagery was published by the Turkish Ministry of Defence of their armed forces training the GNA-AF in abseiling. The training site was geo-located to Tajura.

Military uses of abseiling are predominantly for: 1) assault and high level access to buildings; 2) fast exit from helicopters; and 2) search and rescue.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/tcsavunma/status/1333330314962358272>, 30 November 2020.
2. <https://www.facebook.com/tcsavunma/photos/pcb.1280766462322387/1280766102322423/>, 18 November 2020.
3. https://twitter.com/jl_kanguru/status/1333398117648134144, 30 November 2020.
4. <https://twitter.com/Oded121351/status/1333390059832217600>, 30 November 2020.
5. Google Earth Pro.

Developed by UN Panel of Experts



Annex 50 GNA payments to Turkish arms group SSTEK

Figure 50.1

Letter dated 2 June 2019

دولة ليبيا
حكومة الوفاق الليبية
وزارة الداخلية
مكتب الوزير

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

تاريخ: 2019/6/2
الرقم: 768

السيد / محافظ مصرف ليبيا المركزي

بعد التعمية ...

نأمل منكم العمل على تحويل مبلغ وقدره وبقيمة
(70.438.940.00) سبعون مليون وأربعة مائة وثمانية وثلاثون
ألف وتسعمائة وأربعون يورو إلى حساب شركة SSTEK لتوريد
احتياجات خاصة لصالح وزارة الداخلية، رقم الحساب
TR420001001745797949255014. خصماً من حسابنا
طرفكم الباب الثالث رقم 200_1733
وذلك لتوفير احتياجات لوزارة الداخلية، مرفق لكم الفاتورة
وموافقة ديوان المحاسبة.

والسلام عليكم...

فخري علي باشاغا
وزير الداخلية المفوض

وزارة الداخلية
إدارة الشؤون المالية
السداد
11/3/2019
مستلم

صورة منه الى
فيسر

Figure 50.2
Official translation

Translated from Arabic

True copy from the archive

State of Libya
Government of National Accord
Ministry of the Interior
Office of the Minister

Ref. No.: *shin sin*/768

2 June 2019

Sir,

We should be grateful if you would transfer the sum of EUR 70,438,940.00 (seventy million, four hundred and thirty-eight thousand, nine hundred and forty euros) to the account of the SSTEK company for the purchase of specific necessities for the Ministry of the Interior. The account number is TR420001001745797949255014. The funds should be debited from our account with you, whose number is Chapter III, No. 200-1733.

The funds are intended to fulfil the vital needs of the Ministry of the Interior. A statement and the approval of the Audit Bureau are enclosed herewith.

Peace be upon you.
(*Signed*) Fathi Ali **Bashagha**
Acting Minister of the Interior

Governor of the Central Bank of Libya

Copied:

Confidential affairs

Figure 50.3
Letter dated 17 July 2019

GOVERNMENT OF NATIONAL ACCORD
MINISTRY OF INTERIOR
Financial Affairs Department

حكومة الوفاق الوطني
وزارة الداخلية
إدارة الشؤون المالية

الرقم الاتصالي: 2276/40-4 التاريخ: 2019-2-17

**السيد / مدير إدارة العمليات المصرفية
بمصرف ليبيا المركزي**

بعد التعمية

بالإشارة إلى كتاب السيد (وزير الداخلية المفوض) رقم (شس/937) المؤرخ في (2019/07/15م) الموجهة إلى السيد (محافظ مصرف ليبيا المركزي) بشأن تحويل مبلغ وقدره (169,885,685.20) (وسورق) إلى حساب شركة (SSTEK) رقم (TR420001001745797949255014) لتوريد إحتياجات خاصة لصالح وزارة الداخلية.

عليه نأمل منكم خصم المعادلة بالدينار الليبي من حسابنا طرفكم رقم (200-1733) وتحويل قيمتها للمستفيد.

...والسلام عليكم ورحمة الله وبركاته....

عقيد // محمد سعيد قرادة محمد ميلاد كديد

المراقب المالي العام مدير عام إدارة الشؤون المالية/المكلف

مختتم
مختتم

Figure 50.4
Official translation

Translated from Arabic

Government of National Accord
Ministry of the Interior
Department of Financial Affairs

Ref. No.: 4-40/2270

17 July 2019

Sir,

We refer to letter *shin sin*/937 of 15 July 2019 from the acting Minister of the Interior to the Governor of the Central Bank of Libya concerning the transfer of EUR 169,885,685.20 to account TR420001001745797949255014 of the company SSTEK for the purchase of specific necessities for the Ministry of the Interior.

We should like the balance in Libyan dinars to be debited from our account with you, whose number is Chapter II, No. 1733-200, and transferred to the beneficiary's account.

May the peace, mercy and blessings of God be upon you.

(Signed) Muhammad Milad **Hadid**
Comptroller-General

(Signed) Colonel Muhammad Sa'id **Faradah**
Acting Director-General, Department of Financial Affairs

Director, Department of Financial Transactions, Central Bank of Libya

Figure 50.5
Letter dated 3 November 2019

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

دولة ليبيا
مكتبه الوطني
وزارة الداخلية
مكتب الوزير

رقم الاشاري من سن 1534 / التاريخ 3 / 11 / 2019م

السيد / محافظ مصرف ليبيا المركزي

بمراعاة

الحاق لكتابنا رقم (ش.س/1446) المؤرخ في 2019/10/21م
نامل منكم الغاء الكتاب المشار اليه وان يتم تحويل مبلغ
وقدره (169,000,000) مائة وتسعة وستون مليون يورو الى حساب
شركة SSTEK لتوريد احتياجات خاصة لصالح وزارة الداخلية،
رقم الحساب (TR420001001745797949255014) خصماً من حسابنا
طرفكم الباب الثالث رقم (1733-200) بدلاً من فتح اعتماد مستندي
حسب ما جاء بكتابنا المشار اليه.
وذلك لتوفير احتياجات ضرورية لوزارة الداخلية مرفق
لكم الفاتورة وموافقة ديوان المحاسبة .

والسلام عليكم ورحمة الله وبركاته

فتحي على باشاغا
وزير الداخلية المفوض

الوزير
وزارة الداخلية

السيد مدير عام ادارة الشؤون المالية .
السيد / المراقب المالي العام .
السيد / المفوض .

Figure 50.4
Official translation

Translated from Arabic

State of Libya
Government of National Accord
Ministry of the Interior
Office of the Minister

Ref. No.: *shin sin*/1534

3 November 2019

Sir,

We write further to our letter *shin sin*/1446 of 21 October 2019. We should be grateful if you would disregard that letter and transfer the sum of EUR 169,000,000 (one hundred and sixty-nine million euros) to the account of the SSTEK company for the purchase of specific necessities for the Ministry of the Interior. The account number is TR420001001745797949255014. The funds should be debited from our account with you, whose number is Chapter III, No. 1733-200, rather than being transferred by a letter of credit as stated in the aforementioned letter.

The funds are intended to fulfil the vital needs of the Ministry of the Interior. A statement and the approval of the Audit Bureau are enclosed herewith.

May the peace, mercy and blessings of God be upon you.

(Signed) Fathi Ali **Bashagha**
Acting Minister of the Interior

Governor of the Central Bank of Libya

Copied:

- Director-General, Department of Financial Affairs
- Comptroller-General
- (Illegible)

Sources:

- 1) <http://www.hawarnews.com/en/haber/leaked-documents-transfer-of-huge-sums-from-the-libyan-central-bank-to-turkish-company-sstek-h17342.html>, 22 June 2020;
- 2) <https://libyareview.com/4019/>, 21 June 2020; and
- 3) 29 November 2019, <https://www.afriqatenews.net/article/وثائق-مسرّبة-تثبت-صفقات-شراء-حكومة-الوفاق-الأسلحة-التركية/>

Annex 51 HAF Training in Jordan (2018)

HAF Training at RMC Jordan (14 May 2018) 32°01'27.89"N, 32°01'27.89"N

Imagery shows Libyan students graduating from training at the Royal Military College of Jordan in 2018. An event which has not being previously reported by the Panel.

The provision of this training for HAF by Jordan is a violation of paragraph 9 of resolution 1970 (2011).



Primary sources

1. https://twitter.com/Arn_Del/status/995964557041553408, 14 May 2018.
2. Google Earth Pro.

Developed by UN Panel of Experts.



Annex 52 Serbian manufactured P62M8 120mm Mortar Bomb

Tripoli environs (19 October 2019)

Imagery from the GNA shows a 120mm High Explosive (HE) mortar bomb recovered from an area previously occupied by armed groups affiliated to Khalifa Haftar (HAF).

The item was positively identified as a 82mm M62P8 HE mortar bomb with Lot Number KV 02/16. A tracing request was sent to the country of manufacturer, who stated that it was supplied to the United Arab Emirates in August 2016 as part of a batch of 50,000 rounds under Contract No DP3/2/50/215/64/185 of 21 October 2015.

The ammunition was shipped on the MV *Texel* (9238363) from Bar, Montenegro on 21 August 2016, arriving in Abu Dhabi, UAE on 8 September 2016.

The United Arab Emirates have not responded to a Panel request for information sent on 28 August 2020. The transfer of this explosive ordnance to Libya by the United Arab Emirates is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/LostWeapons/status/1184359546833104896>, 16 October 2019.
2. https://www.krusik.rs/en/wp-content/uploads/2014/05/MBM_HE_120mmeng.pdf, Accessed 23 October 2020.
3. Member States.
4. Janes IHS (Subscription). 18 April 2013.

Developed by UN Panel of Experts



UNITED ARAB EMIRATES
G. H. Q. ARMED FORCES
LOGISTICS STAFF
DEPARTMENT OF GENERAL PURCHASING
Our Ref.: DP3/2/50/1/2015/64/185

DECLARATION BY END-USER
TO THE GOVERNMENT OF THE REPUBLIC OF SERBIA

WE, THE GOVERNMENT OF UNITED ARAB EMIRATES, HEREBY CERTIFY THAT THE GOODS LISTED BELOW AND ORDERED BY USE FROM
„Jugimport-SDPR“ J.P., Beograd, Bulevar Umekost 2, 11150 Novi Beograd, Republic of Serbia
IS FOR THE EXCLUSIVE USE OF: GHQ UAE ARMED FORCES, UAE
AND WILL NOT BE EXPORTED OR RE-EXPORTED WITHOUT A PRIOR WRITTEN CONSENT OF THE GOVERNMENT OF THE REPUBLIC OF SERBIA.
We confirm that the goods will not be used in any activities related to the development nor production of chemical or biological weapons.
PURCHASER: GHQ UAE ARMED FORCES, UAE
CONTRACT NUMBER: DP3/2/50/1/2015/64 dated: 05/10/2015

No	Description	Quantity-pcs.
1	7.62x39mm small arms FMJ ammunition	5,000,000
2	Sniper Rifle M91 7.62x54R with optical sight and accessories	150
3	7.62x45mm Sniper ammunition	15,000
4	7.62x45mm general purpose machine gun MB4 (PKM Machine gun substitute)	1,000
5	7.62x45mm R M30 FMJ ammunition	10,000,000
6	12.7x108mm Black Arrow Sniper Rifle	50
7	12.7x108mm M30 Sniper Ammo	10,000
8	Machine gun 12.7x108mm with tripod	200
9	Mortar 60mm M57	100
10	60mm mortar shells HE	50,000
11	82mm mortar	100
12	82mm mortar HE 82 bomb	50,000
13	120mm mortar	40
14	120mm mortar rounds	30,000
15	23mm Ammo HE	1,000,000
16	23mm Ammo APIT	500,000
17	Hand grenades	3,000
18	107mm HE Rocket M15/type 63	40,000
19	128 mm M63 multiple rocket launcher towed	20
20	Armor vest Level 3A	5,000
21	Ballistic plates L4	10,000

Upon request by the competent authorities of Serbia we undertake to confirm the goods listed above.

STAFF BRIGADIER ENGINEER
DIRECTOR GENERAL PURCHASING
WAHEED HASSAN IBRAHIM AL-ZAAKI

Tel. No: +971 2 4070939 Fax No: +971 2 4414042
P.O. Box No: 2301 Abu Dhabi, United Arab Emirates

هاتف: +971 2 4070939 فاكس: +971 2 4414042
ص. ب. 2301 أبو ظبي، دولة الإمارات العربية المتحدة

Annex 53 Infographic for KADDB Mared 8x8 MPAV with “snakehead” turret

Bani Walid (11 November 2019) 31°46'34"N, 14°00'02"E

The Panel has identified the presence of the KADDB *Al-Mared* 8 x 8 ACV with a “snakehead turret” in Libya, similar to that previously seen on the *Al-Wahsh* 6 x 6 ACV. The *Al-Mared* ACV was seen on a low loader north east of Bani Walid being transported away from the then front line.

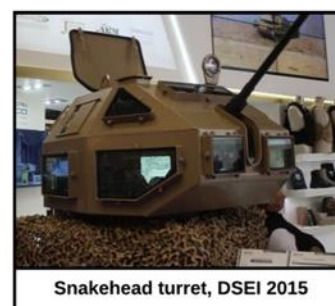
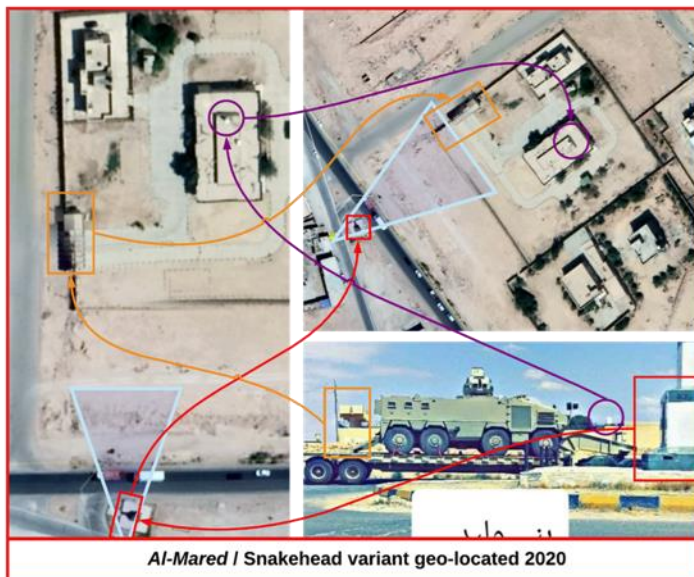
This is the first identification in Libya of an *Al-Mared* with a “snakehead” turret by the Panel. Further research identified an image taken on 27 August 2019 of an *Al-Mared* snakehead turret variant in Libya. This was unreported in the Panel's 2019 report.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011) by Jordan, the manufacturer Member State.

Primary sources

1. <https://twitter.com/Oded121351/status/1194177531152392193>, 12 November 2019.
2. https://twitter.com/il_kanguru/status/1194351484252643334, 12 November 2019.
3. <https://twitter.com/smmlibya/status/1166330051224309760?lang=en>, 27 August 2019.
4. Google Earth Pro.

Developed by UN Panel of Experts



Annex 54 Infographic for TAG/AOI Terrier LT79 AFV

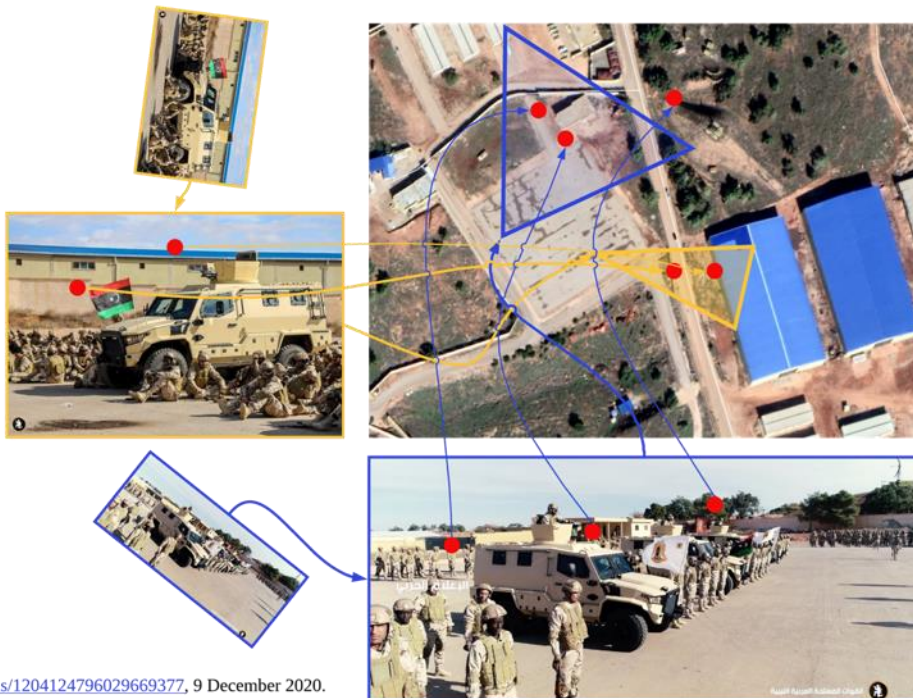
10 December 2019

32°05'30.1"N, 20°21'20.6"E

AOI Terrier LT-79 4x4 armoured vehicles were identified on parade with 106 battalion of HAF. These vehicles are manufactured under licence from the USA by Egypt and the UAE. Located 2.7km North-East of Ar Rajmah, 8 km East of Benghazi (Benina) airport.

Based on shadows the image was taken at approximately 12:00 hours (local) (www.suncalc.org).

The transfer of these vehicles to Libya is a violation of paragraph 9 of resolution 1970 (2011)



Primary sources

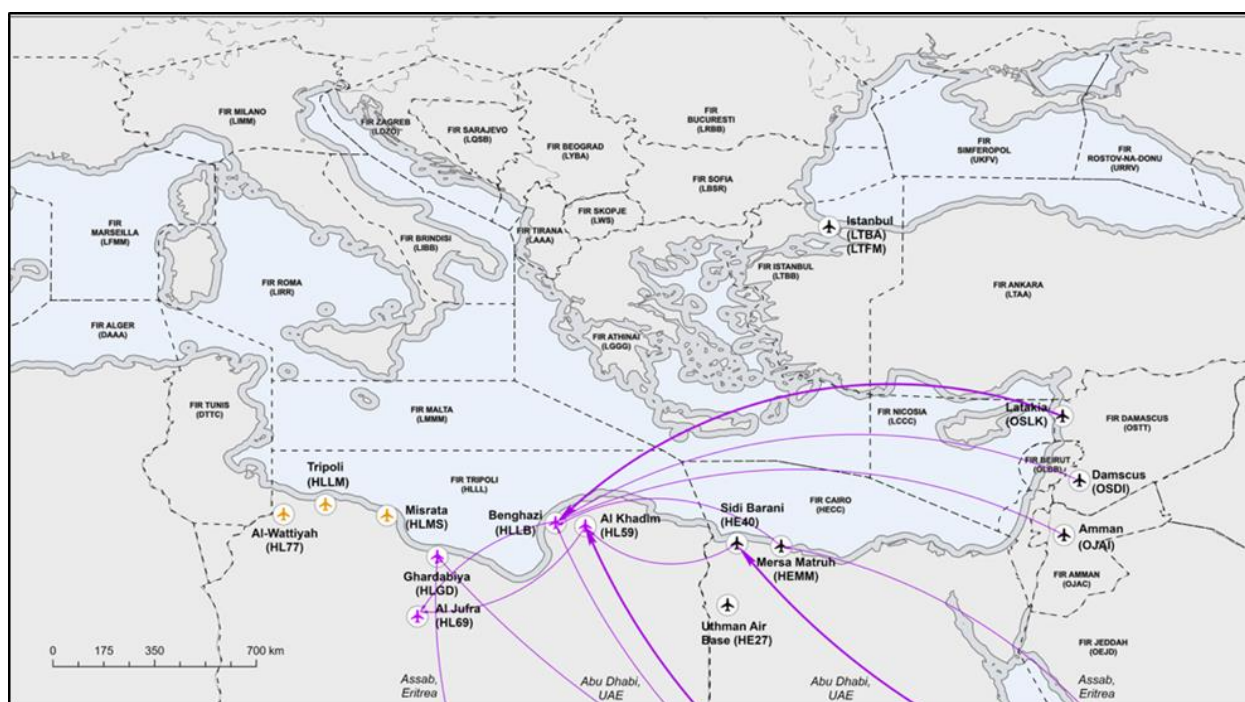
1. <https://twitter.com/LibyaReview/status/1204124796029669377>, 9 December 2020.
2. <https://twitter.com/mahmouedgamal44/status/1204489922314412032>, 10 December 2019.
3. https://twitter.com/LiBya_73/status/1204333822076235776, 11 December 2019.
4. https://www.africaintelligence.com/north-africa_business/2019/12/19/un-supplier-tag-supplies-armoured-cars-to-haftar,108386984-art, 19 December 2020.
5. <https://www.armoredcars.com/armored-group-introduces-newest-vehicle-terrier-lt-79/3>. Google Earth Pro.
6. UNSMIL.

Annex 55 Airbridges in support of HAF

1. The Panel has used a wide range of sources⁵⁹ to identify an increase in covert, non-scheduled and/or charter flights from the United Arab Emirates, Eritrea, Jordan and Syria to Eastern Libyan airports controlled by HAF, or to Western Egyptian airports as part of the wider supply chain (see figure 55.1 and table 55.1). The Panel has written to the States of the owners and operators of the aircraft flying these airbridges requesting copies of the flight manifests and air waybills for these particular flights. The Panel has analysed the few received and identified sufficient evidence that these flights were in support of HAF.

Figure 55.1

Overview of HAF airbridges⁶⁰



2. Although satellite imagery,⁶¹ confidential sources and early ADS-B data supports Eastern Libyan airfields as the destination for some flights, it is also known that other flights probably only went as far as the air bases at Habata (HE18), Uthman (HE27) or Sidi Barani (HE40) in Egypt to offload cargo for either: 1) collection by Libyan based cargo aircraft under the control of HAF (see table 55.3); or 2) forward land transportation to Libya. These airbridge flights to Egyptian airbases form part of the wider supply chain, and the Panel thus finds that as this is an *indirect supply (...) of arms and related materiel*

⁵⁹ Flight data for flights shown in all of the annexes is based on data received from a combination of: 1) Confidential sources; 2) www.flightradar24.com; 3) www.radarbox.com; 4) www.italmilitaradar.com; 5) C4ADS analysis; 6) Twitter @Gerjon_; and 7) Twitter @YorukIsik.

⁶⁰ Base map courtesy of C4ADS.

⁶¹ The satellite imagery (IMINT) can identify the type of aircraft but not the operator.

(...) and *other assistance* that the operators of the aircraft forming the air bridge are in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#), even if only flying the UAE to Egypt leg of the supply chain. Due diligence checks should have established the military nature of the cargoes and the intended end user.

Table 55.1

HAF air lines of communication (ALOC)

#	From	To	Operators ^a
1	Egypt	Benghazi, Libya ^v	▪ Air Cairo
2	Eritrea	HLLB	▪ Azee Air ▪ Jenis Air
3	Eritrea	Mersa Matruh, Egypt ^c	▪ Maximus Air ▪ ZetAvia
4	Jordan	HLLB	▪ Azee Air
5	Syria	HLLB	▪ Cham Wings
6	Syria	Labruq, Libya ^d	▪ Russian Federation Air Force
7	UAE	Al Khadim, Libya ^e	▪ Cham Wings ▪ Russian Federation Air Force
8	UAE	HLLB	▪ Azee Air ▪ Cham Wings ▪ Jenis Air ▪ Russian Federation Air Force ▪ United Arab Emirates Air Force
9	UAE	Ghardabiya, Libya ^f	▪ ZetAvia
10	UAE	Sidi Barani, Egypt ^g	▪ Azee Air ▪ Jenis Air ▪ United Arab Emirates Air Force ▪ Zet Avia

^a Flights for each air operator are summarized in appendices A to J in alphabetical order. Contact details in aircraft specific tables.

^b HL59. 31°59'55"N, 21°11'30"E.

^c HEMM. 31°19'31"N, 27°13'18"E.

^d HLLQ. 22°47'00"N, 17°28'00"E.

^e HLLB. 32°05'48"N, 20°16'10"E.

^f HLGD. 31°03'38"N, 16°36'42"E.

^g HE40. 31°27'59"N, 25°52'41"E.

3. Imagery from a single source in social media, supported by commercial satellite imagery though, has identified the concentration of a large number of vehicles at the Sidi Barani airbase in Egypt. The numbers fluctuate as shown in table 55.2 and figures 55.2 to 55.10. The Panel is currently investigating and obtaining independent satellite imagery. The presence of all these vehicles though is highly indicative of a land supply route to Eastern Libya.

Table 55.2
Fluctuation of vehicle numbers at Sidi Barani airbase in Egypt ⁶²

<i>Date</i>	<i>Armoured Vehicles</i>	<i>Trucks</i>	<i>Light Utility Vehicles 4 x 4</i>	<i>Totals</i>	<i>Remarks</i>
24 Apr 2020	0	0	0	0	▪ Construction of a vehicle storage area is visible.
5 May 2020	0	1	19	20	▪
7 May 2020	0	0	38	38	▪
18 May 2020	0	3	84	87	▪
30 May 2020	29	3	170	202	▪
6 Jun 2020	16	19	283	318	▪
7 Jun 2020	16	32	288	336	▪
14 Jun 2020	16	24	200	247	▪ 7 unidentified
18 Aug 2020				230	▪

Figure 55.2
Sidi Barani airbase (24 Apr 2020)



Figure 55.3
Sidi Barani airbase (5 May 2020)



Figure 55.4
Sidi Barani airbase (7 May 2020)



Figure 55.5
Sidi Barani airbase (18 May 2020)



⁶² https://twitter.com/Gerjon_/status/1261972421453787136, 17 May 2020 to 14 June 2020.

Figure 55.6
Sidi Barani airbase (30 May 2020)



Figure 55.7
Sidi Barani airbase (6 Jun 2020)



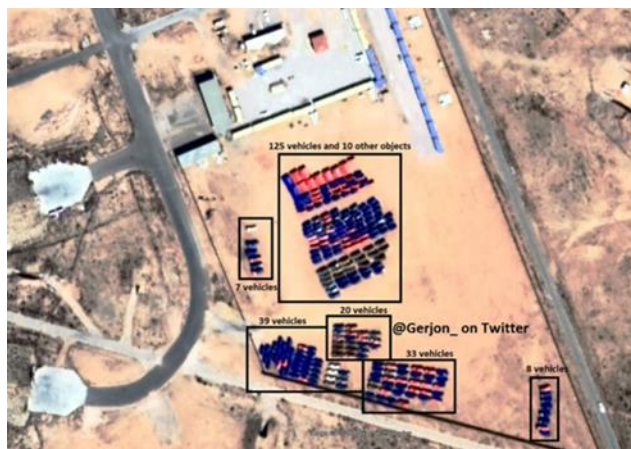
Figure 55.8
Sidi Barani airbase (7 Jun 2020)



Figure 55.9
Sidi Barani airbase (14 Jun 2020)



Figure 55.10
Sidi Barani airbase (18 August 2020)



4. The Panel has identified the following aircraft (table 55.3 and figures 55.11 to 55.16), that are directly controlled by HAF, and operating within HAF controlled territory of Libya. The Panel considers that most of these, if not all, are almost certainly being used to ferry the materiel delivered to Western Egyptian airfields into HAF controlled territory in Libya. They are certainly being used to provide logistic support to HAF within Libya; both activities being in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#).

Table 55.3

HAF controlled cargo aircraft

<i>A/C #^a</i>	<i>Type</i>	<i>Registered</i>	<i>Operator</i>	<i>Owner</i>	<i>Remarks</i>
5A-DRS	IL-76	Deregistered by Libya	Libyan Arab Air Cargo ^b	Government of Libya	▪
EY-332	AN-32B	Deregistered by Tajikistan (20 Jun 2020)	Sky Asia Lines ^c	Sky Asia Lines	▪ Used to evacuate ChVK Wagner staff from Bani Walid. ▪ See appendix J.
ST-EWX	IL-76	Sudan	Green Flag Aviation ^d	Green Flag Aviation	▪ Confirmed on 4 June 2020. ^e
UP-AN601	AN-26	Deregistered by Kazakhstan (8 Oct 2015)		Space Cargo Inc ^f	▪ Sold to Space Cargo Inc on 22 Jun 2015. ▪ False markings as H.A.D Jet. ▪ Destroyed by GNA on 5 Apr 2020 at airstrip near Tarhuna. ^g
UP-I7601	IL-76	Reported in S/2019/914 , table 8, and annexes 28 and 52.			▪
UP-I7646	IL-76	Deregistered by Kazakhstan (2 Oct 2020)	Jenis Air LLC ^h	Space Cargo Inc	▪ Confirmed operating from Benina since June 2020. ^j
UP-I7651	IL-76	Deregistered by Kazakhstan (13 May 2020)	Azee Air LLC ^k	Space Cargo Inc	▪ Last seen near Beida, Libya on 22 Mar 2020 after leaving Sharjah on 21 Mar 2020.
UP-I7652	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since June 2020.
UP-I7656	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since Jun 2020.
ex EY-409	AN-12BP	Deregistered by Tajikistan (11 Dec 2015)	HAF	Allied Services Limited ^l	▪ Seen at Al Jufra on 25 July 2020. ▪ See appendix K.
UP-I1805	IL-18	Kazakhstan	Jenis Air LLC	Space Cargo Inc	▪ Seen at Al Jufra on 6 Jun 2020. ⁿ ▪ Ex-Jenis Air LLC
Unmarked	IL-18	Unregistered ^p	HAF		▪

^a This is the registration number displayed on the aircraft. In many cases this is displayed illegally as the aircraft has been de-registered.

^b Commercial Cargo Division of Libyan Arab Republic Air Force.

^c No trace.

^d <http://www.greenflag-sdn.com>. Web link inactive.

- ^e <https://twitter.com/Gerjon/status/1268467153340174336>, and <https://twitter.com/HasairiOuais/status/1268466092265127937>, 4 June 2020.
- ^f www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com/ / maher@spacecargoinc.com).
- ^g <https://aviation-safety.net/database/record.php?id=20200405-0>. Accessed 25 September 2020.
- ^h No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).
- ^j <https://twitter.com/Gerjon/status/1288512524023934976>, 29 July 2020.
- ^k www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).
- ^l <http://www.alliedservicesltd.com/>. 1st Floor, Panorama Plaza, Airport Road, Juba, South Sudan. +211 920 880 880. (marketing@alliedservicesltd.com).
- ^m <https://www.facebook.com/IrMa-Air-Service-2261018164215813/>. +7 701 797 9879.
- ⁿ <https://twitter.com/Gerjon/status/1287344519831265282>, 26 July 2020.
- ^p See annex 35 to [S/2017/466](https://www.un.org/press/en/2021/s20210466) for details of unregistered aircraft operating in Libya. So possibly this is the Sky Prim Air ex-ER-ICS. Also <https://twitter.com/Gerjon/status/1287815982350766085>, 27 July 2020.

Figure 55.11 ^a

IL-76 (5A-DRA) offloading on near Tarhuna (1 May 2020)

Figure 55.12 ^b

AN-32 (EY-332) landing at Bani Walid (25 May 2020)

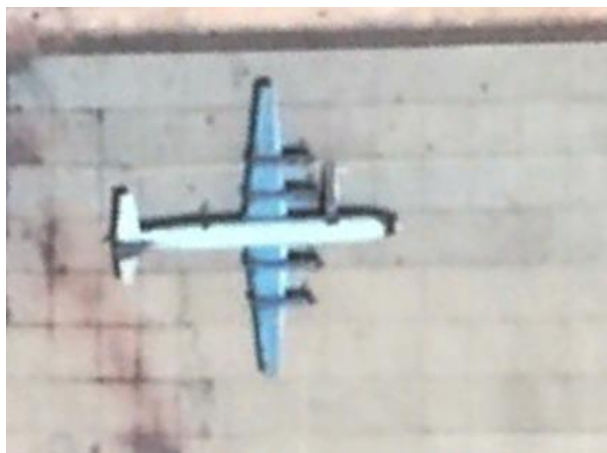
Figure 55.13 ^c

Stock image of IL-76TD (ex UP-17651)

Figure 55.14 ^d

AN-12BP (EY-409) at Al Jufra (25 July 2020)



Figure 55.15 ^e**IL-18 at Al Jufra (6 June 2020)**Figure 55.16 ^e**IL-18 (UP-I1805) at Al Jufra (26 July 2020)**

^a <https://twitter.com/HasairiOuais/status/1256283060976443394/photo/1>, 1 May 2020.

^b Extract from <https://www.youtube.com/watch?v=30H1-qXyvac>, 25 May 2020.

^c <https://russianplanes.net/id218834>, July 1987. Prior to transfer to Azee Air LLC.

^d Confidential source.

^e https://twitter.com/Gerjon_/status/1286994451609640961, 6 June 2020.

^f <https://twitter.com/HasairiOuais/status/1287356754255400963>, 26 July 2020.

5. The Panel noted that most of the commercial operators in 2020 were UAE based, using primarily Kazakhstan registered aircraft, as opposed to the primarily Ukrainian registered aircraft used during 2019. 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’.

6. Since the suspension and revocation of air operator certificates (AOC) for Jenis Air LLC and Sigma Airlines LLC, and the suspension of AOC for Azee Air LLC, by the Kazakhstan Civil Aviation Administration the number of cargo aircraft commercially available for use on this route has massively reduced. This has required the UAE to use their military C-17 Globemaster aircraft to maintain their airbridge (see appendix B).

7. The 5+5 Joint Military Committee ceasefire agreement of 23 October 2020⁶³ provided challenges to the Panel’s monitoring of the air bridges, as empty military cargo aircraft could enter Libya to remove military equipment as required by the initial ceasefire agreement to remove foreign fighters in 90 days, which was amended on 3 November 2020 to the *withdrawal of foreign forces from the contact lines*.⁶⁴ As such, they would have very similar profile indicators to aircraft suspected of trafficking. Whilst the introduction of such military cargo aircraft into Libya is a violation of the

⁶³ https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf, 23 October 2020.

⁶⁴ <https://www.libyaherald.com/2020/11/04/55-joint-military-commission-agrees-permanent-ceasefire-steps-at-ghadames-meeting/>, 4 November 2020.

arms embargo, it would clearly be inappropriate of the Panel to report it as such if it were engaged in the removal of military equipment. It would of course be helpful if the Member States involved informed the Committee in advance of such flights to allow the Panel to deconflict them.

Appendix A to Annex 55: Russian Federation military aircraft in support of HAF

1. The Panel has continued to monitor and analyse the quantity of military cargo flights by the Russian Federation on the air line of communication (ALoC) from the Hmeymim military air base⁶⁵ in Syria to Western Libya. The Panel has identified at least 505 flights by specific aircraft registration number, equating to a maximum cargo delivery of 23,328 tonnes during 2020 (assuming a 48 tonne cargo payload for an IL-76TD). Flights are summarised at table 55.A.1, figures 55.A.1 and 55.A.2. One month's flight details are shown at table 55.A.2 as an example of Panel data. The data is not exhaustive as pre-departure flight plans are not usually filed directly with Eurocontrol⁶⁶ for entry into European airspace. Entry is usually activated by Cyprus air traffic control (ATC) Cyprus air traffic control (ATC) using a ZZZZ code for departure airfield, or by the destination airfield.

Table 55.A.1

Summary of RFF military cargo flights to Libya (1 January – 31 December 2020)

<i>Data set</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>
# Flights	27	26	25	43	53	59	75	93	53	25	13	13
Maximum load (t)	1,296	1,136	976	2,064	2,512	2,768	3,416	4,488	2,376	1,208	504	584

2. The Panel has also identified⁶⁷ that although El Beida (HLLQ) is often declared on the flight plan, aircraft subsequently leaving Libya have declared to air traffic control that they are departing the Al Khadim military airbase (HL59). This can only be due to: 1) an internal flight from Al Beida (HLLQ) to Al Khadim (HL59) before departing Libya; or 2) mis-declaration of the original incoming flight destination by the aircraft.

3. The Panel has also identified that RFF IL-76 cargo aircraft, when allocated a flight level of 27,000' (FL270) often request a lower flight level of 25,000' (FL250) as the aircraft is flying "heavy". This indicates that the aircraft is flying with maximum cargo weights, as fuel is not an issue in terms of its weight for the distance from Latakia to Libya (1,070 nautical miles).

⁶⁵ Centred on 35°24'27.07"N, 35°57'8.00"E.

⁶⁶ <https://www.eurocontrol.int>.

⁶⁷ Voice recordings between RFF aircraft and Cyprus ATC. Available from Panel on request.

Figure 55.A.1

Number of RFF military cargo flights to Libya (1 January – 31 December 2020)

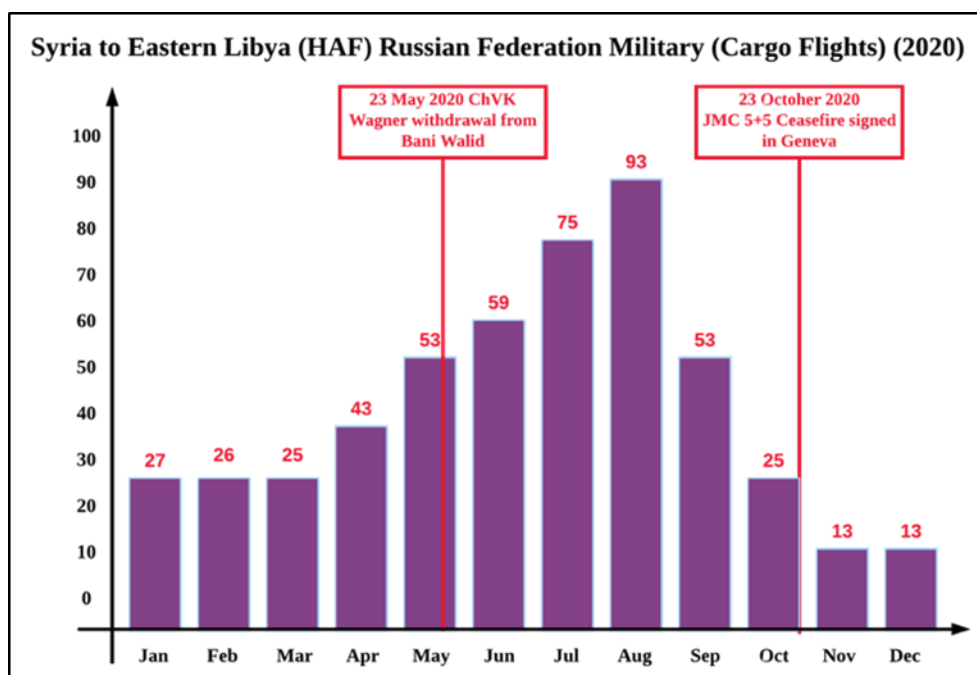
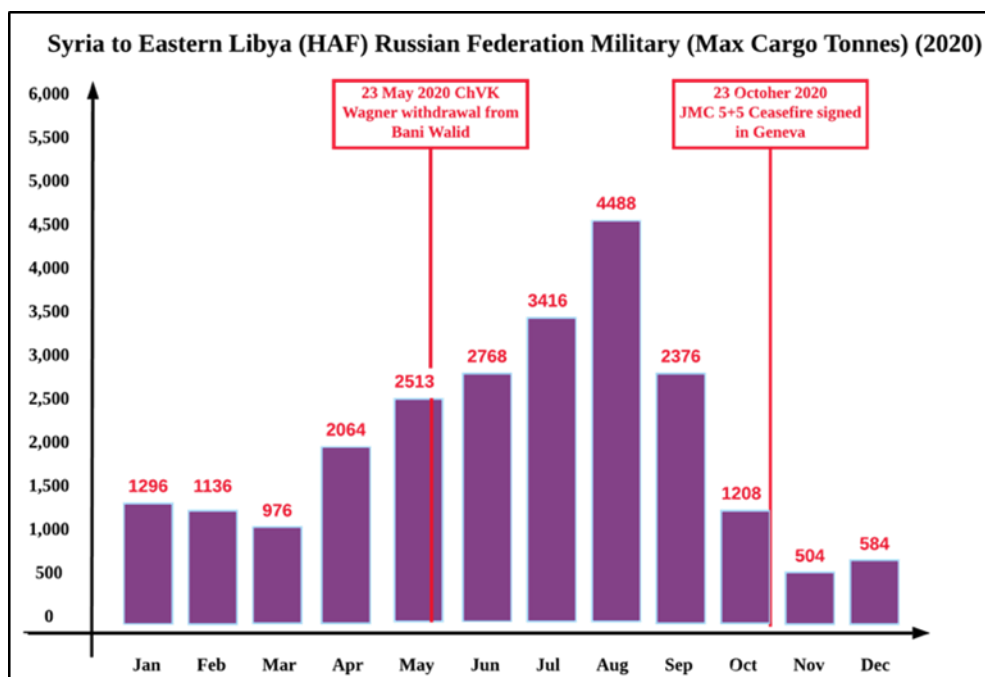


Figure 55.A.2

Maximum potential cargo (tonnes) for RFF military cargo flights to Libya (1 January – 31 December 2020)



4. The Panel has identified the confirmed flights shown in table 55.A.1 of Russian Federation military cargo aircraft into Libya during an example month of August 2020. The Panel has data for all flights made in 2020 available on request.

Table 55.A.1

Example of suspicious flights from Syria by Russian Federation military aircraft (August 2020 taken as example month)

#	Date	Aircraft #	Type	From	To	Flight #	Maximum load (t)
1	1 Aug 2020	RA-76745	IL-76	Latika, Syria ^a	Al Abraaq (Bayda) ^b	RFF8055	48
2	1 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
3	1 Aug 2020	RA-09341	AN-22	OSLK	HLQQ	RFF8671	48
4	1 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	80
5	1 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8057	48
6	2 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
7	3 Aug 2020	RA-76740	IL-76	OSLK	HLQQ	RFF8049	48
8	3 Aug 2020	RA-76740	IL-76	OSLK	HLQQ	RFF8049	48
9	3 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
10	3 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
11	4 Aug 2020	RA-65996	T134	OSLK	HLQQ	RFF8061	8
12	4 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
13	4 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
14	5 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
15	5 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
16	5 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
17	5 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
18	5 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
19	6 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
20	6 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
21	6 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
22	7 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
23	7 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
24	7 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
25	7 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
26	7 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
27	8 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
28	8 Aug 2020	RA-78791	AN-22	OSLK	HLQQ	RFF8053	80
29	8 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
30	8 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
31	9 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
32	9 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
33	9 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
34	9 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
35	9 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
36	10 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48

#	Date	Aircraft #	Type	From	To	Flight #	Maximum load (t)
37	10 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
38	10 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
39	10 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
40	11 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
41	11 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
42	11 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
43	12 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
44	12 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
45	13 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
46	13 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
47	13 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
48	14 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
49	14 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
50	14 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
51	14 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
52	15 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
53	15 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
54	16 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
55	16 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
56	16 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
57	16 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
58	16 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
59	17 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
60	17 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
61	17 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
62	18 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
63	18 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
64	18 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
65	19 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
66	19 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
67	19 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
68	20 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
69	20 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
70	20 Aug 2020	RA-78971	IL-76	OSLK	HLQQ	RFF8053	48
71	21 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
72	21 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
73	21 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
74	22 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
75	22 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
76	22 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
77	23 Aug 2020		IL-76	OSLK	HLQQ	RFF8053	48
78	23 Aug 2020		IL-76	OSLK	HLQQ	RFF8051	48
79	23 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
80	24 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48

#	Date	Aircraft #	Type	From	To	Flight #	Maximum load (t)
81	26 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
82	26 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
83	26 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
84	27 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
85	27 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
86	27 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
87	28 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
88	28 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
89	29 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
90	30 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
91	30 Aug 2020	RA-78768	IL-76	OSLK	HLQQ	RFF8053	48
92	31 Aug 2020	RA-76762	IL-76	OSLK	HLQQ	RFF8051	48
93	31 Aug 2020	RA-78768	IL-76	OSLK	HLQQ	RFF8053	48

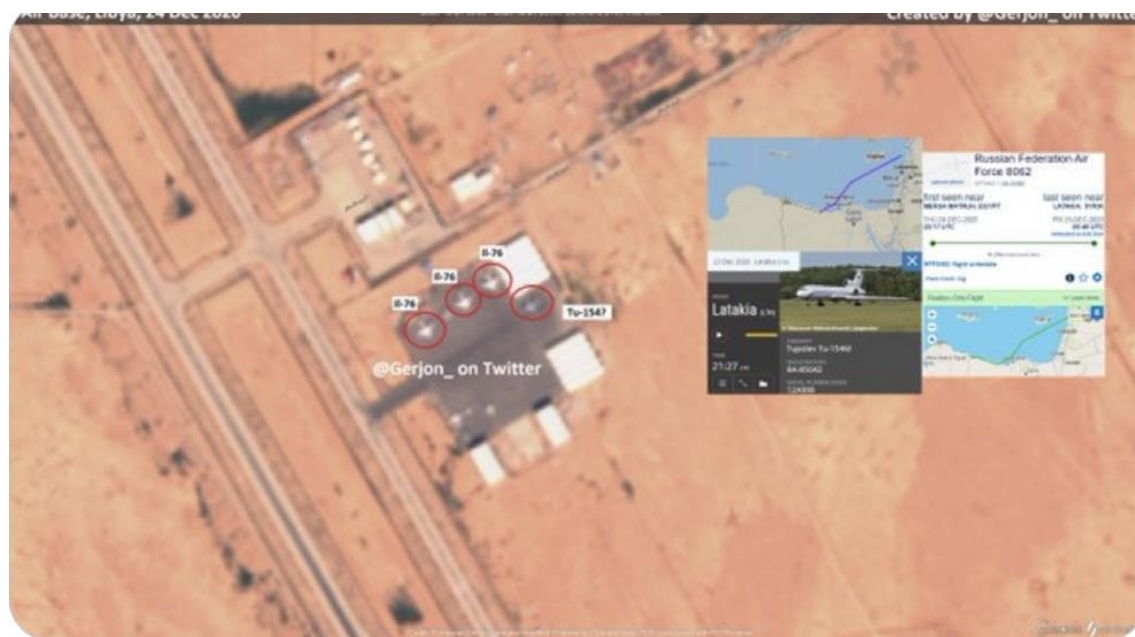
^a Latika. Joint Airbase (Hmeyminn). 35°24'27.07"N, 35°57'8.00"E.

^b Al Abraaq (Bayda). Joint Airbase. 32° 47' 19" N, 21° 57' 51.48" E

5. Figure 55.A.3 shows Al Khadim airbase (HL59)⁶⁸ on 24 December 2020. The imagery clearly shows three Ilyushin IL-76 and one Tupolev TU-154 aircraft. Flight data confirms that the Tupolev TU-154M aircraft is from the Russian Federation Ministry of Defence 223rd Flight Detachment and is registered as RA-85042 (Flight#: RFF8062). One of the IL-76 is almost certainly flight# RFF8040 of the Russian Federation air force.

Figure 55.A.3

Russian Federation military aircraft at AL Khadim military airbase (eastern Libya) (24 December 2020)



⁶⁸ 31° 59' 55" N, 21° 11' 30" E.

6. As these are military aircraft, their landings at Libyan airports means that the Russian Federation has violated paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix B to Annex 55: UAE military aircraft in support of HAF

1. In two earlier updates to the Committee dated 28 January 2020 and 1 May 2020 regarding air transfers of arms, the Panel informed the Committee of a developing trend of suspicious flights from the United Arab Emirates to Western Egyptian and Eastern Libyan airfields. The Panel continued to monitor and investigate the issue and has now identified what is almost certainly the planned “airbridge” components of a supply chain from the United Arab Emirates to HAF. In this case the term “airbridge” is defined as the route and means of delivering primarily military materiel from one place to another along a supply chain by airlift. The transfer of military materiel by an airbridge would be a non-compliance with paragraph 9 of resolution [1970 \(2011\)](#).

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B⁶⁹ transponders are not visible on open-source ADS-B monitoring⁷⁰ shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are often from military air bases; and 4) there have been no responses to the Panel’s request for information from the UAE.

3. The Panel finds that these flights form an Air Line of Communication (ALOC) either directly into Eastern Libya or to link with a land Main Supply Route (MSR) from Western Egypt into Eastern Libya.

Table 55.B.1

UAE military aircraft of interest to the Panel

A/C #	A/C type	Hex Code	Unit	Remarks
1223	C-17A	896C2B	Air Command	
1225	C-17A	896C2D	Air Command	
1226	C-17A	896C2E	Air Command	
1227	C-17A	896C2F	Air Command	
1229	C-17A	896C3E	Air Command	
1230	C-17A	896C40	Air Command	
1230	C-17A	896C40	Air Command	

Table 55.B.2

Suspicious flights from UAE by UAE military aircraft

#	Date	A/C #	A/C type	From ^a	Cargo for / via	Remarks
1	23 Dec 2019		C-17A	UAE	Sidi Barani ^b	▪ IMINT Sentinel-2
2	3 Jan 2020	1227	C-17A	UAE	Benghazi ^c	▪
3	27 Feb 2020	1226	C-17A	UAE	Benghazi ^c	▪

⁶⁹ Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.

⁷⁰ For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

#	Date	A/C #	A/C type	From ^a	Cargo for / via	Remarks
4	2 Mar 2020		C-17A	UAE	HE40	▪ IMINT Sentinel-2
5	10 Mar 2020	1226	C-17A		HLLB	▪
6	11 Mar 2020	1227	C-17A	Qusahira ^d	Libya	▪
7	25 Mar 2020	1226	C-17A	Abu Dhabi ^e	HLLB	▪
8	26 Mar 2020		C-17A	Al Dhafra ^f	Libya	▪
9	1 Apr 2020	1226	C-17A	OMAA	HLLB	▪
10	2 Apr 2020		C-17A	UAE	HE40	▪ IMINT Sentinel-2
11	17 Apr 2020	1225	C-17A			▪
12	18 Apr 2020	1223	C-17A			▪
13	18 Apr 2020	1225	C-17A			▪
14	18 Apr 2020	1227	C-17A			▪
15	19 Apr 2020	1223	C-17A			▪
16	19 Apr 2020	1225	C-17A			▪
17	21 Apr 2020	1227	C-17A			▪
18	22 Apr 2020	1225	C-17A			▪
19	22 Apr 2020	1230	C-17A			▪
20	23 Apr 2020	1223	C-17A	OMAM		▪
21	23 Apr 2020	1225	C-17A			▪
22	23 Apr 2020	1227	C-17A			▪
23	24 Apr 2020	1229	C-17A			▪
24	24 Apr 2020	1230	C-17A			▪
25	25 Apr 2020	1223	C-17A			▪
26	25 Apr 2020	1227	C-17A			▪
27	26 Apr 2020	1225	C-17A			▪
28	26 Apr 2020	1230	C-17A			▪
29	27 Apr 2020	1225	C-17A			▪
30	29 Apr 2020	1226	C-17A			▪
31	30 Apr 2020	1225	C-17A			▪
32	30 Apr 2020	1227	C-17A			▪
33	1 May 2020	1227	C-17A			▪
34	1 May 2020	1230	C-17A			▪
35	3 May 2020	1225	C-17A			▪
36	4 May 2020	1230	C-17A			▪
37	5 May 2020	1225	C-17A			▪
38	5 May 2020	1226	C-17A			▪
39	6 May 2020	1225	C-17A			▪
40	6 May 2020	1226	C-17A			▪
41	6 May 2020	1230	C-17A			▪
42	7 May 2020	1225	C-17A			▪

#	Date	A/C #	A/C type	From ^a	Cargo for / via	Remarks
43	7 May 2020	1226	C-17A			▪
44	7 May 2020	1230	C-17A			▪
45	8 May 2020	1225	C-17A			▪
46	9 May 2020	1225	C-17A			▪
47	10 May 2020	1223	C-17A			▪
48	10 May 2020	1230	C-17A			▪
49	11 May 2020	1227	C-17A			▪
50	13 May 2020	1227	C-17A			▪
51	13 May 2020	1230	C-17A			▪
52	14 May 2020	1230	C-17A			▪
53	17 May 2020	1230	C-17A			▪
54	18 May 2020	1225	C-17A			▪
55	21 May 2020	1225	C-17A			▪
56	23 May 2020	1227	C-17A			▪
57	24 May 2020	1225	C-17A			▪
58	26 May 2020	1223	C-17A	Qusahira	Libya	▪
59	26 May 2020	1225	C-17A	Qusahira	Libya	▪
60	28 May 2020	1223	C-17A	OMAA	Libya	▪
61	28 May 2020	1227	C-17A	OMAA	Libya	▪
62	28 May 2020	1230	C-17A	OMAA	Libya	▪
63	2 Jul 2020	1226	C17A	UAE	HE40	▪
64	3 Jul 2020	1226	C17A	UAE	HE40	▪
65	17 Jul 2020	1230	C-17A	Assab	HE40	▪

^a Best estimate based on ASD-B data. Certainly from a UAE airport.

^b HE40. Joint Airport. 31°27'59"N, 25°52'41"E.

^c HLLB. Civilian Airport. 32°05'48"N, 20°16'10"E.

^d Military Airbase. 22°46'27.35"N, 55° 3'47.61"E

^e OMAA Civilian Airport. 24°25'59"N, 54°39'04"E.

^f OMAM. Military Airbase. 24°14'54"N, 54°32'52"E.

Table 55.B.3

Suspicious flights from Eritrea by UAE military aircraft

#	Date	A/C #	A/C type	From	Cargo for / via	Remarks
1	26 Mar 2020	896C2B	C-17A	Assab ^a	Libya	▪ #UAF1229

^a HSSB. Military Airbase. 13°04'18"N, 42°38'42"E

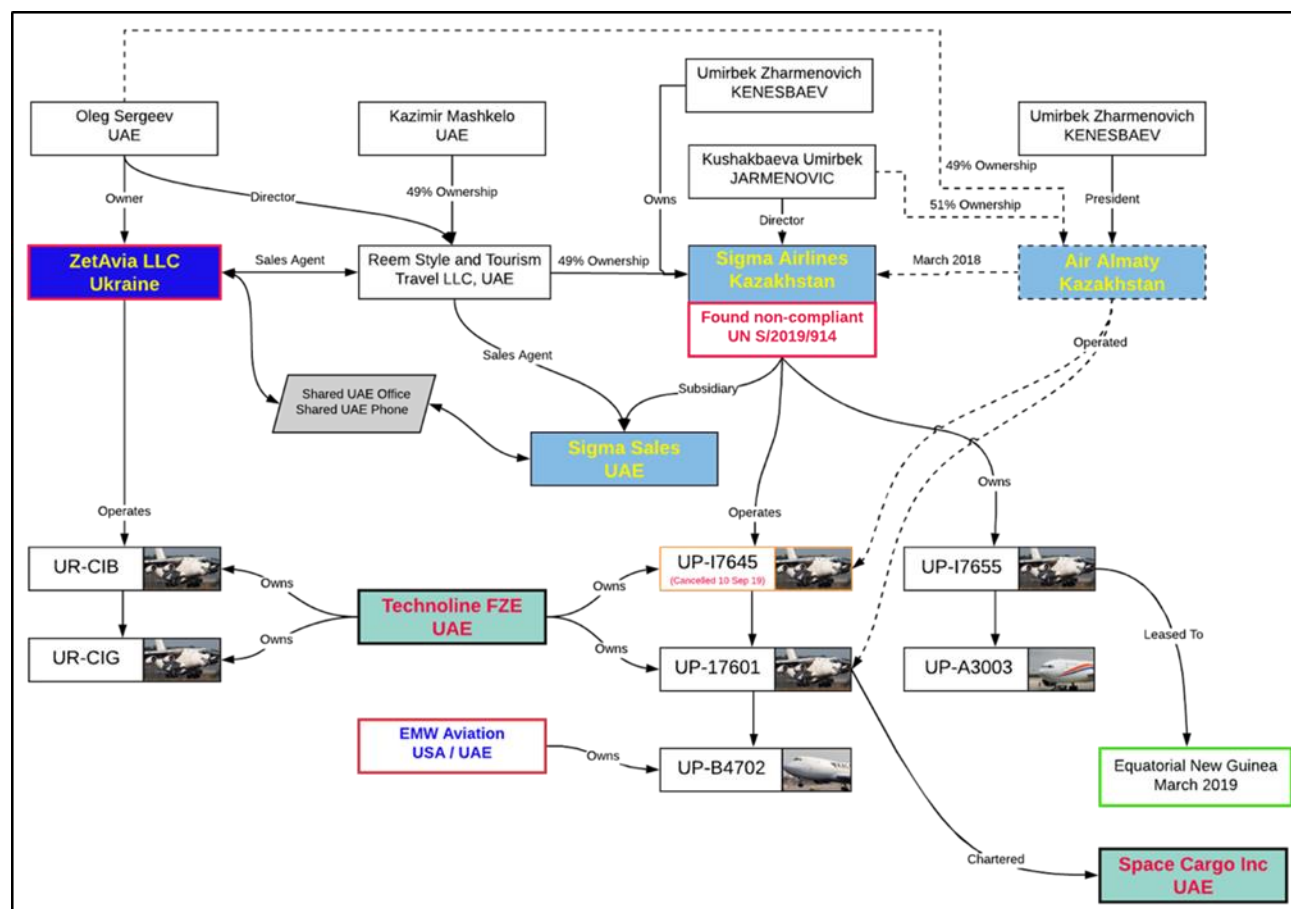
4. As these are military aircraft their landings at Libyan airports means that the United Arab Emirates has violated paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix C to Annex 55: Sigma Airlines in support of HAF

1. Two aircraft (UP-I7601 and UP-I7645) operated by Sigma Airlines LLC and owned by Space Cargo Incorporated (www.spacecargoinc.com)⁷¹ of the United Arab Emirates, were found non-compliant with paragraph 9 to resolution 1970 (2011). in Panel report S/2019/914. The Sigma Airlines business model and corporate relationships is complex and still under investigation by the Panel, see infographic at figure 55.C.1. The Panel notes companies such as Reem Style Travel and Leisure LLC that appear as companies of interest in other Panel investigations.

Figure 55.C.1

Sigma Airlines business relationships



2. The Panel has examined the flight journey logs and cargo manifests for 37 flights made by Sigma Airlines Ilyushin IL-76TD cargo aircraft (UP-I7601 and UP-I7645) from either Egypt and Jordan (see tables 55.C.1 and 55.C.2). The cargo manifests were considered highly suspicious by the Panel as: 1) none had names, signatures or stamps; 2) the lack of specific detail as to the cargo; 3) no details as to the

⁷¹ PO Box 7812, Sharjah Airport International Free Zone, A4-073, Sharjah, UAE. +971 6 557 0388. maher@spacecargoinc.com.

consignee(s); and 4) some had been completed by the 4th Aviation Group of the UAE Armed Forces.⁷² At least 65% of the aircraft flights were at less than 50% capacity, which is unusual for routine chartered flights where payload efficiency is usually strived for. The Panel was unconvinced of the veracity and accuracy of the flight documentation provided by Sigma Airlines.

3. The Panel also noticed at least 26 internal flights by aircraft UP-I7655 providing logistic support to HAF. This activity by Sigma Airlines is also a non-compliance with paragraph 9 of resolution [1970 \(2011\)](#), for the provision of *other assistance* relating to military activities.

4. On 29 May 2020 the Civil Aviation Administration of Kazakhstan suspended the Air Operators Certificate AOC) for Sigma Airlines LLP for a period of six months. The suspension was based on multiple sources identifying that Sigma Airlines LLP had violated “*paragraph 6 of Security Council Resolution 1973 (2011)*” of their air operators certificate and “*four violations of the most critical Level One were identified that pose an immediate threat to flight safety and aviation security*”.

Table 55.C.1

Sigma Airlines suspicious flights by IL-76TD (UP-I7601) to Libya (2019)

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
4 Mar 19	SGL9601	Amman (OJAM) ^a	Al Abraq (HLLQ) ^b	Tower Crane Parts	33,400	▪
11 Mar 19	SGL9603	OJAM	HLLQ	Tower Crane Parts	28,000	▪
5 Apr 19	SGL9601	Aqaba (OJAQ) ^c	Benghazi (HLLB) ^d	Vehicles x 5	12,800	▪
7 Apr 19	SGL9601	OJAQ	HLLB	Vehicles x 4	19,350	▪
8 Apr 19	SGL9603	OJAQ	HLLQ	Vehicles x 5	18,020	▪
9 Apr 19	SGL9603	OJAQ	HLLB	Vehicles x 4	16,000	▪
16 Apr 19	SGL9603	OJAM	HLLB	Communication Spare Parts	7,000	▪
21 Apr 19	SGL9603	OJAM	HLLB	Communication Spare Parts	29,000	▪
24 Apr 19	SGL9603	OJAM	HLLB	Vehicles x 3	41,000	▪
2 May 19	SGL9603	OJAQ	HLLB	Vehicles x 3	10,640	▪ Noor Alhyat Company listed as Operator.
6 May 19	SGL9603	OJAQ	HLLB	Vehicles x 8	15,600	▪
15 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	13,000	▪
19 May 19	SGL9603	OJAM	HLLB	Vehicles x 2	40,000	▪ Each vehicle = 20T?
22 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
27 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	34,000	▪

⁷² For example Flight SGL9511 from Sweihan airbase, UAE on 26 August 2019.

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
28 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	40,000	▪
2 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	40,000	▪
11 Jun 19	SGL9603	OJAQ	HLLB	Communication Spare Parts	3,000	▪
13 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	39,000	▪
15 Jun 19	SGL9603	Cairo (HECA) ^e	HLLB	Communication Spare Parts	7,000	▪
16 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	28,000	▪
18 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	37,000	▪
19 Jun 19	SGL9604	Abeche (FTTC) ^f	HLLB	Communication Spare Parts	15,000	▪ Cargo manifest not submitted.
23 Jun 19	SGL9603	OJAM	HLLB	Trolley, Conditions, General Cargo	15,000	▪
2 Jul 19	SGL9603	OJAQ	HLLB	Vehicles (x4)	13,400	▪ Cargo manifests states HLLQ for unloading.
4 Jul 19	SGL9603	HECA	HLLB	Communication Spare Parts	18,000	▪
12 Jul 19	SGL9603	OJAM	HLLB	Communication Spare Parts	29,000	▪
14 Jul 19	SGL9603	Alexandria (HEBA) ^g	HLLB	Communication Spare Parts	20,000	▪
15 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	35,000	▪
18 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	11,000	▪
20 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	1,000	▪
27 Jul 19	SGL9603	OJAQ	HLLB	Vehicles (x4)	12,000	▪
10 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
20 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
22 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	21,000	▪
27 Aug 19	SGL9603	OJAQ	HLLQ	Vehicles (x4)	12,000	▪

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
4 Sep 19	SGL9604	HEBA	HLLB	Communication Spare Parts	35,000	▪ Eastbound flight number
6 Sep 19	SGL9603	HEBA	HLLB	Communication Spare Parts	35,000	▪

^a OJAM = Amman, Jordan

^b HLLQ = Al Abraha, Libya

^c OJAQ = Aqaba, Jordan

^d HLLB = Benghazi (Benina International Airport)

^e HECA = Cairo, Egypt

^f FTTC = Abeche, Chad

^g HEBA = Alexandria (Borg El Arab), Egypt

Table 55.C.2

Sigma Airlines suspicious flights by IL-76TD (UP-I7645) to Libya (2019)

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
20 Jan 19	SGL9602	Abraq (HLLQ) ^a	Benghazi (HLLB) ^b	Frozen Food	20,000	▪ Internal support to HAF
20 Jan 19	SGL9602	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
4 Feb 19	SGL9601	Sharjah (OMSJ) ^c	HLLQ	Men's Suit, Belt, Hat, Boots	27,134	▪ Panel assesses as Military Uniforms
18 Feb 19	SGL9601	HLLQ	HLLB	Toyota Hilux x 3 (7,500kg) Food x 10 Pallets (12,000kg)	19,500	▪ Internal support to HAF
18 Feb 19	SGL9601	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
03 Mar 19	SGL9601	HLLQ	HLLB	Truck Wheels x 250 (6250kg) Generator x 1 (13,750kg)	20,000	▪ Internal support to HAF
03 Mar 19	SGL9602	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
27 Mar 19	SGL9601	Aqaba (OJAQ) ^d	HLLB	Vehicles x 3	12,000	▪
27 Mar 19	SGL9601	HLLB	Sabha (HLLS) ^e	NO MANIFEST	12,000	▪ Internal support to HAF
27 Mar 19	SGL9601	HLLS	HLLB	Containers x 2	10,000	▪ Internal support to HAF
28 Mar 19	SGL9602	HLLB	HLLM	NO MANIFEST	35,000	▪ Internal support to HAF

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
28 Mar 19	SGL9601	HLLM	HLLB	Tarpaulin Fabric	24,000	▪ Internal support to HAF
29 Mar 19	SGL9602	HLLB	HLLS	NO MANIFEST	25,000	▪ Internal support to HAF
29 Mar 19	SGL9601	HLLS	HLLB	Medical Equipment	10,000	▪ Internal support to HAF
31 Mar 19	SGL9602	HLLB	HLLM	Tower Crane Parts	20,000	▪ Internal support to HAF
31 Mar 19	SGL9601	HLLM	HLLB	3 x Containers	20,000	▪ Internal support to HAF
1 Apr 19	SGL9602	HLLB	HLLS	Furniture	20,000	▪ Internal support to HAF
1 Apr 19	SGL9602	HLLS	HLLB	Container x 2	10,000	▪ Internal support to HAF
2 Apr 19	SGL9602	HLLB	HLLS	Oil Equipment	20,000	▪ Internal support to HAF
2 Apr 19	SGL9602	HLLS	HLLB	Container x 2	12,000	▪ Internal support to HAF
3 Apr 19	SGL9602	HLLB	HLLS	Fabrication Equipment	18,000	▪ Internal support to HAF
3 Apr 19	SGL9602	HLLS	HLLB	Medical Equipment	9,200	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLS	HLLB	Water Heaters x 100	35,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLS	HLLB	Container x 2	24,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLB	HLLS	Water Heaters x 100	35,000	▪ Internal support to HAF
4 Apr 19	SGL9601	HLLS	HLLB	Container x 2	24,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLB	HLSS	Boilers x 800	37,000	▪ Internal support to HAF
4 Apr 19	SGL9601	HLSS	HLLB		24,000	▪ Internal support to HAF
10 Apr 19	SGL9602	Amman (OJAM) ^f	HLLQ	Fabric – Tarpaulin	10,000	▪ Military tentage.
11 Apr 19	SGL9602	OJAM	HLLQ	Equipment and 2 x Container	20,000	▪
16 Apr 19	SGL9601	Al Maktoum (OMDW) ^g	HLLQ	Cars x 3	15,126	▪
5 May 19	SGL9601	OJAM	HLLQ	Oil Equipment	36,000	▪ Possible legitimate
7 May 19	SGL9601	OJAM	HLLQ	Container x 3	30,000	▪
11 May 19	SGL9601	OJAQ	HLLQ	Vehicles x 8	15,600	▪

<i>Date</i>	<i>Flight#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
5 Jul 19	SGL9606	OJAQ	HLLQ	No Cargo Declared		▪
12 Jul 19	SGL9601	OJAQ	HLLQ	Building Equipment	30,000	▪
10 Aug 19	SGL9811	OJAQ	HLLQ	Vehicles x 4	12,000	▪
23 Aug 19	SGL9511	Sweihaan (OMAW) ^h	HE40 ^j	Toyota Land Cruiser x 4	10,956	▪ Then to HLLB ▪ UAE Armed Forces Load Manifest
26 Aug 19	SGL9511	OMAW	HE40	Toyota Land Cruiser x 4	10,956	▪ Then to HLLB ▪ UAE Armed Forces Load Manifest

^a HLLQ = Al Abraq, Libya

^b HLLB = Benghazi (Benina International Airport)

^c OMSJ = Sharjah, UAE

^d OJAQ = Aqaba, Jordan

^e HLLS = Sabha, Libya

^f OJAM = Amman, Jordan

^g OMDW = Al Maktoum Dubai

^h OMAW = Sweihaan Military Airbase, UAE

^j HE40 = Sidi Barani Military Airbase, Egypt

5. The Panel thus finds that this flight activity by Sigma Airlines LLC is a violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

Appendix D to Annex 55: Azee Air LLC in support of HAF

1. Azee Air LLC was founded on 8 September 2017, but only started commercial activities in June 2019. The company operated four Ilyushin IL-76 TD⁷³ on the airbridges to Libya during the first half of 2020. These aircraft have made at least 100 airbridge flights that meet the majority of the Panel's profile indicators at 0 Annex 75 . These flights equate to a maximum potential cargo delivery of 5,000 tonnes (see later). Analysis of flight documentation provides further evidence of the clandestine nature of the nine flights for which Azee Air LLC provided documentation.
2. On 24 January 2020, the ADS-B data for all Azee Air LLC operated aircraft went totally blank on the FlightRadar24 AB (www.flightradar24.com) web platform. On 16 April 2020 FlightRadar24 AB confirmed to the Panel that on 17 January 2020 Azee Air LLC had requested the "blocking" service for their aircraft. Azee claimed that this was done for "commercial reasons" to "maintain its competitive advantage".⁷⁴ The Panel considers this a highly unusual action by a freight operator, who would normally want clients to know routes to attract extra business, fill up spare cargo space and thus maximise company profit. The Panel considers that Azee Air LLC was really using the commercial "blocking" services of FlightRadar24 AB to disguise or conceal flights being made to transfer military equipment in non-compliance with the arms embargo.⁷⁵ Notwithstanding this, access to ADS-B data and analysis from other providers enabled the Panel to maintain an overwatch of departures from the United Arab Emirates on similar tracks towards Libya as before (see figure 55.D.1 as an example).
3. Among the AOCs Azee Air LLC provided to FlightRadar24 AB as justification for the "blocking" services was one for IL-76TD aircraft registered UP-I7652. The Panel noted that Azee Air LLC is not known to own or operate this aircraft, which the Panel has confirmed is operated by Jenis Air LLC. On 21 April 2020 the Aviation Administration of Kazakhstan confirmed to the Panel that the "AOC" supplied by Azee Air LLC was a forgery, which they are now investigating.

⁷³ Aviation Administration of Kazakhstan registered as UP-I7646, UP-I7650, UP-I7651 and UP-I7654. On 18 February 2020 UP-I7646 was purportedly transferred to Jenis Air LLC as the operator but continued to operate using Azee Air LLC flight numbers and call signs.

⁷⁴ Letter from Kulowiec, Jorquera and Whalen LLP dated 20 November 2020.

⁷⁵ Azee Air LLC aircraft also do not appear on similar ADS-B open source data platforms such as for example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com. Panel check of 23 April 2020.

Figure 55.D.1
ADS-B track of IL-76TD (UP-I7650) on 26 January 2020⁷⁶



^a Red circle indicates ADS-B disabled by aircraft when in Egyptian air space on track to Libya.

^b Yellow rectangle indicates route over Saudi desert where no ADS-B ground stations are present to detect signal.

4. Azee Air LLC operated four IL-76TD aircraft during the reporting period. Tables 55.D,1 to 55.D.4⁷⁷ summarises the Panel's evidence relating to each Azee Air LLC owned and/or operated aircraft.

Table 55.D.1
IL-76TD (UP-I7646) (Operated)

Date	Activity	Panel Evidence
23 Dec 2019	Registered by Kazakhstan.	<ul style="list-style-type: none"> ▪ Certificate of Registration No.1186. ▪ Operated by Azee Air LLC.
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform.	<ul style="list-style-type: none"> ▪ FR24 documentation. ▪ NOTE blocked before transfer to Jenis Air LLC operations at Jenis Air LLC request. Azee Air LLC and Space Cargo Inc ^a also blocked their aircraft on same date.
26 Jan 2020	Sold to Space Cargo Inc (UAE) by Aganya Limited (UAE) ^b	<ul style="list-style-type: none"> ▪ Bill of Sale No. 80505-01-2020. ▪ Documents signed 1 Feb 2020.

⁷⁶ Data analysis provided to Panel by www.c4ads.org. The Panel has similar flight tracks for a further fifteen flights as part of this analysis.

⁷⁷ All the documentation referred to in tables 55.1 to 55.4 is available from the Panel on request. Selected documentation has been included in the annexes to illustrate the evidential levels.

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
26 Jan 2020	Dry leased to Jenis Air LLC by Space Cargo Inc.	<ul style="list-style-type: none"> ▪ Dry Lease No 26/01/20. ▪ The aircraft still flew under Azee Air LLC callsign and flight identifiers until at least 01 April 2020.
06 Feb 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	<ul style="list-style-type: none"> ▪
19 Feb 2020	Registered by Kazakhstan on change of ownership.	<ul style="list-style-type: none"> ▪ Certificate of Registration No.1186.
14 Apr 2020	Identified flying into Libya to start operating in support of HAF.	<ul style="list-style-type: none"> ▪ C4ADS research and www.aerotrtransport.org, updated 16 May 2020.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	<ul style="list-style-type: none"> ▪ Until 20 October 2020.
15 Jun 2020	Cancellation of Registration	<ul style="list-style-type: none"> ▪ Certificate of Cancellation No.301.
2 Oct 2020	Reported as been returned to Space Cargo Inc from HAF.	<ul style="list-style-type: none"> ▪ http://www.aerotrtransport.org/.

^a www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com / maher@spacecargoinc.com). Please note that a separate Statement of Case against Space Cargo Inc relating to similar arms embargo violations was submitted to the Committee on 24 December 2020.

^b No web trace. PO Box 123005, RAK Offshore, Government of Ras Al Khaimah, UAE.

Table 55.D.2

IL-76TD (UP-I7650) (Owned)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
9 Jul 2018	Registered by Kazakhstan.	<ul style="list-style-type: none"> ▪ Certificate of Registration No.1145.
14 Jan 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	<ul style="list-style-type: none"> ▪
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	<ul style="list-style-type: none"> ▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	<ul style="list-style-type: none"> ▪ Intended to disguise clandestine flights into Libya.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	<ul style="list-style-type: none"> ▪ Until 20 October 2020.
4 May 2020	Dry leased to FlySky Airlines (FSQ), ^a Kyrgyz Republic	<ul style="list-style-type: none"> ▪ Dry Lease No 04/05/20
9 Jun 2020	Registered by Kyrgyz Republic as EX-76003	<ul style="list-style-type: none"> ▪ Member State letter.
15 Jun 2020	Cancellation of Registration by Kazakhstan	<ul style="list-style-type: none"> ▪ Certificate of Cancellation No. 301

^a www.flysky.kg. Office 6, Building 82A, Ch Almatove Boulevard, Bishkek 720044, Kyrgyz Republic. +966 312 979300. (info@flysky.kg).

Table 3
IL-76TD (ex-UP-I7651) (Operated)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
9 Jul 2019	Registered by Kazakhstan.	<ul style="list-style-type: none"> ▪ Certificate of Registration No.1187. ▪ Operated by Azee Air LLC
14 Jan 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	<ul style="list-style-type: none"> ▪
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	<ul style="list-style-type: none"> ▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	<ul style="list-style-type: none"> ▪ Intended to disguise clandestine flights into Libya.
10 Mar 2020	Sold to Space Cargo Inc (UAE) by Infinite Seal Inc (BVI) ^a	<ul style="list-style-type: none"> ▪ Bill of Sale No. 6002-03-2020. ▪ Document signed 19 March 2020.
10 Mar 2020	Space Cargo Inc claimed to have sold to Eagle Enterprise Company Limited, South Sudan. Sale Agreement EEC-SCI-009-01-20 provided.	<ul style="list-style-type: none"> ▪ Eagle Enterprise deny all knowledge of this sale and are categorical that all documentation is fake. The Panel is convinced the documentation is fake and finds that Space Cargo Inc supplied fake documentation to the Panel.
19 Mar 2020	Identified as flown into Libya and started operating in support of HAF.	<ul style="list-style-type: none"> ▪ https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and http://www.aerotransport.org/, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya. ▪ Operated by Azee Air LLC (but Space Cargo stated operated by Jenis Air LLC).
21 Mar 2020	Reported as being operated by HAF in Libya.	<ul style="list-style-type: none"> ▪ www.aerotransport.org.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	<ul style="list-style-type: none"> ▪ Until 20 October 2020.
13 May 2020	De-registered by Kazakhstan.	<ul style="list-style-type: none"> ▪ Certificate of Cancellation No.299.

^a No corporate web presence. As at 27 April 2015. BVI Company # 1784025.

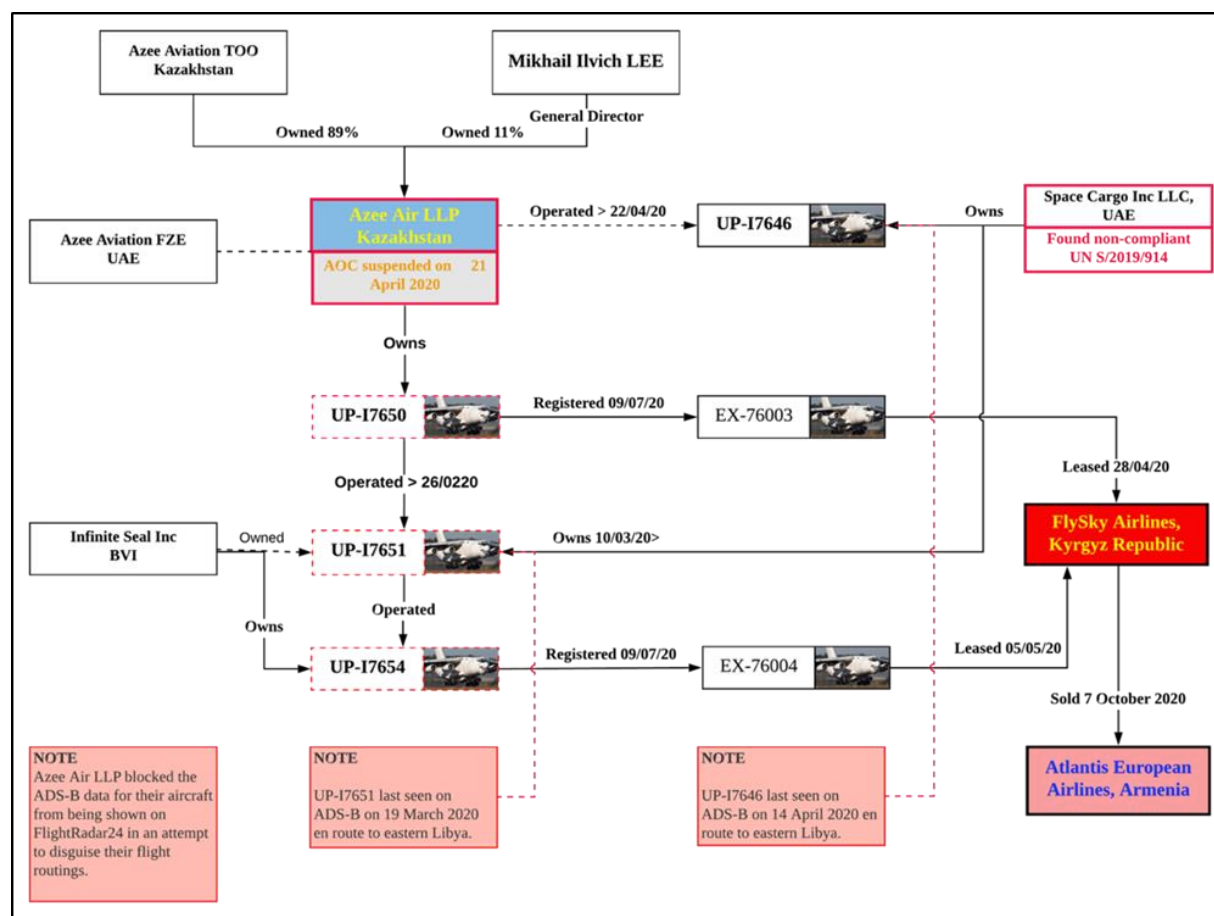
Table 4
IL-76TD (UP-I7654) (Operated)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
10 Apr 2019	Registered by Kazakhstan.	<ul style="list-style-type: none"> ▪ Certificate of Registration No.1172.
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	<ul style="list-style-type: none"> ▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	<ul style="list-style-type: none"> ▪ Intended to disguise clandestine flights into Libya.

Date	Activity	Panel Evidence
17 Feb 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	▪
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	▪ Until 20 October 2020.
28 Apr 2020	Dry leased to FlySky Airlines, Kyrgyz Republic	▪ Dry Lease No 28/04/20
9 July 2020	Registered by Kyrgyz Republic as EX-76003	▪ Member State letter.
14 Jul 2020	Cancellation of Registration by Kazakhstan	▪ Certificate of Cancellation No. 302

5. The Azee Air LLC business model and corporate relationships are complex and still under investigation by the Panel, see infographic at figure 55.D.2. The Panel notes companies such as Space Cargo Incorporated (UAE) and Infinite Seal Limited (BVI) appear as companies of interest in other investigations. Linked companies include Azee Aviation TOO (Kazakhstan),⁷⁸ who own the Boeing 747 (UP-B4701) operated by Azee Air LLC, and Azee Aviation FZE (UAE).⁷⁹

Figure 55.D.2

Azee Air LLC relationships

⁷⁸ 35, kv.341, Boulevard Bukhar Zhyrau, Almaty, Kazakhstan.

⁷⁹ Q4-075, PO Box 124005, SAIF Zone, Sharjah, UAE. +971 6 552 6263. info@azee.aero.

6. The Panel has also identified that on 5 October 2020 the Director of the company was changed to Natalya SHUMKINA, and a fourth address for the company was reported.⁸⁰

7. On 21 April 2020, the Aviation Administration of Kazakhstan suspended the Air Operators Certificate (AOC) for Azee Air LLC for a period of six months.⁸¹ The suspension was based on multiple sources identifying that Azee Air had not complied with “the certification requirements provided by the operational requirements and restrictions of the AOC (...)”.

8. The Panel noted that a General Sales Agency Agreement (GSA) dated 1 May 2019 was in place between Deek Aviation FZE and Azee Air LLC. The Panel finds that this agreement does not absolve Azee Aviation LLC from any illicit activity in terms of sanctions violations committed by the aircraft that they own and/or operate. This finding is based on the following articles within the GSA, and due diligence responsibilities:

- (a) GSA Article 6 (viii). Assist the Principal to ensure all cargo does not include (a) hazardous materials, (b) any materials which Principal is prohibited from transporting pursuant to the Regulations or (c) any materials prohibited by the Contract of Carriage;
- (b) GSA Article 12. The Principal will be responsible for the physical and technical operation of the Aircraft and the safe performance of all Charter Flights and will retain full authority and control including General operational control and possession of the Aircraft at all times. The captain of the Aircraft⁸² and the flight dispatcher will have absolute discretion in all matters concerning the preparation of the Aircraft for flight and the flight itself, the load carried and its distribution, the decision whether or not a Charter Flight will be undertaken, the route to be flown, the place where landings will be made, and all other matters relating to the safety in the operation of the Aircraft; and
- (c) Deek Aviation were named as violating paragraph 9 of resolution 1970 (2011) in Panel report S/2019/914.⁸³ Azee Air LLC due diligence should have identified the involvement of Deek Aviation FZE regarding recent sanctions violation activities in Libya.

Opportunity to respond

9. The Panel requested clarification as to the nature of the flights and details of the cargo from the Member State with copies to the airline; no response was received from the airline.⁸⁴ Consequently neither the charterer nor cargo agent for many of the flights can yet be identified. The airline also failed to provide

⁸⁰ Apartment 4, Zavodskaya Streer 92, Karasu Microdistrict, Alatau Area, Almaty, 050000 Kazakhstan.

⁸¹ CAA Kazakhstan Order No.121.

⁸² In effect, the Captain of the aircraft, as a senior Azee Air LLC employee should have ensured that the aircraft did not carry materiel, nor fly routes, that violated the UN arms embargo on Libya..

⁸³ Annexes 28 and 53. Deek Aviation FZE were named alongside Infinite Seal Inc (BVI) (see above figure 3). Deek Aviation LLC failed to respond to the Panel’s request for information in connection with this case.

⁸⁴ Panel letters of 24 and 27 March 2020.

the information to the Civil Aviation Administration of Kazakhstan (www.caakz.com) on request.⁸⁵ Their only communication with the Panel was a letter sent on 17 April 2020 from a specialist aviation lawyer in the USA. The Panel submitted an appropriate explanatory response to the lawyer on 23 April 2020, which the lawyer immediately responded to on 24 April 2020 stating that Azee Air were “*working in earnest to provide the Panel with (...) data in an organised manner*”. The Panel’s multiple requests for copies of contracts, cargo manifests and air waybills, which should always be readily available to an airline, were not acceded to.

10. The Panel received a second communication from the lawyer on 5 October 2020 to which the Panel responded on 13 October 2020 explaining the investigative methodology followed by the Panel. In this letter the lawyer stated that ADS-B does not allow for pilots to activate or deactivate elements of its functionality and that remote regions such as North Africa and Libya do not afford ubiquitous surveillance due to lack of ADS-B ground stations. Technical advice from the Kazakhstan CAA, verified by an independent technical source, rebuts this claim: ADS-B is like all transponders not hot wired into aircraft electrical systems and signals are now processed by space-based tracking systems⁸⁶ as well as ground equipment. In particular Ilyushin aircraft have the ability to stop flight telemetry data from being broadcast. Crews have to activate the transponders as before with 4,096 type units. The space-based telemetry tracking means that areas of no ground-based tracking stations are no longer an issue to obtain data where necessary to do so. The lawyer wrote to the Panel again on 16 December 2020 and 7 January 2021 requesting that the Panel send a “clearance letter” to the Civil Aviation Authority of Kazakhstan. The Panel responded on 12 January 2021 stating that this would not be appropriate as the Panel reports to the Sanctions Committee, and that the Panel’s findings in regard to its investigation to date relating to his clients will be submitted as part of the Panel’s mandate under paragraph 12 of Security Council resolution 2509 (2020) to produce a final report of its findings and recommendations to the Security Council by 15 March 2021.

Flight analysis

11. The Azee Air LLC flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B transponders are not visible on open-source ADS-B monitoring⁸⁷ shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) some flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) the lack of detail on the limited flight documentation supplied by Azee Air LLC and seen by the Panel; and 5) the use of Azee Air LLC callsigns by UP-I7646 after the aircraft was dry leased to Jenis Air LLC.

⁸⁵ Panel discussions with the Aviation Administration of Kazakhstan on 20 – 22 April 2020.

⁸⁶ For example: <https://aireon.com>.

⁸⁷ For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

Table 55.D.5

Suspicious flights by Azee Air LLC operated aircraft

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
1	14 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
2	14 Jan 2020	UP-I7651	IL-76TD	Abu Dhabi ^a	Benghazi ^b	▪
3	15 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
4	15 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
5	16 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
6	16 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	17 Jan 2020	Azee Air LLC requested FR24 platform blank Azee Air LLC flights from public view				
7	17 Jan 2020	UP-I7650	IL-76TD	UAE	HLLB	▪ IMINT of IL-76TD @ HLLB on 18 Jan 2020.
8	19 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
9	20 Jan 2020	UP-I7650	IL-76TD	UAE	HLLB	▪ AZL1538 ▪ Cargo of 3 vehicles consigned to 4 th Aviation Group, UAE Armed Forces. ▪ Manifest claimed Alexandria, Egypt (HEBA) as destination.
10	20 Jan 2020	UP-I7651	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
11	21 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
12	21 Jan 2020	UP-I7650	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
13	21 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
14	21 Jan 2020	UP-I7651	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
15	22 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
16	23 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
17	23 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	24 Jan 2020	FR24 platform blanks Azee Air LLC flights from public view				
18	24 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
19	24 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
20	25 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
21	25 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	26 Jan 2020	Space Cargo Inc dry-lease UP-I7646 to Jenis Air LLC				
22	26 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
23	26 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
24	27 Jan 2020	UP-I7650	IL-76TD	UAE	Sidi Barani ^c / Libya	▪ IMINT of IL-76TD @ HE40 on 27 Jan 2020.
25	27 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
26	28 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
27	28 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
28	29 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
29	29 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
30	30 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪ AZL1538 ▪ Manifest claimed HEBA as destination. Errors on manifest.
31	30 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
32	31 Jan 2020	UP-I7650	IL-76TD	UAE	HE40 / Libya	▪ IMINT of IL-76TD @ HE40 on 31 Jan 2020.
33	31 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
34	01 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
35	01 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
36	02 Feb 2000	UP-I7650	IL-76TD	UAE	Libya	▪
37	02 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
38	03 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
29	03 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
40	04 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
41	05 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
42	05 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
43	06 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
44	07 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
45	07 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
46	10 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
47	11 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
48	11 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
49	11 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
50	12 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
51	12 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪ AZL1536 ▪ Manifest claimed HEBA as destination. Errors in manifest.
52	13 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
53	13 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
54	13 Feb 2020	UP-I7651	IL-76TD	Al Dhafra ^d	Libya	▪
55	14 Feb 2020	UP-I7646	IL-76TD	Sweihaan ^e	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
56	14 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪ AZL1538
57	15 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ AZL1535 (A Westbound code for an Eastbound flight!)
						▪ Manifest claimed HEBA as destination. Errors in manifest.

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
58	15 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	<ul style="list-style-type: none"> AZL1535 (A Westbound code for an Eastbound flight!) Manifest claimed HEBA as destination. Errors in manifest.
59	15 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
60	16 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
61	16 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪
62	17 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
63	17 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
64	18 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	<ul style="list-style-type: none"> AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
65	18 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
66	18 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	<ul style="list-style-type: none"> AZL1536
67	19 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
68	19 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
69	20 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
70	20 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪
71	21 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
72	21 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
73	22 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
74	22 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
75	23 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
76	23 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
77	26 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	<ul style="list-style-type: none"> AZL1536 Manifest claimed HEBA as destination. Errors in manifest.
78	19 Mar 2020	UP-I7651	IL-76TD	Sharjah ^f	HLLB	<ul style="list-style-type: none"> Not seen on ADS-B since and now flying for HAF based in Benghazi.
79	28 Mar 2020	UP-I7654	IL-76TD	UAE	HLLB	<ul style="list-style-type: none"> AZL1538 IMINT of IL-76TD @ HLLB on 27 Mar 2020.
80	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none"> AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
81	01 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
82	02 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none"> AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
83	02 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
84	03 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
85	06 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none"> AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
86	07 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none"> AZL1536 Azee callsign used although dry leased to Jenis Air LLC.

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
87	07 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none">AZL1538IMINT of IL-76TD @ HLLB on 6 Apr 2020.
88	07 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	<ul style="list-style-type: none">UID
89	08 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	<ul style="list-style-type: none">
90	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none">AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
91	09 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	<ul style="list-style-type: none">AZL1538
92	10 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none">AZL1538IMINT of IL-76TD @ HLLB on 10 Apr 2020.
93	10 Apr 2020	TBC	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none">IMINT of IL-76TD @ HLLB on 18 Jan 2020.
94	11 Apr 2020	TBC	IL-76TD	OMSJ	Libya	<ul style="list-style-type: none">
95	15 Apr 2020	UP-I7654	IL-76TD	Eritrea	Libya / Egypt TBC	<ul style="list-style-type: none">AZL1536
96	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	<ul style="list-style-type: none">AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
97	16 Apr 2020	UP-I7654	IL-76TD	UAE	HLLB	<ul style="list-style-type: none">IMINT of IL-76TD @ HLLB on 16 Apr 2020.
98	17 Apr 2020	UP-I7654	IL-76TD	UAE	Libya	<ul style="list-style-type: none">
99	18 Apr 2020	UP-I7654	IL-76TD	UAE	HLLB	<ul style="list-style-type: none">IMINT of IL-76TD @ HLLB on 16 Apr 2020.
100	19 Apr 2020	UP-I7654	IL-76TD	UAE	HE40	<ul style="list-style-type: none">IMINT Sentinel-2.
	21 Apr 2020	Azee Air AOC suspended for six months				<ul style="list-style-type: none">
101	2 May 2020	UP-I7654	IL-76TD	UAE	HE40	<ul style="list-style-type: none">IMINT Sentinel-2.

^a OMAA. Civilian Airport. 24°25'59"N, 54°39'04"E.

^b HLLB. Civilian Airport. 32°05'48"N, 20°16'10"E.

^c HE40. Civilian Airport. 31°27'59"N, 25°52'41"E.

^d OMAM. Military Airbase. 24°14'54"N, 54°32'52"E.

^e OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.

^f OMSJ. Civilian Airport. 25°19'43"N, 55°31'02"E.

Documentation analysis

12. The Panel has examined the flight journey logs and cargo manifests provided by Azee Airlines for nine flights of Ilyushin IL-76TD cargo aircraft. No flight documentation was provided for the remainder. The air waybills and cargo manifests were considered highly suspicious by the Panel as: 1) none had names, signatures or stamps; 2) the lack of specific detail as to the cargo; 3) no details as to the consignee(s); 4) air waybills incomplete and no customs valuation; 5) inaccuracies between air waybills and cargo manifests; and 6) some had been completed by the 4th Aviation Group of the UAE Armed Forces.⁸⁸ Unless the

⁸⁸ For example Flight AZL1538 from OMAA on 20 January 2020.

flights were for an official organization it is doubtful whether they would ever have received customs clearance based on the flight documentation provided.

- (a) ALL of the aircraft flights were at less than 50% capacity, which is unusual for expensive chartered flights where payload efficiency is usually strived for; and
- (b) ALL of the flights were allegedly for the Khalifa Foundation Representative in Egypt. Yet the foundation website only reflects one project in 2020, and that was for '20 tonnes of dates' (<https://www.khalifafoundation.ae/en-us/Pages/InteractiveMap.aspx>). The Panel contacted the Khalifa Foundation⁸⁹ but received no response.

Table 55.D.6

<i>Date</i>	<i>A/C#</i>	<i>From</i>	<i>Destination</i>	<i>Declared cargo</i>	<i>Cargo (kg)</i>	<i>Remarks</i>
20 Jan 2020	UP-I7650	OMAA ^a	HEBA ^b	Ford Vehicle 3 x Pallets	19,609	<ul style="list-style-type: none"> ▪ 39.2% of load capacity ▪ Consignee signed for as 4th Aviation Group, UAE Armed Forces
30 Jan 2020	UP-I7650	OMAA	HEBA	General Cargo	21,890	<ul style="list-style-type: none"> ▪ 43.8% of load capacity ▪ Cargo Manifest said OMFJ not OMAA
11 Feb 2020	UP-I7646	OMAA	HEBA	3 x Vehicles	20,200	<ul style="list-style-type: none"> ▪ 40.4% of load capacity ▪ Cargo Manifest adds up to 20,600kg load
12 Feb 2020	UP-I7651	OMAA	HEBA	General Cargo	17,000	<ul style="list-style-type: none"> ▪ 34.0% of load capacity ▪ Cargo Manifest said OMFJ^c not OMAA
13 Feb 2020	UP-I7646	OMAA	HEBA	Technical Equipments (sic)	17,680	<ul style="list-style-type: none"> ▪ 35.4% of load capacity ▪ Cargo Manifest said OMFJ not OMAA
15 Feb 2020	UP-I7650	OMAA	HEBA	General Cargo	4,680	<ul style="list-style-type: none"> ▪ 9.4% of load capacity ▪ Odd numbered flight number normally used for Westbound, not Eastbound flights.
18 Feb 2020	UP-I7654	OMAA	HEBA	General Cargo (Steel Beams)	20,000	<ul style="list-style-type: none"> ▪ 40.0% of load capacity
26 Feb 2020	UP-I7651	OMAA	HEBA	Grain (Pulse) Bags	14,595	<ul style="list-style-type: none"> ▪ 29.2% of load capacity ▪ Cargo manifest gave date of 24 Feb 2020

^a OMAA = Abu Dhabi, UAE

^b HEBA = Alexandria, Egypt

^c OMFJ = Fujairah, UAE

⁸⁹ Email of 26 December 2020.

13. One example of fake documentation is that for flight number AZL1538 on 20 January 2020. The Air Waybill (figure 55.D.3) clearly shows the shipper as the Khalifa Foundation, Abu Dhabi, and the consignee as the Khalifa Foundation, Egypt. The corresponding Cargo Manifest shows the shipper as Munawal Operations and the consignee (receiver) as the UAE 4th Aviation Group, a unit of the UAE Armed Forces.

Figure 55.D.3
AZL1538 (20 January 2020) Air Waybill

DEEK- 1410 1937		DEEK -1410 1937	
Shipper's Name & Address KHALIFA FOUNDATION, ABU DHABHI		Shipper's Account Number	
Not Negotiable Air Waybill		Issued by DEEK AVIATION FZE PO BOX-120312, Q4-076, SAIF ZONE Sharjah, UAE, Tel: +971-6-5747322, Fax: +971-6-5747323. Email: info@deek.aero	
Consignee's name & address REPRESENTATIVE OF KHALIFA FOUNDATION, EGYPT		Consignee's account Number	
Issuing Carrier's Agent Name and City DEEK AVIATION FZE		Accounting Information AS AGREED	
Agent's IATA Code		Account No.	
Airport of departure(Addr. Of First Carrier) and Requested Routing ABU DHABHI (OMAA)		Currency USD	
to By First Carrier Routing & Destination to by to by		CGHS code XXXX	
Airort of Destination BORG EL ARAB (HEBA)		WT/VAL XXXX	
Flight Date For carrier Use only AZL-1538 20-JAN-20		PPD COLL XXXX	
Handling Information INFORM CONSIGNEE UPON ARRIVAL		Declared Value for carriage NVD	
Amount Of Insurance		Declared Value for Customs NCV	
INSURANCE- If carrier offers insurance, and such insurance is requested in accordance with conditions of reverse hereof, indicate amount to be insured in figures in box marked 'Amount of Insurance'			
No. of PCS RCP	Gross Weight 8400	Kg 11209	Rate Class Commodity Item No.
1			
2			
4	19609	OK	
AS AGREED		AS AGREED	
Weight Charge		AS AGREED	
Valuation Charge		AS AGREED	
Tax			
Total other charges due amount		Signature of Shipper or his Agent	
Total other charges due carrier		Signature of issuing Carrier or its Agent	
AS AGREED		AS AGREED	
AS AGREED		Total Collect	
Currency conversion rates		20.01.2020 ABU DHABHI	
Cc Charges in dest Currency Date		Executed on (Date) at (Place)	
For carrier's use only at destination		Total Collect charges DEEK-1410 1937	

Figure 55.D.4
AZL1538 (20 January 2020) Cargo Manifest

AIRPORT OF DEPARTURE: OMAA			AIRCRAFT LOAD MANIFEST CARGO AND MAIL			AIRCRAFT TYPE: IL-76		
AIRPORT OF DESTINATION: HEBA						AIRCRAFT TAIL NO: 11P-17857		
TOTAL PASSENGERS:			DATE: 20-01-2020			CLASS		
SRL NO	PLT & VEH	IDG NUMBER	NATURE OF GOODS	QTY	SENT BY	HAZARD TYPE	GROSS WEIGHT	
	VEH		FORD	1			8400 KGs	
							4085 KGs	
	PLTS		EMPTY PLTS	3			4160 KGs	
							3012 KGs	
TOTAL WEIGHT IN KG							29609	

PREPARED BY: Waqar Hassan	RECEIVED BY	AT DESTINATION RECEIVED BY
DESIGNATION:	RANK	RANK
DEPARTMENT: MUNAWAL OPERATIONS/CARGO	UNIT AND DEPT: UAE 4 TH AVIATION GROUP	UNIT AND DEPT: WRL/1
SIGNATURE: [Signature]	SIGNATURE: [Signature]	SIGNATURE: Ahmad Abdullah
		050-5818158

14. Other elements of the documentation are suspicious, for example Munawala Ground Services operate from Abu Dhabi (Al Bateen Executive Airport) (OMAD), which is also a military airbase, and not the civilian Abu Dhabi International Airport (OMAA) that is listed on the flight documentation.

15. The Panel thus finds that this flight activity by Azee Air LLC has violated paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...) to Libya*.

Appendix E to Annex 55: Jenis Air LLC in support of HAF

1. Jenis Air LLC⁹⁰ was only formed in 2019 and has operated two Ilyushin IL-76 TD⁹¹ on the route during the period 13 January to 21 July 2020. These aircraft have made at least 48 airbridge flights that meet the majority of the profile indicator (see 0). These flights equate to a maximum potential cargo delivery of 2,400 tonnes.
2. Two of the aircraft (UP-I7646 and UP-I7652) operated by Jenis Air LLC are owned by Space Cargo Incorporated (www.spacecargoinc.com)⁹² of the United Arab Emirates, who were found non-compliant with paragraph 9 to resolution [1970 \(2011\)](#) in Panel report [S/2019/914](#). The Panel notes that on some Air Waybills it has seen that Space Cargo Incorporated is also unusually listed as the Shipper for cargo on the suspicious flights to Libya. The Cargo Agent used was reported as being Sun Global Freight LLC of the United Arab Emirates (<http://www.sunglobalfreight.com/>)^{93,94}.
3. Aircraft (UP-I7646) was operated by Azee Air LLC until 18 Feb 2020. Since then Jenis Air LLC has operated the aircraft.⁹⁵ This aircraft was owned by Aganya Limited of the British Virgin Islands⁹⁶ until sold to Space Cargo Incorporated. An infographic illustrating the relationships is at figure 55.E.1.

Figure 55.E.1

Jenis Air LLC relationships

⁹⁰ No corporate presence on-line.

⁹¹ Kazakhstan Civil Aviation Administration registered as UP-I7652. On 18 February 2020 Jenis Air LLC began operating UP-I7646 which was transferred from Azee Air LLC, the previous operator.

⁹² PO Box 7812, Sharjah Airport International Free Zone, A4-073, Sharjah, UAE. +971 6 557 0388. maher@spacecargoinc.com.

⁹³ Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.

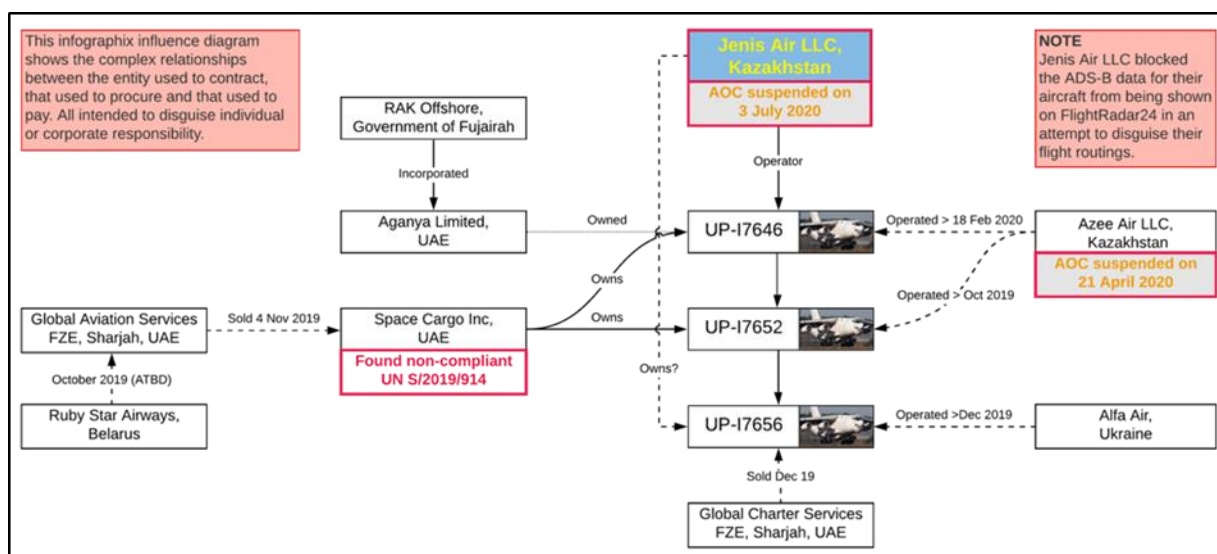
⁹⁴ Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.

⁹³ Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.

⁹⁴ Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.

⁹⁵ Letter from Azee Air 070/XX dated XX April 2020 to confidential source obtained by the Panel.

⁹⁶ RAK Offshore, PO Box 48904, Tortola, British Virgin Islands.



4. On 23 March and 20 May 2020, the Panel requested clarification from the Member State⁹⁷ as to the nature of the flights and details of the cargo for the Jenis Air LLC flights to Libya. Jenis Air LLC supplied the Civil Aviation Administration of Kazakhstan with air waybills or cargo manifests for only sixteen flights. The Panel is unconvinced of the veracity of this documentation for the reasons shown in table 55.E.1:

Table 55.E.1

Suspicious elements of Jenis Air LLC air waybills and manifests

Element	Details	Remarks
Shipper	For some flights the shipper is also the owner of the aircraft.	<ul style="list-style-type: none"> Highly unusual that an aircraft owner, who is also a cargo agent at the same airport, would use a second cargo agent. In this case the company was Space Cargo Inc, who were found non-compliant with the arms embargo in S/2019/914.
Consignees	Rose Company for General Equipment and Supplies, Labraq, Libya +218 918 871213	<ul style="list-style-type: none"> No online presence for a trading company is unusual. No answer to numerous calls to the listed number.
	Libya Capital Company, Labraq, Libya +218 913 428878.	<ul style="list-style-type: none"> No online presence for a trading company is unusual. No answer to numerous calls to the listed number.
	Almoitaaaliq for Cars, Labraq, Libya	<ul style="list-style-type: none"> No contact details provided. No online presence for a trading company is unusual. Armoured Cars shipped.
	Al Wakeel Al Jadded, Labraq, Libya	<ul style="list-style-type: none"> No contact details provided. No online presence for a trading company is unusual. Armoured Cars shipped.

⁹⁷ All letters to the Member State were also copied to the airline.

<i>Element</i>	<i>Details</i>	<i>Remarks</i>
	Noor Alhayat Company for Trading, Benghazi, Libya +218 912 129944	▪ No online presence for a trading company is unusual.
Customs Tariff	No declared value.	▪ Unusual for a cargo requiring the speed and convenience of air freight to not have a commercial value.
Insurance	No insurance cover.	▪ Unusual for a cargo of value requiring air freight to not be insured when moved to a conflict zone.
Accuracy	Minimal completion of document.	▪ More information would be required to allow the cargo to pass customs in the majority of Member States.

5. On 10 April 2020 both aircraft operated by Jenis Air LLC on the airbridge started to transmit using MLAT (multi-lateration) mode during the entire flight. Although the ADS-B transponder emits the aircraft's code, heading, altitude and speed, it does not transmit the current latitude and longitude.⁹⁸ This is highly unusual for a civil aircraft and the Panel considers that Jenis Air LLC is using this technique to disguise or conceal flights being made to transfer military equipment in non-compliance with the arms embargo.

6. The Panel has identified the Jenis Air LLC cargo aircraft shown in table 55E.2 as of interest to the Panel. The Panel has identified suspicious flights by Jenis Air LLC aircraft into Libya (tables 55.E.3 and 55.E.4). Note the random nature of the flights and lack of an obvious schedule.

7. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B⁹⁹ transponders are often not visible on open-source ADS-B monitoring¹⁰⁰ shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) some flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) declared loads were far less than aircraft cargo capacity; and 5) the lack of detail on the flight documentation. Although Jenis Air LLC provided thousands of pages of documentation for analysis, the majority of pages were for flight planning, weather patterns, technical records of flights etc. Very few Air Waybills or Cargo Manifests were provided for the flights listed in tables 55.E.2 and 55.E.3, and the detail in these was scarce.

Table 55.E.2

Suspicious flights from UAE by Jenis Air LLC operated aircraft IL-76TD (UP-I7646)

⁹⁸ This can be estimated from the time differences between signals reaching the various ADS-B ground transponders, but requires real time, and constant, mathematical calculations.

⁹⁹ Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.

¹⁰⁰ For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

<i>Date</i>	<i>Flight #</i>	<i>From</i>	<i>Cargo for</i>	<i>Jenis Declared cargo</i>	<i>Cargo (tonnes)</i>	<i>Remarks</i>
29 Mar 2020		Sweiha ^a	Benghazi ^b	▪ No manifest provided.		▪
31 Mar 2020		OMAW	HLLB	▪ No manifest provided.		▪ IMINT of IL-76TD @ HLLB on 30 Mar 2020.
01 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪ Still using Azee flight numbers.
02 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
06 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
07 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
09 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
16 Apr 2020	AZL1536	UAE	HLLB	▪ No manifest provided.		▪ IMINT of IL-76TD @ HLLB on 16 Apr 2020.
22 Apr 2020		UAE	Libya	▪ No manifest provided.		▪ Ibid
25 May 2020		UAE	Libya	▪ No manifest provided.		▪
3 Jul 2020	Jenis Air LLC AOC Suspended					▪
21 Jul 2020	JEN1365	UAE	HLLB	▪ No manifest provided.		▪
30 Jul 2020	JEN1364	Jordan	Libya	▪ No manifest provided.		▪

^a OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.

^b HLLB. 32°05'48"N, 20°16'10"E.

Table 55.E.3

Suspicious flights from UAE by Jenis Air LLC operated aircraft IL-76TD (UP-I7652)

<i>Date</i>	<i>Flight #</i>	<i>From</i>	<i>Cargo for</i>	<i>Jenis Declared Cargo</i>	<i>Cargo (tonnes)</i>	<i>Remarks</i>
2 Jan 2020		Sidi Barani ^a	Abraq ^b	▪ Food	20.0	▪ Manifest shows HLLQ > HE40 which is highly unlikely.
6 Jan 2020	JEN1366	Sharjah ^c	HLLQ	▪ Olive green blankets	17.7	▪ Military equipment.
7 Jan 2020		Abu Dhabi ^d	HLLQ	▪ Ground equipment.	6.0	▪ Shipped by Space Cargo Inc.
13 Jan 2020	JEN1352	OMAA	HLLQ	▪ Dental equipment	9.9	▪
14 Jan 2020		UAE	Libya	▪ No manifest provided.		▪
15 Jan 2020		UAE	Libya	▪ No manifest provided.		▪
17 Jan 2020		UAE	Benghazi ^c	▪ No manifest provided.		▪
20 Jan 2020		OMSJ	HLLQ	▪ Jackets ▪ Garments	12.6 14.2	▪ Military clothing.
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
3 Feb 2020		HE40	HLLQ	▪ Machinery	24.0	▪ Manifest shows HLLQ > HE40 which is highly unlikely.
12 Feb 2020	JEN1535	UAE	Libya	▪ No manifest provided.		▪
14 Feb 2020	JEN1353	Sweihan ^d	Libya	▪ No manifest provided.		▪
15 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
17 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
18 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
19 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
20 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
21 Feb 2020	JEN1353	UAE	Libya	▪ No manifest provided.		▪
22 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
24 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
25 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
26 Feb 2020		UAE	Libya	▪ No manifest provided.		▪

<i>Date</i>	<i>Flight #</i>	<i>From</i>	<i>Cargo for</i>	<i>Jenis Declared Cargo</i>	<i>Cargo (tonnes)</i>	<i>Remarks</i>
27 Feb 2020	JEN1363	Aqaba ^c	HLLQ	▪ Armoured Vehicles x 4	13.4	▪
1 Mar 2020	JEN1366	OJAQ	HLLQ	▪ Vehicles x 4	17.9	▪
12 Mar 2020	JEN1362	OJAQ	HLLQ	▪ Vehicles x 4	13.4	▪ AWB says JEN1364.
28 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪
29 Mar 2020	JEN1366	Marka ^f	HLLQ	▪ Garments	18.2	▪ Manifest states generators as cargo.
31 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪ via HE40
31 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪ via HE40
02 Apr 2020		UAE	HLLB	▪ No manifest provided.		▪ via HE40 on return ▪ IMINT of IL-76TD @ HLLB on 2 Apr 2020.
06 Apr 2020	JEN1366	OMSJ	HLLQ	▪ No manifest provided.		▪
09 Apr 2020	JEN1366	OMAA	Libya	▪ No manifest provided.		▪
26 Apr 2020		UAE	Al Jufra ^g	▪ No manifest provided.		▪
29 Apr 2020		UAE	HLLB	▪ No manifest provided.		▪ IMINT Sentinel-2.
3 Jul 2020	Jenis Air LLC AOC Suspended			▪		▪
7 Jul 2020	Jenis Air LLC AOC Expired			▪		▪

^a HE40. Military Airbase. 31°27'59"N, 25°52'41"E.

^b HLLQ. 32°47'19"N, 21°57'52"E.

^c OMSJ. 25°19'43"N, 55°31'02"E.

^d OMAA. Military Airbase. 24°25'59"N, 54°39'04"E.

^e HLLB. 32°05'48"N, 20°16'10"]

^e OJAQ. 29°36'42"N, 35°01'05"E.

^f OJAM. 31°58'22"N, 35°58'30"E.

^g HL69. Military Airbase. 29°11'53"N, 16°00'04"E.

8. On 3 July 2020, the Civil Aviation Administration of Kazakhstan suspended the Air Operators Certificate (AOC) for Azee Air LLC for a period of six months. The suspension was based on multiple sources identifying that Azee Air had violated “*the requirements of paragraph 9 of Security Council Resolution 1970 (2011)*” and “*operational requirements and restrictions*” of their air operator’s certificate. The AOC expired on 7 July 2020 and Jenis Air LLC has not applied to renew it.

9. The Panel is convinced that Jenis Air LLC has now based the following aircraft in Benina in direct support of the HAF supply chains: UP-I7646, UP-I7652, UP-I7656 and UP-I 1805 (see paragraph 4 to Annex 55).

Table 55.E.4

Jenis Air LLC aircraft of interest to the Panel

<i>A/C #</i>	<i>A/C type</i>	<i>Registered</i>	<i>Operator</i>	<i>Owner</i>
UP-II805	IL-18	Kazakhstan	Jenis Air LLC ^a	Space Cargo Inc, ^b UAE
UP-I7646	IL-76TD	Kazakhstan	Azee Air LLC ^c	Aganya Limited, ^d UAE
			then from 8 Feb 2020 to Jenis Air LLC	then from 1 Feb 2020 to Space Cargo Inc, UAE
UP-I7652	IL-76TD	Kazakhstan	Jenis Air LLC	Space Cargo Inc, UAE
UP-I7656	IL-76TD	Kazakhstan	Jenis Air LLC	Jenis Air LLC

^a No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).

^b www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com/ / maher@spacecargoinc.com).

^c www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).

^d No trace.

10. The Panel was unconvinced of the accuracy of the cargo documentation provided by Jenis Air LLC. The Panel thus finds that this flight activity by Jenis Air LLC is a non-compliance with paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

11. On 11 November 2020, Jenis Air LLC changed the company name and re-registered with the Kazakh business authorities as ‘Aircompany Feniks 2020 LLP’ (BIN 170740014751). The Manager and Member of the company is the same as for Jenis Air LLC, Alexadnr Dimitrievich Pyankov. The new airline has yet to receive Air Operator approval from the Kazakhstan aviation authorities.

Appendix F to Annex 55: Space Cargo Inc LLC

1. The Panel has identified a Sharjah based owner, cargo agent and freight forwarding company, Space Cargo Inc LLC,¹⁰¹ that appears as a common denominator in many of the illicit aviation activities relating to eastern Libya and airports under the control of armed forces affiliated to Khalifa Haftar (HAF). Space Cargo Inc LLC was reported in [S/2019/914](#)¹⁰² as violating the arms embargo, but the Panel has subsequently identified a much wider range of violations that suggests that Space Cargo LLC Inc has a major coordination and operational role for the UAE airbridge to eastern Libya, and the delivery of military materiel to HAF.

2. The Panel confirmed that “Maher Naifaa is the owner, decision maker and General Manager of the company”,¹⁰³ Maher Naifaa being an a.k.a. of Maher Nayef Alismail. The company structure and individual responsibilities are as shown at table 55.F.1.

Table 55.F.1
Structure of Space Cargo Inc LLC

<i>Role</i>	<i>Name</i>	<i>a.k.a</i>	<i>Contact details</i>	<i>Remarks</i>
Owner and General Manager	Maher Nayef Alismail ^a	Maher Naifaa Maher Al Ismail	maher@spacecargoinc.com gm@spacecargoinc.com maher_naifaa@yahoo.com +971 6 55 70 388	▪ Syrian
Executive Manager	Alex Makarov ^b			▪ Since Feb 2013.
Head of Operations	Sergey Ermolchev ^c		s.ermolchev@spacecargoinc.com +971 52 7888 309	▪ Since Feb 2015. ▪ Uzbek.
Auditor	Aleksandra Isamova		auditor@spacecargoinc.com +971 6 55 70 388	▪
				▪

^a <https://www.linkedin.com/in/maher-alismail-3214aa96/>. Accessed 22 October 2020.

^b <https://www.linkedin.com/in/alex-makarov-06320454/>. Accessed 22 October 2020.

^c <https://www.linkedin.com/in/sergey-ermolchev-1135aa117/>. Accessed 22 October 2020.

3. The Panel has identified numerous activities and violations of paragraph 9 of resolution [1970 \(2011\)](#) relating to Space Cargo Inc LLC, shown alphabetically in table 55.F.2 and as an infographic in figure 55.F.1.

¹⁰¹ A4-73, Block A4 Street, G Floor, Sharjah International Airport, Al Ruqa Al Hamra, 61487 Sharjah, UAE or Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE.

¹⁰² Table 8 and annexes 28 and 52.

¹⁰³ Panel call to Aleksandra Isamova, on 8 September 2020.

Table 55.F.2
Space Cargo Inc activities relating to arms embargo violations¹⁰⁴

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Inc LLC Link</i>	<i>Remarks</i>
1 Nov 2017	AN-26 (ex-UP-AN601) identified in Libya flying in support of HAF. ^b	Operated by Space Cargo Inc LLC.	<ul style="list-style-type: none"> 8 Oct 2015 - De-registered by Kazakhstan. ^a Flying under false flag of H.A.D Jet cargo LLC.
20 Jan to 26 Aug 2019	IL-76TD (ex-UP-I7645) flying primarily from Jordan to Libya. ^b	Chartered by Space Cargo Inc LLC. ^c	<ul style="list-style-type: none"> Owned by Technoline FZE, UAE. Operated by Sigma Airlines LLC, UAE. 29 May 2020 - Sigma Airlines air operating certificate suspended. ^d 14 Aug 2017 – Registered by Kazakhstan. ^e 10 Sep 2019 - Deregistered by Kazakhstan. ^f UAE Armed Forces Load Manifests identified by panel.
4 Mar to 6 Sep 2019	IL-76TD (UP-I7601) flying from Jordan to Libya, and then primarily in Libya in direct support of HAF. ^b	Chartered by Space Cargo Inc LLC. ^c	<ul style="list-style-type: none"> Owned by Technoline FZE, UAE. Operated by Sigma Airlines LLC, UAE. 4 Oct 2017 – Registered by Kazakhstan. ^g
Sep 2019	IL-76TD (UP-I7645) changed registration to Libya 5A-POL. ^h	Transferred by Space Cargo Inc LLC.	Now flying in support of GNA primarily on Istanbul to Misrata route..
5 Nov 2019	Purchased IL-76TD (UP-I7652).	Space Cargo Inc LLC ownership.	<ul style="list-style-type: none"> From Global Aviation Services FZE. Sales contract No. 07/GAS/SPACE/19. 24 Nov 2019 - Re-registered by Kazakhstan. ^j
24 Nov 2019	Leased IL-76TD (UP-I7652).	Space Cargo Inc LLC	<ul style="list-style-type: none"> Leased to Jenis Air LLC. 20 Jul 2020 - Jenis Air LLC air operating certificate suspended. ^k
20 Dec 2019	Purchased IL-18D (UP-I1805)	Space Cargo Inc LLC ownership	<ul style="list-style-type: none"> From Jenis Air LLC. Purchase Agreement No 20/19. 20 Jan 2020 – Registered by Kazakhstan. ^l
1 Feb 2020	Purchased IL-76TD (UP-I7646).	Space Cargo Inc LLC ownership	<ul style="list-style-type: none"> From Aganya Limited, UAE. Bill of Sale No. 80505-01-2020. Operated by Azee Air LLC until 22 Apr 2020 and then by Jenis Air LLC.
19 Mar 2020	Purchased IL-76TD (UP-I7651).	Space Cargo Inc LLC ownership.	<ul style="list-style-type: none"> From Infinite Seal Inc, BVI. Bill of Sale No. 6002-03-2020. 9 Jul 2019 - Registered by Kazakhstan. ^m 13 May 2020 - Deregistered by Kazakhstan. ⁿ
19 Mar 2020	IL-76TD (UP-I7651) flew into Libya and started operating in support of HAF. ^p	Space Cargo Inc LLC ownership.	<ul style="list-style-type: none"> Operated by Azee Air LLC. 21 Apr 2020 - Azee Air LLC air operating certificate suspended. ^q
9 April 2020	IL-76TD (UP-I7646) flew into Libya and started operating in support of HAF. ^r	Space Cargo Inc LLC ownership.	<ul style="list-style-type: none"> Operated by Azee Air LLC until 22 April 2020 then Jenis Air LLC.
12 Apr 2020	Purchased AN-32B (EY-332).	Space Cargo Inc LLC ownership.	<ul style="list-style-type: none"> From Sky Star FZC. Warranty Bill of Sale (Unreferenced) of 27 Apr 2020. 12 Apr 2020 Deregistered by Tajikistan. ^s Flying illegally in Libya in support of HAF.
29 April 2020	IL-76TD (UP-I7652) flew into Libya and started operating in support of HAF. ^t	Chartered by Space Cargo Inc LLC.	<ul style="list-style-type: none"> Leased and operated by Jenis Air LLC.

^a Kazakhstan Certificate of Deregistration No.196, dated 8 October 2015.

^b Reported in S/2019/914, table 8, and annexes 28 and 52.

¹⁰⁴ All the documentation referred to in this appendix is available from the Panel on request.

^c Information received from Member State, based on their interview with Umirbek KENESBAEV, Director General of Sigma Airlines.

^d Order OA No.167.

^e Certificate of Registration No. 1083 dated 14 August 2017.

^f Certificate of Cancellation from State Register of Civil Aircraft of Republic of Kazakhstan dated 10 September 2019.

^g Certificate of Registration No. 225 dated 20 January 2020.

^h www.aerotrtransport.org, updated 16 May 2020. Accessed 21 October 2020.

ⁱ Certificate of Registration No.1188 dated 24 November 2019.

^k Order OA No.124.

^l Certificate of Registration No. 1185 dated 20 January 2020.

^m Certificate of Registration No. 1187 dated 7 September 2019.

ⁿ Certificate of Cancellation No. 299 from State Register of Civil Aircraft of Republic of Kazakhstan dated 13 May 2019.

^p https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and www.aerotrtransport.org, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya.

^q Order OA No.121.

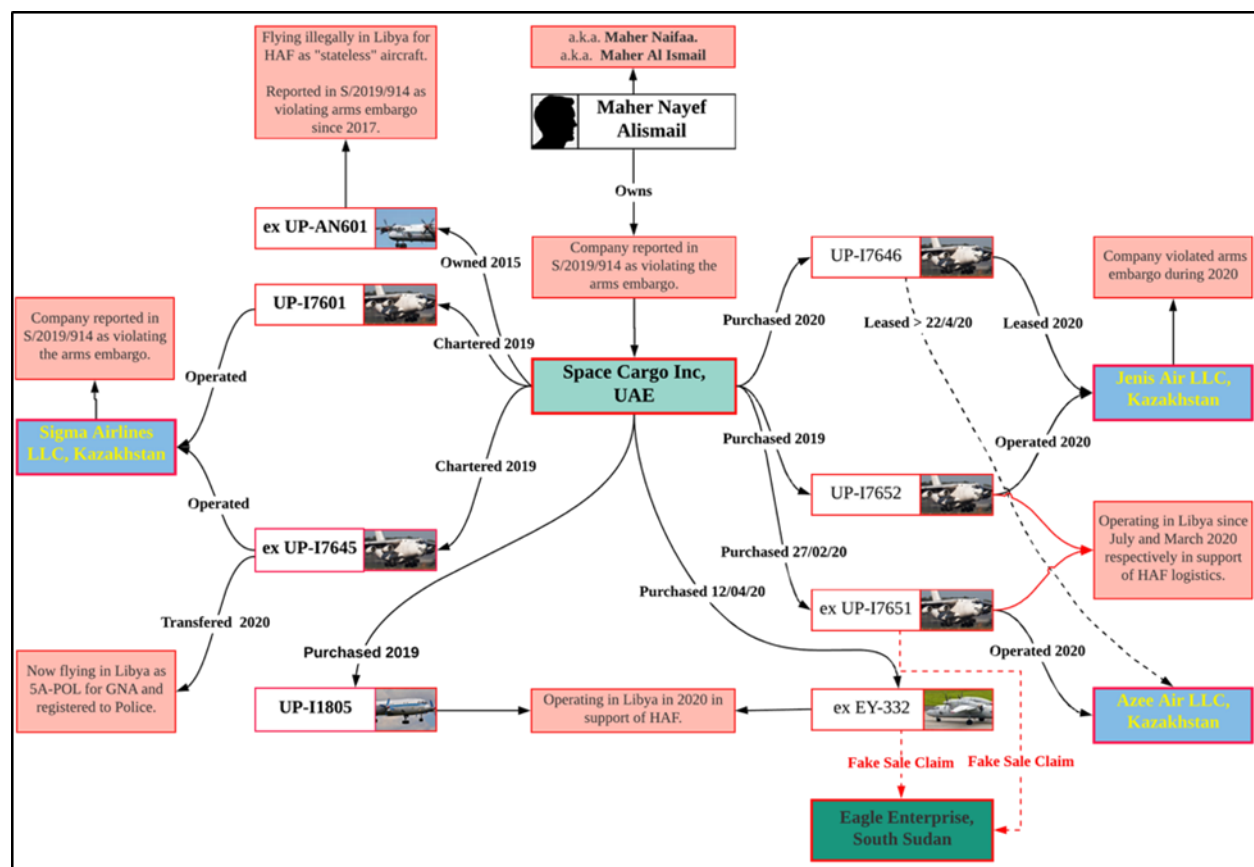
^r Confirmed by C4ADS research and www.aerotrtransport.org, updated 16 May 2020. Last ADS-B contact on 9 April 2020 at 04:40 hours with aircraft heading on common track to Libya.

^s Letter from member State of 26 June 2020.

^t Confirmed by C4ADS research and www.aerotrtransport.org, updated 16 May 2020. Last ADS-B contact on 29 April 2020 at 01:20 hours with aircraft heading on common track to Libya.

Figure 55.F.1

Infographic of Space Cargo Inc LLC linkages to arms embargo violations



4. After verbal enquiries by the Panel to the company¹⁰⁵ it was noted that the company's website was removed from the internet on 25 September 2020, highly probably in response to the Panel's continued investigations into their activities.

5. The Panel wrote to Space Cargo Inc LLC¹⁰⁶ and provided the company with an opportunity to respond. The company responded on 15 November 2020 and denied any relationship with any illegal or unlawful actions that may have occurred using aircraft under their control or influence. Although they provided a significant amount of documentation, that documentation was insufficient to counter other documentation in possession of the Panel relating to arms embargo violations. Tables 55.F.3 to 55.F.10 summarises the Panel's evidence relating to each aircraft under the ownership, control or influence of Space Cargo Inc compared against the company's response.

Table 55.F.3

AN-26 (ex UP-AN601) ¹⁰⁷

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence / Rebuttal</i>
8 Oct 2015	De-registered by Kazakhstan.		<ul style="list-style-type: none"> ▪ Kazakhstan Certificate of Deregistration No.196, dated 8 October 2015 shows owned by Space Cargo Inc.
1 Nov 2017	Identified in Libya flying in support of HAF.		<ul style="list-style-type: none"> ▪ Flying under false flag of H.A.D Jet cargo LLC. ▪ Reported in S/2019/914, table 8, and annexes 28 and 52. ▪ Imagery analysis.
24 Jul 2019	H.A.D Jet Cargo deny operating aircraft.		<ul style="list-style-type: none"> ▪ Letter from Member State dated 2 August 2019.
14 Nov 2020		Space Cargo Inc deny any relationship with the aircraft, despite being the registered owner on de-registration.	<ul style="list-style-type: none"> ▪ No evidence of transfer of ownership provided by Space Cargo Inc.

Table 55.F.4

IL-76TD (ex-UP-I7601)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence / Rebuttal</i>
5 Mar 2017		Space Cargo wet leased from Reem Style and Travel, UAE.	<ul style="list-style-type: none"> ▪ Prior to arms embargo violation offences so not relevant.

¹⁰⁵ Panel call to company on 8 September 2020.

¹⁰⁶ Panel letters of 20 June 2019, 2 July 2020 and 29 October 2020.

¹⁰⁷ All the documentation referred to in this annex is available from the Panel on request. It has not been included as it would result in a very unwieldy final report.

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence / Rebuttal</i>
Jan 2018		Space Cargo state wet lease concluded, but document supplied shows it ended 6 October 2017.	<ul style="list-style-type: none"> ▪ Prior to arms embargo violation offences so not relevant. ▪ Space Cargo Inc dates do not agree.
4 Oct 2017	Registered by Kazakhstan on change of ownership.		<ul style="list-style-type: none"> ▪ Certificate of Registration No. 225. ▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE.
2019	Chartered by Space Cargo Inc from Sigma Airlines LLC		<ul style="list-style-type: none"> ▪ Information received from Member State, based on their interview under caution with Umirbek KENESBAEV, Director General of Sigma Airlines.
4 Mar to 6 Sep 2019	Identified flying from Jordan to Libya, and then primarily in Libya in direct support of HAF.		<ul style="list-style-type: none"> ▪ Reported in S/2019/914, table 8, and annexes 28 and 52. ▪ C4ADS flight analysis.
9 Oct 2019	Sigma Airlines faked the Operations Specification for the aircraft.		<ul style="list-style-type: none"> ▪ Faked to allow for carriage of 62 passengers.
29 May 2020	Sigma Airlines Air Operating Certificate (AOC) suspended.		<ul style="list-style-type: none"> ▪ CAA Kazakhstan Order 167.
15 Jun 2020	Reported registered with Ukraine CAA as UR-CTO.		<ul style="list-style-type: none"> ▪ http://www.aerotransport.org/.
23 Sep 2020	Sigma Airlines AOC revoked.		<ul style="list-style-type: none"> ▪ Member State.
14 Nov 2020		Space Cargo Inc deny leasing or chartering from Technoline FZE.	<ul style="list-style-type: none"> ▪ No evidence of any transfer of ownership provided by Space Cargo Inc. ▪ Space Cargo did not deny chartering from Sigma Airlines LLC though.

Table 55.F.5
IL-76TD (ex-UP-I7645)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
5 Mar 2017		Space Cargo negotiated wet lease from Reem Style and Travel, UAE but did not proceed.	<ul style="list-style-type: none"> ▪ Prior to arms embargo violation offences so not relevant.
14 Aug 2017	Registered by Kazakhstan on change of ownership.		<ul style="list-style-type: none"> ▪ Certificate of Registration No.1083. ▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE.
2019	Chartered by Space Cargo Inc from Sigma Airlines LLC		<ul style="list-style-type: none"> ▪ Information received from Member State, based on their interview under caution with Umirbek KENESBAEV, Director General of Sigma Airlines.

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
20 Jan to 26 Aug 2019	Identified flying from Jordan to Libya, and then primarily in Libya in direct support of HAF.		<ul style="list-style-type: none"> ▪ C4ADS flight analysis. ▪ UAE Armed Forces Load Manifests identified by Panel.
29 May 2020	Sigma Airlines Air Operating Certificate (AOC) suspended.		<ul style="list-style-type: none"> ▪ CAA Kazakhstan Order 167.
10 Sep 2019	De-registered by Kazakhstan.		<ul style="list-style-type: none"> ▪ Certificate of Cancellation No.291.
23 Sep 2020	Sigma Airlines AOC revoked.		<ul style="list-style-type: none"> ▪ Member State.
Sep 2019	Now flying for GNA with Libyan registration 5A-POL. ^h		<ul style="list-style-type: none"> ▪ www.aertransport.org, updated 16 May 2020. Accessed 21 October 2020. ▪ Flying primarily on Istanbul to Misrata route..
14 Nov 2020		Space Cargo Inc deny leasing or chartering from Technoline FZE.	<ul style="list-style-type: none"> ▪ No evidence of any transfer of ownership provided by Space Cargo Inc. ▪ Space Cargo did not deny chartering from Sigma Airlines LLC though.

Table 55.F.6
IL-76TD (UP-I7646)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
23 Dec 2019	Registered by Kazakhstan.		<ul style="list-style-type: none"> ▪ Certificate of Registration No.1186. ▪ Owned by Aganya Limited, UAE. ▪ Operated by Azee Air LLC.
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform at Jenis Air LLC request.		<ul style="list-style-type: none"> ▪ FR24 documentation. ▪ NOTE blocked before sale and transfer to Jenis Air LLC.
26 Jan 2020		Purchased by Space Cargo from Aganya Limited (UAE)	<ul style="list-style-type: none"> ▪ Bill of Sale No. 80505-01-2020. ▪ Documents signed 1 Feb 2020.
26 Jan 2020		Dry leased to Jenis Air LLC. Document provided.	<ul style="list-style-type: none"> ▪
19 Feb 2020	Registered by Kazakhstan on change of ownership.		<ul style="list-style-type: none"> ▪ Certificate of Registration No.1186. ▪ Owned by Space Cargo Inc, UAE. ▪ Operated by Jenis Air LLC.
9 April 2020	Identified flying into Libya to start operating in support of HAF.		<ul style="list-style-type: none"> ▪ Azee Air LLC identifier used on flights until 22 April 2020 then Jenis Air LLC. ▪ C4ADS research and www.aertransport.org, updated 16 May 2020. Last ADS-B contact on 9 April 2020 at 04:40 hours with aircraft heading on common track to Libya.
2 Oct 2020	Reported as been returned to Space Cargo Inc.		<ul style="list-style-type: none"> ▪ http://www.aertransport.org/.

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.7
IL-76TD (ex-UP-I7651)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
9 Jul 2019	Registered by Kazakhstan.		<ul style="list-style-type: none"> ▪ Certificate of Registration No.1187. ▪ Owned by Infinite Seal, BVI. ▪ Operated by Azee Air LLC
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform at Azee Air LLC request.		<ul style="list-style-type: none"> ▪ FR24 documentation.
10 Mar 2020		Purchased by Space Cargo from Infinite Seal Inc, BVI.	<ul style="list-style-type: none"> ▪ Bill of Sale No. 6002-03-2020. ▪ Document signed 19 March 2020.
10 Mar 2020		Claimed to have sold to Eagle Enterprise Company Limited, South Sudan. Sale Agreement EEC-SCI-009-01-20 provided.	<ul style="list-style-type: none"> ▪ Eagle Enterprise deny all knowledge of this sale and are categorical that all documentation is fake. The Panel is convinced of their authenticity and finds that Space Cargo have supplied fake documentation to the Panel.
19 Mar 2020	Identified as flown into Libya and started operating in support of HAF.		<ul style="list-style-type: none"> ▪ https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya. ▪ Operated by Azee Air LLC (but Space Cargo stated operated by Jenis Air LLC).
21 Mar 2020	Reported as being operated by HAF in Libya.		<ul style="list-style-type: none"> ▪ www.aerotransport.org.
21 Apr 2020	Azee Air LLC Operating Certificate (AOC) suspended.		<ul style="list-style-type: none"> ▪ CAA Kazakhstan Order 121.
13 May 2020	De-registered by Kazakhstan.		<ul style="list-style-type: none"> ▪ Certificate of Cancellation No.299.
23 Sep 2020	Azee Air LLC AOC revoked.		<ul style="list-style-type: none"> ▪ Member State.

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.8
IL-76TD (UP-I7652)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
5 Nov 2019		Purchased by Space Cargo from Global Aviation Services FZE, UAE.	▪ Sales contract No. 07/GAS/SPACE/19. ▪ 24 Nov 2019 - Re-registered by Kazakhstan. ^j
24 Nov 2019		Dry leased to Jenis Air LLC. Document provided.	▪ Contract No 24/11/19.
26 Nov 2019	Registered by Kazakhstan.		▪ Certificate of Registration No.1188. ▪ Owned by Space Cargo Inc. ▪ Operated by Jenis Air LLC
29 April 2020	Identified flying into Libya and started operating in support of HAF.		▪ Confirmed by C4ADS research and www.aerotransport.org , updated 16 May 2020. Last ADS-B contact on 29 April 2020 at 01:20 hours with aircraft heading on common track to Libya.
Jun 2020	Reported as being operated by HAF in Libya.		▪ www.aerotransport.org .
20 Jul 2020	Jenis Air LLC Operating Certificate (AOC) suspended.		▪ CAA Kazakhstan Order 124.
23 Sep 2020	Jenis Air LLC Operating Certificate (AOC) revoked.		▪ Member State.
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.9
IL-18D (UP-I1805)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
22 Oct 2019		Purchased by Jenis Air LLC from Dasterro Group Corporation, Panama	▪ Purchase Agreement No. 22/10/2019
4 Nov 2019	Registered by Kazakhstan		▪ Certificate of Registration No.1185.
20 Dec 2019		Purchased by Space Cargo from Jenis Air LLC.	▪ Purchase Agreement No. 20/19.


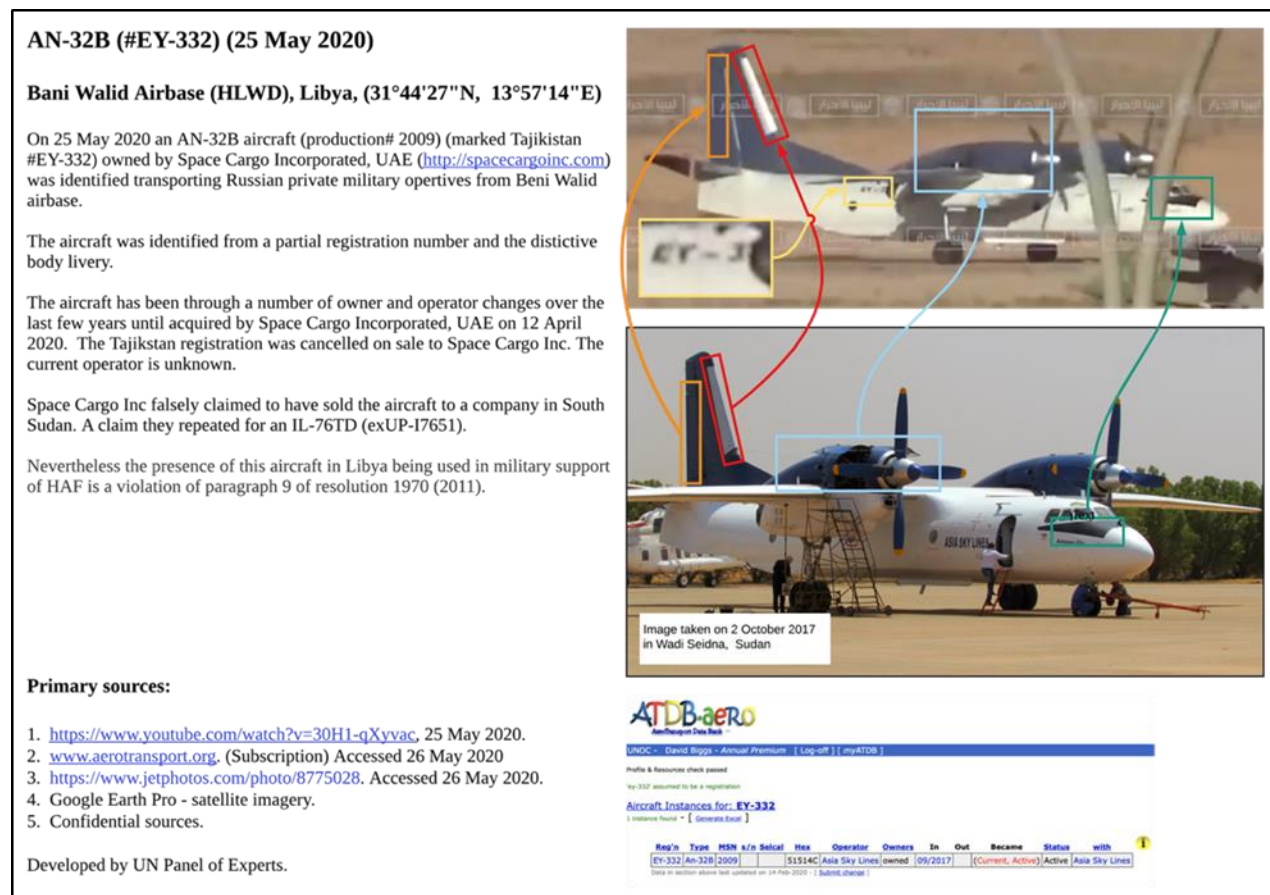
<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
20 Jan 2020	Registered by Kazakhstan on change of ownership.		<ul style="list-style-type: none"> ▪ Certificate of Registration No.1185.
6 Jun 2020	Identified at Al Jufra air base operating in support of HAF.		<ul style="list-style-type: none"> ▪ https://twitter.com/HasairiOuais/status/1287356754255400963, 26 July 2020. ▪ Imagery analysis.
14 Nov 2020		Space Cargo Inc made no reference to this aircraft in their response of 14 November 2020.	<ul style="list-style-type: none"> ▪ 

Table 55.F.10
AN-32B (EY-332)

<i>Date</i>	<i>Activity</i>	<i>Space Cargo Affirmation / Documentation</i>	<i>Panel Evidence</i>
12 Apr 2020	Purchased by Space Cargo Inc from Sky Star FZE, UAE.		<ul style="list-style-type: none"> ▪ Purchase Agreement (Unreferenced) of 12 Apr 2020. ▪ Warranty Bill of Sale (Unreferenced) of 27 Apr 2020.
12 Apr 2020	Deregistered by Tajikistan.		<ul style="list-style-type: none"> ▪ Letter from Member State of 26 June 2020.
25 Apr 2020	Identified as evacuating Russian PMC military operatives from Bani Walid in Libya.		<ul style="list-style-type: none"> ▪ Imagery analysis.
14 Nov 2020		Space Cargo Inc made no reference to this aircraft in their response of 14 November 2020.	<ul style="list-style-type: none"> ▪

Figure 55.F.2
Infographic EY-332 operating in Libya



6. The Panel was unconvinced of the accuracy of the documentation provided by Space Cargo Inc LLC. The Panel thus finds that this aviation activity by Space Cargo Inc LLC has repeatedly violated paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

7. As the person in control of Space Cargo Inc LLC, the Panel also finds that Maher Nayef Alismail has violated paragraph 9 of resolution [1970 \(2011\)](#).

Appendix G to Annex 55: Maximus Airlines LLC in support of HAF

1. The Panel has identified the Maximus Airlines LLC cargo aircraft shown in table 55.G.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.G.2 by Maximus Airlines LLC aircraft into Libya. Note the random nature of the flights and lack of an obvious schedule.

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B¹⁰⁸ transponders are often not visible on open source ADS-B monitoring¹⁰⁹ shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) the lack of detail on the flight documentation; and 5) the flight documentation identified the consignee as the UAE Armed Forces in Egypt.

Table 55.G.1
Maximus Airlines LLC aircraft of interest to the Panel

A/C #	A/C type	Registered	Operator	Owner	Listed Beneficial Owner Executive Director
UR-BXQ	IL-76TD	Ukraine	Maximus Airlines LLC ^a	Maximus Airlines LLC, Ukraine	Alex Makarov
UR-ZYD	AN-124-100	Ukraine	Maximus Airlines LLC	Maximus Air LLC, ^b UAE	Crown Prince Mohammed bin Zayed ^{c 110}

^a No corporate web presence. 4th Floor, 8B Raisa Okipna Street, Kiev 02002, Ukraine. +380 44 227 9103. (office@maximus-airlines.com).

^b www.maximus-air.com. PO Box 35367, Abu Dhabi, UAE. +971 2 419 8666. Originally formed by UAE Ministry of Defence in 2004.

^c His Highness Sheikh Mohammed bin Zayed bin Sultan Al Nahyan.

Table 55.G.2
Suspicious flights on the HAF airbridge by Maximus Air LLC operated aircraft

#	Date	Ukraine A/C #	A/C type	From	To	Cargo
1	12 Jan 2020	UR-ZYD	AN-124-100	Assab ^a	Marsa Matruh ^b	▪ Vehicles x 18
2	14 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
3	15 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
4	16 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
5	18 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
6	19 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18

¹⁰⁸ Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.

¹⁰⁹ For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

¹¹⁰ 1) <https://www.routesonline.com/airlines/4022/maximus-air/-news/160637/three-of-abu-dhabis-leading-aviation-companies-combine-to-give-boost-to-capitals-standing-as-aerospace-and-aviation-hub/>, 26 August 2012; 2) <https://feitoffake.wordpress.com/2020/02/08/old-russian-cargo-aircraft-are-leased-by-united-arab-emirates-for-arms-transport-to-libya/>, 8 February 2020.

#	Date	<i>Ukraine</i> A/C #	A/C type	From	To	Cargo
7	20 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
8	22 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
9	23 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
10	24 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
11	26 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
12	27 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
13	5 Jun 2020 ^c	UR-BXQ	IL-76TD	UAE	Libya	▪ #MXM3704
14	16 Jun 2020	UR-BXQ	IL-76TD	UAE	Libya	▪ #MXM3704
15	19 Jun 2020	UR-BXQ	IL-76TD	UAE	Libya	▪ #MXM3704
16	22 Jun 2020	UR-BXQ	IL-76TD	UAE	Libya	▪ #MXM3704

^a HHSB. Military Airbase. 13°04'18"N, 42°38'42"E.

^b HEMM. Civilian Airbase. 31°19'31"N, 27°13'18"E.

^c Highly probably but response awaited from Member State.

3. The Panel was unconvinced of the accuracy of the documentation provided by Maximus Airlines LLC. The Panel thus finds that Maximus Airlines LLC has violated paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

Appendix H to Annex 55: Cham Wings Airlines in support of HAF

1. The Panel has identified the Cham Wings Airlines cargo aircraft shown in table 55.H.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.H.2 for Cham Wings Airlines aircraft into Libya. The list may not be exhaustive if some pre-departure flight plans were not filed directly with Eurocontrol¹¹¹ for entry into European airspace.

2. Note the random nature of the flights and lack of an obvious schedule. Cham Wings Airlines website does not list an office or agent for Libya, flights to Libya did not appear on their schedule and flights to Libya could not be booked through their on-line booking service. No response to Panel enquiries was received from the Member State or the airline. It was reported on 13 December 2020 that Cham Wings Airlines would commence scheduled twice-weekly flights to Benghazi,¹¹² and a Panel test booking found seat availability on 7 January 2021.

Table 55.H.1

Cham Wings Airlines aircraft of interest to the Panel

A/C #	A/C type	Registered	Operator	Owner
YK-BAA	A320-211	Syria	Cham Wings Airlines ^a	Cham Wings Airlines
YK-BAB	A320-211	Syria	Cham Wings Airlines	Cham Wings Airlines
YK-BAE	A320-231	Syria	Cham Wings Airlines	Cham Wings Airlines
YK-BAG	A320-212	Syria	Cham Wings Airlines	Cham Wings Airlines

^a www.chamwings.com. Fardos Street, Damascus, Syria. +963 11 9211. (cs@chamwings.com).

Table 55.H.2

Suspicious flights from Syria by Cham Wings Airlines aircraft (2019)

Date	From	To	Aircraft #	Type	Passengers	Maximum load (t)
12 Apr 2019	Damascus ^a	Benghazi ^b	YKBAE	A320-231	174	19.9
23 Apr 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
30 Apr 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
1 May 2019	OSDI	HLLB	YKBAE	A320-231	174	19.9
3 May 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
17 May 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
14 Jun 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
29 Jun 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
27 Aug 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
30 Aug 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
6 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
17 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
24 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9

¹¹¹ <https://www.eurocontrol.int>.

¹¹² <https://libyareview.com/8705/syrias-cham-wings-airlines-operates-direct-flights-to-benghazi/>. 13 December 2020.

<i>Date</i>	<i>From</i>	<i>To</i>	<i>Aircraft #</i>	<i>Type</i>	<i>Passengers</i>	<i>Maximum load (t)</i>
4 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
11 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
18 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
28 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
8 Nov 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
25 Nov 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
30 Dec 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
31 Dec 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
Total:					3,312	398 t

Source: 1) Confidential source ; and 2) www.flightradar24.org.

^a OSDI. Damascus. Joint Airbase. 33°24'25"N, 36°30'34"E.

^b HLLB. Benghazi. Joint Airbase. 32°07'00"N, 20°04'00"E.

Table 55.H.3

Suspicious flights into eastern Libya by Cham Wings Airlines aircraft (2020)

<i>Date</i>	<i>From</i>	<i>Cargo for</i>	<i>Syria A/C #</i>	<i>A/C type</i>	<i>Passengers</i>	<i>Maximum load (t)</i>
1 Jan 2020	Damascus ^a	Benghazi ^b	YK-BAB	A320-211	156	19.9
3 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
5 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
7 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
8 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
12 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
16 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
19 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
20 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
22 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
26 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
29 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
30 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
31 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
1 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
6 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
7 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
9 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9

<i>Date</i>	<i>From</i>	<i>Cargo for</i>	<i>Syria A/C #</i>	<i>A/C type</i>	<i>Passengers</i>	<i>Maximum load (t)</i>
10 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
12 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
13 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
19 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
21 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
22 Feb 2020	OSDI	HLLB	YK-BAE	A320-231	156	19.9
29 Feb 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
3 Mar 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
4 Mar 2020	OSDI	HLLB	YK-BAA	A320-211	156	19.9
10 Mar 2020	OSDI	HLLB	YK-BAA	A320-211	156	19.9
6 May 2020	Amman ^c	HLLB	YK-BAG	A320-211	156	19.9
6 May 2020	OJAI	HLLB	YK-BAG	A320-211	156	19.9
11 May 2020	Latika ^d	Al Khadim ^e	YK-BAG	A320-212	156	19.9
11 May 2020	OSLK	HLLB	YK-BAA	A320-212	156	19.9
13 May 2020	OSLK	HLLB	YK-BAA	A320-212	156	19.9
16 May 2020	OSLK	HL59	YK-BAA	A320-212	156	19.9
18 May 2020	OSLK	HLLB	YK-BAA	A320-211	156	19.9
19 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
20 May 2020	OSLK	HLLB	YK-BAA	A320-211	156	19.9
20 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
21 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
22 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
23 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
18 Jun 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
23 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
21 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
22 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
23 Jun 2020	OSDI	Al Khadim ^d	YK-BAG	A320-212	156	19.9
25 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
2 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
2 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
4 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
11 Jul 2020	Sharjah ^f	HLLB	YK-BAG	A320-212	156	19.9
12 Jul 2020	OMSJ	HLLB	YK-BAG	A320-212	156	19.9
23 Aug 2020	OSDI	HLLQ	YK-BAG	A320-211	156	19.9
19 Sep 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
19 Oct 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
20 Oct 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9

<i>Date</i>	<i>From</i>	<i>Cargo for</i>	<i>Syria A/C #</i>	<i>A/C type</i>	<i>Passengers</i>	<i>Maximum load (t)</i>
28 Oct 2020	OSDI	HLLQ	YK-BAG	A320-211	156	19.9
28 Oct 2020	Tehran ^g	HLLB	YK-BAG	A320-211	156	19.9
03 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
11 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
29 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
02 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
03 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
06 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
08 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
13 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
17 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
18 Dec 2020	OSDI	HLLB	YK-BAE	A320-211	156	19.9
19 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
21 Dec 2020	OSDI	HLLB	YK-BAE	A320-211	156	19.9
22 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
27 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
Totals:					12,324	1,572

^a OSDI. Damascus. Joint Airbase. 33°24'25"N, 36°30'34"E.

^b HLLB. Benghazi. Joint Airbase. 32°07'00"N, 20°04'00"E.

^c OJAI. Amman. Joint Airbase. 31°43'21"N, 35°59'36"E.

^d OSLK. Latika. Joint Airbase. 35°24'03"N, 35°56'55"E.

^e HL59. Al Khadim. Military Airbase. 31°59'54"N, 21°11'30"E.

^f OMSJ. Sharjah. Joint Airbase. 25°19'43"N, 55°31'02"E.

^g OIIE. Tehran. Joint Airbase. 35°24'58"N, 51°09'08"E.

3. The Panel thus finds that this flight activity by Cham Wings Airlines LLC has violated paragraph 9 of resolution 1970 (2011) for the supply of (...) military (...) equipment and (...) other assistance (...) to Libya.

4. On 11 January 2021 the World Health Organization announced on social media that Cham Wings Airlines LLC aircraft had been used to move humanitarian supplies from the UAE to Libya in early January 2021. The aircraft were contracted by the World Food Programme (WFP), who were responsible for the coordination of humanitarian logistics for Libya. This resulted in international media interest,¹¹³ which is institutionally damaging for the UN family. A “deconfliction” mechanism within the UN system would allow their logistics teams to identify which airlines, aircraft, shippers, vessels etc have previously violated UN sanctions.

Image 55.H.1

¹¹³ For example, <https://www.independent.co.uk/news/world/middle-east/un-libya-embargo-arms-aid-b1786173.html>, 12 January 2021.

Open source media coverage (4 January 2021)

News > World > Middle East

UN ferries aid to Libya on plane experts believe broke its own arms embargo

The aid flights took place earlier this month

Bel Trew Middle East Correspondent | @beltrew | 19 hours ago



A Cham Wings plane delivering aid in Libya (World Health Organization)

Source: <https://www.independent.co.uk/news/world/middle-east/un-libya-embargo-arms-aid-b1786173.html>

Appendix J to Annex 55: ZetAvia LLC in support of HAF

1. The Panel has identified the ZetAvia LLC cargo aircraft shown in table 55.J.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.J.2 for ZetAvia LLC aircraft into Libya. ZZZ codes are also often used for these flights. Note the random nature of the flights and lack of an obvious schedule.

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B¹¹⁴ transponders are not visible on open-source ADS-B monitoring¹¹⁵ shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are often from military air bases; and 4) there have been no responses to the Panel's request for information from the airline.

Table 55.J.1

ZetAvia LLC aircraft of interest to the Panel

A/C #	A/C type	Registered	Operator	Owner	Listed Beneficial Owner Executive Director
UR-CIF	IL-76TD	Ukraine	ZetAvia LLC ^a	Technoline FZE, ^b UAE	
UR-CIG	IL-76TD	Ukraine	ZetAvia LLC	Technoline FZE, UAE	

^a www.zetavia.net. 5 Vyzvoltyeliv Boulevard, Kiev 026600, Ukraine. +380 44 528 0959 / +971 6 744 1011. (office_z@ukr.net).

^b No corporate web presence. Sharjah Airport Free Zone, Sharjah, UAE. +971 65 578170. +971 65 573127. (technoline@nsc.ae).

Table 55.J.2

Suspicious flights from UAE by ZetAvia LLC operated aircraft

#	Date	Ukraine A/C #	A/C type	From	Cargo for	Remarks
1	7 Mar 2020	UR-CIG	IL-76TD	Sweihaan ^a	TBC	▪
2	20 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
3	22 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
4	25 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
5	27 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
6	30 Apr 2020	UR-CIG	IL-76TD	OMAW	Ghardabiya ^b	▪

^a OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.

^b HLGD. Military Airbase. 31°03'38"N, 16°36'42"E.

¹¹⁴ Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.

¹¹⁵ For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

Table 55.J.3

Suspicious flights from Eritrea by ZetAvia LLC operated IL-76TD aircraft

#	Date	<i>Ukraine</i> A/C #	A/C type	From	To	Remarks
1	27 Nov 2019	UR-BXQ	IL-76TD	Assab ^a	Sidi Barani ^b	▪
2	28 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
3	29 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
4	30 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
5	30 Nov 2019	UR-CIG	IL-76TD	HHSB	Mersa Matruh ^c	▪
6	1 Dec 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
7	1 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
8	2 Dec 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
9	2 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
10	3 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
11	4 Dec 2019	UR-CIG	IL-76TD	HHSB	HE40	▪
12	07 Feb 2020	UR-CIG	IL-76TD			▪ ZAV9511
13	10 Feb 2020	UR-CIG	IL-76TD			▪ ZAV9511
14	30 Mar 2020	UR-CIF	IL-76TD			▪
15	31 Mar 2020	UR-CIF	IL-76TD			▪
16	04 Apr 2020	UR-CIG	IL-76TD			▪ ZAV9511

^a HSSB. Military Airbase. 13°04'18"N, 42°38'42"E.

^b HE40. Military Airbase. 31°27'59"N, 25°52'41"E.

^c HEMM. Civilian Airbase. 31°19'31"N, 27°13'18"E.

3. The Panel was unconvinced of the accuracy of the flight documentation provided by ZetAvia LLC. The Panel thus finds that this flight activity by ZetAvia LLC is a violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

Appendix K to Annex 55: HAF controlled aircraft

1. The Panel has identified the following aircraft that are directly controlled by HAF and operating within HAF controlled territory of Libya (see table 55.K.1). The Panel considers that most of these, if not all, are almost certainly being used to ferry the materiel delivered to Western Egyptian airfields into HAF controlled territory in Libya. They are certainly being used to provide logistic support to HAF within Libya; both activities being a violation of paragraph 9 of resolution [1970 \(2011\)](#). More detailed information is covered in tables 55.K.2 to 55.K.3 or in appendix F to 0 for Space Cargo Inc aircraft.

Table 55.K.1

HAF controlled cargo aircraft

A/C # ^a	Type	Registered	Last known aircraft Operator	Owner	Remarks
5A-DRS	IL-76	Unregistered	Libyan Arab Air Cargo ^b	Government of Libya	▪
EY-332	AN-32B	Unregistered	Unknown	Space Cargo	▪ See appendix F to 0.
ST-EWX	IL-76	Sudan	Green Flag Aviation ^c	Green Flag Aviation	▪
UP-AN601	AN-26	Unregistered	Sigma Airlines LLC	Space Cargo Inc ^d	▪ See appendix F to 0. ▪ Destroyed in Libya on 5 Apr 2020.
UP-I7601	IL-76	Unregistered	Sigma Airlines LLC. Reported in S/2019/914, table 8, and annexes 28 and 52.		▪
UP-I7646	IL-76	Unregistered	Jenis Air LLC ^e	Space Cargo Inc	▪ See appendix F to 0.
UP-I7651	IL-76	Unregistered	Azee Air LLC ^f	Space Cargo Inc	▪ See appendix F to 0.
UP-I7652	IL-76	Kazakhstan	Jenis Air LLC	Space Cargo Inc	▪ See appendix F to 0.
UP-I7656	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since Jun 2020.
ex EY-409	AN-12BP	Unregistered	HAF	ALA International FZE ^g	▪ Seen at Al Jufra on 25 July 2020. ▪
UP-I1805	IL-18	Kazakhstan	HAF	Space Cargo Inc	▪ See appendix F to 0.
Unmarked (ex ER-ICS)	IL-18	Unregistered	HAF	Terra Avia ^h	▪

^a The registration number is in many cases this displayed illegally as the aircraft has been de-registered from its last registry.

^b Commercial Cargo Division of Libyan Arab Republic Air Force.

^c <http://www.greenflag-sdn.com>. Web link inactive.

^d www.spacecargoinc.com. (See annex AE50).

^e No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).

^f www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).

^g ALA International FZE. SAIF Zone 9273, Sharjah, United Arab Emirates. tpapikyan@me.com.

^h www.terraavia.com.

Table 55.K.2
IL-76 (5A-DRS)¹¹⁶

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
23 Jun 2003	Acquired by Libyan Arab Air Cargo.	▪ www.aerotransport.org
1 May 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/HasairiOuais/status/1256283060976443394/photo/1 , 1 May 2020. ▪ Imagery analysis.



Table 55.K.3
IL-76 (ST-EWX)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
1 Aug 2011	Acquired by Green Flag Aviation.	▪ www.aerotransport.org
4 Jun 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/Gerjon_/status/1268467153340174336 , and https://twitter.com/HasairiOuais/status/1268466092265127937 , 4 June 2020. ▪ Extract from video imagery analysis.



Table 55.K.4
IL-76 (UP-17656)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
Nov 2019	Acquired by Jenis Air LLC from Global Charter Services, UAE	▪ www.aerotransport.org
Jun 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/Gerjon_/status/1288512524023934976 , 29 July 2020.

¹¹⁶ All the documentation referred to in this annex is available from the Panel on request.

Table 55.K.5
AN-12BP (EY-409)

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence</i>
9 Jul 2014	Acquired by ALA International FZE, UAE	▪ www.aerotransport.org
1 Apr 2015	Leased by Allied Services Limited, South Sudan (www.alliedservicesltd.com).	▪ Letter to Panel from company dated 30 October 2020. ▪ Lease Agreement No 15/03 dated 1 Apr 2015.
4 Nov 2015	Aircraft returned to owners by Allied Services Limited, South Sudan, but stayed in storage in Juba.	▪ Letter to Panel from company dated 30 October 2020.
11 Dec 2015	Deregistered by Tajikistan	▪ Letter to Panel from Member State dated 15 October 2020.
26 Oct 2019	Aircraft departed Juba, South Sudan flown by Asia Airways LLC of Tajikistan.	▪ South Sudan CAA Pre-Flight Inspection Report.
22 Aug 2020	Confirmed in Al Jufra, Libya flying in support of HAF.	▪ Confidential source.

Figure 55.K.1
AN-12BP (ex EY-409) in Al Jufra during May 2020

Antonov AN-12BP (#EY-409) (22 August 2020)

On 12 November 2019 an unidentified Antonov AN-12BP cargo aircraft was observed at Tamenhint Airport, Libya operating in support of HAF military operations.


On 22 August 2020 imagery on social media allowed the the Panel to confirm that this aircraft is AN-12BP (MSN #5343005), last reported as being owned by Allied Services Limited (South Sudan) (www.alliedservicesltd.com). Although displaying the registration EY-409, the Tajikistan aviation authorities have confirmed to the Panel that this aircraft was de-registered on 11 December 2015. It is thus now flying with illicit markings.

The presence of this aircraft in Libya being used in military support of HAF is a violation of paragraph 9 of resolution 1970 (2011).


Primary sources:

1. <https://www.facebook.com/AlliedServicesEAfrica/photos/698925746918678/>, 26 August 2015.
2. <https://twitter.com/Oded121351/status/1191436452716056577>, 4 November 2019.
3. https://twitter.com/Gerjon_/status/1297157977816915969?s=20, 23 August 2010.
4. www.aerotrtransport.org. (Subscription) Accessed 18 October 2020


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26 August 2015, AN-12BP (EY-409) imagery on Allied Services Limited social media page (Facebook).




12 November 2019, unidentified AN-12BP at Tamenhint airport with HAF military commanders.



22 August 2020, AN-12BP confirmed operating in Libya as ex-EY-409. Image from Al Jufrah in May 2020.

Table 55.K.6
IL-18 (Ex ER-ICS)

Date	Activity	Panel Evidence
8 Jul 2015	Transferred to HAF by Sky Prim Air, Moldova	<ul style="list-style-type: none"> ▪ www.aerotrtransport.org ▪ Reported in annex 35 to S/2017/466 and annex 52 to S/2019/914.
2016	Under Terra Avia ownership when Sky Prim Air closed down.	▪
27 July 2020	Again identified as operating in Libya in support of HAF.	<ul style="list-style-type: none"> ▪ https://twitter.com/Gerjon_/status/1287815982350766085, 27 July 2020.
29 Nov 2020	Image from www.terraavia.com website showing ER-ICS. Note registration across wings.	

2. Analysis of satellite imagery of Benghazi (Benina) and Al Khadim taken on 24 December 2020 provides evidence of the indigenous fleet available to HAF.

Table 55.K.6

Panel analysis of aircraft deployed in Benina and Al Khadim on 24 December 2020

<i>Type</i>	<i>Confirmed as HAF controlled</i>	<i>Al Khadim</i>	<i>Confirmed visiting Al Khadim ^a</i>	<i>Benina</i>	<i>Confirmed visiting Benina ^a</i>	<i>Balance</i>	<i>Panel remarks</i>
AN-12	1	1				0	▪
AN-24/26	1	1				0	▪
AN-32	1					1	▪
IL-18	2					2	▪
IL-76	7	3	1	5		0	▪ Visitor confirmed as Flight# RFF8040
TU-154	0	1	1	0	0	0	▪ Visitor confirmed as TU-154M (RA-85042)
Unidentified Cargo A/C		3 ^b			5	8	

^a See other appendices in this annex.

^b Similar size to IL-24/32.

Figure 55.K.1

Imagery of aircraft deployed in Benina and Al Khadim on 24 December 2020

3. The Panel noted that most of the commercial operators in 2020 were UAE based, using primarily Kazakhstan registered aircraft, as opposed to the primarily Ukrainian registered aircraft used during 2019. 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’.

4. The suspension of air operator certificates (AOC) for Azee Air LLC, Jenis Air LLC and Sigma Airlines LLC by the Kazakhstan Civil Aviation Administration significantly reduced the number of commercial cargo aircraft available for use on this route. This required the UAE to use their military C-17 Globemaster aircraft to maintain their airbridge (see appendix B to 0).

Annex 56 Infographic for Inkas Titan-DS APV

Eastern Libya (4 February 2020) Near 30°22'51"N, 13°35'22"E

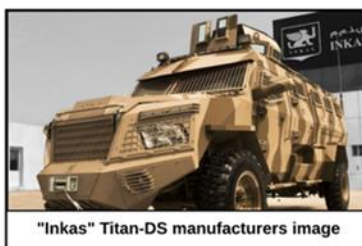
The Panel has identified the presence of the a new armoured personnel carrier (APC) type in the possession of the Tariq bin Zayed battalion of HAF. The vehicle is virtually identical to the APC designed and manufactured by "Inkas" Vehicles LLC of Dubai Investments Park 2, Dubai, United Arab Emirates, (www.inkas.ae). The manufacturer denies export direct to Libya and claims other manufacturers make similar vehicles, but provided no examples. The Panel is unconvinced of the veracity of the manufacturers' response.

Inkas^R Armoured Vehicles of Canada, which owns the Inkas registered name has stated that these vehicles are counterfeit products being manufactured in the UAE without their authorization. The quality standards of such vehicles can not, thus, be assured.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011).



"Inkas" Titan-DS deployed with the Tariq bin Zayed battalion of HAF



"Inkas" Titan-DS manufacturers image



Primary sources

1. <https://twitter.com/towersight/status/1224794753671274497>, 4 February 2020.
2. <https://www.facebook.com/102186137834737/posts/191394325580584/>, 4 February 2020.
3. <https://inkas.ae/armored/inkas-titan-ds-apc/>. Accessed 27 July 2020.
4. customer.janes.com. (Subscription). 6 February 2020.
5. <https://inkasarmored.com/legal-notice/>. Accessed 22 September 2020.

Developed by UN Panel of Experts



Annex 57 Wing Loong II UCAV redeployed to Egyptian airbase

10 February 2020

Location: Uthman Airbase (HE27), Egypt
(29°33'1.83"N, 25°35'55.95"E)

On 10 February 2020 a Maxar Technologies satellite captured an image of three *Wing Loong II* UCAV at HE27 in Egypt. On 17 May 2020 confirmatory imagery appeared on social media of the *Wing Loong II* UCAV operational at HE27. On 28 August 2020 the BBC identified that the eleven transport containers, highlighted in yellow, were moved from Al Khadim airbase in Libya (HL59) to Uthman airbase (HE27) in Egypt between 4 to 7 February 2020.

This transfer of military equipment from Libya was a violation of paragraph 9 of resolution 1970 (2001) by the UAE.

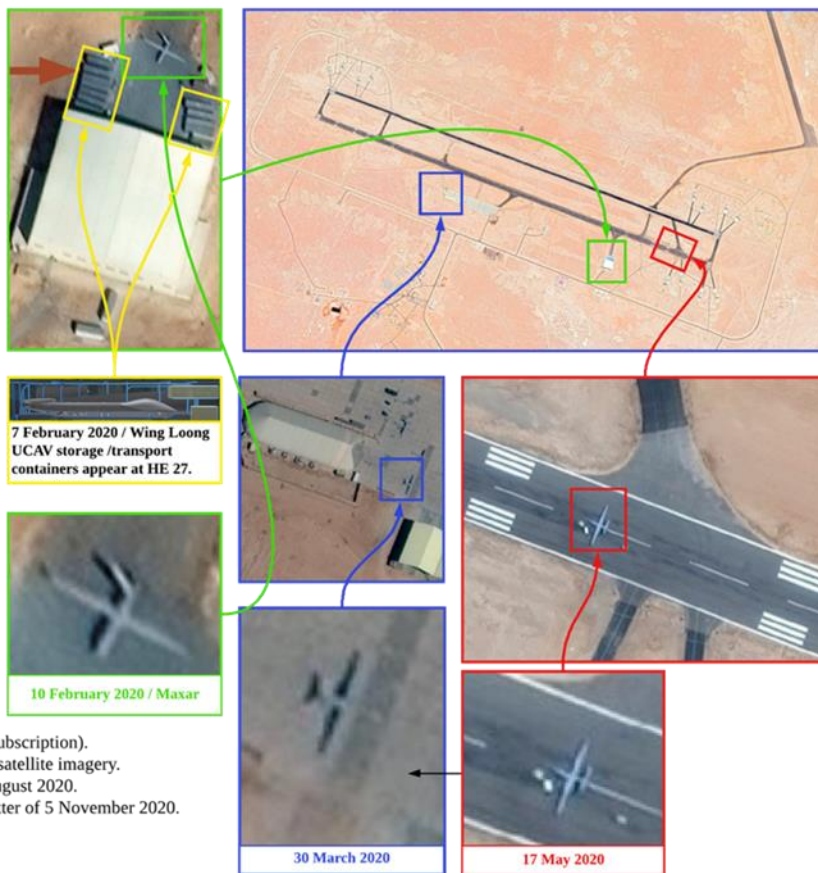
In a remote meeting with the Panel on 2 November 2020, and letter of 5 November 2020, the Egyptian government stated that nine UAE owned and operated *Wing Loong II* UCAV were present as part of a defence cooperation agreement with the UAE in order to provide security and surveillance of Egypt's western border. No such agreement rests in the public domain.

The range of the *Wing Loong II* UCAV would allow them to operate over Libya, but the Panel has no evidence of this yet occurring.

Primary sources:

1. Biggers C, www.ihjanes.com, 27 February 2020 (Subscription).
2. Maxar Technologies Limited and Google Earth Pro - satellite imagery.
3. <https://www.bbc.co.uk/programmes/m000nrg5>, 28 August 2020.
4. Member State, meeting of 2 November 2020, and letter of 5 November 2020.

Developed by UN Panel of Experts.



Annex 58 Infographic for Dahua counter-drone weapon

Western Libya (20 March 2020)

Identified by the Panel as a DHI-UAV-D-1000JHV2 Portable Unmanned Aerial Vehicle (UAV) Counter Gun designed and manufactured by the Dahua Technology Company Limited (www.dahuasecurity.com).

The UAV Counter-Gun is a directed-energy unmanned aircraft system (UAS) countermeasure. It quickly disrupts the adversary's control of the drone, neutralizing it so that no remote action, including detonation, can occur.

The system has a 1,000m range across six common frequency bands for UAV.

Although observed in the possession of HAF, there is no evidence as to the supply chain yet.



Primary sources

1. <https://twitter.com/Oded121351/status/1240942635122130946>, 20 March 2020.
2. <https://www.dahuasecurity.com/asset/upload/uploads/soft/20181122/DHI-UAV-D-1000JHV2-datasheet.pdf>. Accessed 27 July 2020.

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Annex 59 HAF Pilot Training in Syria

HAF Pilot Training in Syria (12 April 2020)

33°17'24"N, 36°28'20"E

The Panel has identified from recent open source imagery that individuals from HAF were apparently sent to the 64th Helicopter Brigade of the Syrian Arab Air Force at Marj Ruhayyil/Blai military airport (33°17'06"N, 36°27'29"E) to undergo six-month long pilot training courses on the Mi-24D (Mi-25 export version) attack helicopter.

The Panel has written to Syria requesting an explanation for this issue, but is still awaiting a response,



Mi-24/35 attack helicopter in Libya under HAF (2017)

Primary sources

1. <https://en.zamanawsl.net/news/article/53967>, 12 April 2020.
2. <https://www.scramble.nl/planning/orbats/syria/syrian-arab-air-force>. Accessed 1 November 2020.
3. Google Earth Pro.

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(index.php)

Established

Assad's air force trains Libyan pilots to fight against UN-recognized Govt: source

Special Reports (<https://en.zamanawsl.net/news/articles/133>) | 2020-04-12 12:57:00



(Zaman Al Wasl)- A well-informed source said Libyan pilots from Khalifa Haftar's forces had arrived in Damascus to follow a training by the Syrian Air Force on the Russian Mi-25 attack helicopters.

The pilots will be stationed in the Air Force 64th Brigade at the Beli Military Airport, 20 km (13 miles) south of Damascus where they have to follow an intensive training for at least six months to be qualified, according to the military source.

Backed by Syria, Egypt, Saudi Arabia and UAE, the parallel Libyan authorities have been on offensive against the UN-recognized Government of National Accord (GNA) since April 2019 to take the Libyan capital Tripoli.

Bashar al-Assad's regime and a delegation representing eastern Libyan strongman Haftar agreed last March to exchange diplomatic missions and confront Turkish "interference", state-run news agency SANA said.

Turkey backs the UN-recognized government in Tripoli, and has dispatched troops and Syrian fighters to the North African country.

The Syrian regime has also sent hundreds of fighters to bolster Haftar's army near Tripoli in the past few months who were encouraged by high incentives.

The Beli airbase is also a training field for Iranian pilots. Two squadrons of Iranian warplanes have been stationed since 2012.

Military sources said Iran controls the northeastern part of the airport.

Annex 60 Infographic for KBP RPO-A Shmel

Ain Zara (8 April 2020)
(32°48'44"N, 13°16'06"E)

Identified by the Panel as an RPO-A (*Shmel*) rocket propelled incendiary blast projectile launcher. It is often inaccurately referred to as a flame thrower. This system propels a capsule containing 2.1kg of a Fuel/Air Explosive (FAE) mixture which disperses on impact and then ignites. It is a thermobaric weapon and has the blast equivalence of a 122mm high explosive artillery shell.

It is ideally suited for fighting in built up areas (FIBUA), and could be a potent weapon should street fighting ensue in Tripoli. It has a maximum range of 1,000m but the sights are only calibrated to 600m. A more realistic engagement range, that keeps the firer safe, is 200m.

This system was reported as being in Libya in Panel report [S/2018/812](#), annex 22, paras. 43 - 44. 1,000 RPO-A were previously delivered to Libya in 2007.

The system pictured here has a different paint scheme and is almost certainly not from the 2007 batch. There is no evidence as to the supply chain yet, but its presence in Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://youtu.be/PxLm--ZJOY0>, (@4.44), 18 April 2020.
2. [customer.janes.com](https://www.janes.com). (Subscription). 2 October 2015.

Developed by UN Panel of Experts



Annex 61 Infographic for Dassault Mirage 2000-9

1. Sidi Barani Airbase (HE40), Egypt
(31°27'59"N, 25°52'41"E)

2. Al Jufra Airbase (HL69), Libya
(29°10'58.31"N, 16°25'01.01"E)

3. Tobruq Airbase (HL59), Libya
(31°51'46.80"N, 23°55'2.06"E)

Satellite imagery of 6 May 2020 identified UAE Air Force Mirage 2000-9 fighter ground attack (FGA) at Sidi Barani Airbase in Egypt. The Egyptian authorities informed the Panel that this was for maintenance. The Panel is unconvinced, as: 1) Egypt could not tell the Panel what level maintenance was purportedly provided; and 2) it is unlikely the specialised maintenance facilities required for such an aircraft are in Sidi Barani as no EAF Mirage are based there.

Analysis of the imagery confirms the aircraft type as a Mirage 2000-9 rather than a Mirage 5 (operated by Egypt) based on: 1) shorter nose profile of the 2000-9; 2) larger proportional wing area of 2000-9; 3) shorter and wider tail profile of 2000-9; and 4) the distinctive camouflage pattern used by the UAE.

Primary sources:

1. <https://twitter.com/obretix/status/1258087871136833537>, 6 May 2020.
2. <https://zeenews.india.com/world/pakistan-air-force-to-buy-36-retired-mirage-v-jets-from-egypt-as-iaf-gets-ready-to-deploy-rafale-2233202.html>, 9 September 2019.
3. <https://www.defencetalk.com/military/photos/egyptian-air-force-mirage-2000.27918/>, Accessed 10 May 2020.
4. <https://www.defensenews.com/digital-show-dailies/dubai-air-show/2017/11/14/dassault-to-modernize-uaes-mirage-fleet-for-a-reported-350m/>, 14 November 2017.
5. <https://www.scramble.nl/orbats/egypt>, Accessed 10 May 2020.
6. www.ihs.janes.com, (Subscription). Accessed 24 May 2020.
7. Digital Globe, Maxar Technologies Limited and Google Earth Pro - satellite imagery.

Developed by UN Panel of Experts



Annex 62 Infographic for “Wagner” armoured vehicle

Bani Walid and Tarhuna (23 May 2020)

Video and still imagery of a new type of wheeled armoured personnel carrier not previously seen in Libya were widely published on open source media. The APC was in the possession of Russian private military operatives.

Russian media identified that the Ural-432007-0111-31 chassis and power train was used as the basis for this APC. The vehicle design is virtually identical to that of an off-road secure vehicle manufactured by Evro Polis LLC of Krasnogorsk; a company controlled by Yevgeny Progozhin, who also controls the entity known as ChVK Wagner.

The Member State has provided a detailed analysis of the vehicle in Libya and that of the Evro Polis LLC vehicle. They state that only one Evro Polis vehicle was manufactured as a test vehicle, and that vehicle is in Syria. The Member State also pointed out a number of minor external differences between the two vehicles. Further investigation by the Panel is required before a final determination as to the manufacturer of this vehicle, being used by Russian private military operatives, can be made. The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011) by the Russian PMC.

Primary sources

1. <https://twitter.com/RALee85/status/1282448605350174722>, 12 July 2020.
2. <https://novayagazeta.ru/articles/2020/07/11/86234-vragu-ne-sdaetsya-nash-gordyy-ural>, 11 July 2020.
3. <https://t.me/milinfofive/61415>, 11 July 2020.
4. <https://defence-blog.com/news/army/wagner-wagon-spotted-in-troubled-central-african-republic.html>, 3 January 2021.

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URAL UID APV in
Bani Walid, Western Libya on 24 May 2020.



URAL UID APV in
Bani Walid, Western Libya on 24 May 2020.



URAL UID APV in Bangui, CAR. Reported 2 January 2021.

A very similar designed vehicles was identified in the possession of CvHK Wagner forces in Bangui, Central African Republic in early 2021.

Annex 63 Infographic for MIC VPK Tigr-M APV

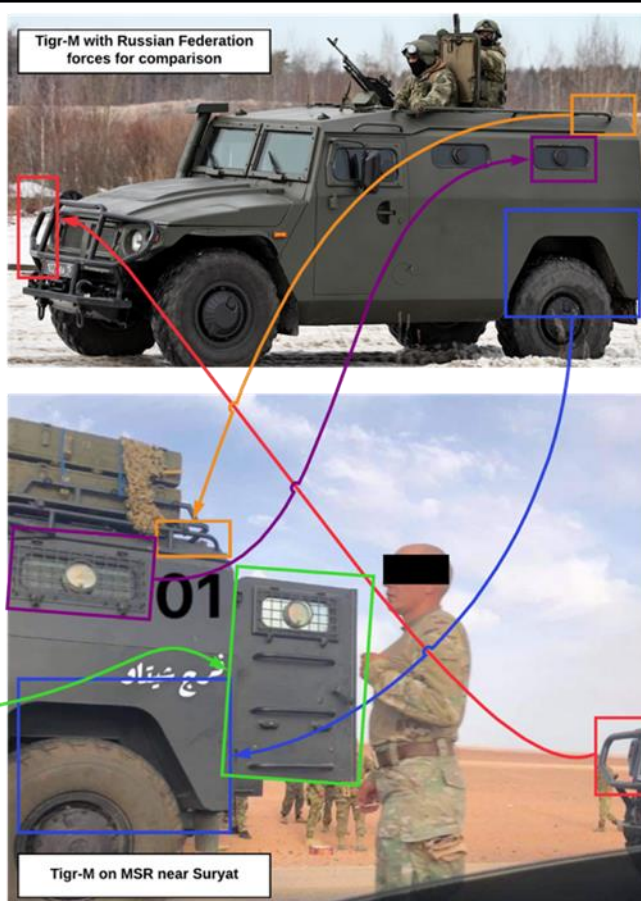
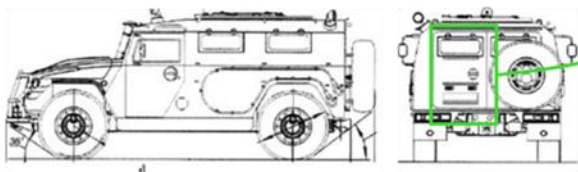
Suryat (26 May 2020)

Near 30°22'51"N, 13°35'22"E

Still imagery of almost certainly a Tigr-M variant armoured vehicle in Suryat, on the main supply route (MSR) from Bani Walid to Al Jufra airbase. This is the first imagery identified by the Panel of this particular armoured vehicle. It was designed by the Russian Federation Military Industrial Company LLC and manufactured by their Arzamas Machinery Plant.

The image was taken during the withdrawal of Russian Federation private military operatives from Bani Walid that commenced on 25 May 2020. The Member State said there was insufficient detail to assist the tracing request submitted by the Panel.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011).



Primary sources

1. <https://twitter.com/farajshitaw1/status/1265239891522142211>, 26 May 2020.
2. <https://twitter.com/HasairiOuais/status/1265241462041706496>, 26 May 2020.
3. Image courtesy of Vitay V Kuzmin. Accessed 29 June 2020.
4. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts

Annex 64 Infographic for T-62 main battle tank upgrade

Western Libya (5 June 2020)

Imagery from a range of sources shows some T-62 variant main battle tanks (MBT) captured from HAF by GNA-AF.

Of interest is that the MBT have been partially upgraded to a similar specification to that of the T-62MV model, which has not previously been seen in Libya. Explosive Reactive Armour (ERA) has certainly been added to the original T-62 design.

It is possible that these are some of the 13 x T-62 MBT reported as being maintained or overhauled by a Chvk Wagner repair team between 17 October 2019 and 12 March 2020. The imagery (still and video) available suggests modification in Libya rather than a new import, as the quality of the work does not appear to be of factory standard.

Regardless of whether recently transferred, or upgraded, either activity is a non-compliance to paragraph 9 of resolution 1970 (2011).

Primary sources

1. Twitter, @oryxspioenkop. 5 June 2020.
2. Twitter, @HasairiOuais. 5 June 2020.
3. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts



T-62MV MBT

Note the ERA fitted to turret. Unequally spaced and laid out ERA suggests not a factory modification. Only enhanced frontal protection added.



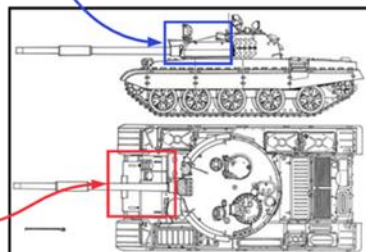
T-62MV MBT

Note the ERA fitted to glacis. Unequally spaced and laid out ERA suggests not a factory modification.



T-62 MBT

Stock image of standard T-62 MBT.



T-62 MBT

Schematic of standard T-62 MBT.

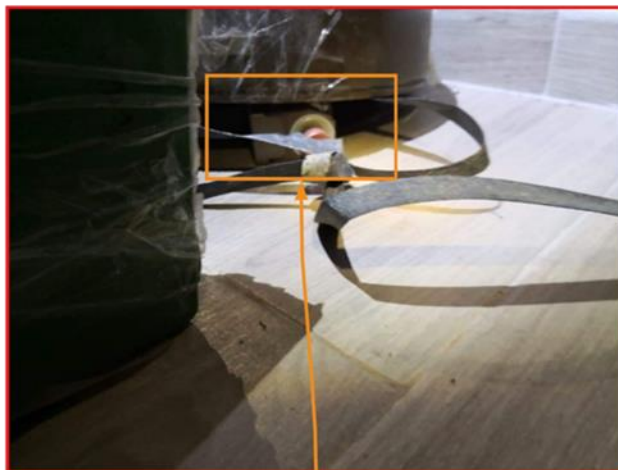
Annex 65 Infographic for ML-8 anti-lift initiator

Tripoli environs (7 July 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of booby trap Anti Lift Initiators in areas previously occupied by private military operatives acting in support of armed forces affiliated to Khalifa Haftar (HAF) prior to their withdrawal from the Tripoli area.

The Panel has determined from the imagery that these military booby-traps are ML-8 Anti Lift Initiators designed and manufactured by the Russian Federation.

The transfer of this explosive ordnance to Libya is a non-compliance to paragraph 9 of resolution 1970 (2011).



Primary sources

1. Confidential.
2. www.ihs.janes.com. (Subscription). 26 September 2016.

Developed by UN Panel of Experts

Annex 66 Infographic for interdiction of 4x4 vehicles in Malta

Interdiction of suspected military materiel (29 July 2020)

On 29 July 2020, the Maltese authorities informed the Panel of 47 suspicious containers on board the M/V *Xin Shanghai* (IMO 9207231), which was en route from Jebel Ali, UAE to Benghazi, Libya. Each container held 3 x Mitsubishi L200 4x4 vehicles, a total of 141 in all. This transfer was suspicious as: 1) the large quantity of 4x4 vehicles easily converted for military purposes; 2) the shipper, consignee and notify parties were all shipping companies; 3) no details of the recipient of the vehicles.

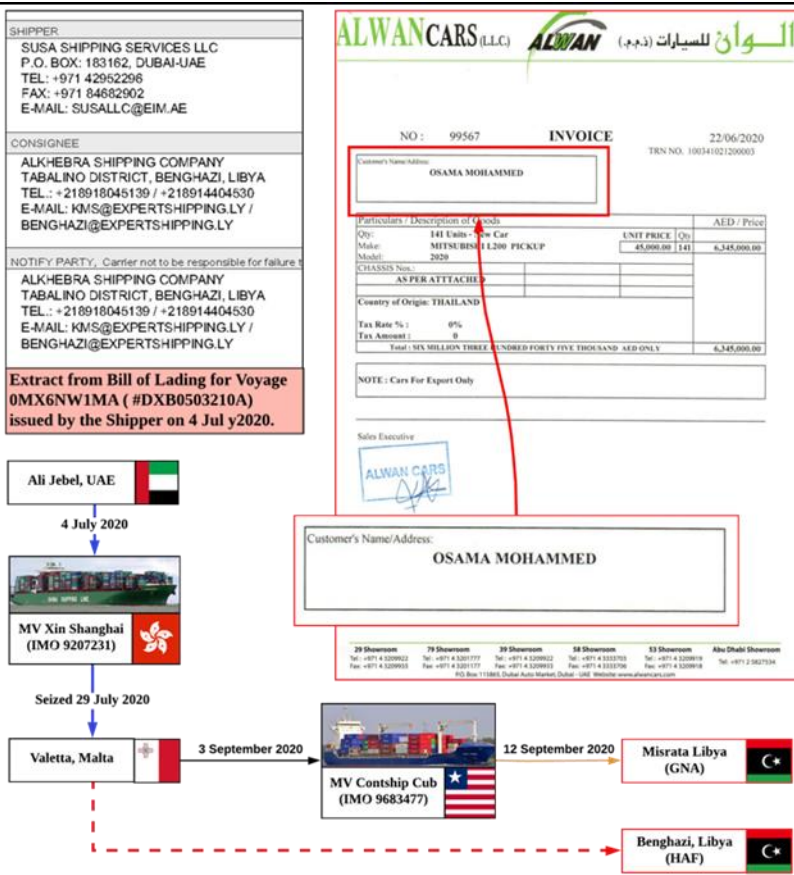
Negotiations initiated by the vessel owner led to a resale of the cargo to a client in Misrata, Libya. The vehicles were shipped on 3 September 2020 on board the M/V *Contship Cub* (IMO 9683477).

The transfer of this equipment to Libya is a non-compliance of paragraph 19 of resolution 2213 (2015) by the UAE in that they did not inspect the cargo of a suspicious commercial vessels destined for Libya, which originated in their territory, for which there were *reasonable grounds*.

Primary sources

1. Member State.
2. www.vesselfinder.com.

Developed by UN Panel of Experts



Annex 67 Infographic for PMN-2 anti-personnel mine (APM)

Tripoli environs (29 July 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of PMN-2 anti-personnel mines (APM) in areas previously occupied by private military operatives acting in support of armed forces affiliated to Khalifa Haftar (HAF) prior to their withdrawal from the Tripoli area.

This type of APM has not been identified as being present in Libya before, and was not in the possession of the Libyan Armed Forces pre-2012.

The transfer of this explosive ordnance to Libya is a non-compliance to paragraph 9 of resolution 1970 (2011).

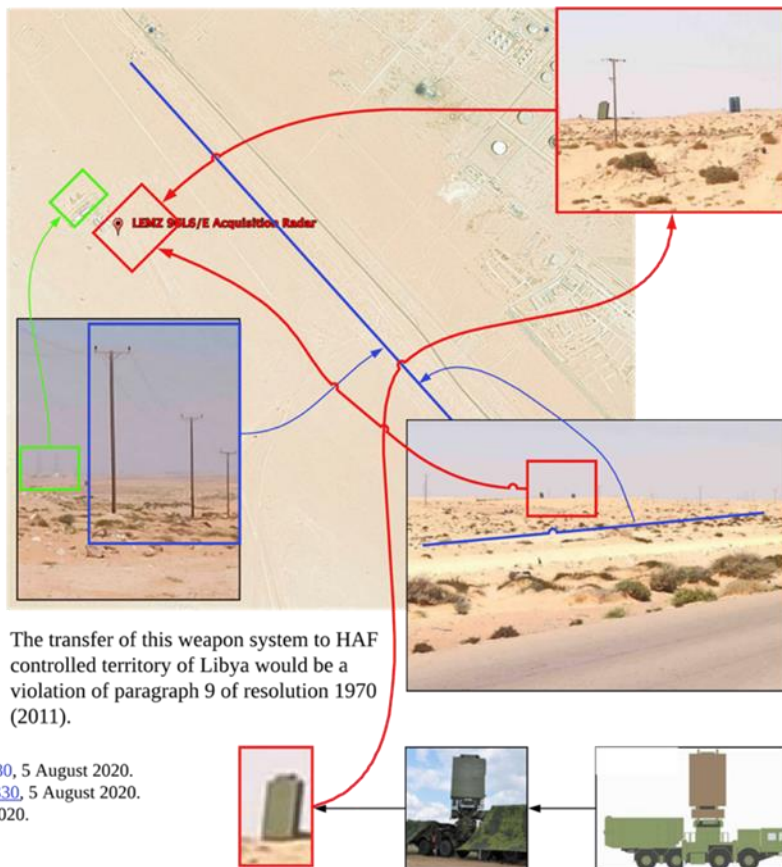
Primary sources

1. Confidential. (Extracts from imagery).
2. www.ihs.janes.com. (Subscription). 18 May 2020.

Developed by UN Panel of Experts



Developed by UN Panel of Experts



Annex 69 Training at RMC Jordan (16 September 2020)

Training at RMC Jordan (16 September 2020)

32° 1'27.89"N, 32° 1'27.89"N

Imagery shows Libyan students graduating from training at the Royal Military College of Jordan.

The provision of this training by Jordan is a violation of paragraph 9 of resolution 1970 (2011).



Note portrait of King of Jordan, and Royal Jordanian Air Force Brigadier General.



Primary sources

1. <https://twitter.com/JDTkLYZayYGdbew/status/1306224561109827590>, 16 September 2020.
2. <https://twitter.com/CourtenaySargon/status/1306230045934055424>, 16 September 2020.
3. Google Earth Pro.

Developed by UN Panel of Experts

Annex 70 Infographic for POM-2R anti-personnel mine (APM)

Tripoli environs (23 September 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of POM-2R anti-personnel mines (APM) in areas previously occupied by Russian private military operatives acting in support of armed forces affiliated to Khalifa Haftar (HAF) prior to their withdrawal from the Tripoli area.

The POM-2R is hand emplaced and often used as a pursuit deterrent munition. There is no safe neutralization procedure and it should be destroyed in situ by the use of a high explosive demolition charge.

This type of APM has not been identified as being present in Libya before, and was not in the possession of the Libyan Armed Forces pre-2012. The mine had a Lot/Btach number of 583-1-96, meaning it was manufactured in 1996. As this is outside the ten year limit for record keeping contained within the Arms Trade Treaty a tracing request was not submitted to the manufacturing Member State.

The transfer of this explosive ordnance to Libya is a non-compliance to paragraph 9 of resolution 1970 (2011).

Primary sources

1. Confidential. (Extracts from imagery).
2. www.ihs.janes.com. (Subscription). 6 July 2020.
3. <https://guns.allzip.org/topic/216/1132793.html>. Accessed 25 September 2020.

Developed by UN Panel of Experts



Example of a deployed POM-2R



Mis-functioned POM-2R APM in southern Tripoli



Example of a POM-2R



Mis-functioned POM-2R APM in southern Tripoli

Annex 71 Infographic for G5 155mm / 45 calibre gun howitzer

G5 155mm / 45 Calibre Gun Howitzer (14 November 2020)

Video imagery of a new heavy artillery type not previously seen in Libya, was published on HAF controlled open source media. It showed the weapon system being operated during Exercise DIGNITY 2020 by the Tariq Bin Zayid brigade. Only one gun was evident in the video imagery.

The gun is highly probably a South African manufactured G5 155mm / 45 calibre gun howitzer.

It was reported that the UAE had acquired the G5 and deployed it to Yemen. GP1 and GP6 laser guided munitions for this weapon system have being reported by the Panel in 2017, 2018 and 2019. Panel investigations continue.

The presence of this particular weapon type in Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://youtu.be/cPVQY_OzG68, 16 November 2020.
2. https://customer.janes.com/Janes/Display/FG_3798099-JDW, 18 November 2020.
3. https://customer.janes.com/Janes/Display/FG_1702987-JDW, 28 February 2019.
4. Paragraphs 157 to 159 of [S/2017/466](#).
5. Paragraphs 114 to 116 of [S/2018/812](#).
6. Paragraph 95, and annexes 28 and 39 to [S/2019/914](#).

Developed by UN Panel of Experts



Annex 72 Infographic for 128m Morava 128mm multi-barrel rocket system (LRSCM)

VTI LRSVM Self-propelled Multi-tube Modular Rocket Launcher *Morava* (14 November 2020)

Video imagery of a new free flight rocket launcher system not previously seen in Libya, was published on HAF controlled open source media. It showed the weapon system being operated during Exercise DIGNITY 2020 by the Tariq Bin Zayid brigade. Two systems were evident in the video imagery.

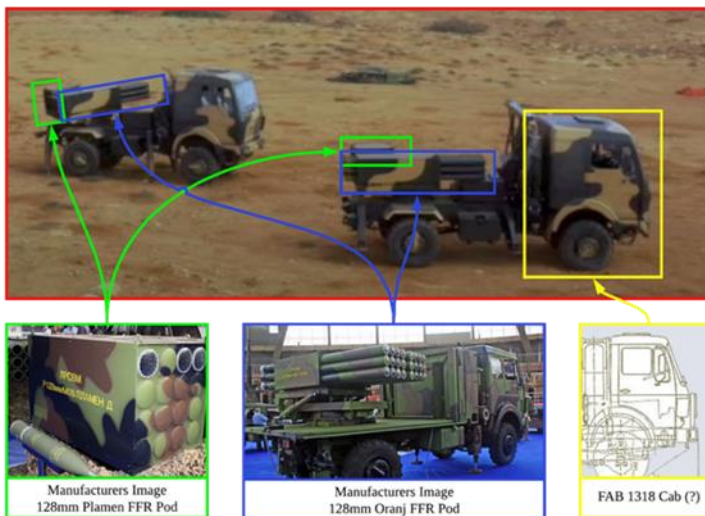
The Panel has confirmed the identification of the system as the Serbian Military Technical Institute (VTI) (<http://www.vti.mod.gov.rs>) designed and manufactured LRSVM *Morava*. This system allows for the modular mounting of various free flight rocket types. In the imagery the 128mm Plamen (left side) and 128mm Organj (right right) launcher containers are mounted on each vehicle. The system is mounted on a FAB 1118 4x4 truck, but an export version is mounted on the FAB 3118 truck, of which 30 trucks were exported to UAE in 2016.

The presence of this particular weapon type in Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://youtu.be/cPVQY_OzG68, 16 November 2020.
2. https://customer.janes.com/Janes/Display/FG_3798099-JDW, 18 November 2020.
3. <http://www.vti.mod.gov.rs/index.php?view=actuality&type=projects&category=1&id=75>, Accessed 20 November 2020.
4. <https://www.blic.rs/vesti/ekonomija/fap-ugovorio-proizvodnju-30-kamiona-za-emirate/rdqpryz>, 6 September 2016

Developed by UN Panel of Experts



Annex 73 Infographic for Xiamen Mugin 4450 unmanned aerial vehicle (UAV)

Mugin (Skyeye) UAV **(6 November 2019)**

On 6 November 2019 imagery appeared on social media of a *Mugin (Skyeye)* unmanned aerial vehicle (UAV). Both parties to the conflict claimed that the other used such systems, so it has not been possible to attribute responsibility.

The system is widely available commercially for approximately US\$ 5K to 7K.

The presence of this system in Libya is a violation of paragraph 9 of resolution 1970 (2011).



Primary sources

1. <https://twitter.com/Oded121351/status/1191990355559960578>, 6 November 2019.
2. https://twitter.com/Arn_Del/status/1192017930952888322, 6 November 2019.
3. <https://www.muginuav.com/product-category/fixed-wings/>. Accessed 22 October 2020.

Developed by UN Panel of Experts

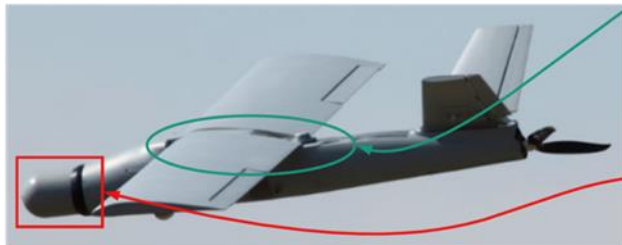
Annex 74 Infographic for WP Warmate loitering munition

Abu Grein (14 April 2020)

This is highly probably the remnants of an WB Electronics (Poland) designed and manufactured *Warmate* Micro Loitering Munition System.

The *Warmate* LM has a range of 15km, an endurance of 1.5 hours at 9,000 feet altitude, and usually contains a <1.0 kg explosive warhead. It is equipped with electro-optical and infra-red sensors and is designed for precision strikes with low collateral damage.

Jane's Defence, the standard open source weapons reference publication, has not reported any sales of the *Warmate* to any party to the conflict, nor their sponsor countries, so it is not possible to attribute the system to an end user yet.



Primary sources

1. <https://twitter.com/AbraxasSpa/status/1250341263695417346>, 14 April 2020.
2. www.ihs.janes.com. (Subscription). Accessed 15 April 2020.
3. <https://www.wbgroup.pl/en/produkt/warmate-loitering-munitions/>. Accessed 15 April 2020.

Developed by UN Panel of Experts

Annex 75 Airbridge non-compliance profile indicators

1. The Panel has developed a set of profile indicators of suspicious activities and documentation that when considered collectively, cogently indicate, that an aircraft is almost certainly carrying illicit cargo (see table 75.1). This annex summarises these indicators and provides one case study to show their implementation.

Table 75.1

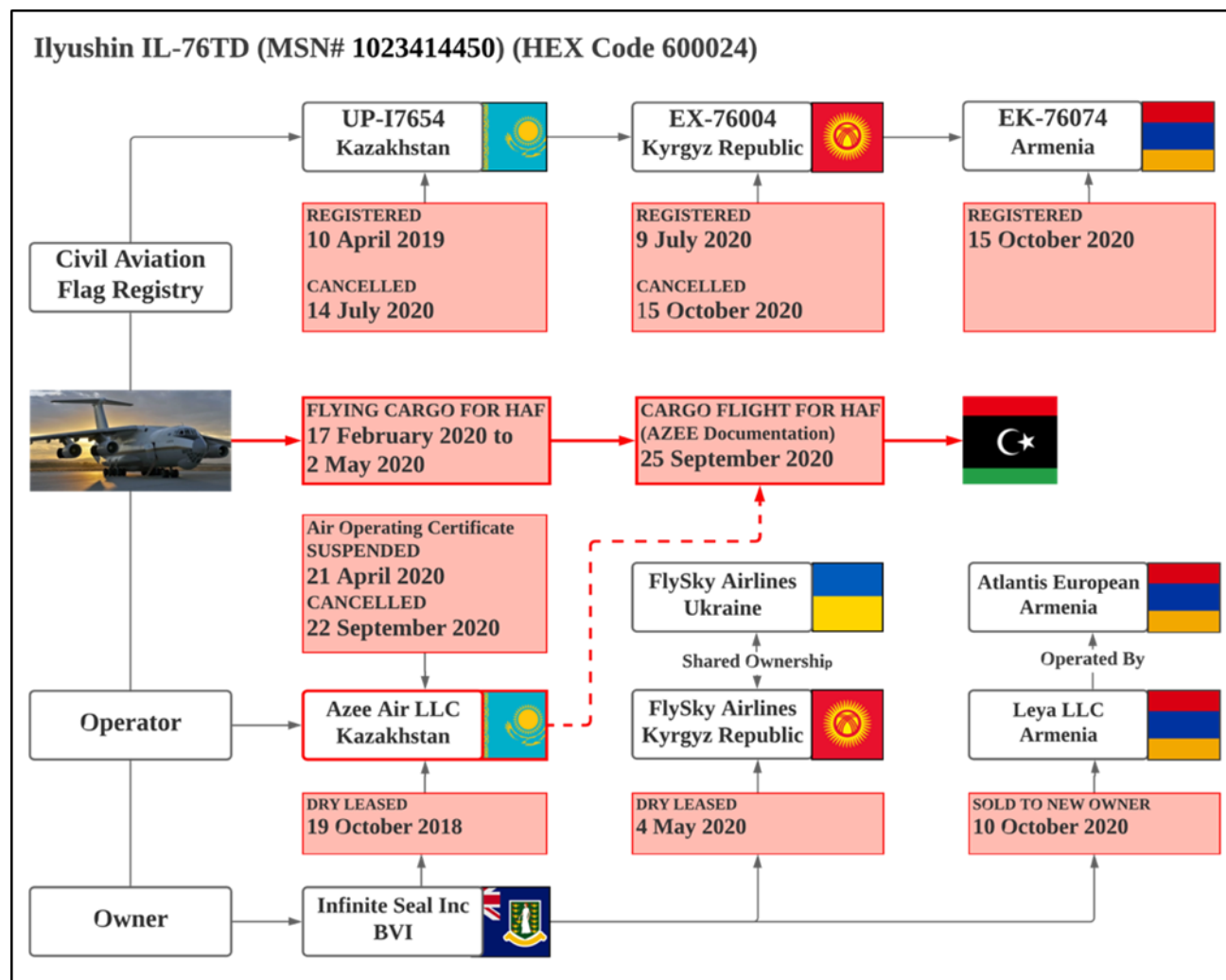
Profile indicators of airbridge

#	Activity	Details	Remarks
1	Flight volume	The number of unscheduled flights on a previously little used route.	<ul style="list-style-type: none"> For example, over 110 flights over a three month period indicates a centrally organized supply chain.
2	Flight timings	The majority of flights are planned so that the cargo aircraft are unloaded during darkness.	<ul style="list-style-type: none"> Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.
3	Flight routing	The flights often take off from a civilian airport, then land at a military airbase before departing on a flight track directly towards Libya.	<ul style="list-style-type: none"> Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist. Indicative of the loading of military related equipment.
4	Flight safety	Signals from the aircraft ADS-B ^a transponders are not visible on open source ADS-B monitoring ^b shortly after entering Egyptian airspace.	<ul style="list-style-type: none"> Airline captains sometimes “go dark” when approaching Libyan airspace as a counter-measure against being targeted by air defence systems, but usually not for the majority of the flight. Deliberately switched off due to the covert nature of these flights. Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).
5	Flight safety	On 10 April 2020 the signals from the two aircrafts’ ADS-B transponders was switched to MLAT (multi-lateration) mode for the whole flight.	<ul style="list-style-type: none"> MLAT mode transmits aircraft code, heading, altitude and speed but NOT current location. Jenis Air UP-I7646 and UP-I7652.
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights.	<ul style="list-style-type: none"> Airlines have utilised a “blocking” service provided by some of the open source ADS-B monitoring providers. A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.
7	Aircraft documentation	The use of fake Air Operating Certificates (AOC).	<ul style="list-style-type: none"> The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.

#	Activity	Details	Remarks
8	Flight documentation	The submission of incomplete or inaccurate Cargo Manifests and Air Waybills. The lack of detailed flight documentation submitted.	<ul style="list-style-type: none"> ▪ Fake consignees listed. ▪ Fake consignors listed. ▪ Used to disguise the true nature of the actual cargo. ▪ Customs value listed as zero. ▪ Failure to supply, for example: 1) Flight Plan; 2) Aircraft Technical Log Book; 3) Journey Flight Log; 4) Weight and Balance Report; 5) Takeoff and Landing Balance; and 6) General Declaration.
9	Air operator transparency	Limited, inaccurate or no information provided to requests for information.	<ul style="list-style-type: none"> ▪ Indicative of covert or illicit activity.
10	Air operator web presence	Lack of corporate website.	<ul style="list-style-type: none"> ▪ A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.
11	Cargo agency web presence	Lack of corporate website.	<ul style="list-style-type: none"> ▪ A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.
12	Air operator's relationships	Corporate links	<ul style="list-style-type: none"> ▪ Change of ownership or operating conditions for aircraft between linked companies.

2. In the main body of the report the Panel used one particular aircraft, IL-76TD (MSN# 1023414450) (HEX Code 600024), to illustrate the tactics, techniques and procedures (TTP) used by aircraft owners and operators to circumvent arms embargos (repeated at figure 75.1).

Figure 75.1
Infographic for Ilyushin IL-76TD (#1023414450)



3. As an example, table 75.2 shows the use of profile indicators against documentary evidence obtained by the Panel for Flight Number FSQ1110 on 24 September 2020 by the then Kyrgyz Republic registered EX-76004 operated by FlySky Airlines. The documents have not been included for reasons of space but are available from the Panel on request.

Table 75.2
Profile indicators for flight FSQ 1110 (24 September 2020)

#	Activity	Details	Source / Remarks
2	Flight timings	Take Off Time: 23:45 hours Landing (+1): 04:45 hours	<ul style="list-style-type: none"> ▪ Journey Flight Log. ▪ Aircraft Technical Log Book. ▪ Night unloading.
3	Flight routing	Depart: Abu Dhabi Arrive HE40 (Sidi Barani) military air base	<ul style="list-style-type: none"> ▪ Journey Flight Log. ▪ Aircraft Technical Log Book. ▪ Indicative of the loading of military related equipment.

#	Activity	Details	Source / Remarks
4	Flight safety	No signals from the aircraft ADS-B ^a transponders shortly after entering Egyptian airspace.	<ul style="list-style-type: none"> ▪ “Go Dark” counter-measure to disguise route.
6	Flight transparency	Signals from aircraft ADS-B transponders blocked from showing on open source ADS-B monitoring providers.	<ul style="list-style-type: none"> ▪ A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.
8.1	Documentation	Air Waybill incomplete	<ul style="list-style-type: none"> ▪ Cargo customs value zero. ▪ Shipper and Consignee (Khalifa Foundation, Abu Dhabi) almost certainly fake. ▪ Issued by the previous air operator, Azee Air LLC and not FlySky LLC the current operator. Demonstrates link between companies. ▪ Cargo only 27,000kg against max load of 48,000kg. ▪ Unsigned and unstamped.
8.2	Documentation	Cargo Manifest incomplete	<ul style="list-style-type: none"> ▪ Goods listed as Foodstuffs and Medicines with no detail. ▪ Issued by FlySky LLC and not the issuer of the Air Waybill (Azee Air LLC). ▪ Unsigned and unstamped.
8.3	Documentation	General Declaration	<ul style="list-style-type: none"> ▪ Date inaccurate as shows 25 not 24 September 2020. ▪ Destination inaccurate as shows Alexandria, Egypt not HE40. ▪ Officially stamped by UAE officials, thus demonstrating their acquiescence to covert nature of flight.
8.4	Documentation	Flight Plan	<ul style="list-style-type: none"> ▪ Accurate as filed by Aircraft Crew.
8.5	Documentation	Journey Flight Log	<ul style="list-style-type: none"> ▪ Accurate as Aircraft Captain responsible.
8.6	Documentation	Weight and Balance Log	<ul style="list-style-type: none"> ▪ Accurate as Aircraft Captain responsible.
8.7	Documentation	Takeoff and Landing Balance	<ul style="list-style-type: none"> ▪ Accurate as Aircraft Captain responsible.
9	Air operator transparency	Zero	<ul style="list-style-type: none"> ▪ Failed to respond to Panel enquiries.
10	Air operator web presence	No social media presence	<ul style="list-style-type: none"> ▪ Unusual for a commercial charter air company not to have a customer point of contact to attract business. ▪ Indicative of covert or illicit activity.
12	Air operator’s relationships	Close links to arms violating air operator Azee Air LLC	<ul style="list-style-type: none"> ▪ Cargo Manifest shows Azee Air LLC.

4. The documentary analysis completed at table 75.2 above shows 18 separate indicators of suspicious activity that a legitimate commercial air cargo flight would not show, and thus it beyond any reasonable doubt that this flight was illicitly moving cargo to an airfield known to be part of the airbridge supplying military materiel to HAF. That cargo originated in a State known to be a military supporter and supplier to HAF. The Panel thus finds that this flight was a violation of the arms embargo and that the air operator, FlySky LLC, were responsible for the violation.

5.

Annex 76 Project Opus PMC operation

A. Introduction

1. In June 2019 the Panel identified a well-funded private military company (PMC)¹¹⁷ operation designed to provide armed groups affiliated to Khalifa Haftar (HAF) with: 1) a maritime interdiction capability to target the sea line of communication (SLoC) supplying weapons from Turkey to the Government of National Accord (GNA) in Tripoli;¹¹⁸ 2) an assault rotary wing capability to identify and strike land targets, and terminate and/or kidnap high value targets; 3) an airborne intelligence, surveillance and reconnaissance (ISR) capability; 4) a Fusion and Targeting Cell (FATC) with a cyber capability to be based at Benghazi (Benina) international airport; and 5) an unmanned aerial vehicle (UAV) group.¹¹⁹ A timeline for ease of reference, and which helps explain the operation is at appendix A.

2. The operational planning was well advanced until the procurement of the original aircraft for the operation from the Government of Jordan (GOJO), which included two AH-1F Cobra and five MD530 attack helicopters, was disrupted. This necessitated the emergency procurement and deployment of six civilian registered, but originally ex-military, unarmed helicopters from South Africa for the operation to continue. A commercial Antonov AN-26 transport aircraft, a unique Pilatus PC-6 intelligence, surveillance and reconnaissance (ISR) aircraft and a specialist Light Attack and Surveillance Aircraft (LASA) T-Bird were also rapidly procured for the operation from companies controlled by Erik Dean Prince (USA).¹²⁰

3. The initial deployment of the maritime and rotary wing aviation components took place from Amman, Jordan (on, or about, 25 June 2019), Valetta, Malta (26 June 2019) and Gaborone, Botswana (28 June to 2 July 2019). The maritime and assault rotary wing aviation phase of the operation was suddenly aborted on the evening of 29 June 2019. This resulted in twenty private military operatives making a 36-hour, 350 nautical mile sea crossing from Benghazi in the two ‘special forces’ specification rigid hulled inflatable boats procured for the operation; one of which was abandoned on route. The single RHIB arrived in Valetta, Malta at approximately 13:00 hours 1 July 2019. The decision to evacuate made by the Ground Team Leader, Steven John Lodge (South Africa), was taken due to the adverse reaction of Khalifa Haftar when he realised that the aviation assets deployed (the South African helicopters) were not those that had been promised during the planning stage of the alleged US\$ 80 million contract.

4. The PMC operation involved at least thirty-one individuals from six Member States (Australia, France, Malta, South Africa, the United Kingdom, and the United States). Planning, procurement, logistic support and/or operational activities took place in eight countries (Angola, Botswana, Jordan, Libya,

¹¹⁷ Which the Panel will refer to as “Project Opus”. Two deployments have now been identified, which will be referred to as Project Opus A and Project Opus B.

¹¹⁸ This would be consistent with the announcement of a, then, forthcoming naval blockade made by HAF naval commander Faraj al-Mahwadi on 20 May 2019. <https://www.janes.com/article/88731/ina-announces-naval-blockade-of-western-libya>, 23 May 2019.

¹¹⁹ The Panel is still investigating the FATC and UAV capabilities.

¹²⁰ Erik Dean Prince was previously named in relation to with violations of UN arms embargoes in paragraph 61 of [S/2012/544](#), the 2012 Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution [2002 \(2011\)](#).

Malta, South Africa, the United Arab Emirates and the United States). Three United Arab Emirates based companies were primarily used for the planning, management and finance of the operation: 1) Lancaster 6 DMCC, 2) L-6 FZE; and 3) Opus Capital Asset Limited FZE. These companies were directly controlled and managed by Christiaan Paul Durrant (Australia) and Amanda Kate Perry (UK),¹²¹ with Steven Lodge having contract representative rights.

B. Background

5. This section has been included to show that Erik Prince, a close associate and friend of Durrant, has maintained a keen interest in the deployment of a private military capability to Libya since at least 2013, when he first developed a proposal to help “stabilise eastern Libya”.¹²² This was named Operation Lima and included the deployment of aviation assets and a maritime capability very similar to that proposed for Project Opus A. The proposal did not find any backers prepared to take the risks such an operation presented.

6. In early 2015 Erik Prince supplied the use of a private jet¹²³ to Khalifa Haftar through the auspices of Frontier Services Group (FSG), of which he was then the Chairman. This aircraft made flights with timings and itineraries that coincided with Khalifa Haftar’s rise to Head of the LNA.¹²⁴

7. During 2015 Erik Prince repackaged the Operation Lima proposal and developed a joint concept with Khalifa Haftar for a private military operation to counter the illegal migrant trafficking from Libya. This project was similar in concept to that used for Project Opus. He failed to attract funding from “*the EU (...) and Libyan Investment Authority money frozen in European banks*” and his project to introduce a private military capability into Libya was again stalled.¹²⁵

8. Following an Op-ed on Libyan border security in the Financial Times¹²⁶ on 3 January 2017 Erik Prince appeared in a CNN interview¹²⁷ to publicize his idea for a public/private partnership to deploy a private military intervention to counter illicit migration from Libya. This concept, repackaged as a private police force, was then proposed by Erik Prince in an interview with Italian media, Corriere de la Sera, on 29 November 2017.¹²⁸ It was also reported¹²⁹ that he was to meet Libyan Prime Minister

¹²¹ Although Durrant confirmed to the Panel during an interview on 16 September 2019 that he was the Managing Director of all three companies, the Panel obtained documentary evidence signed by Amanda Kate Perry as Managing Director. Also the UAE company documentation shows her as the legal Managing Director of, at least, L-6 FZE. The title of Managing Director/CEO seems to have been adopted by whichever individual was negotiating or signing contracts.

¹²² <https://theintercept.com/2016/03/24/blackwater-founder-erik-prince-under-federal-investigation/>, 24 March 2016.

¹²³ 9H-PAL owned by FSG Aviation and operated by a Maltese company..

¹²⁴ Confidential source (CS4 and CS30). Letter from air operator dated 20 January 2021.

¹²⁵ 1) <https://theintercept.com/2016/03/24/blackwater-founder-erik-prince-under-federal-investigation/>, 24 March 2016; and 2) <https://libyafiles.com/chapter-nine-the-kingmaker/> (un-numbered paragraph 14).

¹²⁶ <https://www.ft.com/content/d95057a2-c907-11e6-9043-7e34c07b46ef>, 3 January 2017.

¹²⁷ <https://edition.cnn.com/videos/world/2017/01/18/erik-prince-blackwater-anderson-intv-ctw.cnn>, undated.

¹²⁸ 1) https://www.corriere.it/esteri/17_novembre_24/re-guerra-privatae-suo-piano-la-libia-0d5f8d1c-d08a-11e7-90be-0a385e484c27.shtml, 23 November 2017; and 2) <https://www.independent.co.uk/news/world/middle-east/blackwater-migrants-libya-europe-enter-private-police-force-us-committee-hearing-a8084346.html>, 30 November 2017.

¹²⁹ https://www.theguardian.com/world/2017/nov/30/blackwater-founder-pitches-plan-to-quell-libya-migrant-crisis-with-private-police?CMP=share_btn_tw, 30 November 2017.

Fayez Serraj in the White House on 1 December 2017 to propose his plan. Although no reports emerged that such a meeting ever took place with Prince, the visit of Prime Minister Serraj to the White House that day has been confirmed.¹³⁰

9. On 11 January 2017, Erik Prince held a meeting in the Seychelles with Kirill Dmitriev, the Chief Executive Officer of Russia's Sovereign Wealth Fund. During the meeting he made it clear that "*Libya was off the table*" and that the US government could not accept any Russian involvement in Libya.¹³¹ The Panel has not established whether Erik Prince was authorized to speak on behalf of the US government at that meeting.

10. In [S/2017/416](#)¹³² the Panel reported on the presence of AT-802i light attack and surveillance aircraft at Al Khadim airbase in Libya in early 2017 as a violation of the arms embargo. These aircraft were initially supplied to the United Arab Emirates, who have never responded to the Panel's requests regarding the supply chain to Libya. During 2017 open sources¹³³ reported that companies¹³⁴ controlled by Erik Prince had supplied the foreign mercenary pilots for these attack aircraft. The supply of mercenaries would be violation of paragraph 9 to resolution [1970 \(2011\)](#) and Panel investigations continue into this matter.

11. It is thus clear that Erik Prince has been attempting to deploy a small scale aviation and maritime private military capability into Libya since 2013. The scale, organization and systems proposed were all similar to those deployed on the private military operation Opus in eastern Libya that is the main focus of this investigation.

C. Operational planning for Opus A

12. The PMC referred to this operation as "Operation Regain Libja".¹³⁵ Figures 76.1 to 76.4 are extracts from a PowerPoint presentation¹³⁶ used to explain the operational plan. Sources have indicated that Erik Prince verbally briefed the operation to Khalifa Haftar in Cairo, Egypt on, or about, 14 April 2019,¹³⁷ but the PowerPoint presentation may not have been used at that meeting. The presentation makes it very clear

¹³⁰ <https://www.whitehouse.gov/briefings-statements/readout-president-donald-j-trumps-meeting-prime-minister-fayez-al-sarraj-libya-2/>. Accessed 10 November 2020.

¹³¹ US Department of Justice updated version of Report On the Investigation Into Russian Interference in the 2016 Presidential Elections. "Mueller Report", pp 153 - 154. Accessed through <https://assets.documentcloud.org/documents/20401632/updated-mueller-report-leopold-foia-11220.pdf>. Accessed 8 November 2020.

¹³² Paragraphs 126 to 128.

¹³³ 1) https://www.intelligenceonline.com/pdf/corporate-intelligence_the-red-line/2017/01/11/erik-prince-to-uae-s-rescue-in-libya,108196431-art, 11 January 2017; 2) <https://sofrep.com/news/erik-princes-mercenaries-bombing-libya/>, 14 January 2017; and 3) confidential source.

¹³⁴ Reflex Responses (R2) then probably Frontier Resource Group Limited (<https://frontierresourcegroup.com/#1>) or a linked company.

¹³⁵ Libja is the Maltese spelling for Libya. Christiaan Durrant was resident in Malta at the time of planning, which may explain the use of this spelling.

¹³⁶ Confidential source (CS4).

¹³⁷ From one confidential source present at the meeting (CS27), and from one confidential source with knowledge of the meeting (CS4 from CS8).

that the plan involved the deployment of a kinetic strike and assault capability, with the intention to make “hot dynamic” attacks on high value targets (HVT). Only one of these HVT has the initials ‘DNT’ standing for Do Not Terminate after their name, which suggests that the others could be killed or captured. The Panel considers it likely that the HVT list was provided as an example by the Opus A team and was not developed by HAF as they would be unlikely to include two targets that were then known by them to be non-resident in Libya.

Figure 76.1

Slide 2: Executive Summary

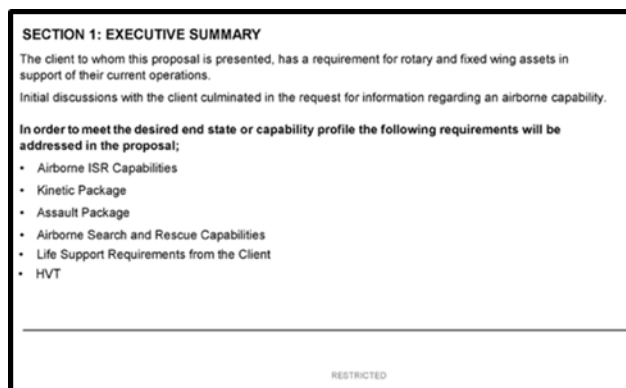


Figure 76.2

Slide 11: Kinetic Operations – Strike Package Cobra

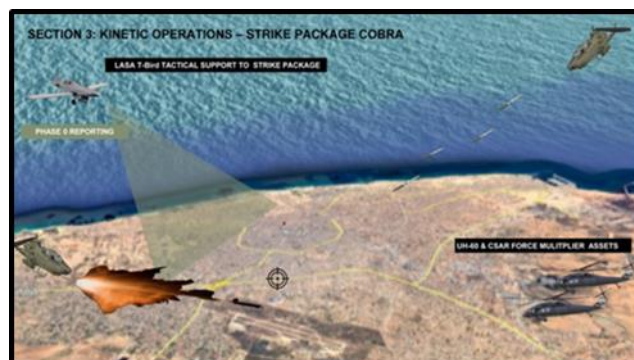


Figure 76.3

Slide 12: HVT Extraction – MD530



Figure 76.4

Slide 17: HVT (Hot, Dynamic)

SECTION 7: HVT (HOT, DYNAMIC)	
No	NAME (TARGET PACK TBIP)
1	Miliga Airport + Detention Center
1	Usama al-Juwali (DNT)
5	Naji Gneidi
5	Mahdi al-Harati
5	Husam Najair
5	Abdul Latif
5	Ghaniwa
5	Mahmoud Hamza
5	Abdelkarim Cholloy Konti
5	Mahamat Haki Abdermane
5	Abdul Raouf Kara

RESTRICTED

Establish Operations, Coordinating Instructions and SOFs

13. A copy of a second similar PowerPoint presentation¹³⁸ was used during the briefing of the private military operatives prior to their deployment. There are significant differences between the two presentations, which are summarised in appendix B. The Panel notes that in the alternative pre-deployment presentation made to the PMC operatives the HVT list was not included, and only the term “HVT extraction” rather than “HVT termination” was mentioned. Similarly, the use of AH-1 *Cobra* or MD530 attack helicopters is not mentioned in the presentation slides for the PMC operatives. The PMC

¹³⁸ Confidential source (CS4).

operatives' presentation also reassuringly covers the aeromedical and search and rescue capability in some detail.¹³⁹

14. The Panel obtained a copy of an Opus report dated 18 June 2020,¹⁴⁰ which then confirmed much of the content of the presentations. The veracity of this document is not in doubt and its authenticity was confirmed by Christiaan Durrant during his interview with the Panel on 16 September 2020. The Panel has a full authenticated transcript, which provides clear evidence as to the true purpose of Project Opus A.

15. In summary this document confirms many of the details of the PowerPoint presentations above and:

- (a) Reports that a Cyber team, and a Satellite team were already active and targeting in Libya. The Fusion and Targeting Cell (FATC) and an Unmanned Aerial Vehicle (UAV) team were to join them at Benghazi airport;
- (b) States that the Government of Jordan (GOJO) had cancelled clearances for the deployment of equipment from Jordan to Benghazi, which included air ammunition, ground weapons, ground ammunition and night vision;
- (c) Makes it clear that, although Opus personnel had inspected the GOJO owned COBRA attack helicopters and MD530F helicopters, and had selected weapons, that the GOJO had blocked the sale and movement of these attack aviation assets;
- (d) Explained that the deployment of the AS 332¹⁴¹ *Super Puma* and *Gazelle* helicopters had to be by IL-76 cargo aircraft from Botswana due to aircraft noise restrictions in South Africa;
- (e) Reported that an ISR aircraft was being deployed, via Amman, to support a vessel board search and seizure (VBSS) capability;
- (f) Reported that the Marine Strike Group of two high speed special forces RHIBs were ready in Malta awaiting the Advance Team arrival in Benghazi. The vessels to be modified with 7.62 Bow Mount¹⁴² and ready for operations within 2 days of arrival; and
- (g) Explained the impact of the withdrawal of GOJO support to the operation and that they were now executing their contingency plan for lack of GOJO support.

16. The Panel has confirmed with a senior military officer in Jordan¹⁴³ that the activities of the Project Opus team in Jordan raised suspicions at the highest levels of the Jordanian Armed Forces as to the legitimacy of the operation. That officer met with Christiaan Durrant in mid-June 2019, during which

¹³⁹ Christiaan Durrant claimed to have no knowledge of the presentations during his interview with the Panel on 16 September 2020, claiming that they used specifically USA military language, which as an Australian he would not use. He did not respond when it was pointed out to him that in his introduction, he had admitted to spending some time as an exchange officer with the Pentagon, whilst serving in the RAAF, and would thus be highly knowledgeable of such linguistics as a result.

¹⁴⁰ Confidential source (CS8).

¹⁴¹ These are the Super Puma helicopters procured from Starlite Aviation Group (see later).

¹⁴² Purpose being to mount a 7.62mm medium machine gun.

¹⁴³ Confidential source (CS10). See extracts of exchange between this individual and the Panel at appendix C.

Christiaan Durrant introduced himself to the officer using a false name “Gene Rynack”.¹⁴⁴ Christiaan Durrant informed him that they had “clearances from everywhere” and that the operation was cleared at the “highest level”. This did not satisfy the senior military officer who raised the issue with his superiors, the result of which was that instructions were issued at the highest level of the Royal Jordanian Armed Forces to provide no GOJO support and to close the operation down. At a second meeting with Christian Durrant on, or about 11 July 2019, the senior military officer instructed him to leave Jordan at the earliest possible opportunity with all his equipment and aircraft.

D. Procurement

17. The Panel was initially informed by a confidential source in late June 2019 that recruitment for a PMC intervention into Libya was taking place in South Africa.¹⁴⁵ Soon after, on 29 June 2019, social media reports and imagery emerged of three white-painted *Super-Puma* helicopters being transported on low-loaders through the Eastern Rand in Guateng heading for the Botswanan border (see figure 76.5). A Member State subsequently confirmed to the Panel that the helicopters passed through the Tiokweng Border Checkpoint (BCP) from South Africa into Botswana on 28 June 2019.

Figure 76.5

Three *Super-Puma* helicopters being transported to Sir Seretse Khama International Airport (SSKIA), Gaborone, Botswana (27 June 2019)^a



^a https://m.facebook.com/story.php?story_fbid=10156741412697620&id=323811752619&_tn_=-R, 29 June 2019.

^b Also reported in www.vryeweekblad.com/nuus-en-politiek/2019-08-09-sa-huursoldate-gewaarsku-oppas-vir-di-operasie-in-libi/, 9 August 2019.

¹⁴⁴ The Australian actor Mel Gibson plays Gene Ryack in the film *Air America* about a private CIA funded airline.

¹⁴⁵ Confidential source (CS1). Confirmed on 2 August 2019 when Eeben Barlow, Head of STEPP International (www.sttepi.com) warned that his company was being used as a “false flag” to recruit private military operatives for an operation in Africa (www.facebook.com/eeben.barlow.7, 2 August 2019). Subsequent investigations by the Panel established that this was for a PMC operation being tendered for by the same company for a separate PMC intervention in a Southern African country. 1) <https://www.defenceweb.co.za/aerospace/military-helicopters/unmarked-gazelle-helicopters-spotted-in-mozambique/>, 12 August 2019; and 2) <https://www.africaintelligence.com/ion/corridors-of-power/2019/09/06/erik-prince-makes-up-for-army-shortcomings.108371379-art>, 6 September 2019.

1. SA341 Gazelle Helicopters

18. Three SA341 *Gazelle* light utility helicopters (LUH) (ZU-HFV Serial #1797, ZU-RNO Serial #WA1999 and ZU-ROF Serial #1210) were procured from Fulcrum Holdings Limited (UAE) on 17 June 2019 by Steven John Lodge representing L-6 FZE. The purchase price of €1.95M was settled from an Opus Capital Asset FZE bank account.¹⁴⁶ (Relevant documentary evidence is at appendix D). Steven Lodge told the company that the helicopters were to be used in Mozambique.¹⁴⁷

2. AS332L Super Puma Helicopters

19. Three AS332L Super Puma medium utility helicopters (MUH) (Serial # 2032, 2154 and 2161) were procured on, or about, 20 June 2019 by L-6 FZE from Starlite Aviation (RSA).¹⁴⁸ Christiaan Durrant participated in these negotiations.¹⁴⁹ The helicopters were deregistered with the Civil Aviation Authority of South Africa with transfer to Jordan declared as the reason. The purchase price of approximately US\$10.9M¹⁵⁰ was settled from an Opus Capital Asset FZE bank account. Starlite Aviation were informed by Amanda Perry, signing as Managing Director of L-6 FZE, that the helicopters were being procured for a ‘geological survey contract in Jordan’ (see Cover Stories later). (Relevant documentary evidence is at appendix E).

E. Logistics

20. The helicopters were moved from South Africa to Botswana on low-loader transporters between 26 and 27 June 2019.¹⁵¹ The ground logistics were arranged by Willie van den Stoep¹⁵² through Panzer Logistics (Proprietary) Limited.¹⁵³

21. The ‘Single Administrative Document’ necessary for the import into, and export from, Botswana of the three SA341 Gazelle helicopters listed: 1) the Consignor as Aviator at Work (Proprietary) Limited

¹⁴⁶ The Panel has yet to establish if this was from an Opus Capital Asset Limited FZE or Opus Capital Assets DMCC bank account.

¹⁴⁷ Confidential source with close knowledge of the sale (CS3). This source also mentioned that Opus and L6 “were Erik Prince”. This source also identified Christiaan Durrant as the “Head of Operations for OPUS”.

¹⁴⁸ www.starliteaviation.com.

¹⁴⁹ Confidential source (CS32).

¹⁵⁰ At US\$1 = ZAR 14.1269 on 28 June 2019. Data from customs declaration.

¹⁵¹ Interview with confidential source of 4 December 2019.

¹⁵² Willie van den Stoep was an employee of Stephen John Lodge in his company Umbra Aviation (Proprietary) Limited (#K2017168000). 110 Bronkhorst Street, Greonkloof, Pretoria, Gauteng 0181, South Africa and Imboneni Heliport, 4 Barber Road, Imboneni Industrial Park, Shakas Rock, Kwa-Zulu Natal, South Africa. www.umbra-aviation.com. Website closed in late 2019. The Panel has documentary evidence that UMBRA Aviation is also a private military company, that unsuccessfully bid for an assault rotary wing aviation contract in Mozambique in 2019 code named the “MNGWA Program”. The Umbra Aviation proposal was similar in design to that of Project Opus A, and proposed utilising the same aircraft types. Steven Lodge and Christiaan Durrant are 50% Shareholders and Directors of UMBRA.

¹⁵³ <http://chelwood.bloombiz.com/>, accessed 25 January 2020. The company engaged legal representation and insists it will only cooperate with the Panel in face to face meetings. COVID-19 has stopped Panel travel to South Africa for this interview. .

(South Africa);¹⁵⁴ 2) the Cargo Agent as Speedway Freight (Proprietary) Limited (Botswana);¹⁵⁵ and 3) falsely listed the Consignee as Jordan Aeronautical Cargo Company (Jordan) and destination as Amman, Jordan.¹⁵⁶ (See appendix F).

22. The ‘Single Administrative Document’ for the three AS332 Super-Puma helicopters listed: 1) the Consignor as Starlight Maintenance JHB (South Africa); 2) the Cargo Agent again as Speedway Freight (Proprietary) Limited (Botswana); and 3) falsely listed the Consignee again as the Jordan Aeronautical Cargo Company (Jordan) and destination as Amman, Jordan. (See appendix G).

23. The helicopters were transported by air from Gaborone international airport (FBSK) in Botswana to Benghazi, Libya (HLLB)¹⁵⁷ by two Ilyushin IL-76TD aircraft. The IL-76TD aircraft could not fly the helicopters direct from South Africa as their engine emissions did not comply with the South African aircraft carbon emission regulations, hence the use of Gaborone (FBSK). The six helicopters were flown from Gaborone (FBSK), via Angola (FNLU) to Benghazi (Benina) international airport (HLLB) on 29 June, 1 July and 3 July 2019 respectively (see table 76.2). The airlines used were: 1) Sky AviaTrans LLC,¹⁵⁸ operating an Ilyushin IL-76TD (registration number UR-COZ);¹⁵⁹ and 2) ZetAvia LLC,¹⁶⁰ operating an Ilyushin IL-76TD (registration UR-CIB).

Table 76.2

IL-76TD (UR-COZ and UR-CIB) aircraft flights from Gaborone (FBSK) to Benghazi (HLLB) ^a

<i>Departure Date</i>	<i>#</i>	<i>Flight #</i>	<i>From</i>	<i>To</i>	<i>Remarks</i>
29 Jun 2019	UR-COZ	KTR7722	Gaborone (FBSK)	Benghazi (HLLB)	▪ Dismantled AS332L <i>Super-Puma</i> helicopter (Serial# 2161)
29 Jun 2019	UR-CIB	ZAV9002	FBSK	HLLB	▪ 3 x dismantled SA341 <i>Gazelle</i> helicopters (Serial #1797, WA1999 and 1210)
1 Jul 2019	UR-CIB	ZAV9004	FBSK	HLLB	▪ Dismantled AS332L <i>Super-Puma</i> helicopter

¹⁵⁴ The company is actually called Aviation at Work Limited at the same address, Wonderboom Airport, Hangar 76, Tswane, South Africa. The company was offered an opportunity to respond on 23 January 2020 but has yet to make contact with the Panel. The Panel cannot be sure whether the spelling error for the name on the documentation was accidental, or a deliberate ploy to make tracing more difficult should there be an investigation.

¹⁵⁵ <http://www.speedwayfreight.net/>. The company was offered an opportunity to respond by Panel letter of 23 January 2020 and are content with the information contained regarding their company.

¹⁵⁶ No such company is traceable on any aviation databases or company lists of Jordan consulted by the Panel. A Panel letter was sent to the Member State on 16 September 2019. A response is still awaited.

¹⁵⁷ Four letter International Civil Aviation Authority (ICAO) codes identify specific airports.

¹⁵⁸ www.skyaviatrans.com.ua/about-us/. The company was informed of the Panel’s findings at a meeting in Kiev, Ukraine on 6 November 2019. They made no comment.

¹⁵⁹ IL-76TD UR-COZ also illicitly flew military materiel into Misrata, Libya for use by the GNA between 3 – 6 July 2019 and 21 July 2019. It was destroyed in Misrata on 5 August 2019. See paragraphs 117 and 119, table 7 and annex 27 to Panel report S/2019/914.

¹⁶⁰ www.zetavia.net/en/. The company was informed of the Panel’s findings at a meeting in Kiev, Ukraine on 6 November 2019. They made no comment.

<i>Departure Date</i>	<i>#</i>	<i>Flight #</i>	<i>From</i>	<i>To</i>	<i>Remarks</i>
3 Jul 2019	UR-CIB	ZAV9006	FBSK	HLLB	▪ Dismantled AS332L <i>Super-Puma</i> helicopter

^a Member State.

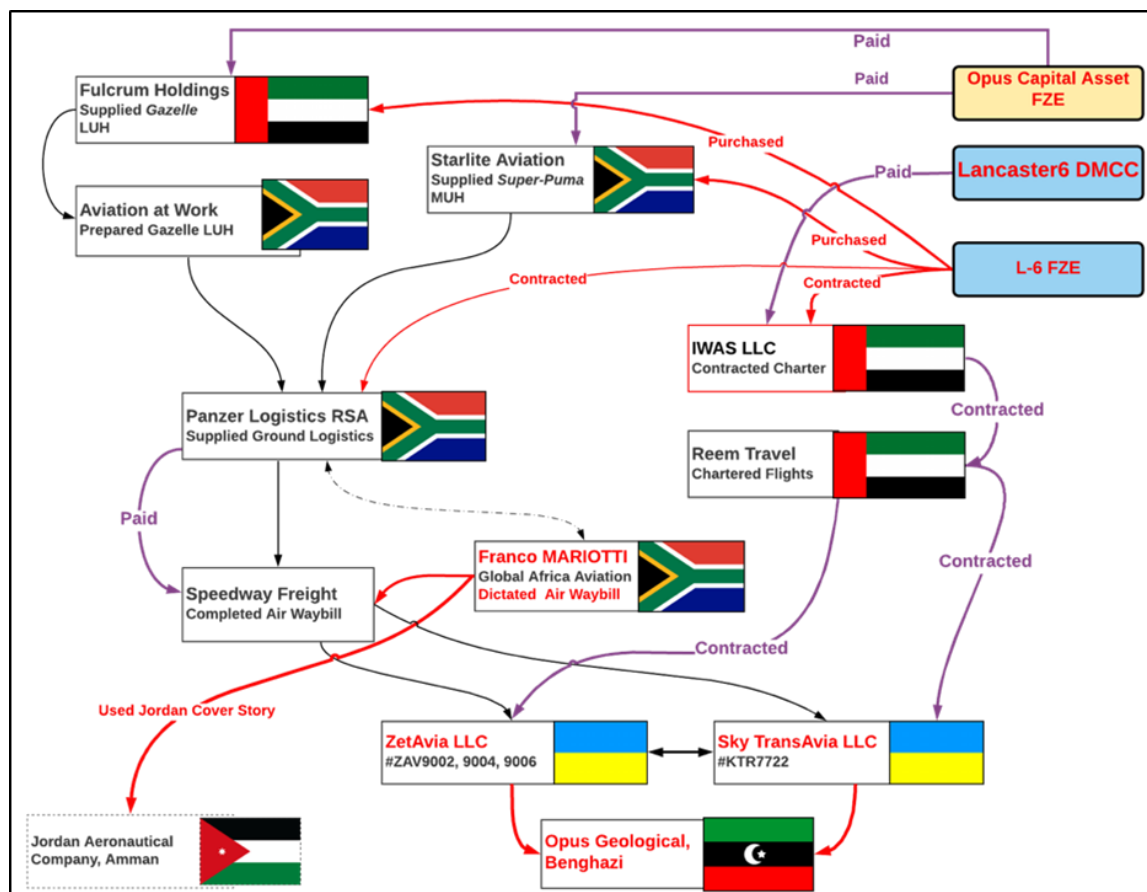
24. The Air Waybill for the flight on 29 June 2019 by the Sky AviaTrans LLC IL-76TD (UR-COZ) (KTR7722) listed the consignee as Steven Lodge, Opus Capital Asset LLC, with the correct destination of Benghazi (see appendix H). The Air Waybills for the flights on 29 June, 1 July and 3 July 2019 the ZetAvia LLC IL-76D (UR-CIB) flights falsely declared the consignee as a Jordanian company in Amman in an attempt to disguise the final destination (see appendix J), but all the aircraft flight logbooks clearly showed the real destination as Benghazi (see appendix K).

25. The Panel has established that the Air Waybills were prepared by the Cargo Agent, Speedway Freight (Proprietary) Limited (Botswana), but that during the preparation of the documents they were personally instructed as to the consignee in Jordan by a Mr Franco Mariotti, who left a business card stating he was from Global Africa Aviation South Africa and Zimbabwe.¹⁶¹ This intervention was approved by Willie van den Stoep, who had also arranged the charter of the IL-76 through the auspices of International Worldwide Air Services Inc (UAE) (IWAS) (see appendix L). IWAS sub-contracted the charter to Reem Style Travel and Tourism LLC (UAE).¹⁶²

26. The logistics surrounding the transfer of the helicopters to Libya were complex and opaque and are summarised at figure 76.6.

¹⁶¹ <http://www.globalaa.net/>. The individual was offered an opportunity to respond by Panel letter of 27 January 2019 to his company. He has yet to respond.

¹⁶² www.reemtravel.com.



27. On 22 July 2019, L6-FZE officially completed the procurement of an Antonov AN-26B aircraft (registered UR-MDA) from FSG Aviation Limited, Bermuda, which is an Erik Prince controlled company.¹⁶³ The Panel notes that the transfer of funds (EUR 650,000) to FSG Aviation Limited was made from a Lancaster-6 DMCC bank account on 28 June 2019, three weeks before the official completion of sale documentation, and a day after the arrival of the aircraft in Jordan on 27 June 2019. This is indicative of: 1) a need to deploy an asset very quickly; and 2) rapid decision making within the upper echelons of a company to approve a sale without normal due diligence. The Panel also has evidence that Christiaan Durrant was marketing the use of this aircraft for a potential medevac mission in Libya in May 2019 and thus, although officially owned by FSG Aviation at the time, was operationally available for Lancaster6 DMCC to market and use. He used his serge@l-6group.com email address and made it clear that “*our AN26*” was available “*but about to go on contract*”.¹⁶⁴

¹⁶⁴ Confidential source (CS28).

28. The Panel further identified that L-6 FZE took action to dispose of this asset on 28 December 2019, based on a bill of sale dated 11 November 2019. This is after the Panel made first contact with individuals involved in Project Opus A and the first letter received from their common legal counsel on 7 October 2019. Company bank accounts had also been closed.¹⁶⁵ An infographic summarising the procurement activities surrounding this aircraft and documentary evidence is at appendix M.

4. Pilatus PC-6 B2-H4 aircraft (serial #790)

29. On 22 May 2019, TST Humanitarian Surveys LLC (USA) (TST) (Delaware #5112541) sold a Pilatus PC-6 aircraft (serial #790) (registered in USA as N354AK) to Airborne Technologies GmbH (Austria), who then registered the aircraft in the Netherlands on 22 May 2019 as PH-ABT. The aircraft was subsequently observed at the Cycloon Holland B.V. (www.cyclooonholland.nl) facility in Maastricht-Aachen Airport undergoing maintenance work. On, or about, 24 June 2019 the aircraft was then sold by Airborne Technologies GmbH to Lancaster6 DMCC, although the new owner was declared as L-6 FZE. On 25 June 2019¹⁶⁶ the aircraft deployed to Libya via Cyprus piloted by Travis Alden Maki (US).¹⁶⁷ On 27 June 2019, the Netherlands authorities were informed that ownership of the aircraft had changed to L-6 FZE. The aircraft was deregistered by the Netherlands authorities on 3 July 2019 purportedly on transfer to the UAE Civil Aviation Authority registry.

30. The Panel notes that this aircraft had been previously used by Bridgeporth Limited (UK) whose documentation was used for the first cover story of Project Opus A (see Cover Stories). The Panel also identified that this aircraft was owned by Xe/Greystone prior to sale to TST in early 2012. The Panel has copies of Emails¹⁶⁸ relating to the sale of the aircraft from Xe to TST between John Hazebrouk Palen III (Director of TST), Don M Lansky¹⁶⁹ (family lawyer of Erik Prince) and Erik Prince regarding the initial purchase and operation of this aircraft by TST. This demonstrates Erik Prince has maintained control over this aircraft for quite some time.

31. The PC-6 ISR aircraft (serial #790) was retro-fitted by Airborne Technologies GmbH with a self-contained aerial reconnaissance (S.C.A.R) pod under each wing.¹⁷⁰ The port S.C.A.R pod contains a FLIR Ultraforce 350 High Definition multi-spectral, multi-imagery sensor surveillance system.¹⁷¹ The high definition and thermal imagery optical systems are optimized for covert airborne security, combat, patrol, surveillance and reconnaissance operations. The product is specifically advertised as having no US sourced components meaning it is not in itself subject to US International Traffic in Arms

¹⁶⁵ Letter from Opus legal counsel of 19 June 2020. It did not provide dates of closure. Opus legal counsel have stated that some accounts were forcibly closed but did not provide details. When asked about specific bank accounts relating to the operation, they only responded that they had been closed, implying by the account holding company.

¹⁶⁶ Statement by Stephen Lodge to Panel of 13 September 2020 and letter from the Opus legal counsel (regarding Travis Maki) dated 12 November 2020.

¹⁶⁷ Letter from Opus legal counsel dated 15 December 2020.

¹⁶⁸ Dated 5 July 2012.

¹⁶⁹ <https://couzens.com/attorneys/donald-m-lansky/>. Accessed 11 October 2020.

¹⁷⁰ See the imagery at <https://www.airbornetechnologies.at/platforms/fixed-wing/pilatus>. Accessed 29 December 2020.

¹⁷¹ <https://www.flir.co.uk/products/ultraforce-350-hd/>. Accessed 14 June 2020.

Regulations (ITAR) controls.¹⁷² This FLIR system is manufactured in Sweden.¹⁷³ The Panel was informed by the Swedish National Inspectorate of Strategic Products¹⁷⁴ that, the system is a dual use product subject to export controls. It is classified under European Council Regulation (EC) 428/2009¹⁷⁵ as 6A003.b.4 'imaging cameras' incorporating "focal plane arrays".

32. It allows for the download of real time video imagery linked to geo-coordinates. Aside from search and rescue, there are no real commercial operations requiring such a capability, particularly when paired with a synthetic aperture radar. As can be seen from the manufacturers example imagery at figures 76.7 and 76.8 it is an ideal system for the identification and targeting of high value targets (HVT).

Figure 76.7

Manufacturers FLIR Image (Day)



Figure 76.8

Manufacturers FLIR Image (Thermal)



33. The starboard S.C.A.R pod contains a Thales I-Master lightweight surveillance synthetic aperture radar¹⁷⁶ for the detection of ground targets (vehicles >35km and persons >15km) and maritime targets (large vessels > 100km). It can survey up to 800 km² an hour, in any one of four modes: 1) Ground Moving Target Indicator to detect movement; 2) Synthetic Aperture Radar for all weather detection (see figures 76.9 and 76.10); 3) Coherent Change Detection to highlight changes over time (see figure 76.11; and 4) Maritime Moving Target Indicator (> 56 nm). The Panel accepts that this system may have wider roles such as deforestation identification, pollution control or monitoring, but there is no commercial demand for such roles in Libya at the moment. The system is primarily deployed on military equipment, such as the UK *Watchkeeper* ISR UAV.

¹⁷² It may still be subject to US jurisdictions when in the possession of a US citizen and would certainly require authorization to re-transfer to a foreign person in Libya. It would then fall under Bureau of Industry and Security Category 6A003.b.4.a 'Cameras, systems or equipment, and "components" therefor'. <https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear>, Category 6, page 14.

¹⁷³ Email from FLIR corporate HQ of 20 January 2021.

¹⁷⁴ www.isp.se. Email of 21 January 2021.

¹⁷⁵ Council Regulation (EC) No 428/2009 of 5 May 2009 'setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items'. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R0428>, Annex I.

¹⁷⁶ <https://www.thalesgroup.com/en/countries/europe/united-kingdom/markets-we-operate/defence/air-systems-uk/isr-air/ima-ster>. Accessed 14 June 2020.

Figure 76.9
SAR Image

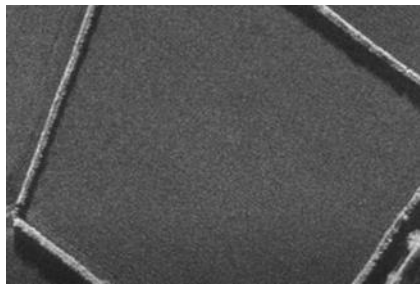


Figure 76.10
SAR Activity Change

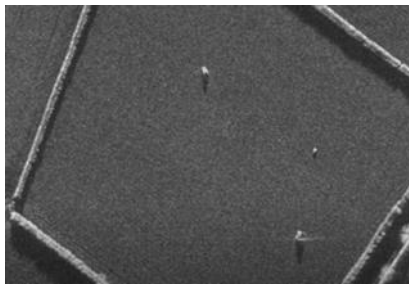
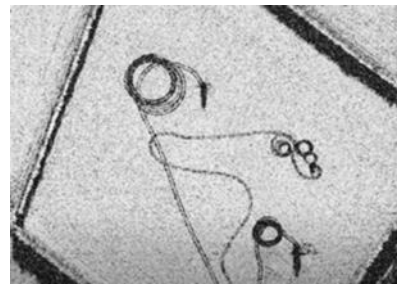


Figure 76.11
CCD Past Activity



34. In view of this combination of dual-use technology, and the only credible operational requirement for such a pairing on one platform, the Panel finds that this aircraft is *military equipment* under the auspices of paragraph 9 to resolution 2011(1973).

35. This L-6 FZE owned PC-6 ISR aircraft (#790) deployed to Libya on 25 June 2019.¹⁷⁷ The Panel finds that this in itself was a *transfer of military equipment* and thus a violation of paragraph 9 of resolution [1970 \(2011\)](#) by L-6 FZE and their pilot, Travis Maki.¹⁷⁸

36. The Panel has identified a Pilatus PC-6 aircraft fitted with underwing pods operating throughout eastern Libya between 19 September 2019 and 29 December 2020.¹⁷⁹ The PC-6 has a unique design, which means that photogrammetry can be used to confirm the specific aircraft type against the limited resolution commercial imagery available to the Panel.¹⁸⁰ The dimensions are then confirmed by an overlay used for check comparison.

37. An infographic summarising the procurement activities surrounding this aircraft and details of operational sightings is at annex N. In a response to a Panel enquiry for a copy of the current registration certificate for the aircraft the legal representative of L-6 FZE stated that their client “*does not hold this document or equivalent* “. The Panel does not find this response credible as either: 1) this is a key document relating to the operation and history of the aircraft; or 2) the aircraft is flying unregistered, which is in itself illicit.

38. The deployment of this Pilatus PC-6 ISR asset provides the Opus FATC with a highly capable ISR asset to support its operational work. The Panel wishes to emphasise that a FATC, partnered with an on-call Pilatus PC-6, is a force multiplier for the operational aviation assets available to HAF. It is, perhaps, one of the most significant components of the Opus contribution to HAF, and that contribution should not be discounted purely due to the failure of the aviation and maritime component in 2019. The Panel is still investigating this ongoing operation.

¹⁷⁷ (1) Letter from Opus legal counsel dated 15 December 2020; and (2) Statement by Stephen Lodge to Panel of 13 September 2020.

¹⁷⁸ Letter to Panel from Opus legal counsel (regarding Travis Maki) dated 12 November 2020.

¹⁷⁹ Last sighted on satellite imagery at Al Jufra airbase.

¹⁸⁰ Using Aircraft Length/Main Wingspan ratio of 0.69, and Aircraft Length/Tail Wingspan ratio of 1.91. The tail wing also has a unique profile as a further identification feature.

5. LASA T-Bird (YU-TSH)

39. On or about 19 June 2019, L-6 FZE acquired a converted 2SR H80 *Thrush* 510G (construction number H180-161DC) aircraft, which was during the deployment phase of Project Opus A. This aircraft was formerly in the possession of the Light Attack and Surveillance Aircraft (LASA) Engineering company of Bulgaria (<http://lasaeng.eu>). The aircraft was registered by the San Marino Aircraft Registry¹⁸¹ as T7-SAX (2014 to 2015), and then by the Bulgaria Directorate General Civil Aviation Administration¹⁸² as LZ-SAX (2015 to 2018). In August 2018 the aircraft was registered by the Civil Aviation Directorate of Serbia¹⁸³ as YU-TSH, with the operator listed as GAS-Aviation d.o.o.¹⁸⁴

40. In 2014/2015 Erik Prince arranged for the militarization¹⁸⁵ of the aircraft by Airborne Technologies GmbH of Austria (<https://www.airbornetechnologies.at/>). Christiaan Durrant was the Project Director.¹⁸⁶ A nose-mounted S.C.A.R pod containing an imagery sensor surveillance system,¹⁸⁷ and six removable weapon hard points under the wings were fitted.¹⁸⁸ Extensive engineering work inside the aircraft took place to fit the targeting and weapons release systems. This modified aircraft was then marketed as the LASA T-Bird at the 2017 Paris Air Show (see figures 76.12 and 76.13).¹⁸⁹

¹⁸¹ <https://www.caa-mna.sm>.

¹⁸² <https://www.caa.bg/en>.

¹⁸³ <http://www.cad.gov.rs/en/>.

¹⁸⁴ http://smederevskapalanka.privredaturizam.com/index.php?option=com_content&view=article&id=116%3Agas-aviation-doo&catid=35%3Aprivreda&lang=en, accessed on 17 June 2020.

¹⁸⁵ Included the fitting of: (1) armoured glass cockpit; (2) armoured engine block; (3) anti-explosive mesh in fuel tank; (4) specialised weapon targeting and control wiring loom.

¹⁸⁶ (1) <https://theintercept.com/2016/04/11/blackwater-founder-erik-prince-drive-to-build-private-air-force/>; and (2) <https://theintercept.com/2020/02/20/erik-prince-fbi-investigation-trump-barr/>. Accessed 29 December 2020.

¹⁸⁷ The Panel has not identified if the S.C.A.R pod contains the FLIR Ultraforce 350 High Definition multi-spectral, multi-imagery sensor surveillance system or the Thales I-Master lightweight surveillance synthetic aperture radar. Either system is subject to dual use export controls, for which their deployment to Libya would not be approved by the appropriate Member State export control agencies.

¹⁸⁸ Opus legal counsel have claimed that “fake” weapons were fitted for the Paris Air Show. The Panel cannot verify this but consider it highly unlikely that the internal engineering necessary to target and deploy the weapons were removed. Thus, it was still a military aircraft.

¹⁸⁹ 1) <https://www.ainonline.com/aviation-news/defense/2017-06-21/lasa-shows-t-bird-paris>, 21 June 2017; and 2) http://www.militaryfactory.com/aircraft/detail.asp?aircraft_id=1844, 12 July 2017.

Figure 76.12
LASA T-Bird at Paris Air Show^{a b}



^a Note the starboard underwing weapons fitment (from L to R) of: 1) UB 16-57mm Rocket Pod; 2) UB 32-57mm Rocket Pod; and 3) UBK-23 gun pod fitted with twin 23mm cannon inside, (all Soviet era and readily available in Eastern Europe). This weapons array is repeated under the port wing.

^b The S.C.A.R pod is nose mounted.

Figure 76.13
Inside LASA T-Bird cockpit



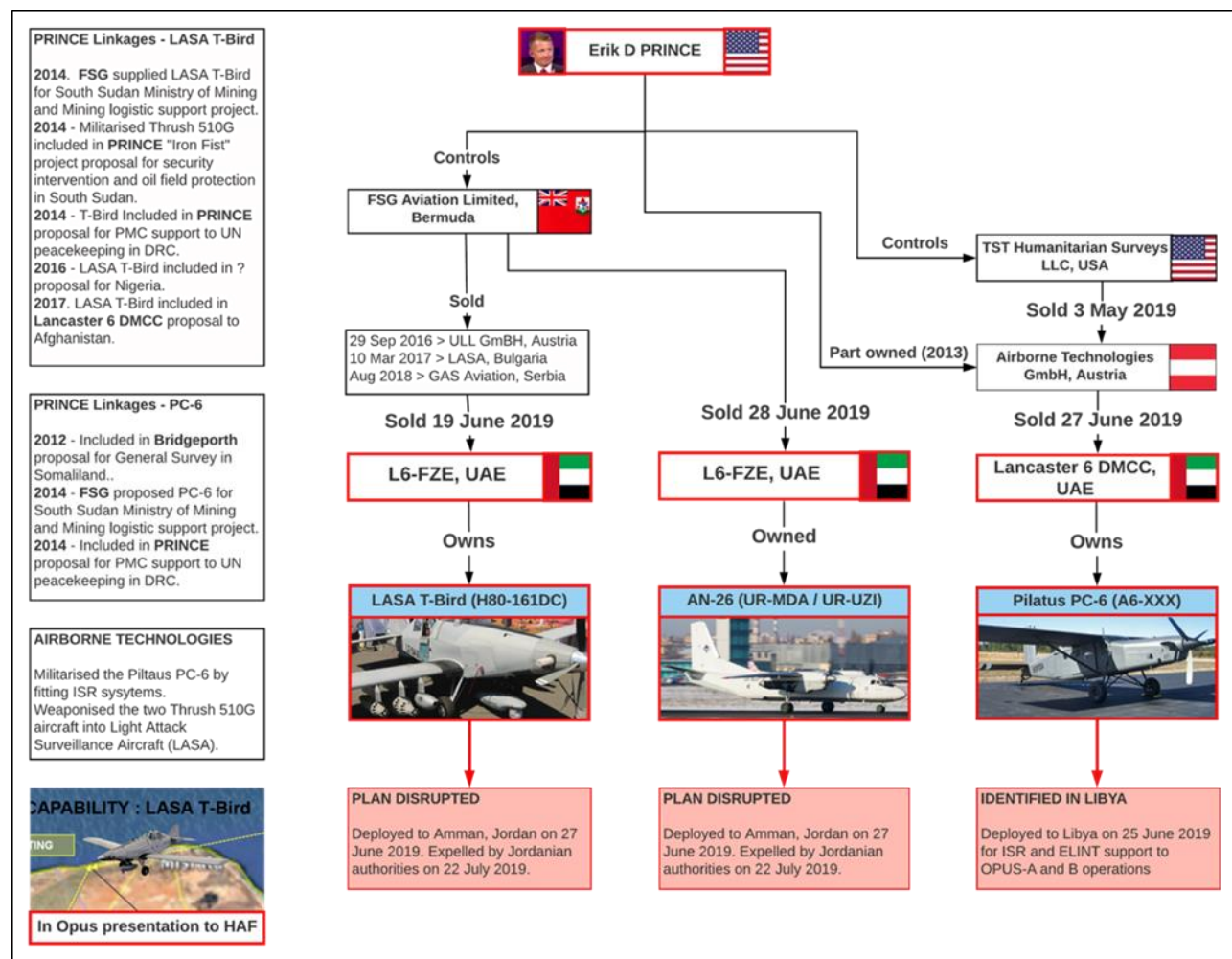
41. The Panel identified that this aircraft was deployed to Amman, Jordan in late June 2019, until on 11 July 2019 when Jordan instructed Christiaan Durrant to remove all Project Opus A assets. A flight plan was submitted for the LASA T-Bird to fly to Larnaca, Cyprus on, or about, 22 July 2019. This flight plan likely been inaccurate as Cyprus air traffic control have no records of the aircraft landing there. An infographic summarising the procurement activities surrounding this aircraft and full details are at appendix P.

6. Central control of aviation assets

42. The Panel finds it almost certain that all three aircraft were under the control of Erik Prince prior to the Opus A operation. Only he was in the position to approve the sale and/or transfer of all three aircraft to support the operation in such a short time frame (see figure 76.14). These aircraft were sold, transferred and deployed in days, with no time for the appropriate due diligence checks normally undertaken for aircraft sales. One quick transfer could be explained, but not three from different companies, all under the effective control or influence of one individual.

Figure 76.14

Prince influence over specialist aircraft transfers



7. MRC-1250 Rigid Hulled Inflatable Boats (RHIB)

43. On 20 June 2019, Steven Lodge, acting as a representative of Opus Capital Asset Limited FZE, chartered two "special forces" specification MRC-1250 RHIBs (Manta-1 and Manta-2) from Sovereign Charterers Limited, Malta.¹⁹⁰ Charter fees were EUR 2,500 per day each for a ninety-day period from 20 June to 17 September 2019 (total of EUR 240,000 per RHIB). The two standard BIMCO¹⁹¹ contracts specifically included a delivery fee of EUR 15,000 for each RHIB (see appendix Q).¹⁹² The account

¹⁹⁰ www.sovereigncharterers.com/. Accessed 14 September 2019. Company registration number C67113.

¹⁹¹ Baltic and International Maritime Council (www.bimco.org).

¹⁹² The payment of the delivery fee is important as this is evidence of the intent to transfer to Libya.

was settled from a Lancaster6 DMCC bank account. The two vessels were delivered to Benghazi, Libya on 27 June 2019 by a crew of four staff members of Sovereign Charterers Limited and two private military operatives of Opus Capital Asset Limited FZE (Andrew Scott Ritchie (UK) and Sean Callaghan Louw (UK)).¹⁹³

44. Sovereign Charterers Limited is part of Unified Global Services Group,¹⁹⁴ and is under the sole control of James Fenech.¹⁹⁵ The vessels were then advertised on the Sovereign Charterers website¹⁹⁶ as being “*special forces RHIBs ... hardened for maritime security operations*”,¹⁹⁷ but this description was removed after Fenech’s arrest by the Maltese authorities.

45. James Fenech informed the Panel¹⁹⁸ that he was told that the vessels were “*required for evacuation purposes as a number of Oil and Gas and other Multinational companies would require solutions to evacuate their personnel specifically for Insurance purposes*”. Considering James Fenech’s known close linkages to private military companies through the auspices of his other business, (e.g. Fieldsports Limited, Malta (C54571)), and his knowing, the individuals and organizations involved in the charter of the vessels, the Panel considers it unlikely that he found this to be a credible explanation. The Panel finds them to be military equipment under the ambit of paragraph 9 to resolution [1970 \(2011\)](#).¹⁹⁹

46. The Panel finds James Fenech and Sovereign Charters Limited (Malta) in technical non-compliance with paragraph 9 of resolution [1970 \(2011\)](#) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. The Panel wishes to emphasise that James Fenech cooperated fully with the Panel and acceded readily to all information requests during the investigation. The Panel considers that James Fenech was probably unaware that the transfer of an unarmed vessel, albeit to military specifications, would be a non-compliance of the sanction measures.

47. The Panel finds Andrew Scott Ritchie and Sean Callaghan Louw in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. They were participants in the operation and almost certainly knew that the operational plan was to arm the vessels for maritime interdiction operations.²⁰⁰

¹⁹³ Member State.

¹⁹⁴ <http://unifiedglobal.com.mt/>. Accessed 14 September 2019. Company registration number C66837.

¹⁹⁵ <https://registry.mbr.mt/ROC/index.jsp> - [/ROC/companyDetailsRO.do?action=involvementList&companyId=C_67113](https://registry.mbr.mt/ROC/companyDetailsRO.do?action=involvementList&companyId=C_67113). Accessed 14 September 2019, (requires registration as user). Also owns www.fieldsportsmalta.com.

¹⁹⁶ <http://www.sovereigncharterers.com/MRC-1250>. Accessed 15 September 2019.

¹⁹⁷ Supported by definitions in Common Military List of the European Union. ML9.(a).1. “ (...) *other surface vessels. Vessels (...) modified for military use (...) regardless of whether or not they contain (...) weapon delivery systems*”.

¹⁹⁸ Letter to Panel of 28 October 2019..

¹⁹⁹ Mr Fenech was offered an opportunity to reply on 17 January 2020, and his lawyer responded on his behalf on 3 February 2020. Further information on this Panel finding is contained within Mr Fenech’s response to the opportunity to reply offered by the Panel at appendix W.

²⁰⁰ These two individuals were offered an opportunity to respond, through the Opus legal counsel, on 29 December 2020 but they declined to engage with the Panel.

F. Deployment to Libya

48. One individual who participated in the operation²⁰¹ informed the Panel that he was recruited by Steven Lodge for a Search and Rescue (SAR) role supporting a geological survey in Jordan. It was only after he arrived in Jordan, on or about 22 June 2019, that he was told that the real operation was a private military operation in Libya. He confirmed that the full team of “up to twenty” operatives deployed to Libya from Jordan on a chartered IL76 civil aircraft. He admitted that once he was aware of the true purpose of the operation he should have refused to go further, but that he was motivated by the US\$ 900 per day for a guaranteed three-month contract (US\$ 81,000).

49. A team of at least seventeen PMC operatives²⁰² deployed to Benghazi, Libya from Amman, Jordan on board a commercial IL-76 cargo aircraft on, or about, 25/26 June 2019.²⁰³ They were accommodated in a large compound to the south of Benghazi in two buildings (described to the Panel as being like “*something out of the film Thirteen Hours in Benghazi (sic)*”).²⁰⁴ The PMC team and compound had local security provided by a Libyan armed group.

50. On 27 June 2019 they were joined by the four-man Maltese RHIB delivery crew from Sovereign Charterers and the two PMC operatives (Sean Louw and Andrew Ritchie). The four Maltese individuals only stayed one night and departed Benghazi on one of the few available commercial routes, Afriqiyah Flight # 8U606 to Amman, Jordan on 28 June 2019 and onward to Malta on Flight # FR8975 on 29 June 2020.

51. The Panel requested copies of their Libya visas from Steven Lodge and Travis Maki, who both responded that they did not need them as they would obtain them on arrival. The Panel has confirmed that only Jordanian and Tunisian citizens may enter Libya without a visa. The lack of a visa for these individuals can only mean that their entry into Libya was facilitated by the Haftar administration, or they entered illegally.

G. Evacuation from Libya

52. The maritime and assault rotary wing aviation phase of the operation was suddenly aborted on the evening of 29 June 2019. This resulted in twenty private military operatives making a thirty-six-hour, 350 nautical mile sea crossing from Benghazi in the two ‘special forces’ specification rigid hulled inflatable boats procured for the operation; one of which was abandoned on route due to engine problems and loss of steering. The single RHIB arrived in Valetta, Malta at approximately 13:00 hours 1 July 2019.

53. The decision to evacuate was taken by the Ground Team Leader (Steven Lodge) due to the adverse reaction of Khalifa Haftar when he realised that the aviation assets deployed (the South African helicopters) were not those that had been promised during the planning stage of the alleged US\$ 80

²⁰¹ Confidential source (CS22) who participated in the operation.

²⁰² The Panel has identified that the majority had previous military service and had subsequently been employed by a range of private military and security companies.

²⁰³ Confidential source (CS22) who participated in the operation.

²⁰⁴ The actual 2016 film title is *13 Hours: The Secret Soldiers of Benghazi*.

million contract.²⁰⁵ Steven Lodge feared violent repercussions against his team when Haftar realised that the promised capability was never going to be delivered.

54. A lawyer was engaged in Malta at short notice by Opus Capital Asset FZE but was paid from a Lancaster6 DMCC account. In the event his services were not required. The cover story provided to the Maltese Police was that the RHIB occupants were from an oil field operation and needed to leave Libya quickly because of deteriorating security concerns. The Panel notes though that the UN Security and Safety reporting mechanism for that period assessed the security situation in Benghazi area as being reportedly “calm and stable” during this time period.²⁰⁶ The occupants of the RHIB only stayed in Malta for a few days before leaving the island (appendix R).

55. A RHIB was later found abandoned off the coast of Libya near Zueitina in late July 2019.²⁰⁷ Imagery and geo-referencing (see appendix S) confirms that it was an MRC-1250 RHIB with Maltese Registration ON-17388, named Manta-2, and owned by Sovereign Charterers Limited.

H. Financial analysis

56. The Panel has obtained information and records relating to some of the financial transactions for this operation, (summarised in table 76.3). The involvement, and interchangeable use of the shell companies, is also clearly identifiable within table 76.3. This list is far from exhaustive and does not include legal fees, other equipment procured, logistics fees etc. HAF allegedly paid US\$ 80M to Opus for the capability, yet only approximately US\$ 20M can be accounted for to date. Unless the UAE allows the Panel access to the various bank accounts specified at table 76.4 little further progress is likely unless L-6 FZE, Lancaster6 DMCC or Opus Capital Asset Limited FZE significantly improve their cooperation with the Panel.

Table 76.3

Summary of financial information obtained by the Panel

<i>Date</i>	<i>Item purchased</i>	<i>Invoiced by</i>	<i>Contracted by</i>	<i>Paid by</i>	<i>Value (US\$)^b</i>
17 Jun 2019	3 x SA341 <i>Gazelle</i> Helicopters	Fulcrum Holdings Limited (UAE)	L-6 FZE	Opus Capital Asset FZE	** 1,950,000
19 Jun 2019	2 x MRC-1250 RHIB Hire and Delivery	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE	Lancaster 6 DMCC	** 541,505
19 Jun 2019	Purchase of LASA T-Bird (H80-161DC)	LASA Engineering, Bulgaria	L-6 FZE		** 3,364,500

²⁰⁵ Confidential source who was at the meeting. (CS27 through CS4).

²⁰⁶ The only incident of note being two civilians injured by low velocity gunfire from a drunken man in the carpark of the Tebisti Hotel in the early hours of 1 July 2019.

²⁰⁷ https://arabic.rt.com/middle_east/1035381-العثور-على-زورق-الغامض-على-سواحل-شرق-ليبيا-. Accessed 15 September 2019.

<i>Date</i>	<i>Item purchased</i>	<i>Invoiced by</i>	<i>Contracted by</i>	<i>Paid by</i>	<i>Value (US\$)^b</i>
20 Jun 2019	3 x AS332 <i>Super-Puma</i> helicopters	Starlite Aviation Group Limited (RSA)	L-6 FZE	Opus Capital Asset FZE ^{b c}	** 4,210,636 ** 3,257,068 ** 3,417,911
20 June 2019	Arrange charter of 4 x IL-76 flights from Botswana to Libya	International World Air Services (UAE) ^d	L6-FZE	Lancaster 6 DMCC	1,200,000
28 Jun 2019	Purchase of Antonov AN-26B (serial # 7198)	FSG Aviation	L6-FZE	Lancaster 6 DMCC	** 766,770
4 Jul 2019	Freight forwarding in Botswana	Speedway Freight (Proprietary) Limited (Botswana)	Panzer Logistics (RSA)	Panzer Logistics (RSA)	8,500
3 Jul 2019	Purchase of Pilatus PC-6 (serial # 790)	Airborne Technologies GmbH	L-6 FZE	Lancaster 6 DMCC	** 1,068,900
3 Jul 2019	Legal Fees	Malta Lawyer	Lancaster 6 DMCC	Lancaster 6 DMCC	< 5,000
4 Jul 2019	Accommodation	Radisson Hotel, Malta	www.expedia.com		6,000
8 Jul 2019	Marine Fuel and Search Operation for lost RHIB	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE		** 68,954
22 Jul 2019	Marine Safety Equipment	Fieldsports Limited (Malta)	Lancaster 6 DMCC	Lancaster 6 DMCC	** 30,003
1 Aug 2019	MRC-1250 RHIB Manta-2 Loss Compensation	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE	Lancaster 6 DMCC	** 497,534
Jun – Sep 2019	PMC Operatives salaries x 20 for three months ^e			Opus Capital Asset FZE	1,620,000
Approximate Total (US\$):					19,593,271

^a The Panel has documentary evidence for those items preceded with **. The others are from source information with first-hand knowledge of the costs.

^b Converted into US\$ rate on the date stated on the receipts or contract date using www.xe.com historical data.

^c At US\$1 = ZAR 14.1269 on 28 June 2019. Data from customs declaration.

^d IWAS then paid Reem Style and Travel Tourism (UAE), who then paid the Ukrainian airlines.

^e One participant was being paid \$900 per day for a six-month contract, and Panel a single confidential source said they were kept on payroll for three months. So an estimate only.

57. The Panel has identified the bank accounts in table 76.4 that have been used by Opus during this operation. Note that payments made by one company are for equipment contracted for another company, thus increasing the opacity of the operation.

Table 76.4

Bank accounts related to OPUS procurement and payment activities

<i>Company</i>	<i>Bank</i>	<i>Account # / Transfer #</i>	<i>Paid / Received</i>	<i>Contracted by</i>
Lancaster 6 DMCC	Noor Islamic Bank, Dubai	AE14052000241096278XXXX	<ul style="list-style-type: none"> ▪ FSG Aviation (Bermuda) ▪ Sovereign Charters Limited (Malta) 	<ul style="list-style-type: none"> ▪ L6-FZE ▪ Opus FZE
Lancaster 6 DMCC	Emirates Islamic Bank PJSC, Dubai	AE36034000370745605XXXX	<ul style="list-style-type: none"> ▪ Sovereign Charters Limited (Malta) 	<ul style="list-style-type: none"> ▪ Opus FZE
L-6 FZE	Noor Islamic Bank, Dubai	AE17052000241096627XXXX	<ul style="list-style-type: none"> ▪ RECEIVED 	<ul style="list-style-type: none"> ▪ Paid by Expedition Aviation FZE
Opus Capital Asset Limited FZE	Emirates NBD Bank PJSC	AE30026000101546753XXXX	<ul style="list-style-type: none"> ▪ Starlite Aviation (South Africa) 	<ul style="list-style-type: none"> ▪ L-6 FZE
Opus Capital Asset Limited			<ul style="list-style-type: none"> ▪ Fulcrum Holdings Limited (UAE) 	<ul style="list-style-type: none"> ▪ L6-FZE
TBC	Noor Islamic Bank, Dubai	AE840520000110563690XXXX	<ul style="list-style-type: none"> ▪ Team Members ^a 	<ul style="list-style-type: none"> ▪ Opus

^a This is from unresolved payment advice for an iaccount payment .

I. Damage limitation

58. After the airing of a documentary²⁰⁸ by Australia Broadcasting Corporation on Monday 14 September 2020, the PMC operatives were contacted on Tuesday 15 September 2020 by an individual still under investigation by the Panel, who was trying to determine where the leaks to the media were originating from. On Wednesday 18 September 2020, Erik Prince personally called at least one of the Opus PMC operatives to ask why he and some colleagues were in the USA at that time.²⁰⁹

59. The Panel also noted that in the written statement by Steven Lodge of 13 September 2020, and the opportunity to respond interview with Christiaan Durrant on 16 September 2020, that both made a specific point, without any prompting from the Panel, that although Erik Prince was known to them, he had no role in the planning or execution of the Opus operation, nor was he financially involved in any of the companies involved. It appeared to the Panel as if this was a coordinated response.

60. Federal Advocates Inc (USA), a lobbying firm, disclosed on 17 September 2019 that were engaged by Opus Capital Asset Limited FZE on 1 July 2019 to provide lobbying services. The LD1 Disclosure Form described Opus Capital Asset Limited FZE as a “geopolitical national security firm” and that the general lobbying issue area was “DEF” (defence). On 16 October 2019, an LD2 Disclosure Form was submitted in which the declared general lobbying area issue code had changed to “FUE” and

²⁰⁸ <https://www.abc.net.au/4corners/soldiers-of-fortune/12662570>.

²⁰⁹ Confidential source (CS27 through CS4).

with a specific lobbying issue area of “oil and gas logistic services”.²¹⁰ This was changed on 16 October 2019 to “*Oil and gas logistics service – providing educational background to the administration*”. The company failed to cooperate with the Panels’ requests for information and clarification.²¹¹

J. Cover stories

61. The Panel obtained a copy of the documentation used to justify and support the movement of the helicopters from Gaborone (FBSK) to Jordan that was shown to the Botswanan customs authorities. This consisted of a comprehensive technical response to a Request for Proposal (RfP) for an Airborne Geophysical and Hyperspectral Surveys (Kingdom of Jordan) purportedly issued by a company called Confidence Security Consulting.²¹² The Panel was unconvinced of the veracity of this documentation, which was badly laid out and an obvious “cut and paste” document.

62. The artwork on the base of the document is identical to that of AustinBridgeporth²¹³ (figures 76.15 and 76.16).²¹⁴ AustinBridgeporth is a teaming partnership between Austin Exploration Inc (USA)²¹⁵ and Bridgeporth Limited,²¹⁶ a UK based professional geosciences company.²¹⁷ Bridgeporth Limited initially confirmed verbally to the Panel that the document is a copy of a ‘boilerplate proposal’ the company uses, and that the company had no recent or planned operational engagement with Jordan for surveys.²¹⁸

63. The Panel notes that Travis Maki, the pilot of the Pilatus PC-6 in Libya, was named on the Bridgeporth website²¹⁹ as their Vice President of Aviation. Bridgeporth Limited told the Panel that “*the company had let him go earlier*”. The Panel requested documentary evidence to confirm this and is still awaiting a response.

²¹⁰ 1) <https://projects.propublica.org/represent/lobbying/301022812>; and 2) LD1 and LD2 Disclosure Reports in the possession of the Panel.

²¹¹ 1) Panel letters of 26 December 2019 and 3 February 2020; 2) Panel communication of 23 January 2021.

²¹² Confidence Security Co, 7 Floor, Office 702A, Kamala Tower 2, Al Had Street, Al Khalidiyah, Abu Dhabi, UAE. +971 2 6760660. The Panel has not elicited a response to this number.

²¹³ www.austinbridgeporth.com/.

²¹⁴ Bridgeporth UK is linked to Bridgeporth Holdings (Gibraltar) Limited in which FRG Partners I Master Fund LP (Cayman Islands # 56264) has a 93.3% shareholding. The CEO of Bridgeporth Limited, Dr Mark Davies, is also the CEO of AustinBridgeporth (<http://www.austinbridgeporth.com>).

²¹⁵ www.austininc.com.

²¹⁶ www.bridgeporth.com.

²¹⁷ In 2019 Bridgeporth Limited (UK) was majority owned by Bridgeporth Holdings Limited (Gibraltar), which in turn was 92.3% owned by FRG Partners | Master Fund LLP (Caymans), which was owned by FRG Partners | LP (Caymans), which was owned by Frontier Resource Group Limited (Caymans), which was 80% owned by Frontier Holdings Limited (Caymans), which was 100% owned by Erik Dean PRINCE. This is indicative of the complex multi-shells that Erik Dean Prince uses to disguise his control over, and benefits from, trading companies.

²¹⁸ Initial panel discussion in confidence by phone with company CEO, Dr Mark Davies, and the subsequent Email on 5 December 2019. After requesting supplementary information the Panel was informed that on 5 January 2020 that “*given the serious nature of the allegations (...). Someone from the ownership group will be in touch with you shortly*”.

²¹⁹ <http://www.bridgeporth.com/our-team/>, accessed 5 December 2019. Subsequently removed by 19 January 2020.

Figure 76.15

Bridgeporth Limited artwork from company website

Figure 76.16

Artwork from F-6 FZE / OPUS RFP response to tender

64. The Panel finds that this document was counterfeited with deliberate intent to disguise the true purpose for the requirement to transport the helicopters out of Botswana. Notwithstanding its status as a counterfeit document, the perpetrators had to use real names to lend it authenticity and credibility should spot checks be made. It lists the Managing Director of Opus Capital Asset DMCC, as Amanda Kate Perry whose name appears on the legitimate purchase documentation for the three *Gazelle* LUH. Appendix T summarizes the counterfeit issues in the document, and contains extracts referring to Opus Capital Asset DMCC and Amanda Kate Perry.

65. This document was used to support the cover story of a “Geophysical and hyperspectral survey of Jordan” (Cover Story 1 of June 2019). Jordan has confirmed that no such survey was either planned nor approved.²²⁰ Bridgeporth Limited (UK) denied all involvement²²¹ and on 24 January 2020 the Panel received a letter from Matthew L Schwartz of Boies Schiller Flexner (BSF), New York (www.bsfllp.com) regarding their enquiries. Matthew Schwartz also represents Erik Prince,²²² and the Panel considered it unusual at the time that a small, specialist British geosciences company would be utilizing the services of a New York based legal counsel were it not for the Erik Prince connection between the two. BSF initially failed to respond to two letters from the Panel regarding the use of Bridgeporth documentation in Cover Story 1,²²³ but made contact with the panel again in November 2020.²²⁴ Further research established a commercial arrangement involving the Pilatus PC-6 aircraft between Erik Prince and Bridgeporth Limited (UK) dating back to at least 26 January 2012 (see appendix U). On 23 November 2019 a letter from the UAE based legal representative for the individuals and companies involved in Opus informed the Panel that they were consulting with Mr Schwartz but did not provide a reason for such a consultation.

66. The use of Bridgeporth Limited (UK) and “Oil and Gas Survey” as part of a cover story was used before in a 2014 proposal by Frontier Services LLC, controlled by Erik Prince. The proposal was code named Project BROOKLYN and its aim was to kill or capture Joseph Kony and the Lords’ Resistance

²²⁰ Letter to Panel of 6 April 2020.

²²¹ Email to Panel of 5 December 2019.

²²² 1) <https://www.reuters.com/legal/article/us-usa-trump-russia-prince/house-panel-seeks-justice-department-probe-of-trump-backer-prince-idUSKCN1S61MI>, 30 April 2019; and 2) <https://www.law360.com/articles/1275426/blackwater-founder-targets-intercept-with-defamation-suit>, 20 May 2020.

²²³ Panel letters of 3 February and 18 September 2020.

²²⁴ BSF letter to Panel of 12 November 2020. The Panel’s latest letter to BSF on 12 November 2020 remains unanswered.

Army leadership group in South Sudan.²²⁵ One slide contains the text “*Cover for status/action: Oil and gas survey company (Bridgeport Ltd, Milton Keynes (UK))*”. Indeed the overall Project BROOKLYN proposal was very similar to that proposed by Opus to HAF, and indeed many others that Erik Prince has been directly responsible for or involved in.²²⁶ Gregg Smith who, as the Chief Executive Officer of Frontier Services Group Limited (FSG) from 2014 to 1 May 2016,²²⁷ worked closely with Erik Prince when he was Chairman of FSG, stated to the Panel²²⁸ that the cover story for the operation would be “oil and gas security” or “oil and gas survey” as “that was what Prince had always used”. Gregg Smith repeated this publicly in an interview with www.narativ.org on 17 September 2020.²²⁹ Gregg Smith also claimed that it was implausible that Erik Prince did not control Lancaster6. Gregg Smith went on to explain that, in his experience, Erik Dean Prince protected himself from litigation by not owning or controlling a company through debt ownership, he would receive material or financial benefits in other ways

67. After failure of the Opus A deployment, the response to the Panel’s enquiries to the individuals and companies involved, through their legal counsel in January 2020,²³⁰ was to introduce a second cover story that Project Opus A was providing technical support services for an “oil and gas project in Libya” (Cover Story 2 of April 2020).²³¹ The Panel requested the sight of contractual documentation to support the claim in order to deconflict any such project, if it existed, from the PMC operation, but no details were provided to the Panel. The Panel was thus unconvinced of the veracity of this second “cover story”. In September 2020 a third cover story was then provided to the Panel²³² that Opus FZE were establishing a logistic hub in Western Libya at their own financial risk (Cover Story 3 of September 2020).

68. In his interview of 16 September 2020 Christiaan Durrant claimed that the Opus operations were self-funded at company risk but was reluctant to identify the source of funding. The Panel has identified that approximately US\$ 20M was committed to the operation just for the funding of the equipment and private military operatives’ salaries. These salaries continued for at least three months after the failure of the operation.

²²⁵ The Panel has a copy of this nineteen slide Concept of Operations presentation but has agreed not to publish at this stage to preserve a confidential source (CS8) relationship.

²²⁶ Subsequent examples of this “Army in a Box” concept proposed by Erik Prince include Somalia PMFP 2010 (deployed), DRC 2014 (proposal failed), South Sudan 2014 (deployed), Mali 2014 (proposal failed), Azerbaijan 2015 (proposal failed), Libya 2015 (HAF anti-migration) (failed), Afghanistan 2017 (proposal failed), Mozambique 2019 (proposal failed), Mozambique 2020 (negotiations ongoing at time this document was prepared).

²²⁷ <https://www.marketscreener.com/quote/stock/FRONTIER-SERVICES-GROUP-L-6165919/news/Frontier-Services-1-RESIGNATION-OF-AN-EXECUTIVE-DIRECTOR-2-GRANT-OF-SHARE-OPTIONS-3-RESIGNAT-22268951/>, 29 April 2016.

²²⁸ Panel interview of 30 March 2020.

²²⁹ <https://narativ.org/2020/09/17/prince-of-proxy-china/>, 17 September 2020. (12min 30 sec to 13min 35 sec).

²³⁰ <https://www.hfw.com/Abu-Dhabi>. Accessed 20 July 2020.

²³¹ HFW letters to Panel of 7 and 31 January 2020.

²³² Interview with Christian Durrant of 16 September 2020 and Statement by Lodge of 13 September 2020 (see annex S).

K. Opportunities to respond

1. Christiaan Paul Durrant

69. The Panel provided Christiaan Durrant with an opportunity to respond during an interview²³³ on 16 September 2020 at 10:00 hours (UTC). The interview lasted for two hours. A legal advisor from the Opus legal counsel was present, and a second Opus legal counsel legal advisor and his communications advisor, Ian Twine of Harrup Advisory Limited²³⁴ participated by the MS Teams media platform. The Panel agreed that the Opus legal counsel may record the interview, whilst the Panel took contemporaneous notes. A Panel summary of the interview based on these notes is at appendix V.

70. During his interview Christiaan Durrant provided no evidence to his claims, little substantive detail and no rebuttal evidence to any of the findings of the Panel to date. His response to subsequent written supplementary questions was to claim he was being co-operative with the Panel, yet he supplied no substantive nor detailed responses to any of the questions presented to him.

2. James Fenech

71. James Fenech was offered an opportunity to reply on 17 January 2020. His lawyer responded on his behalf on 3 February 2020, and the full statement, together with appropriate explanatory notations by the Panel is at appendix W.

3. Steven John Lodge

72. The Panel provided Steven Lodge with an opportunity to respond interview,²³⁵ which he declined, preferring to submit a written statement to the Panel on 13 September 2020. The Panel requested clarification of some points in a letter dated 17 September 2020, to which the Opus legal counsel responded on his behalf on 29 September 2020. The full statement, together with appropriate explanatory notations by the Panel is at appendix X. The Panel analysed the content of this statement, and identified corroboratory and contradictory evidence, which was then considered during the preparation of this report. The Panel considers that Steven Lodge provided no documentary evidence to support any of his responses, provided little detailed information and his responses contained no proven rebuttal evidence to any of the findings of the Panel to date.

4. Travis Alden Maki

73. The Panel requested an interview with Travis Maki on 17 September 2019 but were told by the Opus legal counsel on 29 September 2019 that he was unavailable. The Panel then offered Travis Maki an opportunity to reply in a letter to his legal counsel of 29 October 2019. He admitted to piloting the

²³³ In London. One Panel member present, the other participated by MS Teams media platform.

²³⁴ <https://harrupadvisory.com>. Accessed 20 September 2020.

²³⁵ Panel EMail to HFW of 17 August 2020.

PC-6 ISR aircraft into Libya on 25 June 2019 but did not know who owned the aircraft. He specifically refuted that he was a private military contractor or that he was engaged to perform military company operations designed to provide military support to one of the parties to the conflict in Libya.

5. Amanda Kate Perry

74. The Panel remotely interviewed²³⁶ Amanda Kate Perry on 20 July 2020 at 08:00 hours (UTC). The interview lasted 45 minutes. The Opus legal counsel, and her communications advisor, Ian Twine of Harrup Advisory Limited²³⁷ were present and the Panel agreed that they may record the interview. The Panel took contemporaneous notes. She was asked detailed questions concerning the corporate structures of L-6 FZE, Lancaster 6 DMCC and Opus Capital Asset Limited FZE. On the advice of the Opus legal counsel she declined to provide any information, citing concerns about confidentiality of information provided to the Panel. It was explained to her that the Panel only provided information directly to the Sanctions Committee or Security Council; she still declined to provide the information. Amanda Perry was then asked detailed questions regarding her knowledge of activities for which the Panel had evidence of her involvement in the form of signed contracts for the purchase of equipment (one LASA T-Bird aircraft) and logistic support to the operation (air freight agent). Amanda Kate Perry's responses were consistent throughout the interview in that she either: 1) had no knowledge of the activity; 2) could not remember; or 3) only acted as a corporate service provider and had no knowledge of those companies' operations. She explained that the intrusive media coverage of the issue had been devastating for her personal reputation and business, which was now on the state of collapse. The Panel did not find her explanations at all convincing. Her failure to provide any detailed rebuttal evidence and her lack of cooperation in providing corporate, financial or transaction information means that the evidence supplied in this document by the Panel is submitted unexplained and unchallenged by Amanda Perry.

6. Erik Dean Prince

75. In a letter to Erik Prince dated 18 November 2020²³⁸ the Panel requested details of his operational involvement in Opus A and B, and also that he clarify his business and financial relationships with Bridgeport Limited (UK), Bridgeport Holdings Limited (Gibraltar), Austin Bridgeport Limited L-6 FZE (UAE), Lancaster 6 DMCC (UAE), Opus Assets Limited FZE (UAE), Opus Capital Asset Limited DMCC (UAE), Frontier Services Group Limited (Bermuda), Frontier Holdings Limited (Bermuda), FSG Aviation Limited (Bermuda), TST Humanitarian Surveys LLC (USA), ULL24 GmbH (Austria), Airborne Technologies GmbH (Austria), LASA Engineering Limited (Bulgaria), Unified Global Services Group Limited (Malta) and PBM Limited (Malta). No response was received by the requested date of 7 December 2020. A reminder letter was sent on 16 December 2020 and no response was

²³⁶ Using the Zoom platform.

²³⁷ <https://harrupadvisory.com>. Accessed 20 July 2020.

²³⁸ Sent to two known E Mail addresses of Erik Dean Prince. Copies were sent by UPS courier to his Virginia and Wyoming residences. UPS tracking confirmed delivery to his Virginia address on 4 December 2020 (1ZF333A30311197514) and to his Wyoming address on 10 December 2020 (1ZF333A30311197523). The Panel did not consider it appropriate to send such a communication to Mr Prince via the three lawyers known to be used by him, as the Panel could not know which lawyer Mr Prince may choose to instruct to represent him on this matter, if at all. An Email reminder was sent to Mr Prince on 16 December 2020 with UPS courier copies to his Virginia and Wyoming addresses (1ZF333A30211201420 and 1ZF333A30311201437 respectively).

received to that letter either.²³⁹ His failure to cooperate with the Panel means that the evidence supplied in this document is submitted unexplained and unchallenged by Erik Prince.

L. Opus B operation

76. The Panel has evidence that a second Opus operation (Opus B) was launched into Libya in April/May 2020, and investigations continue to achieve the evidential standards necessary for reporting. It involved at least four or five of the individuals connected with the first Opus operation.²⁴⁰ Indeed, the Panel believes that some of the components of Opus A, or directly derived from that operation, still continue to be active in Libya. Examples being the Fusion and Targeting Cell and the PC-6 ISR aircraft.

M. Summary of violations

77. Although there is much still to learn about Project Opus, that Panel has achieved the necessary evidential standards to allow it to make the following findings (tables 76.5 to 76.6) for entities and individuals that have:

- (a) Violated paragraph 9 to resolution [1970 \(2011\)](#):

Violating, or assisting in the evasion of, the provisions of the arms embargo in Libya established in resolution 1970 (2011) by the direct (...) supply (...) to the Libyan Arab Jamahiriya (...) of (...) related materiel of all types, including military (...) equipment, (...), and other assistance, related to military activities (...).

and/or

- (b) Are in non-compliance with paragraph 13 to resolution [2509 \(2020\)](#) by failing to:

(...) supplying any information at their disposal on the implementation of the Measures decided in resolutions (...) in particular incidents of non-compliance (...).

Table 76.5

Entities violating resolution 1970 (2011) and/or in non-compliance with resolution 2509 (2020)

Entity	Violation of para.9 to resolution 1970 (2011)	Non-compliant with para.13 to resolution 2509 (2020)	Specific
Bridgeporth Limited (UK)		✓	▪ Failure to provide <i>information at their disposal regarding other assistance relating to military activities</i> to an armed group.
Federal Advocates Inc (USA)		✓	▪ Failure to provide <i>information at their disposal regarding other assistance relating to military activities</i> to an armed group.

²³⁹ UPS courier copies also sent to his Virginia and Wyoming addresses (1ZF333A30211201420 and 1ZF333A30311201437 respectively).

²⁴⁰ Including confidential source (CS27).

<i>Entity</i>	<i>Violation of para.9 to resolution 1970 (2011)</i>	<i>Non-compliant with para.13 to resolution 2509 (2020)</i>	<i>Specific</i>
L-6 FZE (United Arab Emirates)	✓	✓	▪ Arranging the <i>transfer of military equipment</i> and providing <i>other assistance relating to military activities</i> to an armed group in Libya.
Lancaster 6 DMCC (United Arab Emirates)	✓	✓	▪ Failure to provide <i>information at their disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Opus Capital Asset Limited FZE (United Arab Emirates)	✓	✓	
Panzer Logistics (Proprietary) Limited (South Africa)		✓	▪ Failure to provide <i>information at their disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Sky Avia Trans LLC (Ukraine)	✓		▪ <i>Transfer</i> of equipment by air to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.
Sovereign Charterers Limited (Malta)	✓		▪ <i>Transfer</i> of <i>military equipment</i> by sea to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.
Zet Avia LLC (Ukraine)	✓		▪ <i>Transfer</i> of equipment by air to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.

Table 76.6

Individuals violating resolution 1970 (2011) and/or in non-compliance with resolution 2509 (2020)

<i>Individual</i>	<i>Violation of para.9 to resolution 1970 (2011)</i>	<i>Non-compliant with para.13 to resolution 2509 (2020)</i>	<i>Specific</i>
Durrant Christiaan Paul (Australia)	✓	✓	▪ Arranging the <i>transfer of military equipment</i> and providing <i>other assistance relating to military activities</i> to an armed group in Libya. ▪ Failure to provide <i>information at his disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Fenech James (Malta)	✓		▪ Arranging the <i>transfer of military equipment</i> and providing <i>other assistance relating to military activities</i> to an armed group in Libya.
Lodge Steven John (South Africa)	✓	✓	▪ Arranging the <i>transfer of military equipment</i> and providing <i>other assistance relating to military activities</i> to an armed group in Libya. ▪ Failure to provide <i>information at his disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Louw Sean Callaghan (UK)	✓		▪ The <i>transfer of military equipment</i> by sea to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.

<i>Individual</i>	<i>Violation of para.9 to resolution 1970 (2011)</i>	<i>Non-compliant with para.13 to resolution 2509 (2020)</i>	<i>Specific</i>
Maki Travis Alden (USA)	✓		<ul style="list-style-type: none"> ▪ <i>Transfer of military equipment</i> by air to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.
Mariotti Franco (Global Africa Aviation)	✓	✓	<ul style="list-style-type: none"> ▪ The <i>transfer of military equipment</i> by air to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya. ▪ Failure to provide <i>information at his disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Perry Amanda Kate (UK)	✓	✓	<ul style="list-style-type: none"> ▪ Arranging the procurement and <i>transfer</i> of equipment intended for a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya. ▪ Failure to provide <i>information at her disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Prince Erik Dean (USA)	✓	✓	<ul style="list-style-type: none"> ▪ At the least facilitated the <i>transfer of military equipment</i> to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya. ▪ Failure to provide <i>information at his disposal</i> regarding <i>other assistance relating to military activities</i> to an armed group.
Ritchie Andrew Scott (UK)	✓		<ul style="list-style-type: none"> ▪ The <i>transfer of military equipment</i> by sea to a private military company providing <i>other assistance relating to military activities</i> to an armed group in Libya.

Appendix A to Annex 76: Timeline of events

Table 76.A.1
Timeline of events²⁴¹

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
12 Jul 2018	RJAF list 17 x AH-1F <i>Cobra</i> attack helicopters for sale.	RJAF	▪ <i>Cobra</i> attack helicopters mentioned in Opus confidential document.
01 Nov 2018	Antonov AN-26 (UR-MDA) insured by FSG Aviation for US600,000.		▪ Later sold to L-6 FZE for US\$ 650,000. Insurance not revoked or transferred.
9 Apr 2019	OPUS PowerPoint [1] was written.		▪ From Metadata.
14 Apr 2019	Erik Prince meets Haftar in Cairo, Egypt and briefs him on PMC intervention prior to Haftar meeting with President Sisi.	Erik Prince Khalifa Haftar	▪ Probably no PowerPoint. This was either sent or briefed previously.
14 Apr 2019	Erik Prince has planning meetings in Paul Café, Taggamu Al Khamis, Cairo.	Erik Prince	▪ http://paularabia.com/en/
16 May 2019	Lodge flies from Aberdeen to London Heathrow and then on to Dubai on Flight# BA0105.	Steven Lodge	▪ Highly probably Project Opus A planning.
19 May 2019	Lodge flies from Dubai to London Heathrow then on to Aberdeen on Flight# BA0106.	Steven Lodge	▪
20 May 2019	HAF naval commander Faraj al-Mahwadi announces that HAF is mobilising its naval forces to impose a total blockade on western ports, especially regarding Turkish vessels.	HAF	▪
22 May 2019	Ownership or control of Pilatus P-6 aircraft (serial#790) transferred from TST Humanitarian Surveys LLC to Aircraft and More GmbH, Austria.		▪ Aircraft re-registered from N354AK (USA) to PH-ABT (Netherlands). ▪ Sold by Aircraft and More for EU948,000.

²⁴¹ Some dates relating to deployment dates may be +/- 1 day, as little substantive information has been provided by the perpetrators during interview, and the Panel has had to determine dates from documentary evidence and/or confidential sources (some of whom could only recollect approximate dates of movements).

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
27 May 2019	Lodge flies from Aberdeen to London Heathrow and then on to Dubai on Flight# BA0107.	Steven Lodge	▪ Highly probably Project Opus A planning.
30 May 2019	Lodge flies from Dubai to London Heathrow then on to Aberdeen on Flight# BA0106.	Steven Lodge	▪
1 Jun 2019	Lodge flies to Amman, Jordan (AMM) from Aberdeen, UK (ABZ) via Amsterdam (AMS).	Steven Lodge	▪ Flight KL1444
2 Jun 2019	RJAF list six MD530F helicopters for sale.	RJAF	▪ MD530F helicopters mentioned in Opus confidential document.
5 Jun 2019	Pilot recruitment and use of false name to disguise identity and/or covert nature of operation. Christiaan Durrant places advert on professional pilot's website stating urgent need for pilots.	Christiaan Durrant	▪ www.pprune.org ▪ Use of Christine Davidson as cover name.
6 Jun 2019	Discuss charter of AN-26 for Medevac charter in Libya. Call made from Christiaan Durrant 's mobile phone (+356993XXX).	Christiaan Durrant	▪ To Mohamed AL XXXC, XXX Air, Libya. ▪ The AN-26 was still owned by FSG Aviation at this time.
13 Jun 2019	Opus A planning Calls made from Christiaan Durrant S mobile phone.	Christiaan Durrant	▪ To Vince Gordon, Opus legal counsel ▪ The Opus legal counsel stated they had <i>represented Opus Capital Asset FZE since (...) end of June 2019 and under terms of that engagement represent (...) Mr Christiaan Durrant (...).</i> ²⁴²
14 Jun 2019	Lodge flies from Amman, Jordan (AMM) to Aberdeen, UK (ABZ) via Amsterdam (AMS).	Steven Lodge	▪ Flight BA0146
14 Jun 2019	Christiaan Durrant travels to Amman, Jordan from Austria.	Christiaan Durrant	▪
14 Jun 2019	Contract for sale of 3 <i>Gazelle</i> helicopters signed by vendor.	Fulcrum Holdings	▪ Signed in Lagos, Nigeria

²⁴² Letter from HFW dated 31 August 2020.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
On or about 15 Jun 2019	Christiaan Durrant Introduces himself to Jordanian representative as Gene Rynack. Claims that all his activities are cleared at the “highest level”. After consultation with the highest levels in Jordan Christiaan Durrant is instructed by the Jordanian representative to make plans to leave Jordan.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ The Australian actor Mel Gibson plays Gene Ryack in the film Air America about a private CIA funded airline. ▪ Most Durrant communications in Jordan used the WICKR platform where he is Charlie Tango.
16 Jun 2019	Opus A planning Calls made from Christiaan Durrant’s mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ Multiple calls to WhatsApp link number. ▪ The team made much use of such mechanisms to disguise communications relating to operation.
16 Jun 2019	Lodge flies to Dubai, UAE (AMM) from Aberdeen, UK (ABZ) via London (LHR).	Steven Lodge	<ul style="list-style-type: none"> ▪ Flight BA0107
17 Jun 2019	Procurement contract for 3 x SA341 <i>Gazelle</i> light utility helicopters (LUH) from Fulcrum Holdings UAE was signed.	L-6 FZE Steven Lodge	<ul style="list-style-type: none"> ▪ Signed in Dubai, UAE ▪ Purchaser is L-6 FZE (Opus Capital Assets – Operating Company)
17 Jun 2019	Invoice raised for hire of 2 x MRC-1250 RHIB Manta 1 and Manta 2	Sovereign Charterers	<ul style="list-style-type: none"> ▪ Invoiced to Opus Capital Asset Limited FZE
18 Jun 2019	Government of Jordan officially stops RJAF sale of military aircraft and helicopters.	Government of Jordan	<ul style="list-style-type: none"> ▪
18 Jun 2019	Confidential documentation refers to Opus executing their contingency plan.	Opus 1 Opus 2	<ul style="list-style-type: none"> ▪
18 Jun 2019	Opus A planning (LASA T-Bird) Calls made from Christiaan Durrant’s mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ Bulgaria Number no longer active. Probably related to <i>LASA T-Bird</i>. ▪ To Vince Gordon, Opus legal counsel.
18 Jun 2019	Transfer of US\$ 1,950,000 from Opus Capital Asset to Fulcrum Holdings for purchase of 3 x <i>Gazelle</i> SA341 helicopters.	Opus Capital Asset DMCC Amanda Perry	<ul style="list-style-type: none"> ▪

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
19 Jun 2019	SIGNED purchase order for one 2SR H80 Thrush 510G (YU-THS) (construction# H80-161DC). ²⁴³ (LASA T-Bird).	L-6 FZE Amanda Perry	<ul style="list-style-type: none"> ▪ The aircraft was reported as landing at Amman, Jordan for ‘maintenance checks’ in late-June 2019. ▪ Referred to Perry as Managing Director in contract documentation and signed by Perry as CEO. ▪ EU 3M from IBAN <u>AE</u> 17/05200/02410966270016
19 Jun 2019	Transfer of EUR 480,000 from Lancaster 6 DMCC to Sovereign Charterers, Malta for charter of 2 x MRC-1250 “Special Forces” RHIB and delivery fees to Benghazi, Libya.	Lancaster 6 DMCC Amanda Perry	<ul style="list-style-type: none"> ▪ Contract with Opus Capital Asset FZE, but payment from Lancaster 6 DMCC account with Noor Bank. ▪ Account# 000241096278XXXX
19 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call received by Christiaan Durrant’s mobile phone.	Starlite	<ul style="list-style-type: none"> ▪ From Starlite Aviation, South Africa. The supplier of the three <i>Super Puma</i> helicopters.
19 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant’s mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ To Starlite Aviation.
20 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant’s mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ To Starlite Aviation.
20 Jun 2019	Confirmation sent to Starlite Aviation that the <i>Super Puma</i> helicopters were to be used to ‘support a geological survey’ in Jordan.	L-6 FZE Amanda Perry	<ul style="list-style-type: none"> ▪ Transfer of 3 x <i>Super Puma</i> MUH to Libya confirmed. ▪ Signed by Perry as Managing Director.
20 Jun 2019	Charter signed for 2 x MRC-1250 “Special Forces” RHIB (Manta-1 and Manta-2) from Sovereign Charterers Limited, Malta.	Opus Capital Assets FZE Steven Lodge	<ul style="list-style-type: none"> ▪

²⁴³ Member State.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
20 Jun 2019	Contract signed by L-6 FZE with International Worldwide Air Services Incorporated, UAE for hire of 2 x IL-76.	International Worldwide Air Services (UAE) Reem Style Travel and Tourism (UAE)	<ul style="list-style-type: none"> Contract value commercial in confidence. Estimated to be in region of US\$ 3M. Sub-contracted to Reem Style and Leisure. 2 x IL76TD used to move the six helicopters from Gaborone, Botswana to Benghazi, Libya.
21 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> To Starlite Aviation.
22 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> To Willie van der Stoep. Arranged logistics for move of helicopters from South Africa to Libya.
22 Jun 2019	Contract signed by L-6 FZE with International Worldwide Air Services (UAE) for charter of IL-76TD for route Gaborone to Benghazi.	L6-FZE Steven Lodge	<ul style="list-style-type: none"> Paid by wire transfer from a Lancaster6 DMCC bank account. SWIFT/BIC CITIUS33XXX used to transfer from or through Citi Bank New York.
22 Jun 2019	Private military operatives arrive in Amman, Jordan.		<ul style="list-style-type: none"> Some flew in on Royal Jordanian #RJ112.
24 Jun 2019	Confidential documentation refers to Opus expecting arrival of a UAV in Amman, Jordan.	Opus 1 Opus 2	<ul style="list-style-type: none">
24 Jun 2019	Application from Meridian Air for Jordan Landing Permit for the Antonov AN-26 (UR-MDA) shows departure flight planned to Benghazi on 1 July 2019.	Meridian L-6 FZE	<ul style="list-style-type: none">
25 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> To Willie van der Stoep.
25 Jun 2019	Durrant leaves Jordan to destination not yet confirmed.	Christiaan Durrant	<ul style="list-style-type: none"> Next identified as being in the United Arab Emirates on 29 June 2019.
25 Jun 2019	Funds transfer for advance salary to at least one team member.	Opus	<ul style="list-style-type: none"> Approx \$20,900.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
25 Jun 2019	Pilatus PC-6 (aircraft serial # 790) arrives in Libya		<ul style="list-style-type: none"> ▪ Stephen Lodge admitted PC-6 deployed in his statement of 13 Sep 20. ▪ Maki confirmed arrival date and he was pilot in the Opus legal counsel letter of 12 Nov 20.
25 or 26 Jun 2019	Charter flight for PMC operatives from Amman, Jordan to Benghazi, Libya.		<ul style="list-style-type: none"> ▪ Possibly Sigma UP-I7601.
27 Jun 2019	Antonov AN-26 (UR-MDA) arrives OJAM at 00:18 hours.	FSG Aviation Limited	<ul style="list-style-type: none"> ▪ FSG Aviation are still officially owners. ▪ Landing Permit OJAM/M/0143.
27 Jun 2019	Ownership of Pilatus PC-6 (serial# 790) transferred from Airborne Technologies GmbH to L6-FZE.	L6 FZE	<ul style="list-style-type: none"> ▪
27 Jun 2019	Delivery of 2 x MRC-1250 “Special Forces” RHIB (Manta-1 and Manta-2) by Sovereign Charterers Limited, Malta.	Sovereign Charterers Limited, Malta James Fenech	<ul style="list-style-type: none"> ▪ Four-person Sovereign delivery crew. ▪ Ritchie and Louw from PMC transited to Benghazi on RHIBs. ▪ Customs clearance was gained on 26 June 2020.
27 Jun 2019	Invoice SO002625 for EUR 26,7248 raised from Sovereign Charterers, Malta to Lancaster 6 DMCC to for Marine Safety Equipment	Sovereign Charterers, Malta James Fenech	<ul style="list-style-type: none"> ▪ Paid 22 July 2019 from a Lancaster6 bank account.
27 Jun 2019	Three <i>Super Puma</i> helicopters seen in Eastern Rand moving towards Botswana border.	Panzer Logistics (Proprietary) Limited, RSA	<ul style="list-style-type: none"> ▪
27 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant’s mobile phone.	Christiaan Durrant	<ul style="list-style-type: none"> ▪ To Chief, Air Traffic Control, Jordan
28 Jun 2019	Inaccurate Single Administrative Document raised for transfer of three <i>Gazelle</i> helicopters into Botswana.	Panzer Logistics (Proprietary) Limited, RSA	<ul style="list-style-type: none"> ▪ Shows consignee as Jordan Aeronautical Cargo Company, Amman, Jordan. Company does not exist.²⁴⁴

²⁴⁴ There is an unrelated company, Jordan Aeronautical Systems Company Limited (JAC) (www.jac.com.jo).

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
28 Jun 2019	Inaccurate Single Administrative Document raised for transfer of three <i>Super-Puma</i> helicopters into Botswana.	Panzer Logistics (Proprietary) Limited, RSA	▪ Shows consignee as Jordan Aeronautical Cargo Company, Amman, Jordan. Company does not exist.
28 Jun 2019	Three <i>Super-Puma</i> helicopters cross Botswanan border at the Tiokweng Border Checkpoint (BCP).	Panzer Logistics (Proprietary) Limited, RSA	▪
28 Jun 2019	IL-76 TD (UR-CIB) deploys to Gaborone, Botswana from Amman, Jordan for move of helicopters to Benghazi, Libya.	ZetAvia LLC	▪
28 Jun 2019	IL-76 TD (UR-COZ) deploys to Gaborone, Botswana from Amman, Jordan for move of helicopters to Benghazi, Libya.	SkyAviaTrans LLC	▪
28 Jun 2019	14:30 hours. Four-person Sovereign delivery crew left Benghazi on Afriqiyah Flight # 8U606 to Amman, Jordan on 28 June 2019 and returned to Malta on Flight # FR8975 on 29 June 2020.	Sovereign Charterers, Malta James Fenech	▪
28 Jun 2019	Funds transfer to FSG Aviation Hong Kong bank account for purchase of Antonov AN-26B-100 by Lancaster6 DMCC.	FSG Aviation L6 FZE / Lancaster6 DMCC Christiaan Durrant	<ul style="list-style-type: none"> ▪ Ownership and aircraft physically transferred on 22 Jul 2019. ▪ Transfer documentation in name of L-6 FZE. ▪ EU 650,000 instead of US\$ 650,000 so balance was reccredited to Lancaster6 DMCC.
29 Jun 2019	Unregistered 2SR-H80 Thrush 510G (ex T7-SAW) refused take-off permission at Nakasangolo Airport, Uganda.		▪
29 Jun 2019	00:48 hours. IL-76 TD (UR-CIB) flight ZAV9002 transports 3 x <i>Gazelle</i> helicopters to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
29 Jun 2019	10:36 hours. IL-76 TD (UR-CIB) flight ZAV9002 arrives at Benghazi, Libya at 10:36 hours.	ZetAvia LLC	▪
29 Jun 2019	17:10 hours. IL-76 TD (UR-COZ) flight KTR7722 transports 1 x <i>Super Puma</i> helicopter (S/N 2161) to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	SkyAviaTrans LLC	▪ Consignee listed as Steven Lodge, Opus Capital Asset LLC, Geological Forward Base, Benghazi
29 Jun 2019	21:30 hours. 2 x MRC-1250 “Special Forces” RHIB (Manta-1 and Manta-2) leave Benghazi Harbour for Malta.	Steven Lodge	▪ Emergency evacuation ordered by Lodge for allegedly security reasons. 20 private military operatives on board.
30 Jun 2019	06:50 hours: IL-76 TD (UR-COZ) flight KTR7722 arrives at Benghazi, Libya.	SkyAviaTrans LLC	▪
30 Jun 2019	MRC-1250 RHIB At Sea.		▪
30 Jun 2019	Calls made from Lodge’s mobile phone. (+447387946343) to an individual in Jordan Aeronautical Systems Company, who were managing the logistics for the AN-26B aircraft whilst in Jordan.	Steven Lodge	▪
1 Jul 2019	13:00 hours. 1 x MRC-1250 RHIB (Manta-1) arrives in Malta from Benghazi Harbour.	Steven Lodge	▪ 1 x MRC-1250 RHIB (Manta-2) abandoned during voyage. ▪ Voyage of 39.5 hours @ 9knots.
1 Jul 2019	16:22 hours. IL-76 TD (UR-CIB) flight ZAV9004 transports 1 x <i>Super Puma</i> helicopter to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.
1 or 2 Jul 2019	Maltese lawyer appointed to represent PMC operatives in Malta if required.	Opus Capital Asset Limited FZE	▪ Not required. ▪ Account settled by bank transfer from a Lancaster6 DMCC account.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
1 Jul 2019	Post-operation calls made regarding entry visas and logistics in Malta.	Steven Lodge	<ul style="list-style-type: none"> ▪ To CS. Works for Global Services Unified Group. A Fenech employee . (Four times). ▪ To Transport Malta. (Four times). ▪ To Malta Post State Control. (Twice).
1 Jul 2019	Post-operation calls received to arrange entry visas and logistics in Malta.	Steven Lodge	<ul style="list-style-type: none"> ▪ To CB. Delivered RHIB to Benghazi. A Fenech employee. (Twice). ▪ To CS. ▪ Inactive UK “Burner Phone 1”.
1 – 4 Jul 2019	Opus A team accommodated in Radisson Hotel, Saint Julians, Malta. Steven Lodge covered the bill for room extras in cash for the other team members. He used his Mastercard as guarantee for the hotel.	Steven Lodge	<ul style="list-style-type: none"> ▪ Bill paid through www.expedia.com.
2 Jul 2019	02:30 hours. IL-76 TD (UR-CIB) flight ZAV9004 arrives at Benghazi, Libya.	ZetAvia LLC	<ul style="list-style-type: none"> ▪
2 Jul 2019	Post-operation calls made from Steven Lodge’s mobile phone regarding entry visas and logistics in Malta.	Steven Lodge	<ul style="list-style-type: none"> ▪ To Malta Police. ▪ To LX. A Maltese policeman who also has an interest in www.buzzflying.com. (Thirteen calls).
2 Jul 2019	Post-operation calls received on Steven Lodge’s mobile phone to arrange entry visas and logistics in Malta.	Steven Lodge	<ul style="list-style-type: none"> ▪ To LX.
3 Jul 2019	Ownership or control of Pilatus P-6 aircraft (serial#790) transferred from Aircraft and More GmbH, Austria to L-6 FZE.		<ul style="list-style-type: none"> ▪ Aircraft re-registered from PH-ABT (Netherlands) to A6-???.
3 Jul 2019	20:09 hours. IL-76 TD (UR-CIB) flight ZAV9006 transports 1 x <i>Super Puma</i> helicopter to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	<ul style="list-style-type: none"> ▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
4 Jul 2019	06:07 hours. IL-76 TD (UR-CIB) flight ZAV9006 arrives at Benghazi, Libya at 06:00 hours.	ZetAvia LLC	▪
4 Jul 2019	Lodge flies from Valetta, Malta (MLA) to Aberdeen, UK (ABZ) via Amsterdam (AMS)	Lodge	▪ Flight KL1445
8 Jul 2019	Invoice 00002424 for EUR 61,560 raised from Sovereign Charterers, Malta to Opus Capital Asset Limited FZE for Marine Fuel and Crew Costs	Sovereign Charterers, Malta	▪ For search and recovery mission for abandoned RHIB.
11 Jul 2019	Durrant's second meeting with Jordanian representative. Still purporting to be Gene Rynack and that his operation was "cleared at the highest levels". Durrant is instructed by the Jordanian representative to leave Jordan at the earliest possible opportunity.	Christiaan Durrant	▪
17 Jul 2019	Antonov AN-26B aircraft AN-26B (serial# 7108) (UR-MDA) files flight plan for Moldova	Christiaan Durrant	▪ Declared as a maintenance visit.
11 Jul 2019	Lodge flies from Aberdeen to Amsterdam on Flight# KL1440 and then on to Johannesburg.	Steven Lodge	▪
17 Jul 2019	LASA T-Bird (YU-THS) files flight plan for Larnaca, Cyprus.	Durrant	▪
22 Jul 2019	Retrospective purchase agreement signed for sale of Antonov AN-26B aircraft AN-26B (serial# 7108) (UR-MDA) by FSG Aviation to L6-FZE.	FSG Aviation L6 FZE Christiaan Durrant	▪ Funds transferred on 28 June 2019. ▪ Agreement dated 9 July 2019. ▪ Signed by Durrant as Managing Director L-6 FZE, while still in Jordan. ▪ Aircraft still in Jordan.
22 Jul 2019	Antonov AN-26 (UR-MDA) departs OJAM at 16:10 hours on flight plan to LTBU, Turkey.	L6-FZE	▪ Departure Clearance OJAM/GA/0114.
22 Jul 2019	Transfer of EUR 26,748 from Lancaster 6 DMCC to Fieldsports Limited, Malta for marine safety equipment.	Lancaster6 DMCC Amanda Perry	▪ Payment from Lancaster 6 DMCC account with Emirates Islamic Bank PJSC. ▪ Account# 000370745605XXXX



<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
26 Jul 2019	1 x MRC-1250 “Special Forces” RHIB (Manta-2) found abandoned off the coast of Libya near Zueitina.	HAF / NOC	▪
1 Aug 2019	Transfer of EUR 449,760 from Lancaster 6 DMCC to Sovereign Charterers, Malta for loss of MRC-1250 SF RHIB.	Lancaster 6 DMCC Amanda Perry	▪ Payment from Lancaster 6 DMCC account with Emirates Islamic Bank PJSC. ▪ Account# 000370745605XXXX
2 Aug 2019	Eeben Barlow, of STTEP, warns of “false flag” recruitment of PMC operatives for a PMC operation in North Africa.		▪
17 Sep 2019	US LD-1 Disclosure Form for Federal Advocates representation of Opus FZE.	Opus FZE	▪ Lobbying activities with US government or representatives unknown.
7 Oct 2019	Holman Fenwick Willan MEA LLP (the Opus legal counsel) (HFW) first engaged with Panel to inform Panel that HFW represented a client.	HFW	▪ Mr Vince Gordan is legal representative. ▪ HFW letters received on a regular basis each time Panel approach an individual or entity linked to the PMC operation. ▪ Proves a coordinated response from an obvious team.
11 Nov 2019	Antonov AN-26 (UR-MDA) sold to Expedition Aviation FZC from L-6 FZE for \$580,000.	L6 FZE Christiaan Durrant	▪ Sold for loss of \$70,000. ▪ Disposal of project assets begins.
23 Nov 2019	HFW informed the Panel that they were also consulting with a Mr Matthew Schwartz of Boies Schiller Flexner LLP (BSF).	HFW	▪ In response to Panel letter of 14 Nov 2019, which clarified <i>modus operandi</i> of the Panel. ▪ Panel unaware of why BSF informed of their interest.

Date	Event	Responsible	Remarks
17 Dec 2019	Letter from HFW stating that: 1) Mr Lodge “ <i>worked for a company called Opus Capital Asset Limited FZE during 2019 (...) principally for oil and gas clients (...) involved in a project in Libya in summer of 2019 (...) project had to be abandoned</i> ”. 2) Mr Lodge “ <i>has never been Aviation Manager, or authorised to sign contracts on behalf of, any company called or having a name materially similar to “Lancaster 6”</i> ”	HFW Steven Lodge	<ul style="list-style-type: none"> ▪ In response to specific Panel questions in letter of 9 December 2019. ▪ (1) No information on this alleged contract was sent to Panel by HFW despite follow up requests. ▪ (2) Panel notes that Lodge signed three contracts for L-6 FZE of which two were settled from a Lancaster6 DMCC account. Panel also notes he stated he was Aviation Manager of Lancaster6 on a visa application to a Member State in October 2018, with an L6-Group email contact for the company.
9 Jan 2020	HAF announcement that ships approaching Khums or Misrata ports will be regarded as legitimate military targets.	HAF	▪
24 Jan 2020	Boies Schiller Flexner LLP (BSF) first engaged with Panel to inform Panel that HFW represented a client.	BSF	▪ Mr Matthew L Schartz is legal representative.
3 Feb 2019	Mr Fenech submits response to the OTR offered to him by the Panel.	James Fenech	▪ See appendix W.
9 Feb 20	Update 1 sent to SCAD for processing.	Panel	▪
10 Feb 20	Weavind and Weavind inform Panel they represent Messrs Stoep and Panzer Logistics.	Van Dyl	▪
12 Feb 20	HFW inform Panel they now represent Smit and Bam.	HFW	▪
6/7 Mar 20	Opus 2 Team make way to a hotel in Dubai to wait for further instructions on Project Opus 2.		▪ Individual 2 arranges \$15K payment for each person to go to Dubai for briefing.
15 Mar 20	Individual 1 briefs Opus 2 team in a hotel in Abu Dhabi. The Panel is also aware of the flight details for this individual’s return to their home base.		<ul style="list-style-type: none"> ▪ Individual 2 subsequently arranges payment of funds to team members for operation. ▪ Meeting may have been on 16 Mar 2020.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
20(?) Mar 20	Project Opus 2 Team possibly fly to Egypt.		<ul style="list-style-type: none"> ▪ Othman Air Base, Egypt (29°33'15.20"N, 25°35'14.74"E). ▪ Cell phones exchanged for “burners”.
2 Apr 2020	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings first identified at Benghazi (Benina) airport.	L-6 FZE	<ul style="list-style-type: none"> ▪ Arrived on 30 Jun / 1 Aug 19.
6 – 10 Apr 20	Project Opus 2 team deploy to Benghazi (Benina). Same base location as Project Opus 1 team.		<ul style="list-style-type: none"> ▪ Plan to be operational by 20 – 24 Apr 20.
10 Apr20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	<ul style="list-style-type: none"> ▪ Position different to 2 Apr 20 siting suggesting movement of aircraft.
13 Apr 20	Project Opus 2 Close Protection (CP) Team left Libya (Al-Wattiya) on Beech King Air to Uthman Air Base, Egypt. Just before base surrounded by GNA-AF.		<ul style="list-style-type: none"> ▪ Project Opus 2 staff used as Close Protection for UAE teams while waiting for flying tasks to start.
20 Apr 20	Project Opus 2 CP team and Beechcraft aircraft now in Cairo.		<ul style="list-style-type: none"> ▪ Project Opus 2 team operations on hold until Air Defence Ground Environment (ADGE) is more suitable surrounding Tripoli. ▪ Project Opus 2 team refused to fly to UAE, preferring to stay in Cairo.
23 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	<ul style="list-style-type: none"> ▪ Position different to 10 Apr 20 siting suggesting movement of aircraft.
25 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings first identified operating out of Al Jufra.	L-6 FZE	<ul style="list-style-type: none"> ▪ Aircraft moved from Benghazi.
28 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	<ul style="list-style-type: none"> ▪ Aircraft moved from Al Jufra.

<i>Date</i>	<i>Event</i>	<i>Responsible</i>	<i>Remarks</i>
15 May 20	Project Opus 2 team paid off.		▪ Paid extra \$15K above agreed contract amount on closure.
20 May 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪
9 Jun 20	HFW inform Panel that they now also represent Allen, Baker, Du Preez, Hogan, Greyvenstein, Jobert G, Joubert J, Louw, Ritchie and Schutte.		▪ Only Quintan Charl Paul of the original 'Malta 20' is now not legally represented by HFW.
7 Jul 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪ No position change since 20 May 20.
20 Jul 20	Panel remotely interview Amanda Perry in presence of her lawyers.		▪ OTR interview
10 Sep 20	Andrew Furness and Ryan Hogan declined OTR interview with Panel.		▪
13 Sep 20	Panel receive statement from Steven Lodge's lawyers in place of offered OTR interview.		▪ OTR statement
14 Sep 20	Australia Broadcasting Company Four Corners programme on Durrant broadcast.		▪
15 Sep 20	Gordon contacts all Opus 1 team members and requests they travel to Dubai, UAE to agree a common position.		▪ Confidential source
16 Sep 20	Panel interviews Durrant in London in presence of his lawyer.		▪ OTR interview
29 Sep 20	Travis Maki declined OTR interview with Panel but agreed to answer written questions.		▪
			▪

Appendix B to Annex 76: Comparison of PowerPoint presentations

#	Presentation to HAF	Presentation to PMC team	Remarks
1		SAME	■
2		SAME	■

3

Presentation to HAF

SECTION 2: FORCE COMPOSITION AND C3 INTERGRATION

2.1 Force Composition Summary

Serial	Platform	Function	QTY
A01	MD530	Kinetic Role, Escort & ISR	5
A02	Bell AH1 Cobra	Fire Force, SAR & HVT Extraction	2
A03	Cessna Citation CJ4 (Model 525C)	Strategic Medevac	1
A04	LASA T-Bird	Intelligence Surveillance Reconnaissance	1
PER	Support Personnel	Pilots, Maint, HVT Extraction, Spec Forces & Medical	TBA

RESTRICTED 3

Presentation to PMC team

SECTION 2: FORCE COMPOSITION AND C3 INTERGRATION

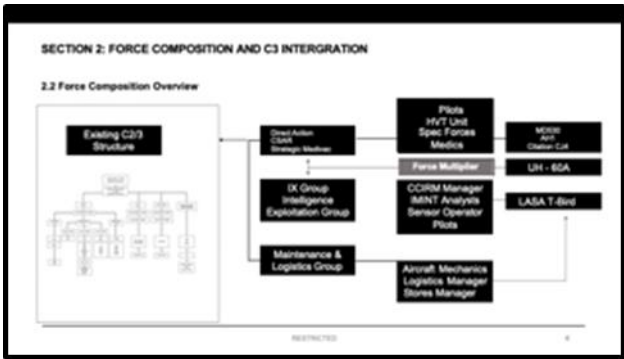
2.1 Force Composition Summary

Serial	Platform	Function	QTY
A01	BELL 407 MRH1	Kinetic Role, Escort & ISR	4
A02	UH-60 Blackhawks	Fire Force, SAR & HVT Extraction	4
A03	Cessna Citation CJ4 (Model 525C)	Strategic Medevac	1
A04	LASA T-Bird	Intelligence Surveillance Reconnaissance	1
PER	Support Personnel	Pilots, Maint, HVT Extraction, Spec Forces & Medical	TBA

RESTRICTED 3

- Remarks
- Air platforms different.
 - No mention of Cobra Attack Helicopter to team.
 - No use of word “Termination” for HVT in team version.
 - The Bell 407 MRH is a variant of the Bell 407GX modified for the UAE by NorthStar Aviation LLC of Abu Dhabi, and delivered in 2016.²⁴⁵

4



SAME

▪

²⁴⁵ <https://www.airforce-technology.com/projects/nsa-407mrh-multi-role-helicopter/>, accessed 3 May 2020.

#

Presentation to HAF

Presentation to PMC team

Remarks

5

SECTION 2: FORCE COMPOSITION AND C3 INTERGRATION

2.3 Force Composition - Kinetic - HVT Extraction / Termination

MD530	AH1 COBRA
General Specifications Crew: 1 Capacity: 4 Troops Useful Load: 684 kg Max take-off weight: 1,406 kg Fuel capacity: 183 kg Powerplant: 1 X Allison 250-C30 Maximum speed: 152 kts at sea level Range: 430 km Hover Ceiling: 16,000 ft IGE	Specifications Crew: 1 + 1 Capacity: N/A Useful Load: 2,065 kg Max take-off weight: 6,690 kg Fuel capacity: 946 kg Powerplant: (2) T700-GE-401 Maximum speed: 152 kts at sea level Range: 585 km Hover Ceiling: 15, 000 ft IGE

SECTION 2: FORCE COMPOSITION AND C3 INTERGRATION

2.3 Force Composition - Kinetic - HVT Extraction - MEDEVAC Assets

Boil 407 MHK	US Army UH-60 Blackhawk
General Specifications Crew: 1 + 2 Capacity: 6 Troops Useful Load: 1,156 kg Max take-off weight: 2,381 kg Fuel capacity: 554 L Powerplant: Rolls-Royce Model 250-C47E4 Maximum speed: 133 kts at sea level Range: 624 km Hover Ceiling: 13,550 ft IGE	General Specifications Crew: 1 + 2 Capacity: 14 Troops Useful Load: 1,200 kg Max take-off weight: 10,000 kg Fuel capacity: 1363 L Powerplant: (2) T700-GE-700 Maximum speed: 145 kts at sea level Range: 558 km Hover Ceiling: 18, 000ft IGE

- Air platforms different.
- No mention of Cobra Attack Helicopter to team.

6

SECTION 2: FORCE COMPOSITION AND C3 INTERGRATION

2.3 Force Composition ISR | MEDEVAC Assets

Cessna Citation CJ4 (Model 625C)	LABA T-Bird
General Characteristics Crew: 1 PIC + 1 Co-Pilot Capacity: 10 Passengers, 2 Litters Length: 16.26 m Wing Span: 15.49 m Height: 4.69 m Max. take off weight: 7,761 kg Powerplant: FJ44-4A Cruise speed: 451 knots Range: 4000 km Service ceiling: 45,100 ft	General characteristics Crew: 1 pilot + 1 Crew Length: 10.35 m Wingspan: 13.47 m Height: 2.90 m Wing area: 34 m2 Empty weight: 2,200 kg Gross weight: 4,700 kg Powerplant: General Electric H80 Maximum speed: 160 kts. Range: 800 nm

SAME

▪

7

SECTION 3: KINETIC OPERATIONS

3.1 Airborne KINETIC Operations

In order to enhance the clients current capability, a multi-faceted approach to Direct Action is proposed. We propose that an Intelligence Exploitation Group is integrated into the current C3 structure to support the Commanders current Intelligence Requirements.

IX Group Personnel can support the following:






- Requirements development
- Collection plan development
- Collection tasking
- HVT Tracking
- Evaluation of reporting
- Update of the collection plan





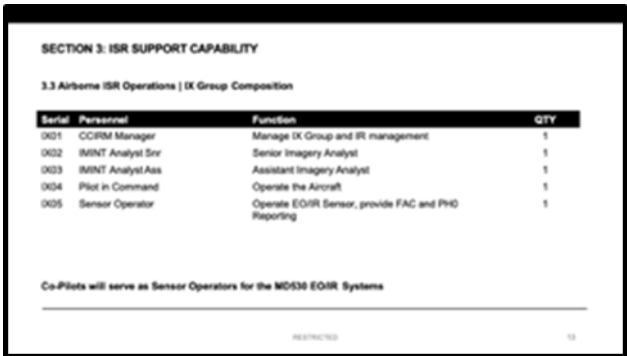


We believe the integration of the IX function will result in the effective and efficient employment of intelligence collection, processing, exploitation and reporting to satisfy tactical, operational, strategic Intelligence Requirements.

SAME

▪

#	Presentation to HAF	Presentation to PMC team	Remarks																																
8	 <p>SECTION 3: KINETIC OPERATIONS</p> <p>3.2 Kinetic Equipment</p> <table border="1"> <thead> <tr> <th>Serial</th> <th>Platform</th> <th>Equipment</th> <th>QTY</th> </tr> </thead> <tbody> <tr> <td>MD530</td> <td></td> <td>FN Herstal 50 HMP 400 M260 (7) Rocket pod Dillon Sniping FN Herstal MGMT</td> <td>5</td> </tr> <tr> <td>Bell AH1 Cobra</td> <td></td> <td>1 x Browning M197 (3) 20mm</td> <td>2</td> </tr> <tr> <td>A04 LASA T-Bird</td> <td></td> <td>SCAR POD L3 Wescam MX-15 EO/IR Sensor Airborne Lynx Command and Control System Satlink Uplink System COMINT & SIGINT Suite</td> <td>1</td> </tr> </tbody> </table> <p>RESTRICTED</p>	Serial	Platform	Equipment	QTY	MD530		FN Herstal 50 HMP 400 M260 (7) Rocket pod Dillon Sniping FN Herstal MGMT	5	Bell AH1 Cobra		1 x Browning M197 (3) 20mm	2	A04 LASA T-Bird		SCAR POD L3 Wescam MX-15 EO/IR Sensor Airborne Lynx Command and Control System Satlink Uplink System COMINT & SIGINT Suite	1	 <p>SECTION 3: KINETIC OPERATIONS</p> <p>3.2 Kinetic Equipment</p> <table border="1"> <thead> <tr> <th>Serial</th> <th>Platform</th> <th>Equipment</th> <th>QTY</th> </tr> </thead> <tbody> <tr> <td>A01</td> <td>Bell 407 MHV</td> <td>EPISILON 140 GAU-19 Gatling / M-134 Mini Gun Hydra 70 Rocket Pod</td> <td>4</td> </tr> <tr> <td>A02</td> <td>US Army UH-60 Blackhawk</td> <td>2 x Browning M2 50 cal</td> <td>4</td> </tr> <tr> <td>A04</td> <td>LASA T-Bird</td> <td>SCAR POD L3 Wescam MX-15 EO/IR Sensor Airborne Lynx Command and Control System Satlink Uplink System COMINT & SIGINT Suite</td> <td>1</td> </tr> </tbody> </table> <p>RESTRICTED</p>	Serial	Platform	Equipment	QTY	A01	Bell 407 MHV	EPISILON 140 GAU-19 Gatling / M-134 Mini Gun Hydra 70 Rocket Pod	4	A02	US Army UH-60 Blackhawk	2 x Browning M2 50 cal	4	A04	LASA T-Bird	SCAR POD L3 Wescam MX-15 EO/IR Sensor Airborne Lynx Command and Control System Satlink Uplink System COMINT & SIGINT Suite	1	<ul style="list-style-type: none"> Weapon platforms slightly different
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9	 <p>SECTION 3: ISR GROUND SUPPORT CAPABILITY : LASA T-Bird</p> <p>LINE FEED DATA UPLINK TO TDC</p> <p>PHASE 1 SUPPORTING</p> <p>PHASE 2 SUPPORTING</p> <p>PHASE 3 SUPPORTING</p> <p>ADDITIONAL SUPPORT FUNCTIONS</p> <p>Counter-IED Spot Tracking Refueling of AC Support to BIP Route Reconnaissance FARA Targeting and Exploitation</p> <p>RIVER TERMINAL FOR GROUND UNITS</p>	<p>SAME</p>																																	
10	 <p>SECTION 3: ISR OPERATIONAL SUPPORT CAPABILITY : LASA T-Bird & MD530s</p> <p>LINE FEED DATA UPLINK TO TDC</p> <p>PHASE 1 SUPPORTING</p> <p>PHASE 2 SUPPORTING</p> <p>PHASE 3 SUPPORTING</p> <p>FORCE MULTIPLIER / LAYERED COLLECTION ASSETS</p> <p>STRATEGIC/OPERATIONAL COLLECT</p> <p>INITIAL COLLECT / SUPPORT TO FIND</p> <p>RADIO COMMS WITH GROUND UNITS</p>	 <p>SECTION 3: ISR OPERATIONAL SUPPORT CAPABILITY : LASA T-Bird & B407's</p> <p>LINE FEED DATA UPLINK TO TDC</p> <p>PHASE 1 SUPPORTING</p> <p>PHASE 2 SUPPORTING</p> <p>PHASE 3 SUPPORTING</p> <p>FORCE MULTIPLIER / LAYERED COLLECTION ASSETS</p> <p>STRATEGIC/OPERATIONAL COLLECT</p> <p>INITIAL COLLECT / SUPPORT TO FIND</p> <p>RADIO COMMS WITH GROUND UNITS</p>	<ul style="list-style-type: none"> B407 helicopter on teams rather than MD530 																																

#	Presentation to HAF	Presentation to PMC team	Remarks																								
11			<ul style="list-style-type: none">▪ B407 helicopter on teams rather than Cobra attack helicopter																								
12			<ul style="list-style-type: none">▪ Different air frames.▪ No mention of HVT "termination" on teams																								
13	 <table><tr><th>Serial</th><th>Personnel</th><th>Function</th><th>QTY</th></tr><tr><td>0X01</td><td>CCIRM Manager</td><td>Manage IX Group and IR management</td><td>1</td></tr><tr><td>0X02</td><td>IMINT Analyst Sr</td><td>Senior Imagery Analyst</td><td>1</td></tr><tr><td>0X03</td><td>IMINT Analyst Ass</td><td>Assistant Imagery Analyst</td><td>1</td></tr><tr><td>0X04</td><td>Pilot in Command</td><td>Operate the Aircraft</td><td>1</td></tr><tr><td>0X05</td><td>Sensor Operator</td><td>Operate EO/IR Sensor, provide FAC and PHO Reporting</td><td>1</td></tr></table> <p>Co-Pilots will serve as Sensor Operators for the MD530 EO/IR Systems</p>	Serial	Personnel	Function	QTY	0X01	CCIRM Manager	Manage IX Group and IR management	1	0X02	IMINT Analyst Sr	Senior Imagery Analyst	1	0X03	IMINT Analyst Ass	Assistant Imagery Analyst	1	0X04	Pilot in Command	Operate the Aircraft	1	0X05	Sensor Operator	Operate EO/IR Sensor, provide FAC and PHO Reporting	1	VIRTUALLY SAME	<ul style="list-style-type: none">▪
Serial	Personnel	Function	QTY																								
0X01	CCIRM Manager	Manage IX Group and IR management	1																								
0X02	IMINT Analyst Sr	Senior Imagery Analyst	1																								
0X03	IMINT Analyst Ass	Assistant Imagery Analyst	1																								
0X04	Pilot in Command	Operate the Aircraft	1																								
0X05	Sensor Operator	Operate EO/IR Sensor, provide FAC and PHO Reporting	1																								

#	Presentation to HAF	Presentation to PMC team	Remarks		
14	<div><p>SECTION 4: SAR & AEROMEDICAL SUPPORT OPERATIONS</p><p>4.1 SAR & Aeromedical Composition The primary functions of the SAR capability and Aeromedical Capability will fall under the Medical Support Group</p><table><tr><td>MEDICAL SUPPORT GROUP Search and Rescue Unit Reporting, locating, identifying, recovering, and returning isolated personnel</td><td>Aeromedical Service Unit Provide Casualty function Provide Strategic Lift (Medevac) to definitive care Provide Operational Medicine</td></tr></table><p>The Medical Support Group will provide surgical capable care to casualties at the MTF (Patient Hold) Both SAR and Aeromedical Service Support will maintain a fixed formation at all times.</p></div>	MEDICAL SUPPORT GROUP Search and Rescue Unit Reporting, locating, identifying, recovering, and returning isolated personnel	Aeromedical Service Unit Provide Casualty function Provide Strategic Lift (Medevac) to definitive care Provide Operational Medicine	SAME	<ul style="list-style-type: none">▪
MEDICAL SUPPORT GROUP Search and Rescue Unit Reporting, locating, identifying, recovering, and returning isolated personnel	Aeromedical Service Unit Provide Casualty function Provide Strategic Lift (Medevac) to definitive care Provide Operational Medicine				
15	<div><p>SECTION 4: CSAR & AEROMEDICAL SUPPORT OPERATIONS</p><p>4.2 SAR & Aeromedical Composition Medical Command and Control will be integrated into existing C3 structures & Medical Treatment Protocols will be established and integrated with current protocols.</p><p>The flowchart illustrates the process from 'Point of Injury' to 'Strategic Lift (Medevac)'. It shows the flow of information and resources between the Point of Injury, CASEVAC Treatment, MTF (Patient Hold Surgical Capable), and Strategic Lift (Medevac). A TOC (Tasking Order Center) is shown receiving CASEVAC Requests and dispatching CASEVAC and Medical Assets on Standby.</p></div>	SAME	<ul style="list-style-type: none">▪		
16	<div><p>SECTION 5: Operational Security OPSEC Requirements</p><ol style="list-style-type: none">1. All personnel will be subject to pre-screening and vetting2. All personnel will be forced to handover electronic and media capturing devices3. All personnel will be issued with a basic GSM handset4. COMSEC procedures will be enforced to ensure no utilization of Social Media or data transmitting communication5. Additional OPSEC protocols can be adapted at the clients discretion.<p>SECTION 6: LIFE SUPPORT PROVISIONS</p><ol style="list-style-type: none">1. The client will provide suitable living quarters2. The client will provide daily meals3. The client will provide laundry facilities4. The client will provide hangar space, stores area, office and admin area5. The client will provide a suitable facilities needed to fulfil the requirements6. The client will provide personal protective equipment, personal weapons and crew served weapons for platform mounting.</div>	<div><p>SECTION 4: SAR & AEROMEDICAL SUPPORT OPERATIONS</p><p>The map shows the operational area with various locations marked. Key locations include 'CASEVAC SUPPORT', 'MTF (PATIENT HOLD)', 'BASE AREA TOP COVER', 'MTF AREA TOP COVER', 'CASUALTY', and 'RECOVERY CASE & POWER PRODUCTION FOR CASUALTY'. The map also shows the 'Maxwell' area and the 'MTF (PATIENT HOLD)' area.</p></div>	<ul style="list-style-type: none">▪ More emphasis on aero medical evacuation on teams.▪ EP Slide 16 appears as CD slide 18		

Presentation to HAF

17

SECTION 7: HVT (HOT, DYNAMIC)

No	NAME (TARGET PACK TSP)
1	Mitga Airport + Detention Center
1	Usama al-Juwali (DNT)
5	Naj Gneidi
5	Mahdi al-Harati
5	Husam Najjar
5	Abdul Latif
5	Ghamea
5	Mahmoud Hamza
5	Abdelkarim Chaloy Kordi
5	Mahamat Hani Abderrmane
5	Abdul Rasool Kara

RESTRICTED 17

Presentation to PMC team

SECTION 4: AEROMEDICAL & SAR CAPABILITY

4.3 SAR & Medical Support Group Composition

Serial	Personnel	Function	QTY
SM01	Medical Group TL	Co-ordinate SAR and Medical Group operations	1
SM02	Primary Flight Medics	Provide emergency medical treatment in flight prior to arrival at MTF(Patient Hook)	2
SM03	Secondary Flight Medics	Provide emergency medical treatment in flight prior to arrival at MTF(Patient Hook)	2
SM04	ALS Paramedics	Provide emergency surgical capable care to casualties prior to onward transportation to definitive care at the MTF(Patient Hook) Level	2
P01	Pilot in Command	Pilot S407 MRH	2
P02	Co-Pilot	Co-Pilot S407 MRH	2
P03	Pilot in Command	Pilot UH - 60	2
P04	Crew Chief	Deploy as Force Protection, Operate Crew served Equipment	3

RESTRICTED 17

Remarks

- Presentation to HAF provides the High Value Target (HVT) list using terms “Hot” and “Dynamic”.
- CD presentation to team again more reassuring about Aeromed and Search and Rescue (SAR).
- Note DNT after Usama Al-Juwali on HVT list meaning “Do Not Terminate”. Assumes then that “Termination” is the preferred option or an acceptable option for all other HVT.

18

SECTION 8: EXECUTION

No	Execution	Time Frame	Phase
8.1	PAYMENT : 30% DEPLOYMENT COST	30 Days	0
8.2	DEPLOYMENT (PLATFORM + CREW)	60 Days	1
8.3	INT + ISR	30 Days	2
8.4	HVT TARGETING	120 Day Mark	3
8.5	OPERATIONAL - PAYMENT 30% BALANCE	150 Day Mark	4
8.6	ENGAGE	150+ Days	5

RESTRICTED 18

SECTION 5: Operational Security | OPSEC Requirements

1. All personnel will be subject to pre-screening and vetting
2. All personnel will be forced to handover electronic and media capturing devices
3. All personnel will be issued with a basic GSM handset
4. COMSEC procedures will be enforced to ensure no utilisation of Social Media or data transmitting communication
5. Additional OPSEC protocols can be adapted at the clients discretion.

SECTION 6: LIFE SUPPORT PROVISIONS

1. The client will provide suitable living quarters
2. The client will provide daily meals
3. The client will provide laundry facilities
4. The client will provide hangar space, stores area, office and admin area
5. The client will provide a suitable facilities needed to fulfil the requirements
6. The client will provide personal protective equipment, personal weapons and crew served weapons for platform mounting.

RESTRICTED 18

- Same as HAF Slide 16
- No time frame or financials presented to team.

#	Presentation to HAF	Presentation to PMC team	Remarks
19	<div>QUESTIONS?</div>	NO SLIDE	▪

Appendix C to Annex 76: Identification of Durrant and OPUS/GOJO action

Figure 76.C.1

Screenshot of response from confidential source after being sent picture of Durrant by Panel

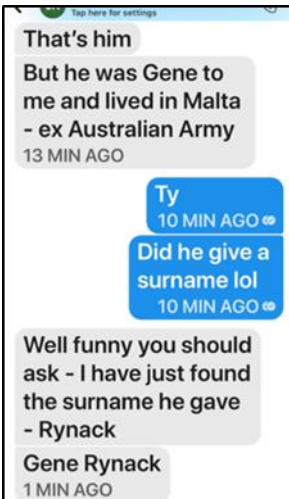


Figure X76C.2

Screenshot of response from confidential source after being sent phone number of Durrant by Panel

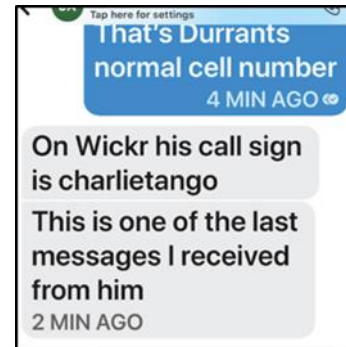


Figure 76.C.3

Screenshot of Message from Durrant on, or about 11 Jul 2019 with proposed flight plan for AN-26 on expulsion by GOJO (1).

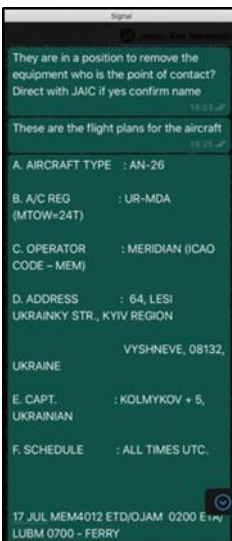


Figure 76.C.4

Screenshot of Message from Durrant on, or about 11 Jul 2019 with proposed flight plan for AN-26 on expulsion by GOJO (2).

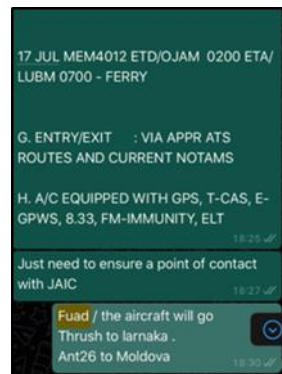
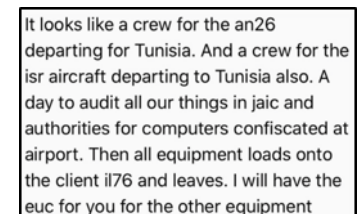


Figure 76.C.5

Screenshot of message from Durrant to confidential source²⁴⁶



²⁴⁶ Durrant made it very clear to the confidential source that End User Certificates could be provide showing Tunisia if this would be “helpful” to obtaining release of the equipment.

Appendix E to Annex 76: L-6 FZE confirmation of use for AS332L *Super-Puma* helicopters (signed by Perry)

Figure 76.E.1

L-6 FZE letter to Starlite falsely claiming helicopters for use in Jordan



Source: Confidential


Appendix F to Annex 76: Botswana Single Administrative Document for three *Gazelle* helicopters

Figure 76.F.1


Botswana Single Administrative Document (28 June 2019) (*Gazelle* helicopters)

3X GAZELLE

SINGLE ADMINISTRATIVE DOCUMENT Page 1 of 2

1. Exporter/Consignor AVIATOR AT WORK AVIATOR AT WORK	TIN/PIN AVIA-01	2. Processing Office Tlokweng Gate	3. Entry/Exit Amman/Zeerust	4. Declaration Model Transit require no guarantee	FOR OFFICIAL USE Declaration Number and Date 20190600003349826 28/06/2019 UCR Number
		5. Voyage/Flight/Vehicle No.	6. Date of arrival/departure		
		7. Manifest Number NA	8. AWB/BURCN No. NA	9. Country of Export SOUTH AFRICA	
10. Importer/Consignee JORDAN AERONAUTICAL CARGO COMPANY JORDAN AERONAUTICAL CARGO COMPANY		11. City of last Consign/1st Dest Amman	12. Country of Destination JORDAN	13. Port of Destination Amman	
		14. Place of discharge/Loading Amman	15. Mode of transport Multimodal transport	16. Nationality of Transport	
		17. Vehicle owner/Driver	18. Seal Number(s)	19. Country of Transit SOUTH AFRICA	
		20. Total Number of Items 3	21. Total Packages 3	22. Total Gross Weight 3964.500000	
23. Declarant/Agent SPEEDWAY FREIGHT (PROPRIETARY) LIMITED		24. Location of Goods	25. Warehouse code	26. Period in Which/Transit 0	
		27. Valuation method	28. Total F.O.B. Value 14724025.32	29. Terms of Delivery EX WORKS	
		30. Terms of Payment	31. Account Number	32. Bank / Branch Reference	
Declarant Ref. No.		33. Guarantee No and Guarantee Type	34. Bond/Cash Amount 0.00	35. Total Freight 736201.25	
36. Total Insurance 0.00		37. Total Other Charges 0.00	38. Total Customs Value 15460226.58	39. Other information SARS BILLS OF ENTRIES 5026066, 5026152, & 5026304	
40. (a) Marks & Nos./Container Nos.		(c) Commodity code 88021100	(d) C.P.C.	(e) Gross Weight (KGM) 1321.500000	(f) Net Weight (KGM) 1321.500000
(b) Goods Description Of an unladen mass not exceeding 2 000 kg		(g) 1st Supp. Qty. 0.000000	(h) Units 1st Supp Qty	(i) 2nd Supp. Qty.	(j) Units 2nd Supp Qty
		(k) Type of packaging OO	(l) No. Packages 1	(m) Country of Origin	(n) Preference code
(e) License Number	(f) License Value / Qty	(g) Value/Qty Deducted 1.000000 EA	(h) FOB Value 5118351.66	(i) Freight 255917.58	(j) Insurance 0.00
(k) Other Charges 0.00	(l) Currency Code ZAR	(m) Exchange Rate 0.7479	(n) Statistical Value 342187.50	(o) Customs Value 5118351.66	(p) Valuation Customs Value 0.00
Engine and Chassis No		Vehicle Number Released		Dynamic Field A	
				Dynamic Field B	
41. REVENUE INFORMATION					
(aa) Tax Type		(bb) Tax Base / Value	(cc) Rate	(cd) Amount	43. Attached Documents
I ICD		5118351.66	0%	0	45a. Code
II VAT		5374269.24	12%	0	45b. Number
44. Preceding Documents Ref.					
46. SUMMARY					
TOTALS		47. Other Charges			
		47a. Code			
		47b. Amount			
This Page					
Other Pages					
Total					
48. Grand Totals (Duties, Taxes and Other charges) 0.00					
FOR OFFICIAL USE					
PROPER OFFICER CASH/CHEQUE					
Amount Paid - 0					
Credit Amount - 0					
Receipt Number and Date					
Cashiers Signature and Stamp					
					

This is a computer generated printout and should be used as evidence. However, information in this document must be verified against the BURS CMS before any action is taken.



Source: Member State



Appendix G to Annex 76: Botswana Single Administrative Document for three *Super Puma* helicopters

Figure 76.G.1

Botswana Single Administrative Document (28 June 2019) (*Super Puma* helicopters)

SINGLE ADMINISTRATIVE DOCUMENT Page 1 of 2

37 Puma

1. Exporter/Consignor TINPIN STAR-01 STARLIGHT MAINTENANCE JHB STARLIGHT MAINTENANCE JHB		2. Processing Office Tlokweng Gate	3. Entry/Exit Amman/Zeerust	4. Declaration Model Transit require no guarantee	FOR OFFICIAL USE Declaration Number and Date 201906C0003349486 28/06/2019	
10. Importer/Consignee TINPIN JORDAN AERONAUTICAL CARGO COMPANY JORDAN AERONAUTICAL CARGO COMPANY		5. Voyage/Flight/Vehicle No.	6. Date of arrival/departure	7. Manifest Number NA	8. AWB/BL/RCN No. NA	9. Country of Export SOUTH AFRICA
11. City of last Consign/Lst Dest		12. Country of Destination JORDAN	13. Port of Destination Amman	14. Place of discharge/Loading Amman	15. Mode of transport Multimodal transport	16. Nationality of Transport
23. Declarant/Agent TINPIN C056428 SPEEDWAY FREIGHT (PROPRIETARY) LIMITED		17. Vehicle owner/Driver	18. Seal Number(s)	19. Country of Transit SOUTH AFRICA	20. Total Number of Items 3	21. Total Packages 3
24. Location of Goods		25. Warehouse code	26. Period in Which Transit	27. Valuation method	28. Total F.O.B Value 715010051.64	29. Terms of Delivery EX WORKS
29. Other Information SARS BILLS OF ENTRIES 5024868, 5025164, & 5025164 OF 26JUN2019		30. Terms of Payment	31. Account Number	32. Bank / Branch Reference	33. Guarantee No and Guarantee Type	34. Bond/Cash Amount 0.00
35. Total Freight 5750502.58		36. Total Customs Value 120760554.22	37. Total Other Charges 0.00	38. Total Insurance 0.00	39. Total Customs Value	40. Total Other Charges
40. (a) Marks & Nos./Container Nos.		(c) Commodity code 88021200	(d) C.P.C.	(e) Gross Weight (KGM) 5975.000000	(f) Net Weight (KGM) 5975.000000	(g) Units 1st Supp Qty 0.000000
(b) Goods Description Of an unladen mass exceeding 2 000 kg		(g) 1st Supp. Qty. 0.000000	(h) Units 1st Supp Qty	(i) 2nd Supp. Qty.	(j) Units 2nd Supp Qty	(k) Type of packaging OO
(c) License Number		(d) License Value / Qty	(e) Value/Qty Deducted 1.000000 EA	(f) FOB Value 36111335.64	(g) Freight 1805566.78	(h) Insurance 0.00
(i) Other Charges 0.00		(j) Currency Code ZAR	(k) Exchange Rate 0.7479	(l) Statistical Value 2414224.05	(m) Customs Value 36111335.64	(n) Valuation Customs Value 0.00
Engine and Chassis No		Vehicle Number Released	Dynamic Field A	Dynamic Field B		
41. REVENUE INFORMATION						
(aa) Tax Type		(bb) Tax Base. / Value	(cc) Rate	(dd) Amount	43. Attached Documents	
I ICD		36111335.64	0%	0	44. Preceding Documents Ref.	
II VAT		37916902.42	12%	0		
46. SUMMARY TOTALS		I	II	III	IV	V
This Page		0	0	0	0	0
Other Pages		0	0	0	0	0
Total		0	0	0	0	0
46. Grand Totals (Duties, Taxes and Other charges) 0.00		FOR OFFICIAL USE				
This is a computer generated printout and no signature is required. However, information in this document should be validated against the BURS CMS before any action is taken.		PROPER OFFICER		CASH/CHEQUE		
		Amount Paid - 0		Credit Amount - 0		
		Receipt Number and Date				
		Cashiers Signature and Stamp				
						

Source: Member State

Appendix H to Annex 76: Air Waybill for SkyViaTrans LLC flight KTR7722 by IL76TD (UR-COZ)

Figure 76.H.1
Airway Bill (UR COZ) (29 June 2019)

000 BEN 10000304		Shipper's Account Number		No: negotiable	
Shipper's Name and Address STARLINE MANAGEMENT INC (PTY) LTD 34 TAMBORINI/UNIT 11, KILIMBUR DISTRICT BEIDF1 0000, 1871, SOUTH AFRICA RETIARD FROM TEL: +27(0)14 593 7772		Shipper's Account Number		Air Waybill	
Consignee's Name and Address OPUS CAPITAL ASSET LLC GEOLOGICAL FORWARD BASE BENHAZI, LIBYA STEVEN LODGE, TEL: +44 [REDACTED] 43		Consignee's Account Number		Issued by	
Issuing Carrier's Agent Name and City SPEEDWAY TRADING GABORONE +267 73124000		Accounting Information		Copies 1 and 3 of this Air Waybill are original and have the same validity	
Agent's IATA Code		Account No.		It is agreed that the goods described herein are accepted in accordance with order and conditions (except as noted) in 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 UNDER SPECIFIC COMPANY 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 limit of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Airport of Departure: GABORONE		Reference Number		Optional Shipping Information	
To By First Carrier LAD AIRCOMPANY SKYVIATRANS		To By BEN		Declared Value for Carriage	
Airport of Destination BEN/BENGHAZI		Flight/Date KTR 7722 29 JUN 19		Declared Value for Customs	
Handling Information		Amount of Insurance		INSURANCE: Shipper's responsibility for loss or damage to goods in transit is the responsibility of the shipper. The carrier's liability is limited to the actual value of the goods at the time of shipment.	
No of Pieces 68		Gross Weight 7225.00		Nature and Quantity of Goods (incl. Dimensions or Volume)	
Rate Class Q		Chargeable Weight		AS AGREED	
Rate		Charge		AS AGREED	
Total		Total		AS AGREED	
N/A		Weight Charge		Collect	
AS AGREED		Valuation Charge		Collect	
Tax		Total Other Charges Due Agent		Signature of Shipper or his Agent	
Total Other Charges Due Carrier		Total Prepaid		Signature of Issuing Carrier or its Agent	
AS AGREED		Total Collect		Executed on (date) 29/06/2019 at (place) GABORONE	
Currency Conversion Rates		CC Charges in Dest. Currency		Signature of Issuing Carrier or its Agent	
For Carrier's Use only at Destination		Charges at Destination		Total Collected Charges	

Source: Member State

Appendix J to Annex 76: Air Waybills for ZetAvia LLC flight ZAV9002 - 9006 by IL76TD UR-CIB

Figure 76.J.1
False Air Waybill (UR-CIB) (29 June 2019)

686 00028593		686-00028593	
Shipper's Name and Address AVIATION WORK (PTY) LTD HANGAR 21, GEORGE AIRPORT GEORGE, SOUTH AFRICA - 27 61 686 6884		Shipper's Account Number Not negotiable	
Consignee's Name and Address JORDAN AERONAUTICAL CARGO COMPANY MARKHAM AIRPORT JORDAN +962 7 9571 2414		Consignee's Account Number	
Issuing Carrier's Agent Name and City SPRINGBURY FREIGHT GABORONE +267 73120000		Air Waybill Issued by Copies 1, 2 and 3 of this Air Waybill are original and have the same validity. It is agreed 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 CARRIERS' LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Agent's IATA Code Account No.		Accounting Information	
Airport of Departure (Addr. of First Carrier) and Requested Routing GABORONE		Amount of Insurance INSURANCE - If carrier enters insurance, and such insurance is requested in accordance with the conditions the total, indicated amount to be insured in figures in the marked "Amount of Insurance".	
To LAD	By First Carrier A/C COMPANY ZETVIA	Routing and Destination To AMM By To By	Currency used CHGS WITHIN Other PPD COLL PPD COLL
Amount of Insurance	Declared Value for Carriage	Declared Value for Customs	
Handling Information	SC1		
No. of Pieces RCP	Units Weight Kg	Rate Class Commodity Description	Chargeable Weight
3	3 9 6 4		
3	3 9 6 4		
AS AGREED	Weight Charge	Collect	Other Charges
AS AGREED	Valuation Charge		
AS AGREED	Tax		
AS AGREED	Total Other Charges Due Agent		
AS AGREED	Total Other Charges Due Carrier		
AS AGREED	Total Prepaid	Total Collect	
AS AGREED	Currency Conversion Rates	CC Charges in Desc. Currency	
AS AGREED	Charges at Destination	Total Collect Charges	
Signature of Shipper or its Agent 30/06/2019		Signature of Issuing Carrier or its Agent	
29 JUNE 2019 Executed on (date)		GABORONE	
b8b- 00028593		http://www.cargo-net.co.za	

Source: Member State

Figure 76.J.2
False Air Waybill (UR-CIB) (1 July 2019)

686		00028615		686- 00028615	
Shipper's Name and Address AVIATOR AT WORK (PTY) LTD HANGAR 27, GEORGE AIRPORT GEORGE, SOUTH AFRICA +27 94 696 6984		Shipper's Account Number		Not Negotiable	
Consignee's Name and Address JORDAN AERONAUTICAL CARGO COMPANY MARKHAM AIRPORT JORDAN +962 7 9571 2414		Consignee's Account Number		Air Waybill Issued by	
Shipping Agent's Name and Address SPEEDWAY FREIGHT GABORONE +267 78220000		Account No.		Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity. It is agreed that the goods described herein are accepted in accordance with 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.	
Airport of Departure (Addr. of First Carrier) and Requested Routing GABORONE		Airport of Destination AMMAN		Amount of Insurance	
By First Carrier AIRCOMPANY ZETIVA		Routing and Destination to AMM by to by		Currency USD CHGS WTTVAL Other COLL PDD COLL	
Flight/Date ZAU9004 / 01JUL19		For Carrier Use Only Flight/Date		Declared Value for Carriage Declared Value for Customs	
Handling Information		SC1			
No. of Pieces RCP	Gross Weight kg	Rate Class Commodity Item No.	Chargeable Weight	Rate Charge	Total Nature and Quantity of Goods (incl. Dimensions or Volume)
7	5 9 7 5	KG			AS AGREED USED AND DISMANTLED PUMA HELICOPTER 1 / AS332L S/N 2154 1800 X 320 X 330 1 / MAIN ROTOR HEAD 120 X 100 X 80 1 / ALIGNING COLLARS 175 X 150 X 150 2 / WHEEL PAIRINGS 200 X 180 X 100 2 / PALLET SPARES
7	5 9 7 5	KG			AS AGREED
Prepaid AS AGREED		Weight Charge Collect		Other Charges	
Valuation Charge		Tax		Total Other Charges Due Agent	
Total Other Charges Due Agent		Total Other Charges Due Carrier		AS AGREED	
Total Prepaid		Total Collect		Signature of Shipper or its Agent	
Currency Conversion Rates		CC Charges in Dist. Currency		13 JULY 2019 GABORONE Expires on (date) at (place)	
Charges at Destination		Total Collect Charges		Signature of Issuing Carrier or its Agent	

686- 00028615

CEFAJ SAICH-ICE

http://cefa-j-calc.com/named/nr

Source: Member State

Figure 76.J.3
False Air Waybill (UR-CIB) (3 July 2019)


686		00028626		686- 00028626	
Shipper's Name and Address AVIATOR AT WORK (PTY) LTD HANGAR 27, GEORGE AIRPORT GEORGE, SOUTH AFRICA +27 86 886 6884		Shipper's Account Number		Not Negotiable	
Consignee's Name and Address JORDAN AERONAUTICAL CARGO COMPANY MADBAH AIRPORT JORDAN +962 7 9571 2414		Consignee's Account Number		Air Waybill Issued by Copies 1, 2 and 3 of this Air Waybill are originals and have the same validity. It is agreed that the goods described herein are accepted in separate good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS ON CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTAINER 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 exclude such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.	
Issuing Carrier's Agent Name and City SPEEDWAY FINE-GATE GABORONE +267 73120000		Agent's IATA Code		Account No.	
Airport of Departure (Addr. of First Carrier) and Requested Routing GABORONE		Routing and Destination to LAD by First Carrier AIRCOMPANY ZETWA to AMM by to by		Currency USD CHGS WTNL Other Declared Value for Carriage Declared Value for Customs	
Airport of Destination AMMAN		Flight/Date ZAV006 / 03JUL19		Amount of Insurance INSURANCE - If carrier other insurance, and such insurance is required in accordance with the conditions the total, indicate amount to be insured in figures in box marked "Amount of Insurance".	
Handling Information		SCI			
No. of Pieces RCP	Gross Weight kg	Rate Class kg	Commodity Item No.	Chargeable Weight	Rate Charge
4	5 7 3 5	KG			AS AGREED
Nature and Quantity of Goods (Ind. Dimensions or Volumes)				USED AND DISMANTLED PUMA HELICOPTER 1 / MAIN ROTOR HEAD 120 X 100 X 90 1 / SLIDING COWLING 175 X 150 X 150 1 / WHEEL ASSEMBLY SET 200 X 100 X 160	
4	5 7 3 5	KG			AS AGREED
Prepaid		Weight Charge		Collect	
AS AGREED					
Valuation Charge					
Tax					
Total Other Charges Due Agent					
AS AGREED					
Total Other Charges Due Carrier					
Total Prepaid					
Total Collect					
Currency Conversion Rates		CC Charges in Base Currency			
Charges at Destination		Total Collect Charges			
Shipper certifies that the particulars on the face hereof are correct and that insures as any part of the consignment contains dangerous goods, such part is properly marked by name and is in proper condition for carriage by air according to the instructions of the International Civil Aviation Organization.					
3 JULY 2019 (Ex. issued on date)					
BOTSWANA UNIFIED REVENUE IMPORT 2019-07-03 BOTSWANA AIRPORT SERVICE EXPORT 2019-07-03 SSKIA AIRPORT Signature of Shipper or Agent					
686- 00028626					

Source: Member State

Appendix K to Annex 76: Extracts from ZetAvia LLC operated IL-76D (UR-CIB) flight logbooks

Figure 76.K.1

Flight logbook for ZetAvia LLC operated (UR-CIB)
(29 June 2019) Botswana (FBSK) to Benghazi (HLLB)



Задание на полет № B-04/06-19

JOURNEY/ FLIGHT LOGBOOK
 Командиру воздушного судна авиакомпании «ЗетАвиа»
 (For captain of aircraft)
 Котляру Юрию Владимировичу/ Kotlyar Yuriy

Состав экипажа / crew members		
Должность/ Position	ФИО / NAME	Примечание
Экзамениатор / TRE		
Проверяющий / TRI		
Второй пилот / Co pilot		
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортпроводник / Load Master		

Тип ВС / A/C Type Ил-76 TD Регистрационный номер / Reg. № UR - CIB

Дата вылета / Flight date 29.06.2019 Номер рейса / Flight number ZAV9002

Цель задания / Purpose of flight - перевозка грузов.

Учебно-тренировочное задание: для второго пилота согласно ОМ ч «D» Раздел 2.1.

Программа 1 Задача 3:

Маршрут / Flight FBSK-FNLU-HLLB

Экипаж допущен к полетам при минимуме / Certified crew minima

80 x 1000 (RVR 800) взлет 400 м


Вес пустого самолета / Basic weight 88430 кг. / kg

Дополнительное оборудование/ Service equipment 2413 кг. / kg

Центровка пустого самолета / CG weight 33.9 % CAX / CG %

Экипаж к полетам готов.
 Crew is ready for flights.

Директор летной службы А/К
 Director of flight service.

«28» 06 2019г.  Кормицков В.В.

Дата Date	№ рейса Flight №	Маршрут полета / Flight route	Расстояние (км) Distance km	Время взлёта Takeoff	Время посадки Landing	Время полета		Р-та до-лёта Tasstime	Топливо, (кг) Fuel (kg)			Экипаж и пассажиры Crew and pass-rs kg	Вес груза (кг) Cargo (kg)	Взл. Пос. вес, (кг) ATOW (kg)	Центровка в % CAX Br.Loc CG %
						Всего / Total	Ночь / Night		Остаток Remain Fuel	Заправка Refueling	Сумма Total				
20.09	ZAV														
29.06	9002	FBSK-FMLU	2313	00.48	03.43	02.55	02.55	0.15	16000	25000	41000	680	3265	135743	32.9
29.06	9002	FMLU-ILLB	5028	04.36	10.36	06.00	—	0.15	15000	56000	71000	630	3965	165743	30.1
									16000					111743	32.9
						08.55	2.55	0.3	16000						

Технический состав / Technical staff

№	ФИО / NAME	Прим. Remarks
1		
2		
3		
4		

Сопровождающие груз / Accompany the cargo

№	ФИО / NAME	ФИО / NAME
1	4	
2	5	
3	6	

Взлёты и посадки в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлёт/ посадка	Метео- условия	Синоптик

Таблица рабочего времени экипажа / Working time

Дата Date	Аэропорт Airport	Время / Time				Итого рабочего времени
		предпол. полз.	полета	последпол. работы	стоянки отдыха	
20.09	FBSK					
29.06	FMLU	01.00	02.55	—	0.53	4.48
29.06	FMLU					
29.06	ILLB	—	06.00	0.30		6.30
		1.00	8.55	0.30	0.53	11.18

Замечания по рейсу/Remarks

Замечание
рассмотреть по
последнему
рейсу


КВС Kotlyar/Kotlyar

Директор ЛС

Source: Member State

Figure 76.K.2

**Flight logbook for ZetAvia L.L.C. operated (UR-CIB)
(1 July 2019) Botswana (FBSK) to Benghazi (HLLB)**



 авіакомпанія **ЗетАвіа** • aircompany **ZetAvia**

Задание на полет № В-01/07-19

JOURNEY/ FLIGHT LOGBOOK
 Командиру воздушного судна авиакомпании «ЗетАвиа»
 (For captain of aircraft)
 Котляру Юрию Владимировичу/ Kotlyar Yuriy


Состав экипажа / crew members		
Должность / Position	ФИО / NAME	Примечание
Экзаменатор / TRE		
Проверяющий / TRI		
Второй пилот / Co pilot		
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортоператор / Load Master		

Тип ВС / A/C Type Ил-76 TD Регистрационный номер / Reg. № UR - CIB
 Дата вылета / Flight date 01.07.2019 Номер рейса / Flight number ZAV 9004
 Цель задания / Purpose of flight - перевозка грузов.
 Учебно-тренировочное задание: для второго пилота согласно ОМ ч. «D» Раздел 2.1.
 Программа 1. Задание 3:

Маршрут / Flight **FBSK - FNLC - HLLB**

Экипаж допущен к полетам при минимуме / Certified crew minima
 80 x 1000 (RVR 800) взлет 400 м
 Вес пустого самолета / Basic weight **88430** кг. / kg
 Дополнительное оборудование/ Service equipment **2413** кг. / kg
 Центровка пустого самолета / CG weight **33.9** % CAX / CG %
 Экипаж к полетам готов.
 Crew is ready for flights.

Директор летной службы А/К
 Director of flight service.

«30» 06 2019г.  **Кормищников В.В.**

Дата Date	№ рейса Flight №	Маршрут полета / Flight route	Расстояние, (км) Distance km	Время взлета Takeoff	Время посадки Landing	Время полета		Р-12 за-ход на ж/д Trailing time	Топливо, (кг) Fuel (kg)			Экипаж и пассажиры Crew and pass-rgs kg	Вес груза (кг) Cargo (kg)	Взл. Пос. вес. (кг) ATOW (kg)	Загрузка в % СХВ Взл. Пос. CG %	
						Всего / Total	Ночь / Night		Остаток Remain Fuel	Заправка Refueling	Сумма Total					
2019	ZAV															
01.07	9004	FBSK-FMLU	2313	16.22	19.17	02.55	02.55	0.15	4000	-	4000	620	5975	13498	110498	35.4
01.07	9004	FMLU-KLLB	5078	20.20	02.30	06.00	06.00	0.15	13000	5800	17000	620	5975	167498	113498	39.5
									16000							
						08.55	08.55	0.20	16000							

Технический состав / Technical staff

№	ФИО / NAME	Прим. Remarks
1		
2		
3		
4		

Сопровождающие груз / Accompany the cargo

№	ФИО / NAME	ФИО / NAME
1	4	
2	5	
3	6	

Таблица рабочего времени экипажа / Working time

Дата Date	Аэропорт Airport	Время / Time				Итого рабочего времени
		предпол. подг.	полета	последпол. работы	стояния отдыха	
2019						
01.07	FBSK					
01.07	FMLU	01.00	02.55	-	01.13	5.08
01.07	FMLU	-	06.00	0.30		6.30
		01.00	08.55	0.30	01.13	11.38

Замечания по рейсу/Remarks
Залетание
расчетного
расстояния
на
подлете

КВС Котляр/Kotlyar

Директор ЛС

Взлеты и заходы в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлет/ посадка	Метео- условия	Синоптик

Source: Member State

1. Figure 76.K.3 shows one *Super-Puma* MUH being offloaded from a ZetAvia IL-76TD at Benghazi (Benina) international airport on 1 July 2019 as further proof of delivery

Figure 76.J.3.

AS332 *Super-Puma* helicopter being unloaded at Benghazi (Benina) international airport

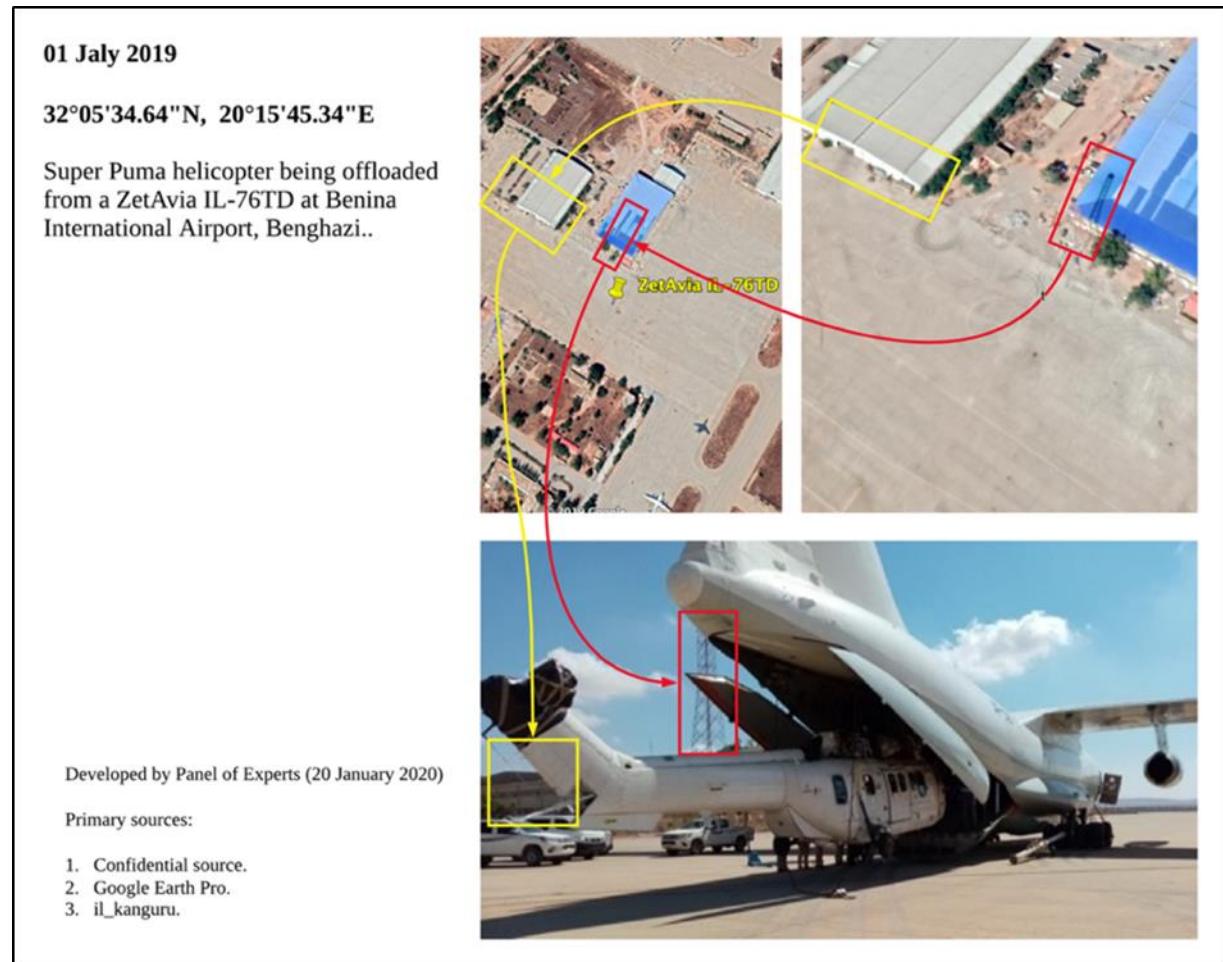



Figure 76.K.4

**Flight logbook for ZetAvia L.L.C. operated (UR-CIB)
(3 July 2019) Botswana (FBSK) to Benghazi (HLLB)**



Задание на полет № В-03 107 -19

JOURNEY/ FLIGHT LOGBOOK
Командиру воздушного судна авиакомпании «ЗетАвиа»
(For captain of aircraft)
Котляру Юрию Владимировичу/ Kotlyar Yuriy

Состав экипажа / crew members

Должность / Position	ФИО / NAME	Примечание
Экзамениатор / TRE		
Проверяющий / TRI		
Второй пилот / Co pilot		
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортпроводник / Load Master		

Тип ВС / A/C Type Ил-76 TD Регистрационный номер / Reg. № UR - CIB

Дата вылета / Flight date 03.07.2019 Номер рейса / Flight number ZAV 9006

Цель задания / Purpose of flight - перевозка грузов.

Учебно-тренировочное задание: Одн. второго пилота согласно ОМ 2.1.04.Резг 2.1
Программа 1.3.0.0.0.5

Маршрут / Flight **FBSK - FNLU - HLLB**

Экипаж допущен к полетам при минимуме / Certified crew minima

80 x 1000 (RVR 800) взлет 400 м

Вес пустого самолета / Basic weight 88430 кг. / kg

Дополнительное оборудование / Service equipment 2413 кг. / kg

Центровка пустого самолета / CG weight 33.9 % CAX / CG %

Экипаж к полетам готов.
Crew is ready for flights.

Директор летной службы А/К
Director of flight service.

« 02 » 07 2019г

Кормищikov В.В.

Дата / Date	№ рейса / Flight №	Маршрут полета / Flight route	Расстояние, (км) / Distance km	Время взлёта / Takeoff	Время посадки / Landing	Время полета		Р-та для заезда / Take-off time	Топливо, (кг) / Fuel (kg)			Экипаж и пассажиры / Crew and pas-srs kg	Вес груза (кг) / Cargo (kg)	Взл. Пос. вес, (кг) / ATOW (kg)	Центровка в % САХ / Всп. [ис. CG %]
						Всего / Total	Ночь / Night		Остаток / Remain Fuel	Заправка / Refueling	Сумма / Total				
2019															
03.19	ZAV 9006	FBSK-FNLU	2313	20.09	22.59	250	250	0.15	40000	-	40000	680	5975	136498	33.3
04.19	ZAV 9006	FNLU-ИЛБ	2078	00.07	06.07	6.00	6.00	0.15	14000	57000	71000	680	5975	167498	33.3
									16000					111498	33.3
						9.50	8.50	0.30	16000						

Технический состав / Technical staff

№	ФИО / NAME	Прим. / Remarks
1		
2		
3		
4		

Сопровождающие груз / Accompany the cargo

№	ФИО / NAME	ФИО / NAME
1		
2		
3		

Таблица рабочего времени экипажа / Working time

Дата / Date	Аэропорт / Airport	Время / Time				Итого рабочего времени
		предпол. подг.	полета	послепол. работы	стоянки / отдыха	
2019						
03.07	FBSK					
	FNLU	01.00	2.50	-	1.08	4.58
	ИЛБ	-	6.00	0.30		6.30
		1.00	8.50	0.30	1.08	11.28

Замечания по рейсу / Remarks

Замечание по состоянию на последнюю посадку

КВС Котляр/Kotlyar

Директор ИС

Взлёты и заходы в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлёт/посадка	Метео-условия	Синоптик

Source: Member State.

Appendix L to Annex 76: Charter of IL76 from Gaborone to Libya

Figure 76.L.1

IWAS air charter documentation for L-6 FZE (signed by Lodge)

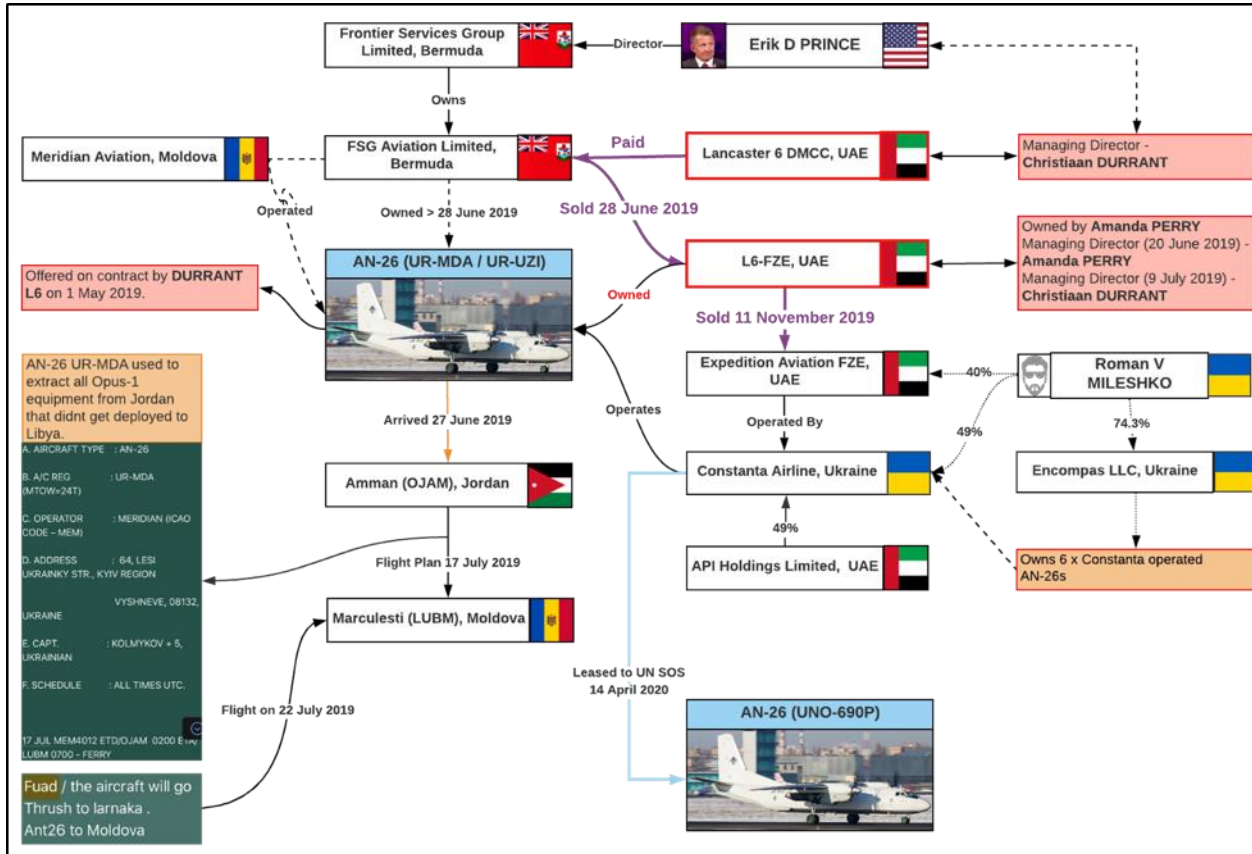
 INTERNATIONAL WORLDWIDE AIR SERVICES INC.	
AIR TRANSPORTATION SERVICES AGREEMENT №: IWAS/19/2006/1	
Name of Customer:	L-6FZE
Head office:	Fujairah-Creative Tower P.O.Box 4422 Fujairah
<p>It is hereby agreed that International Worldwide Air Services (hereinafter referred to as «Contractor») will provide, and the CUSTOMER named above ("Customer") shall accept air transportation services and make relevant payments according to this Agreement (as defined in the General Terms and Conditions attached) for the flight or flights specified in the Schedule below, on the terms and conditions specified, or referred to in this Agreement (as defined in the General Terms and Conditions attached).</p>	
THE SCHEDULE	
1. Aircraft Type	IL-76TD
2. Payload and/or Capacity Chartered:	Outbound
a) Weight (kg)	Up to 8'000 Kgs
b) Volume (m ³)	Subject to loadability
3. Flights for which the Aircraft is chartered	Date
FROM: GBE	27 June 2019
TO: BEN	28 June 2019
ETD/ETA (GMT)	
First flight: DEP FBSK 27/1000Z ARR HLLB 28/1030Z	
4. Charter price (as defined in Clause 7 of the General Terms and Conditions attached) and terms of payment:	
a) Price:	[REDACTED] b) Currency: US Dollars
b) Date by which payment to be made at:	5 days prior flight date
c) Method of payment:	Bank to bank wire transfer
d) When organizing payment to Contractor, indicate the Air Transportation Services Agreement Number in the payment instructions	
e) All costs associated with the transfer of The Price and other amounts to Contractor shall be borne by the Customer	
5. Terms of termination: if the Customer wishes to terminate or cancel this agreement, the Customer shall pay Contractor the following charges as agreed compensation:	
a)	25% of the Charter Price if cancelled with immediate effect
b)	50% of the Charter Price if cancelled 72 hours prior to flight departure
c)	75% of the Charter Price if cancelled 24 hours prior to flight departure
6. Demurrage: \$2,000 per hour or part thereof (shall not be applied without Contractor prior notice).	
7. Loading: Shipment should be available for loading at the departure airport 6 hours prior to ETD. Special equipment including equipment used to load/offload outsize and heavy cargoes (which is normally unavailable at departure or destination airports) is not included in the Price.	
8. SPECIAL CONDITIONS:	
1. See the annex attached for costs included and excluded from the charter price.	
2. Flight is subject to obtaining necessary traffic rights	
3. Payload is subject to loadability of the cargo.	
Date: 22.06.2019	
Signed by duly authorised representative for and on behalf of CONTRACTOR	
 	
Signed by duly authorised representative for and on behalf of CUSTOMER	
Status: 	
<p>International Worldwide Air Services Inc, the DAFZA branch of International Worldwide Air Services Inc. (B.V.I.) Suite H15, Dubai Airport Free Zone, P.O.Box 371288, Dubai, United Arab Emirates T. +971-4-2990929 E. info@iwas-cargo.com W. www.iwas-cargo.com</p>	
<p>إنترنیشنل ورلد وید ایر سروسز اینک، ص.ب: ٣٧١٢٨٨ دبي- الإمارات العربية المتحدة، رقم القسم ١٥، المنطقة الحرة بمطار دبي، هاتف: ٤٢٩٩٠٩٢٩ رقم الرخصة: ١٤١٢؛ ذات مسؤولية محدودة، تأسست بموجب القانون رقم ٢ لسنة ١٩٩٦ مع مسؤولية محدودة All contracts for freight and / or passengers are made by us as agents only and are subject to the full terms and conditions of the carriers form of contract.</p>	

Source: Confidential.

Appendix M to Annex 76: Procurement of Antonov AN26 (UR-MDA)

Figure 76.M.1

Procurement of Antonov AN-26B (UR-MDA) by L-6 FZE



Source: Panel analysis.

Figure 76.M.2

Extract from Purchase Agreement by L-6 FZE (22 July 2019)

Note that this is 25 days after the deployment of the aircraft to Jordan, and that the funds were transferred from Lancaster6 DMCC, not L-6 FZE the purchaser stated here.

USED AIRCRAFT PURCHASE AGREEMENT	اتفاقية شراء طائرة مستعملة
<p>THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of 09 July, 2019, by and between FSG Aviation Limited, of Clarendon House, 2 Church Street, Hamilton HM11, Bermuda ("Seller"), and L6 FZE, of P.O. Box 4422, Fujairah, UAE ("Buyer").</p>	<p>لقد تم إبرام اتفاقية شراء الطائرة المستعملة هذه ("الاتفاقية") في هذا اليوم التاسع من يوليو 2019، من قبل وبين كل من إف إس جي أفليشن ليميتد؛ بعنوانها في كلاريندون هاوس؛ 2 شارع الكنيسة؛ هاميلتون إتش إم 11؛ برمودا ("البائع") وال 6 م.م.ح. ص ب 4422؛ فجيرة؛ الإمارات العربية المتحدة ("المشتري").</p>
<p>In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:</p>	<p>على ضوء الوعود والعهود المتبادلة المضمنة في هذه الاتفاقية يوافق الأطراف على ما يلي:</p>
<p>1. PURCHASE AND SALE OF THE AIRCRAFT</p>	
<p>A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, the following aircraft;</p>	<p>1. بيع وشراء الطائرة (أ) بيع الطائرة. وفقاً لبنود وشروط هذه الاتفاقية، يوافق البائع على البيع للمشتري، ويوافق المشتري على الشراء من البائع عند الإغلاق للطائرة التالية؛</p>
<p>i. a used ANTANOV AN26 aircraft including the airframe, engines (2), propellers blades, instruments, avionics, and other items installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.</p>	<p>أ. تشمل الطائرة أنتوف AN26 الإطار والمحركات (2) شفرات المراوح والأدوات والإلكترونيات الطيران وغيرها من العناصر المثبتة في هيكل الطائرة أو المحرك أو مرفقة به بما في ذلك حسب الاقتضاء جميع أدلة وسجلات الطيران والصيانة وقطع الغيار ودلائل الوزن والتوازن ومخططات الأسلاك الموجودة تحت حيازة البائع أو سيطرته بشكل معقول (مجتمعة، "الطائرة") كما هو موضح في الملحق أ من هذه الاتفاقية.</p>
<p>B. Warranty Assignment. The aircraft will be delivered "as is - where is" and no warranty shall apply.</p>	<p>(ب) إحالة الضمان. سيتم تسليم الطائرة كما هي - أينما وجدت ولا يتم تطبيق أي ضمان.</p>
<p>C. Purchase Price: Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of;</p>	<p>(ت) سعر الشراء وشروط الدفع. يوافق المشتري على دفع سعر الشراء للبائع بإجمالي؛ AN26 - 650,000 دولار أمريكي ("سعر الشراء") للطائرة. يتعين على المشتري دفع سعر</p>
<p>AN26 - US\$650,000 (the "Purchase Price") for the Aircraft. Buyer shall pay the Purchase</p>	

IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

وإشهاداً على ذلك تم تنفيذ اتفاقية شراء الطائرات المستعملة هذه على النحو الواجب وتم تسليمها من قبل الموظفين المفوضين حسب الأصول للطرف المذكورة اعتباراً من التاريخ المدون على صدر هذه الطية.

المشتري:

PURCHASER:

البائع:

SELLER:

FSG Aviation
Limited

L6 FZE

إف إس جي أفليشن ليميتد


إل 6 م.م.ح

By: 
Name: DAVID
Title: DIRECTOR

By:

Name:

Title:


C. D. DURRANT
Managing Director

من قبل:

الاسم:

اللقب:

من قبل:

الاسم:

اللقب:









Exhibit A
AIRCRAFT

الملحق أ
الطائرة

Aircraft Make and Model: AH26 – 100 / AH26 – 100 / Antonov :الصنع و موديل الطائرة:
Antonov 26 -100 26 -100
Serial No.: 7108 الرقم التسلسلي: 7108
Registration No.: MDA رقم التسجيل: MDA
Engine Serial No.: H473BT071 and H431BT028 رقم المسلسل للمحرك: H473BT071 و H431BT028

The Aircraft shall include the following components:

- Internal Crane

يجب أن تشمل الطائرة المكونات التالية:

- رافعة داخلية




against all claims and demands whatsoever.

That Seller agrees and acknowledges that the terms and conditions of this Bill of Sale shall survive the delivery of the Aircraft and the delivery and recording of this or any CAA Bill of Sale.

IN WITNESS WHEREOF, SELLER has caused this Bill of Sale to be signed by its duly authorized officer this 22 day of JULY, 2019.

SELLER:

FSG AVIATION LIMITED

By: 
Name: J. DAVID WATKINSON
Title: DIRECTOR

على الإطلاق.

يوافق ذلك البائع ويقر بأن شروط وأحكام فاتورة البيع هذه ستظل سارية بعد تسليم الطائرة وتسجيل فاتورة البيع هذه أو أي منها.

وإثباتاً لذلك، قام البائع بتنفيذ و توقيع فاتورة البيع هذه من قبل موظفها المعتمد حسب الأصول في ____ يوم ____، 2019.

البائع

اف ام جي أفيشن ليمتد

بواسطة : _____

اسم : _____

عنوان : _____



Source: Member State

Figure 76.M.3

Credit advice for purchase of AN-26B by Lancaster 6 DMCC (28 June 2019)

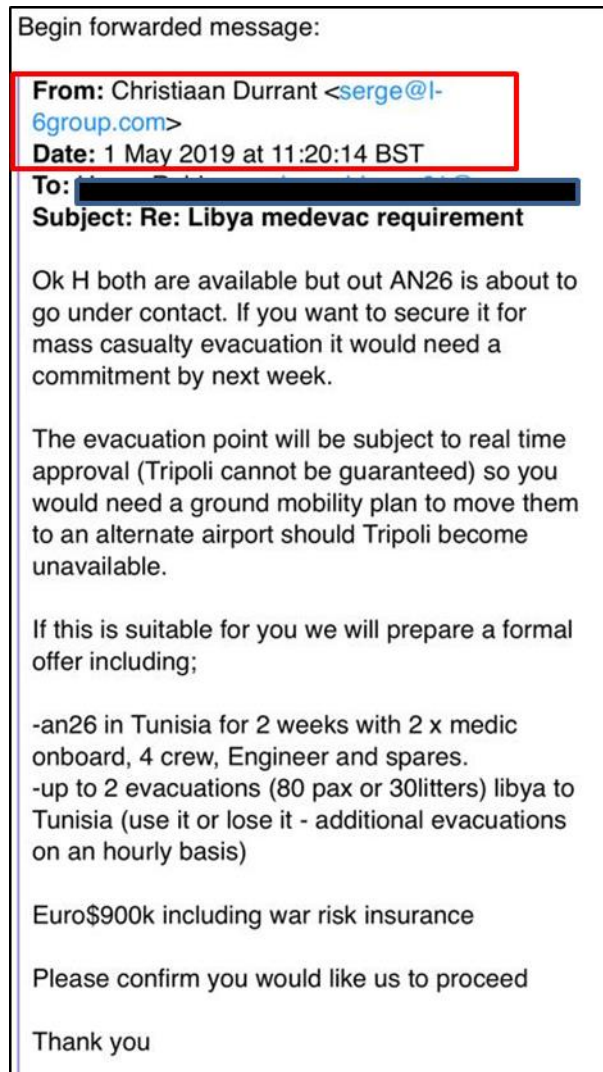
Bank 中国光大银行		中國光大銀行香港分行 China Everbright Bank Hong Kong Branch 香港夏慤道16號遠東金融中心30樓 30/F, Far East Finance Centre, 16 Harcourt Road, Hong Kong www.cebbank.com.hk	
To : FSG AVIATION LIMITED 至 : SUITE 3902, 39/F FAR EAST FINANCE CENTRE, 16 HARCOURT ROAD ADMIRALTY, HONG KONG		Date : 28-Jun, 2019 日期 : Our ref : 368IR190244658 本行編號 : Your ref. : GBE200698YFOWCQO 客戶編號 :	
INWARD REMITTANCE CREDIT ADVICE 匯入匯款入帳通知書			
We have credited your account being proceed of Inward Remittance. 我行已將匯入匯款存入以下帳號.			
Value date 付款日期	: 28-Jun, 2019 :		
Received amount 匯款金額	: EUR 650,000.00 :		
Our commission 本行手續費	: EUR 0.00 :		
A/C no. 存入帳號	: 737-009525-350 :		
Net amount 淨額	: EUR 650,000.00 :		
By order of 匯款人	: :		
AS140590009410063780 1/LANCASTER6 [REDACTED]		2/P O BOX 936117, DUBAI, UAE, NO寬 2/BLG X2 ST JLT AREA CLUSTER X NEAR 3/AE/UNITED ARAB EMIRATES	
Ordering bank 匯款銀行	: :		
NOOR ISLAMIC BANK DUBAI			
Details of Payment 付款摘要	: :		
/REF/PURCHASE AGREEMENT AN26			
No signature is required for this computer print out. 此通知書為電腦印製故毋須簽署.			

Source: Confidential.

Figure 76.M.4

Copy of Email from Durrant offering AN-26B aircraft for charter (1 May 20219)

This indicates that the AN-26B aircraft was made available to Lancaster6 DMCC by FSG Aviation Limited prior to the formal sale. The only linkage between FSG Aviation and Lancaster6 DMCC are Erik Dean Prince and Christiaan Paul Durrant.



Source: Confidential.

Figure 76.M.5

Subsequent purchase agreement between Expedition Aviation FZE and L-6 FZE

ДОГОВОР № 7108-11/19 КУПІВЛІ-ПРОДАЖУ ЛІТАКА цивільної авіації	
м. Дубай	11 листопада 2019 року
<p>L-6 FZE, юридична особа, яка зареєстрована згідно з законодавством Об'єднаних Арабських Еміратів, з зареєстрованим офісом, який знаходиться за адресою: а/с 4422, Креатив Сіті, Фуджейра, Об'єднані Арабські Емірати, в особі виконавчого директора Christiaan Paul Durrant, який діє на підставі Статуту (далі по тексті - Продавець), з одного боку,</p> <p>EXPEDITION AVIATION FZC, яка зареєстрована згідно з законодавством Об'єднаних Арабських Еміратів, з зареєстрованим офісом, який знаходиться за адресою: а/с 513455 Шарджа, Об'єднані Арабські Емірати, комерційна ліцензія на торговельну діяльність №18436, ліцензія на надання послуг №15725, в особі директора Мілешка Романа, який діє на підставі Статуту (далі по тексті - Покупець), з іншого боку, уклали наступний договір:</p>	
1. ПРЕДМЕТ ДОГОВОРУ	
<p>1.1. За цим Договором Продавець зобов'язується продати (передати у власність) Покупцеві, а Покупець зобов'язується купити (прийняти та оплатити) літак цивільної авіації Ан-26-100, заводський номер 7108, державний і реєстраційний знак -UR-MDA (надалі - Повітряне судно).</p> <p>1.2. Поставка Повітряного судна здійснюється Продавцем на умовах FCA, Incoterms 2010. Продавець здійснює передачу Повітряного судна Покупцеві в Міжнародному аеропорту Маркулешти, Республіка Молдова. Продавець вважається таким, який виконав свої обов'язки з постачання Повітряного судна після підписання Сторонами Акту прийому-передачі Повітряного судна. Ризик випадкової загибелі або пошкодження Повітряного судна переходить до Покупця після підписання Акту прийому-передачі Повітряного судна.</p> <p>1.3. Покупець зобов'язується не використовувати Повітряне судно, яке купується за цим Договором, з військовою метою, а також для транспортування вантажів, заборонених до перевезення повітряним транспортом міжнародними конвенціями.</p>	
2. ТЕХНІЧНИЙ СТАН ПОВІТРЯНОГО СУДНА	
<p>2.1. Покупець підтверджує, що він проінспектував технічне стан вищевказаного Повітряного судна; його агрегатів і устаткування, що стан Повітряного судна на момент продажу йому добре відомий, і він не має жодних претензій до Продавця в зв'язку з цим.</p> <p>2.2. Щоб уникнути сумнівів Сторони підтверджують, що на день підписання Акту прийому-передачі Повітряного судна Повітряне судно має бути придатним до перелетів та повністю технічно справним.</p> <p>2.3. Технічний стан, залишок ресурсу, комплектність, наявні дефекти Повітряного судна, його основних агрегатів вказуються в Акті прийому-передачі Повітряного судна, який є невід'ємною частиною цього Договору.</p>	
3. ЦІНА ДОГОВОРУ І ПОРЯДОК РОЗРАХУНКІВ	
<p>3.1. Ціна Повітряного судна за цим Договором встановлюється в доларах США (USD). Всі кошти за цим Договором перераховуються Покупцем в доларах США (USD) на банківський рахунок Продавця на підставі виставлених інвойсів. Банківську комісію за перерахування коштів оплачує Покупець.</p>	

No: AE 170520002410966270016
Swift Code: NISLAEAD.

Банківські реквізити:
Beneficiary bank:
Emirates NBD Bank PJSC
Bank Address: PO Box 777 Baniyas Road,
Dubai, United Arab Emirates
IBAN No: AE74026000 1025323210602
Code: EBILAEAD

ПІДПИСИ СТОРІН

ПРОДАВЕЦЬ
L-6 FZE

/підписано/

Я уповноважений укласти цей договір від
імені Сторони.

Виконавчий директор
Christiaan Paul Durrant

Lauren Donovan, керівник відповідно до
довіреності від 18.09.2019 р.

Печатка: L-6 FZE, ліцензія № 7751/2015,
Creative City, Fujarah, United Fujarah

ПОКУПЕЦЬ
EXPEDITION AVIATION FZC

/підписано/

Я уповноважений укласти цей договір від
імені Сторони.

Директор
Роман Мілешко

Печатка: EXPEDITION AVIATION (FZC),
а/с 513455 Шарджа, Об'єднані Арабські
Емірати

Акт прийому-передачі повітряного судна цивільної авіації

16 грудня 2019 р

Відповідно до Договору № 7108-11 / 19 купівлі-продажу літака цивільної авіації від 11 листопада 2019 року компанія L-6 FZE, іменована надалі «Продавець», передає, а компанія EXPEDITION AVIATION FZC, іменоване в подальшому «Покупець», приймає у власність повітряне судно Ан-26-100, заводський номер 7108, державний і реєстраційний знак UR-MDA, що знаходиться в Міжнародному Аеропорту Маркулешти, Республіка Молдова (в подальшому іменується "повітряне судно")

1. Основні дані Повітряного судна

- заводський номер - 7108.
- дата випуску - 25.10.1978 р

2. На Повітряному судні встановлені двигуни: АИ-24Вт №Н473ВТ071, АИ-24ВТ №Н431АТ028 і допоміжна силова установка РУ19А-300 № Р413144.

3. З Повітряним судном передається повний комплект формулярів Повітряного судна, паспортів аеронавігаційного обладнання, електронного радіоблабднання, обладнання для зв'язку, гвинтів, двигунів, експлуатаційно-технічна документація, архівну документацію даного літака.

4. Даним актом підтверджується перехід права власності Повітряного судна від Продавця до Покупця.

ПОВІТРЯНЕ СУДНО ПЕРЕДАВ

Продавець

**Виконавчий директор/
L-6 FZE**

/ підписано /

Christiaan Paul Durrant

Печатка: L-6 FZE, ліцензія № 7751/2015,
Creative City, Fuarah, United Fuarah

/ Підписано /

Лоурен Донован
Голова адміністрації
Довіреність підписана 18.09.2019 р

Печатка: EXPEDITION AVIATION (FZC), а / с 513 455 Шарджа, Об'єднані Арабські Емірати

ПОВІТРЯНЕ СУДНО ПРИЙНЯВ

Покупець

**директор
EXPEDITION AVIATION FZC**

/ підписано /

Роман Мілешко

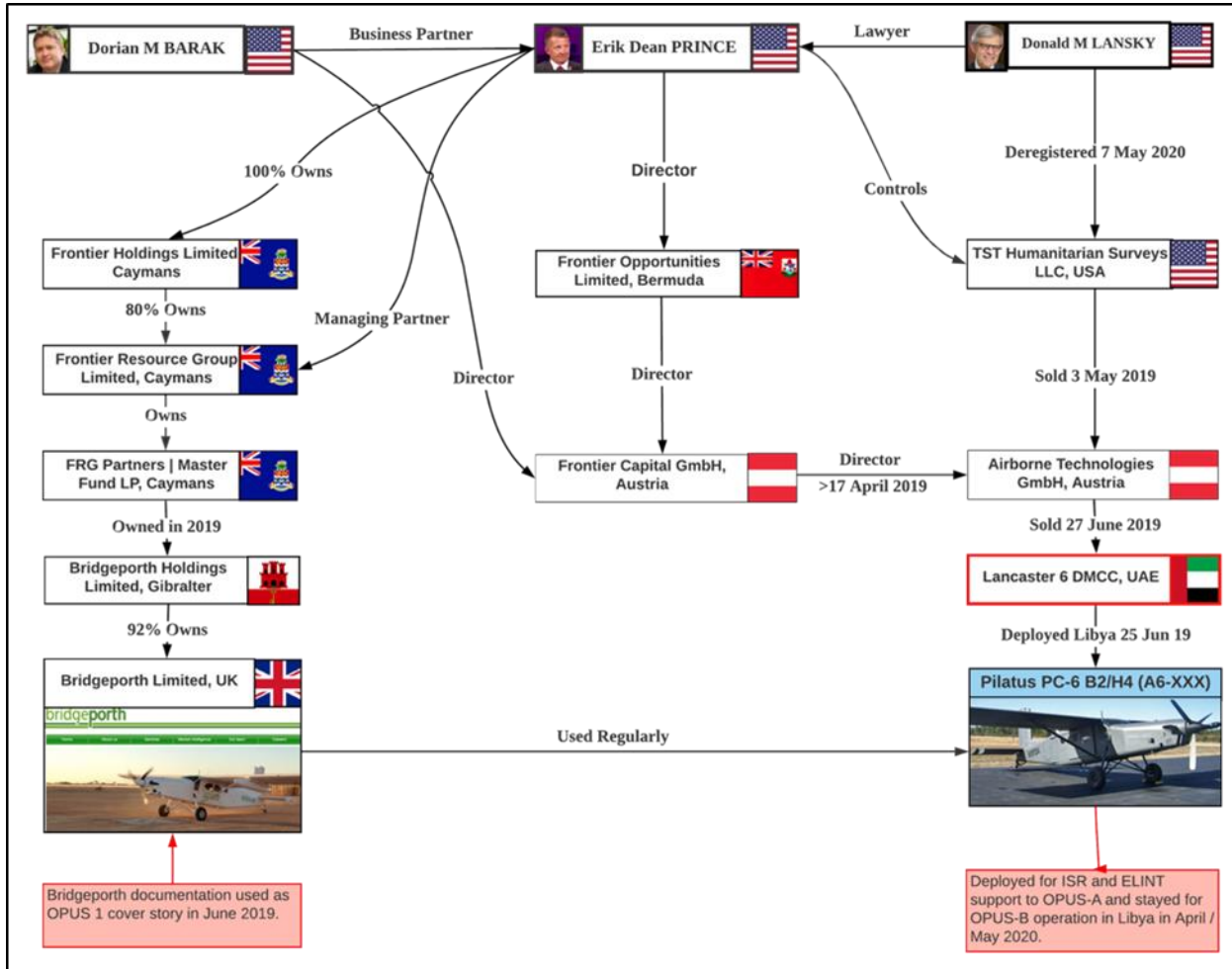
Печатка: EXPEDITION AVIATION (FZC), а /
с 513 455 Шарджа, Об'єднані Арабські
Емірати

Source: Confidential

Appendix N to Annex 76: Procurement of Pilatus PC-6 (#790)

Figure 76.N.1

Procurement of Pilatus PC-6 (#790) by L-6 FZE



Source: Panel analysis.

Figure 76.N.2
NL CAA registration of Pilatus PC-6 (#790) as PH-ABR

 <p>Human Environment and Transport Inspectorate Ministry of Infrastructure and Water Management</p> <p>Human Environment and Transport Inspectorate Civil Aviation Authority Netherlands</p> <p>Correspondence address: P.O. Box 16191, 2500 BD The Hague, The Netherlands</p> <p>ICAO aircraft designator: PC6T ICAO 24 bits address (hex): 484F33</p>		
CERTIFICATE OF REGISTRATION		
1. Nat. & registration marks: PH-ABT	2. Manufacturer and manufacturer's designation of aircraft: Pilatus Flugzeugwerke AG PC-6/B2-H4	3. Aircraft serial number: 790
4, 5: Name and address of holder/owner: Airborne Technologies GmbH Viktor Lang-Strasse 8 2700 WIENER NEUSTADT AUSTRIA		
<p>6. It is hereby certified that the above described aircraft has been duly entered on the register of Netherlands civil aircraft in accordance with the Convention on International Civil Aviation dated 7 December 1944, and with the Netherlands Aviation Act.</p> <p>Date of issue: 22 May 2019</p> <p>Signature: THE MINISTER OF INFRASTRUCTURE AND WATER MANAGEMENT,</p> <p>Limitations / Remarks:</p> <p> D.J. de Lange Aircraft registration officer</p>		
The validity of this certificate of registration is UNLIMITED, unless revoked.		
This certificate shall be carried on board during all flights.		Document Number: PH-ABT.22.05.2019.REG/1

Source: Member State

Figure 76.N.3
Pilatus PC-6 (#790) as PH-ABR at Cycloon Holland A.B



Source: http://www.aircraft-and-more.com/acadp_listings/pilatus-pc6-b2-h4/, accessed 14 June 2020.

Figure 76.N.4

Used aircraft purchase agreement (extract) for sale of Pilatus PC-6 (#790) to Lancaster 6 DMCC

USED AIRCRAFT PURCHASE AGREEMENT

THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of June 14, 2019, by and between **Airborne Technologies GmbH**, an Austrian limited liability company having an address of Viktor-Lang-Straße 8, 2700, Wr. Neustadt, Austria ("Seller"), and **Lancaster 6 DMCC**, 1409 X2, Cluster X, JLT, Dubai, United Arab Emirates ("Buyer").

In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. PURCHASE AND SALE OF THE AIRCRAFT

A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, a used civil aircraft Pilatus PC-6 including the airframe, engine, propeller blades, instruments, avionics and other items installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.

B. Warranty Assignment. The aircraft and the engine is freshly overhauled according to EASA standards and will be delivered "as is – where is" and no warranty shall apply.

C. Purchase Price; Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of EURO 1,000,000.00 (the "Purchase Price") for the Aircraft, Buyer shall pay the Purchase Price to an account designated by Seller at the Closing.

2. INSPECTION

A. Purchaser has had a full opportunity to make a suitable and appropriate inspection of the Aircraft and agrees to accept the Aircraft at Closing in the same condition it was at the conclusion of the inspection thereof.

3. CLOSING

A. Unless otherwise mutually agreed by the parties in writing, the closing (the "Closing") shall occur on a mutually agreed date no later than June 24, 2019 (the "Closing Date").

4. DELIVERY AND TRANSFER OF TITLE OF THE AIRCRAFT

A. At Closing, Seller shall transfer good and marketable title to the Aircraft to Purchaser, free and clear of all Liens, by bills of sale in the form attached hereto as Exhibit C (the "Bill of Sale").

B. The delivery of the Aircraft shall take place EXWORKS in Wiener Neustadt, AUSTRIA or at such other place as may be mutually agreed in writing by Purchaser and Seller ("Delivery Location").

G. Agreement Negotiated. The parties are sophisticated and have been represented or had the opportunity to be represented in connection with the negotiation and performance of this Agreement. Consequently, the parties do not believe that any presumptions relating to the interpretation of contracts against the drafter of any particular clause should be applied in this case and, therefore, waive their effects.

H. Broker Indemnity. Not applicable

IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

PURCHASER:

SELLER:



AIRBORNE
TECHNOLOGIES
Airborne Technologies GmbH
Viktor-Lange-Str. 8, Flugplatz Ott, A-2700 Wr. Neustadt
Tel +43 2622 34718, ATU64041437, FN 318760z

Source: Opus legal counsel.

Figure 76.N.5

NL CAA record of change of ownership of Pilatus PC-6 (#790) to L-6 FZE


Inspectie Leefomgeving en Transport
 Ministerie van Infrastructuur en Waterstaat

Melding Overdracht luchtvaartuig

Dit formulier kan worden gebruikt voor het melden van een overdracht (zoals bedoeld in artikel 3, van de "Regeling inschrijving Nederlandse burgerluchtvaartuigen", onder b van DGL/01.421075).

Dit formulier moet worden ondertekend door degene(n), die bevoegd is (zijn) te tekenen en door degene(n), die de rechtspersoon in en buiten rechte mag vertegenwoordigen. Voor verenigingen is dit meestal het dagelijks bestuur.

Onvolledig of onjuist ingevulde formulieren worden niet in behandeling genomen.

Stuur het formulier naar luchtvaartuigregister@ilent.nl of naar Inspectie Leefomgeving en Transport / Luchtvaart Postbus 16191, 2500 BD Den Haag

Meer informatie
 088 489 00 00 | www.ilent.nl

- 1 Gegevens nieuwe eigenaar**

1.1 Naam en voorletter(s)	L6 FZE
1.2 Adres	1409X2, JLT
1.3 Postcode en plaats	Dubai
1.4 Land van vestiging	United Arab Emirates
1.5 Telefoonnummer(s)	+971552124340
1.6 E-mailadres	info@l6group.com
- 2 Gegevens luchtvaartuig**

2.1 Inschrijvingskenmerk	PH- ABT
2.2 Fabrikant en model	Pilatus Flugzeugwerke AG PC-6/B2-H4
2.3 Serienummer	790
- 3 Datum overdracht**

3.1 Datum overdracht	27 06 2019
----------------------	------------
- 4 Doorhaling inschrijving**

4.1 Moet de inschrijving in het Nederlandse register worden doorgehaald?
 ☐ Nee ☒ Ja > Origineel bewijs van inschrijving meezenden en het van toepassing zijnde tarief voldoen.
- 5 Ondertekening en gegevens vorige eigena(a)r(en)**

Ondertekende(n), eigena(a)r(en) van het luchtvaartuig genoemd in paragraaf 2, verklaren dat het luchtvaartuig genoemd in paragraaf 2 is overgedragen aan de nieuwe eigena(a)r(en) genoemd in paragraaf 1.



Noem en voorletter(s) 5.1 Naam en voorletter(s) (vermeldt bij een rechtspersoon ook de naam van de persoon die ondertekent)	Handtekening  Airborne Technologies GmbH (Kristof Nagl, MD) Airborne Technologies GmbH (Marcus Gurtner, MD)
--	--


 Airborne Technologies GmbH
 Vlieg-Land Str. 8, Flugplatz Dbl. A 2200 Wetzlar
 - 35681 Wetzlar, Hesse, Germany

ILT 006-08 | 1 van 2

Source: Member State

Figure 76.N.6
NL CAA de-registration of Pilatus PC-6 (#790) as PH-ABR (3 July 2019)

 <p>Human Environment and Transport Inspectorate Ministry of Infrastructure and Water Management</p>																											
<p>> Return P.O. Box 16191, 2500 BD Den Haag, The Netherlands</p>																											
<p>To: Civil Aviation Authorities of UAE Aircraft registry Attn. Mr. Tony Fernando/Mr. Khalid Al Qubaisi ABU DHABI / UNITED ARAB EMIRATES</p>	<p>Civil Aviation Authority - The Netherlands Aircraft registry P.O. Box 16191 2500 BD The Hague The Netherlands</p> <p>luchtvaartuigregister@lent.nl www.lent.nl</p> <p>Contact D.J. de Lange Aircraft registry T +31.88.489.0000</p> <p>Our reference PH-ABT.03.07.2019. CAA.NOTIF/1</p>																										
<p>Date: 03 July 2019 Subject: PH-ABT (PC-6/B2-H4, 790) - cancellation of registration in the civil aircraft register of the Netherlands</p>																											
<p>Dear sirs,</p> <p>This confirms cancellation of registration of the following aircraft in the Netherlands civil aircraft register:</p> <table border="0"> <tr> <td>Registration:</td> <td>P H - A B T</td> </tr> <tr> <td>Manufacturer / model:</td> <td>Pilatus Flugzeugwerke AG PC-6/B2-H4</td> </tr> <tr> <td>Serial / built:</td> <td>790 / 1977</td> </tr> <tr> <td>Effective date:</td> <td>03 July 2019</td> </tr> <tr> <td>Reason:</td> <td>Deregistration upon request</td> </tr> <tr> <td>MTOM / MLM (kg):</td> <td>2,800.0 / 2,660.0</td> </tr> <tr> <td>Configuration:</td> <td>Prop-driven (Turbine)</td> </tr> <tr> <td>Engine(s):</td> <td>PT6A-27</td> </tr> <tr> <td>Propeller(s):</td> <td>HC-B3TN-3</td> </tr> <tr> <td>EASA noise record:</td> <td>C3501</td> </tr> <tr> <td>Airworthiness expiry:</td> <td>21 May 2020</td> </tr> </table> <p>At the effective date of the deregistration the aircraft was registered in the name of:</p> <table border="0"> <tr> <td>Holder/Owner</td> <td>Airborne Technologies GmbH</td> </tr> <tr> <td>Representative</td> <td>Cycloon Holland B.V.</td> </tr> </table> <p><i>In the Netherlands ownership and liens are recorded by the Kadaster in Rotterdam. The Kadaster informs the Civil Aviation Authority Netherlands (CAA-NL) when an aircraft is entered in their records and if a lien is recorded. By law CAA-NL must record this and may only cancel a registration upon request provided the liens have been cancelled or the relevant parties agree with the cancellation of the registration. Our records show no recorded liens against this aircraft according all relevant information available to date.</i></p> <p>Additional information, remarks: We notified the owner about the possible need for an export certificate of airworthiness, but since we did not receive a reaction/application we have not issued this.</p> <p>Yours sincerely,</p> <p>THE MINISTER OF INFRASTRUCTURE AND WATER MANAGEMENT, On behalf,</p> <div style="text-align: center;">  <p>D.J. de Lange Aircraft registration officer</p> </div>		Registration:	P H - A B T	Manufacturer / model:	Pilatus Flugzeugwerke AG PC-6/B2-H4	Serial / built:	790 / 1977	Effective date:	03 July 2019	Reason:	Deregistration upon request	MTOM / MLM (kg):	2,800.0 / 2,660.0	Configuration:	Prop-driven (Turbine)	Engine(s):	PT6A-27	Propeller(s):	HC-B3TN-3	EASA noise record:	C3501	Airworthiness expiry:	21 May 2020	Holder/Owner	Airborne Technologies GmbH	Representative	Cycloon Holland B.V.
Registration:	P H - A B T																										
Manufacturer / model:	Pilatus Flugzeugwerke AG PC-6/B2-H4																										
Serial / built:	790 / 1977																										
Effective date:	03 July 2019																										
Reason:	Deregistration upon request																										
MTOM / MLM (kg):	2,800.0 / 2,660.0																										
Configuration:	Prop-driven (Turbine)																										
Engine(s):	PT6A-27																										
Propeller(s):	HC-B3TN-3																										
EASA noise record:	C3501																										
Airworthiness expiry:	21 May 2020																										
Holder/Owner	Airborne Technologies GmbH																										
Representative	Cycloon Holland B.V.																										
<p>PH-ABT.03.07.2019 CAA.NOTIF/1, page 1</p>																											

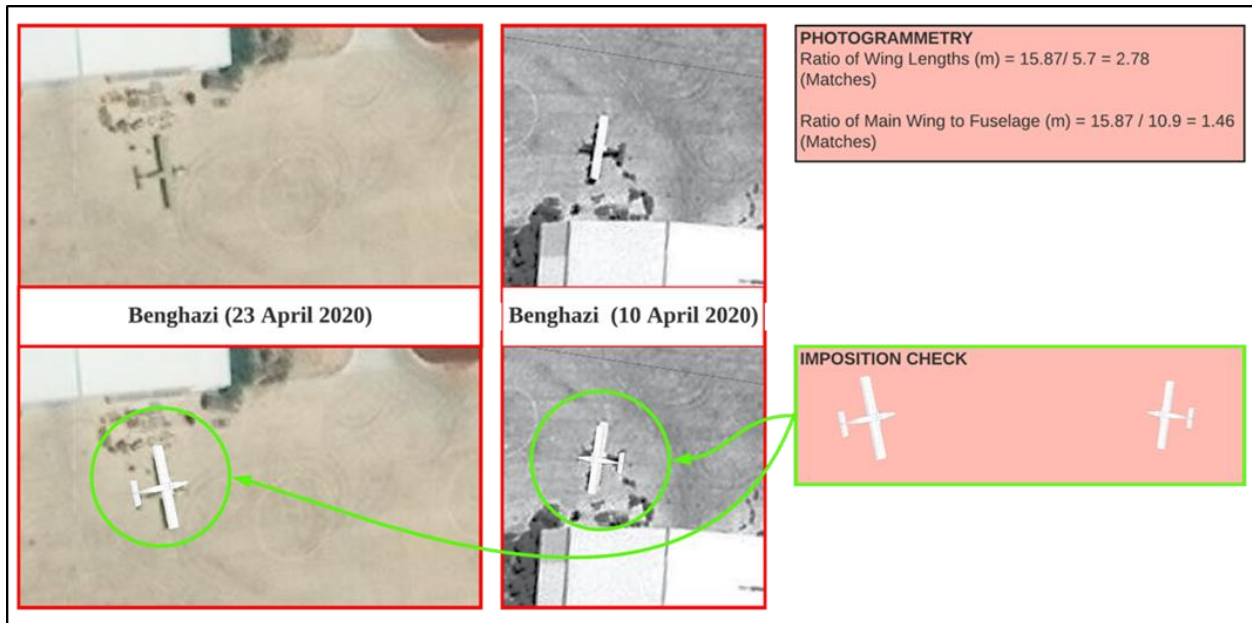
Source: Member State

Figure 76.N.7

Pilatus PC-6 (#790) deployed in Libya (June 2019 to Date)

Source: Panel analysis.

Figure 76.N.8

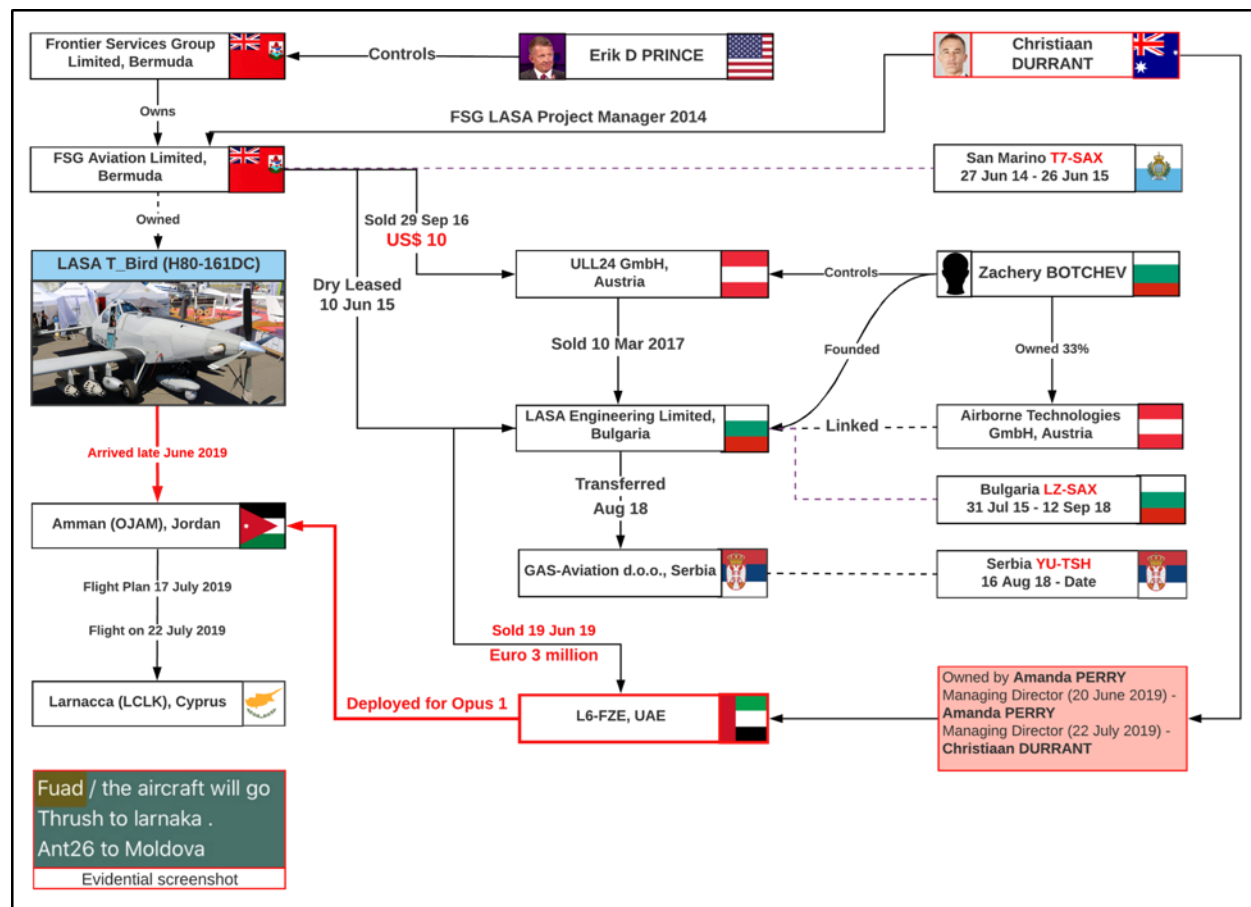
Photogrammetry comparison for Pilatus PC-6 (#790) deployed in Libya

Source: Panel analysis.

Appendix P to Annex 76: Procurement of LASA T-Bird (YU-THS)

Figure 76.P.1

Procurement of converted 2SR H80 Thrush 510G (construction number H180-161DC) by L-6 FZE



Source: Panel analysis

Figure 76.P.2

Dry lease of converted 2SR H80 *Thrush* 510G (construction number H180-161DC) FSG Aviation to LASA (extract).
10 June 2015

КОПИЕ

AIRCRAFT DRY LEASE AGREEMENT
dated as of 10.06.2015 ("Agreement")

This Agreement (together with all supplements, annexes, exhibits and schedules hereto hereinafter referred to as the "Lease") is between:

LASA Engineering Ltd
5, Slavyanska Str, fl. 3
1000 Sofia, Bulgaria
Tel.: 02-9487060 Fax: 02-9487066 E-mail: info@lasaeng.eu
Contact Person: Ivo Dimitrov - Manager

(hereinafter referred to as "Lessee")

and

FSG Aviation Limited
Registered Address:
Clarendon House
2 Church Street
Hamilton HM11
Bermuda

Correspondence Address:
39/F, Suite 3902
Far East Finance Centre
16 Harcourt Road, Admiralty
Hong Kong
Tel: +852 3766 1077
Fax: +852 3007 0386
Email: sammyfung@fsgroup.com
Contact Person: Sammy Fung

(hereinafter referred to as "Lessor" or "Owner")

1. LEASING:

(a) Subject to the terms and conditions set forth below, Lessor agrees to dry lease-out to Lessee, and Lessee agrees to dry lease-in from Lessor, the aircraft, including the airframe, engines and all appurtenant equipment (together hereinafter the "Aircraft") described in Annex A for its management, under the conditions, as stipulated herein.

(b) The Aircraft shall be managed and operated by Lessee in category – "Private", for experimental purposes as a modifications' testbed over the lease period.

(c) Lessee shall have the sole responsibility for flight management and the respective utilisation of the Aircraft and the administration relating to, as well as the technical maintenance of the Aircraft in accordance with Section 6 of this Agreement. Lessee shall undertake and provide all related services necessary thereto in its own name, notwithstanding Lessor's obligations to pay for and bear charges and expenses under this Agreement and loss or damage arising therefrom or in connection therewith.

(d) For the duration of this Agreement, Lessee shall assume the operation of the Aircraft under the terms and conditions of this Agreement.




(e) Lessor shall undertake to support Lessee to its best abilities and shall submit all necessary documents for the operation and management of the Aircraft in a timely manner.

(f) The Aircraft shall be delivered by Lessor to Lessee at Sofia Airport or other mutually agreed location with all documentation and loose equipment normally associated with a used aircraft. The list of documentation includes, but is not limited to:

1. Flight Manual incorporating the latest revisions and all applicable amendments and supplements;
2. Manufacturer's Maintenance, Service and Overhaul Manuals and Illustrated Parts Catalogues and all applicable amendments and supplements;
3. Maintenance Planning Data, issued/coordinated by the manufacturer and an approved Aircraft maintenance programme;
4. A complete set of all issued applicable operational bulletins by the manufacturer and airworthiness directives (AD/SB Summary), issued by the respective aviation authorities regarding the particular aircraft;

Page: 1/10 - Dry Lease Agreement for A/C Thrush 510G, s/n H80-161DC
Between FSG Aviation Limited and LASA Engineering Ltd.

ВЯРНО С ОРИГИНАЛА

Lessor according to the terms and conditions of Article 10 of the present Agreement.

14. Miscellaneous:

(a) Should any provision of this Agreement be or become invalid either in whole or in part, the other provisions of this Agreement shall remain in force. It is understood by the Parties hereto that any invalid or incomplete provision shall be replaced or filled by a valid provision which accomplishes as far as legally possible the economic effects of the invalid or missing provision.

(b) Amendments to this Agreement may only be made in writing. This writing requirement shall also apply to any deviation from such requirement.

(c) Any understandings or arrangements (either in writing or orally, at or prior to the signing of this Agreement) shall be cancelled and superseded by this Agreement. This Agreement thus contains all terms and understandings as of the signing date between the Parties relating to the subject matter hereof.

(d) All notices and other communication hereunder shall be in writing (including e-mail or telefax with a transmission confirmation) to be effective. Any notices shall be addressed to the contact person and address, or e-mail or fax number set out herein, unless a Party has notified the other Party of a different contact person, address or fax number for such purpose.

(e) Each Party shall bear its own costs and expenses in connection with the negotiation and preparation of this Agreement.

(f) All rights and obligations under this Agreement shall be assigned to the respective singular or universal successor(s) jointly.

(g) This Agreement shall be executed in two counterparts, one for each Party.

(h) The competent Bulgarian court shall have exclusive jurisdiction for all disputes and claims under and in connection with this Agreement.

(i) This Agreement shall be ruled under the laws of Bulgaria.

IN WITNESS WHEREOF:

LESSOR:




LESSEE




ВЯРНО С ОРИГИНАЛА



ANNEX A
DATED THIS 10.06.2015
TO AIRCRAFT DRY LEASE AGREEMENT
DATED AS OF 10.06.2015

Description of the Aircraft:

Model: Thrush 510G
Type: THRUSH S2R
Variant S2R-H80T
YOM May 2014
EIS May 2014

which consists of the following components:

- (a) Airframe bearing last Registration Mark T7-SAX and Manufacturer's Serial No H80-161DC
- (b) One (1) General Electric (GE) engine type H80-100 bearing Manufacturer's Serial No. 141010 and Propeller type HC-B4TW-3/T10282N bearing Manufacturer's Serial No. QVA65
- (c) Standard accessories and optional equipment and such other items fitted or installed on the Aircraft and set forth (but not limited to) hereinafter:

- Dual Cockpit with Observer Seat
- Dual Controls
- Two Landing lights
- Map Light
- GTX-328 Transponder
- GTR-225A Com Radio
- Blind Encoder
- Aspen Evolution 1000 Pro
- Ferry Fuel System

d) Aircraft shall be delivered:

- without engines programme coverage;
- without airframe and avionics programme coverage;
- with modifications implemented, including:
 - o Self Contained Aerial Reconnaissance Pod (SCAR POD)
 - FLIR ULTRAFORCE 350HD
 - ECS Downlink
 - Video/Data Recording system
 - o Persistent Systems Wave Relay Datallnk
 - o Churchill Augmented Reality Mapping System (Software integrating FLIR Video and Moving Map and displaying on GETAC T800 Tablet Displays)
 - o Public Address System
- with: Complete documentation packages related to each and every modification;



Page: 7/10 - Dry Lease Agreement for A/C Thrush 510G, s/n H80-161DC
Between FSG Aviation Limited and LASA Engineering Ltd.

ВЯРНО С ОРИГИНАЛА



Source: Confidential

Figure 76.P.3

Sale of converted 2SR H80 Thrush 510G (construction number H180-161DC) FSG Aviation to ULL24 (extract). 7 December 2016

Exhibit C

WARRANTY BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS:

FSG Aviation Ltd. ("Seller"), in consideration of the sum of Ten Euros (€10.00) and other good and valuable consideration paid to it by ULL 24 (vierundzwanzig) Beteiligungs- und Management GmbH ("Purchaser"), the receipt of which is hereby acknowledged, hereby sells, grants, transfers and delivers to Purchaser, its successors and assigns all of Seller's right, title and interest in one (1) Thrush Aircraft, Inc. model aircraft, bearing Manufacturer's Serial No. H80-161DC and Bulgaria Directorate General Civil Aviation Administration ("CAA") Registration No. LZ-SAX, together with its (1) one General Electric, Inc. model H80 engine, bearing Manufacturer's Serial Nos. 141010 including all propeller blades, equipment, components, appliances, accessories, instruments, avionics and other items installed in, or attached to, the airframes or the engines, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or under its reasonable control (collectively, the "Aircraft"), all pursuant to the Used Aircraft Purchase Agreement (the "Agreement") between Purchaser and Seller dated September 29, 2016.

That Seller hereby warrants to Purchaser, its successors and assigns that it is the holder of title to the Aircraft and has the right to sell the same as aforesaid and that this Bill of Sale conveys to Purchaser good and marketable title to the Aircraft, free and clear of all liens, claims, charges and encumbrances, and that Seller will warrant and defend such title forever against all claims and demands whatsoever.

That Seller agrees and acknowledges that the terms and conditions of this Bill of Sale shall survive the delivery of the Aircraft and the delivery and recording of this or any CAA Bill of Sale.

IN WITNESS WHEREOF, SELLER has caused this Bill of Sale to be signed by its duly authorized officer this 7 day of DECEMBER, 2016.


SELLER:


FSG AVIATION LTD.

By: [Signature]

Name: SAHMY PUNY

Title: MANAGER

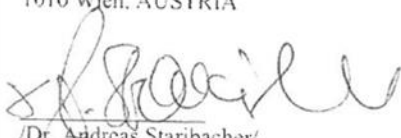





Source: Confidential

Figure 76.P.4

Sale of converted 2SR H80 Thrush 510G (construction number H180-161DC) ULL24 to LASA (extract). 25 January 2017

BILL OF SALE	
<p>ULL 24 Beteiligungs- und Management (ULL24) GmbH, Hegelgasse 8, 1010 Wien, Austria (Seller) owner of the hull legal and beneficial title of the goods described below:</p> <p>One (1) Thrush Aircraft, Inc. model 510G aircraft, bearing Manufacturer's Serial No. H80-161DC, together with its one (1) General Electric model H80 engine, bearing Manufacturer's Serial No. 141010 including all propeller blades, equipment, components, appliances, accessories, instruments, avionics and other items installed in, or attached to, the airframes or the engines, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or under its reasonable control, (collectively, the "Aircraft"), does hereby sell, grant, transfer, and deliver free and clear of any and all mortgages, liens charges, dues, or other encumbrances all its full legal and beneficial title rights and interests in and to said Aircraft unto:</p> <p>LASA Engineering Ltd. 5, Slavyanska str, fl.3 1000 Sofia, Bulgaria VAT: BG203177068</p> <p>(herein Buyer) and its successors and assigns.</p> <p>This Bill of Sale is made pursuant to that certain Aircraft Sales Contract by and between Seller and Buyer to which reference is made and which sets forth the rights and obligation of the parties.</p> <p>IN WITNESS WHEREOF we have set our hand this <u>25</u>th day of <u>January</u> 2017</p> <p>SELLER:</p> <p>ULL 24 Beteiligungs- und Management (ULL24) GmbH Hegelgasse 8 1010 Wien, AUSTRIA</p> <p> /Dr. Andreas Staribacher/ Manager</p> <p></p>	
AIRCRAFT SALES CONTRACT	Page 10 of 10
Seller	Buyer

Source: Confidential

Figure 76.P.5

Sale of converted 2SR H80 Thrush 510G (construction number H180-161DC) LASA to L-6 FZE (extract)
19 June 2019

HUSED AIRCRAFT PURCHASE AGREEMENT

THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of 19.06. 2019, by and between LASA ENGINEERING LTD (LEL), a Bulgarian limited liability company having an address of Floor 3, No5 Slavyanska str, 1000 Sofia, BULGARIA, represented by Mr. Ivo Dimitrov in the capacity of Managing Director ("Seller"), and L-6 FZE, a United Arab Emirates Company company having an Address of 1409, X2, Cluster X, JLT, Dubai UAE, represented by Mrs Amanda Perry in the capacity of Managing Director ("Buyer").

In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. PURCHASE AND SALE OF THE AIRCRAFT

A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, a used Aircraft Thrush 510G (Modified) including the airframe, engine, propeller blades, instruments, avionics and other items - loose or installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.

B. Warranty Assignment. The aircraft will be delivered "as is – where is" and no warranty shall apply.

C. Purchase Price; Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of EUR 3,000,000.00 (three million euro) the "Purchase Price") for the Aircraft, Buyer shall pay the Purchase Price to an account designated by Seller at the Closing.

2. INSPECTION

A. Purchaser has had a full opportunity to make a suitable and appropriate inspection of the Aircraft and agrees to accept the Aircraft at Closing in the same condition it was at the conclusion of the inspection thereof.

3. CLOSING

A. Unless otherwise mutually agreed by the parties in writing, the closing (the "Closing") shall occur on a mutually agreed date no later than 05.07. 2019 (the "Closing Date"). The obligation of Purchaser to purchase the Aircraft from Seller is subject to the satisfaction of each and all of the following conditions prior to the Closing:

i. Seller shall have performed or complied with all agreements, covenants and conditions required by this Agreement to be performed or complied with by Seller prior to or at the time of the Closing.

ii. Seller shall provide any and all lien releases, if applicable, to Purchaser and ensure the appropriate documents have been filed to provide the Aircraft free and clear of any liens, claims, third party retention rights, or encumbrances except to the extent arising from an act or omission of Purchaser (collectively, "Liens").

to permit Escrow Agent or other persons rendering services to such party in connection with this Agreement to render such services, or (iv) as may be required to permit such party to pursue all available remedies for a breach of this Agreement by the other party.

G. Agreement Negotiated. The parties are sophisticated and have been represented or had the opportunity to be represented in connection with the negotiation and performance of this Agreement. Consequently, the parties do not believe that any presumptions relating to the interpretation of contracts against the drafter of any particular clause should be applied in this case and, therefore, waive their effects.

H. Broker Indemnity. Not applicable

IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

PURCHASER:

SELLER:

L-6 FZE

LASA ENGINEERING LIMITED

By: _____

Name: Amanda Perry

Title: CEO



By: _____

Name: _____

Title: _____

Source: Confidential

Appendix Q to Annex 76: BIMCo charter documentation for MRC-1250 RHIB (Manta-1 and 2)



Figure 76.Q.1

BIMCo Charter for RHIB Manta-1 (Signed by Steven John Lodge)

1. Shipbroker n/a		BIMCO UNIFORM TIME-CHARTER (AS REVISED 2001) CODE NAME: "BALTIME 1939" PART I	
2. Place and date of Charter Benghazi, Libya 20 June 2019		15. Port of delivery (C1.1) Benghazi - Libya. Vessel is to be delivered by the Owner to Libya at the expense of the Charterer. Cost of Delivery - Euro 15,000 excluding VAT.	
3. Owners/Place of business Sovereign Charterers Limited, 21/22 Parish Square, Mellieha, MLH 1070, Malta		16. Time of delivery (C1.1)	
4. Charterers/Place of business Opus Capital Asset Limited FZE, Fujairah - Creative Tower P.O. Box 4422 Fujairah, UAE		17. (a) Trade limits (C1.2) Mediterranean Sea (b) Cargo exclusions specially agreed	
5. Vessel's Name Manta 1 - (attached certificate of registry for details)		18. Bunkers on re-delivery (state min. and max. quantity) (C1.5) Fuel tank to be returned full. (Vessel to be re-delivered to the Owner with Full fuel tank)	
6. GT/NT n/a		19. Charter hire (C1.6) Rate of €2,500 per day exclusive of VAT Charterer responsible for all Fuel and Crew. Delivery charges as per clause 15.	
7. Class RHIB		20. Hire payment (state currency, method and place of payment; also beneficiary and bank account) (C1.6) Entire Charter hire shall be invoiced prior to Delivery of the Vessel in Libya. Should Vessel not be redelivered in accordance with the terms of this Charter, then a daily Charter Hire rate of Euro 4,000 ex VAT will apply. All rates are ex VAT: VAT will be due if applicable.	
8. Indicated brake horse power (bhp) []		21. Place or range of re-delivery (C1.7) Grand Harbour, Malta (Kalkara). Owner can arrange for Vessel redelivery to Malta for a fee of Eur 15,000 ex VAT (fuel included). Re-delivery shall occur at all times within Charter Hire Period.	
9. Total tons d. w. (abt.) on summer freeboard		22. Cancelling date (C1.21) n/a	
10. Cubic feet grain/bale capacity		23. Dispute resolution (state 22(A), 22(B) or 22(C); if 22(C) agreed Place of Arbitration must be stated) (C1.22) N/A - Arbitration Malta	
11. Permanent bunkers (abt.)		24. Brokerage commission and to whom payable (C1.24) n/a	
12. Speed capability in knots (abt.) on a consumption in tons (abt.) of n/a		25. Numbers of additional clauses covering special provisions, if agreed Applicable law and Arbitration / Force Majeure / Other conditions	
13. Present position 14. Period of hire (C1.1) 20 th June 2019 up to the 17 th September 2019 (both days inclusive). Period of hire is for 90 days and can be extended by a further 90 days at the request of the Charterer. The minimum period of hire is 90 days, in the event that the charterer wants to return the vessel before the expiry of the aforementioned period, the charterer will still be required to pay the entire charter hire for the minimum agreed period.		It is mutually agreed that this Contract shall be performed subject to the conditions contained in this Charter which shall include PART I as well as PART II. In the event of a conflict of conditions, the provisions of PART I shall prevail over those of PART II to the extent of such conflict.	
Signature (Owners)		Signature (Charterers)	

Source: Sovereign Charterers

Figure 76.Q.2
BIMCO Charter for RHIB Manta-2 (Signed by Steven John Lodge)

1. Shipbroker n/a		BIMCO UNIFORM TIME-CHARTER (AS REVISED 2008) CODE NAME: "BALTIME 1999" PART I		15. Port of delivery (Cl. 1) Benghazi - Libya. Vessel is to be delivered by the Owner to Libya at the expense of the Charterer. Cost of Delivery - Euro 15,000 excluding VAT.		16. Time of delivery (Cl. 1)	
3. Owners/Place of business Sovereign Charterers Limited, 21/22 Parish Square, Mellicha, MLH 1070, Malta		2. Place and date of Charter Benghazi, Libya 20 June 2019		17. (a) Trade limits (Cl. 2) Mediterranean Sea (b) Cargo exclusions specially agreed		18. Bunkers on re-delivery (state min. and max. quantity) (Cl. 5) Fuel tank to be returned full. (Vessel to be re-delivered to the Owner with Full fuel tank)	
4. Charterers/Place of business Opus Capital Asset Limited FZE, Fujairah - Creative Tower P.O. Box 4422 Fujairah, UAE		5. Vessel's Name Manta 2 - (attached certificate of registry for details)		6. GT/NT n/a		19. Charter hire (Cl. 6) Rate of €2,500 per day exclusive of VAT Charterer responsible for all Fuel and Crew. Delivery charges as per clause 15.	
7. Class RHIB		8. Indicated brake horse power (bhp) 11		20. Hire payment (state currency, method and place of payment; also beneficiary and bank account) (Cl. 6) Entire Charter hire shall be invoiced prior to Delivery of the Vessel in Libya. Should Vessel not be redelivered in accordance with the terms of this Charter, then a daily Charter Hire rate of Euro 4,000 ex VAT will apply. All rates are ex VAT; VAT will be due if applicable.		21. Place or range of re-delivery (Cl. 7) Grand Harbour, Malta (Kalkara). Owner can arrange for Vessel redelivery to Malta for a fee of Eur 15,000 ex VAT (fuel included). Re-delivery shall occur at all times within Charter Hire Period.	
9. Total tons d. w. (abt.) on summer freeboard		10. Cubic feet grain/bale capacity		22. Cancelling date (Cl. 21) n/a		23. Dispute resolution (state 22(A), 22(B) or 22(C); if 22(C) agreed Place of Arbitration must be stated) (Cl. 22) N/A - Arbitration Malta	
11. Permanent bunkers (abt.)		12. Speed capability in knots (abt.) on a consumption in tons (abt.) of n/a		24. Brokerage commission and to whom payable (Cl. 24) n/a		25. Numbers of additional clauses covering special provisions, if agreed Applicable law and Arbitration / Force Majeure / Other conditions It is mutually agreed that this Contract shall be performed subject to the conditions contained in this Charter which shall include PART I as well as PART II. In the event of a conflict of conditions, the provisions of PART I shall prevail over those of PART II to the extent of such conflict.	
				Signature (Owners) 		Signature (Charterers) 	

Source: Sovereign Charterers

Appendix R to Annex 76: Dispersal details of PMC operatives from the RHIB

1. Full biometric details for these individuals are available from the Panel on request.
2. All individuals stayed at the Radisson Blu Resort Hotel, Saint Julian's²⁴⁷ whilst in Malta. All rooms were booked, and accommodation paid for via the www.expedia.com website.

Table 76.R.1

Accommodation and dispersal for individuals in Malta from RHIB Manta-1 (1-3 July 2019)

Room Code #	Names	Nationality	Departed		Remarks
			Date	Destination / Routing	
A	Steven John Lodge	RSA / UK	4 Jul 2019	MLA > AMS > UK (ABZ)	▪ Mastercard used as guarantee for hotel extras, but paid cash
B	David Cyrus Button	UK	4 Jul 2019	MLA > AMS > PTY > Columbia (MDE)	▪
	Sean Arthur Baker	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
C	Andrew Gordon Furness	UK	4 Jul 2019	MLA > UK (EMA)	▪ Taxi paid by Visa.
D	Sean Callaghan Louw	UK	4 Jul 2019	MLA > UK (LGW)	▪ Hotel extras covered by Mr Steven John Lodge
	Andrew Scott Ritchie	UK	4 Jul 2019	MLA > UK (LGW)	
	Abel Daniel Schoeman Smit	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	
E	Michael Barry James Hardy Allen	RSA / UK	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Mastercard used as guarantee for hotel extras.
	Lucas Cornilius Schutte	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
F	Matthew Coughlin	AUS	4 Jul 2019	MLA > CDG > Dubai (DXB)	▪ Paid hotel extras in cash.
	Quintan Charl Paul	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
G	Richard Milton Parish	AUS			▪ Paid hotel extras in cash.
H	Travis Alden Maki	USA	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Paid hotel extras in cash.

²⁴⁷ <https://www.radissonhotels.com/en-us/hotels/radisson-blu-resort-malta-st-julians>, accessed 14 January 2020.

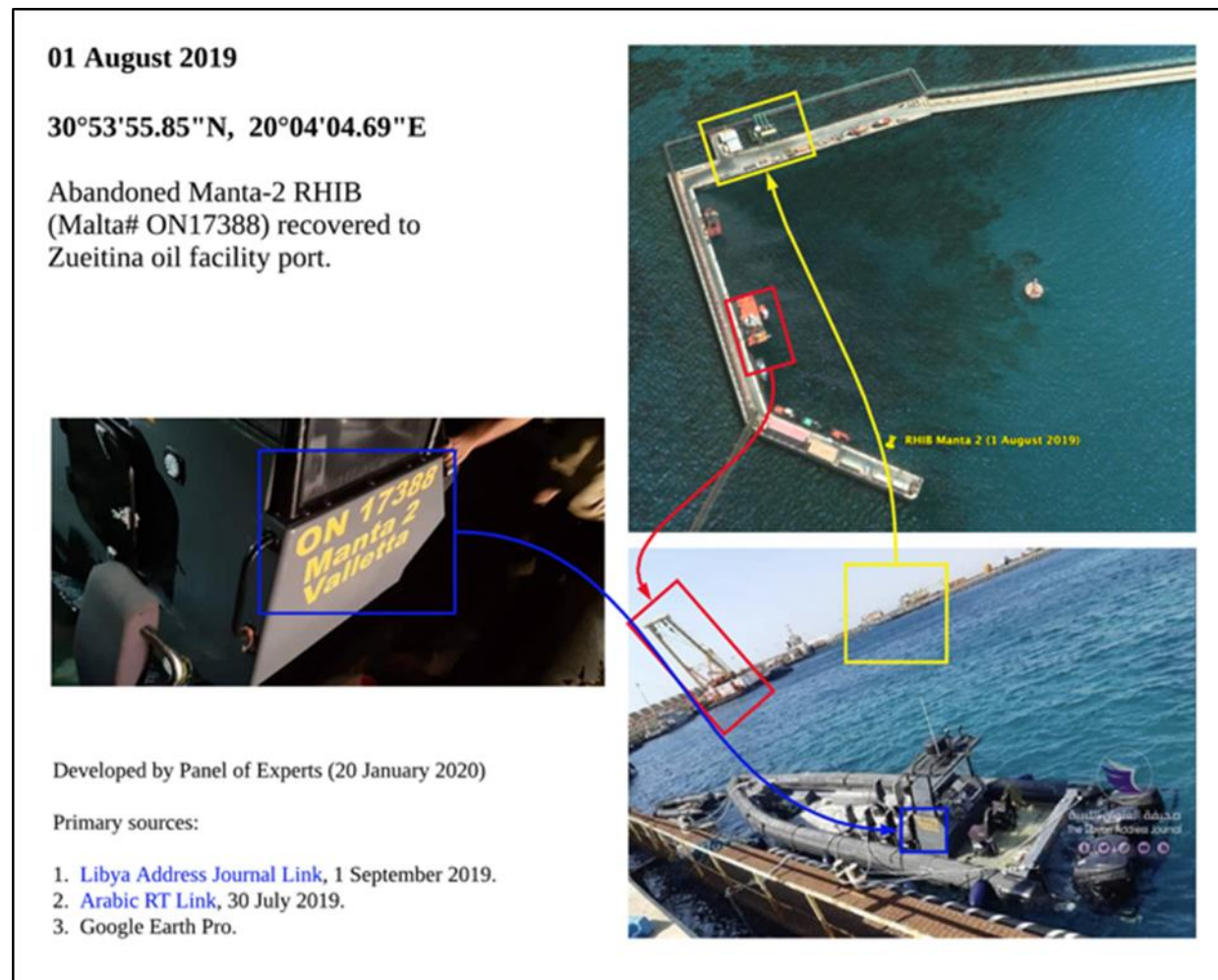
Room Code #	Names	Nationality	Departed		Remarks
			Date	Destination / Routing	
J	Ryan Hogan	RSA	4 Jul 2019	MLA > UK (LGW)	▪ Paid one night with Mastercard.
K	Andre Melt greyvenstein	RSA	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Paid hotel extras in cash.
	Christian Nicolaas Gerhardus du preez	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
L	Giliam Ferdie Joubert	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
	Hendrick Johannes Bam	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
M	Rudi koekemoer	RSA			▪
	Joseph Benjamin Joubert	RSA			▪

Source. Confidential (CS5)

Appendix S to Annex 76: MRC-1250 RHIB in Zuetina, Libya

Figure 76.S.1

MRC-1250 RHIB recovered to Zueitina

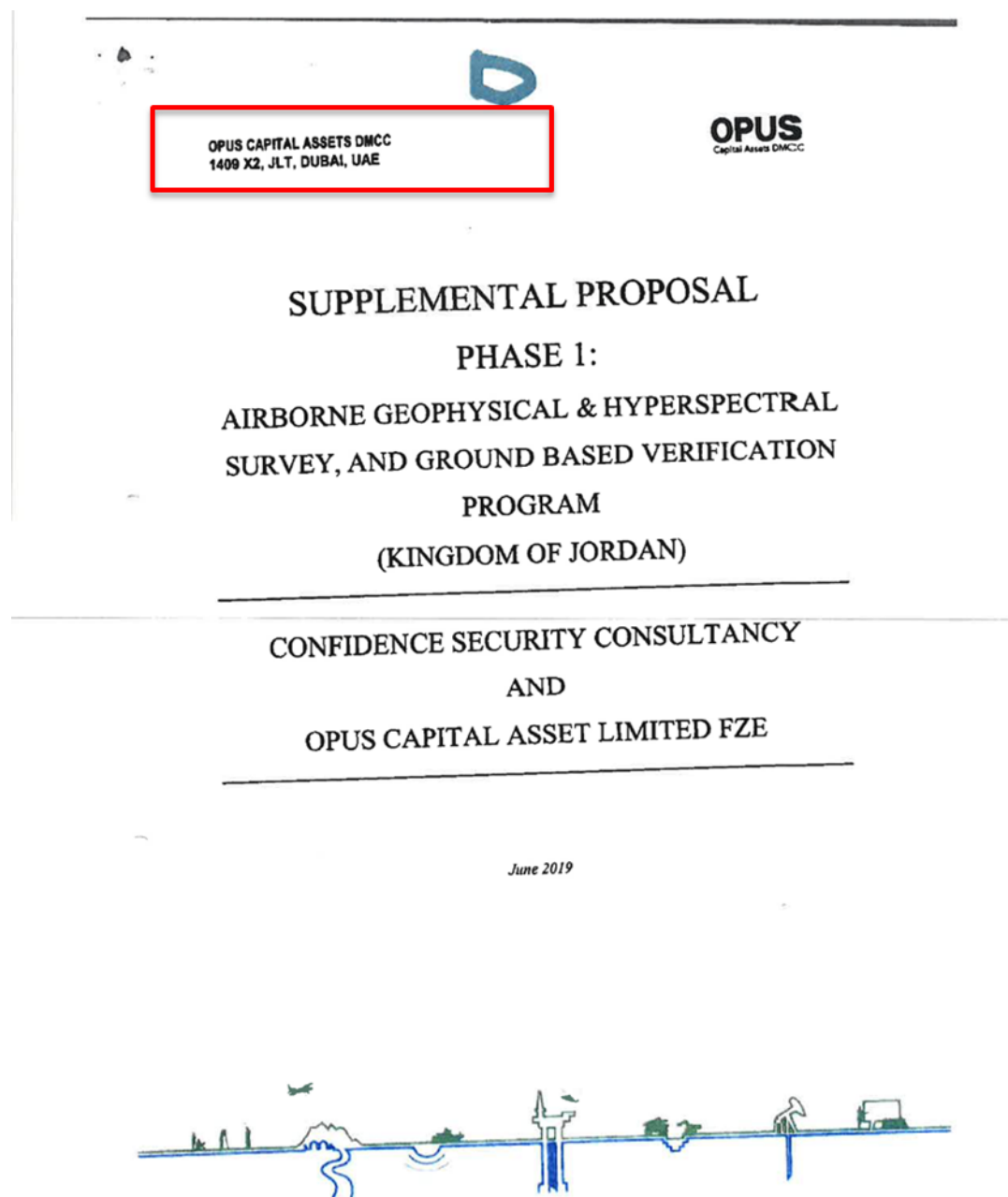


Source: Panel analysis.

Appendix T to Annex 76: Counterfeit document used to support air transportation

Figure 76.T.1

Extract from counterfeit document used to support air transportation



Source: Member State.

List 76.T.1

Discrepancies identified by the Panel

1. No company registration number, URL address or EMail addresses for either Confidence Security Consulting nor Opus Capital Assets DMCC appears anywhere in the documentation.
2. No name for the Confidence Security Consulting signatory appears in the documentation.
3. Opus Capital Assets appears as a DMCC company throughout the document, but as an FZE company on the cover page.
4. No post nominals appear after the Confidence Security Consulting name anywhere in the document to indicate where the company is registered (e.g, F.Z.E, P.J.S.C, plc, etc).
5. Although the RfP does include the fact that three AS332 *Super-Puma* and three SA341 *Gazelle* are to be used in the survey, the image of the *Super-Puma* displays a registration number N7801F. This particular aircraft was listed as belonging to Heligroup Puma L.L.C in Missoula, MT, USA on 12 June 2018, and then sold to Air Centre Helicopters, Burleston, Texas and registered as N830AC.²⁴⁸ The aircraft is currently (as at 10 September 2019) assisting the Hurricane Dorian relief operations in the Bahamas, and is almost certainly not owned by Opus Capital Assets DMCC.
6. The document also shows an image of an Antonov AN-26 with the registration UK-MDA. That registration prefix is used by Uzbekistan. The image is that of a Ukrainian registered aircraft, UR-MDA, which flies with a Frontier Services Group logo on the fuselage.²⁴⁹ The aircraft is owned by FSG Aviation Limited (Bermuda)²⁵⁰ and operated by Meridian Aviation Enterprise of Special Purpose PJSC. (Ukraine).²⁵¹
7. The document is poorly laid out and an obvious “cut and paste” fake. It is nowhere near the quality of an RfP been professionally prepared for a contract listed at US\$ 85 million in the document.

²⁴⁸ www.helis.com/database/cn/25955/. Accessed on 9 September 2019.

²⁴⁹ www.jetphotos.com/photo/8157762. Accessed on 15 September 2019.

²⁵⁰ www.atdb.org. Search on 14 September 2019.

²⁵¹ Ibid.

Appendix U to Annex 76: Email thread linking Bridgeport, PC-6 and Prince

The diagram illustrates an email thread with three participants: Mark DAVIES, Managing Director of Bridgeport; Erik Dean PRINCE, Managing Director of Frontier Resource Group; and Pilatus PC-6 (#790), which was owned by XE Aviation LLC and later transferred to TST Humanitarian Surveys LLC. Arrows indicate the flow of communication between these entities across three email messages.

Message 1:

Subject: Re: Aircraft inspection
 To: madavies@hotmail.com
 CC: directorofops@transerv1.com; srump@frontierresourcegroup.com
 From: ep@frontierresourcegroup.com
 Date: Tue, 24 Jan 2012 19:59:02 +0000

Yes Sean can issue a P0.
 Thanks

Message 2:

From: Mark Andrew Davies <madavies@hotmail.com>
 Date: Tue, 24 Jan 2012 19:49:31 +0000
 To: <ep@frontierresourcegroup.com>
 Cc: <directorofops@transerv1.com>
 Subject: RE: Aircraft inspection

k. Meeting on 6th. Nick will travel that week to RV at Entebbe with JP to look at plane and prep. In the meantime we'll order the kit due to the lead time. I'll get costs off the other two entities for parts, see if they sharpen thier pencil a little. Talk to SR to sort P0?
 M

Message 3:

CC: directorofops@transerv1.com
 From: ep@frontierresourcegroup.com
 Subject: Re: Aircraft inspection
 Date: Tue, 24 Jan 2012 22:46:13 +0400
 To: madavies@hotmail.com

The bird is ready and we will install your gear as soon as you're ready.
 Sent from my iPad

On Jan 24, 2012, at 15:17, Mark Andrew Davies <madavies@hotmail.com> wrote:

We have a meeting with the manufacture on 6th Feb in Toronto to discuss the PC6 fit. I can send Nick out shortly thereafter; right now all the guys are on a mob in the Alberta Oil Sands. Im writing a brief document to distribute to all on magnetic equator issues - this is flagging up a data quality issue if operating in areas such as South Sudan Nothing to do with the aircraft, just strength of magnetic field in that area. We get around this by flying additional instrumentation - something to think about.

We have been working on costing and feasibility in the background for John P. Costs will be around US\$200K for the mag. The mag manufacture has never fitted to a PC6 before and has mooted about getting a PC6 in their shop during fit to document procedures, instead of a field fit - we can get around this I'm sure. I have not tackled this subject until we were certain it's a go. Last correspondence as follows....

Mark DAVIES,
 Managing Director of Bridgeport.

Erik Dean PRINCE,
 Managing Director of Frontier
 Reseource Group.

Pilatus PC-6 (#790),
 Then owned by XE Aviation LLC, six
 months vbefore transfer to TST
 Humanitarian Surveys LLC

Source: Confidential.

Appendix V to Annex 76: Christiaan Paul Durrant's response to the Panel's opportunity to reply

PANEL NOTE: This summary is based on contemporaneous notes taken by both Panel members during the interview in London on 16 September 2020.

1. The Panel explained the appropriate Security Council resolutions to Christiaan Paul Durrant and explained the mandate and working methods of the Panel. The Panel also explained the timelines and subsequent status of the final mandated report of the Panel. Christiaan Paul Durrant was offered the opportunity to make an initial opening statement, in which he covered:

- (a) His concerns about the leaks to the press of the Panel's updates to the Committee and press access to documentation.
- (b) That the investigation was politically motivated and that Erik Prince was obviously the target of the investigation. He emphasised that whilst Erik Prince was a personal friend he was not involved with the operation;
- (c) He expressed concerns about the wide number of violations and hoped the Panel were pursuing all with equal zeal; and
- (d) He denied any violations of the Libya arms embargo.

2. The Panel responded by explaining:

- (a) That the Panel was equally concerned by press leakages as it was not helpful to the wider investigations of the Panel if witnesses thought the Panel leaked. Christiaan Paul Durrant was assured that the leaks were not from the Panel nor the UN Secretariat, but were wider than that;
- (b) The Panel explained that its investigations were carried out strictly in accordance with: 1) the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see [S/2006/997](#)); 2) Annex III to Experts' Terms of Reference *Building a Statement of Case for Security Council Sanctions Regimes (Version of 26 January 2017)*; and 3) Appendix B to Annex 3 of Panel report S/2019/914. The Panel emphasized that their investigations were not politically motivated and that they purely "followed the evidence". The Panel expressed surprise that Erik Prince was again being linked to this operation by statements from HFW clients,²⁵² as this name had not been used by the Panel in any updates or requests for information; and
- (c) The Panel informed Christiaan Paul Durrant that whilst it would be inappropriate to share details, that the Panel was investigating a wide variety of cases with similar due diligence, which would become apparent on publication of the Panel's final report in early 2021.

3. The Panel then asked Christiaan Paul Durrant a wide range of detailed questions which he was

²⁵² First mentioned in written statement by Steven Lodge dated 13 September 2020.

reticent to reply demanding to know their relevance to sanctions violations in Libya. The Panel explained that they were trying to get an overall view of the operation, and that his answers may verify, or otherwise, information already in the possession of the Panel. The questions and answers below are of relevance:

(a) When asked about the company structure of L-6 FZE, Lancaster6 DMCC and Opus Capital Assets FZE Christiaan Paul Durrant explained that: 1) L-6 FZE acted as an “asset holding company”; 2) Lancaster6 DMCC as a “consulting company”; and 3) Opus Capital Assets FZE as a “logistic services provider. Christiaan Paul Durrant stated that he was Managing Director of all three companies, which were established using his personal capital.

(b) When asked about Opus Capital Asset DMCC Christiaan Paul Durrant said that he had meant DMCC in his previous answer and that he had no knowledge of the FZE company. This is contrary to statements previously provided by his legal counsel that the Opus DMCC company was nothing to do with their clients and they did not represent that company.

(c) On each question relating to a company, Christiaan Paul Durrant specifically and voluntarily advised that Erik Prince was not involved with that particular company.

(d) He was reluctant to tell the Panel who the authorized signatories were to the companies’ bank accounts mentioned by the Panel,²⁵³ but stated that they had all now been closed.

(e) Christiaan Paul Durrant explained that he had resigned as a Director of Umbra Aviation, although was still a 50% shareholder. When asked why South African official records showed him as a Director he had no credible explanation.

(f) Christiaan Paul Durrant stated he was aware of the company Confidence Security Consultancy (CSC), which was Lebanese owned and based in the UAE. He explained that Opus had a contract with them for an Oil and Gas Survey of Jordan, and that the proposal had used background information on Jordan obtained through a commercial agreement with Bridgeporth. Bridgeporth had previously denied any contractual agreements with Opus.²⁵⁴ In response to a further enquiry by the Panel²⁵⁵ regarding CSC he stated²⁵⁶ that they were *prevented by confidentiality obligations from supplying this information*. CSC did not respond to the Panels request for information.²⁵⁷

(g) Christiaan Paul Durrant then explained that the Jordan contract fell through in late June 2019 so he instructed that the helicopters from South Africa be diverted from Jordan to Libya. He could not be specific on the date. The Panel has evidence to the contrary in that the initial contract on 20 June

²⁵³ Lancaster6 DMCC: Noor Bank (000241096278XXXX) and Emirates Islamic Bank (000370745605XXXX). Opus Capital Assets FZE or DMCC: Emirates NBD Bank (101546753XXXX).

²⁵⁴ EMail to Panel of 5 December 2019. The Panel sent a further letter on 18 September 2020 to Bridgeporths’ lawyers, Boies, Schiller, Flexner LLP (BSF), New York, but has yet to receive a response. The Panel notes it is unusual for a UK based company to use the services of a US legal firm.

²⁵⁵ Panel letter of 25 September 2020.

²⁵⁶ Opus legal counsel letter of 9 October 2020.

²⁵⁷ Confidence Security Co, 7 Floor, Office 702A, Kamala Tower 2, Al Had Street, Al Khalidiyah, Abu Dhabi, UAE. +971 2 6760660. The Panel has not elicited a response to this number.

2019 for the charter of the IL-76 aircraft clearly stated the charter was from Gaborone, Angola to Benghazi, Libya.

(h) Christiaan Paul Durrant then explained that the Opus A team in Jordan from 1 June 2019 was there to inspect Royal Jordanian Air Force helicopters for sale on behalf of other clients. When pressed he could not name any clients and the Panel wrote²⁵⁸ asking for evidence of this statement. HFW responded on 9 October 2020 that at the 16 September 2020 meeting Christiaan Paul Durrant had “*indicated that there was a special permission in place from the Jordanian Government (...). There is no engineering data (...) in our client’s possession*”.

PANEL NOTE: The Panel is not convinced by this statement as: 1) the 18 June 2019 SITREP, which Christiaan Paul Durrant accepts came from his team makes it clear what his presence in Jordan was really for; and 2) the Jordanian Government informed the Panel that it *does not have any relationship with (...) private military operation under investigation*”²⁵⁹ and that “*the individuals (...) are not known to the Jordanian authorities and they have not dealt with them*”.²⁶⁰

(i) Christiaan Paul Durrant explained that the operation in Libya was to establish a logistic hub as he had evidence of such a market requirement.

PANEL NOTE: The Panel notes that this is now a variation of previous “cover stories”, and refer to it as ‘Cover Story 3’.

(j) Christiaan Paul Durrant was unaware of the purchase costs for the three ‘Super Puma’ helicopters and could not provide even a rough estimate.

PANEL NOTE: The Panel is unconvinced by this response, as it is highly unlikely that the Managing Director of a personally funded company would not know the value of the company’s major assets, particularly as his lawyer had already informed the Panel that *company assets in excess of 15M USD*²⁶¹ *were abandoned in Libya*.²⁶²

(k) Christiaan Paul Durrant agreed that a normal purchase for an aircraft would be to inspect and receive an aircraft before transferring funds. He could not explain why the procurement process for the Antonov 26B was so truncated, nor why the documentation was signed two weeks after L-6 FZE took possession of the aircraft in Jordan.

(l) When asked about the LASA T-Bird Christiaan Paul Durrant emphasized that it wasn’t weaponized and that it deployed to Jordan without the ISR sensor. When asked what the point of the deployment was then, he explained that the sensor was due to arrive separately and that there was a legal case outstanding with LASA Engineering in Bulgaria over this issue.

PANEL NOTE: The Panel accepts that it is possible the aircraft deployed without any wing mounts for weapons but notes they could be carried internally or shipped separately and easily retrofitted

²⁵⁸ Panel letter of 25 September 2020.

²⁵⁹ Letter from Jordan dated 6 April 2020.

²⁶⁰ Letter from Jordan dated 10 August 2020.

²⁶¹ As the only know assets abandoned were the three *Gazelle* and three *Super Puma* helicopters, and the three *Gazelle* were purchased for an estimated USD2M, then the *Super Puma* were probably purchased for USD4M each.

²⁶² HFW letter of 7 January 2020.

anyway. The Panel is totally unconvinced that the aircraft was not weaponized, in that all the armoured seats, explosion protected mesh fuel cell, internal cabling, targeting computers, sensor controls, weapon release controls that were fitted in 2015/2016, when Christiaan Paul Durrant was the Project Manager for the LASA development, were almost certainly not removed prior to this deployment. Christiaan Paul Durrant claims not to know the name of the pilots or crew of any of the aforementioned aircraft; this the Panel finds highly unlikely considering the small size of the companies concerned and Christiaan Paul Durrant's history with this particular aircraft.

(m) In the written supplementary questions from the Panel of 25 September 2020, Christiaan Paul Durrant stated that; 1) was unable to supply information on the crew of the AN-26B owned and operated by his company at that time; 2) provide the location of the LASA T-Bird – a major asset owned by his company; 3) provide the current registration for the Pilatus PC-6 owned and operated by his company and operating in Libya from late June 2019 to date.

PANEL NOTE: The Panel considers it highly unlikely that he did not know this information, nor had access to it.

(n) Christiaan Paul Durrant was not prepared to answer any questions relating to the US lobbying firm, Federal Advocates Inc, contracted by Opus FZE on 17 September 2019.

PANEL NOTE: Federal Advocates Inc (USA) disclosed on 17 September that they had been engaged to provide lobbying services relating to *Defence Fuel/Gas/ - Working with the Administration on geopolitical issues*. This was changed on 16 October 2019 to “*Oil and gas logistics service – providing educational background to the administration*”. The company failed to cooperate with the Panels' requests for information and clarification.

(o) Christiaan Paul Durrant finally explained in his interview that all the work in Libya was unfunded by external sources, there were no contracts for the deployment and that all the risk was self-insured. Again, the Panel is unconvinced of this explanation.

(p) In his response to the written supplementary questions from the Panel of 25 September 2020, Christiaan Paul Durrant stated that the PowerPoint presentations at appendix B to annex 76 were being “*falsely attributed to Opus*” and were the “*property and work of other unrelated groups looking to be active in Libya*”. He claimed to have “*substantial amounts of information*” which he would only share if “*satisfied that the investigative process is being conducted in accordance with internationally accepted standards relating to due process and which also affords proper protection to individuals who offer their cooperation*”.

PANEL NOTE: As the Opus legal counsel have been informed on a number of occasions as to the mandate, working practices and processes of the Panel, it is difficult to see what would persuade Christiaan Paul Durrant to release this “*relevant information*” such as it exists. Indeed, based on the evidence to date linking him to the Opus A operation, his lack of cooperation at a substantive and detailed level, and the fact that three ‘cover stories’ have now been used, the Panel considers that Christiaan Paul Durrant's offer is just another delaying tactic. However, in order to follow due process at that stage of an ongoing investigation, the Panel wrote to Christiaan Paul Durrant a final time²⁶³ requesting that any further information be released to the Panel. His response of 12 November 2020 was again to refuse to share this “*relevant information*”.

²⁶³ Panel letter of 15 October 2020.

Appendix W to Annex 76: James Fenech and Sovereign Charters' legal response to the Panel's opportunity to reply

PANEL NOTE: The original version of this document was submitted by Email to the Panel at 12:19 hours on 3 February 2020. The Panel certifies that this is a true copy of the content, style and layout of the original document received by the Panel on 3 February 2020.

I'll start off by reproducing the part of your email which is of particular concern to us.

*"The Panel will very likely include your client's name, and his company Sovereign Charters Limited (Malta), in the forthcoming update to the Sanctions Committee as having being in **technical** non-compliance with paragraph 9 of resolution 1970 (2011) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. The Panel will emphasise that Mr Fenech cooperated fully with the Panel and acceded readily to all information requests during the investigation. The Panel also considers that Mr Fenech was unaware that the transfer of an unarmed military vessel would be a non-compliance of the sanctions measures, and will reflect this in their update. Please not the use of the word Technical as opposed to deliberate.*

The two RHIB vessels his company chartered to Opus Capital Asset FZE are advertised on the Sovereign Charterers website as being "special forces RHIBs ... hardened for maritime security operations". The Panel thus finds them to be military equipment under the ambit of paragraph 9 to resolution 1970 (2011). This finding is supported by the definition in Common Military List of the European Union. ML9.(a).1. " (...) other surface vessels. Vessels (...) modified for military use (...) regardless of whether or not they contain (...) weapon delivery systems".

We trust you appreciate that including my client's name and his company's name in an update to the Sanctions Committee could potentially have devastating consequences on him personally and on his company's business and future. We understand the distinction you make between being "technically" non-compliant and "deliberately" non-compliant. The latter form of non-compliance has been correctly discarded by your good self and we will therefore not go into the matter.

We respectfully point out that we are gravely concerned by the fact that your conclusions regarding technical non-compliance are founded on a serious misconception regarding the RHIBS in question. This misconception stems from the fact that it is evident to us that your conclusions regarding the military nature of the RHIBS rely solely on the description given on the Sovereign Charterers website. We concede that the description on the website, which is intended solely for business purposes, may be misleading.

PANEL NOTE: The Panel's finding of the military nature of the vessels does not rely solely on Sovereign Charterers description on their website. Indeed, the Panel finds that description to have been accurate, rather than as is now claimed "misleading". The Panel notes that the description has changed subsequent to the Panel's first showing interest in this matter to Mr Fenech and Sovereign Charterers Limited.

We therefore request that, prior to reaching a conclusion that could potentially have dire consequences for client and his company, we would like to invite you to physically examine the RHIBS to remove any doubts that you may have as to their military nature. One of these vessels is in client's possession and we are at your disposal to make it available for proper examination and inspection.

The other vessel has been reported lost at sea. From the initial data provided by the charterer, Manta 2 hit a rock during the evacuation procedures soon afterwards the vessel systems started to fail and water started to flood the vessel following the single catastrophic event. Client personnel had no choice but to go on board the other Rhib abandon the vessel and continue towards Malta. From media reports the vessel was visibly submerged but floating indicating the charterers version of events.

PANEL NOTES: (1) The other vessel is not lost at sea, but is in Zuetina harbour, Libya. (2) This statement contradicts that of Mr Gordon, Opus legal counsel's response to the Panel of 31 January 2020 to an OTR to his clients, in which he states that *"the vessel did not suffer any incident other than that it was possibly unsuitable for the voyage being undertaken at such short notice"*.

Apart from this we are attaching a number of documents that will evidenziate the misunderstanding resulting from an exclusive reading of the description given on the website.

One document that we are attaching is a survey report dated 29th January 2020 drawn up by Engineer Paul D. Cardona. This report, which was drawn up for registration and classification purposes in compliance with national regulatory requirements, refers to surveys carried out in the years 2017 and 2018, i.e. prior to the incident in question. It is also evident from this report that no modifications on the vessels were carried out. The report also includes a list of installations on one of the vessels, which installations were carried out by the client in order to try and upgrade the vessel classification from "pleasure" to "commercial" which are mandatory at law.

We invite you to contact Ing. Paul D. Cardona in order for him to confirm his findings.

Another document that we are attaching relates to the technical specifications of the RHIBS in question. This document was drawn up by the manufacturers New Madera RIBs B.V. It is also evident from this document that the RHIBS in question were not manufactured with any special material, design and/or equipped with any equipment which is required for Military applications. The same RHIBS can be procured by private individuals or companies without the

need of any licences, End User Certificates and other pertinent legal requirements for purchase of new military Naval Vessels.

PANEL NOTE: The Panel has consulted with New Madera RIBs B.V regarding this issue. The companies own website lists virtually identical vessels under their military section rather than civilian section as shown in figures 76.W.1 to 76.W.4 for comparison. The company also confirmed to the Panel that it rarely, if ever, sold all black RHIBs with all black engines, to other than military or security clients. Vessels destined for rescue, passenger or commercial work were usually coloured. The Panel finds that specifications alone are not necessarily the definitive criteria as to a vessel's intended function and use.

Figure 76.W.1

Madera MR-1250 Commando from manufacturers website ^a



Figure 76.W.2

Sovereign Charterers MRC-1250 Manta-1 and 2 ^b



Figure 76.W.3

Madera MR-1250 Cargo from manufacturers website ^b



Figure 76.W.4

Sovereign Charterers MRC-1250 Manta-1 or 2 ^d



^a Image 2/12 from <https://www.m-ribs.eu/boat/mr-1250-commando/>, accessed 3 February 2020.

^b Confidential source.

^c Image 1/7 from <https://www.m-ribs.eu/boat/mr-1250-cargo/>, accessed 3 February 2020.

^d Confidential source.

Another document/s we are attaching are Certificates of Survey issued by Transport Malta, dated 2nd March 2017, wherein the vessels are clearly classified as “Pleasure Boat[s]”.

PANEL NOTE. The Panel accepts that the vessels were probably used in a pleasure or commercial capacity when in Malta.

We also attach, for all intents and purposes, a letter from Dr Nicholas Valenzia whose law firm Mamo TCV Advocates was engaged by client to draft the charter party agreements. In this letter it is stated that client requested a due diligence exercise to be carried out on Opus Capital Asset Limited FZE which exercise resulted in the negative.

PANEL NOTE: It is not for the Panel to comment on the effectiveness of a due diligence exercise conducted by a third party.

It is evident that client had undertaken reasonable steps to ensure that the charterer was neither identified with illegal activities (through background checks) nor was intending or permitted under the terms of the charter agreement to commit such illegal acts. Instead, client understood that the vessels were chartered for the exclusive purpose of evacuation.

PANEL NOTE: Considering Mr Fenech's known close linkages to private military and security companies, and their operatives through the auspices of his other businesses, (e.g. Fieldsports Limited, Malta (C54571), PBM (*Precision Ballistic Munitions*) Limited, Malta (C78445) (who also own Blackwater Ammunition, Malta)), the Panel finds it unlikely that he found this to be a credible explanation considering the individuals and organizations involved in the charter of the vessels.

We request that in your review of the original charter contract you take note that client had expressly stated that responsibility for any and all actions subsequent to delivery lied solely with the chartering party. This to the extent that the charterer is expressly indemnified by the chartering party and the charterer dissociated from any consequent actions or inactions until the point of return of the vessel. Such steps as could be taken to understand the background of the charterer, and to contractually prevent them from undertaking any illegal activity were taken by client. In such circumstances we feel that it would be unreasonable to name my client in your report. We also feel it unreasonable to directly or indirectly associate client with whatever actions may have been undertaken by the chartering party.

PANEL NOTE: As above.

We trust that an examination of all the attached documents together with an examination of the RHIBS in questions will eliminate any doubt you may have regarding technical compliance.

Once again client kindly requests that your queries be made in writing and reiterates his intention to cooperate fully with your investigation.

Regards

Steve

Dr. Steven Tonna Lowell

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t: +356 21224276 **m:** +356 79010797

Confidentiality Note:

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Appendix X to Annex 76: Statement by Steven John Lodge in response to the Panel's opportunity to reply (13 September 2019)

PANEL NOTE. The original .pdf version of this statement was converted into .docx format to allow for the Panel to make appropriate notations in response to Lodge's comments. The Panel certifies that this is a true copy of the content, style and layout of the original document received by the Panel on 13 September 2020. The Panel sent a letter on 17 September 2020 with supplementary questions and Mr. Lodge's responses (dated 29 September 2020) are included under Panel Notes below, as appropriate.

PRIVATE AND CONFIDENTIAL

STATEMENT TO THE PANEL OF EXPERTS FOR LIBYA ("PANEL"), UN SECURITY COUNCIL SANCTIONS COMMITTEE ("UNSC") by STEVEN LODGE

1. I am providing this voluntary statement on the basis that the information is provided subject to absolutely confidentiality being provided by the Panel and the UNSC. It is also solely provided to the Panel and the UNSC for the purposes stated below and may not be provided to, or relied upon, by any other party or entity.

PANEL. The Panel has asked Mr. Lodge if he wishes any redacted version to be included in the final public Panel Report. Mr. Lodge is content for this Statement to be included in full in the final public report to the Committee.

1. I am providing this voluntary statement so as to cooperate with the Panel and specifically to respond to their requests for information. It would be incorrect accordingly for the Panel to consider or report that I have failed to cooperate with the Panel and I am replying by this statement to their offer of an opportunity to reply. It would also be incorrect and fail due process for the Panel to base its reporting on information it otherwise may hold without taking into account this statement.

2. I am providing this voluntary statement so as to clarify various aspects of your investigation and show that my actions were not in contravention of or non-compliance with Paragraph 9 of UNSC resolution 1970 (2011).

3. I have not directly or indirectly supplied arms and related materiel or technical assistance, training, financial or assistance related to military activities or the provision, maintenance for use of any arms in related materiel, including the provision of arms or mercenary personnel.

4. I have not violated, or assisted in the evasion of, the provisions of the arms embargo in Libya established by UNSC resolution 1970 (2011). I should not be named or recommended for designation in any Panel or UNSC report.

5. I have not been provided any evidence or proof to the contrary or shown any evidence that is the basis of any allegations to the contrary. As expressed previously, I have significant concerns

about engaging with the Panel's requests for co-operation in its investigations, particularly where I have had no fair opportunity to review or respond documents, whilst the investigation is ongoing, and I therefore remain unable to comment in any substance.

PANEL. Mr. Lodge would have had some documentary evidence explained to him during a formal OTR interview, which he declined. The Panel was not prepared to share any copies of the documentary evidence with him at that time as this evidence also applies to other individuals who would be forewarned of the case against them. This was a legitimate Panel decision to protect the integrity of their investigation. The decision was taken under the ambit of paragraph 2 (b) (v) of Appendix B to Annex 3 of Panel Report S/2019/914 "*for any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances*". The Panel shared appropriate documentation relating to this case with his legal counsel on 22 December 2010.

6. What I do want is for misinformation to be cleared up and for a fair enquiry to be conducted by the Panel.

PANEL. The investigation has been carried out strictly in accordance with: 1) the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997); 2) Annex III to Experts' Terms of Reference *Building a Statement of Case for Security Council Sanctions Regimes (Version of 26 January 2017)*; and 3) Appendix B to Annex 3 of the Panel's Interim Report to the Committee.

7. I note that the Panel's previous confidential report was leaked following its presentation to the UNSC, and that the contents of the report have now been widely circulated in the media. I have been hounded by the press as a result of this. Aside from prejudicing the investigation itself, the apparently wide circulation of the Panel's report has been highly prejudicial to my private life and business interests.

8. My trust and confidence in the investigative process has been seriously undermined by the disclosures made to the media. I am justifiably concerned that any further engagement with the Panel's investigation would lead to the same outcome.

PANEL. The leak is unfortunately also exogenous to the Panel. As indicated, the Panel conducts its investigations following the best practices and methods above indicated and maintains absolute confidentiality about its investigations.

9. I ask that I be given an opportunity to respond or to comment on anything that is proposed to be included in any reports, because clearly once it is in a report, whether or not it is confidential or subsequently appears elsewhere, it is too late once the report has been provided. Given the potential adverse consequences for me, it is incredibly important that I be given a real opportunity to understand the allegations and it would be completely inappropriate for the allegations to be included in your reports to the UNSC without having my informed reply.

PANEL. Mr. Lodge was offered an opportunity to reply interview (Email of 20 July), he initially accepted but then had to delay due to *family circumstances* (E Mail of 29 July 2020). He was offered a later date (in an Email of 17 August 2020) but declined (Email of 2 September 2020). He was again offered a later date (Email of 2 September 2020), which he again declined preferring instead to make

this written statement. Mr. Lodge has stated that he has provided a “detailed and substantive” statement. The Panel will comment on this later in this document.

10. Finally, I put to the Panel whether they are pursuing all alleged participants in the current Libya conflict with the same zeal which they are pursuing me and these events – it is not at all clear why the “non- events” that I was involved with in June 2019 are being singled out in this way when every day there seems to be reporting of activities which are much more clearly in breach of the arms embargo which the Panel is entrusted with monitoring.

PANEL. His legal counsel was informed prior to the interview with Mr. Durrant on 16 September 2020, that whilst it would be inappropriate of the Panel to share details, that the Panel was investigating a wide variety of cases with similar due diligence, which would become apparent on publication of the Panel’s Final Report in early 2021. It is reasonable to assume that this information would have been passed on to Mr. Lodge.

11. In addition, I would like to know if an internal investigation of the Panel and UNSC members has been undertaken by an independent external authority to determine who is responsible for the leaks for the reports to the media. If none has been actioned then I wish to know why not.

PANEL. His legal counsel was informed immediately prior to the interview with Mr. Durrant on 16 September 2020, that they could be assured that neither the Panel nor Secretariat were the sources of any leaks. Beyond that it would be inappropriate for Panel to comment further. Mr. Lodge was informed that this is a matter which is not within the purview of the Panel’s mandate or work and hence the Panel is unable to comment further. Mr. Lodge subsequently requested details of where breaches of confidentiality are most appropriately referred to at the United Nations. He was informed in October 2020 that this was *a matter which is not within the purview of the Panel’s mandate nor work and hence the Panel is unable to comment further.*

12. By submitting this statement I do not waive any of my rights (and expressly reserve them) or any applicable privilege or protection. I continue to request that the Panel and UNSC keeps this matter confidential and does not make public the fact that it is in contact with me. This includes in respect of journalists and the media.

Background

13. The following background is provided with intent to assist your greater understanding of the narrative of the events under investigation.

14. I am an aviation professional, specialising in helicopter services.

15. I was approached and engaged on a pilot's rate in April 2019 regarding assisting with a project to establish a logistics hub involving helicopters in Middle East/North Africa Region.

PANEL. Mr. Lodge was subsequently asked in a letter of 17 September 2020 to provide documentary evidence of this in the form of contracts and bank statements. Mr. Lodge responded that such documents were not managed or handled by him and were outside his scope of work. This is not consistent with the statement of Mr. Durrant who stated that there were no such documents, as the venture into Libya was purely speculative, and was taken at financial risk to the company.

PANEL. The Panel was informed on 17 December 2019 that Opus was involved in a project in Libya in Summer 2019, and that Opus provide oil and gas support services. On 31 January 2020 the Panel was then informed that Opus was to provide oil support services for a contract initially in Jordan, and then the helicopters were diverted for a project in Libya. This statement is the first mention of the establishment of a logistics hub. The Panel does not consider, for example, that a PC-6 aircraft fitted with two ISR pods, or a LASA T-Bird aircraft with internal fitments to target and deliver weapons, are the sort of aircraft required for a logistic support hub.

16. My role was to manage logistics and assemble the helicopters when they arrived.

17. I gathered with other personnel in the middle of June 2019 in Amman, Jordan. This was a small team of approximately 20 personnel who, like me, were aviation and logistics specialists.

PANEL. This is incorrect as the Panel has flight record evidence that Mr. Lodge first flew to Jordan on 1 June, leaving on 16 June 2020. His return date from Dubai to Jordan prior to deployment to Libya is not known. Mr. Lodge was subsequently asked to provide flight and accommodation details. He could not remember the accommodation used in Jordan, nor the flight details as he had not booked them.

PANEL. Mr. Lodge was subsequently asked for a copy of his entry and exit Visas for Jordan. He responded that he was not required to gain an entry visa for Jordan. This is contrary to the information supplied by the Government of Jordan (<http://www.dirco.gov.za/foreign/bilateral/jordan.html>), which advises that although visas are available on arrival it is recommended they are obtained in advance.

PANEL. Mr. Lodge was subsequently asked for a copy of his entry Visa for Libya. He responded that he assumed he could get an entry visa on arrival; however this did not occur. The Panel has confirmed that only Jordanian and Tunisian citizens may enter Libya without a visa. The lack of a visa for Mr. Lodge can only mean that his entry into Libya was facilitated by the Haftar administration, or he entered illegally.

18. This team was tasked to travel from Amman to Benghazi via chartered IL76 in late June. We took in no military equipment. Our loads were principally water, MREs (meals ready to eat), tents and camp cots.

PANEL. The Panel asked for details of the IL-76 cargo aircraft (registration # and flight #), and also why an aircraft with a payload of 50 tonnes was needed for such a small deployment. Mr. Lodge provided no substantive comment and stated he was not responsible for the cargo manifest or air waybill for that flight.

19. The deployment of assets and personnel to Libya resulted in aircrew, engineers, medics, technical and security staff being deployed from Jordan to Libya. Security staff were provided to secure the project's assets and personnel; they had NO weapons with them.

20. We were instructed to establish a camp and helicopters for the purpose of providing logistics services.

PANEL. The Panel subsequently requested the geo-coordinates of the Opus camp, and also contact details for their Libyan interlocuters. Mr. Lodge responded that he could not be certain of the location as their driver took an indirect route. The Panel is unconvinced of this response, as: 1) if Mr. Lodge did not know where the camp was, how could he know an indirect route was used; and 2) as a former professional military officer it would be second nature for him to be aware of his location at all times, if only for security reasons.

21. No helicopters arrived during the period we were there. i.e. the helicopters arrived after our personnel had departed.

PANEL. Mr. Lodge was asked to reconsider this statement as the Panel is aware that the three Gazelle helicopters arrived at 10:36 hours on 29 June 2019 (Flight KTR7722), eleven hours before the stated time of departure. The air waybill for this flight had Mr. Lodge's name and cell phone number as the contact point on arrival. Mr. Lodge stood by his initial statement. Again the Panel is unconvinced of the veracity of this response.

22. After we had been on the ground in Benghazi for a short period, I became concerned for the safety of our personnel. There were multiple un-identified military personnel around where we were located, which increased steadily. I was approached by various individuals who seemed to be associated with military organizations there who started insisting that the helicopters (which were yet to arrive) be used for illegal tasks.

PANEL. The Panel subsequently requested details of these organizations and individuals and where such approaches took place. Mr. Lodge did not provide any further substantial detail as they spoke Arabic and he didn't. The Panel has information from a confidential source within the operation that local armed guards were provided to guard the Opus team. It would be reasonable to presume that they assisted Mr. Lodge in his communication with the unidentified military personnel.

23. They did not heed my insistence that the helicopters did not and would not have any military capability to do what they requested. Understanding that this would be illegal and in breach of international sanctions and not the reason why we were there; I was not prepared to undertake this work and became concerned as to our security and continued safety in these circumstances. We let Mr. Christiaan Durrant know this and he agreed with the decision, including the decision to evacuate. The evacuation plan was set in motion under my direction, and all personnel and no Libyans were harmed at any stage.

PANEL. This statement is inconsistent with Mr. Lodge's response above, as it is obvious from this statement that he could communicate with at least some of the unidentified military personnel. Also, if as stated Mr. Lodge has not seen any helicopters on arrival, then how would these unidentified military personnel have connected the Opus team with the helicopters?

24. The RHIBs on which we were evacuated were not engaged for any military purpose but for emergency support for helicopters.

PANEL. The Panel requested clarification of why a helicopter would require the emergency support of a RHIB with a maximum speed of less than 25% of that of the helicopters. Mr. Lodge responded that this required for an emergency response in remote coastal areas, which he stated is a normal

practice for any aviation task in a coastal area. The Panel has communicated with other aviation professionals who do not support this statement of Mr. Lodge, stating that it would be much more effective to respond using another aviation asset. Unless there was an aviation incident directly on the coastline a RHIB could provide little practical support, even if it could be communicated with and was in the immediate area of the emergency.

25. Notwithstanding some promotional marketing as to their capabilities, the RHIBs were not militarised or had any military items in any sense and should be considered as commercial vessels which were registered in Malta as pleasure craft.

PANEL. The Panel disagrees and has made a finding otherwise. The Panel's finding of the military nature of the vessels does not rely solely on Sovereign Charterers description on their website that the vessels are *special forces (...) hardened for maritime security operations*. The panel consulted with the original manufacturer New Madera RIBs B.V regarding this issue. The company's own website lists virtually identical vessels under their military section rather than civilian section. The company also confirmed to the Panel that the company rarely, if ever, sold all black RHIBs with all black engines, to other than military or security clients. Vessels destined for rescue, passenger or commercial work were usually coloured. The Panel finds that specifications alone are not necessarily the definitive criteria as to a vessel's intended function and use.

26. I was advised that a Maltese lawyer was engaged to assist the evacuees with immigration matters on their arrival in Malta, as many did not (and had not contemplated the need to) have visas for arriving in Malta. None of the evacuees used the lawyer as it was not required, and the Maltese Police were very efficient, polite and sorted out visas for those who did not have. A RHIB was lost during the evacuation (noting the vessel did not suffer any incident other than it was probably unsuitable for the voyage being undertaken at short notice).

27. I was not involved in the engagement of or payment for the RHIBs.

PANEL. This is incorrect as demonstrated by the 20 June 2019 BIMCO Time-Charter Contracts, which had Mr. Lodge's electronic signature affixed to them.

Specific comments on aircraft

28. For clarity, I have the following comments regarding the aircraft referred to in this statement.

29. I was not authorised to sign for L-6 for IL76 services such as transaction for helicopters to be transported between Botswana and Jordan; and was not involved in arranging any payment for such services. I am not aware of where those IL76 aircraft now are.

PANEL. This is incorrect as demonstrated by the 20 June 2019 IWAS IL-76TD charter document for the flights from Gaborone to Benghazi, which had Mr. Lodge's electronic signature affixed to it.

30. There seems to be confusion regarding the three Gazelle helicopters and three Super Puma helicopters. All of these helicopters were registered as civilian aircraft and in particular the Gazelles were classified as demilitarized or non-military items in South Africa.

31. I understand that all of the Helicopters were registered with the South African Civil Aviation Authority ("SACAA") as civilian aircraft. Further, we understand that ARMSCOR (South Africa's Department of Defence acquisition agency) confirmed to the SACAA as part of those registrations that the Gazelle helicopters were demilitarized. Regarding the Super Pumas, we understand and have knowledge that these were registered and operated by their prior owners as civilian aircraft. All aircraft were painted white as far as I am aware.

32. I am not aware of where the three Gazelle helicopters are, who owns them or what registration they are on. They had not arrived before I had evacuated Benghazi.

PANEL: This is incorrect as Mr. Lodge's electronic signature was affixed to the bill of sale with Fulcrum Holdings UAE on behalf of L-6 FZE. Indeed the owner of Fulcrum is a past private military associate of Mr. Lodge and a personal friend of his. These particular helicopters had arrived before he left Benghazi, see paragraph 22 above.

33. I was not involved with the purchase or charter of a PC-6 aircraft. This type of aircraft is a purely civilian aircraft, best used for surveillance and survey purposes. A PC-6 did arrive shortly before our departure from Benghazi as a survey aircraft, with one crew member, who evacuated with the rest of the personnel. It was white in colour.

PANEL. This corroborates the deployment of the PC-6 to Libya in late June/early July 2019. From his comment that the aircraft was white in colour it can be reasonably concluded that he either saw the aircraft at Benghazi airport, or had previous knowledge of it and thus its capabilities.

34. I am not aware of the current location of the PC-6 aircraft.

35. I was not and have not been involved with any Antonov AN-32 purchase.

36. I do not know where the Antonov AN-32 aircraft is now.

37. I was not involved with any purchase or contract relating to a T-Bird.

38. I am not aware of the current location of the T-Bird aircraft.

39. There was no UAV capability or components thereof with myself or the logistics personnel.

40. I re-iterate that I had no involvement or knowledge of contracts or payments relating to the above aircraft.

Specific statements

41. I have had the opportunity to review the queries you have asked in letters to our lawyers, together with the queries that were put to Ms. Amanda Perry in her interview with you on 20 July 2020. In light of those queries I provide the following statements.

42. I have no business or social connections with Erik Prince. He is not a shareholder, director or working with me in any context.

PANEL. The Panel was surprised to see a reference to a Mr. Erik Prince in the statement as the Panel has not mentioned a Mr. Erik Prince in any request for information to Mr. Lodge or his lawyers. Mr. Lodge was subsequently asked to clarify why he included a Mr. Erik Prince in his statement? Mr. Lodge responded that it was because he had seen Mr. Prince's name in media reports linked to the Opus operation. The Panel still considers his reference to Mr. Prince unusual.

43. I am not aware of a proposal made to Confidence Security Consultancy and had not heard of this name prior to the Panel raising the question.

PANEL. This is contrary to the evidence provided by Mr. Durrant in his interview of 16 September 2020, in which he admitted to knowing the company and was aware of a contract with them. As Mr. Lodge was clearly involved in the planning of the operation it could be reasonably concluded he was aware of the company named as the initial client in Cover Story 1.

44. I do not know about a proposal submitted to Bridgeporth Limited. I only became aware of this name through media reports.

PANEL. This is contrary to the evidence provided by Mr. Durrant in his interview of 16 September 2020, in which he stated that Bridgeporth Limited had provided background information for the project proposal to Confidence Security Consulting, which was used as a document to support the movement of helicopters from Gaborone to Benghazi. Lodge having affixed his electronic signature to the contract for that charter.

45. I know Slade Thomas at Starlite Aviation and was aware that they wanted to sell three civilian specification Super Pumas.

46. I knew the sellers of the three Gazelle helicopters, which was Fulcrum. These helicopters were confirmed as demilitarized helicopters on a civilian registration.

PANEL. Lodge fails to mention that he purchased these three Gazelle helicopters representing L-6 FZE on behalf of Opus.

47. I am not aware of the relationship between Opus and L6.

PANEL. The Panel subsequently asked Lodge to clarify the exact company names. He responded L-6 FZE and Opus Capital Asset FZE, but that the company names were of no consequence to him as he is unaware of any relationship between them. The Panel again is unconvinced by the veracity of that response, when compared to Mr. Durrant's statement that L-6 FZE was an asset holding company (whom Lodge had represented), Opus Capital Asset Limited FZE was the service delivery company (whom he was Libya country team leader for, and from whom his salary was most probably paid as other team members were paid from this account) and Lancaster 6 DMCC was a consulting company (who he admitted had employed him before (see paragraph 50)).

48. I was never employed as Aviation Manager of L-6 FZE.

49. I was employed by Lancaster6 DMCC from 1 September to 30 November 2018 as Aviation SME (Subject Matter Expert). I did not hold that position beyond that period. During that period no

proposals or contracts in connection with the events the subject of the Panel's investigation were executed by me.

PANEL. Mr. Lodge had signed official documentation during that period stating he was the Aviation Manager of Lancaster 6, not the Aviation SME.

50. I was never Aviation Manager for Lancaster 6 (registered in Malta as #C76128). I understand that this company has no connection with the events the subject of the Panel's investigation.

51. I was never Aviation Manager for L6 Group Holdings Limited (registered in the British Virgin Islands as #1910176). I understand that this company has no connection with the events the subject of the Panel's investigation.

52. I am not aware of any other companies with a similar sounding name to L-6, L6, Lancaster6 or Lancaster 6 which have any connection with the events the subject of the Panel's investigation.

53. Regarding Opus Capital Asset Limited FZE, I have not signed any contracts for it in any capacity.

PANEL. This is incorrect (see paragraph 28 regarding BIMCO contracts).

54. I never acted as a contract representative for L-6 FZE, nor have signed any contracts for it in any capacity.

PANEL. This is incorrect. See paragraph 30 regarding IL-76TD charter and paragraph 23 for the Deed of Sale for the three Gazelle helicopters.

55. I was aware that two RHIBS for safety support were contracted as they arrived in our location.

PANEL. Lodge contracted them (see paragraph 28).

56. I am not aware of any previous business relationship between Mr. James Fenech and L-6 FZE, Lancaster6 DMCC or Opus FZE.

57. I do not know the relationships between Opus, Lancaster6 or L-6.

PANEL. See Panel response to paragraph 48.

58. I do not consider the personnel I worked with in regard to the events being investigated by the Panel as private military operatives.

PANEL. The Panel has evidence to the contrary in that many of the personnel on this operation were commonly known to be private military operatives, with some having operational experience of working with Mr. Lodge before.

59. I do not know about bank accounts or which bank accounts were used to make any payments.

60. I did recommend Mr. Willie van Der Stoep as a reliable person to arrange the movement of helicopters from South Africa to Jordan but was not involved in the contracting nor payments.

61. I do not know about the preparation or use of customs documentation for the movement of helicopters from South Africa to Jordan or Libya.

62. I was not involved in the negotiation, preparation or execution of airway bills for transport between South Africa/Botswana and Jordan.

63. No helicopters had arrived in Benghazi prior to our group's departure from Benghazi.

PANEL. This is incorrect. See Panel response to paragraphs 25 and 33.

64. One of the RHIBs was mechanically unsound and that is why it was lost.

65. I am not aware of where the second RHIB is now.

66. I was not involved in any lobbying in any country.

67. Umbra Aviation has no connection with the events being investigated by the Panel. That company has been a dormant corporate entity since approximately July 2018.

PANEL. The dormancy claim is incorrect as the Panel has evidence of a proposal made by Umbra Aviation to the Government of Mozambique in 2019.

68. **No military items** were brought into Libya by this team.

69. The only documents that I authorised my signature to be used for on an electronic basis was for personnel contracts, and I have no issue if that occurred. My signature was not authorised by me to be used for any other purpose.

PANEL. This is incorrect, as two individuals with knowledge of the contract documentation confirmed that Mr. Lodge had sent documents with his signature and initials affixed. Mr. Lodge was in Dubai at the time all the relevant documentation for the purchase of the helicopters, logistic agreement with IWAS and BIMCo charter documents etc were contractually agreed. The Panel considers that the balance of evidence supports a finding that Mr. Lodge affixed an electronic copy of his signature to these documents as individuals/entities have confirmed that he emailed the documents to them.

Steven Lodge

13 September 2020

Annex 77 ChVK Wagner in Libya

A. Introduction

1. The Panel has identified the presence of private military operatives from ChVK Wagner being in Libya since October 2018. ChVK Wagner has been providing technical support for the repair of military vehicles, participating in combat operations and engaging in influence operations.
2. Background information on ChVK Wagner, which operates using an opaque shell of similarly named and interlinked shell companies as cover for the organization's activities to disguise the direct involvement of Yevgeny Prigozhin, is at appendix A for information.
3. Information obtained by the Panel demonstrates that the working relationships between HAF and their PMC counterparts were initially strained, and that even after a year of deployment there were still tensions between the two groups.

B. Contacts between Khalifa Haftar and Yevgeny Prigozhin

4. Khalifa Haftar and senior representatives from his organization have maintained regular engagement and contact with Russian interlocutors since at least 29 November 2016.²⁶⁴ Such contacts including a meeting in Moscow on 7 November 2018 with Defence Minister Sergei Shigu and Yevgeny Prigozhin (see figures 77.1 and 77.2),²⁶⁵ and visits to Benghazi by Prigozhin on 11 and 15 January 2019.²⁶⁶

²⁶⁴ <https://www.theguardian.com/world/2016/nov/29/libyan-general-khalifa-haftar-meets-russian-minister-to-seek-help>, 29 November 2016 All footnote URL in this document accessed on 7 March 2020 unless otherwise stated. Flight details for visits are at appendix B.

²⁶⁵ <https://ria.ru/20181110/1532510417.html>, 10 November 2018. Russian officials stated that Prigozhin was only present in his capacity as caterer. The Panel notes it would be highly unusual for a caterer to be sat at the primary table during an official meeting. Also see <https://novayagazeta.ru/articles/2018/11/09/78517-na-etoy-kuhne-cto-to-gotovitsya>, 9 November 2018; and <https://jamestown.org/program/moscow-laying-groundwork-for-deeper-military-involvement-in-libya/>, 13 November 2018.

²⁶⁶ <https://www.africaintelligence.com/mce/business-circles/2019/01/31/russia-s-wagner-group-offers-to-help-khalifa-haftar-in-the-fezzan,108342715-eve>, 31 January 2019. Supported by flight records of PRIGOZHIN's private jet aircraft (also see appendix B).

Figure 77.1

Prigozhin and Haftar (7 November 2018)

Figure 77.2

Prigozhin at 7 November 2018 meeting

^a Extracted from video imagery at <https://ria.ru/20181110/1532510417.html>, 10 November 2018.

5. The Panel has confirmed that during 2019 and early 2020 a senior HAF liaison officer to the Russian Federation PMC entities present in Libya is Colonel Khalifa abu Sheigar (a.k.a.: 1) Abou Chaigar; and 2) Abou-Shweier).²⁶⁷ The Panel spoke to Colonel Sheigar by phone on 30 January 2020, when he confirmed that Russian nationals were present repairing military equipment, but he referred all other enquiries to HQ HAF.

C. Influence operations

6. The Stanford Internet Observatory²⁶⁸ identified the use of an extensive social media campaign by a ChVK Wagner linked entity, designed to support Haftar and his ground operations.²⁶⁹ Social media was used in late 2018 to spread a thematic message suggesting that only Haftar would bring ‘security and peace’ to Libya and that HAF operations were justified. On 30 October 2019, the social media company Facebook removed content pages of influence networks targeting Libya that Facebook stated were linked to Yevgeny Prigozhin controlled entities. Facebook removed 468 pages

²⁶⁷ Contact details being: 1) +21891411XXXX; 2) +218 914 1XXXX (IMEI 6060101093XXXX); and 3) +218 926 69XXXX. The IMEI number was untraceable on www.imei.info, but the initial digits (616 01) are those used by the Al Madar Libya mobile network.

²⁶⁸ https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/29oct2019_sio_-_russia_linked_influence_operations_in_africa.final_.pdf, p7, 29 October 2019.

²⁶⁹ A similar complementary social media operation, backed up by opinion surveys and the refurbishment of an old TV broadcast unit, was used to engender political support for Saif Al-Islam Qadhafi (LYi.017). Although this operation was in support of a designated individual, the Panel does not consider that political lobbying activities fall under the auspices of the designation criteria listed at paragraph 11 to resolution [2213 \(2015\)](#) as they are unrelated to the specific sanctions measures and provide no direct financial benefits. Facebook removed at least 572 pages of content, which were submitted by Facebook User ID 100040574768873 from IPv4 IP Address 157.240.22.35. This content covered the period 25 December 2018 to 9 October 2019. This is the same IP address as used for the influence operations.

of content supporting Haftar, which was submitted by Facebook User ID 207521970189143 from IPv4 IP Address 157.240.22.35.²⁷⁰

7. The Panel considers this activity falls under the military category of ‘psychological operations’²⁷¹ in that they were designed to convey information to selected target audiences with the aim of influencing their objective reasoning and ultimately their behaviour in regard to HAF. As such, the deployment of this capability is a non-compliance with paragraph 9 of resolution 1970 (2011) in that it falls under “*technical (...) or other assistance*” to wider HAF operations.

D. Path to military engagement

8. The Panel noted open-source information²⁷² relating to alleged ChVK Wagner engagement in Libya. The information is based on a tranche of internal communications between Prigozhin linked organizations in Libya and Saint Petersburg.²⁷³ The Panel fact-checked a significant percentage of that information relating to specific events against other independent sources and finds the information to be credible.²⁷⁴

9. This documentation proves the presence of ChVK Wagner in Libya and that they were reporting on wide military issues to their Headquarters in Saint Petersburg. The information of relevance to the Panel’s mandate is summarised in table 77.1, with extracts from the original communications and official UN translations at appendix C.

Table 77.1

Summary of information relevant to ChVK Wagner involvement and sanctions measures

<i>Date</i>	<i>Author</i>	<i>Summary of content</i>	<i>Remarks</i>
20 Mar 2019	Bychkov ^a	Confirms military technical support for vehicle repair and refurbishment. Reports that Khalifa Haftar will not allow Russian specialists to work, provides an example on 18 January 2019 of a travel ban. Reports that Khalifa Haftar has imposed restrictions on information sharing with Russians, and that Russian experts have been deliberately misinformed on occasions.	▪ See paragraph 0.

²⁷⁰ The content covered the period 27 December 2018 to 14 October 2019. Source: Dr Shelby Grossman, Stanford Internet Observatory.

²⁷¹ Psychological operations are one core component of ‘Information Operations’, which includes complementary core components of: 1) electronic warfare; 2) computer network operations; 3) military deception; and 4) operational security. Derived from the Journal of Information warfare. <https://www.jinfowar.com>.

²⁷² 1) <http://www.interpretermag.com/on-the-situation-in-libya/>, 12 September 2019; 2) <https://www.thedailybeast.com/russias-WAGNER-mercenaries-have-moved-into-libya-good-luck-with-that>, 12 September 2018 (updated 29 September 2018); and 3) <https://www.proekt.media/investigation/prigozhin-libya/>, 12 September 2018.

²⁷³ <https://dossier.center/>, accessed 10 December 2019.

²⁷⁴ The Panel compared statements in the reports against reported or subsequent events using a range of sources, including UNSMIL reports, open source media and confidential sources.

<i>Date</i>	<i>Author</i>	<i>Summary of content</i>	<i>Remarks</i>
28 Mar 2019	Bychkov	A graphic in Appendix 1 to a ChVK Wagner Libya Situation Report of that day reflects the presence of 6 x Military Experts and 23 Repair Unit Specialists. Also contains identical data on military vehicles inspected and repaired.	<ul style="list-style-type: none"> ▪ See figure 77.3 for graphic. ▪ See paragraph 0.
6 Apr 2019	SITREP ^b	Reported an appeal to Kholzakov ^c from HAF for access to Russian unmanned aerial vehicles (UAV) for intelligence, surveillance and reconnaissance (ISR) tasks which was denied. ^d	<ul style="list-style-type: none"> ▪ This was in response to the use of 155mm Laser Homing Projectiles (LHP) by HAF.^e
10 Apr 2019	Bychkov	Confirms refusal by the Russian Ministry of Defence on 2 April 2019 to provide Khalifa Haftar with official Russian military support. Khalifa Haftar spread false information on 3 April 2019 about presence of 300 ChVK Wagner operatives. Placed false Russian “112” number plates on Kamaz trucks.	<ul style="list-style-type: none"> ▪ False plates removed by ChVK Wagner staff in Libya.
22 Apr 2019	“Ivan”	Mentions an “enormous consumption of ammunition” by HAF requiring three IL-76 resupply sorties of Russian weapons from the UAE via Jordan. Covers a request by HAF for the Russian HQ to relocate to Jufra or Gharyan and provide air defence capability by MANPADS.	<ul style="list-style-type: none"> ▪ Not clear if Russian supplied weapons or weapons procured from Russia by UAE and then supplied to HAF.
14 May 2019	“Ivan”	Reported that a C-17 cargo aircraft delivers ammunition from Egypt daily. States that indiscriminate ammunition consumption requires resupply by 2 x IL-76 aircraft from Egypt but does not specify delivery airfield.	<ul style="list-style-type: none"> ▪ Links to 22 April 2019 “Ivan” report above.

^a Pyotr Bychkov, an employee of the Prigozhin-linked Fund for the Defense of National Values.

^b WAGNER organization initiated Situation Report. The Panel has seen SITREPS covering the period from 16 March to 22 April 2019.

^c Reported to be Lieutenant General Andrei Vladimirovich *Kholzakov*. Formerly a Deputy Commander of Russian Airborne Assault Forces (VDV²⁷⁵).²⁷⁶

^d In [S/2019/914](#), para.122 and annex 51 the Panel reported on the unexplained presence of a Russian Federation manufactured Orlan-10 ISR UAV, which was downed on 29 April 2019.

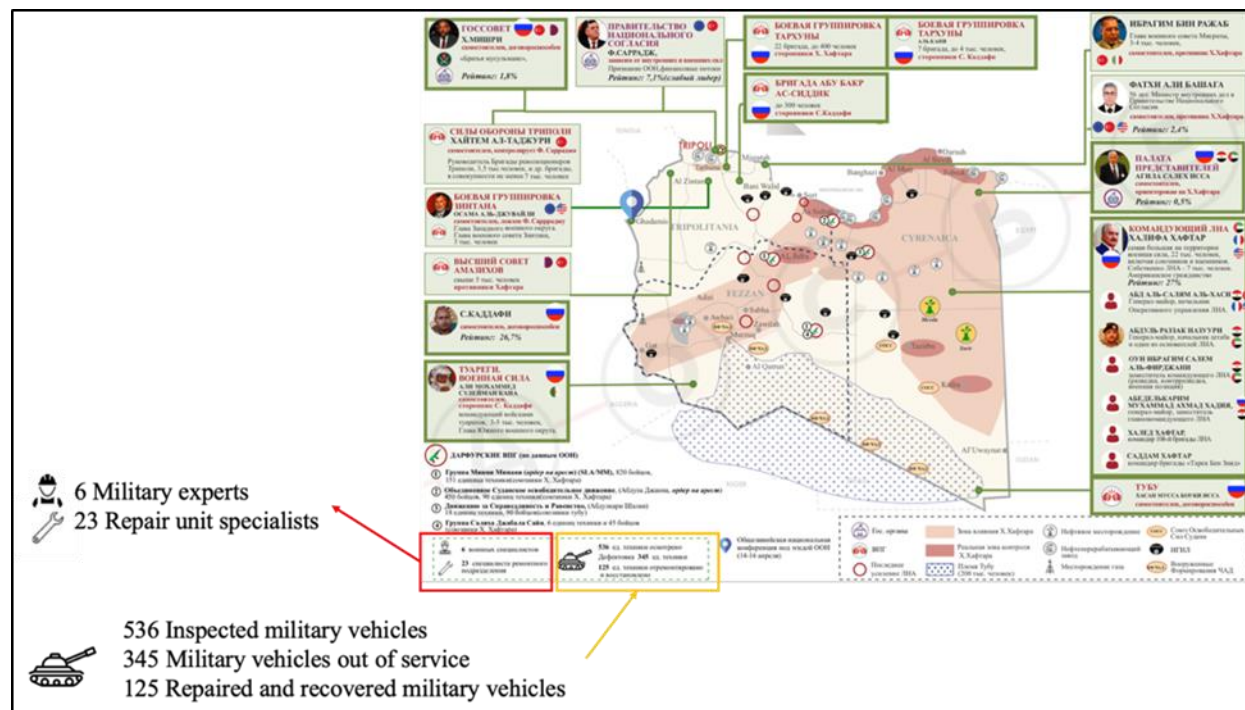
^e In [S/2019/914](#), para.95 and annex39 the Panel reported on the presence of 155mm high-explosive laser-homing projectile GP6 round in the possession of HAF.

²⁷⁵ Vozdushno-Desantnye Royska Rossii.

²⁷⁶

https://www.rand.org/content/dam/rand/pubs/research_reports/RR3000/RR3099/RAND_RR3099z1.appendixes.pdf, p153.

Figure 77.3
Appendix 1 to ChVK Wagner Situation Report of 28 March 2019



Source: Dossier Centre (<https://dossier.center>), received 11 December 2019.

E. Military logistic support to HAF

10. Although ChVK Wagner is well funded by companies and organizations under the control of Yevgeny Prigozhin, it does not have indigenous logistic resources to allow the organization to operate independently on major deployments. It requires external hybrid commercial and military logistic support, in particular aviation and maritime assets, to deploy and sustain its operations.

F. Land service equipment repair and maintenance

11. A 23-person repair team²⁷⁷ from ChVK Wagner was deployed to Libya from 17 October 2018 and 12 March 2019 to inspect, make damage assessments of, and overhaul of reportedly over 500 armoured vehicles and field artillery of HAF.²⁷⁸

12. This military technical support activity was confirmed in a statement by the HAF spokesperson Major General Ahmed al-Mesmari on 23 November 2019, in which he said: “if there are Russians, I will tell you for the first time, in your channel, I’ll tell you frankly, there might be one or two technical teams on tanks and artillery, to repair and re-engage some parts in the combat, especially because

²⁷⁷ Some individuals identified in a list of Wagner personnel obtained by the Panel..

²⁷⁸ Source: Dossier Centre (<https://dossier.center>). See figure 3 at paragraph 9.

all those weapons are Russian (...)”.²⁷⁹ The reported full list of equipment²⁸⁰ and details of nine of the technical specialists known to have deployed to Libya are at appendix D.²⁸¹

G. Air Line of Communication

13. An Air Line of Communication (ALoC)²⁸² was put in place between the Russian Federation and Eastern Libya, with the majority of cargo flights routing through the Russian military airbase (Hmeymim)²⁸³ co-located with Latakia (Bassel al-Assad) international airport (OSLK) in Syria.

14. The Panel identified that Tupolev TU-154M aircraft of the Russian Federation Ministry of Defence 223rd Flight Detachment (registration numbers RA-85041 and RA-85155) have been previously used for air transport by ChVK Wagner and its affiliates on other operations.²⁸⁴ The Panel notes that two flights made by the TU-154M RA-85155 into Libya were made in the same time period as the deployment of the technical specialists (October 2018) (see paragraph 0). Flights of TU-154M aircraft, including RA-85155, from the 223rd Flight Detachment to Benghazi then recommenced in January 2020 (see table 77.2).

Table 77.2

TU-154M flights (Libya)

Date	From	To	Aircraft #	Flight #	Remarks
17 Oct 2018	Khartoum (HSSS)	Benghazi (HLLB)	RA-85155		
17 Oct 2018	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		En route to Moscow (UUMS).
22 Oct 2018	Khartoum (HSSS)	Benghazi (HLLB)	RA-85155		
22 Oct 2018	Benghazi (HLLB)	Moscow (UMUU)	RA-85155		
4 Jan 2020	Latakia (OSLK)	Benghazi (HLLB)	RA-85042	RFF77 ^a	
4 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85042	RFF78	
6 Jan 2020	Latakia (OSLK)	Benghazi (HLLB)	RA-85042	RFF77 ^b	

²⁷⁹ <https://www.youtube.com/watch?v=jYaNjIHVybA&feature=youtu.be>, 23 November 2019.

²⁸⁰ 1) <https://www.proekt.media/investigation/prigozhin-libya/1>, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.

²⁸¹ Confidential source.

²⁸² A Line of Communication (LoC) is the route that connects an operating military unit with its supply base.

²⁸³ <https://tass.com/defense/926348>, 20 January 2017. Centred on 35°24'27.07"N, 35°57'8.00"E.

²⁸⁴ For example Agreement # B218/04/119 dated 30 July 2018 between M-INVEST L.L.C. and the 223rd Flight Detachment was for eight flights at a budgetary cost of RUB 56 million (approx. US\$900,238 from www.xe.com database). M-INVEST L.L.C. is a company engaged in exploitation of mineral resources owned by Yevgeny Prizoghin, and is used as cover structure for ChVK Wagner operations in Sudan. (<https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-wagner-group/>, 4 October 2019). An M-INVEST L.L.C. subsidiary, M-LOBAYE, is used for ChVK Wagner operations in the Central African Republic. Confidential source.

<i>Date</i>	<i>From</i>	<i>To</i>	<i>Aircraft #</i>	<i>Flight #</i>	<i>Remarks</i>
6 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85042	RFF78	
12 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		via Cairo ^c
14 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		
24 Feb 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155	RFF8062 ^d	

Source: Confidential source

^a <https://www.itamilradar.com/2020/01/04/russian-af-tu-154-landed-in-benghazi/>, 4 January 2020.

^b <https://www.itamilradar.com/2020/01/06/russian-af-tupolev-again-in-benghazi/>, 6 January 2020.

^c <https://twitter.com/YorukIsik/status/1215987251466903553>, 12 January 2020.

^d https://twitter.com/Gerjon_/status/1232017012110626818, 24 February 2020.

15. Since Khalifa Haftar's meeting in Moscow on 7 November 2018, Russian Federation military cargo aircraft flights into Libya have become routine (see appendix A to 0). The Panel has requested information²⁸⁵ from the Member State concerning the flight manifests and air waybills for the flights and is awaiting a response.

16. Analysis of the cargo capacity for the initial Russian Federation military cargo flights shows three peak delivery periods in 2018 and 2019. The first period being during November and December 2018, immediately after the deployment of the ChVK Wagner technical support team. The second period being September 2019, covering the period of open-source information concerning ChVK Wagner training and combat operations (see paragraphs 0 to 0). The rationale for the third peak period of December to January 2020 has yet to be fully identified by the Panel but is possibly to provide support for the increased private military operatives deployed.

H. Post-deployment training

17. The Panel received copies of maps used by ChVK Wagner. These regarded the location of a temporary training camp that was established in the Jabal al Nuqqay area²⁸⁶ of south-east Libya from approximately 1 October to 20 November 2019 (see figures 77.4 and 77.5).

Figure 77.4
Marked PMC map in Russian language

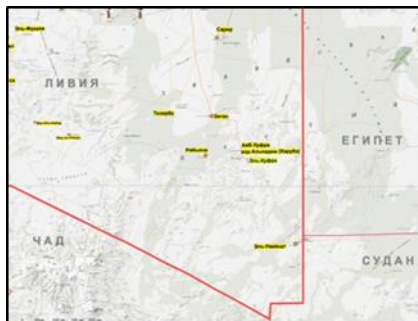


Figure 77.5
Marked location on PMC map



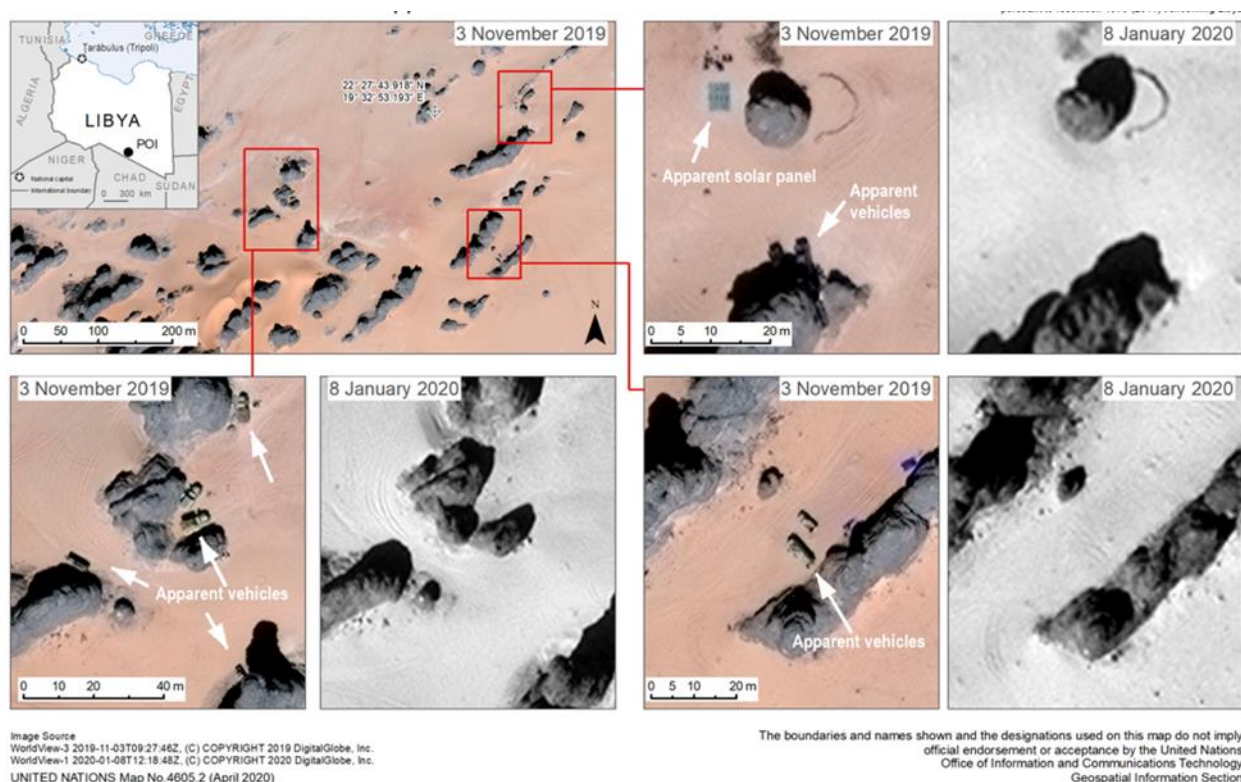
²⁸⁵ Panel letter of 6 April 2020.

²⁸⁶ Centred around 22°27'44.14"N, 19°32'56.83"E.

Source: Dossier Centre (<https://dossier.center/>). Note names are in cyrillic text.

18. The Panel obtained commercial satellite imagery of this location dated 3 November 2019 and 8 January 2020 that clearly shows a new low structure of approximately 4m x 5m, and at least nine vehicles. The number of vehicles on the satellite imagery (nine) correlates with the nine vehicles mentioned by the source(s).²⁸⁷ See figure 77.6. Satellite imagery of the same area taken on 2 October 2019 showed no objects of interest at all.

Figure 77.6
Satellite analysis



Source: Confidential source and Panel analysis.

19. The training team were deployed and recovered using an Antonov AN-26 (registration reported as #25 SAI LY).²⁸⁸ This registration number is not in the format used by any Member States' civil aircraft register. The Panel searched the details for all 851 AN-26 recorded as still being operational and could not find any immediate matches.²⁸⁹ The Panel noted that the prefix 25 format was used by the then Soviet Air Force for aircraft placed in long term storage and there are three AN-26 with this

²⁸⁷ 1) Two armed vehicles; 2) One armoured 'Technical' 4x4: and 3) Four utility 4x4 vehicle

²⁸⁸ The Panel requested clarification from the confidential source twice as to this number, which was confirmed.

²⁸⁹ <https://rjets.net/aircraft/?reg=330385>, accessed 4 February 2020.

prefix recorded as now being back in operational use. It is also possible that a fake registration number was painted on the aircraft for this operation.²⁹⁰

20. Communications were via a satellite Broadband Global Area Network (BGAN) terminal (IMEI: 35844405004270)²⁹¹ (Inmarsat Sat# 901112112615812). The manufacturer sold the device to Morsviazspudnik²⁹² of the Russian Federation on 5 December 2014; the same company also being the communication provider. The Panel has confirmed²⁹³ that this system was operational within Libya between 1 April and 31 December 2019, and more specifically was operational in the area of the field training camp between 1 October to 18 November 2019. As it is a BGAN terminal it has not yet been possible to identify the contact details of individuals or entities that the BGAN terminal connected with.

I. Combat operations (Land)

21. On 12 September 2019, a media source released documentation stating that approximately 300 ChVK Wagner operatives had been deployed to Libya in support of HAF.²⁹⁴ On 25 September 2019, the media then reported that more than 100 ChVK Wagner operatives were deployed to Libya as reinforcements to the ongoing operation.²⁹⁶

22. The Panel was provided details of 122 ChVK Wagner operatives of whom many are highly probably operational, or have been operational, within Libya.²⁹⁷ Of these, 39 are from the ChVK Wagner specialist sniper group and open sources have reported on the tactical impact of the recent presence of skilled Russian snipers on the frontlines.²⁹⁸ The remaining 83 operatives are from the ChVK Wagner 1st Attack and Reconnaissance Company or other combat units.

23. There were increasing social media and open-source reporting of the engagement of Russian based private military operatives in combat operations during 2019, but details were not always

²⁹⁰ An AN-26 aircraft operating in support of HAF was destroyed on the runway at Tarhuna air strip (32°20'01.5"N, 13°34'49.7"E) on 5 April 2020. There is no evidence yet this is the same aircraft, and this is reported for information purposes only at this stage.

²⁹¹ From www.imei.info this traces as an EXPLORER710 Thrane and Thrane BGAN Terminal. TAC: 358444 FAC: 05 Serial #: 004270 CD 2.

²⁹² <https://www.marsat.ru/en/enterprise>, accessed 8 January 2020. Morsviazspudnik is administered by the Russian Federal Agency of Maritime and River Transport (<http://www.morflot.ru/>).

²⁹³ Confidential source.

²⁹⁴ <https://www.thedailybeast.com/russias-wagner-mercenaries-have-moved-into-libya-good-luck-with-that?ref=home>. 12 September 2019.

²⁹⁶ <https://www.bloomberg.com/news/articles/2019-09-25/-putin-s-chef-deploys-mercenaries-to-libya-in-latest-adventure>. 25 September 2019. In the article HAF denied the deployment of any Russian personnel, which is contrary to their later statement (see paragraph 0).

²⁹⁷ According to confidential source. The commander of these individuals, who appears on the list, has subsequently been confirmed as injured in Libya (see paragraph 0). The Panel is in possession of the list.

²⁹⁸ Including, for example, <https://www.nytimes.com/2019/11/05/world/middleeast/russia-libya-mercenaries.html>, 5 November 2019.

verifiable at that time. Although there have been efforts to spread false information on this issue, the Panel finds some of this reporting credible and convincing. This is summarized at table 77.3 and illustrated at figures 77.6 to 77.8:

Table 77.3

Open source and social media reporting of Russian based private military operatives on combat operations²⁹⁹

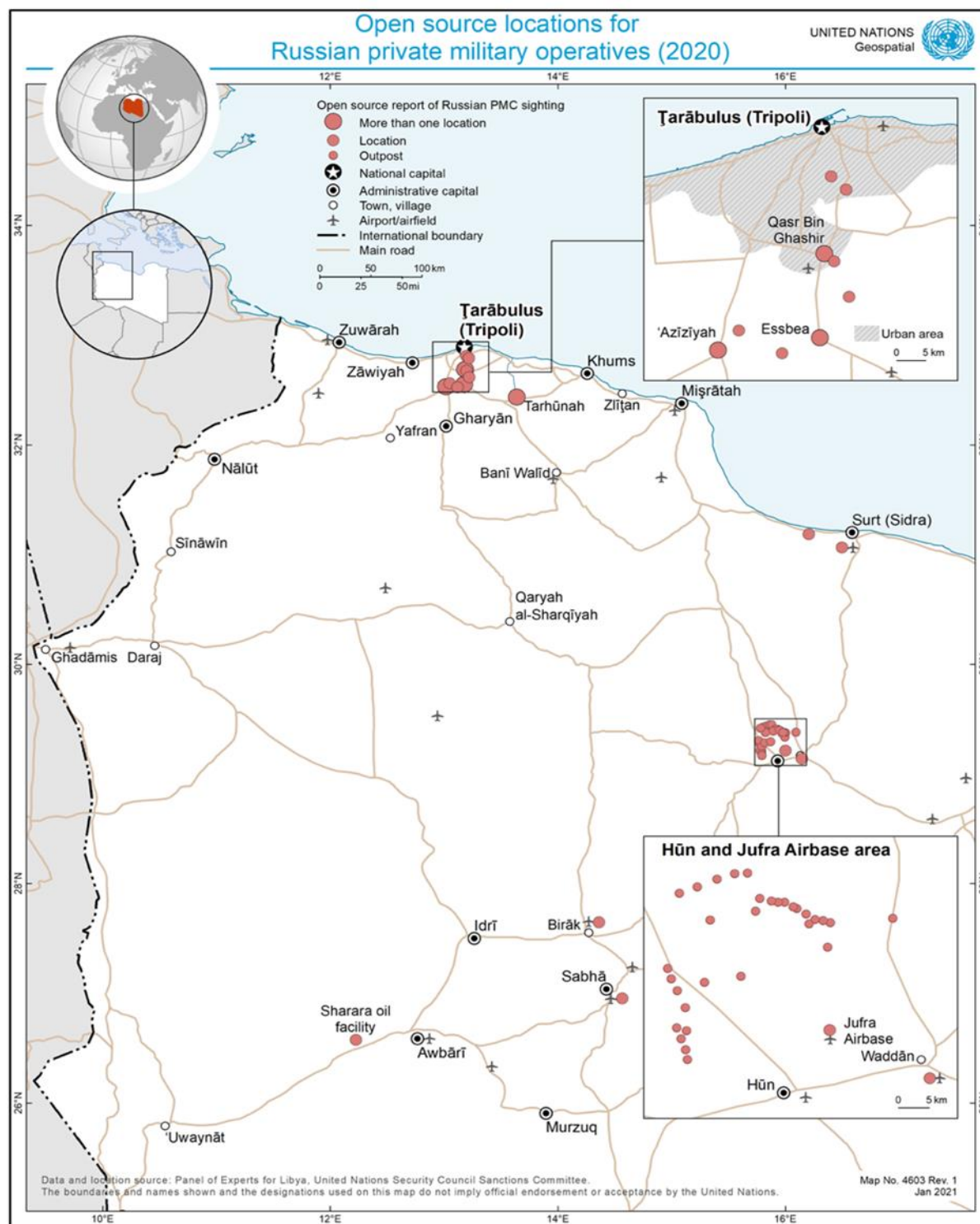
<i>Date</i>	<i>Location</i>	<i>Event</i>	<i>Remarks</i>
9 Sep 2019	Souk al-Sabat ^a	Reports of seven Russian based private military operative casualties due to GNA strike. ^b	▪
19 Sep 2019	Espiaa ^c	Russian private military operatives seen with LNA forces. ^d	▪
19 Sep 2019	Tarhuna	Bodies of 15 Russian based private military operatives killed in air strike between Tarhuna and Bani Walid received at Benina (Benghazi). ^e	▪ Initially thought to be Libyan casualties.
22 Sep 2019		Imagery of alleged ChVK Wagner operatives appear on social media. ^f	▪
23 Sep 2019	Espiaa	Reports of three Russian “mercenaries” killed by GNA air strikes on HAF operations room. ^g	▪ Sebha front line
25 Sep 2019	Qasr bin Ghashir ^h	Deployed with HAF 106 battalion. ^j	▪ Supporting imagery is at figure 77.7.
13 Oct 2019	Espiaa	Russian military operative’s equipment captured by GNA-AF.	▪
17 Oct 2019	Nesma	Reports of Russian military operatives transiting through the area on return from the Tripoli Area of Operations (AO). ^k	▪
30 Nov 2019	Qasr bin Ghashir	GNA statement on 2 December 2019 referring to destruction of a “mercenaries” operations room. ^l	▪
11 Jan 2020	Tripoli	GNA Commander, Nasir Ammar, stated that Wagner Group fighters had begun to withdraw from the front lines, and were being flown to Jufra air base by helicopter. ^m He further stated that there were then over 500 Russian mercenaries on Salah Al-Deen, Yarmouk, Khallatat, and Abu Salim frontlines. ⁿ	▪
25 Feb 2020	Tripoli ^o	Imagery published of Russian private military operatives using a mini UAV.	▪ Supporting imagery at figure 77.8.

^a Centred on 32°28'39.00"N, 11°53'30.80"E.

²⁹⁹ Many of these are reported as “Russian” private military operatives. The Panel can only confirm those from ChVK Wagner where specifically stated in the table. As other Russian based PMC are now known to be present, it is possible that individuals belong to those organizations.

- ^b 1) <https://twitter.com/TvFebruary/status/1171098768734916609>, 9 September 2019; 2) <https://www.libyaobserver.ly/news/foreign-mercenaries-fighting-alongside-haftars-forces-killed-airstrikes-southern-tripoli>, 9 September 2019.
- ^c Centred on 32°33'2.71"N, 13°10'37.02"E.
- ^d https://twitter.com/sky_wael/status/1174718985482440705, 19 September 2019.
- ^e Confidential source (CS3).
- ^f <https://www.libyaobserver.ly/news/libyas-army-advances-strategic-frontlines-southern-tripoli-pushing-away-haftars-forces>, 22 September 2019.
- ^g 1) <https://www.libyaobserver.ly/news/libya-airstrikes-libyan-army-kill-senior-leaders-haftars-forces-russian-mercenaries>, 23 September 2019; and 2) <https://www.iol.co.za/news/africa/russian-mercenaries-senior-rebel-leaders-killed-in-libya-air-strikes-33502754>, 24 September 2019.
- ^h Near 32°41'13.79"N, 13°11'1.39"E.
- ^j https://twitter.com/emad_badi/status/1176976694323949568, 25 September 2019. See figure 6 for the “more evidence” referred to.
- ^k Confidential source .
- ^l <https://www.marsad.ly/en/2019/12/02/libyan-army-destroys-mercenaries-run-operation-room-for-haftar/>, accessed 4 December 2019.
- ^m <https://www.dailysabah.com/africa/2020/01/11/number-of-russian-mercenaries-withdraw-following-call-for-libya-cease-fire-gna-commander-says>, 11 January 2020.
- ⁿ <https://www.libyaobserver.ly/news/army-official-russian-wagner-group-mercenaries-have-started-pulling-out-tripoli-frontlines>, 12 January 2020.
- ^o Geo-located to 32°47'27.73"N, 13°13'5.04"E. https://twitter.com/il_kanguru/status/1232382687526244354, 25 February 2020.

Figure 77.6
Reported sightings of Russian PMC operatives in Libya (September 2019 to December 2020)³⁰⁰



³⁰⁰ Table 3 refers.

Figure 77.7

Imagery of alleged ChVK Wagner PMC operatives in Qasr bin Gashir (25 September 2019) ^{a, b, c}



^a Extracted from <https://twitter.com/Apgybape11/status/1176980085318070278>, 25 September 2019. On other imagery from that source the insignia of the HAF 106 battalion can clearly be identified on the bonnet of the 4x4 vehicle. A video subsequently released on social media includes the individuals shown in this imagery: https://m.facebook.com/126130904224556/videos/570051700235111/?refsrc=https%3A%2F%2Fm.facebook.com%2Fstory.php&_rd=1, 27 December 2019.

^b Russian voices can be clearly heard on further video imagery released on social media of the same event: 1) <https://twitter.com/LostWeapons/status/1211218269417246721>, 29 December 2019; 2) <https://twitter.com/LostWeapons/status/1211219397274042374>, 29 December 2019; and 3) <https://twitter.com/LostWeapons/status/1211219797519687682>, 29 December 2019.

^c Geo-located at 32°36'56.40"N, 13° 8'11.69"E by https://twitter.com/il_kanguru/status/1210709236096946182, 27 December 2019.

Figure 77.8

Imagery of alleged Russian PMC operatives in South Tripoli (25 February 2020) ^{a, b, c}



^a <https://twitter.com/Libyancitizen6/status/1232288849256120320/photo/1>, 25 February 2020.

^b <https://twitter.com/Oded121351/status/1232608402364411905>, 26 February 2020.

^c Geo-located to 32°47'27.73"N, 13°13'5.04"E, near Emad al-Elm school.

https://twitter.com/il_kanguru/status/1232382687526244354, 25 February 2020.

24. On 29 September 2019, a GNA-AF source stated to Libya Al-Ahrar TV that Al-Wattiyah airbase³⁰¹ was then under the control of “Russian Forces”, and that a Sukhoi Su-22 fighter ground attack (FGA) aircraft had been based there.³⁰² The Panel notes though that the HAF air operations already had access to an Su-22 FGA, which had recently been used to deliver explosive ordnance against Zuwarah airport on 15 and 16 August 2019. The Panel finds it highly probable that a HAF

³⁰¹ Centred on 32°28'39.00"N, 11°53'30.80"E.

³⁰² <https://www.libyaobserver.ly/inbrief/government-source-russian-military-forces-take-control-al-wattiyah-airbase>. 29 September 2019.

Su-22 FGA had been made airworthy again, with foreign technical support (see paragraph 12),³⁰³ rather than a Russian Air Force Su-22 being deployed there. The airbase was captured by GNA-AF in May 2020 and no longer available for HAF use.

25. In a GNA report dated November 2019,³⁰⁴ the GNA Ministry of Interior stated that in September 2019 Russian mercenaries entered the Tripoli military operations area, particularly in the areas of Airport Road, Wadi al-Rabia and Sabea (extract from full report at annex 8). This correlates to the locations in table 77.3.

26. On 3 December 2019, an interview appeared on the Al Aan social media channel of an individual from ChVK Wagner.³⁰⁵ The Panel has consulted with confidential sources who consider the interview as credible. A Panel summary of the interview content is appendix 6.³⁰⁶

27. On 11 January 2020, it was reported that ChVK Wagner operatives had been withdrawn from the frontlines, and that this was linked to a meeting in Istanbul on 8 January 2020 between Presidents Erdogan and Putin that discussed a ceasefire.³⁰⁷ A confidential source reports that 400 ChVK Wagner operatives and 200 RSB operatives³⁰⁸ withdrew from the front lines to Al Jufra.

J. Land (Syrian foreign fighters)

28. On 7 January 2020, the first reports emerged of Syrian foreign fighters being recruited by a Russian PMC to fight in Libya in support of HAF.³⁰⁹ More detail was provided by 14 February 2020 with reports that the fighters were being recruited from Douma in eastern Ghouta, Syria on a salary of US\$ 800 per month for a three-month contract.³¹⁰ This report also stated that transfer to Libya was by Cham Wings Airlines from Damascus. On 19 February 2020, an open source reported that Syrian fighters were being recruited by ChVK Wagner through the auspices of the Syrian National Youth

³⁰³ <https://twitter.com/hunter224466/status/1183956547124236289>, 14 October 2019. This alleges that a Sukhoi SU-22 FGS was repaired at Jabal Abdul Nasser air base in Tobruk, before being deployed to Al-Wattiya air base for operations.

³⁰⁴ Titled, “*The full report on the violations perpetrated by the forces of the war criminal Haftar - November 2019*”. The full 170 page report was prepared by the team of the counsellors of the Media Bureau of the Minister of Interior.

³⁰⁵ https://www.youtube.com/watch?time_continue=7&v=i5Qb5hjfUJk&feature=emb_logo, 3 December 2019.

³⁰⁶ On 27 December 2019, the Panel received a video containing testimony from a junior LNA fighter, Meftah Massib Idriss Ehmeida, in which he refers to the use of Russians with laser guidance equipment being used to “clear paths” for the LNA. The testimony lacked detail so it is not relied on by the Panel as a primary source of information. Consulted CS4.

³⁰⁷ <https://lenta.ru/news/2020/01/11/gone/>, 11 January 2020.

³⁰⁸ This is the first report seen by the Panel that RSB operatives had deployed in a combat capability rather than the technical support capability reported at paragraph 15.

³⁰⁹ <https://www.aa.com.tr/en/africa/russia-sends-fighters-to-up-haftars-forces-in-libya/1694935>, 7 January 2020.

³¹⁰ 1) <https://aawsat.com/english/home/article/2130986/russia-sends-syrians-fight-libya-clashes-reach-misrata>, 14 February 2020; and 2) https://t.me/new_militarycolumnist/28316, 14 February 2020. Also stated in <https://aawsat.com/english/home/article/2172357/exclusive-erdogan-‘infiltrates’-idlib-haftar-‘strolls’-damascus>, 10 March 2020.

Party in Suweida. Further open-source information on 5 March 2020 supported this statement, also claiming that salaries of between US\$1,000 to US\$1,500 per month were available.³¹¹

29. In a statement on 20 March 2020, the GNA stated that it had evidence that Cham Wings Airlines were transferring Syrian foreign fighters specifically with links to ChVK Wagner. The Panel has requested more detail from the Libyan authorities and awaits a response. The Panel has identified regular flights from Damascus to Benghazi by aircraft operated by the Syrian company Cham Wings Airlines since the start of the current conflict in Libya on 4 April 2019 (see 0). On 17 July 2019 the Panel requested information from the Syrian Arab Republic regarding the initial flights,³¹² and was informed by the Member State³¹³ that the flights were to provide transportation for civilian passengers, particularly those Syrians living in Libya. The Panel is unconvinced of the veracity of that response, as: 1) it was not possible to book a flight on that route on the airline's web portal;³¹⁴ and 2) Benghazi does not appear as a scheduled destination on Cham Wings Airlines web portal, even after an announcement that scheduled flights would begin on 11 October 2019.³¹⁵ There is also a body of evidence of Cham Wings Airlines acting in support of ChVK Wagner operations in Syria,³¹⁶ and there have been multiple and credible open source reports alleging that Russian private military operatives and fighters recruited in the Syrian Arab Republic³¹⁷ have arrived in Benghazi and Misrata from the Syrian Arab Republic.

30. The Panel has subsequently identified 33 flights by Cham Wings Airlines since 1 January 2020 (see 0), which would allow for the potential transfer of approximately 4,950 passengers. It is estimated from ground sources that the number of Syrian foreign fighters supporting HAF operations is less than 2,000. Subsequent open-source reporting places the number of Syrian fighters present in Libya to be nearer 5,000,³¹⁸ but this almost certainly includes those fighters recruited by Turkey in support of the GNA.³¹⁹

31. The Cham Wings flights reportedly left from the military terminal at Damascus and not the civilian airport, and many of the passengers are dressed in military attire.³²⁰ The Panel has analysed the

³¹¹ 1) <https://syrianobserver.com/EN/news/56150/wagner-mercenary-group-recruits-syrians-to-fight-in-libya-report.html>, 19 February 2020; updated by 2) <https://www.libyaobserver.ly/news/le-monde-syrians-mostly-druze-are-fighting-haftar-libya>, 5 March 2020.

³¹² 17 July 2019.

³¹³ 21 October 2019.

³¹⁴ <http://www.chamwings.com/>. Attempts to book flights show "no flights available" for a random range of booking dates. Attempts made between 15 November to 31 December 2019. Also see <https://twitter.com/Balzawawi/status/1212038209426866179>, 31 December 2019.

³¹⁵ <https://www.eanlibya.com/نعمان-بين-عثمان-أجنحة-الشام-مستمر-في/>, accessed on 12 December 2019.

³¹⁶ <https://www.reuters.com/investigates/special-report/russia-flights/>, 6 April 2018.

³¹⁷ 1) <https://twitter.com/BurkanLy/status/1176594585361027073>, 29 September 2019; 2) <https://aawsat.com/english/home/article/2130986/russia-sends-syrians-fight-libya-clashes-reach-misrata>, 14 February 2020; and 3) <https://www.libyaobserver.ly/news/le-monde-syrians-mostly-druze-are-fighting-haftar-libya>, 5 March 2020.

³¹⁸ <https://aawsat.com/english/home/article/2172357/exclusive-erdogan-'infiltrates'-idlib-haftar-'strolls'-damascus>, 10 March 2020.

³¹⁹ More details in Panel update to the Committee of 26 January 2020 (S/AC.52/2020/PE/OC.36).

³²⁰ https://arabicpost.net/30_تحليلات-شارحة/2020/04/08/رمضان-في-زمن-الكورونا-كيف-ستتغير-عادات/, March 2020.

ADS-B data³²¹ for flights made by Cham Wings aircraft since 12 April 2019. Common features which indicate covert activity include: 1) flights are timed to primarily land at Benghazi at night (there is no common schedule); 2) ADS-B data disappears at a consistent point before the aircraft change track by 90° South to Benghazi (note for flight at figure 77.8 that the pilot was late in stopping ADS-B broadcasts, and on figure 77.9 an inadvertent single transmission was made); 3) the aircraft tracks out of Damascus closely follow the Flight Information region (FIR) boundaries in order to try and avoid reporting to either FIR; and 4) the flights are recorded as non-scheduled or special flights with air traffic management systems. Examples of data analysis for three flights are at figures 77.8 to 77.10, on which the yellow dots represented an ADS-B reporting point.³²²

Figure 77.8
Cham Wings YK-BAB flight of 6 September 2019

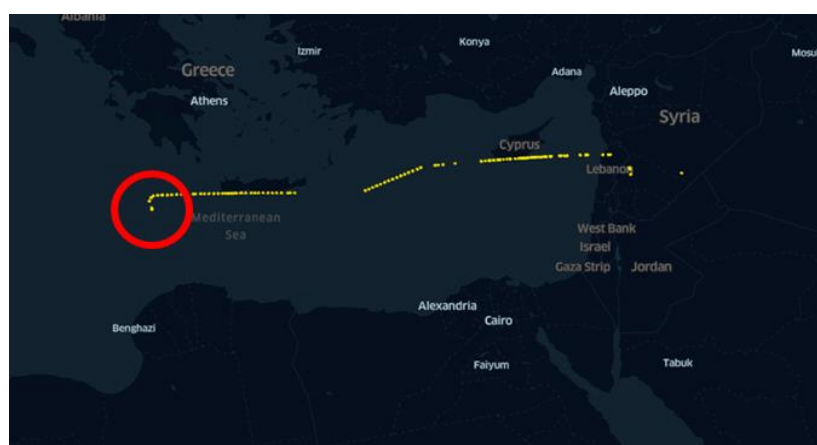
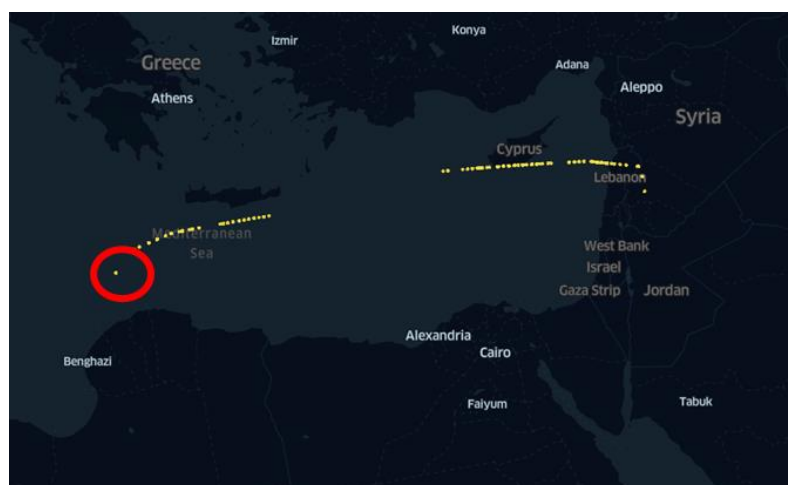


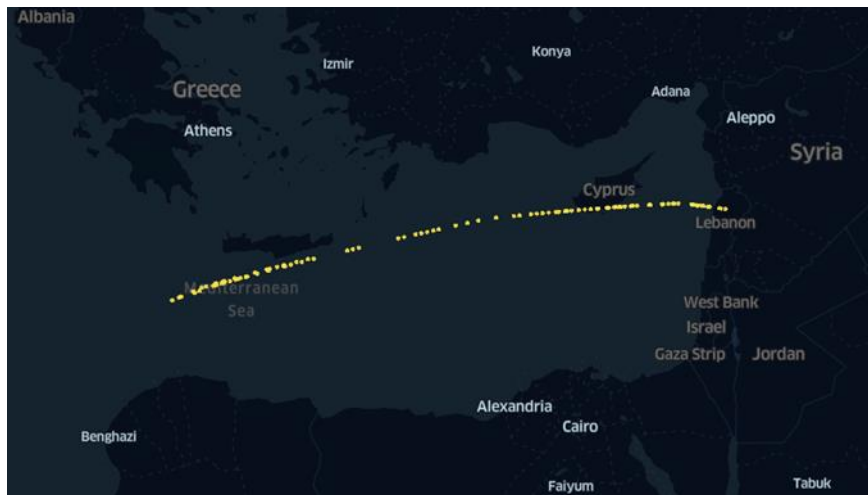
Figure 77.9
Cham Wings YK-BAB flight of 24 September 2019



³²¹ With data analysis technical support from C4ADS (www.c4ads.org). Report LY20200109.

³²² The Panel has a single source reporting that ChVK Wagner private military operatives are also transferred on tourist charter flights on Nordwin Airlines (www.nordwin.ru/en) from Rostov-on-Don (URRP) via Monastir (DTMB) Tunisia. This route is still under investigation.

Figure 77.10
Cham Wings YK-BAB flight of 8 November 2019



Sources for figures 13 to 15: 1) www.flightradar24.org; 2) <http://www.c4ads.org/>; and 3) Panel.

K. Weapons

32. The GNA-AF captured 30mm VOG-17M grenades designed for use with the AGS-17 and AGS 30, 30mm automatic grenade launchers (see figures 77.11 and 77.12), and a VOG-25 40mm grenade (figure 77.13) designed for use with the 6T17 GP-25 ‘Bonfire’ under-barrel grenade launcher. These systems have not been identified as being used by either GNA-AF or HAF in Libya to date and are typical of the weaponry observed being used by ChVK Wagner operatives elsewhere in eastern Ukraine and the Syrian Arab Republic.³²³

Figure 77.11
VOG-17M 30mm grenades ^a



Figure 77.12
VOG-17M 30mm grenades ^b



Figure 77.13
VOG-25 40mm grenade ^c



^a Extracted from <https://twitter.com/februarychannel/status/1182713833678409729?s=12>, 11 October 2019.

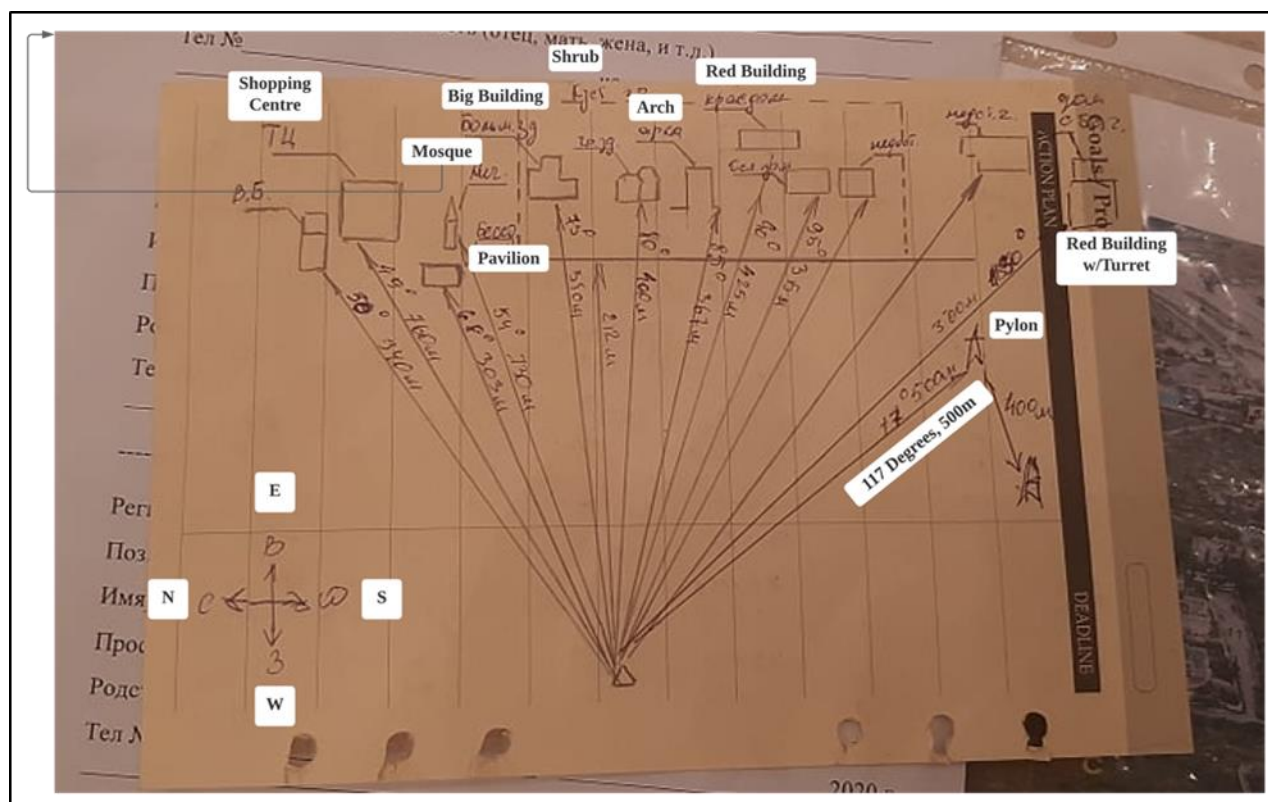
^b <https://twitter.com/Oded121351/status/1183349955983020033/photo/3>, 13 October 2019.

^c Extracted from <https://twitter.com/Oded121351/status/1183349955983020033/photo/4>, 13 October 2019.

³²³ For example, 6T 17 GP25 ‘Bonfire’ clearly identified in group images of Wagner operatives in: 1) Ukraine, <https://112.international/conflict-in-eastern-ukraine/militants-of-wagner-group-may-arrive-in-donbas-over-next-few-days-sbu-28526.html>, 15 May 2018; and 2) Syria (https://diyaruna.com/en_GB/articles/cnmi_di/features/2019/02/21/feature-01), 21 February 2019.

33. The Panel received imagery from a confidential source of Range Cards recovered from defensive positions south of Tripoli. The range cards were in Russian, thus confirming the deployment of Russian Federation private military operatives to these locations

Figure 77.14
Range Card



Contractual issues

34. On 17 October 2019, a single pro-GNA open source³²⁴ published a report that a ChVK Wagner component³²⁵ had temporarily withdrawn from the Tripoli frontlines. This component explained their rationale³²⁶ for withdrawal to the HAF General Command as being due to:

- (a) Failure to receive instructions from HAF or support forces;

³²⁴ <https://www.facebook.com/2Libya17/posts/482402469043233>, 17 October 2019. Similar information was conveyed by a confidential source to the Panel.

³²⁵ The component allegedly consisted of: 1) 12 x consultants; 2) 22 x technicians; 3) 19 field commanders; 4) 26 snipers; and 5) 11 x signallers.

³²⁶ The reasons listed were also corroborated by other confidential sources,

- (b) Lack of HAF experience and discipline on the battlefield;
- (c) Lack of effective coordination with HAF forces, leading to intermittent “friendly fire” incidents;
- (d) Air strike targeting errors, and failure to pre-warn of strikes;
- (e) Alcohol use in HAF units;
- (f) Area of Responsibility (TAOR)³²⁷ allocated being too large for available ChVK Wagner forces;
- (g) Enemy intelligence techniques are facilitating the targeting of ChVK Wagner positions; and
- (h) Enemy reinforcements after ChVK Wagner progress are made in any sector.

35. On 17 October 2019, the above source information was supported by a social media report³²⁸ that eight High Mobility Vehicles (HMF) and two armoured vehicles carrying Russian private military operatives had been observed withdrawing from the Tripoli area of operations moving east towards Benghazi.

36. On 17 October 2019, social media reports³²⁹ also emerged that the six-month contract between HAF and ChVK Wagner had expired on 15 October 2019. By this time HAF had allegedly only paid 53.2% (US\$ 92.5 million) of the contracted US\$ 173.9 million. The Panel continues to investigate this issue.

L. Casualties

37. Table 77.4 summarizes the reported “Russian” private military operative casualties reported to date in open-source media.

Table 77.4

Russian private military operative casualties

<i>Date</i>	<i>Location</i>	<i>Event</i>	<i># Fatalities</i>	<i># Wounded</i>
9 Sep 2019	Souk al-Sabat	GNA airstrike. ^a		7 ^b
23 Sep 2019	Sabea front line	GNA airstrike. ^c	15+	
30 Nov 2019	Qasr bin Ghashir	Destruction of a “mercenaries” operations room. ^c	9	

^a 1) <https://twitter.com/TvFebruary/status/1171098768734916609>, 9 September 2019; 2) <https://www.libyaobserver.ly/news/foreign->

³²⁷ A TAOR https://en.wikipedia.org/wiki/Tactical_area_of_responsibility - cite note-1 is a prescribed area in a theatre of combat which has been assigned to a unit commander who is responsible for, and has the authority to act on, the development and maintenance of installations and the conduct of tactical operations, area defence, coordination of support, and for conducting patrols.

³²⁸ <https://twitter.com/madaNea14/status/1184792229442981888>, 17 October 2019.

³²⁹ <https://www.facebook.com/2Libya17/posts/482402469043233>, 17 October 2019.

[mercenaries-fighting-alongside-haftars-forces-killed-airstrikes-southern-tripoli](#), 9 September 2019.

^b Total fatalities and wounded combined.

^c 1) <https://www.libyaobserver.ly/news/libya-airstrikes-libyan-army-kill-senior-leaders-haftars-forces-russian-mercenaries>, 23 September 2019; and 2) <https://www.iol.co.za/news/africa/russian-mercenaries-senior-rebel-leaders-killed-in-libya-air-strikes-33502754>, 24 September 2019.

^d <https://www.marsad.ly/en/2019/12/02/libyan-army-destroys-mercenaries-run-operation-room-for-haftar/>, accessed 4 December 2019.

38. The casualties from the 23 September 2019 air strike included the Commander of ChVK Wagner 1st Attack and Reconnaissance Company, Aleksandr Sergevich Kuznetsov (“Ratibor”).³³⁰ He was evacuated to a Saint Petersburg military hospital due to the seriousness of his injuries. On 8 January 2020, open-source media reported³³¹ on the admission of injured ChVK Wagner private military operatives, including Kuznetsov, to the Sogaz International Medical Centre, Saint Petersburg.³³²

39. A list of confirmed ChVK Wagner operative fatalities to date and the supporting evidence was published on the Meduza investigative journalism website on 2 October 2019³³³ (see summary at appendix G). The Panel finds this evidence credible. To date, and unlike previous conflicts, the death certificates and military decorations have not been forwarded to the families.

³³⁰ https://www.lepoint.fr/monde/ces-miliciens-russes-morts-en-libye-qui-embarrassent-moscou-08-10-2019-2340022_24.php, 8 October 2019.

³³¹ <https://www.reuters.com/article/us-russia-putin-mercenaries-exclusive/exclusive-russian-clinic-treated-mercenari-es-injured-in-secret-wars-idUSKBN1Z61A7>, 7 January 2020.

³³² <https://www.sogaz-clinic.ru>. Accessed 8 January 2020.

³³³ <https://meduza.io/en/feature/2019/10/02/a-small-price-to-pay-for-tripoli>. Accessed 3 October 2019.

Appendix A to Annex 77: Background on the ChVK Wagner organization

1. Initially ChVK Wagner did not officially exist and was a shadow organization named after the callsign for Dmitry Valeriiovych Utkin who now leads the organization and plans the operations.³³⁴ On 9 December 2016, Utkin was presented with an award, together with Alexandr Kuznetsov (M-0271) who was subsequently injured fighting in Libya, in Saint Georges Hall, Kremlin.³³⁵ On 14 November 2017 Utkin took over as Chief Executive Officer (CEO) of the Yevgeny Prigozhin owned Concord Management and Consulting company.

2. ChVK Wagner is now assessed as being over 5,000 individuals strong, with expertise available within it across the full spectrum of military specialities.³³⁶ Membership also includes citizens of Belarus, Moldova, Serbia and Ukraine, although it is predominantly still staffed by Russians. The organization has allegedly operated in the Central African Republic, Mozambique (2019), Ukraine (2014>), Sudan, and the Syrian Arab Republic (2015>).

3. ChVK Wagner operatives have been identified using equipment typically reserved for the Russian Federation Armed Forces, such as the BPM-97 Vystrel all-terrain vehicle.³³⁷ ChVK Wagner operatives also train at a GRU compound in Molkino, southwestern Russia.³³⁸ It is noteworthy that during Summer 2018 a chapel was erected to commemorate ChVK Wagner operatives killed in the Syrian Arab Republic near the town of Goryachy Klyuch,³³⁹ 20km from Molkino. The construction works were undertaken by another Prigozhin enterprise OOO Megaline (see table A.77.1).³⁴⁰

4. In order to place ChVK Wagner on a more legitimate footing within Russia The Federal Law on Military Duty and Military Service was amended to allow *a citizen on the mobilization reserve*

³³⁴ Utkin was formally the Commander of the 700th Special Forces Detachment, 2nd Spetsnaz Brigade, Russian Military Intelligence Directorate ("GRU").

³³⁵ 1) <https://meduza.io/en/news/2017/08/21/vladimir-putin-posed-for-a-banquet-photo-with-a-mercenary-previously-convicted-of-kidnapping-and-robbery>; 2) <http://tass.ru/politika/3875744>; and 3) <https://www.rbc.ru/politics/15/12/2016/585278bb9a7947efc948945b>. Also presented with awards at this ceremony were Oleksandr Serhiiovych KUZNETSOV (M-0271) and Andrei Mychailovich Bogatov (M-1601).

³³⁶ Confidential source . Specialities include Special Operations, Offensive Operations, Cyber Operations, Armour, Artillery, Communications, Combat Engineering, Training, Logistics, Equipment Maintenance and Finance.

³³⁷ <http://euromaidanpress.com/2018/06/22/new-footage-shows-russian-pmc-WAGNER-involved-in-crucial-2015-debaltseve-battle-in-ukraine/>, 22 June 2018.

³³⁸ <https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-WAGNER-group/>, 4 October 2019. GRU 10th Special Forces Brigade compound is located at 44°47'38.22"N, 39°13'22.47"E (centre point).

³³⁹ Town centred on 44°38'6.14"N, 39° 8'6.26"E.

³⁴⁰ <https://jamestown.org/program/russian-pmcs-in-the-syrian-civil-war-from-slavonic-corps-to-wagner-group-and-beyond/>, 18 December 2019.

(...) to participate in activities to maintain or restore international peace and security or to suppress terrorist activities outside the territory of the Russian Federation.³⁴¹

Table A.77.1

ChVK Wagner command structure

<i>ID^a</i>	<i>Forename</i>	<i>Surname</i>	<i>Callsign</i>	<i>Role</i>
M-0209	Dimitri Valeriiovich	Utkin	Wagner	Commander ^b
M-2010	Alexander Elizarovich	Eermolaev		Deputy Commander (Morale)
	Andrei Mykolayvych	Troshev	Siedoy	Chief of Staff
M-0971	Sergei Borisovich	Kim		Deputy Chief of Staff
M-1364	Viktor Antonovich	Rehman		Deputy Chief of Staff (Armaments)
M-1511	Konstantin Anatoliyevich	Timerman		Chief of Training Branch
M-0271	Aleksandr Sergeevich	Kuznetsov ^c	Ratibor	Commander, 1st Attack and Reconnaissance Company
M-1601	Andrei Mychailovych	Bogatov	Brodiaga	Commander, 4th Attack and Reconnaissance Company
M-5658	Valeriy Nikolaevich	Zakharov		Head, M-FINANCE L.L.C. Security Services (CAR)
	Olena Anatoliivna	Kochina		Head, M-FINANCE L.L.C.

Source: Confidential source.

^a All ChVK Wagner operatives have a unique four-digit identification number preceded by the letter M (M-XXXX).

^b Previously Head of Security for Prigozhin.

^c Seriously injured in Libya and confirmed evacuated to Saint Petersburg military hospital in September 2019.

³⁴¹ Article 37 as amended by the Federal law of 28 December 2016 No512-FZ – Compilation of the Legislation of the Russian Federation, 2017, No1, Article 53. On 8 October 2017 a Presidential Decree allowed for the involvement of foreigners in Russian Federation military operations outside its territory. On 3 September 2018, by Presidential Decree 506 information about employees hired by the foreign intelligence agencies of the Russian Federation to perform reconnaissance missions who are not staff members of those agencies was classified as a state secret.

Appendix B to Annex 77: Aircraft flights for Russian interlocuters to eastern Libya

1. The Panel has identified the following flights between the Russian Federation and eastern Libya made by civilian aircraft strongly linked to, or owned by, ChVK Wagner or related companies (table B.77.1).

Table B.77.1
Libya related flights by ChVK Wagner linked aircraft

<i>Date</i>	<i>A/C #</i>	<i>From</i>	<i>To</i>
15 Aug 2018	M-VITO ^a	Beirut (OLBS) ^b	Misrata (HLMS)
15 Aug 2018	M-VITO	Misrata (HLMS)	Khartoum (HSSS) ^c
15 Sep 2018	M-VITO	Beirut (OLBA)	Misrata (HLMS)
13 Dec 2018	VP-CSP ^d	Tunis (DTTA)	El Beida (HLLQ)
13 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
14 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
14 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
15 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
15 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
16 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
16 Dec 2018	VP-CSP	El Beida (HLLQ)	Saint Petersburg (ULLI)
20 Dec 2018	VP-CSP	Saint Petersburg (ULLI)	Benghazi (HLLB)
22 Dec 2018	VP-CSP	Benghazi (HLLB)	Beirut (OLBA)
27 Dec 2018	VP-CSP	Moscow (UUEE)	Benghazi (HLLB)
27 Dec 2018	VP-CSP	Benghazi (HLLB)	Moscow (UUEE)
29 Dec 2018	VP-CSP	Benghazi (HLLB)	Saint Petersburg (ULLI)
10 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
10 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
13 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
13 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
15 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
15 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
22 Jul 2019	VP-CSP	Saint Petersburg (ULLI)	Benghazi (HLLB)
22 Jul 2019	VP-CSP	Benghazi (HLLB)	Sochi (URSS)
23 Jul 2019	VP-CSP	Sochi (URSS)	Benghazi (HLLB)
23 Jul 2019	VP-CSP	Benghazi (HLLB)	Saint Petersburg (ULLI)
9 Aug 2019	VP-CSP	Benghazi (HLLB)	Beirut (OLBA)

Source: Confidential source .

^a Hawker 800XP (Serial # 258812) owned by Beratex Group Limited (Seychelles). Beratex (Moscow) controlled by Anastasia SAUTINA, who was CEO of the Prigozhin owned Concord Management and Consulting Limited until 2017, when replaced by Dimitri UTKIN (M-0209) Head of WAGNER organization.³⁴² Registered in Isle of Man until the registration was withdrawn on 4 April 2019. Now registered in Russia as RA-02791. The name of catering company linked to Prigozhin is VITO-1,³⁴³ surely not a coincidence as VITO was specifically requested as the registration # from the Isle of Man aircraft registry.³⁴⁵

^b The aircraft flew from Damascus, Syria to Beirut. WAGNER are known to be operating in Syria.

^c 1) WAGNER are known to be operating in Sudan; and 2) the aircraft then flew to Bangui, Central African Republic, where WAGNER are also known to be operating. <https://www.businessinsider.com/russia-WAGNER-group-mercenaries-where-operate-2018-4?r=US&IR=T>, 19 November 2019.

^d A British Aerospace 125-800B VP-CSP (Serial # 258210) allegedly owned by Springline Limited, Moscow.

2. The Panel has identified the following flights, to and from Libya to the Russian Federation, made by aircraft known to have been, or strongly suspected to have been chartered by HAF (tables B.77.2 and B.77.3).

Table B.77.2

HAF related Russia flights (P4-RMA)

<i>Date</i>	<i>A/C #</i>	<i>From</i>	<i>To</i>	<i>Remarks</i>
5 Nov 2018	P4-RMA ^a	Moscow (UUEE)	El Beida (HLLQ)	Haftar confirmed as a passenger. Dates of meeting with Prigozhin.
8 Nov 2018	P4-RMA	Moscow (UUEE)	El Beida (HLLQ)	Return flight to collect Haftar.
24 Aug 2019 ^b	P4-RMA	Moscow (UUEE)	Benghazi (HLLB)	

^a Dassault Falcon 900 owned by Sonnig International Private Jet Limited (Hong Kong, China) and operated by Golden Eagle Trading F.Z.E. (UAE).

^b Haftar reported as being in Moscow from 20 to 24 August 2019. <https://www.africaintelligence.com/mce/corridors-of-power/2019/08/29/khalifa-haftar-makes-anti-g7-trip-to-moscow,108370080-art>.

Table B.77.3

HAF related Russia flights (P4-BAA)

<i>Date</i>	<i>A/C #</i>	<i>From</i>	<i>To</i>	<i>Remarks</i>
12 Apr 2019	P4-BAA ^a	Moscow (UUEE)	El Beida (HLLQ)	
20 Apr 2019	P4-BAA	El Beida (HLLQ)	Beirut (OLBA)	En-route to Moscow ^b
26 Apr 2019	P4-BAA	Beirut (OLBA)	El Beida (HLLQ)	
30 May 2019	P4-BAA	Moscow (UUEE)	El Beida (HLLQ)	
15 Jul 2019	P4-BAA	Moscow (UUEE)	El Beida (HLLQ)	

³⁴² <https://www.uawire.org/WAGNER-group-commander-becomes-ceo-of-putin-s-friend-s-catering-business>, 16 November 2017.

³⁴³ <https://www.occrp.org/en/27-ccwatch/cc-watch-briefs/11051-putin-s-chef-to-pay-meager-compensation>, 4 November 2019.

³⁴⁵ The Panel has copies of all the appropriate registration and deregistration documentation, as well as the comprehensive flight records regarding flights to and from Libya.

- ^a Dassault Falcon EX50 operated by Falcon Wings LLC (www.falconwings.com) (UAE). This is a new aircraft of interest to the Panel and investigations as to its provenance continue.
- ^b Kheiri Al TAMIMI, Military Aide to Khalifa Haftar attended Conference on International Security in Moscow on 24 April 2019. <https://uk.reuters.com/article/uk-russia-security-conference/aide-to-libyan-commander-haftar-visits-moscow-idUKKCN1S01WX>, 24 April 2019.

Appendix C to Annex 77: Summary of Chvk Wagner communications of relevance to sanctions measures (2019)

1. Bychkov Report (Extract) 20 March 2019

RUSSIAN ORIGINAL

О ситуации в Ливии

После визитов Халифы Хафтара в Москву 07.11.2018 и Сочи 25-26.11.2018 им были подтверждены запросы о военно-технической поддержке и помощи в установлении диалога с военно-политическими группами Ливии, а также о разработке стратегии его предвыборной кампании в президенты Ливии. При этом, он гарантировал передачу РФ нефтяных и других экономических активов на подконтрольной ЛНА территории.

Большинство запросов Хафтара российская сторона выполнила: проведен политологический анализ ситуации, разработаны рекомендации для усиления политического влияния Маршала в Ливии, включая рекомендации по работе со СМИ и социальным сетям, запущена газета «Голос Народа» тиражом в 300000 экз., осуществляется консультирование телеканала Аль-Хадас, проведены переговоры и налажено тесное сотрудничество с основными военно-политическими группами Ливии (А. Салех, Х. Мишри, представители племен туареги, амазиги, тубу и городов Мисурата, Бани-Валид, Тархуна), организованы переговоры Х. Хафтара и С. Каддафи, осуществлена военно-техническая поддержка (осмотрено 536, отремонтировано и восстановлено 125 ед. техники).

Со стороны Хафтара встречных шагов по сотрудничеству нет, экономических проектов не предложено, более того фиксируется недружественная позиция по ряду ключевых позиций:

1. Российские специалисты не допускаются к реальной работе, обсуждению важных решений. Например, Хафтар отказал в разрешении на вылет 18.01.2019 г. самолета, направлявшихся по его же просьбе на переговоры с Сейфом Каддафи.
2. Ввел ограничения на доступ к информации о своей деятельности и действиях ЛНА. Советники маршала специально дезинформируют российских специалистов по ряду вопросов.
3. Получает финансовую помощь от ОАЭ. Например, за 20 млн долларов, полученных от ОАЭ, была куплена лояльность крепости Себха. В отличие от отношений с Россией, в обмен ОАЭ получили контракты на управление портом Бенгази и подряды на восстановление города.

OFFICIAL UN TRANSLATION

The situation in Libya

After visiting Moscow on 7 November 2018 and Sochi on 25 and 26 November 2018, Khalifah Haftar reiterated his requests for military and technical support and assistance in establishing a dialogue with the various political and military groups in Libya, and with regard to developing his campaign strategy for the presidential elections in that country. He also gave assurances that oil and other economic assets in territory controlled by the Libyan National Army would be transferred to the Russian Federation.

Russia has met most of Haftar's requests: it has conducted a political analysis of the situation; made recommendations on how to boost the General's political influence in Libya, including through the media and social networks; launched a newspaper, *The Voice of the People*, with a print run of 300,000 copies; carried out consultations, which are ongoing, with Al-Hadath television channel; held talks and initiated close cooperation with the main military and political groups in Libya (Aqilah Salah, Khalid al-Mishri, representatives of Tuareg, Amazigh and Tabu tribes and the authorities of the cities of Misrata, Bani Walid and Tarhuna); organized negotiations between Khalifah Haftar and Saif al-Islam Qadhafi; and provided military and technical support (maintenance checks were carried out on 536 military vehicles, 125 of which were repaired).

No reciprocal moves on cooperation have been forthcoming on Haftar's part, nor have any economic projects been proposed. Indeed, his response has been less than amicable on a range of key issues:

1. Russian specialists are not permitted to do any meaningful work or participate in key decision-making. For example, on 18 January 2019, Haftar denied clearance for an aircraft to depart with personnel heading, at his request, to participate in talks with Saif al-Islam Qadhafi.
2. He has placed restrictions on access to information about his activities and the movements of the Libyan National Army. The General's advisers deliberately misinform Russian specialists on various matters.
3. He is receiving financial backing from the United Arab Emirates. For example, he used \$20 million provided by that country to buy the loyalty of the Sabha citadel garrison. In return, unlike Russia, the United Arab Emirates received contracts to manage the port and rebuild the city of Benghazi.

2. Situation Report (Extract) 6 April 2019

RUSSIAN ORIGINAL

Справка по ситуации в Ливии по состоянию на 06.04.2019, 09.00

1) Вечером 05.04 7-ая бригада получила от Хафтара денег и оружие и согласилась принять участие в штурме Триполи. ЛНА контролирует Тархуну, Гарьян, Сабрату, Сарман, на половину Зинтан. ЛНА заявляет:

- высадке Спецназа ВМФ ЛНА на базе морской пехоты Сиди-Билал, в 17 км к западу от Триполи (численность не известна).

2) По мнению экспертов, сил ЛНА недостаточно для взятия Триполи:

- 04.04.2019г., с направления Зинтан (точное место неизвестно), силами подконтрольными Командующему «Западным военным округом» (ПНС) генерал-майору Усаме аль Жуайли, был нанесен арт. удар высокоточными снарядами по силам ЛНА. Использовали арт. орудие калибром 150 мм (производство ОАЭ). Два орудия и высокоточные боеприпасы, а также средство подсветки (БЛА с целеуказателем) были поставлены в Ливию во время правления М.Кадаффи. В результате нанесенного удара был уничтожен пикап одним выстрелом. Потери л/с до 4-6 убитых и раненых. Представители ЛНА обратились к Командующему группировки РФ г/л-ту Халзакову А.В. с просьбой, выделить расчет БЛА от РФ, для выявления место положения этих

орудий и дальнейшего захвата или уничтожения их, силами ЛНА в чем им было отказано.

OFFICIAL UN TRANSLATION

Update on the situation in Libya as at 9 a.m., 6 April 2019

1. On the evening of 5 April, the 7th Brigade received money and weapons from Haftar and agreed to join the assault on Tripoli. The Libyan National Army now controls Tarhuna, Gharyan, Sabratah, Surman and half of Zintan.

- According to the Libyan National Army, a group of its navy commandos has taken the Sidi Bilal marines base, 17 km west of Tripoli. The number of personnel involved in the operation is unknown.

2. Experts have concluded that the Libyan National Army forces are insufficient to capture Tripoli.

- On 4 April 2019, forces controlled by Brigadier Usamah al-Juwayli, Commander of the western military district under the Government of National Accord, carried out precision shelling of Libyan National Army positions from the Zintan area (exact position unknown). They used 155mm artillery manufactured in the United Arab Emirates. Two such artillery pieces, along with high-precision rounds and battlefield illumination equipment (drones equipped with target designators) were delivered to Libya when Muammar Qadhafi was in power. One pick-up truck was destroyed by a single round in the shelling, and losses amounted to between four and six combatants killed or wounded. Libyan National Army representatives approached the commander of a Russian Federation group of combatants, Major General A. V. Kholzakov, with a request for a full breakdown of the whereabouts of drones supplied by the Russian Federation, with a view to seizing or destroying them. The request was turned down.

3. Bychkov Report (Extract) 10 April 2019

RUSSIAN ORIGINAL

Возможные мотивы визита Х.Хафтара в РФ

3. После отказа 02.04.2019 предоставить официальную поддержку военной операции МИД РФ и участия российских военных для в ней, разместил в СМИ и соцсетях фотографии колонны ЛНА, включающей «белых» военнослужащих европейской внешности. Напечатанные на бумаге госномера 112 региона РФ разместил на военной технике и грузовиках Камаз, часть этих номеров удалось снять представителям Компании.

Таким образом, Хафтар намеренно демонстрирует политическим игрокам внутри Ливии и заинтересованным международным силам свои тесные отношения и военное сотрудничество с РФ, дабы повысить свою значимость («стоимость») и устрасшить соперников.

OFFICIAL UN TRANSLATION

Possible motives for Khalifah Haftar's visit to the Russian Federation

3. After the refusal on 2 April 2019 by the Ministry of Foreign Affairs of the Russian Federation to officially support his military operation or provide Russian troops, Haftar released photos of a Libyan National Army convoy with “white” soldiers of European appearance to media and social media outlets. Paper number plates from 112 districts in the Russian Federation were affixed to military vehicles and KAMAZ trucks. Company officials managed to remove some them.

Haftar is attempting to bolster his standing and intimidate rivals by showing off his close ties to and military cooperation with the Russian Federation to political figures in Libya and international forces with a stake in the country.

4. “Ivan” report 22 April 2019

RUSSIAN ORIGINAL

руководителю

Информационное сообщение по итогам встречи 22.04.19 с российским военным аналитиком на территории

2. Очевидно, что противник значительно превосходит ЛНА по подготовленности, боеспособности и опытности личного состава. Несмотря на огромный расход боеприпасов (ежедневно совершается три самолето/вылета ИЛ-76 для доставки российского оружия из ОАЭ через Иорданию, также идут поставки из Египта), ЛНА так и не добилаь никаких значимых военных успехов, и уже теряет завоеванные позиции. О качестве боевого управления в ЛНА можно судить хотя бы то следующему факту: в армии фактически неофициально признались в том, что сами по ошибке сбили недавно собственный самолет (две ракеты в самолет, принятый за самолет противника, запустили бойцы батальона «Тарик ибн Зияд», которым командует сын ХХ Саддам).

5. Командование ЛНА постоянно обращается с просьбами к российским военным в Ливии предоставить оружие и средства навигации и контроля (РЛС, комплексы «Игла» и др.), а также передислоцировать российский штаб в Джуфру или Гарьян (и обеспечить его для защиты с воздуха российскими ПЗРК) для консультаций операции на западе страны. Рефреном звучит фраза «помогайте нам как в Дерне». Однако никаких действий сейчас российская сторона не предпринимает, объясняя это невозможностью какого-либо участия в боевых действиях без санкции вышестоящего командования.

С уважением, Иван
22.04.2019

OFFICIAL UN TRANSLATION

To the Director

Report on the outcome of the meeting held on 22 April 2019 with a Russian military analyst on the ground

2. The opponent’s forces are clearly superior to the Libyan National Army in terms of training, battle-readiness and experience. Despite the vast amounts of military supplies expended (Ilyushin IL-76 aircraft supply Russian weaponry from the United Arab Emirates via Jordan three times daily and deliveries from Egypt are also under way), the Libyan National Army has achieved no significant military success and is already losing ground it had taken. The quality of its combat command may be judged by a single incident: the Libyan National Army has more or less officially admitted that it recently shot down one of its own aircraft by mistake (combatants of the Tariq bin Ziyad battalion, commanded by Saddam Haftar, fired two missiles at the aircraft,

wrongly identified as belonging to the opponent).

5. Libyan National Army commanders are continually pestering the Russian military in Libya for weaponry and navigation and control equipment (such as radar and Igla surface-to-air missile systems). They also keep requesting the redeployment of the Russian base, equipped with MANPADS for air defence, to Jufra or Gharyan for the purpose of advising them on operations in the west of the country. "Help us the way you did at Derne," they say. The Russians, however, have thus far refrained from taking any action, explaining that they cannot become involved in hostilities without the go-ahead from senior commanders.

Yours sincerely, Ivan
22 April 2019

5. Benghazi Mission Report 14 May 2019

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Руководителю

**Отчёт о деятельности миссии в Бенгази
в период 5 – 13 апреля 2019 г. (состав миссии с 31.03.19 – 2 чел.)**

Приложение 8

**Информационное сообщение о ситуации по состоянию на 11.04.19
По итогам встречи с российским военным аналитиком на территории**

11. Силы ПВО армии ХХ фактически равны нулю. Системы «Квадрат», по оценке нашего собеседника – по факту нерабочие. ЛНА обратилось к российским военным с просьбой о подготовке 10 военнослужащих для использования ПЗРК. Также ЛНА просит о предоставлении беспилотников.

12. О «профессионализме» бойцов ЛНА говорит огромный расход боеприпасов («палят без разбора»). Есть сведения о том, что для бригад 106 и «Тарик Бензият» самолетом С-17 на аэродром Харуб ежедневно доставляются боеприпасы из Египта (эти бригады используют вооружение, к которому подходят только патроны американского производства). Также с 6.04. ежедневно совершается два самолето/вылета ИЛ-76 для доставки российского оружия из ОАЭ через Иорданию. Каждый самолет доставляет до 500 тонн боеприпасов. Также есть сведения, что 9.04. в аэропорт Бенин (Бенгази) прибыл с боеприпасами транспортник С-130 «Геркулес» ВВС Франции.

13. 10.04. ХХ отбыл в Москву со списком требований о поставках оружия на 4-х страницах. Вместе с ним в Россию отправились советник Нурии Абдела Али и пресс-атташе Хейсам Касруддин Аль-Башир.

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The Director

**Report on the mission to Benghazi
from 5 to 13 April 2019 (mission composition as at 31.03.19 - 2 persons)**

Annex 8

**Information on the situation as at 11.04.19
Following a meeting with the Russian military analyst on the ground**

11. The anti-aircraft capabilities of the XX Army are effectively non-existent. In the view of our interlocutor, the Kvadrat systems are de facto not operational. The LNA has requested the Russian military to train 10 soldiers to use man-portable air defence systems. The LNA is also asking for drones.

12. The "professionalism" of the LNA fighters is evidenced by a huge consumption of ammunition ("they fire indiscriminately"). There are indications that C-17 aircraft make daily deliveries to Harub airfield of ammunition from Egypt for the 106th Brigade and the Tariq Ibn Ziyad Brigade (these brigades use weapons that can only use American-made cartridges). In addition, since 6.04 there have been two daily IL-76 departures to deliver Russian weapons from the United Arab Emirates via Jordan. Each aircraft delivers up to 500 tons of ammunition. There is also information that on 9.04 a French Air Force C-130 Hercules transporter arrived at Benina Airport (Benghazi) with ammunition.

13. On 10.04 XX departed to Moscow with a four-page list of weapons needs. Accompanying XX to Russia were Nouri's adviser Abdel Ali and press attaché Haysam Kasruddin Al-Bashir.

Appendix D to Annex 77: HAF military vehicle repairs

1. The reported list of ChVK Wagner specialists is shown below in table D.77.1.³⁴⁶

Table D.77.1

ChVK Wagner technical specialists deployed to Libya³⁴⁷

#	WAGNER ID	Forename	Surname	Date of Birth	Cell #
R1	M-1017	Enver Erstemovich	Didichev	26 Nov 1967	
R2	M-1359	Yury Eliseevich	Eliseev	3 May 1955	
R3	M-1014	Nikolai Mikhailovich	Gorbanev	10 Dec 1958	
R4	M-1357	Valery Meruzhanovich	Manasyan	18 Oct 1951	
R5	M-1598	Igor Vasilevich	Murin	5 Jan 1964	
R6	M-1361	Dmitry Leonidovich	Shinkerenko	21 Apr 1983	+79615140XXX
R7	M-1801	Rinat Khabibyanovich	Suleimanov	18 Oct 1971	+79024799XXX
R8	M-1358	Aleksei Anatolevich	Uskov	20 Oct 1980	+79284262XXX
R9	M-2158	Oleg Pavlovich	Volobuev	7 May 1970	

Source: Confidential source.

2. The reported list of armoured vehicles and artillery assessed by ChVK Wagner specialists is shown below in table D.77.2.³⁴⁸

Table D.77.2

HAF military vehicles assessed by ChVK Wagner specialists³⁴⁹

#	Vehicle	Inspected	Damage assessments	Minor repairs	Overhauls
1	T-55 MBT ^a	100	67	16	31
2	T-62 MBT	35	31	4	9
3	T-72 MBT	10	7		1
4	BMP-1 IAFV ^b	77	57	14	4
5	BTR-60 APC ^c	210	126	32	
6	BTR-80 APC (<i>Brem</i>)	21	9	3	
7	BRDM-2 CRPV ^d	41	30	3	1

³⁴⁶ 1) <https://www.proekt.media/investigation/prigozhin-libya/1>, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.

³⁴⁷ Official UN translation 1919341E. 12 November 2019.

³⁴⁸ 1) <https://www.proekt.media/investigation/prigozhin-libya/1>, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.

³⁴⁹ From official UN translation 1919341E of figure 4.2. 12 November 2019.

#	Vehicle	Inspected	Damage assessments	Minor repairs	Overhauls
8	2S1 122mm Howitzer (<i>Gvozдика</i>)	20	11	1	6
9	BM-21 122mm MBRL (<i>Grad</i>) ^e	6	3		
10	Tactical vehicle ^f	5			
11	MT-LB MPAAV (<i>Izdeliye</i>) ^g	10	4		
12	2S3 152mm Howitzer (<i>Akatsia</i>)	1			
Total		536	345	73	52

^a Main Battle Tank

^b Infantry Armoured Fighting Vehicle

^c Armoured Personnel Carrier

^d Combat Reconnaissance Patrol Vehicle

^e Multi-Barrel Rocket Launcher

^f Type not known.

^g Multi-Purpose Amphibious Armoured Vehicle

3. The restored vehicles were handed over to HAF in accordance with handover certificates and were available for use from 12 March 2019. The Panel noted the movement of apparently refurbished 2S1 122mm self-propelled artillery on 16 October 2019 near Suq Al Ahad (figure D.77.1).

Figure D.77.1

Apparently refurbished 2S1 122mm self-propelled artillery during road movement (16 October 2019) ^a



^a Near Souk Al Ahad. Source. 20 October 2019.

4. Spare parts were procured for the T-55, BMP-1 and 2S1 military vehicles at a cost of RUB 6,712,796 (US\$ 102,166).³⁵⁰ Heaters for the T-55, T-72 and BMP-1 military vehicles were also purchased and delivered at a cost of RUB 12,125,000 (US\$ 184,538).

³⁵⁰ At www.xe.com mid-market rate of 12 March 20-19. US\$1.00 = RUB 65.74.

Figure D.77.2

Original document (12 March 2019) ^a

СПРАВКА					
по работе ремонтной бригады из РФ в Ливии					
В период с 17 октября 2018 г. по настоящее время ремонтная бригада специалистов из РФ в составе 23 человек произвела осмотр, дефектовку и восстановление БТВТ, как ниже указано:					
№ п/п	Наименование техники	Осмотрено	Дефектовка	Произведен мелкий ремонт	Восстановлено
1	Танк Т-55	100	67	16	31
2	Танк Т-62	35	31	4	9
3	Танк Т-72	10	7		1
4	БМП1	77	57	14	4
5	БТР60	210	126	32	
6	БРЭМ	21	9	3	
7	БРДМ2	41	30	3	1
8	2С1	20	11	1	6
9	БМ-21	6	3		
10	ВАТ	5			
11	МТЛБ	10	4		
12	2С3	1			
	Итого	536	345	73	52
Вся восстановленная техника передана Ливийской стороне по актам приема-передачи и используется по назначению.					
Так же были закуплены и поставлены запасные части для Т-55, БМП-1, 2С1 на сумму 6 712 796 рублей и радиаторы на Т-55, Т-72, БМП-1 на сумму 12 125 000 рублей.					
12 марта 2019 г.					

^a Source: Dossier Centre (<https://dossier.center/>).

Appendix E to Annex 77: Ministry of Interior report (November 2019)

Figure E.77.1
Original³⁵¹



ت- حالة الإستعانة بالمرتزقة الروس:

بدء من شهر سبتمبر 2019، لوحظ دخول قوات من المرتزقة الروس إلى منطقة العمليات العسكرية في نطاق طرابلس وخاصة محاور طريق المطار ووادي الربيع والسبيعة، حيث تقوم هذه القوات بمرافقة قوات حفتر لغرض القيام ببعض العمليات الخاصة، وبغض النظر عن شهود العيان الذين لاحظوا بشكل مباشر وجود هؤلاء المرتزقة، استطعنا الحصول على صور لهؤلاء المرتزقة الروس خلال تواجدهم في هذه المحاور، كما يثبت حضور رئيس شركة فاغنر التي تزود حفتر بالمرتزقة خلال اجتماع قام به حفتر مع مسؤولين روس في موسكو، وعثر على صور أخرى لشخصية وكذلك تثبت خلفية هؤلاء المرتزقة في هاتف شخصي يعود لأحدهم.²

وقد ثبت من خلال بعض الأدلة الصحفية مقتل حوالي 35 مرتزق روسي على أسوار طرابلس⁴³

Source: Confidential.

OFFICIAL UN TRANSLATION [1921162E]

[Document entitled: "Gharyan capture The report.pdf"]

[Notation at bottom of all pages in this document:]

"Prepared by the advisor team in the Media Office of the Ministry of the Interior"

[Page 5 of original]

B. The situation with regard to the use of Russian mercenaries

Beginning in September 2019, it was observed that Russian mercenary forces were arriving in the military operations area around Tripoli, and in particular the airport road, Wadi Rabi` and Sabi`ah. Those forces accompanied the Haftar forces in carrying out certain special operations. Leaving aside the eyewitnesses who observed the presence of those mercenaries directly, we have been able to obtain photographs of those Russian mercenaries at while they were present at those battlefronts. There is evidence that the President of the Wagner Group, which is supplying Haftar with mercenaries,

³⁵¹ Extracted from "The full report on the violations perpetrated by the forces of the war criminal Haftar - November 2019". The full 170 page report was prepared by the team of the counsellors of the Media Bureau of the Minister of Interior.

was present at a meeting between Haftar and Russian officials in Moscow. There have also been personal photographs uncovered. The background of the mercenaries was also confirmed by one mercenary's telephone.

Some journalistic evidence has confirmed that around 35 Russian mercenaries have been killed on the outskirts of Tripoli.^{352, 353}

³⁵² <https://www.themoscowtimes.com/2019/10/03/dozens-of-russian-mercenaries-killed-in-libya-meduza-a67569>, 3 October 2019.

³⁵³ <https://www.thetimes.co.uk/article/airstrike-kills-kremlin-mercenaries-backing-libyan-strongman-khalifa-haftar-nbq0szmhz>, 4 October 2019.

Appendix F to Annex 77: Panel summary of ChVK Wagner operative's interview on Al Aan TV (3 December 2019)

1. The following is a Panel translation of the cover page for a TV interview that was broadcast on www.youtube.com on 3 December 2019 by Al Aan TV.³⁵⁴

Individuals undergoing military training, deploy on secret missions and receive direct financial and technical support from Russia. This is part of the reality of the role of Russian ChVK Wagner mercenaries in conflict and civil war areas. From Syria to the two dams, Libya has the same presence and goals. Igor Kulikov, a fighter of Russian ChVK Wagner mercenaries, returned home after being hit on Russian soil where we met him, but he insisted on hiding his face for fear of being identified. Igor Kulikov says that ChVK Wagner is deployed in Benghazi and Tripoli, but he took it upon himself not to talk about his role in Libya and what he was doing. Kulikov described ChVK Wagner as a commercial company and said that he had supervised group training in Libya. He noted that his motivation for joining ChVK Wagner was money, especially as they paid relatively good money. What Kulikov said refutes much of the talk and denials about the presence of ChVK Wagner mercenaries in Libya and their military and combat role there. It categorically proves their heavy military presence and the goal of obtaining financial may justify any act or violation committed.

2. The following is a Panel summary of the key points made in the interview:

- A few months ago he was fighting in Benghazi and Tripoli, although mainly Tripoli.
- He was an instructor training groups on fighting in built up areas (FIBUA).
- He is from a village in Siberia and is ex-military , in the 'Serdekov'. ChVK Wagner offered him a job.
- He stated that financial and technical support came from Russia.
- He was once injured in Libya and was transferred to Russia for treatment, and then returned to Libya as he was still under contract.
- He and his colleagues do not care who is dealing with who in this conflict. He affirms being a mercenary and considers it a job, as do his colleagues.
- He added that any member of the group who commits 'violations' or 'crimes' are laid off and never contracted again.
- He was keen on keeping his identity secret but the TV channel indicates that his name is Igor KOLIKOV (the Panel cannot corroborate this).

³⁵⁴ https://www.youtube.com/watch?time_continue=7&v=i5Qb5hjfUJk&feature=emb_logo, 3 December 2019.

Appendix G to Annex 77: Confirmed ChVK Wagner casualties

Table G.77.1

ChVK Wagner casualties ^a

<i>Date</i>	<i>Forename</i>	<i>Surname</i>	<i>Date of Birth</i>	<i>Remarks</i>
7 Sep 2019	Vadim	Bekshenev ^b		<ul style="list-style-type: none"> Confirmed by recovered Sherbank Visa Card (4276 xxxx xxxx 2738) (Expires 08/22) found in area of operations.
7 Sep 2019	Ignat	Borichev		<ul style="list-style-type: none"> a.k.a. “Benya”
7 Sep 2019 or 12 Sep 2019	Arytom Alexseevich	Nevyantsev ^c	30 Apr 1981	<ul style="list-style-type: none"> a.k.a. “Hulk” 2nd Chechyen War and Ukraine “Steop” Task Force.
Sep 2019	Gleb Aleksandrovich	Zverev ^d	1 Aug 1992	<ul style="list-style-type: none">
Not known	Denis			<ul style="list-style-type: none"> a.k.a. “Vector” From Kushchevskaya
Not known				<ul style="list-style-type: none"> a.k.a. “Academician”
27 Jan 2020	Vladimir	Skopinov ^e		<ul style="list-style-type: none"> a’k’a’ “Marin” Donbass veteran from Saint Petersburg. Deployed on 7 December 2019.
				<ul style="list-style-type: none">

^a Primary source: <https://meduza.io/en/feature/2019/10/02/a-small-price-to-pay-for-tripoli>. Accessed 3 October 2019.

^b <https://citeam.org/wagner-mercenaries-on-the-frontline-in-libya/?lang=en>. Accessed 27 October 2019.

^c <https://myrotvorets.center/criminal/nevyantsev-artem-alekseevich/>. Accessed 12 December 2019.

^d https://twitter.com/CITeam_en/status/1186282467550027776. Accessed 27 October 2019. And multiple other sources.

^e https://m.vk.com/memorial_dnr. 07:47pm, 27 January 2020.

Figure 10.1
Vadim Bekshenyov^a



Figure 10.2
Sergei Yurevich Golubenko^b



Figure 10.3
Gleb Zverev^c



Figure 10.4
Vladimir Skopinov^d



^a https://twitter.com/CITeam_en/status/1186282467550027776. 27 September 2019. Original posted 2 March 2016.

^b <https://myrotvorets.center/criminal/golubenko-sergej-yurevich/>. 28 March 2017.

^c https://twitter.com/CITeam_en/status/1186282467550027776. 27 September 2019.

^d https://m.vk.com/memorial_dnr. 07:47pm, 27 January 2020.

Annex 78 Member States and regional organizations responses during 2020 to arms embargo violations

1. Some Member States and regional organizations have taken a range of unilateral actions during 2020 in response to non-compliances with the arms embargo by entities based or registered within their territories (see table X.1).

Table 78.1
Member State responses

<i>Date</i>	<i>Perpetrator</i>	<i>Equipment</i>	<i>Reference</i>	<i>Member State</i>	<i>Response</i>
21 Apr 20	Azee Air LLC, Kazakhstan	IL-76TD (UP-I7650) (UP-I7651) (UP-I7654)		Kazakhstan	<ul style="list-style-type: none"> ▪ AOC suspended for 6 months on 21 Apr 2020. ▪ AOC not renewed
29 May 20	Sigma Airlines, Kazakhstan	IL-76TD (UP-I7602) (UP-I7645) (UP-I7655) B-747 (UP-B4702) A-300 (UP-A3003)	S/2019/914 , annexes 28 and 52	Kazakhstan	<ul style="list-style-type: none"> ▪ AOC suspended for 6 months on 29 May 2020. ▪ AOC removed on 23 Sep 2020.^a
20 Jun 20	HAF	AN-32B (EY-332)		Tajikistan	<ul style="list-style-type: none"> ▪ Deregistered aircraft on 20 Jun 2020.
2 Jul 20	Jenis Air LLC, Kazakhstan	IL-76TD (UP-I7646) (UP-I7652) (UP-I7656)		Kazakhstan	<ul style="list-style-type: none"> ▪ AOC suspended for 6 months on 3 July 2020. ▪ AOC not renewed
21 Sep 20	Sigma Airlines, Kazakhstan	As above	S/2019/914 , annexes 28 and 52	European Union	<ul style="list-style-type: none"> ▪ Assets freeze
21 Sep 20	Avrasya Shipping, Turkey	MV <i>Cirkin</i>		European Union	<ul style="list-style-type: none"> ▪ Assets freeze
21 Sep 20	Med Wave, Shipping, Jordan and Lebanon	MV <i>Bana</i>		European Union	<ul style="list-style-type: none"> ▪ Assets freeze
14 Oct 20	Yevgeny Prigozhin	ChVK Wagner		European Union	<ul style="list-style-type: none"> ▪ Entry ban and assets freeze

^a <https://www.barrons.com/news/kazakhstan-suspends-three-airlines-for-breaking-un-libya-embargo-01600847703>. 23 September 2020.

Annex 79 Oil blockade

1. On 17 January 2020, purportedly spontaneous demonstrations by the local population in Zueitina³⁵⁵ called for a blockade of the oil and gas export terminals in the East. Citizens were allegedly protesting against a Turkish intervention against HAF in the country. The spokesman for the HAF, Ahmad al-Mismari, indicated that "*the closure of the fields and the terminals is purely a popular decision. It is the people who decided this*".³⁵⁶
2. The Panel however ascertained that the demonstrations were not spontaneous and independently confirmed that senior representatives of the Petroleum Facilities Guards (PFG) for the Central and Eastern Region, led by Major General Nagi al-Moghrabi, verbally ordered the heads of the NOC subsidiaries in eastern Libya to halt export operations and enforce the closure of facilities.
3. As result of the above, NOC was compelled to declare *force majeure* on 18 January 2020 in the five crude oil and gas export terminals in the East³⁵⁷, and on 20 January 2020 on the Sharara³⁵⁸ and Al Feel³⁵⁹ oilfields. *Force majeure* was declared to minimize losses and limit Libyan state contractual liabilities. While it affected all operations in these ports, it did not affect operations in other eastern commercial ports. Oil product vessels continued discharging both imported and domestically refined products in Benghazi and Tobruk, following a planned schedule.
4. *Force majeure* was gradually lifted between September and October 2020³⁶⁰ as result of an agreement between the GNA and HAF. At the centre of this agreement is the issue of the distribution of the oil revenues. The lifting was possible after both parties agreed that the oil revenues will remain frozen in the NOC's account in the Libyan Foreign Bank, where revenues are deposited, as an exceptional and temporary measure until a more durable economic arrangement is negotiated. To date, USD 2.35 billion of oil revenues remain frozen.

³⁵⁵ Located at 30°53'56.2"N 20°04'22.1"E.

³⁵⁶ 'UN Libya mission 'concerned' over threats to block oil exports', Al Jazeera, 18 January 2020, <https://www.aljazeera.com/news/2020/01/libya-national-oil-company-warns-export-blockade-200118062412807.html>

³⁵⁷ These are: Sidra (30°38'08.7"N 18°22'02.9"E); Ras Lanuf (30°29'06.2"N 18°34'55.9"E); Brega (30°24'52.5"N 19°35'27.2"E); Zueitina (30°53'56.2"N 20°04'22.1"E); and 5) Hariga (Tobruk) (32°03'43.9"N 23°59'31.8"E).

³⁵⁸ Centred at 26°34'36"N, 12°13'05"E.

³⁵⁹ Centred at 26°02'08"N 11°58'33"E.

³⁶⁰ In Brega and Hariga (Tobruk) export terminals on 19 September 2020; in Zueitina export terminal on 22 September 2020; in Sharara oilfield on 11 October 2020; in Sidra and Ras Lanuf export terminals on 23 October 2020; and in Al Feel oilfield on 26 October 2020.

Annex 80 Letters from eastern authorities challenging the NOC legitimacy

Figure 80.1

Official translation of communications received from the Chairman of the eastern National Oil Corporation

2001700E

Translated from Arabic

National Oil Corporation

Ref.: 1/9/28/2020

Date: 30 January 2020

File: 1/9

Sir,

Mass protests that have shut down the oil ports and, as a consequence, force majeure was declared at most oil fields and ports. Given that all oil imports and fuel destined for the Brega Petroleum Marketing Company are contracted for by the National Oil Company in Tripoli, we should like to draw your attention to the following:

1. Mr. Sanalla, in an attempt to support the illegitimate strongman, has sought to prevent the tanker *Tazerpo* from carrying cooking gas from the port of Zuwaytinah to the port of Benghazi.
2. Mr. Sanalla has consistently not supplied the eastern and southern regions with fuel that they were scheduled to receive. This is clearly demonstrated by the manner in which the recently acquired gas cylinders were distributed. Of the 1 million cylinders that were brought in, only 60,000 were sent to the eastern region.
3. Mr. Sanalla has stopped supplying kerosene heating fuel since 4 April 2019, despite the great need for it in winter.
4. Mr. Sanalla has stopped shipping aviation fuel since 4 April 2019. This has had an adverse effect on civil aviation.
5. The Brega Petroleum Marketing Company allocates only 40 per cent of available fuel for the eastern and central regions, even though the eastern arm of the Company serves an area that covers more than 90 per cent of Libya, including the South and Jabal al-Gharbi (Tarhunah, Sabha, Jufrah, Ghat, Bani Walid and others).
6. Mr. Sanalla has held back the budgets of projects that would increase fuel storage capacity in the eastern region, causing fuel shortages.

Accept, Sir, the assurances of my highest consideration.

(Signed) Al-Mabruk Sa'id Sultan
Chair of the Board of Directors

2011041E

Translated from Arabic

National Oil Corporation

Ref.: 1/9/182/20

Date: 23 August 2020

File: 1/9

Sir,

We should like to inform you that the force majeure declared by Mr. Mustafa Sanalla at the oil ports has created many serious problems, which, in turn, might cause the following humanitarian crises and technical difficulties. Following are those problems:

- The inability to distribute the production of local refineries has led to a complete lack of storage capacity at the ports of Burayqah and Hariqah. As a result, production at local refineries has come to an almost complete halt, thus causing a shortage of petrol, diesel and jet fuel.
- The inability to distribute the associated gas produced at the fields of the Sirte Oil Company has caused the condensate storage tanks to reach capacity. As a result, gas production has declined, thus causing blackouts in the eastern region.
- The ammonia storage tank in Brega cannot be emptied. Although precautions have been taken, this highly explosive substance presents a serious threat to lives and facilities in the Brega industrial area.

The National Oil Corporation, from its legal domicile in Benghazi, reiterates that it will begin to dispose of those products in order to safeguard lives and facilities.

We ask the United Nations mission to grant the required authorization. We will hold the mission liable for any dangers arising from delays in disposing of those products.

Accept, Sir, the assurances of my highest consideration.

(Signed) Al-Mabruk Sa'id Sultan
Chair of the Board of Directors

Figure 80.2

Official translation of a communication from the parallel ministry of foreign affairs in Al Baida

2011911E

1

(Translated from Arabic)

State of Libya
 The Libyan Government
 Ministry of Foreign Affairs and International Cooperation
 Office of the Minister

Date: / /
 No.: 1430

Note verbale

The Ministry of Foreign Affairs and International Cooperation (Office of the Minister) of the Libyan Government presents its compliments to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, and has the honour to convey to you a letter from His Excellency Dr. Abdulhadi Ibrahim al-Hawajj, Minister for Foreign Affairs and International Cooperation of the Libyan Government, regarding the Ministry's request for pressure to be put on the National Oil Corporation to supply power plants with the gas and fuel needed by the eastern, southern and central regions of the country to meet the urgent humanitarian needs of Libyan citizens.

The Ministry hopes that you receive this well and take note.

The Ministry of Foreign Affairs and International Cooperation (Office of the Minister) of the Libyan Government takes this opportunity to convey to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya the assurances of its highest consideration.

[Illegible signature]

[Seal of the Office of the Minister]

To: The Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya
 Benghazi, 13 September 2020

State of Libya
The Libyan Government
Ministry of Foreign Affairs and International Cooperation
Office of the Minister

Date: / /
No.: 1430

A number of parts of my country – notably the eastern, central and southern regions – are facing a growing shortfall in electricity generation owing to the declaration by the Chair of the National Oil Corporation, Mustafa Sanallah, of force majeure in a number of ports. That has prevented gas and diesel shipments from reaching electric power plants, resulting in the suspension of operation of a number of power plants and a shortage of energy supplies.

That has had a negative impact on the provision of services to citizens by such public institutions as hospitals, health centres and banks. The country is in dire need of such supplies, especially in the light of the Corona pandemic and the growing numbers of infections, as well as the lack of liquidity and frequent power cuts.

The Ministry of Foreign Affairs and International Cooperation demands that pressure be put on the National Oil Corporation to supply power plants with the gas they need on a regular basis. We note that for five full years, power plants in the eastern region did not face any technical problems and provided high levels of electricity services. Unfortunately, Mustafa Sanallah has been trying to transfer electricity problems from the western region to the eastern region for reasons that appear to be political rather than technical. In addition, for five months now, shipments of airplane fuel have been blocked on the feeblest of pretexts. That has negatively affected capacities to provide humanitarian services (notably air ambulance services), as well as to operate passenger aircraft and cargo planes – services the importance of which is no secret to you. We note that aircraft fuel is available in the western region, an indication of a blatant double standard in the conduct of the National Oil Corporation.

H.E. Jürgen Schulz
Deputy Permanent Representative of Germany to the United Nations
Chair of the Security Council Committee established pursuant to resolution 1970 (2011)

2011911E

3

We shall hold the international community responsible in the event that a humanitarian catastrophe should result from these unjust measures and the recurring blockade being imposed on our people in the eastern, southern and central regions.

In conclusion, we expect that you will understand and appreciate our humanitarian situation, and urge the National Oil Corporation not to exploit humanitarian needs for political ends of which Libyan citizens will be the primary victims. Alternatively, you could allow the Libyan Government to import gas and fuel in exchange for exporting shipments of crude oil, for purely humanitarian reasons stemming from urgent need and with a view to alleviating the hardship being suffered by Libyan citizens.

(Signed) Abdulahdi Ibrahim al-Hawajj
Minister for Foreign Affairs and International Cooperation

Annex 81 New Board of Directors of Brega Petroleum Marketing Company

Figure 81.1

Official translation of the decision of the Board of Directors of Brega Petroleum Marketing Company

State of Libya
National Oil Corporation

Decision No. 50 (A.H. 1441 / A.D. 2020) of the Board of Directors of the Company, in plenary assembly, reconfiguring the Steering Committee of the Brega Petroleum Marketing Company

Board of Directors

Having considered the interim Constitutional Declaration, as amended;
Act No. 25 (1955) concerning petroleum, as amended;
Act No. 24 (1970) reorganizing the National Oil Corporation, as amended;
Decision No. 10 (1979) reorganizing the National Oil Corporation, as amended;
Decision No. 3 (2011) of the Minister of Oil and Gas reconfiguring the Board of Directors of the National Oil Corporation;
Decision No. 50 (2014) of the acting Minister of Oil and Gas granting a member the functions of chair of the Board of Directors of the Corporation and appointing another member;
Decision No. 79 (2018) of the Board of Directors of the Company, in plenary assembly, reconfiguring the Steering Committee of the Brega Petroleum Marketing Company; and
The deliberations of the Board of Directors at its seventh ordinary meeting held in Tripoli on 26 April 2020;

Decides

Article I

The Steering Committee of the Company shall be reconfigured as follows:

- | | | |
|----|----------------------------------|--------|
| 1. | Ibrahim Ahmad Abu Buraydi'ah | Chair |
| 2. | Abdulrahman Abdulsalam al-Uhaydi | Member |
| 3. | Miftah al-Rimah al-Asqa' | Member |
| 4. | Muhammad Khalifah Abu al-Hasan | Member |
| 5. | Faraj Ali Muhammad al-Ja'idi | Member |

Article II

This decision shall enter into force on the date of issue. Any existing provisions to the contrary are hereby rescinded. The competent parties are obligated to implement this decision.

(Signed) Mustafa Abdullah Sanalla
Chair, Board of Directors

Done at Tripoli on 7 Ramadan A.H. 1441 (30 April A.D. 2020).

Annex 82 Attempts to illicitly export crude oil

Figure 82.1

Contract extension for a crude oil sale and purchase agreement


المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ : 24/08/2020
 الموافق :
 الإشاري : C.O.M.20.08.067
 القسم :

To : Oil & gas Global Services Ltd
 Attention : MR. Emil Kotzev
 Reference No. : C.O.M.20.08.067
 Subject : Contract Extension

Subject: Contract Extension:

With Regards to the FOB contract (Oil & gas Global Services Ltd), registration No (2019-C-003) & the contract No, [007-June-2019], signed on the 20th of June 2019. The National Oil Corporation of Libya (NOC) would like to inform you with reference to the Paragraph (4) Quantity and Duration. The time period has been extended for another 90 working days.

Yours Sincerely,





Dr. Farag H. Gaith
 Crude, Gas & Products Marketing Manager
 National Oil Corporation, (NOC)

cc:

- NOC Chairman
- Member of the Board of Director for Marketing
- Crude Dept.
- Company file

هاتف : (00218)614782560 - (00218)614782561
 بريد إلكتروني : www.noc-ly.org - info@noc-ly.org

Figure 82.2
Allocation certificate of 1 million barrels of crude oil



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ : 24/08/2020
الموافق :

الإشاري : C.O.M.20.08.066
المسند :

To : Oil & gas Global Services Ltd
Attention : Mr. Emil Kotzev
Reference No. : C.O.M.20.08.066
Subject : Allocation Certificate

Allocation Certificate No: 001/08/2020

National Oil Corporation of Libya (NOC) has the pleasure to allocate to Oil and Gas Global Services Ltd in our call, 1,000,000 bbls of Sarir/Messia blend crude oil loading Marsa El Hariga On FOB Oil and Gas Global Services Ltd (007-June-2019) (2019-C-003) port (Marsa El Hariga), to be loaded between 01st of Septmeber 2020 to 15th of October 2020, as per contract No; Oil and Gas Global Services Ltd (007-June-2019) (2019-C-003) And we will accommodate your nominated vessel accordingly.

Yours Sincerely,





Dr. Farag H. Ghaith
Crude, Gas & Products Marketing manager
National Oil Corporation (NOC)

cc:

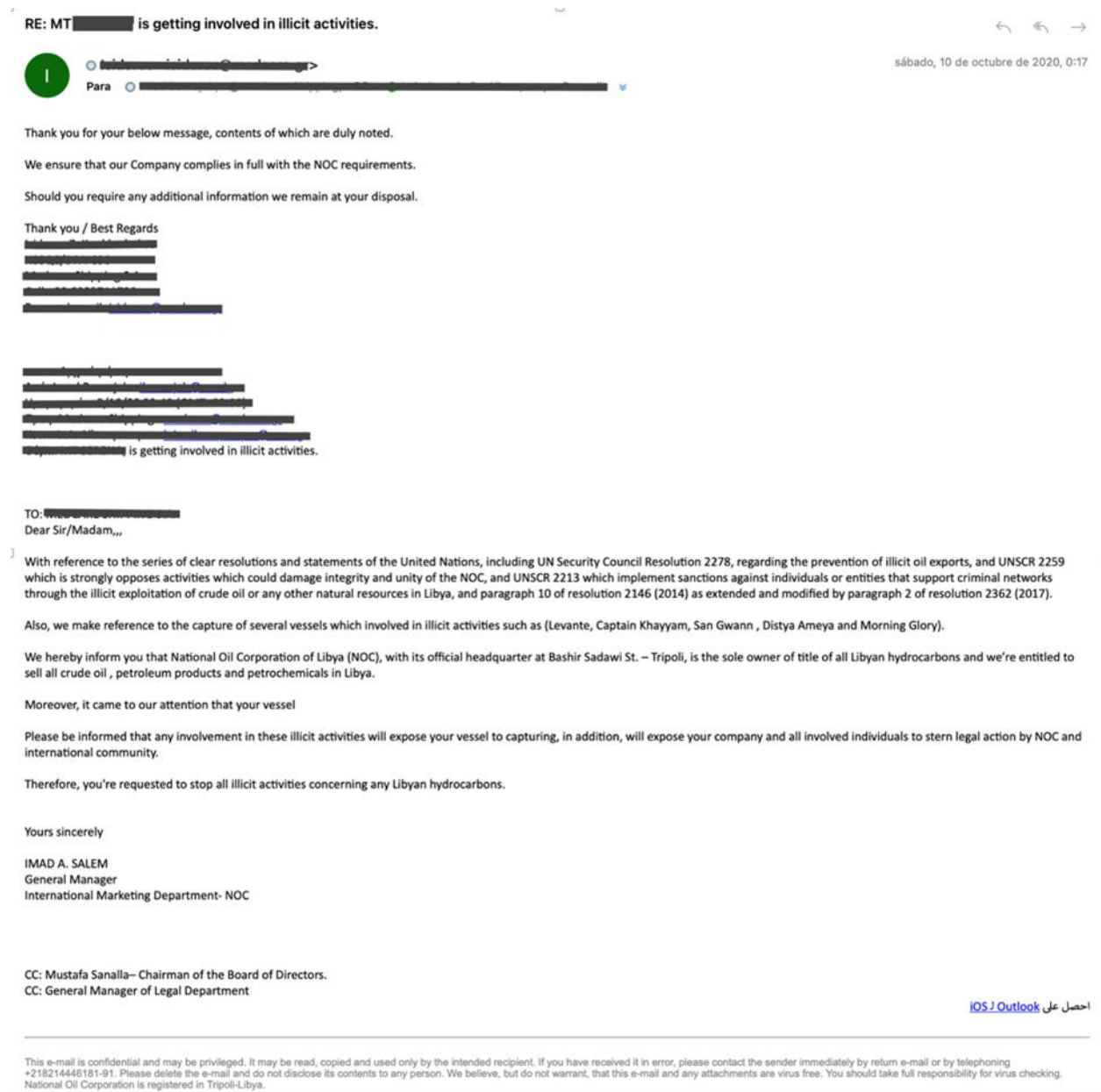
- NOC Chairman
- Member of the Board of Director for Marketing
- Crude Dept.
- Company file

بنغازي - البرصة (00218)614782560 - (00218)614782561
www.noc-ly.org @ info@noc-ly.org

Annex 83 Attempts to illicitly export condensate

Figure 83.1

Email exchange after vessel was nominated for a condensate export



Annex 84 Establishment of the ‘Joint Forces’ to fight fuel smuggling

Figure 84.1

Official translation of the decision establishing the ‘Joint Forces’.

Libyan Army
Office of the Chiefs of Staff
Joint Operations Room, Western Region

Subject: Referral of decision
Date: **10 Dhu’lqa’dah A.H. 1441**
Corresponding to 1 July 2020
No.: *ghayn ayn ghayn* /167/357

To:

10605 Staff Brigadier General Khalifah Salim Gharabil

We hereby forward to you our Decision No. 1 of 2020 establishing a force and appointing you as its commander, so that you may carry out the Decision’s contents.

Please take appropriate measures.

Annexes: Copy of the decision

(Signed) Usamah Abdulsalam **Juwayli**
General
Commander of the Joint Operations Room, Western Region

cc:
Department of military intelligence / for information
General file / for records

Decision of the Commander of the Joint Operations Room, Western Region

No. 1 of 2020

concerning the creation of a force and the appointment of its commander

Having considered:

The interim Constitutional Declaration of 3 August 2011 and amendments thereto;

The political agreement signed on 17 December 2015;
 Act No. 40 of 1974 concerning military service and amendments thereto;
 Act No. 43 of 1974 concerning retirement from the military and amendments thereto;
 Act No. 35 of 1977 concerning the reorganization of the Libyan army (formerly the armed forces);
 Act No. 11 of 2012 concerning the authorities of the command levels of the Libyan Army;
 Commander-in-Chief Decision No. 37 of 2019 concerning the establishment of a Joint Operations Room in the Western Region;

And the best interests of the public,

It is decided as follows:

Article 1

A force shall be formed consisting of units that took part in repelling the aggression against the city of Tripoli (operation Volcano of Anger). There will be units of 500 personnel for each region. It shall be called the Joint Force.

Article 2

Staff Brigadier General Fayturi Khalifah Salim Gharabil (No. 10605), shall be appointed commander of the force.

Article 3

The force shall be charged with the following tasks:

1. It will secure the entrances and exits to the Western Region and control the movement of vehicles and weapons.
2. It will evacuate public and private premises where groups are stationed in violation of the law, and hand them over to the official authorities.
3. It will apprehend armed gangs that threaten public and private institutions, and confiscate vehicles and weapons.
4. It will combat fuel and food smuggling, illegal immigration and related activities.
5. It will support the competent authorities in dismantling informal buildings and preventing encroachment on public lands.
6. It will perform any other tasks it is charged with by the Commander of the Joint Operations Room in the Western Region.

Article 4

This decision shall enter into force on the date of its issuance. The relevant parties shall be required to implement all activities related to it.

(Signed) Usamah Abdulsalam **Juwayli**
General
Commander of the Joint Operations Room, Western Region

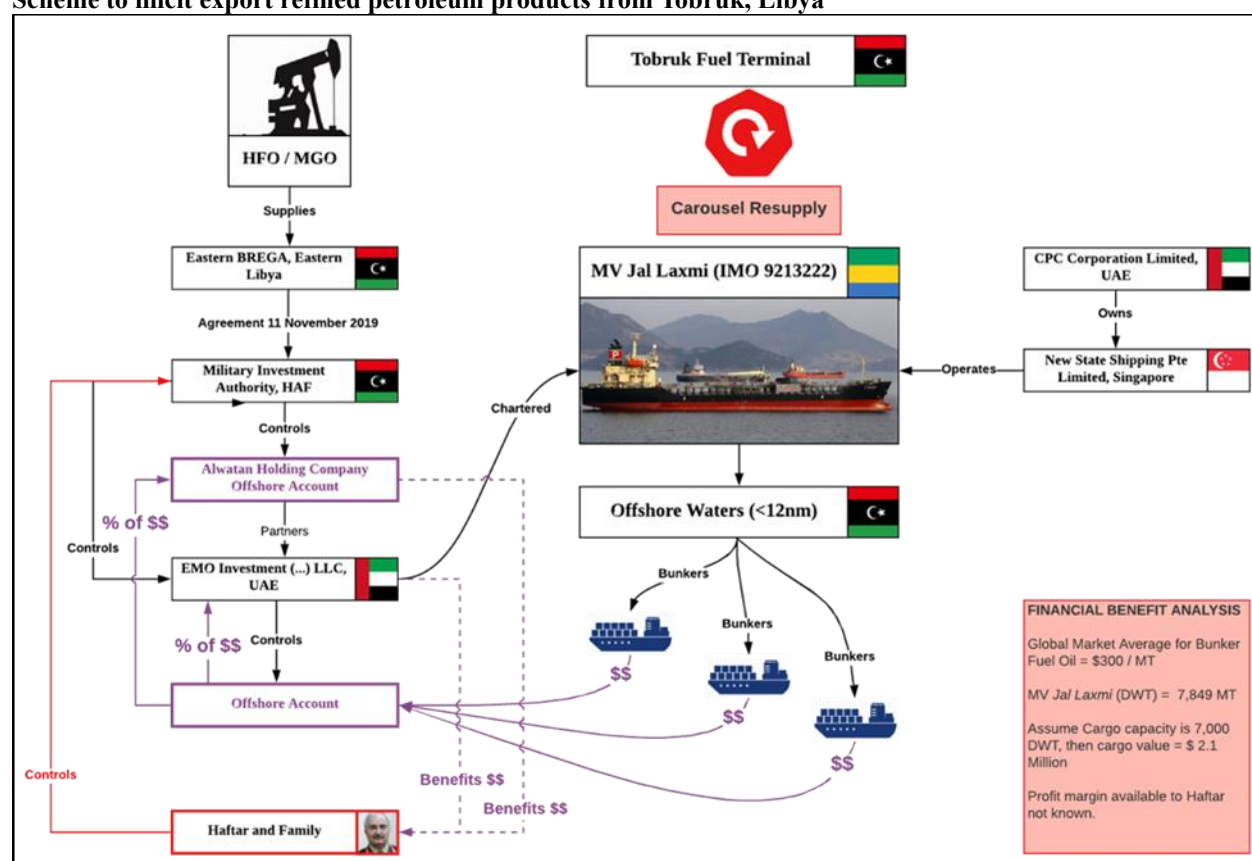
Issued on: 10 Dhu'lqa'dah A.H. 1441
Corresponding to 1 July 2020

Annex 85 The case of M/T Jal Laxmi

1. On 21 May 2020 the Panel informed the Committee that the Gabon-flagged tanker, M/T *Jal Laxmi* (IMO 9213222), intended to call at Tobruk port to load a cargo of Libyan bunker fuel including heavy fuel oil (HFO) and marine gasoil (MGO).
2. The operation, which eventually did not take place, was based on two agreements: 1) between the Military Investment Authority (MIA) of the LNA and the parallel Eastern Brega (see paragraph 139 of [S/2019/914](#)); and 2) between the MIA and EMO Investment, Trading and Marketing of Oil and Derivatives LLC, a company based in Abu Dhabi, United Arab Emirates, that had chartered M/T *Jal Laxmi* (IMO 9213222) (see figure 60.1).
3. By virtue of these agreements, M/T *Jal Laxmi* (IMO 9213222) would have been performing the role of a supplier and marketer of bunker fuels (HFO and MGO) to vessels outside port limits, for vessel consumption and not bulk quantities. A description of the illicit export scheme can be found in figure 85.1.

Figure 85.1

Scheme to illicit export refined petroleum products from Tobruk, Libya



Source: Panel of Experts

Figure 85.2

Unofficial translation of the agreement between the MIA and EMO Investment, Trading and Marketing of Oil and Derivatives LLC

Translation from Arabic

In the Name of God the most Gracious and merciful

An Investment and Operating Contract

On Wednesday corresponding to 20 /11/2019 it was agreed between both of:

First: The Military Investment Authority at the General Command of the Libyan Arab Armed Forces represented in Alwatan Holding Co. and represented in signing this contract by:

Mr. Major General (Pilot) Mohamed Almadani Abdelhafeedh Younis, in his capacity as the Chairman of the Board of Directors of the Military Investment Authority and the Chairman of the Board of Alwatan Holding Co. and the legal representatives of both entities

And referred to in this Contract as First Party

Second: Emo Investments Trading & Marketing of Oil and Derivatives L.L.C and represented in this Contract by:

Mr./ Ahmed Amer Omar Salah Omar, in his capacity as the legal representative of the Company.

And referred to in this Contract as Second Party

Preamble

Whereas the First Party owns exclusively selling the diesel and the heavy oil for supplying ships at (Tobruk, Benghazi, Brega) ports in the anchor area and offshore under Fuel Sale Contract for supplying ships with (diesel – heavy oil) signed between the First Party and Brega Petroleum Marketing Company which is the only entity authorized to sell ships fuel in both types pursuant to its establishment law and its Articles of Association

Whereas the Second Party has shown its wish and capability in implementing the terms of the contract signed between the First Party and Brega Petroleum Marketing Company of which a copy is attached to this Contract.

The Two Parties agreed to enter into and sign this Contract according to the following terms and conditions:

Article (1)

The above preamble shall be inseparable part of this contract as well as Law No (3) of the year 2018 regarding the establishment of (Military Investment Authority) and its executive regulation.

Article (2)

The Second Party represents that it has become familiar with the contract signed between the First Party and Brega Petroleum Marketing Company, accepted it and shall comply with implementing all the conditions and obligations contained therein.

Article (3)

The First Party shall comply with and permits the Second Party to implement (by subcontracting) the whole terms of the contract mentioned in the preamble above, where the First Party has obtained the written non-objection of Brega Petroleum

Marketing Company, under its letter No. (2019-047) dated 17/11/2019 of which a copy is attached to this contract.

Article (4)

The Second Party shall comply with providing and operating the fuel supplying ships at the ports of (Tobruk, Benghazi, Brega) as per the needs of the market and on its own cost bearing all their costs including and not limited to the costs of their operation, sustainability, management and security. The Second Party shall also transfer the First Party's share agreed on by percentage of (%) of the net profits to the bank account of the First Party at the end of each fiscal year of the State of Libya.

Article (5)

The First Party shall open a bank account or more to the Second Party and in its name and under its full will in the local and foreign currency at one or more of the banks working in Libya.

Article (6)

The First Party shall limit its activity within the scope of this contract to the Second Party alone with nobody else throughout the contract period and its extensions. If the First Party wishes after signing this contract to terminate it or suspend it or take any other similar action the First Party shall not commence such procedure except after the payment of the entire and full costs and expenses that the Second Party has paid including the price of fuel supply ships and the expected profits to the Second Party for the remainder period of the contract or the extension.

Article (7)

The First Party shall not intervene in the management, operating and marketing of the Second Party throughout the period of the contract and its extensions and only the Second Party and no one else has the full freedom in the management, operating and marketing of the contract. The First Party also grants the Second Party the full

freedom in entering a partner or more provided that the provisions, terms and obligations of this contract shall apply to every partner of the Second Party.

Article (8)

The First Party undertakes that the Second Party will enjoy the benefits that the First Party enjoys including taxes and fees exemption and any other exemptions or privileges provided under Law No. (3) of the year (2018) regarding the establishment of (Military Investment Authority) or its executive regulation and any other privileges permitted by law. The First Party shall enable the Second Party to import supplying ships, material and equipment used to implement this contract in the name of the First Party whenever the Second Party so demands. The First Party shall also oblige to the right of the Second Party to purchase the fuel in the name of the First Party.

Article (9)

The Parties hereby agree that the validity of this contract shall be (ten years) starting from 11/11/2019, the date on which the First Party signed the Contract with Brega Petroleum Marketing Company and shall be renewed when it is renewed.

Article (10)

If any dispute or disagreement arises between the Parties, it shall be settled amicably. If the dispute persists then the text of Article (65) of the Executive Regulation of Law No. (3) of the year (2018) regarding the establishment of (the Military Investment Authority) shall be applied.

Article (11)

Any annex or more signed between the Parties as a complement, an amendment or revoking this Contract or one of its articles, without prejudice to the provisions of the contract signed with Brega Petroleum Marketing Company and its annexes, if any.

Article (12)

The Parties shall adhere to confidentiality of this Contract and shall not disclose it to anyone else without prior written permission from the other Party, except for the judicial authority.

Article (13)

This Contract was entered into pursuant to the provisions of Law No. (3) of the year (2018) regarding the establishment of (Military Investment Authority) and its Executive Regulation and shall be governed by both of these provisions and regulation throughout the term of this Contract and according to the copies delivered to the Second Party and approved by the First Party.

Article (14)

This Contract was concluded in Arabic Language (of three pages) and (fourteen Articles) and (four copies) originals of which each Party keeps two copies. This Contract shall be governed and interpreted pursuant to Law (3) of the year (2018) regarding the establishment of (Military Investment Authority) and its Executive Regulation and the Libyan Law only.

The First Party

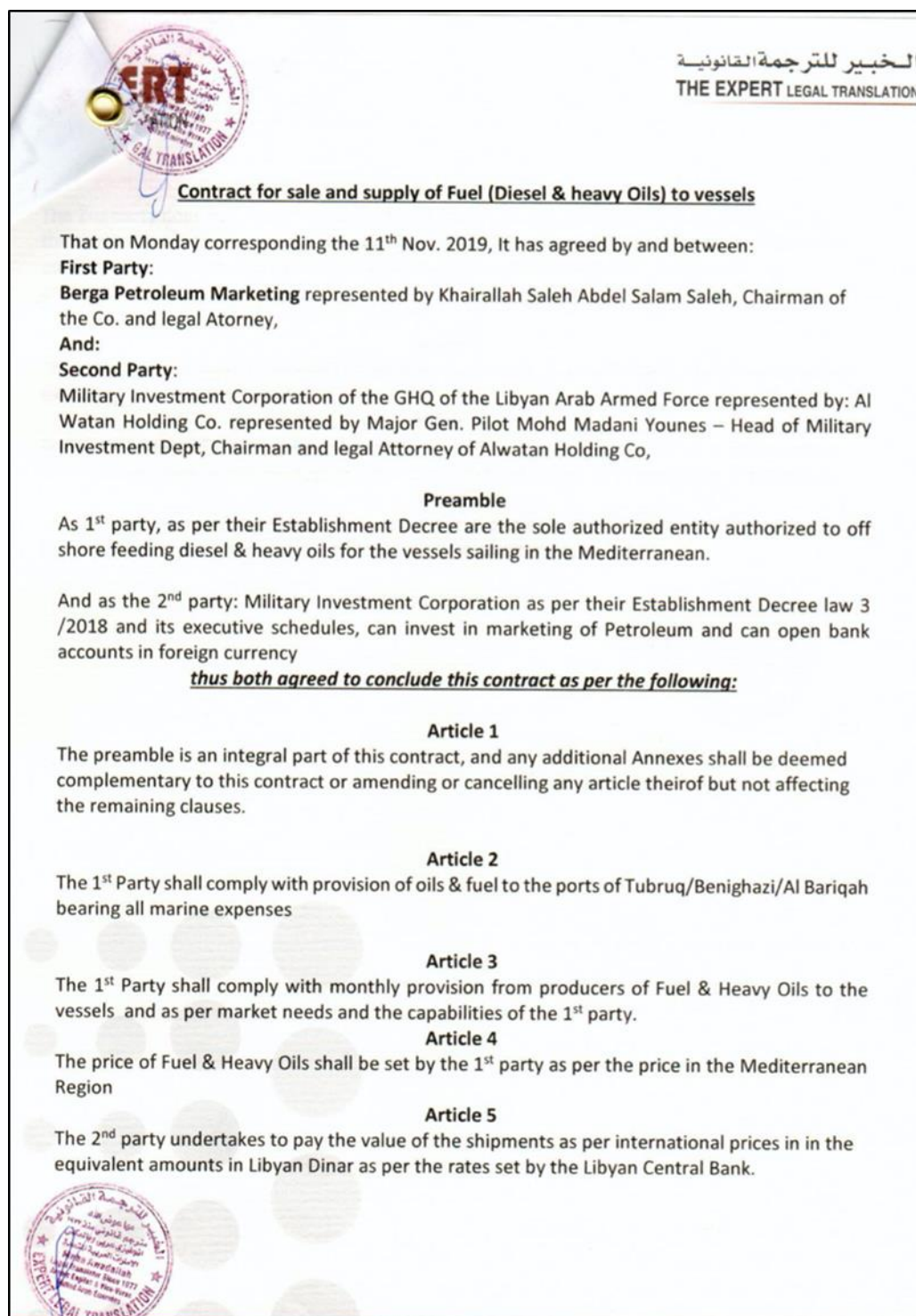
(signed and stamped) by (The General Command of the Armed Forces- Chairman of the Authority – the Military Investment Authority

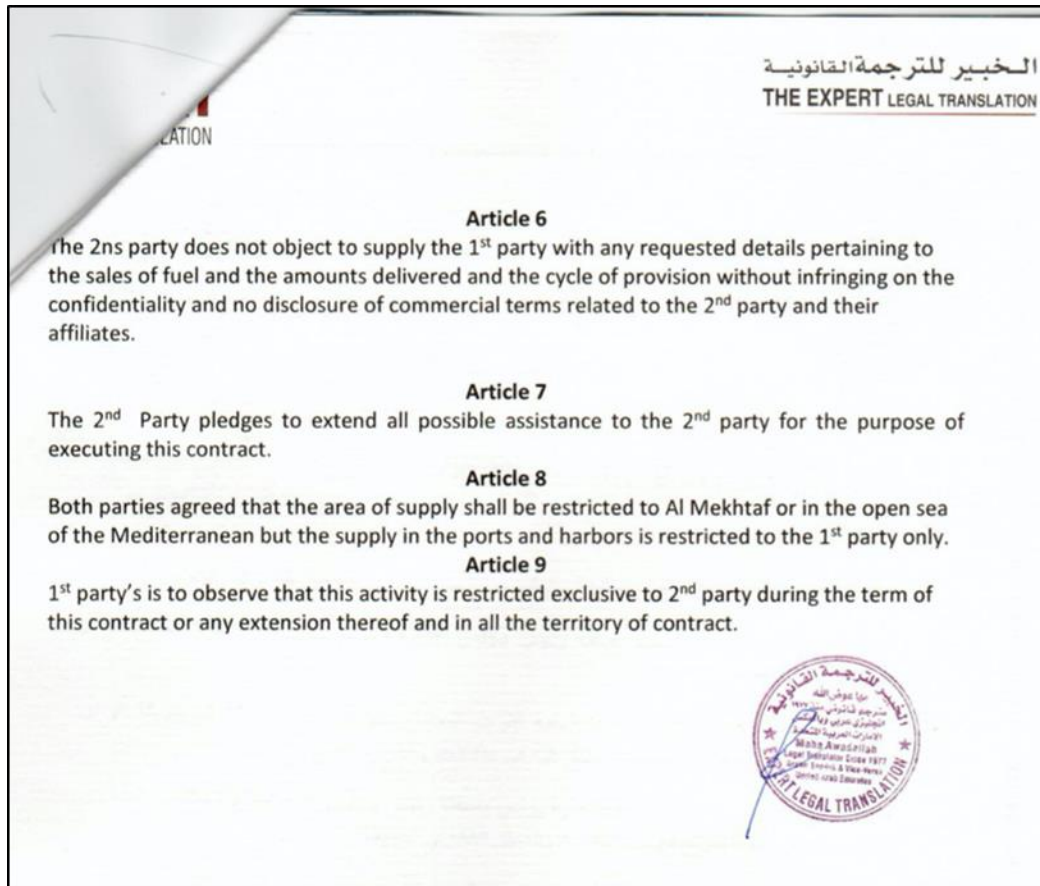
The Second Party

(signed and stamped by) Alwatan Holdings Co. – Chairman

EMO Investments Trading & Marketing of Oil and Derivatives L.L.C, Dubai, U.A.E.

Figure 85.3

Legal translation of the agreement between the MIA and the Eastern Brega



Source: Confidential.

Annex 86 The case of M/T Gulf Petroleum 4 and M/T Royal Diamond 7

M/T Gulf Petroleum 4

4. On 13 March 2020, a Liberian-flagged tanker, M/T *Gulf Petroleum 4* (IMO 9439345) discharged 10,954 metric tonnes of Jet A-1 aviation fuel at Benghazi port, Libya. The products tanker had departed Emarat Oil Terminal number 18, Sharjah port, UAE, on 27 February 2020. The vessel left Benghazi on 16 March 2020 heading west.

5. On 19 March 2020, the tanker suffered a fire and/or explosion while in the Gulf of Surt, outside Libyan territorial waters, that resulted in one crew member injured. At 15:31 hours of 22 March 2020 a distress call was received and a few hours later, the GNA announced that the vessel had been seized by the authorities.³⁶¹ The tanker was escorted to Qasr Ahmed port, Libyan Iron and Steel terminal, Misratah,³⁶² where it remains to date.

6. According to the documentation obtained by the Panel, the declared shipper and consignee of the cargo are Afrifin Logistics FZE, with offices in Saif Zone, Sharjah, UAE, and Libyan Express Airlines,³⁶³ with offices in Benghazi Seaport, Libya, respectively (see figure 86.1). The tanker is operated by Gulf Shipping Services FZE,³⁶⁴ a company registered in UAE that manages no other vessels. The Panel continues investigating the individuals and organizations that are involved in this illicit importation.

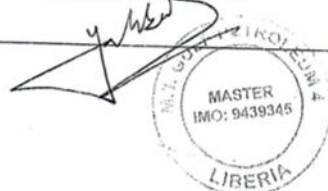
³⁶¹ 1) Libya's navy forces seize ship transporting aviation fuel to Haftar, *The Libya Observer*, 23 March 2020, <https://www.libyaobserver.ly/inbrief/libyas-navy-forces-seize-ship-transporting-aviation-fuel-haftar>; and 2) https://twitter.com/emad_badi/status/1241804110132842496, 22 March 2020.

³⁶² Moored at 32°20'57.10"N, 15°14'53.00"E.

³⁶³ A Company that has no relation with “Libyan Express” (www.libyan.express), which is based in Tripoli with offices in Misrata.

³⁶⁴ Gulf Shipping Services FZC, Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, UAE. Fax: +971 6 740 9982. E-mail: gulf.petroleum@hotmail.com.

Figure 86.1
Bill of Lading of the Jet A-1 aviation fuel illicit importation

CODE NAME "CONGENBILL" EDITION 1994 OCEAN B/L		PAGE NO. 2
Shipper AFRIFIN LOGISTICS FZE SAIF ZONE, SHARJAH UAE.		BILL OF LADING TO BE USED WITH CHARTER-PARTIES B/L No: JET-2020-001 NON-NEGOTIABLE
Consignee TO THE ORDER OF LIBYAN EXPRESS AIRLINES BENGHAZI SEAPORT, LIBYA		
Notify address		
Vessel MT GULF PETROLEUM 4	Port of Loading KHALID PORT, SHARJAH	
Port of discharge BENGHAZI, LIBYA		
Shipper's description of goods COMMODITY: JET KERO QUANTITY: 10,954.363 MTS PACKING: IN BULK		Gross weight 10,954.363 MTS
"FREIGHT PAYABLE AS PER CHARTER PARTY" CLEAN SHIPPED ON-BOARD 27/02/2020		
METRIC TONS IN AIR : 10,954.363 US BBL @ 60 DEG F : 86,985 CUBIC METERS @ 15 DEG C : 13,822.541		
(of which on deck at Shipper's risk; the Carrier not Being responsible for loss or damage howsoever arising)		
Freight payable as per CHARTER-PARTY FREIGHT ADVANCE. Received on account of freight:	SHIPPED at the port of loading in apparent good order and condition on board the Vessel for carriage to the port of discharge or so near thereto as she may safely get the goods specified above. Weight, measure, quality, quantity, condition, contents and value unknown. IN WITNESS where of the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated below all this tenor and date, any one of which being accomplished the others shall be void.	
Time used for loading: days hours	FOR CONDITIONS OF CARRIAGE SEE OVERLEAF	
FREIGHT PAYABLE AS PER CHARTER PARTY	Place and date of issue KHALID PORT, SHARJAH DATED 27/02/2020	
Number of original B/L THREE (1/3)	Signature MASTER. "MT GULF PETROLEUM 4" CAPT. S. YASIR.ABBAS	
		

Source: Confidential.

Royal Diamond 7

7. On 8 September 2020, the Panel received specific information indicating that the Marshall-Island flagged M/T Royal Diamond 7 (IMO 9367437) was expected to call at Benghazi port on 10 September 2020. The tanker departed on 26 August 2020 from Emarat Oil Terminal number 18,

Sharjah port, UAE. It is relevant to note that M/T Royal Diamond 7 (IMO 9367437) was loaded and departed from the same terminal as M/T *Gulf Petroleum 4* (IMO 9439345).

8. On 9 September 2020, the EU NAVFOR Operation IRINI naval asset, FGS *Hamburg* (F-220) conducted several hailings of M/T Royal Diamond 7 (IMO 9367437). The Master of the vessel declared that the tanker was transporting 10,249 metric tonnes (air) of kerosene in bulk, but was reluctant to confirm the exact specification of the fuel and no clear answers were given regarding the final consignee in Benghazi. Jet A-1 aviation fuel is a form of kerosene. The cargo manifest that was initially provided was suspicious in its lack of detail regarding the specific cargo type and the final consignee. See figure 86.2.

Figure 86.2

Cargo manifest on board M/T Royal Diamond 7 (IMO 9367437)

CARGO MANIFEST		ORIGINAL
B/L	: BL No: ALM/13-KRO	
VESSEL	: MT. ROYAL DIAMOND 7	
IMO NO	: 9367437	
DATE	: 25.08.2020	
LOAD PORT	: KHALID PORT, SHARJAH, UAE	
DESTINATION	: SOHAR FOR ORDERS	
SHIPPER	: ALAM INTERNATIONAL FZE HAMARIYAH FREE ZONE, SHARJAH, U.A.E	
CONSIGNEE	: MILLENIUM TRADING FZE PO BOX. 42256, HAMARIYAH FREE ZONE, SHARJAH, U.A.E.	
NOTIFY PARTY	: GLOBAL PETROCHEMICAL FZE HAMARIYAH FREE ZONE, SHARJAH, U.A.E.	
DESCRIPTION OF GOODS	: KEROSENE	
NUMBER OF PACKAGES	: IN BULK	
QUANTITY:		
CUBIC METRES @15 DEG C	12,930.557	
METRIC TONS (AIR)	10,249.498	
LONG TONS	10,087.62	
US BARRELS @60 DEG F	81,372	
Place and Date of Issue: SHARJAH, UAE		25.08.2020
NAME OF THE (MASTER): CAPT. KYAW WANA TUN. MASTER OF MT. ROYAL DIAMOND 7		
		MT. ROYAL DIAMOND 7 CALL SIGN: V7PL9 OFFICIAL NO.: 3255 G.R.T.: 8539 N.R.T.: 4117 K.W.: 4,440 IMO NO.: 9367437

Source: Confidential.

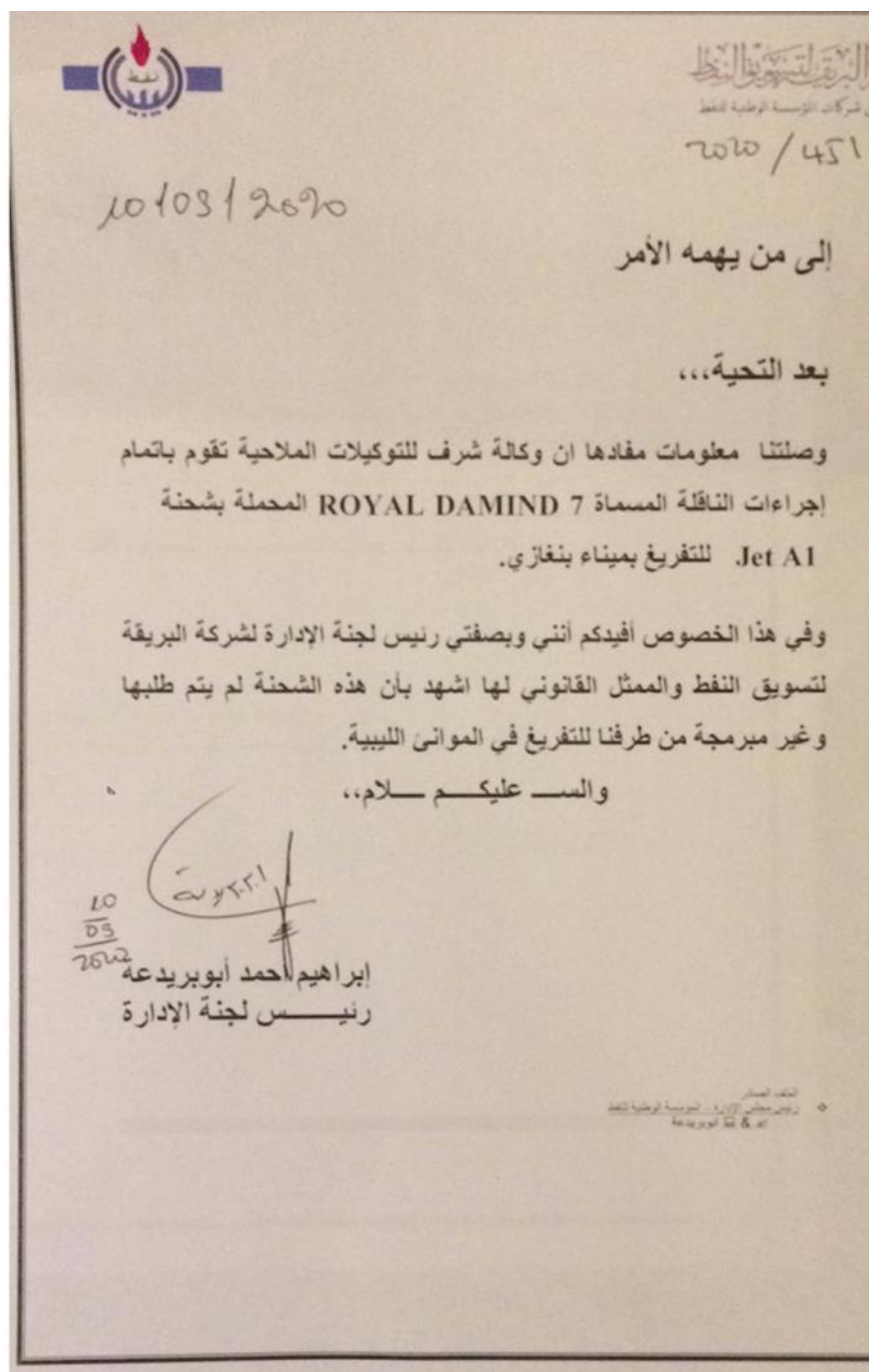
Second cargo manifest on board M/T Royal Diamond 7 (IMO 9367437)

Source: Confidential.

10. On 10 September 2020, the Libyan focal point pursuant resolution 2146 (2014) reiterated to the Panel that the NOC neither ordered nor approved the import of the cargo carried by M/T Royal Diamond 7 (IMO 9367437). The focal point also provided a letter from Brega Petroleum Marketing Company, the NOC subsidiary in charge of fuel distribution, stating that company was also not involved with the import of the cargo on this vessel cargo (figure 86.4)

Figure 86.4

Letter from Brega Petroleum Marketing Company denying any relationship with the cargo carried by M/T Royal Diamond 7 (IMO 9367437)



Source: National Oil Corporation.

11. M/T Royal Diamond 7 was escorted by Operation IRINI naval assets to Agios Georgios, Greece, where the cargo was formally seized on 25 September 2020 by the Central Port Authority of Lavrio under the ambit of paragraph 9 of resolution 1970 (2011), as modified by subsequent resolutions.

Aviation fuel distribution in Libya

12. The NOC is the single legitimate entity authorized to export and import petroleum products in Libya, including Jet A-1 aviation fuel. Any import of refined products into Libya conducted outside the scope of the NOC is considered to be illicit under Libyan law. Distribution in Libya is done solely by the NOC's marketing wing, Brega Petroleum Marketing Company.

13. Since 2011, NOC has not imported military grade aviation fuels³⁶⁵ for jet engines. In its composition, Jet A-1 and military grade aviation jet fuels are very similar. Military jet fuels contain particular additive packages to enhance safety, stability and performance under hardship conditions.³⁶⁶

14. The Panel analysed the Jet A-1 aviation fuel consumed in Libya by the armed forces and air companies over the last 3 years (see table 86.1). Consumption of Jet A-1 fuel by the armed forces in the East has increased in relation to the conflict dynamics. Although commercial aviation activity drastically reduced in the whole country, particularly in 2019, the distribution of Jet A-1 fuel to air companies also increased.

Table 86.1

Armed forces and air companies Jet A-1 aviation fuel consumption (metric tonnes)^a

<i>Year</i>	<i>East and Centre</i>	<i>Percentage over previous year (%)</i>	<i>West and South</i>	<i>Percentage over previous year (%)</i>
2018				
Armed Forces	12,925		2,801	
Air Companies	17,092		90,936	
2019				
Armed Forces	46,564	(+) 260,2	906	(-) 67,6
Air Companies	22,048	(+) 28,9	106,518	(+) 17,1
2020 ^b				
Armed Forces	31,802	(-) 31,7	2,712	(+) 199,3
Air Companies	9,403	(-) 57,3	20,156	(-) 81,07

^a Source: National Oil Corporation.

^b Data as of August 2020.

³⁶⁵ The most common being JP-5 (NATO Code F-44) and JP-8 (NATO Code F-34).

³⁶⁶ Chapter 15: Fuels, Oils, Lubricants and Petroleum Handling Equipment NATO Logistics Handbook, October 1997. <https://www.nato.int/docu/logi-en/1997/lo-15a.htm>. Last accessed, January 2021.

15. The Panel considers that unilateral and illicit imports of aviation fuel fall under the ambit of “military materiel” and are therefore in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#). In addition, the Panel further considers that transfer of such products to entities under the control of HAF falls under the ambit of “other assistance, related to military activities”, also in non-compliance with paragraph 9 of resolution [1970 \(2011\)](#). The Panel finds that such imports or attempts to import constitute a threat to the integrity of the NOC.

Annex 87 Subsidiaries

Grounds for considering the application of sanctions to subsidiaries

1. Most of the assets are not held directly by the parent company but by the subsidiaries. For instance, the total declared assets of LIA are approximately USD 65 billion, of which roughly USD 20 billion is in cash, much of it at the Central Bank of Libya. Investment in associates and subsidiaries is roughly USD 25 billion, which is 38% of the total assets, or more than 50% of the assets if cash is excluded. A similar situation applies at LAIP, itself one of the LIA's subsidiaries and a designated entity, where the amounts invested in and loaned to subsidiaries comprise some 50% of its original paid in capital. Consequently, the assets freeze is likely to be materially impaired and easy to circumvent if it is not maintained for all subsidiaries as well as the designated entities themselves.
2. Currently there is a lack of transparency of activities, assets and financial position of the subsidiaries, of which there may be more than 500. LIA has not produced any financial statements in recent years, in contravention of Law No. 13, which sets out the applicable Libyan law. In fact, the LIA current proposal is to prepare separate financial statements for the holding company for 2019 and 2018, with 2017 opening balances. Consolidated financial statements would be the usual way of reporting for an entity of its size and with its resources and would probably be considered best practice. The suggested financial statements are therefore likely to be in breach of principle 11 of the Santiago Principles for Sovereign Wealth Funds, to which the LIA was a signatory and to fail to meet the requirements of Law No. 13. The LIA's inability to account properly for all of its subsidiaries is indicative of a serious lack of transparency.
3. The Panel has seen evidence that many of the subsidiaries have made or are making substantial losses, both in absolute terms and as a proportion of the money invested as capital or loans. The scale of the losses suggests that the prudent course of action would be to ensure that the assets freeze is rigorously applied to the subsidiaries while explanations are sought for the losses and proper accounting and financial controls are put in place.
4. The designated entities have 100% shareholdings in most of their subsidiaries. Consequently they nominate the Boards of Directors of the subsidiaries and play a major role in the decision making and governance of the subsidiaries. Considering the degree of control that the parent companies exert on the subsidiaries, they are responsible for monitoring and ensuring proper accounting and financial controls.
5. The current lack of transparency means that there is more risk of dissipation of assets, as there is limited visibility of transactions involving or carried out by the subsidiaries. For example, in 2015 LAIP transferred its interest in one of its own subsidiaries (LAP GreenN) to another company.
6. In many jurisdictions, the concepts of beneficial ownership and control are relevant when determining application of the assets freeze. If the ultimate beneficial ownership of an entity rests with a designated person, then all entities that are part of the ownership chain are subject to financial

sanctions. This approach is prevalent in most jurisdictions where the designated entities or their subsidiaries operate. Hence, guidance in IAN 1 notwithstanding, subsidiaries controlled by the designated entities, are also subject to the assets freeze.

7. Many of the subsidiaries do not appear to be performing well and consequently require ingestion of large sums of money from the parent companies. Most are in the form of loans and current accounts which have remained outstanding, at least over the last nine years. One such case is that of LAICO, which was receiving funds from LIA apparently for the debt payments of the hotels under its management.

8. There could be a conflict of interest when a director in the main managing body of a holding company often occupies an important position in a subsidiary company monitored by that very holding company. To deal with just such a conflict the LIA claimed in August 2019 to have introduced new rules, by amendment of its articles of association, whereby a member of its Board of Directors cannot also serve on the board of any of its affiliates. Three LIA Board members were, however, subsequently appointed as directors of the British subsidiary, LIA Advisory Services (UK) Limited, on 30 June 2020 and the Chairman of the LIA joined the subsidiary board on 14 September 2020. This emphasises the need for the LIA to adopt clear and consistent policies with regard to conflicts of interest and to implement and enforce them. In the absence of clear policies that are implemented and enforced there is an evident need to enforce the financial sanctions on the subsidiaries whose assets are put at risk by the lack of appropriate policies.

9. There is frequently a lack of clarity concerning the beneficial ownership, legal ownership and the control of investments within the LIA group. Assets may be owned by one entity but controlled by another. The three Upper Brook Funds are each beneficially owned by the LAIP, the LIA and the LFB (for ESDF) but their directors were appointed and controlled solely by the LIA. This is a recipe for uncertainty, lack of accountability and conflict. It emphasizes the need for consolidated accounts, so that the same asset cannot be claimed as beneficially owned by two or more entities and for the asset freeze to be maintained and enforced on subsidiaries and their assets while ownership and control of those assets are clear.

The LIA, LAIP and subsidiaries

10. The Panel provides further details about the two designated entities, LIA and LAIP, in the context of management of subsidiaries.

11. It was already clear, when the sanctions were first imposed, that the designated entities had been subject to mismanagement and fraud on a large scale. The Société Générale³⁶⁷ case is one of many examples. The asset freeze was imposed to make it harder to misappropriate the LIA's assets against a background of political uncertainty.

³⁶⁷ https://www.lesechos.fr/04/05/2017/lesechos.fr/0212037699698_litiges---societe-generale-verse-pres-d-un-milliard-au-fonds-souverain-libyen.htm#

Accounting Information

12. LAIP provided financial statements for the years ending 31 December 2012 and 2018. It is greatly to LAIP's credit that, in difficult circumstances, it was able to produce a set of audited and (mostly) consolidated financial statements for 2012. The financial statements for 2018 are only in draft form, have not been consolidated and there is no audit report. While this represents a less satisfactory state of affairs than for 2012, there was nevertheless effort made to provide the Panel with meaningful information. This is in contrast to the LIA, which has only provided two pages of unaudited and unconsolidated accounts for 2012. The Panel considers that its findings in relation to the LAIP financial statements would very likely apply to the LIA financial statements when provided.

13. The LAIP controls several holding companies such as LAIP Mauritius, OLA Energy Holdings Ltd. (Mauritius), Libyan African Holding Company for Industry and Mining (UAE), Libyan African Agricultural Holding Company (UAE), Aklal Holding N.V. (Curacao) and Libyan African Investment Company (LAICO) (Libya) (appendix A). For example:

- (a) LAICO has 32 companies (of which two are stated to be under liquidation) in which it holds shares of varying percentages. In nineteen of these, LAICO is the sole shareholder.
- (b) LAIP Mauritius has a further five subsidiaries, of which one, OLA Energy Holdings Ltd. (also incorporated in Mauritius), has several subsidiaries and joint ventures. There were two other subsidiaries of LAIP Mauritius – Libya Oil Aviation Ltd. and Libya Oil Lubes Ltd., both of which were wound up in July 2017. Most of these companies are incorporated in Mauritius.

14. The LAIP 2012 financial statement was partially consolidated and the basis for consolidation was indicated as follows:

“Where the Portfolio has the power to govern the financial and operating policies of another entity or business so as to obtain benefits from its activities, it is classified as a subsidiary. Consolidated financial statements present the results of the Portfolio and its subsidiaries as if they formed a single entity. Intercompany transactions and balances between group companies are eliminated.

15. This means that the performance of all the companies are linked and this has a bearing on revenue and losses. Total revenue in 2012 was USD 5.7 billion, the major amount of USD 5.6 billion being from oil and gas related activities. This information is not available for 2018 as a standalone financial statement was submitted.

16. The principal company, LAIP, has limited activity. The subsidiaries are the ones with the biggest operations as evident, for instance, from the revenues yielded by oil and gas services in 2012.

Without the consolidated accounts for 2017 and 2018, the complete picture cannot be seen. LAIP has, however, confirmed that Oil Libya/Ola Energy and FM Capital are the major revenue generators.

The Proportion of assets invested in subsidiaries

17. The report mentions, without going into detail, that the LAIP had invested a considerable part of its net worth in subsidiaries or other entities within the LIA “group”. The numbers, excluding associates and joint ventures and before write-downs, as at 31 December 2018 were as follows:

Table 87.1

LAIP investments in subsidiaries as at 31 December 2018

	<i>USD billion</i>
Cost of investment in subsidiaries	1.116
Due from related parties, before write-downs	1.424
Total	2.540
Net assets of LAIP	2.828
Total investments in and loans to related parties as a proportion of LAIP’s net assets	89.8%

18. A significant proportion of LAIP’s net assets are invested in, or advanced to, their subsidiary companies. Unless all these companies are captured within the asset freeze shell, the sanctions are ineffective and easily circumvented. The Libyan people’s money is at risk.

Group losses

19. The LAIP financial statements show significant losses arising in some (unspecified) subsidiaries (see table 87.2). These indicate widespread mismanagement and illustrate why protective sanctions are required.

Table 87.2

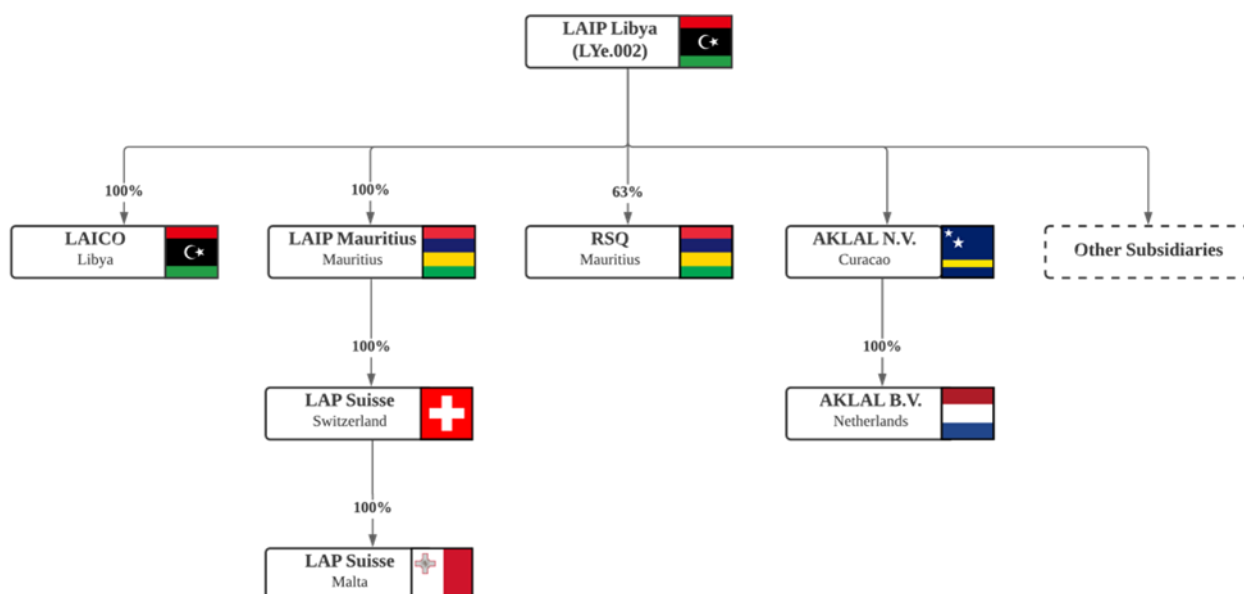
LAIP financial losses

Investments	USD million	
Cost of investment in subsidiaries	1,116	100%
Provisions for losses	(430)	39%
Investment after provisions	686	61%
Loans		
Due from related parties, before write-downs	1,424	100%
Provisions for losses	1,008	71%
Net amount due, after provisions for losses	416	29%

Financial support to LAIP subsidiaries

Figure 87.1

Examples of LAIP financial support of subsidiaries



20. Loans, interest and current accounts of subsidiaries went up from USD 0.4 billion in 2012 to USD 1.4 billion in 2018, of which over a billion went to LAICO, LAIP Mauritius, and Rascom Star QAF (RSQ). Below are examples of requests by LAIP to use frozen funds to ensure the business continuity of its subsidiaries (not acceded to).

Table 87.3

Examples of LAIP requests to use frozen funds to support subsidiaries as at 31 December 2018

<i>Subsidiary</i>	<i>Parent Company(ies)</i>	<i>LAIP action</i>
RSQ	LAIP	To pay liabilities of a direct subsidiary
AKLAL B.V.	AKLAL N.V., LAIP	To pay 2016 to 2018 taxes of a subsidiary of a subsidiary
LAP Suisse Malta Branch	LAP Suisse, LAIP Mauritius, LAIP	To pay 2018 taxes of a subsidiary of a subsidiary of a subsidiary

21. If the subsidiary's financial position is not available for examination, it is not clear as to whether it had (or did not have) the capacity to pay these dues and whether reliance on the assets of designated entities was warranted.

Transactions Involving the Sale or Transfer of Subsidiaries

22. The main report refers to the 2015 transfer of LAP GreenN by LAIP to the Libyan Post, Telecommunications and Information Technology Holding Company, often known as LPTIC. Hidden in the "notes forming part of the financial statements" is information regarding the paid in capital of LAIP, which was originally USD 5 billion but has been reduced to USD 4.25 billion. This reads:

"Pain-in-Capital (sic)

The aggregate equity resources allocated for the Portfolio against capital are USD 5 billion.

On Aug 2015 the prime minster Of Libya, issues a resolution to reduce the Capital of Laip with the amounts were invested in Lap Green, and to transfer the ownership of Lap Green to the Libyan Telecommunication Holding Company"

23. Rather than reflecting the transfer of LAP GreenN as a USD 0.75 billion loss in the income statement as per common accounting practices, LAIP reduced its capital by a similar amount. This conceals the loss from layperson readers of the accounts. A loss of this size is obviously a cause for concern, both as an absolute number and as a proportion of the net assets of the LAIP. The transfer also had the effect of moving LAP GreenN out of the control of a designated entity (LAIP) and into the control of an entity that was not subject to the asset freeze (LPTIC). Such transfers are in non-compliance with the assets freeze, as already pointed out in the report.


Uncertainty concerning ownership and control

24. The transaction involving LAP GreenN also raises questions about decision-making within LAIP and the LIA. The Prime Minister is, ex officio, Chairman of the Board of Trustees of the LIA. The Board of Trustees appoints a Board of Directors of the LIA, which in turn appoints a Board of Directors of LAIP, the latter being a 100% subsidiary of the LIA. It is thus unclear how the Prime Minister could authorise a transfer of LAP GreenN from LAIP and specify a non-standard accounting method within the LAIP's financial statements, when, as the audit report in the 2012 accounts states, "Management is responsible for the preparation and fair presentation of these consolidated financial statements". This lack of a clear line of responsibility reinforces the need for the sanctions to be rigorously applied throughout the LIA group, including all of its subsidiaries.

25. The situation regarding the ownership and control of the Libya Oil group of companies is another example of an unclear and therefore unsatisfactory situation. The LAIP 2012 financial statements reflect ownership of the Libya Oil group. For example, the employee benefits payable by the various Libya Holdings operating companies are shown within the LAIP consolidated financial statements. This would suggest that Libya Oil was a subsidiary of LAIP at 31 December 2012. However, the 2012 financial statements also refer to Libya Oil Holdings as a "fellow subsidiary" of the LIA together with LAIP. The Libya Oil group has since rebranded itself as "OLA Energy". It is not clear where the ownership and control of OLA Energy now lies. This is a matter of concern in itself and may leave the assets and future cashflows of at risk of misappropriation.

26. The above should provide sufficient information to underline the need to apply the assets freeze to all subsidiaries within the LIA group. In recent months, the management of the LIA has claimed in various press announcements to have made great progress. This has not yet been reflected in any information supplied to the Panel. These claims are often accompanied by LIA requests for a "smart sanctions" regime. Yet its inability to produce anything close to meaningful financial statements would suggest that it is premature to start to change the regime. It is more important to ensure that the existing regime is effectively implemented and not being circumvented.

Appendix A to Annex 87: Opportunity to respond

Libyan Investment Authority		المؤسسة الليبية للاستثمار
Libyan Investment Authority Omar Ben Alkhattab Abu Nauwas, Gergarsh Road, Tripoli, Libya P.O. Box 93099		
Date : 11 th Jan 2021		
Ref : 10		
TO:	FROM:	
Lipika Majumdar Roy Choudhury, Coordinator of the UN Panel of Experts on Libya	Dr Ali Hassan Mahmoud Chairman of the LIA Board of Directors	
Email	[REDACTED]	
TOTAL NUMBERS OF TRANSMITTED PAGES INCLUDING THIS PAGE: 6		
Please find attached a letter from the Chairman of the LIA Board of Directors addressed to Ms Lipika Majumdar Roy Choudhury, Coordinator of the UN Panel of Experts on Libya.		
1		
شارع عمر بن الخطاب ، ابونواس - قرقارش ، طرابلس - ليبيا ① 483 0412 - 483 8814 - 218 21 483 0420 + ② 218 21 483 0415 + موقع إلكتروني : www.lia.ly 93099 : طرابلس - ليبيا		

Libyan Investment Authority



المؤسسة الليبية للاستثمار

Subject: Response to Ms Lipika Choudhury's email dated 30 December 2020

Dear Ms. Choudhury,

I am writing to you as Chairman of the Board of Directors of the Libyan Investment Authority (the "LIA") in response to your email dated 30 December 2020 regarding issues that the UN Panel of Experts plans to cite in its final report.

In my reply below, I address (i) your specific queries; and (ii) the position with respect to the subsidiaries and their assets more generally.

The LIA's Subsidiaries

In your email, you state that the UN Panel of Experts' report will mention "*the importance of having visibility of the operations of the subsidiaries of the designated entities*", in view of the fact that approximately "38% of LIA's assets are investments in subsidiaries". You also make observations about the relationship (financial and governance) between the LIA and its subsidiaries.

As the UN Panel of Experts is aware, under my leadership and with the support of the recognised Libyan government and UNSMIL, the LIA has designed and implemented a transformation strategy which has led to increased governance, transparency and accountability which extends to its subsidiaries.

The LIA shall shortly provide the UN Panel with information concerning the value of its subsidiaries and their assets (where such information is available) which has been prepared by the independent professional services firm Deloitte. Ernst & Young have also been instructed to audit the LIA's standalone financial statements.

Both these measures will provide greater visibility of the assets of the subsidiaries and the consequences of UN sanctions on them.

In the meantime, we note that, based on the 2019 valuation exercise carried out by Deloitte, approximately 18% of the LIA (Direct) and LIA principal subsidiaries' value is invested in business assets and real estate. The percentage held varies by business assets, from minority shareholdings to fully-owned subsidiaries.

Under Libyan law, the LIA's Board of Directors has statutory obligations to act in the best interests of the LIA and its group and subsidiary companies, in line with the LIA's stated objectives. These decisions, like any, may result in value creation, reduction or maintenance. When analysing the LIA's portfolio, it is evident that it is a large and complex portfolio, and the Board of Directors' leadership has led to value creation. Of course, the sanctions regime has made normal investment decisions impossible, and so there have also been instances of loss of value, as one might expect.

The LIA's Board of Directors continue to make appropriate decisions to safeguard the LIA's assets and in the best interests of the LIA and in conformity with Law 13. Being prevented from making difficult (but justified) decisions and/or being hindered in its decision-making on account of the imposition of further sanctions would be extremely detrimental for the LIA, its subsidiaries and the countries within which they operate.

2

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Loans Extended to LIA's Subsidiaries

In your email you state that:

"several subsidiaries have received large loans from parent companies, as seen in the case of LAIP and its subsidiaries" and that there is evidence that they "are incurring substantial losses and their assets might thus be at risk, it would be suggested that the assets freeze is applied to the subsidiaries too."

We do not see the connection that you seek to draw between the loans (made from non-frozen funds) to subsidiaries and the need to freeze the assets of those subsidiaries, and we welcome further explanation and specific evidence in support of your suggestion.

The fact is that a number of subsidiaries are suffering financially, for various reasons, including the consequences of the UN sanctions regime. Without the support of the LIA/parent companies in the group, these subsidiaries would be forced into insolvency. The consequences of insolvency will, in turn, be detrimental to the LIA and its wider group. Such financial support has been extended legitimately, using funds that are not subject to sanctions, to preserve value within the wider LIA group and in line with stated LIA objectives and processes.

Disposal of LAP GreenN

In your email you stated that:

"limited visibility of transactions involving subsidiaries and dissipation of assets...appear[s] to be an indication of non-compliance with the assets freeze as this involves transfer of assets of LAIP".

LAP GreenN is a holding company incorporated in Mauritius. Through its operating subsidiaries, it is active in the telecommunication sector in Africa.

The Group structure is:

- LAP GreenN is fully owned by LAIP Mauritius;
- LAIP Mauritius is fully owned by LAP; and
- LAP is fully owned by LIA.

Further to Cabinet Resolution No. 384 of 2015 of Libya's Interim Government dated 16 August 2015, it was resolved to transfer LAIP's 100% shareholding in LAP GreenN to the Libyan Post, Telecommunications & Information Technology Holding Company ("LPTIC"), including its associated assets and liabilities. The transfer was executed by a Share Transfer Agreement dated 30 November 2015 entered into by LAIP and LPTIC (Mauritius) Limited and transferred the full and unrestricted ownership and title to the shares. The LIA has not received any reports concerning the performance of LAP GreenN since the transfer and is therefore unable to comment on any losses it has incurred.



Importantly, the transfer of shares in LAP GreenN occurred over five years ago in accordance with the processes of that time, by decision of the interim Al-Thinni Government and *before* the adoption of the Libya Political Agreement on 17 December 2015 and the advent of the Government of National Accord.

The decision preceded the tremendous change that has taken place within Libya and within the LIA and before the current leadership of the LIA was appointed and the LIA's transformation strategy put in place.

Extending the current asset freeze to the LIA's subsidiaries

In your email you state that, in light of the "*substantial losses*" being incurred by subsidiaries, the current asset freeze should be extended to the LIA's subsidiaries as well.

The UN Panel of Experts included a similar recommendation in its last Report, which was ultimately not implemented. Despite this, the Panel has not sought to justify this repeated suggestion and does not appear to have weighed up the benefits to the international community as against the detrimental impact on not only the LIA and its group companies, but the individuals who work within those companies across the world and especially in Africa.

The LIA's position remains consistent on this matter. The extension of the sanctions and the asset freeze to the LIA's subsidiaries serves no valid purpose; is inconsistent with the scope of the applicable UN Sanctions Resolutions; and will only extend the already adverse consequences suffered by the LIA, its subsidiaries and Libya as whole, on account of the way in which UN sanctions operate over the LIA's assets.

Extending the current regime to the LIA's subsidiaries will be extremely detrimental to those subsidiaries' operations in Africa, in many cases causing their closure and loss of valuable assets.

The closure or loss of such assets by way of forfeiture of long leases or confiscation of real estate will not only deprive the LIA and its subsidiaries of the asset itself, but is also likely to result in widespread redundancies and unemployment (either for employees directly employed by a subsidiary or by third party trading tenants).

In Africa, such hotels and commercial ventures tend to be large-scale employers and the impact on a large number of local communities could have devastating effects at both a community, national and regional level across a number of countries.

By way of only one immediate example, OLA Energy has a significant presence across Africa and represents a strategic investment into the growing African fuel market. OLA Energy employs over a thousand people directly, and many more indirectly. Without full access to its funds, the risks to its operations, infrastructure and employees is obvious: with severe and negative effects on already fragile and turbulent economies and societies in a region which is beset by political turmoil and in the past year, a pandemic. OLA Energy employs 185 people in Tunisia and 150 in Kenya. In Kenya, the company is about to embark on a new LPG terminal, which would clearly be prejudiced by such a blanket freeze. Across the rest of Africa, the LIA subsidiaries, especially in the hospitality sector, employ tens of thousands of individuals. For further information on the impact of extended sanctions on OLA Energy and other LIA subsidiaries, please see Appendices 9 and 10 of my letter dated 17 December 2019 to H.E. Ambassador Jürgen Schulz, copied to the UN Panel of Experts, and which is enclosed again here for your reference.



Furthermore, we do not understand the basis upon which the UN Panel of Experts is considering that LIA subsidiaries should be subject to the same asset freeze measures as the LIA, as the UN Sanctions Committee Resolutions remain in exactly the same terms as they did when IAN#1 was issued. It is also unclear what has changed since earlier UN Panel Reports (2012, 2013 and 2016) which confirmed the position that UN Sanctions do not apply to the LIA's subsidiaries.

We have clearly set out our position as to why there is no justification for extending the asset freeze to the LIA's subsidiaries, and indeed why it will cause excessive and unnecessary damage to do so, both in meetings with the UN Panel (for example, in January 2020) and in correspondence with both the UN Panel and the Libya Sanctions Committee (for example, please see my letter dated 17 December 2019). We also provided an opinion received from leading English counsel, Alan Maclean QC, which was included at Appendix 2 of my letter dated 17 December 2019.

To date, there has been no proper engagement in reply from the UN Panel on these matters; nor any evidence presented to support its position; or counter the LIA's position.

The LIA is fully committed to complying with the UN sanctions regime; but has long maintained that the UN Sanctions regime is no longer fit for purpose. Meanwhile, the LIA sees no benefit to be achieved for the LIA, its subsidiaries or Libya and its people by the proposed extension of sanctions to its subsidiaries.

Despite the clear risk to the liquidity and solvency of the LIA subsidiaries and the clear financial risk to individuals' livelihoods if the asset freeze is extended, we do not understand the risk of asset dissipation which is perceived by the Panel, what assets are perceived to be at risk, and / or why.

Conclusion - summary

Under the current UN sanctions regime, which has been in place since IAN#1, the LIA's subsidiaries have been exempt from the asset freeze during periods of great political turmoil and upheaval in Libya.

The negative political impact in Libya of any move to freeze the assets of the LIA's subsidiaries is not to be underestimated.

With the help of UNSMIL, Libya is working towards democratic elections in December 2021, and the Libyan Political Dialogue Forum is currently agreeing on the selection criteria and method for selecting a new executive authority.

The LIA is now even more committed to accountability and professional management practices than at any time since 2011 when the UN Sanctions Committee adopted Resolution 1970. The LIA fully recognises and accepts that any sanctioned funds cannot be transferred to or used for the benefit of any of its subsidiaries. Therefore, the rationale behind this new step by the UN Panel is confusing.

Punishment

As you are aware, a peaceful resolution to the conflict in Libya requires positive engagement from all Libyans. Therefore, I am deeply concerned that further sanctions will be perceived as a further and unnecessary incursion by the international community and, indeed, a punishment on the Libyan people, in view of the negative consequences which will follow.

Libyan Investment Authority



المؤسسة الليبية للاستثمار

Such extended sanctions (and even the proposal for such an extension) will undermine and delegitimise the very Libyans who are pushing for national reconciliation and compliance with international values and standards. As any amendment to the UN sanctions regime is likely to remain in place for years to come, it will inevitably hold back Libya's future prospects and prosperity. Cutting off access to all principle and interest globally will cause billions of dollars in missed payments, failed business ventures, and losses to local economies across the region and worldwide. Tens of thousands of livelihoods across both Libya and Africa as a whole will be impacted by such an amendment but such punishment of ordinary individuals will bring no greater security or tangible benefits to the UN member states.

Support

The LIA has supported UNSMIL's three-track approach to the peace process and welcomed the ceasefire, the Libya Political Dialogue Forum and the work of the Economic Working Group. With its new three-year mandate, the LIA's Board of Directors stands ready to support the transitional government and the new government that we hope will unite the country after the elections in December. The LIA stand ready to play an active role in the important agenda of economic reform that will be vital to Libya's political stability and future prosperity.


The UN-led process has raised the hopes and expectations of the Libyan people. A recommendation by the UN Panel of Experts to the UN Sanctions Committee to freeze the assets of LIA subsidiaries would send an overwhelmingly negative message to the Libyan people at this very delicate time.

On behalf of the LIA, my fellow Directors and I sincerely encourage you not to consider further extending the sanctions to include the LIA's subsidiaries. Such a step, at this point in time, will be to the detriment of not only the LIA and its subsidiaries but also political and economic stability in Libya, and ultimately, the people of Libya.

I remain at your disposal should you wish to discuss this matter further.

We thank you for your continued support.

Yours sincerely,


Dr. Ali M. Hassen Mohammed
Chairman of the Board of Directors and CEO



6

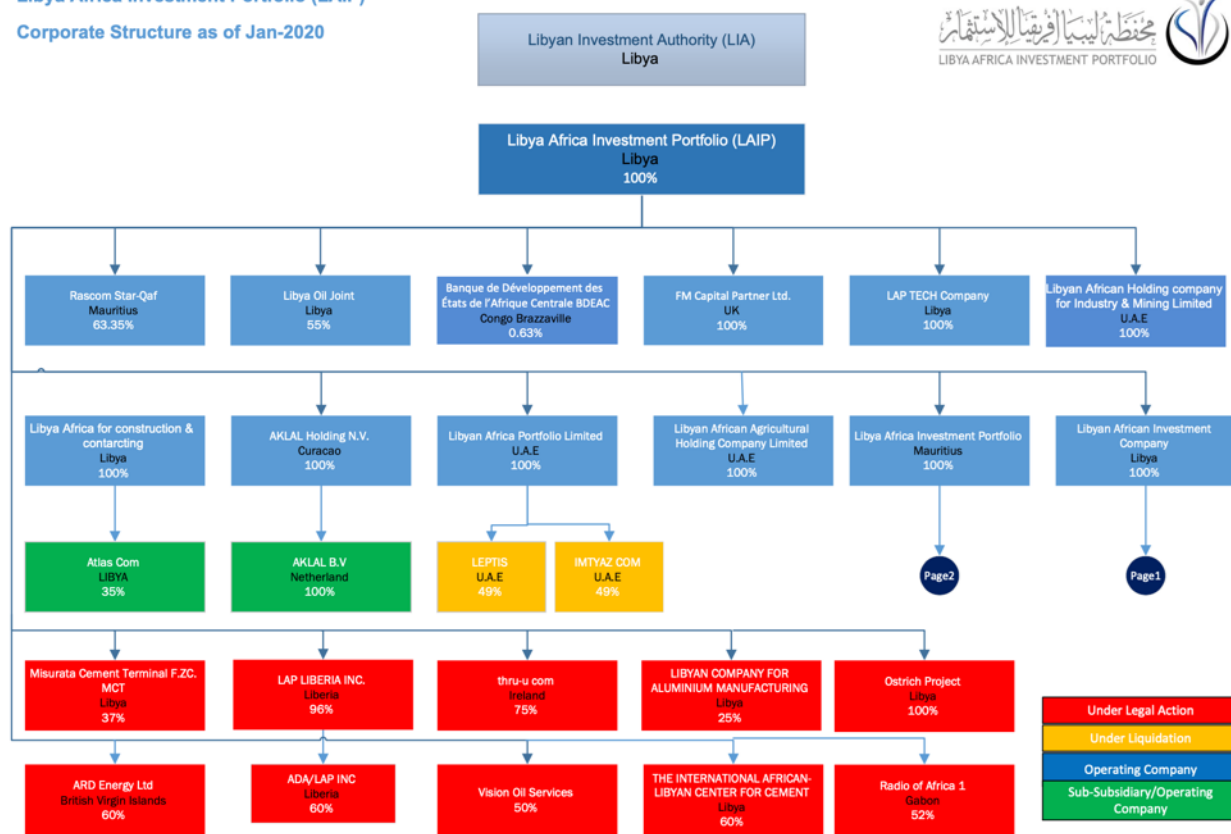
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Appendix B to Annex 87: Panel's comments on the LIA's response

1. The Panel will monitor the implementation of the LIA's transformation strategy, once it commences, and notes that these necessary reforms can take place even in the event of additional assets freeze.
2. As for loans to the subsidiaries, the Panel agrees with the LIA's assessment that the subsidiaries are suffering financially. This highlights concerns over bad governance. LIA loans to subsidiaries have remained outstanding for years, and to the Panel's knowledge, there has been no apparent effort to review or streamline the performance of these subsidiaries. There is no evidence that losses have been reduced, performance has improved, or that the underperformance of subsidiaries is the consequence of the UN sanctions regime. The only case brought to the Panel's attention was LAICO, a company subject to EU sanctions but not to UN sanctions. Simply put, the constant financial support from LIA implies the non-viability of the subsidiaries and would result in the dilution of the assets of the parent companies. The case of LAP GreenN highlights this point and illustrates an instance of non-compliance as it involved the transfer of assets of LAIP, a designated entity.
3. For its analysis the Panel relied solely on the financial statements available to highlight the risk of dissipation of assets. The Panel has explained the legal basis for its position and has shown the large outlay of funds from parent companies, wherever this information was provided by the designated entities. The Panel has also made it clear in this and in previous reports that any 'adverse consequences' were minimal. The LIA's stated concern over forfeiture of long leases, confiscation of real estate, etc., grossly misrepresents the effect of the UN sanctions, which do not envisage forfeiture or confiscation. The Panel is aware that in certain cases such situations arose because of disputes between LIA and its joint venture partners or sovereign governments, or because the subsidiaries were incurring losses. The OLA Energy case cited in the reply presumes the company will not have access to its funds at all, which is not the case as there are derogations built into the resolutions.

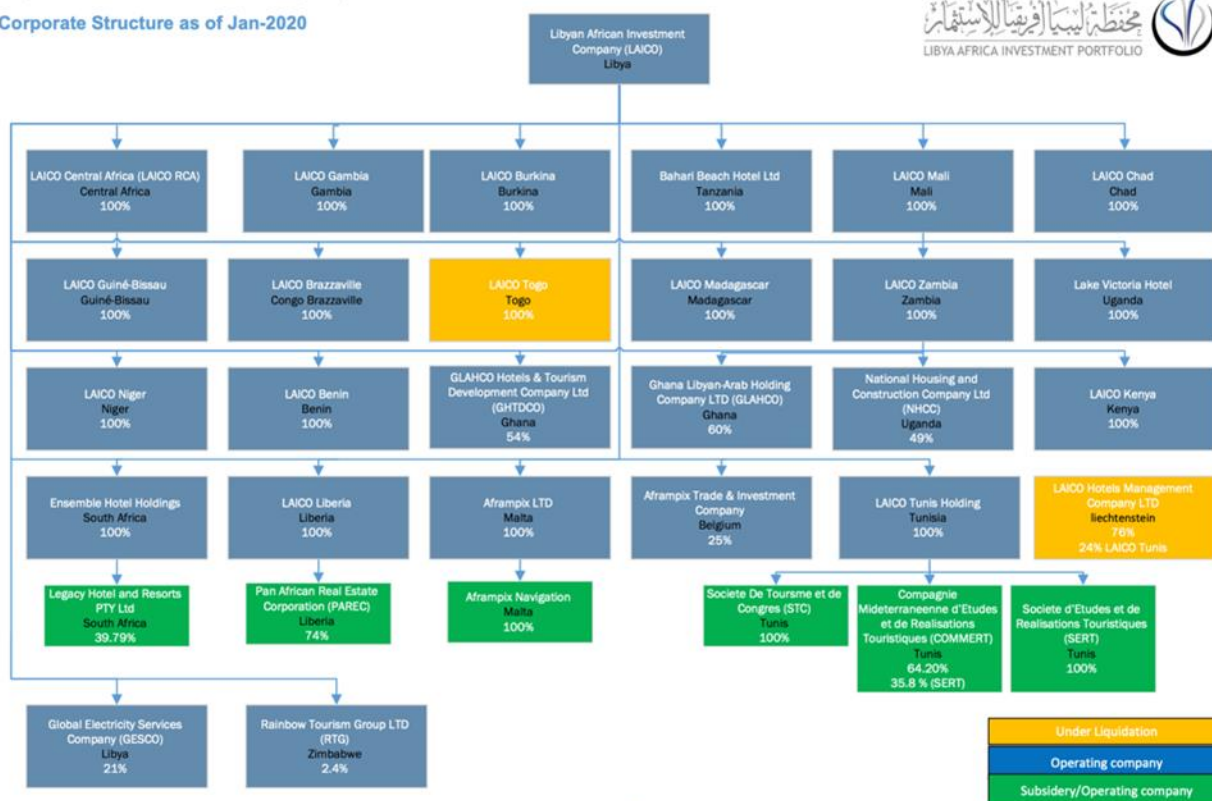
Appendix C to Annex 87: LAIP organigram

Libya Africa Investment Portfolio (LAIP)
Corporate Structure as of Jan-2020



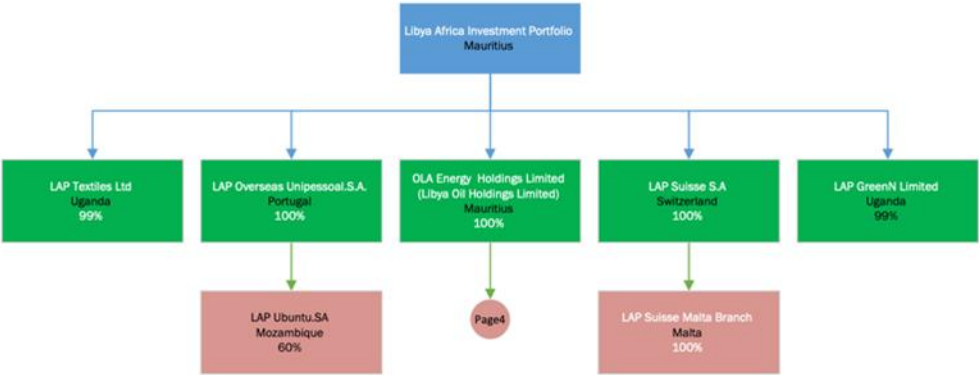
Libya Africa Investment Portfolio (LAIP)

Corporate Structure as of Jan-2020



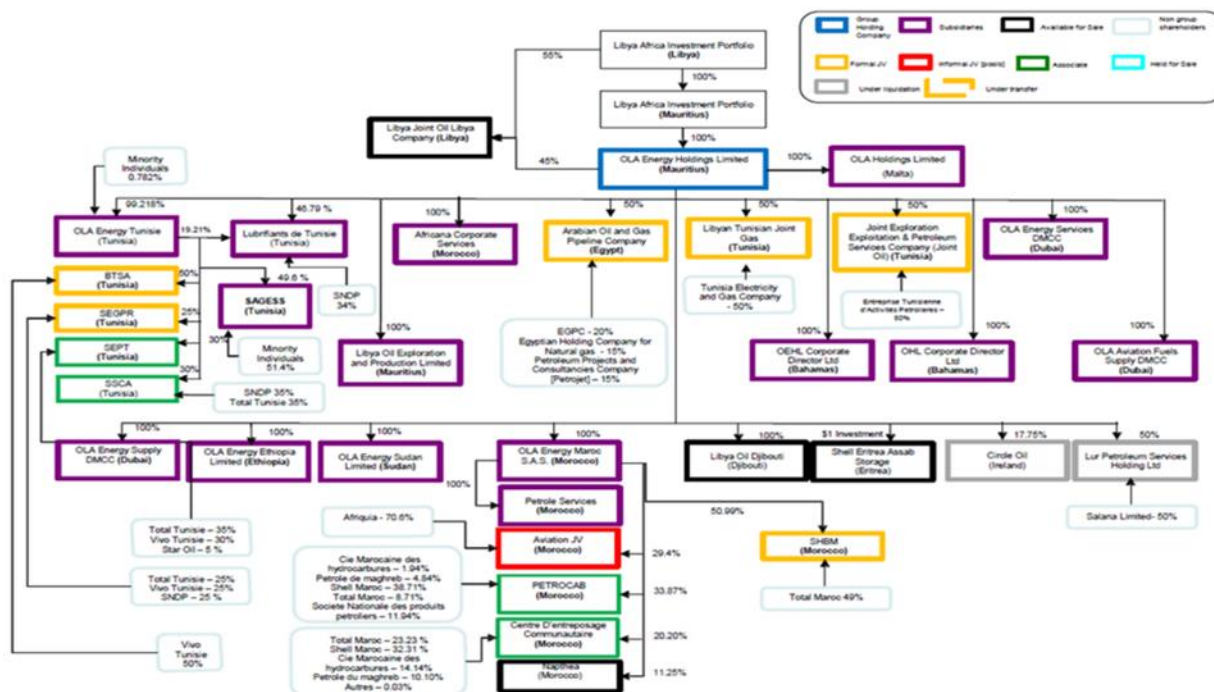
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Libya Africa Investment Portfolio (LAIP)
Corporate Structure as of Jan-2020



Libya Africa Investment Portfolio (LAIP)

Corporate Structure as of Jan-2020



Annex 88 Documentation regarding LAP GreenN transfer

Figure 88.1
Cabinet resolution related to the transfer of shares

The Interim Government
Prime Ministry Bureau
Resolutions

Cabinet Resolution # (384) of (2015)
Enforcing some provisions related to the transfer of shares
To the Libyan Post Telecommunication & Information Technology Holding Company

The Cabinet After reviewing:

- The interim constitutional declaration issued on August 3rd 2011 and amendments thereof. . The fiscal system of the State, balance sheet, accounts, and stocks law and amendments thereof.
- Law No. 12 of 2010 on issuance of the business relationships law and its internal regulations.
- Law No. 13 of 2010 on establishing the Libyan Investment Authority.
- Law No. 23 of 2010 on commercial activities and amendments thereof.
- Parliament resolution No. 22 of 2014 appointing the prime minister of the Interim Libyan Government.
- Parliament resolution No. 24 of 2014 declaring confidence in the interim government.
- The resolution of the General People's Committee \ previously No. 63 of 2005 on establishing the Libyan Post Telecommunication & Information Technology Holding Company.
- The resolution of the General People's Committee \ previously No. 15 of 2006 on establishing Libya Africa Investment Portfolio (LAIP).
- Cabinet resolution No. 644 of 2013 amending resolution No. 345 of 2013 delegating its mandate to the prime minister.
- Cabinet resolution No. 6 of 2014 on endorsing the organizational structure and establishing the administrative body of the Prime Ministry's bureau.
- Cabinet resolution No. 374 of 2015 on permitting withdrawal of a cash amount.
- The minutes of the general assembly's meeting of the Libyan Post Telecommunication & Information Technology Holding Company held on Wednesday 25/02/2015.
- The minutes of the Libyan Investment Authority's board of trustees meeting held in AlBaidha'a city on Saturday 08/08/2015.

The Cabinet resolved the following:

Article (1)

All shares owned by Libya Africa Investment Portfolio (LAIP) in LAP GreenN shall be transferred to the Libyan Post Telecommunication & Information Technology Holding Company, including all of its associated assets and liabilities. Providing that the value of funds invested in LAP GreenN; consisting in equities, outstanding balance of the current account, and the outstanding balances of

loans granted to the earlier are deducted at the same value on the date of the transfer from the funds of Libya Africa Investment Portfolio.

Article (2)

The Libyan Post Telecommunication & Information Technology Holding Company shall be permitted to take the legal actions necessary to appraise LAP GreenN Telecommunication's assets in order to determine the fair value of the company and to record the same in the appropriate books.

Article (3)

The Libyan Post Telecommunication & Information Technology Holding Company shall be empowered to take the legal actions necessary to purchase foreign currencies to ensure its conformity with Cabinet resolution No. 374 of 2015 which allows the withdrawal of a cash amount to maintain sound management of LAP GreenN Company.

Article (4)

This resolution shall enter into force as at the date of issue and shall supersede and render void any other conflicting provisions. All competent authorities shall enforce the resolution immediately upon its publication in the official gazette.

**The Cabinet
(Signed)**

Sealed:

**The Interim Libyan Government
Resolutions**

Issued in: Al-Baidha'a city
On: 16/08/2015


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Floriana FRN 1914 MALTA
TEL: 22030000

Figure 88.2
Decision of the Board of Directors

Translated from Arabic

**Decision of the Board of Directors of Libya Africa Investment Portfolio
Decision No. 15 (2015)
Concerning the implementation of a decision**

Having considered:

- Act No. 13 (2010) concerning the organization of the Libyan Investment Authority and the decisions adopted pursuant thereto;
- General People's Committee (defunct) decision No. 15 (2006) concerning the establishment of Libya Africa Investment Portfolio;
- General People's Committee (defunct) decision No. 197 (2006) concerning the adoption of the statutes of the Libya Africa Investment Portfolio;
- General People's Committee (defunct) decision No. 136 (2009) approving certain provisions relating to the Libya Africa Investment Portfolio;
- Libyan Investment Authority decision No. 2 (2015) concerning the establishment of the Board of Directors of Libya Africa Investment Portfolio;
- Prime Ministerial decision No. 384 (2015) concerning the conveyance of LAP Green to the Libyan Post, Telecommunications and Information Technology Holding Company.

Decision

Article 1

The executive management of the Portfolio is authorized to implement Prime Ministerial decision No. 384 (2015) (copy annexed) concerning the conveyance of its entire share, including all assets and liabilities, in LAP Green to the Libyan Post, Telecommunications and Information Technology Holding Company, and to take all measures required to complete the conveyance process.

Article 2

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

(Signed) [signature illegible]
Board of Directors of the Portfolio

Issued on 15 October 2015

Annex 89 Palladyne/Upper Brook Case

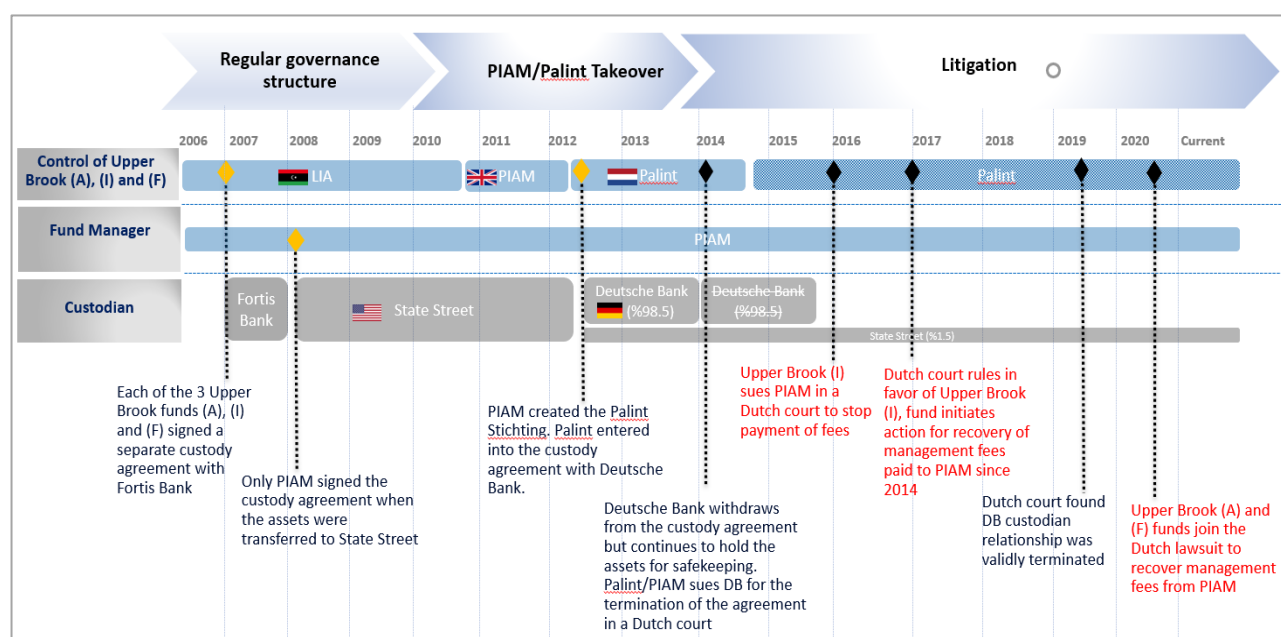
1. The Panel has considered the following statements of the LIA:
 - (a) LIA commented on the difficulties faced when the two Directors of the Palladyne/Upper Brook funds (the ‘Funds’) (appointed in 2014) refused to recognise Ali Mahmoud’s authority. According to the LIA, following the successful conclusion of the authority dispute, a limited dialogue has been possible and cooperation among the directors has improved;
 - (b) LIA is now funding the litigation in the Dutch proceedings. The four directors of the Funds worked together in ensuring necessary filings could be made on behalf of the Funds in relation to the fees of Palladyne International Asset Management (PIAM). Subsequently, a fifth director was appointed; and
 - (c) LIA stated that PIAM continues to generate monthly performance reports of the Funds, which include a statement that the Net Asset Value (NAV) set out in those reports has been independently audited by the fund administrator. The Panel notes that this occurred after the Panel’s observations in [S/2019/914](#), paras. 184 to 192.
2. The Panel’s preliminary findings, on examination of documents provided by LIA and discussions with relevant interlocutors, are:
 - (a) LIA has neither visibility nor control over the assets (originally valued at USD 700 million). The Monthly Performance Reports only indicate the asset class allocation, geographical region and sector distribution, without specifying the companies in which the funds are investing.
 - (b) PIAM, as investment manager, has conducted very little investment activity since 2011. Significant amounts were retained in cash.
 - (c) On 16 August 2012, PIAM, the fund managers, established Palint Stichting, a Dutch foundation. The directors of Palint Stichting are also company officers of PIAM. The relationship, therefore, does not appear to be at arm’s length.
 - (d) The three Funds were gradually divested of their control of the assets. Each fund had signed the custodian agreement with Fortis Bank, in 2007. In 2008, when the assets were then transferred to State Street Bank, only PIAM signed the custody agreements. In November 2012, PIAM appointed the Deutsche Bank as the new custodian of 98.5 percent of the assets. The Panel noted that Palint Stichting entered into custody agreements with Deutsche Bank.
 - (e) In 2014, Deutsche Bank withdrew from the custodian agreement. It, however, continues to hold the assets for safekeeping as PIAM/Palint Stichting did not withdraw them. PIAM/Palint Stichting initiated litigation in the Netherlands to contest the termination of the custodian agreement. In September 2019, the Court found that the Deutsche Bank custodian relationship was validly terminated and that the bank owes no continuing obligation to provide custodian services to Palint Stichting/PIAM (other than safekeeping).
 - (f) In 2016, the Upper Brook (I) fund initiated litigation in the Netherlands to stop payment of management fees to PIAM. In 2017, a Dutch Court ruled in favour of Upper Brook (I), which

initiated action for recovery of management fees paid to PIAM since 2014. In December 2020, Upper Brook (A) and (F) joined the Dutch lawsuit to similarly recover fees paid to PIAM.

- (g) Palint Stichting still maintains full control of the assets but has given PIAM the Power of Attorney to operate the bank accounts. The Upper Brook funds have no agreement with Palint Stichting and are therefore unable to give them any instructions.
- (h) PIAM continues as the fund manager. Their management fees are considered to be excessive, although one fund did manage to get a reduction in fees in 2013, after intervention of its subscriber (LAIP). The two other funds appear content to continue paying the higher rate despite ongoing litigation with the fund manager.
- (i) The LIA has made no effort to regain control of the assets or to ensure that Palint Stichting no longer has ownership of the assets.

Figure 89.1

Timeline showing the gradual divesting of the Upper Brook Funds of control over the assets



Source: Panel analysis.

3. The Panel requested LIA's comments on the Upper Brook case. The LIA offered the following:

- (a) With regard to the observation on efforts "to regain control of the assets", LIA stated that the assets belong to the Upper Brook Funds, of which the LIA is shareholder/beneficial owner, and not to the LIA directly. It is unclear what further steps the Panel considers the LIA should be taking in that capacity. LIA has further listed out the concrete steps taken in order to maintain effective oversight and control of the Upper Brook Funds, such as

appointment of new directors of the three Funds, funding litigation in the Netherlands and appointing a company to undertake forensic review of the Funds' assets.

- (b) With regards to the control of the assets by Palint Stichting, LIA repeats the general statement that such structures are legitimate investment vehicles for the express purpose of separating functions of ownership and control. It admits that the rationale for the use of such a structure is unclear.

4. LIA is now stating that the forensic audit is not yet complete. The Panel was clearly informed in late 2020 that the audit was completed but the results could not be shared as the AGO had not permitted it. The LIA is now making an attempt to distinguish between the Upper Brook Funds and the LIA, emphasising that it only provides assistance to the boards of the Funds. This is an attempt to distance itself from direct involvement, in contradiction to previous actions of LIA. In January 2019, the LIA had taken direct action by removing the two directors (appointed in 2014) of the Upper Brook Funds and reappointing PIAM as the director of these Funds. The resolutions were withdrawn in April 2019 ([S/2019/914](#), paras 185 and 189). The LAIP has confirmed that it has given the authority to the LIA to handle issues relating to the Funds.

5. Moreover, as sole shareholder of one fund, the attorney-in-fact for the second fund and the sole shareholder of LAIP (the subscriber to the third fund), the LIA cannot distance itself from the management of the assets which ultimately belong to it and to the LAIP. The shareholder is the legal owner of the company. This is relevant in the context of preservation of assets for the Libyan people.

6. Considering that USD 700 million of the Libyan people's money is under the control of Palint and that the Funds have no control over this substantial sum since 2013, it is surprising that no concrete steps have been taken to regain control. An investigation at this belated stage is only delaying matters further. The LIA has never categorically stated what action it will take to regain control of the assets, despite all the litigation. These, in the Panel's opinion, are dilatory tactics. The LIA is shirking responsibility by repeatedly saying that the boards of the Funds and their legal advisors are actively considering this issue and that the LIA will provide any further assistance requested by the boards.

7. All the statements now being made are thus at variance with the LIA's actions and the undue haste with which PIAM was given back control of the funds in January 2019 by the LIA Board of Directors itself

8. The Panel notes the varying approaches of Member States with regards to the application of sanctions in the case of the Palladyne/Upper Brook Funds, and consequently the licensing requirements. The Panel would like to highlight the risk this carries of dissipation of assets:

- (a) The three Cayman Islands incorporated Funds were frozen in terms of The Libya (Financial Sanctions) Order 2011 and The Libya (Restrictive Measures)(Overseas Territories) Order 2011. In the Cayman Islands, the UN sanctions were given effect by The Libya (Restrictive Measures)(Overseas Territories) Order 2011. PIAM obtained licences from the UK and the US authorities for managing the assets of the Funds.

- (b) PIAM moved 98.5% of the total assets from State Street Bank to Deutsche Bank in 2013 under a licence from OFAC for transfer of the funds. The licence was issued in March 2013 and the assets were transferred to Deutsche Bank in or about August 2013.
- (c) In January 2013, the Deutsche Bundesbank informed PIAM of the following view concerning investment funds that are not listed (in Annex II of the Council Regulation (EU) 2011/204), but whose shares are owned by listed entities. Per the Panel's understanding, Deutsche Bundesbank took the position that Council Regulation (EU) 2011/204 applied to fund shares, but did not apply to the assets belonging to the fund, which are legally autonomous. As such the German authorities determined that there was no licensing requirement in the case of Palladyne, despite the fact that the funds were frozen in the UK jurisdiction.
- (d) The Panel was informed that PIAM never sought any licences from the Dutch authorities. In support thereof, PIAM relied on a circular dated 11 March 2011 issued by De Nederlandsche Bank which stated that "*...we are informed by the Ministry of Finance, the assets of legal persons and entities who are controlled by the listed natural and legal persons, entities and bodies do not need to be frozen; business operations may continue, subject to conditions. Such legal persons and entities may not, however, make assets and economic resources available to the listed persons and entities, nor may the interests of the listed entities be expanded or reduced.*" On 14 March 2011, the Dutch Authority for the Financial Market (AFM) also apparently conveyed a similar position to PIAM. The latter stated that it did inform the AFM of its activities in relation to the funds.
- (e) The German authorities have since confirmed their position stated above. According to them, the assets freeze does not automatically apply to subsidiaries and they referred to a court ruling in the EU on the strict interpretation of designation. On the application of guidelines on ownership and control, the German authorities stated that the Upper Brook Funds being distinct legal entities, they needed more details to make the determination.
- (f) The Panel awaits further clarifications from the Dutch authorities.

Annex 90 LTP as a separate entity

1. In 1986, the Libyan Arab Foreign Investment Corporation (LFIC) (LYe.001) (a.k.a. LAFICO) sold its 15% stake in Italian company FIAT for USD 3 billion in 1986. The LAFICO Board of Directors later decided to allocate these funds to a newly created portfolio called the Long Term Portfolio (LTP), in order to manage these funds in international bonds, stocks and commercial real estate. No specific company was created for this portfolio and it did not have a separate legal status. It was under the control of the Investment Department at LAFICO. All of its assets were in the name of LAFICO when the assets freeze was imposed. This is still the case, in particular regarding the assets held by Euroclear and the corresponding custodian banks, ABC Bahrain and HSBC, UK.
2. The LIA has relied on two Qadhafi era decisions (see appendix A) that aimed to separate LTP funds from LAFICO accounts. The Panel has determined these decisions were never implemented as the funds remain in LAFICO's name.
3. The LIA also stated that LTP became a subsidiary of LIA in 2007 (Article 7 of Decision 125 of 2007) and that this new affiliation of LTP is reflected in Article 16 of Law 13 (2010). The Panel finds that LTP may well have been under the control of LIA as a portfolio but not as an independent company, as discussed below.
4. After 2011, a steering committee was formed for LTP but it was never registered as a separate company. Former LIA Chairmen had recommended the integration of LTP into LIA, but this was not done. Gradually, the steering committee began to act independently of LAFICO even though the assets were in the latter's name and LTP still did not have a separate legal status.
5. In 2014, the then Chairman of the Steering Committee of LTP, Sami Mabrouk, moved his office to Jordan, with the permission of the then Chairman of LIA, Hassan Bouhadi. Finding difficulties in registering in Jordan, in the absence of any registration as a commercial independent company in Libya, LIA approved LTP Articles of Association on 10 May 2015 and LTP was registered in Bayda on 11 May 2015. On the basis of the registration in Bayda, LTP obtained a registration certificate of a non-operating foreign company in Jordan, on 6 August 2015. At that time, there was no registration in Tripoli, the declared headquarters of LTP (see appendix D).
6. The 2015 LTP Articles of Association do not mention a separate board of directors for the Portfolio. Article 9, however, explicitly mentions a Portfolio Management Committee to be appointed by the LIA BoD. The Panel is in possession of a February 2017 official correspondence from LTP to Etihad Bank, submitted on LAFICO letterhead with Sami Mabrouk signing as the "Chair of the Long Term Investment Portfolio Management Committee" (see appendix F).
7. In 2017, the LIA Board of Directors issued a decision that created a "Board of Directors" for LTP. The newly created LTP "Board of Directors" had to register in Tripoli in order to take control of the funds and the representative office in Jordan. The LTP was eventually registered in Tripoli on 27 January 2018. The Jordanian authorities accepted the Tripoli registration showing the paid-in

capital in USD after having rejected an initial registration erroneously filed in Libyan dinars (see appendices D and E).

8. The LIA provided the Panel with an amended statute of the LTP, prepared pursuant to a 25 August 2019 extraordinary meeting of the LTP General Assembly. Article 1 of the amended statute describes the LTP as a legal person and separate financial entity, subject to the provisions of the Commercial Activity Act. It goes on further to stipulate the functions of the "Board of Directors". There is no evidence to show how the transition (if any) from a Management Committee to a "Board of Directors" took place.

9. The Panel's view is that the LIA's insistence on the LTP being a separate corporate entity is not supported by the facts on record. The LTP General Assembly cannot simply declare the Portfolio to be a separate legal and financial entity from LAFICO. The Panel finds that this Portfolio continues to be a division of LAFICO, which remains the legal owner of the funds. The LIA's insistence that LTP is a separate company might result in dissipation of assets.

10. LTP's structure and management practices run counter to all modern management principles of transparency, best practices, and accountability for sovereign wealth funds. Allowing LTP to operate independently without proper oversight and controls, as has been happening since the 2014 establishment of the Jordan office, would risk the considerable funds at its disposal.

Analysis of financial statements

11. The paid-in-capital of LTP is USD 4.5 billion. Shares in subsidiaries, and affiliated and publicly traded corporations, amount to approx. USD 0.69 billion.

12. The case of one company, Sabtina Limited, highlights the confusion the LIA created by maintaining that LTP is an independent entity. Sabtina is declared in LTP's financial statement as a direct subsidiary. In the UK sanctions list, however, Sabtina is shown as a subsidiary of LAFICO. Sabtina's 2019 financial statement also confirms that it is indeed a subsidiary of LAFICO. An incorrect picture is therefore being presented in LTP's financial statements to reinforce its unfounded claim of legal independence.

13. Shares in Arab Banking Corporation in Bahrain and Bank El Etihad in Jordan are also held in LAFICO's name. LTP falsely claimed in its financial statement, however, that it holds the shares in Bank El Etihad.

14. In its financial statements, LTP includes accounts and term deposits, totalling approx. USD 2 billion, in several banks, of which 50% is held in the Libyan Foreign Bank (LFB). This account is in the name of LAFICO. The status of the funds held by LFB (approx. USD 1 billion) is under examination as these may not be in Libya. If held in accounts outside of Libya, the funds will have to be frozen.

15. There is no clarity on the provenance of the funds used to establish the Jordan office. The former Chairman of the Management Committee, Sami Mabrouk, informed the Panel that in June 2013, he

created a new portfolio from interest and dividends. This was used to buy 97 million USD worth of shares in Safwa Bank.

16. The LTP office in Jordan, having access to funds regarded as not being subject to the assets freeze, was often a source of funding for LIA and other companies. There was a transfer of 20 million euros to LIA Malta in 2015. In 2017, LIA Malta demanded another transfer of 2 million euros. A current account was opened in Bank El Etihad, Jordan, in the name of LIA. These amounts were for the LIA Malta office administrative expenses. According to the Libyan Audit Bureau, the LTP Jordan office disbursed a total of 2.5 million euros in 2015 to cover expenditures for LIA's Malta office. That amount rose to 3.6 million euros in 2016. After the 2017 audit, the Audit Bureau observed that it was not able to gain access to statements for the LIA's current account in Bank El Etihad.

Appendix A to Annex 90: The 1992 decision of the Peoples Committee on LAFICO, LTP and LAFICO's consequential communication

Figure 90.A.1
Official translation of the decision

Translated from Arabic

In the name of God, the Merciful, the Compassionate

The Libyan Arab Foreign Investment Company
No democracy without People's Congresses

Date _____ MWR _____ Corresponding to _____ 19____ Ref. No.:

Decision of the Secretary of the People's Committee
No. 44 (1992)
concerning separation of the funds of the Libyan Long-Term Portfolio

Having considered:

- Act No. 6 (1981 concerning the establishment of the Libyan Arab Investment Company
- General People's Committee Decision No. 767 (1991) concerning the establishment of the Long-Term Investment Portfolio
- The presentation of the Director of the General Investment Department on the inventory of the total value of the funds of the Long-Term Investment Portfolio as of 30 September 1991.

We hereby decide as follows:

Article I

The Portfolio's net assets as of 30 September 1991, amounting to \$3,634,141,929.51 are to be separated as follows:

United States dollars

2 826 086 070.00	Funds of the Long-Term Investment Portfolio
808 055 859.51	Funds of the Libyan Arab Foreign Investment Company

Article 2

The funds of the Long-Term Investment Portfolio shall be separated from the accounts of the Libyan Arab Foreign Investment Company's in the amount of the share provided for in article 1.

Article 3

The directors of the General Investment Department and the General Finance Department shall execute this decision and act on it as of 30 September 1991.

(Signed) Muhammad Ali al-Hawij
Secretary of the People's Committee

Done on 15 Shawwal A.H. 1401
Corresponding to 18 April 1992

Figure 90.A.2
Decisions of LAFICO

Umar Mustafa al-Muntasir
Chair of the Board of Directors of the Libyan Long-Term Portfolio

Sir,

I write in reference to General People's Committee Decision No. 601 (1993) issued on 15 Safar MWR 1403, corresponding to 4 August 1993, amending Decision No. 767 (1991) establishing the Long-Term Investment Portfolio.

We hereby inform you that the Libyan Arab Foreign Investment Company will prepare a statement of financial position of the funds of the Portfolio on the date that it received of the above-mentioned resolution, which was 12 August 1993, in preparation for procedures for your Board to take delivery of said funds.

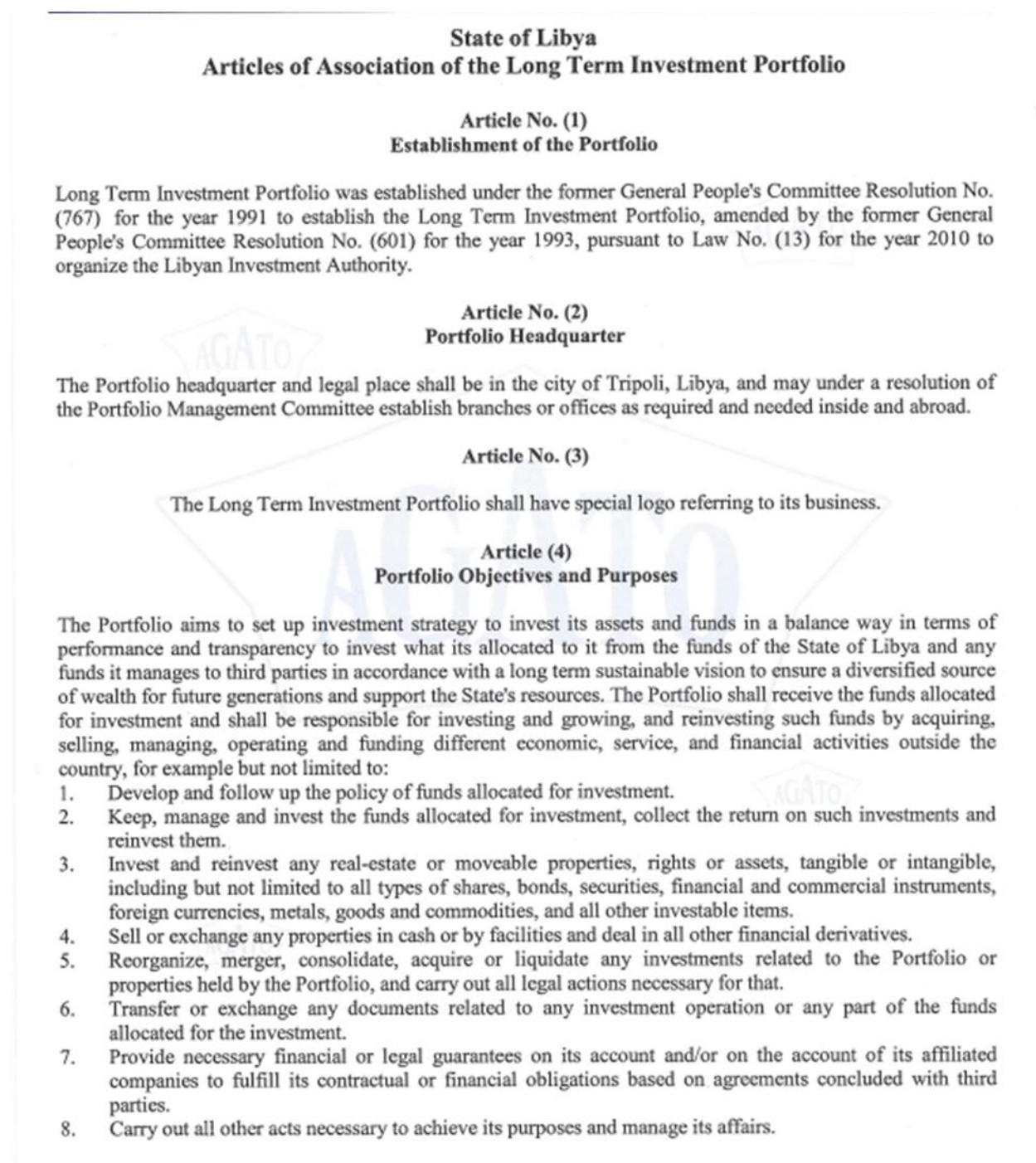
As of 12 August 1993, the executive management of the Libyan Arab Foreign Investment Company shall no longer be legally authorized to conduct any financial transactions with Portfolio funds, unless temporarily authorized otherwise by you, until the Portfolio takes final delivery of the funds.

May the peace, mercy and blessings of God be upon you.

(Signed) Muhammad Ali al-Hawij
Chair of the Board of Directors

Appendix B to Annex 90: 2015 Articles of Association of LTP

Figure 90.B.1
LTP articles of association



9. Perform all financial and legal acts as regards its invested funds and manage the same for third parties in accordance with the management agreements and the regulations in force
10. Conclude agreements and contracts with third parties to help the Portfolio achieve its objectives and purposes.

Article No. (5)
Portfolio Term

The legal term of the Portfolio shall be fifty years commencing from the resolution of establishment thereof under the former General People's Committee Resolution No. (767) for the year 1991. The term may be extended for other term or terms under a resolution of the Board of Trustees of the Libyan Investment Authority.

Article No. (6)
Portfolio Capital

The Portfolio's capital consists of the funds allocated to the Portfolio under the former General People's Committee Resolution No. (767) for the year 1991 to establish the Long Term Investment Portfolio amounting 4.600.000.000.00 (four billions six hundred million US Dollar) from the net profits and returns of investing the Portfolio funds and the assets or investments transferred or devolved upon it from pursuant to the provisions of the related laws and resolutions.

Article No. (7)
Borrowing

To achieve its purposes, the Portfolio may borrow from local or international financial institutions or any other party under the approval of the Management Committee upon the proposal of the General Manager of Medium and Long Term Borrowing.

Article No. (8)
General Assembly

The Board of Directors of the Libyan Investment Authority shall act as the general assembly of the Long Term Investment Portfolio. The general assembly shall convene once a year in the country of headquarter or in any other place determined by the Management Committee to pass the annual accounts of the Portfolio, and as needed upon the invitation of the Management Committee.

Article No. (9)
Portfolio Management Committee

The Portfolio Management Committee consists of five members including the head of the Portfolio Management Committee and the general manager. They shall be appointed and their membership shall be renewed under a resolution of the Board of Directors of the Libyan Investment Authority.

Article No. (10)
Portfolio Management Committee Powers and Authorities

The Long Term Investment Portfolio Management Committee shall have all powers and authorities to achieve the objectives and run the affairs of the Portfolio, develop policies, and invest its funds in investment projects as provided for in these Articles of Association. To ensure its sound performance of its tasks and responsibilities, the Portfolio may:

1. Define the general policy of the Portfolio in line with the related regulations and laws and in force.
2. Discuss the quarterly reports on investment operations and the sound work progress of the Portfolio.
3. Develop rules and systems and take necessary measures to run the works of the Portfolio.
4. Take decisions on borrowing, lending, and issuing bonds.
5. Set up the organizational structure and the administrative, financial and technical regulations of the Portfolio.
6. Appoint auditors and advisors and determine their remunerations and benefits.
7. Give permission to conclude contracts and agreements with third parties who run or practice works similar to the Portfolio purposes and help achieve its objectives.
8. Develop policies, standards and decisions necessary to invest the Portfolio funds in different fields.
9. Open branches and offices inside and abroad as the public good requires, establish companies abroad, subscribe or dispose of the same, increase or decrease their capitals in accordance with the related laws and regulations.
10. The Management Committee may delegate some of the established powers and authorities to the head of the Management Committee to run the work of the Portfolio.
11. Give permission to contract with the top management employees in accordance with the Portfolio Personnel Affairs Regulations.
12. Form any technical committees the committee deems necessary to perform the task of the Portfolio.

Article No. (11)
Management Committee Meetings

The Management Committee shall hold its ordinary meetings at least once every three months at the Portfolio headquarter or in any other place inside or abroad as the Management Committee determines. The Management Committee shall also convene as needed upon the invitation of the Head of the Management Committee or who he delegates. The invitation shall be sent to the members at least one week prior the date of the meeting and to attach the agenda and the meeting file to the invitation. The meeting file shall include memos on the topics presented to the committee. The Management Committee meetings shall be valid if attended by majority of committee members. The resolutions of the committee shall be issued by the majority of present members. In case the members attending the meeting are equal, the head of committee shall have a casting vote.

Article No. (12)
Urgency



The urgent topics may be presented to each member of the committee by pass to take what is appropriate on the presented issue. In such case, the resolutions shall be taken by unanimously and shall be presented in the first coming meeting of the Management Committee for approval.

Article No. 913)
Secretary of the Management Committee

The Management Committee shall appoint a secretary to the committee who shall be responsible for the following:

- The administrative preparation of the committee meetings and inform the members of the meeting and the agenda.
- Attend the committee's meetings and take minutes of the meetings.
- Prepare the resolutions to implement the committee's recommendations.
- Keep all documents records related to the committee in a strict confidentiality.

Article No. (14)
Minutes of Meetings of the Management Committee

The minutes of meetings of the Management Committee shall be taken and presented to the committee on the following meeting for approval. Such minutes shall be registered in a special record signed by the Head of Committee and the secretary.

Article No. (15)

To achieve the purposes of the Portfolio, resolution from the minutes of meetings of the Management Committee shall be taken and signed by the Head of the management commit and sealed by the official seal of the Portfolio.

Article No. (16)
Head of the Management Committee

The Head of the Management Committee powers and authorities:

1. Represent the Portfolio in its relations with third parties, before judicial, government and official departments. He may delegate such powers and authorities to the general manager or others under a written authorization.
2. Call the Management Committee for meeting and run its sessions.
3. Propose and present the meeting agenda to the Management Committee members.
4. Discuss what is presented from the Board of Directors or the Chief Executive Officer of the Libya Investment Authority or any other government entity concerned with the Portfolio activity.
5. Give permission to seek the help of specialized experts to carry out works of special nature.
6. General supervision of the Portfolio and implement the Portfolio policies and what is related to this position. He may delegate authorities to carry out other duties as decided by the Management Committee from time to time.

7. Take necessary resolutions in line with the Portfolio strategy and objectives.
8. Conclude agreements with financial institutions and any cooperation agreements with third parties.
9. Delegate employees or others to carry out any task he deems necessary to achieve the purposes of the Portfolio.
10. Preside the meetings of the Management Committee.

Article (17)
General Manager

The general manager powers and responsibilities include:

1. Assist the Head of the Portfolio Management Committee in all tasks related to the management of the Portfolio works
2. Carry out the works and powers entrusted to him by the Head of the Management Committee or the Management Committee.
3. Practice his powers and authorities under the related laws and regulations in force.
4. Develop plans and programs necessary to implement the resolutions and recommendations of the Management Committee and the Head of the Management Committee.
5. Prepare the draft annual final accounts and budget to present them to the Management Committee for approval.
6. Prepare periodic reports on the Portfolio activities every three months to present them to the Management Committee for discussion.
7. Prepare the draft balance sheet to present it to the Management Committee.
8. Receive reports on the performance of the affiliated companies from the managers of the Portfolio entities and discuss such reports with the managers.
9. Prepare the annual report on the Portfolio works at the end of each financial year to present it to the Management Committee.
10. Manage and run the Portfolio daily affairs.
11. Direct supervision of the board of directors and Portfolio affiliated companies to ensure the implementation of the Management Committee resolutions.
12. Supervise the follow up of the daily work at the different departments of the Portfolio to ensure their sound work progress.
13. Propose jobs, salary scale, and benefits thereof, contracting conditions, delegation, training, secondment and tasks system of the Portfolio staff and propose implementation mechanisms.

Article No. (18)
Signing Financial Transactions

The Head of the Management Committee, the general manager, or any other persons delegated by the Management Committee for this purposes shall have the right to sign on behalf of the Portfolio upon a proposal of the Head of Management Committee on the terms and conditions determined by the committee.

Article No.(19)
Transactions Requirements

The Portfolio transactions shall be carried out in accordance with the terms and conditions deemed appropriate by the Management Committee for each case where no project shall not be funded before completing its study and implementation program and verifying its economic feasibility.

Article No. (20)
Limits of Financial Transactions

The Management Committee shall develop rules related to the maximum limits of the loans, guarantees and investment of the Portfolio as well as other obligations with due consideration to the Portfolio's resources and the safety of its financial positions.

Article No. (21)
Controls of Work Principles

The Portfolio shall carry out its works in accordance with the following principles:

1. The Portfolio may not engage in any transaction contradicts with its objectives and purposes.
2. The Portfolio shall apply the principles recognized in funding investment with due consideration to the transparency standards.
3. The Portfolio shall carry out its funding transactions under conditions suitable to the nature of each transaction without prejudicing the soundness of its financial position.
4. The Portfolio shall take into account, at carrying out funding transactions, the project ability to fulfill the funding principal and interests.
5. To take necessary measures to ensure that any funding provided by it is used only for the purposes for which such funding is granted with due consideration to the economic considerations as regards costs and efficient implementation.
6. Prioritize the investment objectives of the Portfolio funds as follows: return, guarantee, and liquidity.
7. Emphasize the special nature of the Portfolio as an economic investment portfolio for the purpose of long term investment.

Article No. (22)
Financial Year

The financial year of the Portfolio shall start at the beginning of the financial year of Libyan Investment Authority and ends at the end of the financial year of Libyan Investment Authority.

Article No. (23)
Accounts Auditing

The Audit Bureau shall audit and review the accounts of the Portfolio in accordance with the provisions of Act No. (19) of 2013, as amended, concerning the reorganization of the Court of Accounts, Act No. (2) of 2013 concerning the establishment of the Administrative Control Authority, and then applicable laws. The Portfolio may seek the assistance of international auditors after the approval of the Portfolio Management Committee, if needed.

Article No. (24)
Accounts Keeping

The Management Committee shall define the rules of accounts keeping and necessary records taking into consideration the financial records the Portfolio is required to keep in accordance with the Commercial Law.

Article No. (25)
Publication

This Articles of Association shall be deposited and published in accordance with the law and the Portfolio shall be registered in the commercial register and with other official departments stipulated by law.

Board of Directors of Libyan Investment Authority

Issued on 10/5/2015.

Appendix C to Annex 90: LTP registration in Bayda and first registration in Tripoli

Figure 90.C.1

Official translation of LTP registration in Bayda

Translated from Arabic

Transitional Government of Libya

Ministry of Economic Affairs

Department of Corporations and Commercial Registration

Commercial Register Office, Jabal al-Akhdar

Entry number: 4211-35-05

Date: 11 May 2015

Commercial Register Extract

Trade name: Long-Term Investment Portfolio

Legal structure: public share company

Established pursuant to decision No. 767 (1991) **Duration:** 50 years*
September 2041

Start date: 29 September 1991

End date: 29

Headquarters address: Tripoli

Branch:

Facsimile: 021478155

E-mail: info@ltp.fund

Object of company: As in attached statutes

Subscribed capital: 4.6 billion United States dollars

Information regarding business owner, members of the board of directors or general partners:

No.	Name	Card No.	Nationality	Title	Date of appointment	Place of residence	Address
01	Sami Muhammad al-Mabruk	*****	Libyan				

02	Bashir Abu al-Qasim Ma'tuq	*****	Libyan				
03	Mustafa Muhammad al-Salih	*****	Libyan				
04	Ahmad Faraj al-Farajani	*****	Libyan				
05	Ahmed Huwaydi Ammush	*****	Libyan				
	Legal representative:						
No.	Name	Card No.	Nationality	Title	Date of appointment	Place of residence	Address
01	Sami Muhammad al-Mabruk	*****	Libyan	Chair of the Board of Directors	13 June 2012	Tripoli	Tripoli

Branches or agencies:

No.	Name	Card No.	Nationality	Title	Date of appointment	Place of residence	Address
01	-----	----	----	----	----	----	----
02	-----	----	----	----	----	----	----
03	-----	----	----	----	----	----	----
04	-----	----	----	----	----	----	----

Comments:

The Board of Directors was appointed pursuant to decision No. 2 (2012). One member was added and another removed pursuant to decision No. 30 (2013).

Fees paid per receipt No.:

Date:

Validity: One year from date of issuance*

Done at: Bayda' **Date:** 11 **Month:** May **Year:** 2015 **Time:** 10.40 a.m.

Document void if marked or altered in any way

Signature of the competent official

Name: Abdulsalam Abdulrahim Jalid

Position: Head of Office

Signature:

Figure 90.C.2

Official translation of LTP first registration in Tripoli**State of Libya****Entry number:** 83821**Ministry of Economic Affairs****Date:** 27 January 2018**Tripoli Economic Control****Commercial Register Extract****Trade name or name of company:** Long-Term Investment Portfolio**Type:** Share company

The company was established pursuant to General People's Committee (defunct) decision No. 767 (1991)

Duration: 50 years **Start date:** 29 September 1991 **End date:** 29 September 2041**Headquarters:** Andalus neighbourhood, Tripoli**P.O. Box** 4538**Facsimile:** +218 (21) 5541874**E-mail:** info@ltp.ly**Tel:** +218 (21) 4781452**Object of company:** Grow the funds allocated to it by the Libyan State for investment or any other funds for the benefit of third parties, and to reinvest such by repurchasing, selling, managing, operating and financing various economic, service and financial enterprises outside the country.***Subscribed capital:** 4.6 billion Libyan dinars**Paid-up capital:** 4.6 billion Libyan dinars**In-kind:** —**Members of the Board or partners**

#	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
01	Atif Maylud Umran al-Bahri	Libyan	Chair of the Board of Directors	5 December 2017	F97K3RC8	Tripoli	Tripoli

* *Translator's note:* The translator made his best effort with this line, parts of which are practically illegible.

#	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
02	Miftah Ali Sulayman Abdullah	Libyan	Member of the Board of Directors	5 December 2017	KZFNKR7F	Aryan	Aryan
03	Abdulsattar Muhammad Sayf al-Nasr Sayf al-Nasr	Libyan	Member of the Board of Directors	5 December 2017	KO69RLOF	Sabha	Sabha
04	Hasan Khalifah Khamis Abu Hasan	Libyan	Member of the Board of Directors	5 December 2017	JYZ9K68I	Gharyan	Gharyan
05	Salim Ali Miftah al-Kadiki	Libyan	Member of the Board of Directors	5 December 2017	J8938740	Tubruq	Tubruq
	Idris Abu Bakr Mas'ud Umar	Libyan	Member of the Board of Directors	5 December 2017	PPNRPZKZ	Benghazi	Benghazi
No.	Imad Hasan Khalifah al-Shaybani	Libyan	Member of the Board of Directors	5 December 2017	P33JHOK5	Tripoli	Tripoli

Legal representative

No.	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
01	Atif Maylud Umran al-Bahri	Libyan	Chair of the Board of Directors	5 December 2017	F97K3RC8	Tripoli	Tripoli

[Translator's note: page 3 is completely illegible and was not translated]

Appendix D to Annex 90: LTP second registration in Tripoli

Figure 90.D.1

Official translation of the second registration showing USD

Translated from Arabic

Government of National Accord

Bureau of the Ministry of Economy

Entry No.: 83821

Date of entry: 17 January 2018

Extract from the Local Commercial Register of Tripoli

Commercial name of company / partnership: The Long-Term Investment Portfolio company Type: Joint-stock

Company / partnership established by: (Former) General People's Committee Decision No. 767 of 1991

Company duration: 50 years Starting on: 29 September 1991 Ending on: 29 September 2041

Headquarters: City of Tripoli, Andalus neighbourhood, P. O. box 4538 Fax: 002018215541874

Email: info@ltp.ly Telephone: 002018214781452

Purpose of company / partnership: To manage funds allocated to it by the Libyan State for investment or any funds it administers on behalf of a third party, and to repurchase, sell, manage, operate and finance various economic, service-related and financial activities outside the country

Capital: \$4,600,000,000

Paid up: Cash: \$4,600,000,000

In kind: 0.000

Board members or partners

No.	Name	Nationality	Title	Date of appointment	Personal confirmation no.	Place of residence	Address
01	Atif Maylud Imran Al-Bahr	Libyan	Chairman of the Board	05 December 2017	F97K3rc8	City of Tripoli	Tripoli
02	Miftah Ali Sulayman	Libyan	Board member	05 December 2017	jim/Kzfnkr7f	City of Aryan	Aryan
03	Abdulsattar Muhammad Sayf al-Nasr Sayf al-Nasr	Libyan	Board member	05 December 2017	jim/K069r10f	City of Sabha	Sabha

04	Hasan Khalifah Khamis Abu Al-Hasan	Libyan	Board member	05 December 2017	jim/jyz9k68j	City of Gharyan	Gharyan
05	Salem Ali Miftah Al-Kadiki	Libyan	Board member	05 December 2017	jim/j8938740	City of Tobruk	Tobruk
06	Idris Abu Bakr Mas'ud Umar	Libyan	Board member	05 December 2017	jim/ppnrpzkz	City of Benghazi	Benghazi
07	Imad Hasan Khalifah Al-Shaybani	Libyan	Board member	05 December 2017	jim/p33jhok s	City of Tripoli	Tripoli
08	***	***	***	***	***	***	

Legal representative

No.	Name	Nationality	Title	Date of appointment	Personal confirmation no.	Place of residence	Address
01	Atif Maylud Imran Al-Bahr	Libyan	Chairman of the Board	05 December 2017	F97K3rc8	City of Tripoli	Tripoli

Branches

No.	Address	Date established	Commercially registered office	Registration no.
01				
02				
03				
04				
05				

Proceedings	Amendments
	Amendment/reconstitution of the Board of Directors of the Long-Term Investment Portfolio in accordance with Libyan Investment Authority Board of Directors Decision No. 20 (2017) adopted at its fifth meeting held on 5 December 2017.

Note: In violation of the provisions of article 24 of Act No. 23 (2010) on commercial activity, and article 2 of the Statute of the Investment Portfolio adopted by the Libyan Investment Corporation with its Decision No. 11 (2015), the Long-Term Investment Portfolio was previously given an entry in the Commercial Register on 11 May 2015 under registration number 05-35-4211.

Note: Based on the provisions of articles 24, 491 and 495 of Act No. 23 (2010) on commercial activity, the Long-Term Investment Portfolio was registered with Tripoli Commercial Registry Office (the correct jurisdiction) under entry No. 8382.

Note: Commercial registration No. 4211, issued on 11 May 2015 issued by Bayda' Commercial Register, which oversees economic activity in the Jabal al-Akhdar region, was cancelled by judicial order of the Presiding Judge of the Tripoli Court.

Fee payment no.: 8779598

Date: 14 July 2019

Prepared on: 05 July 2019

Month: July

Year: 2019

Time: 1130 hours

Validity: 15 July 2020

Seal:

Competent official

Name: Miftah al-Sanusi Abdulkarim

Position: Chief of the Local Commercial Register of Tripoli

Signed: (signature)

Appendix E to Annex 90: Chronology of the legal status of the LTP

Figure 90.E.1

Chronology prepared by LIA

Translated from Arabic\

Chronology of the legal status of the Long-Term Investment Portfolio

On 29 September 1991, the defunct General People's Committee adopted decision No. 767 (1991) establishing the Long-Term Investment Portfolio as a long-term investment vehicle, in order to expand the economic base, diversify sources of income and create additional sources of foreign currency. The principal amount invested in the Long-Term Investment Portfolio was set at \$2,826,086,070, pursuant to article 3 of that decision.

From 30 September 1991, the accounts of the Long-Term Investment Portfolio were separated and placed in independent ledgers, pursuant to article 8 of General People's Committee decision No. 767 (1991) and decision No. 44 (1992) of the Secretary of the People's Committee for the Libyan Arab Foreign Investment Company concerning separate ledgers for the assets of the Long-Term Investment Portfolio.

The Long-Term Investment Portfolio Management Committee was formed pursuant article 4 of General People's Committee decision No. 767 (1991) of 29 September 1991. In accordance with the provisions of the aforementioned decision and its amendments, the Management Committee exercised its authority by adopting regulations, setting investment policies and objectives, establishing general technical standards for internal and external investment, prioritizing investment objectives in the light of prevailing conditions in international financial markets, issuing executive decisions, following up regularly on business results, evaluating performance and comparing it against market standards, and reviewing investment policies and objectives periodically in the light of economic variables and prospects in the international financial markets and of the possibilities for movement.

Pursuant to a decision taken by the Chair of the Portfolio Management Committee on 16 September 1993, the Libyan Arab Foreign Investment Company continued to manage the funds invested in the Long-Term Investment Portfolio through its technical body until 12 June 2004, in accordance with the objectives and investment policies adopted and the decisions taken by the Management Committee. Accordingly, all the assets of the Long-Term Investment Portfolio are registered in the name of the Libyan [Arab] Foreign Investment Company.

Several committees that were formed pursuant to article 4 of General People's Committee decision No. 767 (1991) of 29 September 1991 were responsible for managing the funds of the Long-Term Investment Portfolio. They all exercised their authority in accordance with the provisions of the aforementioned decision and its amendments.

On 28 August 2006, the Libyan Investment Authority began managing and investing the assets of the Long-Term Investment Portfolio pursuant article 5 of General People's Committee decision No. 205 (2006) establishing the Libyan Investment Authority.

On 10 March 2007, the Long-Term Investment Portfolio became subordinate to the Libyan Investment Authority pursuant to article 7 of General People's Committee decision No. 125 (2007) concerning the reorganization of the Libyan Investment Authority.

Article 16 of Act No. 13 (2010), concerning the organization of the Libyan Investment Authority, provides that the Long-Term Investment Portfolio is subordinate to the Libyan Investment Authority.

Accordingly, the legal status of the Portfolio can be summarized as that is entity that is subordinate to the Libyan Investment Authority in the form of an investment portfolio that it is both financially independent and a legal person under the law and pursuant to the aforementioned decisions.

Appendix F to Annex 90: Shares at Bank al Etihad, Jordan

Figure 90.F.1

Letter from LAFICO for membership of the Board of Directors

The Libyan Foreign Investment Company

a Libyan joint-stock company

with a capitalization of 2 billion Libyan dinars

Date: A.H. / / Corresponding to: 9 February 2017 Ref.: 049 *mim ayn* 2017

The Honourable Chair of the Board of Directors
Bank al Etihad
Amman, Jordan

Subject: Assumption by the Libyan Foreign Investment Company of membership of the Board of Directors of Bank al Etihad

Sir,

Please take the measures necessary to appoint Mr. Idris Muhammad al-Uhaymir al-Warfali as a member of the Board of Directors of Bank al Etihad for Savings and Investment, Amman, representing the Libyan Foreign Investment Company, as of this date.

Thank you for your cooperation.

May the peace, mercy and blessings of God be upon you.

Sami Muhammad al-Mabruk
Chair of the Long-Term Investment Portfolio Management Committee

Sirt Securities International NV

Registered in the Netherlands - Antilles - Registration No. 52972.

11 February 2017

Mr. Isam Salfiti
Chair of the Board of Directors of Bank al Etihad
Amman, Jordan

Sir,

Subsequent to the transaction transferring Bank al Etihad shares owned by Sirt Securities International NV to the Libyan Foreign Investment Company (LAFICO), we hereby inform you that the Sirt company has resigned from the Board of Directors of Bank al Etihad.

Please take the appropriate measures, and accept my best wishes for your success.

Accept, Sir, the assurances of my highest consideration.

Samir Imhammad Abu Rawi
Sirt Securities International

Annex 91 Access to frozen funds

1. In accordance with paragraphs 19 and 21 of resolution [1970 \(2011\)](#) and paragraph 16 of resolution [2009 \(2011\)](#) Member States are required to notify the Committee of their intention to authorise access to frozen funds.
2. The Panel has noted two specific cases, one in 2018 and another in 2019 where this was not done. The Member State has since clarified that this was due to procedural oversight.
3. The regulatory authorities in some Member States, including the United Kingdom, have informed the Panel that they do not hold information on earnings on frozen funds. In one case, the Panel requested details of any funds of designated entities held in two financial institutions. The request was refused on the grounds that these financial institutions themselves are not designated entities and there is no evidence that suggests those financial institutions are non-compliant with the sanctions regime. The fact that the information was being sought regarding funds of designated entities was overlooked. The fact that there is very limited oversight by the regulatory authorities in several countries, and their reliance and acceptance of the accuracy of reports provided by financial institutions, is a strong indicator to the Panel that implementation of the assets freeze may not be very effective.
4. In [S/2018/812](#), para. 227 and [S/2019/914](#), para. 211, the Panel reported on the lack of accurate financial data being made available by some Member States. Replies to detailed information requests by the Panel include: (1) the information is not at the disposal of the authorities; (2) Member States' reliance on information provided by the financial institutions; (3) data of earnings on frozen funds could not be provided on the grounds that financial institutions are not required to provide this information to the Member State regulatory authority. Only in-depth detailed analysis of financial data can identify cases of non-compliance and allow for recommendations on a more effective implementation of the assets freeze measure.

Points raised by designated entities:

5. The LIA representatives pointed out their inability to access frozen funds for all their various expenses. They did accept that the exemption provisions in the resolutions do not cover many of their essential disbursements. This undermines the LIA's ability: (a) to meet its established commitments to third parties (to pay for sums as they fall due); and/or (b) to enter into relationships with third parties given the difficulties in making payments promptly. The LIA would struggle to meet payments for business-critical services; plan its expenditure and budgets or to service its financial obligations.
6. They requested that the main principle behind the assets freeze, viz., the protection of Libyan assets, be kept in mind.
7. Some of the cases cited were partial payments to be made to professional service firms, including audit and accountancy firms and payments required for oil exploration and production agreements. If the LIA cannot meet its contractual obligations, it becomes liable for significant penalty payments and may lose its allocated participation rights in the exploration and production of oil.

8. After documentary analysis and examination of the exemption provisions in the resolutions, the Panel does not support the arguments of LIA for access to the frozen funds for such payments.

9. The LIA therefore requested further guidance from the Sanctions Committee regarding which expenses fall within the ‘basic expenses’ and ‘extraordinary expenses’ exemptions; and that the scope of the exemptions be amended to enable the LIA to make payments of the nature described above.

10. The LIA has represented that due to delays in obtaining licences from the regulatory authorities of Bahrain it does not have the operational funds available to make payments for critical services such as: (1) independent auditing services; (2) staff training; (3) staff insurance; and (4) essential institutional reform. Outstanding invoices hinder the LIA’s ability to implement its transformation strategy. The lack of a confirmed time frame is delaying the filing of seven applications, and a decision is awaited on three applications. The LIA position is that these unexplained, long delays have placed the LIA in an impossible position vis-à-vis a number of its contractual requirements.

11. The LIA also faces problems with banks even after obtaining the relevant permissions from the Sanctions Committee. In a case where the funds had to be withdrawn from a dollar account to make payments in Libyan dinars, the bank asked for an OFAC licence. The LIA also highlighted the procedural delays in obtaining OFAC licenses, sometimes even up to six months.

12. Similarly, the LFIC has explained that a lack of response from the UK regulatory authorities regarding licences for handling frozen assets is now impacting their ability to manage their funds. The United Kingdom clarified that it has no record of LFIC ever pursuing a formal complaint with the regulatory authorities. Priority is given to urgent and humanitarian licence applications that involve a risk of harm or a threat to life and otherwise the authorities commit to engage with licence applications within four weeks. An applicant is expected to provide clear justifications for why a case is urgent. Applicants are also responsible for taking independent legal advice and performing due diligence to ensure compliance with financial sanctions.

LIA concerns over attachments:

13. Further to para. 171 in the main report, the LIA has emphasized that both the LIA and LFIC are separate entities from the State of Libya, incorporated by Libyan Laws, with their own legal capacity and financial independence. The LIA also stated that it cannot be liable for the debts of the State of Libya.
