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Carta de fecha 24 de mayo de 2022 dirigida a la Presidencia del Consejo de Seguridad por el Grupo de Expertos sobre Libia establecido en virtud de la resolución [1973 \(2011\)](#)

El Grupo de Expertos sobre Libia establecido en virtud de la resolución [1973 \(2011\)](#) tiene el honor de transmitir adjunto el informe final sobre su labor, de conformidad con lo dispuesto en el párrafo 13 de la resolución [2571 \(2021\)](#).

El informe se presentó el 4 de mayo de 2022 al Comité del Consejo de Seguridad establecido en virtud de la resolución [1970 \(2011\)](#) relativa a Libia, que lo examinó el 20 de mayo.

El Grupo agradecería que la presente carta y el informe se señalaran a la atención de los miembros del Consejo de Seguridad y se publicaran como documento del Consejo.

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Informe final del Grupo de Expertos sobre Libia establecido en virtud de la resolución 1973 (2011)

Resumen

La posibilidad de celebrar elecciones presidenciales y parlamentarias el 24 de diciembre de 2021, como preveía la hoja de ruta que el Foro de Diálogo Político Libio había aprobado en noviembre de 2020, generó una nueva dinámica que repercutió en distintos aspectos del régimen de sanciones.

La posición de los grupos armados respecto a las elecciones resultó estar intrínsecamente ligada a la evaluación de los riesgos y beneficios para sus propios intereses. La incertidumbre en torno al proceso previsto en el Foro de Diálogo Político Libio exacerbó desavenencias históricas y los candidatos en liza redoblaron esfuerzos para ganarse el apoyo de las fuerzas sobre el terreno, lo que explica que los grupos armados libios sigan controlando la mayor parte del territorio. Durante el período de preparación de las elecciones, la conjunción de una serie de factores llevó a que, el 22 de diciembre de 2021, la Comisión Nacional Suprema para las Elecciones declarara que, por circunstancias de fuerza mayor, no podía organizar las elecciones el 24 de diciembre de 2021. El 20 de febrero de 2022, la Cámara de Representantes encargó a Fathi Bashagha la formación de un nuevo gobierno. Cuando se redactó este informe, los dirigentes del Gobierno de Unidad Nacional, que habían rechazado la formación de un nuevo gobierno, se mantenían en el poder. Las alianzas de los grupos armados siguieron siendo variables, ya que la incertidumbre en torno al devenir político abrió posibilidades de acuerdo.

En el país sigue habiendo grupos considerados terroristas, en muchos casos activos, aunque son objeto de repetidas operaciones antiterroristas en todo el país. El hecho de que siga habiendo combatientes chadianos, sudaneses y sirios y empresas militares privadas sigue siendo una grave amenaza para la seguridad de Libia y la región, ya que los esfuerzos de la Comisión Militar Conjunta 5+5 por conseguir la retirada de los combatientes extranjeros se ven obstaculizados por la parálisis política.

Aunque las hostilidades militares activas disminuyeron notablemente durante el período que abarca el informe, seguían cometiéndose con impunidad muchas violaciones graves del derecho internacional humanitario y de los derechos humanos. El Grupo de Expertos consideraba que siete grupos armados libios en particular recurrían por sistema a las detenciones arbitrarias e ilegales como medida punitiva contra quienes consideraban contrarios a su autoridad y como forma eficaz de evidenciar su poder y su capacidad de actuar al margen de las instituciones judiciales y gubernamentales del país, lo que perjudicaba gravemente a esas instituciones. Por lo general, hacían caso omiso de las leyes internacionales y nacionales aplicables en casos de vulneración de los derechos a la vida, la libertad y la seguridad de la persona, del derecho a un juicio imparcial y de la prohibición de la tortura y otros tratos crueles, inhumanos y degradantes. Antes bien, se practicaban abiertamente detenciones sin el menor amparo legal y se mantenía a los detenidos totalmente sometidos a la arbitrariedad de quienes los habían privado de libertad y en condiciones que afectaban gravemente a su vida y bienestar. Los migrantes eran extremadamente vulnerables a los abusos contra los derechos humanos y sufrían con frecuencia actos de esclavitud, violación y tortura.

El embargo de armas siguió siendo ineficaz y algunos Estados Miembros, que continuaban vulnerándolo impunemente, mantenían el control de las cadenas de suministro, lo que dificultaba considerablemente las labores de detección, desarticulación e interceptación. Aunque se detectaron muchas menos infracciones que en 2019 y 2020 y el número de vuelos de puente aéreo se redujo considerablemente, el Grupo de Expertos calcula que el gran número de armas en existencias bastaría para alimentar cualquier conflicto venidero. El Grupo ha actualizado la base de referencia sobre tipos de armas transferidas ilícitamente a Libia, lo que además de facilitar la detección de infracciones futuras también pone de manifiesto que en los últimos años se ha ignorado por completo el embargo de armas. La evolución tecnológica constante y el precio relativamente bajo de algunos dispositivos electrónicos de consumo funcionalmente avanzados y renovados con rapidez, como los dispositivos ópticos y los drones, así como la posibilidad de transformar fácilmente vehículos todoterreno civiles en vehículos de combate, hacen que esos artículos sean ideales para su uso militar en conflictos de baja intensidad. La mayoría de los grupos armados que están en Libia están aprovechando esta situación.

En cuanto a las cuestiones marítimas, el Grupo de Expertos determinó que los buques de transporte internacional que navegaban con pabellón de Zambia lo hacían de forma ilícita, ya que dicho país no tiene actualmente un registro abierto para la inscripción de buques internacionales. El Cuerpo de Apoyo a la Estabilidad, que depende del Gobierno de Unidad Nacional, era un nuevo agente marítimo que utilizaba buques armados civiles y militares para interceptar y devolver a los migrantes que intentaban irse de Libia. Para eludir el embargo, era frecuente recurrir al envío de buques civiles en los que después se instalaba armamento. Una unidad marítima de las Fuerzas pro Haftar hizo interceptaciones arbitrarias de buques mercantes en una zona marítima no oficial. Para su liberación, se exigía a esos buques el pago de sanciones económicas ilegales y, en un caso, se sustrajeron bienes personales de los miembros de la tripulación. El Grupo de Expertos califica esas actuaciones de piratería.

Un consultor externo definió los requisitos técnicos para la reunificación del Banco Central de Libia, pero los avances en ese empeño siguieron siendo lentos.

El sector público del petróleo fue objeto de una lucha de poder entre los dirigentes de la Empresa Nacional del Petróleo y el Ministerio de Petróleo y Gas que dio lugar a destituciones fallidas del Presidente de la Empresa y al cruce de acusaciones públicas de mala gestión de las operaciones cotidianas de la entidad. Un suceso preocupante fue la detención de varios directivos de la Empresa y entidades vinculadas por presuntas irregularidades administrativas. En el período a que se refiere el informe también se produjeron enfrentamientos entre grupos armados que dañaron instalaciones petrolíferas y llevaron a denegar el uso de la infraestructura petrolera con fines de extorsión.

Durante el período se produjo un presunto intento de exportar ilícitamente petróleo crudo desde Libia. El contrabando de derivados del petróleo por vía marítima no llegó a los niveles anteriores, pero se mantuvo el contrabando a través de las fronteras terrestres y aumentaron los desvíos fraudulentos dentro del país.

La congelación de activos siguió planteando los mismos problemas que en mandatos anteriores, lo que pone de manifiesto que los Estados Miembros no aplican esa medida de manera uniforme. Algunas jurisdicciones mantuvieron su particular interpretación de lo dispuesto en el párrafo 19 de la resolución [1970 \(2011\)](#) en relación con la gestión activa de bienes congelados que, para el Grupo de Expertos, no está amparada por dicha disposición.

Las entidades designadas deben ser más transparentes en lo que respecta a la propiedad efectiva, la titularidad legal, el control efectivo y las actividades de sus filiales. Todavía hace falta supervisar.

Durante el período sobre el que se informa, varias personas designadas pudieron viajar gracias a una exención permanente, pero no todos los Estados Miembros implicados siguieron las directrices establecidas por el Comité, conforme a lo dispuesto en el párrafo 13 de la resolución [2571 \(2021\)](#), para aplicar ese tipo de exenciones.

Índice

	<i>Página</i>
I. Antecedentes	8
A. Introducción	8
B. Cooperación con interesados y organizaciones	8
II. Actos que amenazan la paz, la estabilidad o la seguridad de Libia o que entorpecen o malogran su transición política	9
A. Dinámica de los grupos armados libios	9
B. Grupos y agentes terroristas internacionales	12
C. Grupos armados y combatientes extranjeros	12
D. Actos que entorpecen o malogran la transición política en Libia	14
E. Actos que contravienen disposiciones vigentes del derecho internacional humanitario y de los derechos humanos o que atentan contra los derechos humanos	15
III. Aplicación del embargo de armas	20
A. Infracciones técnicas y tecnología de doble uso	20
B. Cuestiones marítimas	22
C. Infracciones en materia de transferencia de armas y adiestramiento militar	27
D. Infracciones e incumplimientos en materia de aviación	28
E. Infracciones cometidas por empresas militares privadas	29
F. Síntesis de las entidades que cometieron infracciones e incumplimientos	30
G. Medidas de respuesta a las infracciones del embargo de armas	32
H. Lanzamiento de misiles balísticos tácticos por parte de las Fuerzas pro Haftar	33
IV. Unidad de las instituciones del Estado	33
A. Proceso de reunificación del Banco Central de Libia	33
B. Empresa Nacional del Petróleo	35
V. Prevención de las exportaciones o importaciones ilícitas de petróleo	37
A. Exportación ilícita de petróleo crudo	37
B. Exportación ilícita de productos refinados derivados del petróleo	37
VI. Aplicación de las disposiciones relativas a la congelación de activos de entidades designadas	38
A. Sinopsis	38
B. Utilización errónea de “Empresa Libia de Inversiones Extranjeras” y “Libyan Arab Foreign Investment Company” como denominaciones alternativas del Instituto Libio de Inversiones	39
C. Últimas noticias del proceso judicial de Euroclear en Bélgica	39
D. Exenciones de la congelación de activos	40
E. Otros asuntos	41

VII.	Imposición de medidas de congelación de activos y prohibición de viajar a entidades designadas	41
A.	Saadi Qadhafi	41
B.	Abu Zayd Umar Dorda	42
C.	Exenciones generales de la prohibición de viajar	42
VIII.	Recomendaciones	43
	Anexos*	44

* Se distribuyen únicamente en el idioma en que se presentaron y se publican sin revisión editorial.

I. Antecedentes

A. Introducción

1. Este informe, que se presenta al Comité del Consejo de Seguridad establecido en virtud de la resolución [1970 \(2011\)](#), relativa a Libia, de conformidad con lo dispuesto en el párrafo 13 de la resolución [2571 \(2021\)](#), abarca el período que va del 8 de marzo de 2021, cuando se presentó el anterior informe del Grupo de Expertos ([S/2021/229](#)¹), al 25 de abril de 2022². En él se ofrece información actualizada sobre las investigaciones expuestas en el informe anterior. En el anexo 1 se explica a grandes rasgos la evolución del régimen de sanciones relativo a Libia³.
2. En sus investigaciones, el Grupo de Expertos aplicó las mejores prácticas y los métodos recomendados por el Grupo de Trabajo Oficioso del Consejo de Seguridad sobre Cuestiones Generales relativas a las Sanciones (véase [S/2006/997](#)). El Grupo de Expertos ha mantenido los más estrictos criterios de prueba a pesar de que los viajes a Libia y otros lugares todavía estaban restringidos debido a la pandemia de enfermedad por coronavirus (COVID-19).
3. El Grupo de Expertos se basó en pruebas confirmadas, cumplió su obligación de ofrecer la posibilidad de responder⁴ y realizó sus investigaciones con transparencia, objetividad, imparcialidad e independencia.

B. Cooperación con interesados y organizaciones

4. En el anexo 4 figura la lista de los Estados Miembros visitados y de las organizaciones y personas consultadas. En el anexo 5 se presentan los registros de la correspondencia del Grupo de Expertos. El Grupo también mantuvo contactos con el Comité, los Estados Miembros y otros interlocutores, incluidos otros grupos de expertos, a través de plataformas electrónicas.
5. El Grupo de Expertos se comunicó asiduamente con la Misión de Apoyo de las Naciones Unidas en Libia (UNSMIL). La operación militar de la Unión Europea en el Mediterráneo (operación IRINI) también prestó apoyo al Grupo, concretamente en sus investigaciones sobre el incumplimiento del embargo de armas y la importación y exportación ilícitas de petróleo crudo y productos derivados.
6. El Grupo de Expertos hizo un viaje a Libia a mediados de septiembre de 2021. Entre octubre de 2021 y febrero de 2022, el Grupo presentó varias solicitudes de apoyo a la realización de visitas que no pudieron satisfacerse por problemas logísticos de la UNSMIL. Libia no renovó los visados de los miembros del Grupo, que habían expirado a finales de enero de 2022, por lo que el Grupo no pudo realizar la visita prevista en marzo de 2022. Los viajes a Libia siguen siendo esenciales para la misión del Grupo, por lo que los Estados Miembros y los organismos de las Naciones Unidas que apoyan al Grupo deberían darles prioridad.

¹ Ha de tenerse en cuenta que todas las referencias al documento [S/2021/229](#) comprenden también los documentos [S/2021/229/Corr.1](#) y [S/2021/229/Corr.2](#).

² Todos los hipervínculos fueron consultados el 8 de abril de 2022.

³ Los anexos se distribuyen únicamente en el idioma en que fueron presentados y sin revisión editorial oficial. Como la extensión de los informes de los mecanismos de vigilancia está limitada, el Grupo de Expertos presenta en los anexos más información sobre las investigaciones. En el anexo 2 figura una lista de abreviaciones y siglas.

⁴ En el anexo 3 se presenta información adicional sobre la metodología y la posibilidad de responder.

7. El Grupo de Expertos visitó Bengasi el 21 de septiembre de 2021 y se entrevistó con miembros del Ejército Nacional Libio. Esa fue su primera visita al este de Libia y su primer contacto directo con las Fuerzas pro Haftar (FpH)⁵ desde su visita a Tobruk en julio de 2015⁶.

II. Actos que amenazan la paz, la estabilidad o la seguridad de Libia o que entorpecen o malogran su transición política

A. Dinámica de los grupos armados libios

8. Los grupos armados siguen dominando el sector libio de la seguridad, como se señaló en el informe anterior ([S/2021/229](#))⁷. Muchos de los grupos armados del oeste del país tenían mandatos oficiales y financiación pública (véase el anexo 6) y dependían formalmente de las instituciones del Estado, pero seguían actuando sin ningún control real.

9. Un ejemplo de actualidad es el revuelo que causó la carta que la Comisión Militar Conjunta 5+5⁸ envió al Consejo Presidencial y al Primer Ministro el 14 de agosto de 2021 (véase el anexo 7), en la que se recomendaba revisar la estructura jerárquica de varios organismos de seguridad y militares. El Cuerpo de Apoyo a la Estabilidad y el Jefe de Estado Mayor de las Fuerzas Armadas Libias⁹ reaccionaron inmediatamente acusando a la Comisión de excederse en sus funciones (véase el anexo 8). Según un representante diplomático con el que el Grupo de Expertos se reunió en Trípoli, la iniciativa de la Comisión era un ataque a las instituciones del oeste de Libia instigado por Khalifa Haftar. En el otro lado del espectro, un militar del este y miembro de la Comisión¹⁰ explicó al Grupo que la polémica carta pretendía apoyar a los militares del oeste, que estaban alarmados por los excesos de los grupos armados.

10. Con todo, en la mayor parte de Libia se vivió un período de relativa calma tras la formación del Gobierno de Unidad Nacional en febrero de 2021, ya que diversos agentes optaron por no actuar hasta ver el rumbo que tomaba el nuevo Ejecutivo. Durante el período preelectoral y tras desconvocarse las elecciones del 24 de diciembre, los principales grupos armados mantuvieron una actitud de cautela¹¹.

⁵ Formadas por el grupo armado antes conocido como Ejército Nacional Libio de Khalifa Haftar (rebautizado como Fuerzas Armadas Árabes Libias) y otros grupos armados nacionales y extranjeros. El Grupo de Expertos utiliza el término “Fuerzas pro Haftar” (FpH) para referirse a todos los grupos armados que apoyan a Haftar. Para hacer referencia a los grupos armados que se autodenominan “Brigada” o “Batallón” se utilizan esos términos en minúscula, lo que permite designarlos sin legitimarlos como si se tratara unidades militares constituidas de un Gobierno. Análogamente, también se utilizan las minúsculas para referirse, cuando procede, a las autoridades del este de Libia.

⁶ Véase [S/2016/209](#), párr. 11.

⁷ Párrafo 8 y anexo 6.

⁸ La Comisión Militar Conjunta 5+5 está formada por cinco altos oficiales militares nombrados por el Gobierno de Unidad Nacional y otros cinco elegidos por Khalifa Haftar.

⁹ Establecido por el Consejo Presidencial el 11 de enero de 2021; también conocido como Organismo de Seguridad y Estabilización o Servicio de Apoyo a la Estabilidad.

¹⁰ Reunión del Grupo de Expertos (21 de septiembre de 2021).

¹¹ Véanse el párr. 14, sobre el Cuerpo de Apoyo a la Estabilidad, y el párr. 32, sobre los actos que entorpecen o socavan la transición política en Libia.

1. La situación en el oeste

11. Cuando le preguntaron por su posición respecto del proceso electoral previsto, el líder de la brigada Nawasi, Mustafa Qaddour, declaró¹² que su actitud dependería de la capacidad del Gobierno provisional de cumplir sus promesas. Si demostraba que era capaz de ofrecer los servicios y los puestos de trabajo que tanto necesitaba la población civil de Trípoli, que se había alzado en armas para derrocar al régimen de Gadafi y repeler la ofensiva de las Fuerzas pro Haftar del 4 de abril de 2019, Qaddour pensaba que el Gobierno de Unidad Nacional podría conservar legítimamente el poder. De hecho, bajo el mandato del Gobierno de Unidad Nacional, la brigada Nawasi siguió controlando el puerto de Trípoli y el Servicio de Inteligencia General. La influencia de Nawasi también se manifestó en el nombramiento del hermano de Mustafa Qaddour, Hafiz Qaddour, como ministro de Relaciones Exteriores del Gobierno de Estabilidad Nacional formado por Fathi Bashagha en marzo de 2022¹³.

12. Algunos representantes de la Fuerza Especial de Disuasión esperaban que el establecimiento del Gobierno de Unidad Nacional permitiera mejorar la cooperación con las autoridades del este en la lucha contra el terrorismo¹⁴. Como la mayoría de los principales grupos del oeste, durante el período preelectoral la Fuerza se mantuvo al margen de controversias políticas, al menos públicamente.

13. A partir de junio de 2021 se produjeron algunos estallidos puntuales de violencia¹⁵ que degeneraron en graves enfrentamientos en la costa occidental¹⁶, Trípoli¹⁷ y los alrededores de Bani Walid¹⁸; el Cuerpo de Apoyo a la Estabilidad se vio a menudo implicado en ellos.

14. El jefe del Cuerpo de Apoyo a la Estabilidad, Abdel Ghani Khalifa¹⁹, confirmó al Grupo²⁰ la política de expansión de su organización y subrayó que su mandato era

¹² Reunión del Grupo de Expertos (7 de abril de 2021).

¹³ Durante su exposición informativa al Consejo de Seguridad del 16 de marzo de 2022, la Secretaria General Adjunta de Asuntos Políticos y de Consolidación de la Paz se refirió a la situación en Libia en los siguientes términos:

El 10 de febrero de 2022, con el respaldo de 52 miembros del Consejo Superior de Estado, la Cámara de Representantes (...) encargó al Sr. Fathi Bashagha (...) que formara un nuevo Gobierno (...). No obstante, el 24 de febrero, el Consejo Superior de Estado se opuso a la formación de un nuevo Gobierno (...). Pese a ello, el 3 de marzo, varios miembros del Gabinete del Sr. Bashagha juraron sus cargos en la Cámara de Representantes (...). La dirección del Gobierno de Unidad Nacional consideró ilegítima la votación (...). Por su parte, el Sr. Bashagha insiste en considerarse jefe del Gobierno legítimo (véase [S/PV.8996](#)).

El Secretario General tomó nota de la votación celebrada por la Cámara de Representantes, con sede en el este del país, para elegir a un nuevo Primer Ministro (véase la declaración sobre Libia que la Portavocía del Secretario General hizo pública el 11 de febrero de 2022:

www.un.org/sg/en/node/261853). A los efectos del presente informe y sin que ello entrañe posicionamiento alguno sobre la evolución de los acontecimientos, el Grupo de Expertos se refiere al Sr. Bashagha como Primer Ministro electo del Gobierno de Estabilidad Nacional y al Sr. Al Dabiba como Primer Ministro en ejercicio del Gobierno de Unidad Nacional.

¹⁴ Reunión del Grupo de Expertos (8 de abril de 2021).

¹⁵ El jefe de un organismo de seguridad con sede en Trípoli confirmó al Grupo de Expertos que el 8 de mayo de 2021 se habían producido tensiones en el Hotel Corinthia, uno de los lugares de reunión del Consejo Presidencial, y varios dirigentes de grupos armados se mostraron descontentos con el nombramiento de Hussein al-Ayeb como jefe del Servicio de Inteligencia libio (véase <https://apnews.com/article/tripoli-europe-africa-libya-middle-east-afee7cef514a21d4f58b02c0b25ba681>, 8 de mayo de 2021).

¹⁶ Véase <https://twitter.com/ObservatoryLY/status/1403842243014844418/photo/1>, 12 de junio de 2021.

¹⁷ Véase <http://alwasat.ly/news/libya/331536>, 3 de septiembre de 2021.

¹⁸ Véase <https://libyaalhadath.net/?p=41055>, 19 de julio de 2021.

¹⁹ También conocido como al-Kikli o Ghenewa.

²⁰ Reunión del Grupo de Expertos (17 de septiembre de 2021).

hacer cumplir la ley²¹. El Cuerpo es una alianza de Grupo de Expertos armados de Trípoli, Warshafana y Zawiya que en los últimos meses ha cobrado gran protagonismo e influencia²². Los esfuerzos por conseguir su apoyo que han desplegado tanto el Primer Ministro electo, Fathi Bashagha²³, como el Primer Ministro en ejercicio, Abdulhamid Al Dabiba²⁴, ponen de relieve la importancia que este Cuerpo ha ganado desde que el Consejo Presidencial lo estableció el 11 de enero de 2021. En diciembre de 2021 se informó de que el Consejo Presidencial había tenido que aplazar el nombramiento de un nuevo comandante de la Zona Militar de Trípoli²⁵ para sustituir a Abdel Baset Marwan, un aliado cercano de Abdel Ghani Khalifa²⁶.

15. Detractores del Cuerpo, como Mohamed Bahrún (alias Al-Far)²⁷ (S/2021/229) y Mohamed Hamza²⁸, comandante de la Brigada 444, declararon asimismo al Grupo de Expertos que sus respectivos órganos de supervisión les habían confiado el mandato legal de hacer cumplir la ley, lo que ilustra la continua lucha por los recursos y la influencia en el occidente del país.

2. La situación en el este y el sur

16. Durante el período que abarca el informe se produjeron los asesinatos de Mahmud al-Warfalli²⁹ el 24 de marzo de 2021³⁰, (véase el anexo 9) y Mohammed El Shgagi, (también conocido como Mohammed Al-Kani³¹) el 27 de julio de 2021³². El Grupo de Expertos pudo determinar que las tensas relaciones que mantenían con la cúpula de las Fuerzas pro Haftar habían acercado a estos dos hombres poco antes de su muerte. El general de división Faraj Sosaa³³, fiscal militar de la región oriental, dijo al Grupo que ambos habían sido juzgados por un tribunal militar. Todavía no se han esclarecido las circunstancias que rodearon la muerte de esas dos importantes figuras vinculadas a las Fuerzas pro Haftar.

²¹ En 2020, el Cuerpo de Apoyo a la Estabilidad abrió una oficina en Misrata y otra en Al-Bayda, en el distrito de Jabal al-Akhdar. En la oficina de Al-Bayda trabajan 35 personas bajo el mando de Akram Aljarari, miembro de la tribu Bara'sah, un teniente transferido del Ministerio del Interior. La oficina está estudiando la posibilidad de extender su presencia al sur y a Bani Walid, aunque el jefe del Cuerpo lo consideró más "complicado". Hay conversaciones con representantes de Tobruk y Marj para abrir sendas oficinas.

²² Recientemente puso en marcha una página web oficial en la que presenta sus actividades: <https://ssa.gov.ly>, 5 de abril de 2022.

²³ Nombramiento de Issam Busriba, hermano del Comandante Adjunto del Cuerpo de Apoyo a la Estabilidad Hassan Busriba, como Ministro de Interior.

²⁴ Por ejemplo, el nombramiento de uno de los hombres de Ghenewa, Ayub Aburas, de la Brigada Revolucionaria de Trípoli, como Jefe de la Guardia Presidencial y la gran cobertura que se dio a la visita que el Primer Ministro Al Dabiba hizo a la cárcel de Abu Slim el 7 de marzo de 2022: <https://ssa.gov.ly/%d8%b2%d9%8a%d8%a7%d8%b1%d8%a9-%d8%b1%d8%a6%d9%8a%d8%b3-%d8%ad%d9%83%d9%88%d9%85%d8%a9-%d8%a7%d9%84%d9%88%d8%ad%d8%af%d8%a9-%d8%a7%d9%84%d9%88%d8%b7%d9%86%d9%8a%d8%a9-%d9%84%d9%85%d9%86%d8%b7%d9%82/>, 7 de marzo de 2022.

²⁵ Véase S/2022/31, párr. 33.

²⁶ Véase www.libyaobserver.ly/news/pc-postpones-replacement-tripoli-military-district-commander, 22 de diciembre de 2021.

²⁷ Reunión del Grupo de Expertos (16 de septiembre de 2021).

²⁸ Reunión del Grupo de Expertos (22 de septiembre de 2021).

²⁹ Véase S/2017/466, párr. 100.

³⁰ www.libyaobserver.ly/news/gunmen-assassinate-icc-wanted-mahmoud-al-werfalli-libyas-benghazi, 24 de marzo de 2021.

³¹ Véase S/2021/229, párrs. 36 a 39 y anexo 16.

³² www.middleeasteye.net/news/libya-mohammed-kani-militia-leader-reported-killed, 27 de julio de 2021.

³³ Reunión del Grupo de Expertos (21 de septiembre de 2021).

17. La formación por el Consejo Presidencial de una fuerza de lucha contra el terrorismo y la delincuencia organizada en el sur de Libia (véase el anexo 10) el 17 de junio de 2021 dio lugar a otro acontecimiento destacado. Al frente de esa “fuerza” el Consejo nombró a Masoud Abdallah Masoud Abdeljallil (alias Masoud Jeddi)³⁴, entonces comandante de la brigada 116 y principal aliado militar de las Fuerzas pro Haftar en Sabha. Posteriormente, el 11 de septiembre de 2021, Khalifa Haftar publicó un decreto por el que se disolvía la brigada 116 (véase el anexo 11), aunque la mayor parte de sus miembros se quedó en las Fuerzas pro Haftar bajo el mando de Ibrahim Aldib Alslimani y siguió refiriéndose a la unidad como “brigada 116”³⁵. Desde entonces, se han producido pequeñas escaramuzas entre las FpH y la nueva formación dirigida por Masoud Jeddi.

18. En julio de 2021, el primer ministro Al Dabiba ordenó que se creara una “sala de operaciones de seguridad conjuntas” para mantener el control en la región sur³⁶, aunque no hay indicios de que siga en funcionamiento.

19. A pesar de estos esfuerzos del Gobierno de Unidad Nacional por extender su influencia en el sur³⁷, las Fuerzas pro Haftar, que siguen siendo dominantes, impidieron que responsables del Gobierno de Unidad Nacional visitaran Sabha, Gat y Kufra en agosto y octubre de 2021. Las importantes mejoras de sus capacidades operacionales ponen de manifiesto que las FpH están determinadas a mantener su liderazgo en el este y el sur del país (véase el anexo 12).

3. Creación de un equipo de tareas conjunto en la región central

20. A finales de agosto de 2021, tras una nueva ruptura del abastecimiento de agua³⁸ que afectó al Gran Río Artificial³⁹, los dirigentes del Batallón 166 de Misrata y la brigada Tariq Ibn Ziyad de las Fuerzas pro Haftar llegaron a un acuerdo para realizar patrullas conjuntas entre Bani Walid y Al-Shuwayrif⁴⁰. La medida contó con el respaldo del Primer Ministro Al Dabiba y de Khalifa Haftar y tuvo una buena acogida en la UNSMIL, que la consideró un gran paso hacia la unificación de la institución militar y del país⁴¹.

³⁴ Véase S/2019/914, párr. 31.

³⁵ Véase <https://twitter.com/alsaaa24/status/1471539343911235592?s=11&t=zcxZyIZm6fvHQUREbJiLYg>, 16 de diciembre de 2021.

³⁶ Véase www.libyanexpress.com/prime-minister-issues-order-to-establish-an-operations-room-to-secure-the-southern-region, 15 de julio de 2021.

³⁷ Diversos responsables del Gobierno de Unidad Nacional realizaron visitas al sur: Mohamed al-Menfi, jefe del Consejo Presidencial, visitó Sabha en febrero de 2021; Musa al-Koni, Vicepresidente del Consejo Presidencial, visitó Awbari; Najla El Mangoush, Ministra de Relaciones Exteriores, visitó Al-Qatrun en mayo de 2021; y el Primer Ministro Al Dabiba visitó Sabha en julio de 2021.

³⁸ Véase S/2021/229, párr. 29.

³⁹ Para apoyar los llamamientos a la liberación de Abdullah el-Senussi.

⁴⁰ Véase www.facebook.com/watch/?v=228392339162709, 25 de septiembre de 2021.

⁴¹ Véase <https://unsmil.unmissions.org/unsmil-welcomes-creation-joint-force-comprising-tareq-bin-ziyad-brigade-and-166-brigade-important>, 26 de agosto de 2021.

B. Grupos y agentes terroristas internacionales

1. Grupos y agentes terroristas internacionales

21. Tanto las Fuerzas Adscritas al Gobierno de Unidad Nacional como las Fuerzas pro Haftar desarticularon células terroristas y detuvieron a importantes personajes vinculados al Estado Islámico en el Iraq y el Levante-Libia (EIL-Libia) (QDe.165) y la Organización de Al-Qaida en el Magreb Islámico (QDe.014). En el anexo 13 se puede encontrar más información sobre actos terroristas y actividades antiterroristas en Libia.

2. Estado Islámico en el Iraq y el Levante-Libia (QDe.165)

22. El EIL-Libia (QDe.165), que continuaba desplazándose por la zona desértica del sur de Libia para no ser localizado, era todavía una amenaza moderadamente importante. Aunque las operaciones antiterroristas constantes habían mermado sus capacidades, el grupo aún tenía capacidad de perpetrar atentados. Durante el período que abarca el informe, el EIL-Libia (QDe.165) reivindicó la autoría de cinco atentados en el sur, cerca de Sabha, Zalla y la zona del monte Haruj, Al-Qatrun y Um al-Aranib, donde operaban algunos de sus agentes. También se detectó la presencia de militantes del grupo en Misrata, Sabrata y Trípoli⁴². El 13 de marzo de 2022, el grupo juró lealtad a Abu al-Hasan al-Hashimi al-Qurashi⁴³, que acababa de ser nombrado jefe del Estado Islámico en el Iraq y el Levante (EIL) y está inscrito en la lista como Al-Qaida en el Iraq (QDe.115).

3. Al-Qaida en el Magreb Islámico (QDe.014)

23. Durante el período en cuestión este grupo no reivindicó ningún atentado terrorista en territorio libio, pero se detectó la presencia en el país de varios de sus miembros. Según se ha informado, el Gobierno de Unidad Nacional y las Fuerzas pro Haftar capturaron a algunos de ellos en distintas zonas de Libia. Otros miembros del grupo estaban desperdigados por varias ciudades del sudoeste del país, como Birak al-Shati', Ubari y Gat⁴⁴.

C. Grupos armados y combatientes extranjeros

24. En Libia seguía habiendo agentes de empresas militares privadas y combatientes extranjeros del Chad, el Sudán y la República Árabe Siria adscritos a los distintos bandos. No hay constancia de que hasta la fecha se hayan producido retiradas masivas. El 3 de octubre de 2021, la Ministra de Relaciones Exteriores en ejercicio, Najla El Mangoush, confirmó que algunos combatientes extranjeros se habían ido de Libia⁴⁵.

25. El acuerdo de alto el fuego del 23 de octubre de 2020 entre el entonces Gobierno de Consenso Nacional y el Ejército Nacional Libio-Fuerzas pro Haftar estipulaba que todos los mercenarios y combatientes extranjeros debían abandonar el territorio libio en un plazo de tres meses⁴⁶. El 11 de noviembre de 2021, los representantes de las

⁴² Reuniones del Grupo de Expertos con organismos de seguridad libios en septiembre de 2021.

⁴³ Véase <https://ent.siteintelgroup.com/documents/insite-reports-islamic-state/1553-islamic-state-insite-march-9-15/file.html>, 18 de marzo de 2022.

⁴⁴ Véase S/2022/82, párr. 32.

⁴⁵ www.reuters.com/world/middle-east/libyan-foreign-minister-says-groups-foreign-fighters-left-libya-2021-10-03, 3 de octubre de 2021.

⁴⁶ El texto íntegro del acuerdo puede consultarse en: https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf (no tiene fecha).

Fuerzas pro Haftar en la Comisión Militar Conjunta 5+5 hicieron pública una declaración en la que indicaban que su Comando General había decidido evacuar a un primer grupo de 300 mercenarios y combatientes extranjeros (véase el anexo 14). El 1 de enero de 2022, un portavoz de las FpH informó a los medios nacionales de prensa de que 300 combatientes sudaneses habían sido trasladados al Sudán por vía aérea durante la última semana de diciembre de 2021⁴⁷. Dos altos mandos de las Fuerzas pro Haftar desmintieron enseguida esa declaración y negaron que se hubiera producido tal traslado⁴⁸; sin embargo, el Grupo de Expertos constató que al menos 300 combatientes sudaneses habían abandonado Libia, pero no en el marco de la iniciativa de la Comisión Militar Conjunta 5+5 (véase el anexo 15).

1. Combatientes chadianos

26. El 11 de abril de 2021, el Frente para la Alternancia y la Concordia en el Chad (FACT) emprendió desde territorio libio una ofensiva de varios días contra el ejército chadiano en la zona de Tibesti (Chad). El Presidente del país, Idris Déby Itno, viajó a esa zona el 20 de abril de 2021, donde sufrió heridas que acabaron con su vida⁴⁹.

27. El 14 de septiembre de 2021, la brigada Tariq Ibn Ziyad de las Fuerzas pro Haftar emprendió en la zona de Tarbu una ofensiva contra el FACT, del que había sido aliado anteriormente⁵⁰. Ese mismo día, el FACT hizo público un comunicado⁵¹ en el que informaba de que la brigada había sido secundada por combatientes sudaneses (véase el anexo 16). La brigada publicó en sus cuentas oficiales en medios sociales fotos y vídeos documentando la operación contra el FACT⁵².

28. En el país todavía quedaban otros grupos de oposición chadianos sin participación aparente en la confrontación política o el conflicto armado. El 13 de marzo de 2022, el consejo militar de transición y los representantes de varios grupos de oposición del Chad, incluidos los presentes en Libia, como el FACT, el Consejo de Mandos Militares para la Salvación de la República, la Unión de Fuerzas de la Resistencia y el Frente Nacional para la Democracia y la Justicia, iniciaron en Qatar⁵³ conversaciones preliminares de paz que, según el Gobierno de Libia, podían propiciar que las facciones abandonaran el territorio libio y dejaran de utilizarlo para desestabilizar la situación de seguridad del Chad⁵⁴.

2. Combatientes sudaneses

29. Los signatarios del Acuerdo de Yuba para la Paz en el Sudán⁵⁵, que ya habían trasladado parte de sus fuerzas al Sudán conforme a las disposiciones de seguridad del propio Acuerdo, todavía mantenían en el sur de Libia algunas fuerzas que

⁴⁷ <https://ar.libyaobserver.ly/article/17310>, 1 de enero de 2022.

⁴⁸ Véase <https://nabd.com/s/98170976-4a92d2/> -الجنة العسكرية المشتركة-، خالد المحجوب يشرح لشبكة لام-ما حدث حول ترحيل 300 مرتزق سوداني إلى بلادهم-، 1 de enero de 2022.

⁴⁹ www.nytimes.com/2021/04/20/world/africa/president-chad-killed.html, 20 de abril de 2021.

⁵⁰ 26°1'4.02"N, 15°16'42.44"E.

⁵¹ Véase <https://web.facebook.com/LeFACT/photos/3067447253544786>, 14 de septiembre de 2021.

⁵² Véase www.facebook.com/liwa.tariq.bin.ziad.almueazaz/photos/pcb.1029225217833802/1029224904500500, 17 de septiembre de 2021.

⁵³ Véase <https://abcnews.go.com/International/wireStory/chads-junta-rebel-groups-open-peace-talks-qatar-83419773>, 13 de marzo de 2022.

⁵⁴ Véase la declaración de la Ministra de Relaciones Exteriores en ejercicio <https://m.al-sharq.com/article/13/03/2022/13>, وزير الخارجية الليبي تشيد بجهود قطر في إحلال السلام بجمهورية تشاد, 13 de marzo de 2022.

⁵⁵ El Ejército de Liberación del Sudán-Minni Minawi, la Alianza de las Fuerzas de Liberación del Sudán, el Movimiento por la Justicia y la Igualdad, el Ejército de Liberación del Sudán-Consejo de Transición y la Alianza del Sudán.

circulaban frecuentemente entre ambos países. La mayoría de esas fuerzas, vinculadas al batallón 128 de las Fuerzas pro Haftar, podían verse por las zonas de Sirte, Yufra, Zalla, Hun y Sokna. El reclutamiento de combatientes sudaneses por parte de las FpH y el interés de estos por Libia disminuyeron ligeramente, aunque por diferentes razones, como la disminución de los incentivos financieros y el interés por los incentivos del Acuerdo. Otros grupos que no se habían adherido al Acuerdo, como el Ejército de Liberación del Sudán-Abdul Wahid (ELS-AW) y la facción de Abdallah Banda, todavía estaban presentes en el país (véase el anexo 15).

3. Combatientes sirios

30. El Grupo de Expertos observó una presencia constante de combatientes sirios con apoyo de Turquía en los campamentos militares de las Fuerzas Adscritas al Gobierno de Unidad Nacional en Trípoli (véase el anexo 17). El 31 de agosto de 2021, se manifestaron para reclamar sueldos pendientes de pago (véase el anexo 17). Varios mandos de las Fuerzas Adscritas al Gobierno de Unidad Nacional confirmaron la presencia de combatientes sirios en Trípoli, pero afirmaron que no participaban en actividades militares o civiles. Esos combatientes cobran entre 800 y 2.000 dólares al mes⁵⁶. Algunas organizaciones no gubernamentales sirias informaron al Grupo⁵⁷ de que al menos 200 sirios habían vuelto definitivamente a su país⁵⁸ y de que, durante el período que abarca el informe, se habían producido operaciones de entrada y salida de combatientes sirios que luchaban con las Fuerzas Adscritas al Gobierno de Consenso Nacional, ya que se hacía salir del país a aquellos cuyos contratos habían expirado para sustituirlos por nuevos combatientes⁵⁹.

31. En las Fuerzas pro Haftar había combatientes sirios que operaban junto a ChVK Wagner⁶⁰ en Yufra y Sirte y a los que se les confiaban tareas de apoyo táctico, como cavar trincheras, improvisar caminos o vigilar posiciones sensibles de ChVK Wagner⁶¹. Al menos 300 de ellos habían retornado a la República Árabe Siria sin que las FpH los remplazara⁶².

D. Actos que entorpecen o malogran la transición política en Libia

32. En el párrafo 11 de la resolución 2571 (2021) se encomendó al Grupo de Expertos que señalase a las personas y entidades que realizaran o apoyaran actos que entorpecieran o socavaran las elecciones, en el marco del mandato general de señalar los actos que obstruyesen o menoscabasen la feliz conclusión de la transición política en Libia.

33. La perspectiva de las elecciones marcó la vida del país durante todo el período sobre el que se informa. Una gran brecha separaba a quienes querían que las elecciones fueran presidenciales en vez de parlamentarias de quienes deseaban lo contrario. El desacuerdo entre los actores, grupos y Estados que se beneficiaban del

⁵⁶ Interacciones del Grupo de Expertos con la organización no gubernamental siria Syrians for Truth and Justice.

⁵⁷ Syrians for Truth and Justice y fuentes confidenciales.

⁵⁸ Véase también www.syriahr.com/4,450065, المرصد السوري لحقوق الإنسان-مدير الم, de 4 de octubre de 2021.

⁵⁹ Véase también el anexo 88.

⁶⁰ ChVK es la sigla rusa de “empresa militar privada” y se utiliza en todo el informe para hacer referencia a la organización Wagner.

⁶¹ Véase también el anexo 100.

⁶² Fuentes confidenciales; www.enabbaladi.net/archives/558431, 22 de marzo de 2022; y <https://ar.libyaobserver.ly/article/18449>, 21 de marzo de 2022.

statu quo y los que esperaban recuperar el poder o consolidarse en él se impuso al debate sobre las bases constitucionales o el calendario electoral.

34. El 22 de diciembre de 2021, la Comisión Nacional Suprema para las Elecciones publicó un comunicado en el que daba a conocer su decisión de aplazar la presentación de la lista final de candidatos presidenciales, al considerar que las injerencias políticas en las resoluciones judiciales podían considerarse motivo de fuerza mayor. Al no poder hacer esa presentación, la Comisión tampoco pudo convocar las elecciones el 24 de diciembre, aunque desde el punto de vista técnico estaba perfectamente preparada para celebrarlas en esa fecha (véase el anexo 18).

35. Al Grupo de Expertos le parece evidente que fueron muchos los factores que entorpecieron o malograron las elecciones previstas en la hoja de ruta del Foro de Diálogo Político Libio, por ejemplo, el desacuerdo en torno al marco jurídico y un sinnúmero de amenazas e incidentes de seguridad (véase el anexo 19). Las tensiones políticas y de seguridad alcanzaron tal punto que hicieron temer graves disturbios. De la convergencia de esos factores salió la declaración que la Comisión Nacional Suprema para las Elecciones hizo el 22 de diciembre de 2021 invocando circunstancias de fuerza mayor y la consiguiente imposibilidad de celebrar elecciones el 24 de diciembre. El Grupo aún tiene que determinar si hay personas o entidades concretas que cumplan los criterios de designación.

E. Actos que contravienen disposiciones vigentes del derecho internacional humanitario y de los derechos humanos o que atentan contra los derechos humanos

36. En cumplimiento de lo dispuesto en el párrafo 11 a) de la resolución [2213 \(2015\)](#) y en resoluciones posteriores, el Grupo de Expertos investigó actos cometidos en Libia que contravinieron el derecho internacional humanitario y de los derechos humanos o que atentaron contra los derechos humanos.

37. En Libia seguían produciéndose con total impunidad multitud de actos de ese tipo, que hacían peligrar la paz, la estabilidad y la seguridad del país. Jueces y abogados han señalado al Grupo de Expertos una y otra vez que los problemas de seguridad y el conflicto armado de los últimos 10 años han debilitado considerablemente el sistema judicial, hasta el punto de que actualmente no hay posibilidades reales de hacer justicia. Cincuenta y cuatro personas declararon haberse visto privadas de recursos efectivos y reparación por las graves violaciones de derechos humanos que presuntamente habían sufrido. Todas ellas creen que la comunidad internacional tiene la responsabilidad de hacer que se rindan cuentas por las graves violaciones del derecho internacional humanitario y de los derechos humanos cometidas en Libia⁶³.

1. Violaciones del derecho internacional humanitario y de los derechos humanos en situaciones de privación de libertad

Actos cometidos en centros de detención

38. El Grupo de Expertos ha investigado 23 casos de violaciones graves del derecho internacional humanitario y del derecho internacional de los derechos humanos ocurridos desde 2015 en ocho centros de detención controlados por seis grupos armados. En el anexo 20 se ofrece un resumen de esos casos para ilustrar la magnitud del problema.

⁶³ Estos datos cualitativos concuerdan con las estadísticas facilitadas al Grupo por Lawyers for Justice in Libya (de próxima publicación).

Fuerzas Especiales de Disuasión

39. El Grupo de Expertos entrevistó a ocho testigos de actos arbitrarios e ilegales de privación de libertad, torturas, tratos crueles y atentados contra la dignidad personal⁶⁴ cometidos por miembros de las Fuerzas Especiales de Disuasión en la cárcel de Mitiga⁶⁵ (Trípoli), a saber: a) palizas brutales constantes; b) pésimas condiciones materiales, como el grave hacinamiento y las malas condiciones sanitarias; c) aislamiento prolongado sin alimentos ni agua potable; y d) imposición de tareas militares a los detenidos⁶⁶. El Grupo constató que los miembros de la Fuerza encargados de supervisar las condiciones de privación de libertad, Osama Najim y Adel Mohamed Ali (alias Jeque Adel), habían hecho traslados ilícitos de detenidos de centros oficiales y no oficiales de Trípoli a la cárcel de Mitiga con el objetivo principal de utilizarlos en trabajos forzosos como forma de esclavitud (véase el anexo 21)⁶⁷.

Brigada Revolucionaria de Trípoli

40. El Grupo de Expertos constató dos casos de personas perseguidas por motivos políticos mediante actos de privación de libertad arbitraria e ilegal, desaparición forzada y malos tratos. Las víctimas fueron secuestradas ilegalmente en sus lugares de trabajo y llevadas al campamento de la Brigada Al-Saadawi en Ayn Zara, donde se les infligieron tratos crueles en forma de prácticas violentas: reclusión prolongada en régimen de incomunicación, duras condiciones de reclusión e interrogatorios prolongados y abusivos sobre la participación de las víctimas en procesos electorales y sobre su presunta adscripción a las Fuerzas pro Haftar⁶⁸.

Fuerzas pro Haftar-Fuerzas Armadas Árabes Libias

41. El Grupo de Expertos investigó seis incidentes de detención arbitraria e ilegal, tortura y otros malos tratos, y denegación del derecho a un juicio imparcial en centros de reclusión temporal y permanente controlados por las Fuerzas pro Haftar, a saber: la cárcel de Guernada en Al-Bayda, las oficinas de la agencia de seguridad interna en Marj, la cárcel de Kuwayfia en Bengasi y un centro de detención extraoficial de la brigada Tariq Ibn Ziyad de las FpH en Sidi Faraj (Bengasi)⁶⁹. En cuatro casos, los detenidos fueron sometidos consecutivamente a: a) palizas brutales sistemáticas; b) reclusión prolongada en régimen de incomunicación; c) privación deliberada de atención médica; d) maltrato psicológico; y e) intimidación.

42. Dos antiguos reclusos reconocieron al jefe de guardias de la cárcel de Kuwayfia, el Capitán Bashir Al Jahni, como autor directo de los actos de tortura que se les habían infligido, consistentes en brutales palizas con palos de madera mientras se les obligaba a estar desnudos. El Grupo determinó que esos actos habían causado a las víctimas lesiones corporales permanentes y graves traumas psicológicos⁷⁰.

⁶⁴ Véase el artículo 3 común a los Convenios de Ginebra del 12 de agosto de 1949.

⁶⁵ En los anexos 20, 23 y 24 se señalan las ubicaciones conocidas de todos los centros de detención y otros lugares de reclusión.

⁶⁶ Entrevistas del Grupo de Expertos con antiguos reclusos (derecho internacional humanitario, fuentes confidenciales 3, 4, 5, 6, 48, 49 y 61) y un familiar (fuente confidencial 8).

⁶⁷ Véase el Protocolo Adicional a los Convenios de Ginebra del 12 de agosto de 1949 relativo a la Protección de las Víctimas de los Conflictos Armados Sin Carácter Internacional (Protocolo II), art. 4.

⁶⁸ Entrevistas del Grupo de Expertos con testigos oculares (fuentes confidenciales 9, 10 y 38).

⁶⁹ Entrevistas del Grupo de Expertos con antiguos detenidos (fuentes confidenciales 1, 54, 73, 79 y 80) y familiares (fuentes confidenciales 7, 13 y 81).

⁷⁰ Documentación médica de 21 de febrero, 31 de marzo, 13 de abril y 21 de abril de 2021.

Grupo armado Al-Kaniyat

43. Como se indicó en el documento [S/2021/229](#)⁷¹, el Grupo de Expertos recibió nuevas pruebas de siete casos de encarcelamiento arbitrario e ilegal y atentados contra la vida y la integridad corporal, entre ellos los asesinatos de cinco personas recluidas en instalaciones bajo el control efectivo del grupo armado Al-Kaniyat⁷². Según declaraciones coincidentes de testigos, los responsables de tales actos fueron tres comandantes de Al-Kaniyat, uno de ellos Abdurahem El Shgagi (también conocido como Abdurahem Al-Kani).

2. Ataques a defensores de los derechos humanos, activistas sociales y empleados de medios de comunicación

44. El Grupo de Expertos constató seis ataques a defensores de los derechos humanos, activistas sociales y empleados de medios de comunicación que atentaron gravemente contra los derechos humanos de esas personas, en particular del derecho a la vida, la libertad y la libertad de expresión (véase el anexo 22)⁷³. Dos destacadas defensoras de los derechos humanos sufrieron intimidaciones y amenazas por su participación en la vida pública y su activismo. Los agresores se valieron de las normas culturales y de género para intimidarlas a ellas y a sus familiares amenazándolas con humillarlas públicamente en su entorno local inmediato.

3. Violaciones del derecho internacional de los derechos humanos que afectaron a migrantes y solicitantes de asilo

45. El Grupo de Expertos constató 26 casos de violaciones graves de los derechos humanos de migrantes y solicitantes de asilo en tres entornos relacionados con la trata de personas y el tráfico de migrantes: a) las rutas de trata controladas por redes de traficantes de personas; b) los centros de internamiento de migrantes; y c) las operaciones marítimas.

Actos cometidos en centros ilegales de reclusión controlados por tratantes de personas

46. El Grupo de Expertos determinó que se habían vulnerado los derechos humanos de cuatro migrantes en centros de reclusión secretos creados y controlados por redes de tratantes de personas en las zonas de Tazirbu y Bani Walid. Las víctimas, privadas ilegalmente de libertad en condiciones sanitarias deplorables, fueron esclavizadas y torturadas: recibían fuertes palizas día y noche, eran deliberadamente privadas de alimentos hasta que la pérdida de peso y la desnutrición hacían peligrar sus vidas y se les denegaba atención médica. Dos mujeres que habían estado recluidas cuando tenían 14 y 15 años señalaron además al Grupo que varios individuos las habían violado repetidamente y las habían sometido a esclavitud sexual y a otras formas de violencia sexual durante más de 18 meses en un centro secreto de reclusión de Bani Walid (véase el anexo 23).

Actos cometidos en centros de internamiento de migrantes

47. El Grupo de Expertos constató que, al menos desde diciembre de 2021, había tres sistemas paralelos de retención de migrantes y solicitantes de asilo controlados por tres autoridades distintas: a) el sistema oficial, conformado por unos 24 centros

⁷¹ Véase [S/2021/229](#), párrs. 36 a 39.

⁷² Artículo 3 común a los Convenios de Ginebra.

⁷³ Véase el Pacto Internacional de Derechos Civiles y Políticos, arts. 6, 9 y 19.

de internamiento que albergaban entre 1.400 y 2.000 migrantes⁷⁴ y sujeto a la autoridad del Departamento de Lucha contra la Migración Ilegal; b) al menos tres antiguos centros de internamiento del Departamento, que estaban oficialmente cerrados, seguían operando a las órdenes de la antigua dirección del Departamento; y c) los centros extraoficiales de internamiento dependientes del Departamento de Lucha contra el Asentamiento y la Migración Ilegal del Cuerpo de Apoyo a la Estabilidad (véase el anexo 24).

Centros de internamiento del Departamento de Lucha contra la Migración Ilegal

48. El Grupo de Expertos entrevistó a 11 víctimas en relación con cinco centros de internamiento de migrantes que antes de diciembre de 2021 dependían formalmente del Departamento de Lucha contra la Migración Ilegal: Ayn Zara, Mabani, Shara' al-Zawiya y Tariq al-Sikkah, en Trípoli; y Al-Nasr en Zawiya⁷⁵. Todas ellas habían sido aprehendidas en aguas territoriales o internacionales cuando trataban de llegar a puertos europeos por agentes de la Guardia Costera libia que las llevaron a lugares de internamiento donde fueron torturadas. En sus testimonios, las víctimas aportaron pruebas oculares de casos de privación prolongada de libertad de carácter arbitrario e ilegal, trabajo forzoso, torturas y tratos crueles y degradantes. Entre otras formas de tortura y malos tratos, las víctimas sufrieron palizas brutales que les causaron graves daños corporales, desnudez forzada, privación deliberada de los alimentos, el agua y la atención médica necesarios y hacinamiento y condiciones de vida degradantes (véase el anexo 24).

49. El Grupo de Expertos constató además que algunos de los guardias que debían proteger a los migrantes más vulnerables en el centro de internamiento de Shara' al-Zawiya habían participado directamente en violaciones, amenazas de violación y actos de explotación sexual infligidos reiteradamente a las mujeres y niñas internas o habían hecho la vista gorda. Los delitos en cuestión se cometieron entre enero y junio de 2021.

Centro de internamiento del Cuerpo de Apoyo a la Estabilidad

50. El Grupo de Expertos constató seis casos de violaciones graves de los derechos humanos, concretamente detenciones ilegales, torturas y tratos crueles, inhumanos y degradantes, cometidas antes de diciembre de 2021 en el centro de internamiento de migrantes de Maya, que controlaba el Cuerpo de Apoyo a la Estabilidad. En tres de ellos, las víctimas habían sido maltratadas hasta morir, en violación de su derecho a la vida⁷⁶.

51. Tres antiguos internos reconocieron al jefe del centro de Maya, Mohamed Al-Kabouti, como responsable directo de atroces maltratos, concretamente las palizas brutales constantes a las que fueron sometidos durante el largo período en que permanecieron ilegalmente privados de libertad⁷⁷.

⁷⁴ Entrevista del Grupo de Expertos con el jefe del Departamento de Lucha contra la Migración Ilegal, 23 de marzo de 2022; y fuentes confidenciales 33 y 45. El Grupo observa que el número exacto de migrantes y solicitantes de asilo privados de libertad, así como la cantidad y la condición de los centros de reclusión de dicho Departamento, varían constantemente. Datos al 23 de marzo de 2022.

⁷⁵ El Grupo de Expertos protege la identidad de los entrevistados por motivos de seguridad personal.

⁷⁶ Entrevista del Grupo de Expertos con un testigo (fuente confidencial 100) y pruebas documentales (por ejemplo, informes médicos y fotografías de cadáveres de víctimas con claros signos de maltrato).

⁷⁷ Entrevistas del Grupo de Expertos con antiguos internos (fuentes confidenciales 101, 102 y 103).

Actos asociados a operaciones marítimas

52. Cuatro estructuras de mando y control distintas realizaron operaciones de protección marítima en aguas territoriales libias y aguas internacionales: a) la Armada de Libia; b) la Guardia Costera libia, también bajo el mando y control del Ministerio de Defensa; c) la Administración General de Seguridad Costera, dependiente del Ministerio del Interior; y d) las unidades marítimas comandadas por el Cuerpo de Apoyo a la Estabilidad. Esta fragmentación operativa creó graves problemas de protección. El hecho de que a los migrantes y solicitantes de asilo les costara reconocer a los organismos marítimos pertinentes los expuso a un riesgo real de sufrir graves violaciones de los derechos humanos y mermaron las posibilidades de que los responsables de las violaciones denunciadas respondieran por ellas. Los testigos presenciales no sabían a qué unidad pertenecían los posibles infractores. La coordinación de las operaciones marítimas entre las autoridades libias competentes era deficiente y a menudo no se respetaba el derecho internacional vigente.

Guardia Costera libia

53. El Grupo de Expertos recibió pruebas de las violaciones de derechos humanos cometidas por la Guardia Costera libia en dos incidentes (ocurridos el 30 de abril y el 30 de junio de 2021) que afectaron a unos 93 migrantes y solicitantes de asilo, algunos de ellos niños, que se encontraban en peligro en aguas internacionales⁷⁸. El Grupo considera que los guardacostas libios sometieron a esas personas a un trato cruel y degradante e hicieron un uso excesivo de la fuerza que hizo correr a los migrantes posibles riesgos de perder la vida (véase el anexo 24)⁷⁹. Los testimonios de esas violaciones de los derechos humanos coinciden con lo expuesto en entrevistas con el Grupo de Expertos por otras cuatro víctimas en distintos incidentes, las cuales declararon que los agentes de la Guardia Costera libia les habían disparado mientras intentaban cruzar el mar Mediterráneo, las habían golpeado, habían confiscado ilegalmente sus bienes tras capturarlas y las habían maltratado verbalmente⁸⁰.

Centro de Coordinación y Salvamento Marítimo

54. El Grupo de Expertos investigó un naufragio ocurrido el 22 de abril de 2021 en la región libia de búsqueda y salvamento. Sobre la base de un amplio conjunto de pruebas, el Grupo de Expertos estima que la autoridad competente libia, el Centro de Coordinación y Salvamento Marítimo, vulneró el derecho a la vida de unos 130 migrantes y solicitantes de asilo al no adoptar las medidas adecuadas para auxiliar a personas en situación de peligro en el mar (véase el anexo 24). El Grupo recibió además información sobre cinco incidentes similares en los que las autoridades libias no habían auxiliado a embarcaciones en peligro que transportaban migrantes y solicitantes de asilo en la región de búsqueda y salvamento de Libia.

Unidades marítimas del Cuerpo de Apoyo a la Estabilidad

55. El Grupo de Expertos constató que los agentes del Cuerpo de Apoyo a la Estabilidad habían hecho un uso excesivo de la fuerza contra migrantes y solicitantes de asilo en dos incidentes acaecidos en el mar el 12 de agosto de 2021 y el 19 de enero de 2022, en los que se sometió a tratos degradantes a personas que estaban en peligro

⁷⁸ Véanse el vídeo autenticado de Sea-Watch 4 (https://twitter.com/seawatch_intl/status/1388171810315902976, 30 de abril de 2021) y vídeo autenticado del avión de reconocimiento Seabird-Sea-Watch (www.youtube.com/watch?v=62BDsKmjsVY, 30 de junio de 2021).

⁷⁹ Véase el Pacto Internacional de Derechos Civiles y Políticos, arts. 6 y 7.

⁸⁰ Entrevistas del Grupo de Expertos con antiguos internos (fuentes confidenciales 6, 17, 18 y 20).

y se acabó ilegalmente con la vida de una de ellas⁸¹. El Grupo también ha sido informado de que las unidades marítimas del Cuerpo de Apoyo a la Estabilidad hicieron presuntamente un uso letal de la fuerza el 21 de noviembre de 2021 y el 18 de febrero de 2022, y sigue investigando lo ocurrido.

III. Aplicación del embargo de armas

56. En cumplimiento de lo dispuesto en los párrafos 9 a 13 de la resolución 1970 (2011), modificada por resoluciones posteriores, el Grupo de Expertos siguió vigilando, investigando y constatando infracciones⁸² e incumplimientos⁸³ del embargo de armas. El Grupo ha seguido afinando y utilizando los indicadores de los tipos de envío por vía marítima o aérea para determinar la probabilidad de infracciones e incidentes y definir así sus ejes de investigación (véase el anexo 25). Se requieren múltiples indicadores para establecer que un buque, aeronave o aerolínea es de interés para el Grupo o notificar que ha cometido alguna infracción o incumplimiento.

57. El embargo de armas seguirá siendo totalmente ineficaz mientras cualquier Estado Miembro pueda controlar los flujos logísticos y las cadenas de suministro a las partes que apoye. Todavía no se han tomado medidas contra ninguna persona o entidad que haya sido denunciada por infringir el embargo de armas y cumpla los criterios establecidos en el párrafo 11 e) de la resolución 2213 (2015), por lo que el efecto disuasorio del régimen de sanciones es muy limitado.

58. Hace ya más de 11 años que la resolución inicial impuso restricciones al suministro y la transferencia de armas y material militar a Libia. En el anexo 26 se resumen los tipos de armas y material militar que se transfirieron a Libia durante ese período infringiendo lo dispuesto en el párrafo 9 de la resolución 1970 (2011). El presente resumen ilustra la variedad y la complejidad técnica de las armas y el material militar de que se dispone actualmente en Libia y sirve de referencia para la detección de futuras infracciones.

A. Infracciones técnicas y tecnología de doble uso

59. La introducción de medios militares de navegación o aviación en territorio libio por algunos Estados Miembros ha sido un problema recurrente desde que empezó el embargo de armas a Libia y el Grupo de Expertos debe investigar todos esos activos

⁸¹ Véase el Pacto Internacional de Derechos Civiles y Políticos, arts. 6 y 7. El Departamento de Lucha contra el Asentamiento y la Migración Ilegal del Cuerpo de Apoyo a la Estabilidad negó de forma poco convincente su responsabilidad en el incidente del 19 de enero de 2022 (véase <https://twitter.com/rgowans/status/1486032462564278281?s=21>, 25 de enero de 2022).

⁸² El Grupo de Expertos considera que existe infracción cuando hay traspaso material de armas y material militar, adiestramiento o suministro de apoyo material. El Grupo también califica de “infracción técnica” la transferencia temporal de material militar a Libia, como buques de guerra y aviones de carga militares, cuando no hay intención manifiesta de proporcionar capacidad militar a las partes del conflicto, por ejemplo cuando los Estados Miembros utilizan aviones o buques militares para reabastecer misiones diplomáticas, entregar artículos humanitarios o prestar asistencia humanitaria.

⁸³ Se considera “incumplimiento” al hecho de que una entidad no adopte las medidas adecuadas, según se indica en la resolución, para evitar una infracción (por ejemplo, al no inspeccionar aviones o barcos con destino a Libia) o para aportar al Comité o al Grupo de Expertos información necesaria o previamente solicitada. El concepto de “incumplimiento técnico” se aplica a las situaciones en las que no es razonable esperar que el responsable de la transferencia sepa al efectuarla que constituye un incumplimiento y debe por tanto tomar medidas para mejorar sus protocolos y procedimientos de diligencia debida.

hasta que se conozcan los motivos de su envío. Muchos de los envíos se han justificado invocando lo dispuesto en el párrafo 3 de la resolución [2214 \(2015\)](#)⁸⁴, un problema que el Grupo ha planteado en múltiples ocasiones⁸⁵.

60. No obstante, durante el período que abarca el informe también hubo casos en los que los Estados Miembros utilizaron medios militares de aviación para envíos humanitarios⁸⁶ o de navegación para suministros de equipo militar no letal con fines exclusivamente humanitarios⁸⁷ al amparo de lo dispuesto en el párrafo 9 de la resolución [2095 \(2013\)](#); ninguno de esos dos necesita notificarse al Comité. Sin embargo, el sistema vector implica la introducción de aeronaves o buques militares en territorio libio, lo que para el Grupo de Expertos constituye una infracción técnica de lo dispuesto en el párrafo 9 de la resolución [1970 \(2011\)](#). Como en tales casos el propósito de los Estados Miembros no es proporcionar capacidad militar a ningún grupo armado libio, el Grupo considera que no debe señalarlos como infracciones de la disposición mencionada. Ahora bien, cada incidente conlleva un riesgo para la reputación de los Estados Miembros y el Grupo debe investigarlo, algo que podría evitarse si los Estados Miembros notificaran al Comité la entrega de esa clase de material o ayuda cuando para ello utilicen medios aeronáuticos o navales militares (véase la recomendación 1).

61. La evolución tecnológica constante y el precio relativamente bajo de algunos dispositivos electrónicos de consumo funcionalmente avanzados y renovados con rapidez, como los dispositivos ópticos y los drones⁸⁸, así como la posibilidad de transformar fácilmente vehículos civiles en vehículos de combate⁸⁹, hacen que esos artículos de doble uso⁹⁰ sean ideales para intervenciones militares en conflictos de baja intensidad. Durante el ciclo de presentación de informes, el Grupo de Expertos encontró nuevos casos de adquisición de dispositivos tecnológicos de consumo de evolución rápida para utilizarlos con fines militares en Libia. El Grupo considera que

⁸⁴ En ese párrafo, el Consejo de Seguridad instó a los Estados Miembros a que, cuando fuera necesario y apropiado, ayudaran a aumentar la capacidad de otros Estados Miembros que lo solicitaran para hacer frente a la amenaza planteada por el Estado Islámico en el Iraq y el Levante (EIIL), los grupos que le han jurado lealtad, Ansar Al-Sharia y todas las demás personas, grupos, empresas y entidades asociados con Al-Qaida que operan en Libia, en coordinación con el Gobierno de Libia.

⁸⁵ Se ha señalado en los documentos [S/2016/209](#), párr. 126; [S/2017/466](#), párr. 147; [S/2018/812](#) y [S/2018/812/Corr.1](#), párrs. 108 y 109; [S/2019/914](#), párr. 93; y [S/2021/229](#), párr. 59. En el documento [S/2019/914](#), el Grupo de Expertos recomendó que el Comité proporcionara orientación sobre si el término “combatir por todos los medios” que figura en el párrafo 3 de la resolución [2214 \(2015\)](#) prevalece sobre lo dispuesto en el párrafo 9 de la resolución [1970 \(2011\)](#) y las versiones modificadas con posterioridad.

⁸⁶ Por ejemplo, el 14 de abril de 2021, Egipto envió a Sabha suministros médicos en un avión militar de carga modelo C-130 Hércules y, el 14 de abril, Türkiye envió a Trípoli vacunas contra la COVID en un avión militar de carga A400M Atlas.

⁸⁷ Por ejemplo, el 2 de diciembre de 2021, la plataforma flotante de desembarco *San Giorgio* (L9892) de la Armada Italiana se utilizó para enviar a la Guardia Costera y la Armada de Libia los módulos para el montaje de un centro de coordinación y salvamento marítimo (véase el anexo 31).

⁸⁸ Véanse [S/2021/229](#), anexo 73, figura 77.8 del anexo 77 y anexo 80.

⁸⁹ Por ejemplo, los vehículos “artillados” mediante la instalación de armamentos en utilitarios ligeros con tracción en las cuatro ruedas. Véase [S/2021/229](#), apéndice A del anexo 35.

⁹⁰ Obsérvese que el concepto de “doble uso” utilizado en este informe no se confunde con el de “bienes y tecnologías de doble uso” que se define en el Arreglo de Wassenaar sobre el Control de las Exportaciones de Armas Convencionales y Bienes y Tecnologías de Doble Uso, ni con el de “bienes de doble uso” que se maneja en el régimen de control de las exportaciones de la Unión Europea (Reglamento (UE) 2021/821 del Parlamento Europeo y del Consejo, de 20 de mayo de 2021, por el que se establece un régimen de la Unión de control de las exportaciones, el corretaje, la asistencia técnica, el tránsito y la transferencia de productos de doble uso). Sobre el concepto de “doble uso” que utiliza el Grupo de Expertos, véase el párrafo 61.

las transferencias de ese tipo de dispositivos infringen lo dispuesto en el párrafo 9 de la resolución 1970 (2011) cuando los importadores son sobre todo agentes activamente implicados en el conflicto armado que las utilizan con fines militares.

B. Cuestiones marítimas

1. Respuesta regional

62. En la resolución 2578 (2021) se prorrogó hasta el 3 de junio de 2022 la autorización para inspeccionar buques en alta mar frente a las costas de Libia. La operación militar de la Unión Europea en el Mediterráneo (EUNAVFOR MED IRINI) realizó inspecciones durante el período que abarca el informe, pero no hubo incautaciones de armas.

63. El 29 de julio de 2021, en respuesta a una notificación de inspección del buque mercante *Antalya* (núm. Organización Marítima Internacional (OMI): 7615232), de pabellón zambiano, la Misión Permanente de Zambia informó al Comité de que Zambia no tenía un registro para la inscripción de buques internacionales. De ello se dedujo que el *Gauja* (núm. OMI: 7612474), otro buque mercante de pabellón zambiano, navegaba también con “falsa bandera” cuando fue inspeccionado por los medios navales de la operación IRINI el 11 de mayo de 2021.

2. Buques de particular interés e infracciones marítimas

64. El Grupo de Expertos concede “particular interés” a algunos buques en función de informaciones públicas y confidenciales; indicadores de comportamiento marítimo, como la desactivación del sistema de identificación automática; cambios de puerto de destino sobre la marcha; rechazo de inspecciones por el Estado de abanderamiento; y la estructura de las empresas propietarias y los armadores de los buques. El Grupo ha escrito a los Estados Miembros pertinentes y a los propietarios y armadores de varios buques y está a la espera de respuestas.

Fuerzas Adscritas al Gobierno de Unidad Nacional

65. En el documento S/2019/914⁹¹, el Grupo de Expertos planteó el problema de las patrulleras de tipo militar que se suministraban a Libia acogéndose a la excepción prevista en el párrafo 10 de la resolución 2095 (2013) para el suministro de equipo militar no letal, a las que se dotaba de armamento una vez en destino. El Grupo observó que, durante el ciclo de presentación de informes, el Cuerpo de Apoyo a la Estabilidad había creado una unidad marítima propia, que realiza en las aguas territoriales y la zona de búsqueda y salvamento libias operaciones policiales y otras operaciones marítimas en paralelo a las que llevan a cabo la Guardia Costera, la Administración General de Seguridad Costera y la Armada de Libia (véase también el párrafo 52)⁹².

66. La unidad marítima del Cuerpo de Apoyo a la Estabilidad utiliza al menos cinco buques, incluidas dos embarcaciones civiles convertidas en patrulleras: a) el *Alqayid Saqar*, que se caracteriza por su color amarillo, lo que hace pensar que sirve para operaciones de búsqueda y salvamento, aunque también lleva una ametralladora pesada; b) el *Alqayid I*, que ha sido avistado tanto en su configuración civil como provisto de una ametralladora pesada desmontable; y c) una lancha patrullera rápida de tipo militar Lambro Olympic D74 (véanse el cuadro 1 y el anexo 27)⁹³. Aunque las

⁹¹ Párrs. 78 a 80.

⁹² Véase https://twitter.com/SSA_Gov/status/1480979918456504331, 11 de enero de 2022.

⁹³ Véanse <https://twitter.com/SARwatchMED/status/1485711494633472000>, 24 de enero de 2022; y <https://twitter.com/SARwatchMED/status/1487425542441820163>, 29 de enero de 2022.

transferencias de buques de tipo a) y b) no entran en el ámbito de aplicación del embargo cuando no llevan armas, la instalación posterior de armamentos es una forma de eludir del embargo. El Grupo de Expertos considera que la transferencia de buques de tipo c) no está amparada por las excepciones previstas para el suministro de equipo militar no letal que se establecen en los párrafos 9 (fines humanitarios o de protección) y 10 (asistencia en materia de seguridad o desarme) de la resolución 2095 (2013).

67. Lo dispuesto en el párrafo 10 de la resolución 2095 (2013) solo atañe al Gobierno de Libia y, por tanto, se aplica únicamente a las fuerzas que están bajo su autoridad. A tal efecto y en aplicación de lo dispuesto en el párrafo 6 de la resolución 2278 (2016), el Gobierno de Consenso Nacional informó al Comité en mayo de 2017 de las fuerzas que tenía bajo su mando, como se indica en el párrafo 6 de la resolución 2362 (2017). El Cuerpo de Apoyo a la Estabilidad no figuraba entre los componentes señalados de la estructura de las fuerzas de seguridad subordinadas a ese Gobierno⁹⁴. El Grupo de Expertos entiende que esa estructura ha experimentado un cambio importante desde que se informó al respecto en 2017 con el establecimiento del Cuerpo de Apoyo a la Estabilidad, una sala de operaciones conjuntas y siete zonas militares, entre otras cosas. La presentación de información actualizada sobre las fuerzas de seguridad controladas por el Gobierno permitiría clarificar la aplicación del embargo de armas (véase la recomendación 2).

Fuerzas pro Haftar

68. En el documento S/2019/914⁹⁵, el Grupo de Expertos informó de que en 2013 se habían suministrado diversos buques, incluidas varias patrulleras de tipo militar, que acabaron en manos de las Fuerzas pro Haftar. El Grupo ha constatado que algunos de esos buques y una lancha inflable de casco rígido de tipo militar detectada recientemente en actuaciones contra la libertad de navegación constitutivas de piratería han sido utilizadas por miembros de una unidad marítima de las FpH, el Escuadrón Naval de Combate de Susa⁹⁶, en al menos cinco incidentes investigados por el Grupo. Esos actos de piratería perpetrados en alta mar consistieron en la detención arbitraria e ilegal de buques mercantes neutrales de pabellón extranjero y en la incautación ilícita de pertenencias de la tripulación (véase el anexo 28)⁹⁷. Al menos desde finales de 2020, los integrantes del Escuadrón suelen actuar y presentarse como guardacostas libios⁹⁸ a fin de extraer de manera ilícita beneficios económicos de los buques capturados. Para conseguir que los liberen, los buques se ven obligados a pagar una multa negociable de hasta 200.000 dinares libios en efectivo (unos 42.000 dólares) por haber entrado de manera ilícita, según los miembros del Escuadrón, en la “zona de exclusión marítima” o la “zona prohibida”

⁹⁴ Integran esa estructura la Guardia Costera libia, las unidades de eliminación de municiones explosivas y la Guardia Presidencial.

⁹⁵ Párr. 79 y anexo 33.

⁹⁶ También conocido como Escuadrón de Combate Naval de Susa o Compañía de Combate Naval de Susa.

⁹⁷ El Grupo de Expertos utiliza los conceptos de “libertad de navegación” y “piratería” según se definen en el derecho internacional consuetudinario codificado en los artículos 87 y 101 de la Convención de las Naciones Unidas sobre el Derecho del Mar. Véase también Comisión de Derecho Internacional, Artículos referentes al Derecho del Mar con comentarios, *Anuario de la Comisión de Derecho Internacional*, 1956, vol. II, arts. 27 y 39. El uso de esos términos por parte del Grupo no entraña juicio alguno sobre la calificación de los agentes no estatales en cuestión según el derecho internacional.

⁹⁸ El Grupo de Expertos considera que el cuerpo de Guardia Costera dependiente del Gobierno de Unidad Nacional es el único servicio oficial de guardacostas del Estado libio.

ilegalmente establecidas por las FpH, que en ambos casos se extienden por aguas internacionales (véase la figura)⁹⁹.

69. La “zona de exclusión marítima” establecida inicialmente en 2015 por el Ejército Nacional Libio como medida coercitiva para interceptar los envíos de armas¹⁰⁰, sigue en vigor hasta la fecha. Comprende la zona situada al sur del paralelo 34 y, aunque su extensión lateral no está claramente delimitada, va desde Al-Bayda hasta Derna, aunque también puede llegar hasta Bengasi¹⁰¹. Así pues, esta zona imprecisa se extiende hasta las 70 millas marinas (m.m.) desde la costa de Libia, mucho más allá de las aguas territoriales¹⁰² y llega a solo unas 10 m.m. de la principal vía de navegación que atraviesa el mar Mediterráneo.

70. No se sabe a ciencia cierta en qué momento se estableció la “zona prohibida”, pero en fecha tan reciente como enero de 2022 varios agentes navales locales enviaron a una empresa de servicios marítimos una notificación sin fecha con la delimitación de esa zona (véase el anexo 29). Forma parte de la “zona de exclusión marítima”, pero se extiende más hacia el este, por donde sobrepasa las aguas territoriales libias en su extensión máxima de 16,9 m.m. Un representante del Escuadrón Naval de Combate de Susa confirmó al Grupo la existencia de la “zona prohibida” y dijo que estaba permitido pasar por ella siempre que se informara sobre las embarcaciones, los itinerarios y las cargas y que se había establecido para impedir envíos de armas y personas a grupos terroristas de Derna. El Grupo observa que, según declaraciones de las Fuerzas pro Haftar, Derna había sido “liberada de los terroristas” a finales de junio de 2018¹⁰³.

71. Libia estableció oficialmente una zona marítima de protección (la denominada zona libia de protección pesquera) que solo se utiliza para ordenar la actividad y proteger las reservas pesqueras (véase la figura)¹⁰⁴.

⁹⁹ Fuente confidencial y <https://safety4sea.com/libya-releases-turkish-owned-cargo-ship-after-paying-fine>, 14 de diciembre de 2020.

¹⁰⁰ El Grupo de Expertos no ha podido encontrar la fuente primaria de esa declaración, que según parece se publicó en una cuenta en Facebook del Ejército Nacional Libio que ya no existe. Fuentes secundarias: <https://medium.com/libya-security-monitor/libya-situation-update-12-15-december-4aa69983ad01>, 16 de diciembre de 2015;

<https://twitter.com/Oded121351/status/676999971082780672>, 16 de diciembre de 2015.

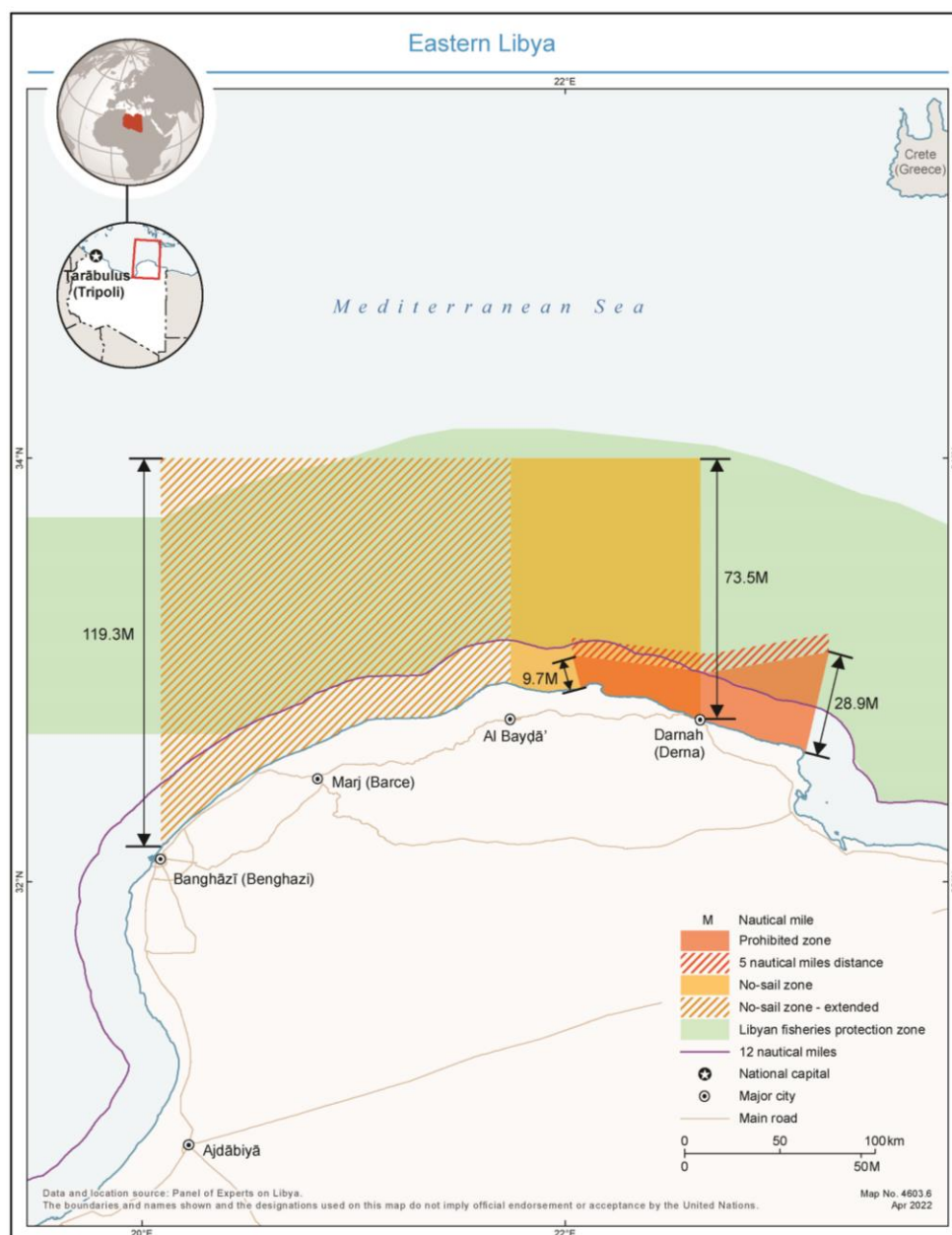
¹⁰¹ <https://mc.nato.int/nsc/operations/news/2020/threat-to-commercial-shipping-operating-in-the-mediterranean-2>, 24 de marzo de 2020; <https://safety4sea.com/update-situation-of-libyan-ports>, 7 de enero de 2021; y www.gard.no/web/content/libya-port-situation, 24 de febrero de 2022.

¹⁰² Sin prejuzgar la manera en que los Estados Miembros interpretan cómo delimitar sus aguas territoriales, el Grupo de Expertos utiliza el concepto de “mar territorial” de 12 millas náuticas establecido en el artículo 3 de la Convención de las Naciones Unidas sobre el Derecho del Mar, que coincide con el empleado en la legislación libia pertinente; véase la Ley núm. 2, de 18 de febrero de 1959, relativa a la delimitación de las aguas territoriales libias: www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/LBY_1959_Act.pdf.

¹⁰³ www.france24.com/ar/20180629-المشير-خليفة-حفر-يعلن-تحرير-درنة-شرق-ليبيا-من-الارهابيين, 29 de junio de 2018

¹⁰⁴ Véanse la Declaración de una zona libia de protección pesquera en el Mar Mediterráneo, de 24 de febrero de 2005 (*Boletín del Derecho del Mar*, núm. 58, 2005, secc. II.A.1 b)): https://www.un.org/depts/los/doalos_publications/LOSBulletins/bulletins/bul58sp.pdf; y la Decisión del Comité Popular General núm. 105, del año 1373 de la hégira (A. D. 2005), relativa a la delimitación de la zona libia de protección pesquera en el Mar Mediterráneo (*Boletín del Derecho del Mar*, núm. 59, 2005, secc. II.A.1 b)): www.un.org/Depts/los/doalos_publications/LOSBulletins/bulletinpdf/bulletin59e.pdf.

Figura
Zona “de exclusión marítima” y zona “prohibida” establecidas por las Fuerzas pro Haftar y zona oficial de protección pesquera



3. Infracciones marítimas

72. El Grupo de Expertos constató una infracción marítima confirmada y otra muy probable, y dos infracciones técnicas (véase el cuadro 1)¹⁰⁵.

¹⁰⁵ El Grupo de Expertos ha escrito a los Estados Miembros pertinentes y a los propietarios y armadores de los buques y recibió algunas respuestas. Los pormenores pueden consultarse en el anexo probatorio correspondiente.

Cuadro 1
Infracciones marítimas

Nombre/tipo	Número OMI/ número de casco	Pabellón	Infracción		Infracción técnica	Número de indicadores de perfil	Observaciones
			Confirmada	Muy probable			
<i>Luccello</i> ^a	7800112	Comoras	✓			9	100 vehículos militares blindados - Descargado en Bengasi (Fuerzas pro Haftar) - Véase el anexo 30
Lancha patrullera rápida Lambro Olympic D74	Ninguno	Por confirmar		✓		n. a.	- Lancha patrullera utilizada por el componente naval del Cuerpo de Apoyo a la Estabilidad (Fuerzas Adscritas al Gobierno de Unidad Nacional) - Medio y fecha de entrega desconocidos
Plataforma flotante de desembarco <i>San Giorgio</i> ^b	L9892	Italia			✓	n. a.	- Buque militar utilizado para la entrega de artículos que no están sujetos al embargo de armas (Centro de Coordinación y Salvamento Marítimo) - Véase el anexo 31
Barcos de cabotaje <i>Capri</i> , <i>Tremiti</i> y <i>Caprera</i> ^c	A5353 A5348 A5349	Italia			✓	n. a.	- Presencia continua en la base naval de Abu Sitta desde 2018 - Véase el anexo 31

^a Actualmente navega como buque mercante de pabellón ecuatoguineano con el nombre *Victory Roro*.

^b Plataforma flotante de desembarco de clase San Giorgio de la Marina Italiana.

^c Barco de cabotaje de clase Gorgona de la Marina Italiana.

73. El Grupo de Expertos considera que el propietario o armador del buque señalado en el cuadro 2 infringió lo dispuesto en el párrafo 9 de la resolución [1970 \(2011\)](#) en lo que respecta al envío de material militar a Libia.

Cuadro 2
Infracciones confirmadas en materia de transporte marítimo

Buque	Pabellón	Propietario	Armador	Entidad receptora	Observaciones
<i>Luccello</i> ^a (Núm. OMI: 7800112)	Comoras	Medred Ship Management Co Ltd, Türkiye	El propietario	Fuerzas pro Haftar	

^a Actualmente navega como buque mercante de pabellón ecuatoguineano con el nombre *Victory Roro*.

C. Infracciones en materia de transferencia de armas y adiestramiento militar

1. Antecedentes

74. El Grupo de Expertos constató 18 transferencias de armas¹⁰⁶ y cuatro actividades de adiestramiento militar¹⁰⁷ que habían infringido lo dispuesto en el párrafo 9 de la resolución 1970 (2011) durante el período que abarca el informe. También tuvo conocimiento de 26 infracciones en transferencias de armas y 5 en actividades de adiestramiento no señaladas en períodos anteriores; se han añadido al presente informe para fundamentar la información básica que figura en el párrafo 58. El Grupo también ha conseguido determinar responsabilidades en dos infracciones sin autor conocido señaladas en el documento S/2021/229.

75. Para facilitar la consulta, las infracciones se enumeran por orden cronológico en los cuadros del anexo 32. En los anexos 33 a 76 se presentan infografías sobre las infracciones en casos de transferencias y en los anexos 77 a 85, las infracciones en casos de adiestramiento.

2. Adiestramiento militar impartido por Türkiye a las Fuerzas Adscritas al Gobierno de Unidad Nacional

76. En la web oficial de la Jefatura del Estado Mayor del Ejército de Libia se informó de la visita que el General de División Nouri Shenuk, Director de Formación del Ejército de Libia, hizo el 16 de noviembre de 2021 a la sede del Organismo de Gestión y Operaciones de Formación del Ministerio de Defensa de Türkiye¹⁰⁸ a fin de examinar la cooperación de ambos países en el ámbito de la formación militar y la marcha de las actividades de adiestramiento que Türkiye estaba impartiendo al Ejército de Libia¹⁰⁹. Posteriormente, el 30 de noviembre de 2021, la portavoz del Ministerio de Defensa turco, Pinar Kara, declaró que Türkiye seguiría prestando asistencia militar a Libia en el marco de un acuerdo bilateral por invitación del gobierno legítimo reconocido internacionalmente¹¹⁰. También informó de que las fuerzas turcas habían adiestrado a 6.799 soldados libios en Libia y en Türkiye hasta el 30 de noviembre de 2021 y seguían impartiendo formación a otros 974. El Grupo de Expertos escribió a Türkiye el 10 de diciembre de 2021 para pedirle información al respecto. En su respuesta de 14 de febrero de 2022, Türkiye confirmó que el General de División Nouri Shenuk había estado de visita del 14 al 21 de noviembre

¹⁰⁶ El término “transferencia” se refiere a las transferencias de armas y equipo militar.

¹⁰⁷ El término “adiestramiento” se refiere a las actividades de adiestramiento militar impartidas por terceros.

¹⁰⁸ Véanse www.facebook.com/LibyaAlAhrarTV/posts/5196300483741754?_rdc=1&_rdr, 16 de noviembre de 2021; y www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/275452701190177?_rdc=1&_rdr, 20 de noviembre de 2021; también confirmada en una carta fechada el 15 de febrero de 2022 que el Estado Miembro envió al Grupo de Expertos.

¹⁰⁹ Con arreglo al memorando de entendimiento entre el Gobierno de la República de Türkiye y el Gobierno de Acuerdo Nacional del Estado de Libia sobre seguridad y cooperación militar, de 27 de noviembre de 2019 (véase el artículo “Full text of new Turkey, Libya sweeping security, military cooperation deal revealed”, *Nordic Monitor*, 16 de diciembre de 2019: <https://nordicmonitor.com/2019/12/full-text-of-new-turkey-libya-sweeping-security-military-cooperation-deal-revealed>).

¹¹⁰ Véanse www.libyaobserver.ly/news/turkey-reiterates-our-presence-libya-legitimate, 2 de diciembre de 2021; www.libyaakhbar.com/libya-news/1729919.html, 30 de noviembre de 2021; y <https://nabd.com/s/96772656-b6f28d/الدفاع-التركية-للسناقرة-أجنبية-في-ليبيا>, 30 de noviembre de 2021.

de 2021, pero no aportó información sobre las modalidades y los objetivos de formación.

77. El Grupo de Expertos reconoce que algunas de las actividades de adiestramiento especializado impartidas por Türkiye sobre, por ejemplo, eliminación de municiones explosivas¹¹¹, pueden acogerse a la exención para actividades humanitarias y de capacitación contemplada en el párrafo 9 de la resolución 2095 (2013). Las demás formaciones impartidas por Türkiye a las Fuerzas Adscritas al Gobierno de Unidad Nacional son de naturaleza militar o naval, por lo que infringen lo dispuesto en el párrafo 9 de la resolución 1970 (2011).

3. El “comercio hormiga”

78. A través de la frontera terrestre y todavía porosa de 4.348 km sigue practicándose un pequeño contrabando de armas (denominado “comercio hormiga”) que es difícil cuantificar o controlar. Las incautaciones son escasas a ambos lados de la frontera y, durante el período sobre el que se informa, solo se notificaron cuatro, a saber: a) 80 armas en el Níger el 13 de abril de 2021¹¹²; b) 37 armas en el Sudán el 13 de septiembre de 2021; c) municiones de armas pequeñas en el Sudán el 8 de enero de 2022 (véase el anexo 71)¹¹³; y d) armas y munición de armas pequeñas en la frontera argelina incautadas por la brigada 106 de las Fuerzas pro Haftar el 4 de enero de 2022¹¹⁴.

D. Infracciones e incumplimientos en materia de aviación

1. Puentes aéreos

79. En 2020, el Grupo de Expertos determinó, a partir de sus indicadores de perfil (véase el anexo 25), que había puentes aéreos organizados de forma centralizada entre: a) los Emiratos Árabes Unidos y el oeste de Egipto/este de Libia (FpH); b) la Federación de Rusia y el este de Libia por la República Árabe Siria (FpH); y c) Türkiye y el oeste de Libia (Gobierno de Unidad Nacional). En el documento S/2021/229 se indica que el Grupo estimaba que los operadores de las aeronaves utilizadas en esos puentes aéreos incumplían lo dispuesto en el párrafo 9 de la resolución 1970 (2011).

80. Globalmente, durante el período que abarca el informe el tráfico de esos puentes aéreos fue muy inferior al del período anterior. Los vuelos al oeste de Libia de aviones militares de carga de la Federación de Rusia, por ejemplo, disminuyeron un 61 % (véase el anexo 86). El Grupo de Expertos también observa que algunas aeronaves militares de carga rusas hicieron escalas técnicas en Libia durante vuelos a la República Centrafricana y Malí, entre otros destinos. Los vuelos al este de Libia de aviones militares de carga turcos disminuyeron un 62 % (véase el anexo 87). Por el contrario, los vuelos de la aerolínea siria Cham Wings, que siguieron utilizándose para la rotación de combatientes extranjeros, aumentaron un 79 % (véase el anexo 88) y también se emplearon en una ruta de migración irregular.

¹¹¹ Véanse <https://twitter.com/tcsavunma/status/1475029180207271942>, 26 de diciembre de 2021; y <https://twitter.com/Oded121351/status/1475831938514575365>, 28 de diciembre de 2021.

¹¹² Véase <https://wmuayqih5acbvrrj5vul3ddnjia-adwhj77lcyoafdy-alwasat-ly.translate.goog/news/libya/317324>, 14 de abril de 2021.

¹¹³ Véase <https://rsf.gov.sd/news/1467>, 18 de septiembre de 2021.

¹¹⁴ Véase <http://nabdapp.com/t/99061768>, 5 de enero de 2022.

2. **Infracciones e incumplimientos en materia de aviación**

81. El Grupo de Expertos ha seguido investigando a los propietarios y operadores de las aeronaves que el Grupo considera de interés o que, según pudo constatar, habían infringido el embargo de armas (véanse el resumen del anexo 89 y los anexos 90 a 96).

82. Propietarios y operadores mantienen la práctica de intercambiar constantemente las aeronaves a fin de crear una cortina de humo en la que disimular sus operaciones de vuelo ilícitas. Concretamente, el Grupo ha observado un aumento del número de aeronaves propiedad de la empresa emiratí Space Cargo Inc.¹¹⁵ que se utilizan para apoyar a las Fuerzas pro Haftar vulnerando el embargo de armas.

E. **Infracciones cometidas por empresas militares privadas**

1. **“Project Opus”**

83. El Grupo de Expertos constató que las empresas Space Cargo Inc. y BU Shames FZE, ambas registradas en los Emiratos Árabes Unidos, tenían un programa de reparación, mantenimiento y vuelos de prueba para los tres helicópteros AS332L Super Puma desplegados por la organización del Proyecto Opus, de los que se informó en el anexo 76 del informe [S/2021/229](#). El 18 de diciembre de 2020, llegaron por primera vez a Bengasi varios técnicos sudafricanos contratados por Space Cargo Inc. Las aeronaves fueron habilitadas para las pruebas de vuelo y se las vio volar por primera vez en el desfile que las Fuerzas pro Haftar hicieron el 29 de mayo de 2021 para conmemorar el séptimo aniversario de la Operación Dignidad (véase el anexo 97).

84. En el anexo 99 se puede encontrar información actualizada sobre: a) la aeronave T-Bird de LASA con matrícula YU-TSH; y b) el encubrimiento de la propiedad de la empresa. El caso aún se está investigando.

2. **ChVK Wagner**

85. El Grupo de Expertos continúa investigando el despliegue de ChVK Wagner y las transferencias de armas y material conexo para apoyar sus operaciones. En el anexo 100 se puede encontrar más información sobre las operaciones y la logística de esta empresa durante 2020 y sobre una violación del derecho internacional humanitario.

3. **AR Global Group FZE LLC**

86. El Grupo de Expertos ha constatado que la empresa AR Global Group FZE LLC, matriculada en los Emiratos Árabes Unidos¹¹⁶, sirve de agente de mediación o suministro de las Fuerzas pro Haftar. La empresa intentó adquirir un sistema de vigilancia de las comunicaciones de doble uso el 27 de septiembre de 2020, pero el proceso se interrumpió en mayo de 2021 cuando Lituania denegó una licencia de exportación para algunos componentes de doble uso del sistema. En el anexo 101 se muestran los certificados de usuario final presentados por las FpH. El 14 de febrero de 2021 se dio a la empresa la posibilidad de responder, pero no se recibió respuesta alguna.

¹¹⁵ Véase también el párr. 83 sobre la participación de Space Cargo Inc. en operaciones militares privadas.

¹¹⁶ A-0059-03 Flamingo Villas, Ajman (Emiratos Árabes Unidos). El director general es Hazem Abdurrahim Imam.

F. Síntesis de las entidades que cometieron infracciones e incumplimientos

87. El Grupo de Expertos considera que los países, entidades o particulares señalados en el cuadro 3:

- a) Infringieron lo dispuesto en el párrafo 9 de la resolución [1970 \(2011\)](#);
- b) Incumplieron lo dispuesto en el párrafo 19 de la resolución [2213 \(2015\)](#) al no haber inspeccionado adecuadamente los buques o las aeronaves con destino a Libia o procedentes de ese país; o
- c) Incumplieron lo dispuesto en los párrafos 14 y 15 de la resolución [2571 \(2021\)](#), al no facilitar la información de que disponían sobre la aplicación de las medidas o al no proporcionar acceso sin trabas a los documentos que el Grupo consideraba útiles para el desempeño de su mandato.

Cuadro 3

Síntesis de las responsabilidades en infracciones e incumplimientos

País/entidad/particular ^a	Infracción de la resolución 1970 (2011) , párr. 9.	Incumplimiento de la resolución 2213 (2015) , párr. 19	Incumplimiento de la resolución 2571 (2021) , párrs. 14 y 15	Motivo
Libia (Fuerzas Adscritas al Gobierno de Unidad Nacional)	✓	✓	✓	• Adquisición de armas y material conexo sin solicitar previamente la aprobación del Comité • Incumplimiento de la obligación de inspeccionar a su llegada buques y aeronaves utilizados para transferir armas y material conexo a Libia • Incumplimiento de la obligación de proporcionar información solicitada por el Grupo de Expertos
Jordania		✓		• Incumplimiento de la obligación de inspeccionar buques y aeronaves utilizados para transferir armas y material conexo a Libia
Federación de Rusia	✓			• Envíos frecuentes de armas y material conexo hacia Libia y desde Libia, concretamente aviones militares de carga
República Árabe Siria		✓		• Incumplimiento de la obligación de inspeccionar a su llegada buques y aeronaves utilizados para llevar combatientes extranjeros a Libia

<i>País/entidad/particular^a</i>	<i>Infracción de la resolución 1970 (2011), párr. 9.</i>	<i>Incumplimiento de la resolución 2213 (2015), párr. 19</i>	<i>Incumplimiento de la resolución 2571 (2021), párrs. 14 y 15</i>	<i>Motivo</i>
Türkiye	✓	✓		• Transferencia de armas y material conexo a Libia para uso de las Fuerzas Adscritas al Gobierno de Unidad Nacional • Actividades de adiestramiento militar a las Fuerzas Adscritas al Gobierno de Unidad Nacional • Incumplimiento de la obligación de inspeccionar buques y aeronaves utilizados para transferir armas y material conexo a Libia
Emiratos Árabes Unidos	✓	✓		• Transferencia de armas y material conexo a Libia para uso de las Fuerzas pro Haftar • Incumplimiento de la obligación de inspeccionar aeronaves utilizadas para transferir armas y material conexo a Libia
Fuerzas pro Haftar	✓	✓	✓	• Adquisición de armas y material conexo • Incumplimiento de la obligación de inspeccionar a su llegada buques y aeronaves utilizados para transferir armas y material conexo a Libia • Incumplimiento de la obligación de proporcionar información solicitada por el Grupo de Expertos
Alpha Air LLC (Ucrania)	✓			• Operaciones aéreas de suministro directo o indirecto de equipo militar y otras formas de asistencia a Libia
Cham Wings Airlines (SAW) (República Árabe Siria)	✓		✓	• Operaciones aéreas de suministro directo o indirecto de equipo militar y otras formas de asistencia a Libia • Incumplimiento de la obligación de proporcionar información solicitada por el Grupo de Expertos

<i>País/entidad/particular^a</i>	<i>Infracción de la resolución 1970 (2011), párr. 9.</i>	<i>Incumplimiento de la resolución 2213 (2015), párr. 19</i>	<i>Incumplimiento de la resolución 2571 (2021), párrs. 14 y 15</i>	<i>Motivo</i>
FlySky Airlines LLC (FSQ) (República Kirguisa)	✓			Operaciones aéreas de suministro directo o indirecto de equipo militar y otras formas de asistencia a Libia
FlySky Airlines LLC (FSU) (Ucrania)	✓			Operaciones aéreas de suministro directo o indirecto de equipo militar y otras formas de asistencia a Libia
Green Flag Aviation (GNF) (Sudán)	✓		✓	- Otras formas de asistencia para actividades militares, en particular la prestación de apoyo logístico aéreo a las operaciones militares de las Fuerzas pro Haftar dentro de Libia - Incumplimiento de la obligación de proporcionar información solicitada por el Grupo de Expertos
Medred Ship Management Co Ltd (Türkiye)	✓	✓		- Transferencia de armas y material conexo a Libia - Incumplimiento de la obligación de inspeccionar un buque utilizado para transferir armas y material conexo a Libia
Sapsan Airlines LLC (KGB) (Kirguistán)	✓			Operaciones aéreas de suministro directo o indirecto de equipo militar y otras formas de asistencia a Libia
Space Cargo Inc. (Emiratos Árabes Unidos)	✓			Otras formas de asistencia para actividades militares, en particular la prestación de apoyo logístico aéreo a las operaciones militares de las Fuerzas pro Haftar dentro de Libia

^a Por orden alfabético y categoría.

G. Medidas de respuesta a las infracciones del embargo de armas

88. Algunos Estados Miembros y organizaciones regionales adoptaron diversas medidas al constatar incumplimientos del embargo de armas por parte de entidades asentadas o registradas en su territorio (véase el anexo 102).

H. Lanzamiento de misiles balísticos tácticos por parte de las Fuerzas pro Haftar

89. El ensayo de lanzamiento a de al menos tres misiles balísticos tácticos el 7 de marzo de 2022 por parte de las Fuerzas pro Haftar fue un acontecimiento inesperado, ya que todas las organizaciones de desminado y gestión de existencias de armamentos coincidían en que en Libia no quedaban misiles balísticos tácticos utilizables. Véase en el anexo 103 el análisis de este incidente.

IV. Unidad de las instituciones del Estado

90. La cuestión de la unidad de las instituciones del Estado se examinó a la luz de lo dispuesto en el párrafo 5 de la resolución [2509 \(2020\)](#).

A. Proceso de reunificación del Banco Central de Libia

1. Sinopsis

91. En julio de 2018, Fayeze al-Sarraj, ex Primer Ministro de Libia, envió una carta al Secretario General en la que solicitaba que las Naciones Unidas facilitaran un examen financiero del Banco Central de Libia con sede en Trípoli y de la sucursal que funciona en paralelo en Al-Bayda, en el este del país, con el objetivo de restablecer la integridad, la transparencia y la confianza en el sistema financiero libio y crear las condiciones necesarias para unificar las instituciones financieras del país.

92. En julio de 2021, tras examinar la situación financiera de las sucursales de Trípoli y Al-Bayda, Deloitte entregó un informe final articulado en torno a seis grandes ejes y 15 recomendaciones (véase el anexo 104). El Grupo de Expertos observa que, según el informe, los principales factores que entorpecen el proceso de reunificación son los siguientes:

- a) La necesidad de reformar y mejorar el proceso de emisión de cartas de crédito;
- b) El hecho de que no se utilicen las Normas Internacionales de Información Financiera¹¹⁷;
- c) La necesidad de evaluar las consecuencias de la devaluación del dinar libio;
- d) La necesidad de exigir una gobernanza eficaz y controles internos;
- e) El reiterado rechazo de las propuestas presupuestarias por parte de la Cámara de Representantes;
- f) Los problemas relacionados con la dirección de ambas instituciones¹¹⁸.

2. Hoja de ruta e información actualizada sobre el estado de las negociaciones

93. A partir de sus recomendaciones, Deloitte definió un mandato que dio a conocer el 9 de julio de 2021 y ahora guía el proceso de reforma y reunificación. Se informó

¹¹⁷ Las Normas Internacionales de Información Financiera son un conjunto de reglas contables que se aplican a los estados financieros de las empresas que cotizan en bolsa para hacerlos coherentes, transparentes y fácilmente comparables en todo el mundo. Las elaboró el Consejo de Normas Internacionales de Contabilidad (véase www.ifrs.com).

¹¹⁸ Cabe señalar que la Cámara de Representantes intentó sustituir al actual Gobernador del Banco Central en septiembre de 2014 y en abril de 2015, pero este se negó a dejar su puesto.

al Grupo de Expertos de que, el 20 de febrero de 2022, el Gobernador de la sucursal oriental del Banco Central de Libia, Ali al-Hibri¹¹⁹, había confirmado la siguiente estrategia¹²⁰: se llegaría a un acuerdo inicial sobre las medidas de liquidez, saldos bancarios en el este y compensación de cheques que debían adoptarse a corto plazo, tras lo cual el Consejo de Administración del Banco Central de Libia se ocuparía de los bancos comerciales, ajustaría la composición del Consejo de Administración del Banco Exterior de Libia incorporando a profesionales del sector bancario y, por último, reestructuraría el Banco Central de Libia. Paralelamente, la oficina de gestión de proyectos de la sucursal del este, que dirigía Ali Jehani, avanzaría con el personal en la integración de medidas de supervisión y regulación bancaria; la entidad de Al-Bayda se ocuparía del este y la de Trípoli del oeste, pero trabajarían sin estrategias contrapuestas. (Por ejemplo, el Banco Jumhuriya tendría una asamblea general en la que participarían tanto del Banco Central de Libia como del Banco Central del Este de Libia, y su Consejo de Administración tendría una representación equilibrada).

94. El Consejo de Administración del Banco Central de Libia todavía no ha empezado a trabajar en la cuestión, pero los directores de las dos entidades ya han mantenido las primeras conversaciones. Paralelamente, Deloitte organizó un taller a mediados de febrero de 2022 para impulsar la aplicación del mandato, para lo que ante todo debían fijarse objetivos concretos. En el cuadro 4 se presenta el calendario acordado.

Cuadro 4

Calendario previsto para aplicar el mandato de reunificación y reforma del Banco Central de Libia

<i>Asunto</i>	<i>Fecha de inicio prevista</i>	<i>Plazo</i>	<i>Observaciones</i>
Preparación de la reunificación	Fines de enero de 2022	Tres meses	—
Proceso de reunificación	Fines de abril de 2022	Tres meses	—
Evaluación	Fines de julio de 2022	Un mes	—
Reformas	Fines de julio de 2022	Seis meses	• Mejora de la contabilidad • Supervisión bancaria • Reestructuración

95. El proceso se organiza en siete líneas de trabajo:

- a) Ambición y modelo de funcionamiento;
- b) Deuda pública;
- c) Emisión y circulación de moneda;
- d) Un sistema de compensación;
- e) Distribución por moneda fuerte;
- f) Ampliación del examen financiero a las cuentas del período que va de mediados de 2020 hasta 2021;
- g) Presupuesto y gasto público.

¹¹⁹ Formalmente, también Vicegobernador del Banco Central.

¹²⁰ Fuente confidencial.

96. No se ha conseguido que el Consejo de Administración emprenda la labor mencionada, que se considera esencial para que la reforma salga adelante, pero se aprecian avances en las demás líneas de trabajo.

3. Informe de la Oficina de Auditoría de Libia sobre el Banco Central de Libia

97. El informe de la Oficina de Auditoría de Libia correspondiente a 2020, que se publicó el 24 de agosto de 2021¹²¹, puso de manifiesto algunas de las prácticas disfuncionales del Banco Central de Libia. Las principales conclusiones atañen al departamento de operaciones del Banco.

98. La división del Banco Central ha afectado el funcionamiento normal de sus actividades de diferentes maneras, entre las que cabe mencionar el uso de distintos sistemas de pago, ya que los bancos del este operan de forma independiente. Se ha creado un doble sistema de pago: a) los bancos del oeste procesan los pagos a través del sistema de liquidación bruta en tiempo real; y b) los bancos del este realizan las transacciones manualmente, ya que la sucursal oriental del Banco Central ha sido desconectada del sistema antes mencionado. Ello ha afectado negativamente al cumplimiento de sus obligaciones, por cuanto el Banco Central de Libia no reconoce el sistema manual.

99. En el informe se señalaba que el Banco Central de Libia había fracasado en el intento de adoptar un sistema electrónico de compensación debido a su incapacidad para unificar los sistemas bancarios mencionados y a la falta de unificación y control de las comisiones. Así pues, las sucursales oriental y occidental fijan unilateralmente sus propias comisiones.

100. La Oficina de Auditoría también informó de que el Banco Central de Libia se había negado a presentar los documentos y datos necesarios sobre las medidas de lucha contra el blanqueo de capitales.

B. Empresa Nacional del Petróleo

101. El ciclo de presentación de informes estuvo marcado por la pugna entre el Ministro de Petróleo y Gas, Mohamed Aoun, y el Presidente del Consejo de Administración de la Empresa Nacional del Petróleo, Mustafa Sanalla, por la capacidad de influir en el sector petrolero del país. En agosto y octubre de 2021, Aoun intentó sin éxito apartar a Sanalla por supuestas irregularidades administrativas¹²². También en octubre de 2021, cuatro personas vinculadas a la Empresa, entre ellas un miembro del Consejo de Administración¹²³ y el jefe de oficina de Sanalla, fueron detenidas por orden del Fiscal General¹²⁴. La Empresa denunció que el arresto y detención arbitrarios de personalidades públicas era una táctica de intimidación que podría afectar a las operaciones del sector petrolero y expresó su preocupación por los intentos cada vez más frecuentes de los grupos armados de influir en el Ministerio y la Empresa¹²⁵.

¹²¹ Véase www.audit.gov.ly/ar/report2020.pdf, 24 de agosto de 2021.

¹²² Véanse www.theafricareport.com/165206/mustafa-sanalla-libyas-undisputed-oil-boss-locked-in-a-power-struggle, 11 de enero de 2022; y <https://noc.ly/index.php/en/new-4/7526-the-national-oil-corporation-an-important-clarification>, 19 de diciembre de 2021.

¹²³ Véase <https://noc.ly/index.php/en/new-4/7353-abulgasem-shengheer-unlawfully-stopped-at-mitiga-airport>, 4 de noviembre de 2021.

¹²⁴ Véanse www.libyaherald.com/2021/11/04/the-attorney-general-arrests-noc-board-member-oil-minister-supports-enforcement-of-law, 4 de noviembre de 2021; y reunión virtual del Grupo de Expertos, 2 de diciembre de 2021.

¹²⁵ Véanse <https://noc.ly/index.php/en/new-4/7353-abulgasem-shengheer-unlawfully-stopped-at-mitiga-airport>, 30 de octubre de 2021; <https://noc.ly/index.php/en/new-4/7403-the-national-oil>

102. Los enfrentamientos armados que se produjeron en la refinería de Zawiya el 26 de octubre de 2021 provocaron daños en los tanques de almacenamiento y fugas de petróleo crudo y productos derivados refinados¹²⁶. Aunque los ataques también podrían estar vinculados a rivalidades y agravios históricos entre grupos armados de Zawiya, el control de la refinería y su red de distribución es un objetivo muy codiciado.

103. La producción aumentó y se mantuvo globalmente entre 1,2 y 1,25 millones de barriles diarios, pero se vio afectada por varios acontecimientos, lo que muestra que distintas partes siguen utilizando las infraestructuras petrolíferas del país como medio de coacción. El 20 de diciembre de 2021, la Empresa Nacional del Petróleo confirmó interrupciones de la producción en los yacimientos de Shararah, Fil, Wafa y Hamada por el bloqueo de oleoductos y terminales a manos de miembros zintaníes de la Guardia de las Instalaciones Petroleras. Se trató de una reacción a la destitución del jefe del Consejo de Administración de Akakus Oil Operations¹²⁷, que también era de Zintán¹²⁸. La Empresa se declaró en situación de fuerza mayor¹²⁹ y, a principios de enero de 2022, la producción se redujo a 729.000 barriles diarios¹³⁰ antes de que, según se informa, se llegara a un acuerdo¹³¹. Por la misma época, varias tribus del este amenazaron con cerrar las instalaciones de Sidra y Ra's Lanuf por los retrasos en el pago de sueldos de las Fuerzas pro Haftar¹³². El 6 de marzo de 2022, la Empresa se declaró en situación de fuerza mayor después de que un grupo local cerrara las válvulas de bombeo en los yacimientos de Shararah y Fil, lo que hizo que la producción se redujera en 330.000 barriles diarios. El asunto, que ocasionó pérdidas de más de 16 millones de dinares libios al día, se remitió al Fiscal General¹³³. El grupo en cuestión era de Zintán y los líderes tribales participaron en la negociación para retomar las operaciones¹³⁴. Dos días después, se anunció que el problema se había resuelto¹³⁵.

104. Las desavenencias internas entre el Ministerio y la Empresa también repercutieron en las operaciones. Entre el 23 de febrero y al menos el 3 de marzo de 2022, la Empresa suspendió temporalmente las exportaciones, alegando que el mal

[corporation-welcomes-the-statement-issued-by-the-us-ambassador-and-special-envoy-to-libya,-richard-norland](#), 16 de noviembre de 2021; y una carta (sin fecha) de Sanalla al Grupo de Expertos recibida el 25 de noviembre de 2021.

¹²⁶ Fuente confidencial y <https://noc.ly/index.php/en/new-4/7339-the-national-oil-corporation-condemns-acts-78of-sabotage-that-took-place-at-the-zawiya-oil-complex>.

¹²⁷ www.akakusoil.com.

¹²⁸ Fuente confidencial y <https://noc.ly/index.php/en/new-4/7531-stopping-the-production-of-the-el-sharara-el-feel-al-wafa-and-hamada-fields,-and-the-loss-of-more-than-300,000-barrels-per-day-at-the-hands-of-members-of-the-petroleum-facilities-guard-as-a-result-of-wasting-the-country%E2%80%99s-wealth>, 20 de diciembre de 2021.

¹²⁹ <https://twitter.com/MedWave1/status/1472996496064798720?s=20>, 20 de diciembre de 2021.

¹³⁰ Véase <http://en.alwasat.ly/news/economy/344958>, 6 de enero de 2022.

¹³¹ Véanse <https://libyaupdate.com/libyan-oilfields-to-reopen-after-deal-between-dbeibeh-and-pfg-italian-press-reports>, 10 de enero de 2022; y www.libyaobserver.ly/inbrief/sharara-oilfield-production-hits-190000-bpd, 12 de enero de 2022.

¹³² Véase <https://libyareview.com/20276/libyan-tribes-threaten-to-block-oil-exports>, 8 de enero de 2022.

¹³³ Véase <https://noc.ly/index.php/en/new-4/7806-the-illicit-closure-of-crude-pumping-valves-from-the-al-sharara-and-al-feel-fields-puts-offline-330,000-barrels-per-day-and-leads-to-a-daily-loss-to-the-public-of-more-than-160-million-libyan-dinars>, 6 de marzo de 2022.

¹³⁴ Fuente confidencial y www.marsad.ly/en/2022/03/07/un-envoy-to-libya-says-oil-blockade-should-be-lifted, 7 de marzo de 2022.

¹³⁵ Véase <https://noc.ly/index.php/en/new-4/7813-the-opening-of-the-al-riyayna-valves-%E2%80%A6-the-resumption-of-production-in-the-al-sharara-field-and-lifting-of-force-majeure-status>, 8 de marzo de 2022.

tiempo había afectado a los puertos petroleros de todo el país¹³⁶. El Ministerio manifestó públicamente su desacuerdo con esa decisión, afirmando que se daban las condiciones meteorológicas adecuadas para la exportación y lamentando la pérdida de posibles ingresos¹³⁷. El Grupo de Expertos observa que, aunque en algunos días del período considerado el estado del mar había llegado al grado 6 en la escala de la Organización Meteorológica Mundial (OMM) (olas de 4 a 6 metros de altura), en promedio este se había situado en torno al grado 5 (olas de 2,5 a 4 metros), lo que no debería entorpecer significativamente las operaciones de carga. Los datos de los registros marítimos muestran que las terminales afectadas no permanecieron cerradas durante todo el período, pues hubo varios días en los que se realizaron operaciones de carga en ellas. La exposición pública de las desavenencias entre los dirigentes del sector dificulta la unidad institucional.

V. Prevención de las exportaciones o importaciones ilícitas de petróleo

A. Exportación ilícita de petróleo crudo

105. No se ha designado ningún buque con arreglo a lo dispuesto en el párrafo 11 de la resolución 2146 (2014).

106. El 23 de enero de 2022, el punto focal nombrado en virtud de la resolución 2146 (2014)¹³⁸ informó al Grupo de Expertos de un intento inminente de exportar ilícitamente 400.000 barriles de petróleo crudo desde Marsa al-Hariga¹³⁹. Los datos facilitados permitieron al Grupo identificar al buque cisterna que supuestamente se iba a utilizar. El 1 de febrero de 2022, fuentes confidenciales confirmaron al Grupo que ese petrolero, que durante meses no había enviado señales al sistema de identificación automática, se encontraba en el fondeadero de Marsa al-Hariga, donde permaneció sin entrar en el puerto hasta que abandonó las aguas territoriales libias el 4 de febrero de 2022. No se produjeron trasvases de carga de buque a buque mientras el barco en cuestión estuvo anclado. El Grupo ha escrito a los Estados Miembros pertinentes y al propietario y armador del buque; las investigaciones continúan.

B. Exportación ilícita de productos refinados derivados del petróleo

107. Aun cuando el precio de los productos refinados derivados del petróleo subió constantemente durante el período de referencia, el contrabando de combustible por vía marítima no volvió a niveles previos. Varios factores contribuyeron a un cambio en la dinámica del contrabando, como las actuaciones policiales de Italia y Malta y la pujanza del mercado petrolífero. El contrabando de combustible se hizo a una escala mucho menor, mediante embarcaciones de uso múltiple más pequeñas que se utilizaban simultánea o consecutivamente para transportar otras mercancías lícitas o ilícitas. Aunque con ese *modus operandi* probablemente aumentaron los actos de contrabando, al ser cargas más pequeñas se redujo el alcance geográfico de los contrabandistas, que obtenían mayores márgenes transportando otros artículos

¹³⁶ Véanse <https://noc.ly/index.php/en/new-4/7749-the-national-oil-corporation-announces-that-the-weather-is-disrupting-the-country-s-oil-exports>, 23 de febrero de 2022; y <https://noc.ly/index.php/en/new-4/7796-the-continuation-of-oil-production-and-incapability-of-the-sea-locomotives-to-connect-the-vessels-due-to-bad-weather>, 3 de marzo de 2022.

¹³⁷ Véase www.reuters.com/article/oil-libya-ports-idINL2N2V60R9, 3 de marzo de 2022.

¹³⁸ El Gobierno de Unidad Nacional volvió a confirmar al punto focal durante el período sobre el que se informa.

¹³⁹ Código de Localidades de las Naciones Unidas a efectos de Comercio y Transporte LYMHR.

ilícitos. No puede descartarse que hubiera trasvases de carga de buques más pequeños a otros más grandes en aguas internacionales, pero al Grupo de Expertos no le consta ningún caso de este tipo durante el período en cuestión. Cuando se estaba terminando de redactar el presente informe, varios medios de comunicación ¹⁴⁰ y fuentes confidenciales señalaron un repunte repentino de presuntas exportaciones ilícitas de productos derivados del petróleo. Queda por ver si se trata de una tendencia incipiente; el Grupo sigue investigando.

108. Aunque siguió habiendo contrabando de combustible por tierra, principalmente a través de las fronteras del sur y el oeste de Libia, las apropiaciones indebidas dentro del país cobraron mayor importancia, como puso de manifiesto la escasez constante de combustible en las estaciones de servicio, en particular en el sur, que obligó a la población a recurrir al mercado clandestino e hizo que la inflación fuera mayor que en el norte¹⁴¹. En todo el país hubo grupos armados que sacaron beneficios de las actividades, generalizadas y bien organizadas, de desvío de combustibles.

VI. Aplicación de las disposiciones relativas a la congelación de activos de entidades designadas

A. Sinopsis

109. El Grupo de Expertos ha seguido colaborando con el Instituto Libio de Inversiones (LYe.001), la Cartera de Inversiones de Libia en África (LYe.002) y otras partes interesadas. Las entidades designadas se mostraron generalmente cooperativas. La complejidad de las cuestiones financieras exigió que el Grupo se pusiera en contacto con múltiples interlocutores, en particular Estados Miembros, gestores de fondos y representantes de entidades designadas.

110. El Grupo de Expertos siguió ocupándose de: a) la percepción, en forma de dividendos, de los intereses y demás beneficios generados por los activos congelados; b) las solicitudes o notificaciones de exención de la congelación de activos presentadas por Estados Miembros; c) el pago de los gastos de gestión y los gastos básicos; y d) el diferente tratamiento de las filiales en distintas jurisdicciones.

111. El Instituto Libio de Inversiones proporcionó al Grupo de Expertos información actualizada sobre el progreso de su estrategia de dirección y gestión de la empresa de acuerdo con los Principios de Santiago¹⁴². Aunque las actividades señaladas por el Instituto sean eficaces, todavía queda trabajo para cumplir plenamente las Normas Internacionales de Información Financiera (véase el anexo 105). Las preocupaciones del Grupo por la falta de transparencia de la dirección no se han disipado, ya que esta sigue siendo reacia a facilitar información actualizada sobre algunas actividades de sus filiales. A juicio del Grupo, las actividades realizadas en el marco de las filiales podrían

¹⁴⁰ Véanse www.theguardian.com/world/2022/apr/17/tunisia-fuel-ship-sinking-nearby-countries-offer-help-to-prevent-disaster, 17 de abril de 2022; <https://twitter.com/TurkeyAffairs/status/1515821968943112202?s=20&t=pET1loq7FJ4EI5TxlfICQ&fbclid=IwAR2xj2K4y0ZbMgtuIcZKdrNr3l3RiVk6ImHsTvD2Q43R8ukSIWlmbDdKaME>, 17 de abril de 2022, y <https://libyareview.com/23164/libya-seizes-turkish-owned-tanker-suspected-of-fuel-smuggling>, 24 de abril de 2022.

¹⁴¹ Fuentes confidenciales y <http://alwasat.ly/news/libya/353324>, 22 de marzo de 2022.

¹⁴² Los Principios de Santiago son 24 principios y prácticas generalmente aceptados y adoptados en forma voluntaria por los miembros del Foro Internacional de Fondos Soberanos de Inversión. Sirven para promover la transparencia, la buena gobernanza, la responsabilidad y las prácticas de inversión prudentes, al tiempo que fomentan un diálogo más abierto y una comprensión más profunda de las actividades de los fondos soberanos de inversión (véase www.ifswf.org/sites/default/files/santiagoprinciples_0_0.pdf).

incumplir el régimen de sanciones y siguen entrañando posibles riesgos de desvío de activos.

B. Utilización errónea de “Empresa Libia de Inversiones Extranjeras” y “Libyan Arab Foreign Investment Company” como denominaciones alternativas del Instituto Libio de Inversiones

112. El Grupo de Expertos observa que, cuando fue designado por primera vez en la resolución [1973 \(2011\)](#), se indicó que el Instituto Libio de Inversiones (LYe.001) también era conocido como Libyan Arab Foreign Investment Company (LAFICO). LAFICO también figura en la nota orientativa núm. 1 para la aplicación de resoluciones, de 7 de marzo de 2012, como denominación alternativa de la entidad designada. El 27 de junio de 2014, a raíz de una recomendación del Grupo de Expertos (véase [S/2014/106](#))¹⁴³, el Comité cambió en la lista de sanciones la entrada LAFICO por “Libyan Foreign Investment Company (LFIC)”. Posteriormente, en la nota orientativa núm. 1 no se ha introducido ninguna otra modificación que refleje ese cambio. El Grupo de Expertos señaló en los documentos [S/2018/812](#) y [S/2018/812/Corr.1](#)¹⁴⁴, que la condición jurídica de LFIC, que comercia bajo el acrónimo LAFICO, se había tratado en informes anteriores (véanse [S/2013/99](#)¹⁴⁵ y [S/2017/466](#)¹⁴⁶). El Grupo reitera que es incorrecto inscribir LFIC (e inicialmente LAFICO) como denominación alternativa de Instituto Libio de Inversiones (LYe.001), y que la entidad en cuestión pertenece en su totalidad al Instituto Libio de Inversiones (véase la recomendación 3).

C. Últimas noticias del proceso judicial de Euroclear en Bélgica

113. En los documentos [S/2018/212](#) y [S/2018/212/Corr.1](#)¹⁴⁷, el Grupo de Expertos informó de que los intereses y demás beneficios devengados por los fondos congelados que el Instituto Libio de Inversiones tiene en depósito en el banco Euroclear se habían puesto a disposición de otras cuentas bancarias del Instituto entre 2011 y 2017, en incumplimiento de las disposiciones sobre congelación de activos. A 25 de octubre de 2017, las autoridades belgas mantenían el embargo judicial de esos fondos e intereses como medida preliminar en la investigación penal abierta por presunto blanqueo de dinero y otras conductas indebidas relacionadas con la gestión de los bienes congelados del Instituto en ese país.

114. En el marco de esas actuaciones penales, el Presidente del Instituto, Ali Mahmoud Hassan Mohammed, fue citado a comparecer ante la justicia belga en otoño de 2021, pero no se presentó, alegando que la legislación nacional libia le impedía prestar declaración¹⁴⁸. En consecuencia, el 9 de enero de 2022, el juez de instrucción belga emitió una orden de detención internacional en su contra¹⁴⁹. El Fiscal General

¹⁴³ Párrs. 238 y 289 a).

¹⁴⁴ Párr. 232.

¹⁴⁵ Párr. 225.

¹⁴⁶ Párrs. 237 y 238.

¹⁴⁷ Párrs. 197 a 207.

¹⁴⁸ Reunión del Grupo de Expertos con Ali Mahmoud y la dirección del Instituto Libio de Inversiones celebrada el 2 de febrero de 2022.

¹⁴⁹ *Ibid.*

de Libia se reunió en Bruselas con su homólogo belga para tratar de resolver el asunto¹⁵⁰.

115. El Grupo de Expertos continúa con el seguimiento de esta causa y recuerda que los intereses y beneficios generados por ese tipo de activos también deben mantenerse congelados, como se establece en [S/2018/812](#) y [S/2018/812/Corr.1](#)¹⁵¹.

D. Exenciones de la congelación de activos

116. El Grupo de Expertos observó incoherencias en la aplicación de lo dispuesto en el párrafo 17 de la resolución [1970 \(2011\)](#), en el que se establecen los requisitos de la congelación de activos.

117. Por lo general se entiende que la congelación de activos consiste en “impedir cualquier movimiento, transferencia, alteración o uso de los fondos, el acceso a los mismos o la negociación de estos de cualquier manera que pueda dar lugar a cualquier cambio en su volumen, cantidad, ubicación, propiedad, posesión, carácter, destino u otro cambio que permita utilizar los fondos, incluida la gestión de la cartera”¹⁵².

118. El Grupo de Expertos observa que el Reino Unido de Gran Bretaña e Irlanda del Norte sigue interpretando por sistema que el párrafo 19 a) de la resolución [1970 \(2011\)](#) permite expedir licencias para la gestión activa de fondos congelados, pues entiende que esa gestión es necesaria para mantener el valor de unos fondos que, en última instancia, habrán de ponerse al alcance y al servicio de los libios. El Estado Miembro indica que la concesión de esas licencias no da a las entidades designadas la posibilidad de acceder a los fondos congelados y no invalida en modo alguno el propósito de las medidas de congelación de activos.

119. El Grupo de Expertos es de la opinión contraria, pues considera que las actividades de gestión de activos que entrañen discrecionalidad o generen ingresos de alquiler, aun cuando esos ingresos se mantengan congelados, no encajan actualmente en las categorías de “gastos básicos” o “tenencia o mantenimiento ordinarios” de fondos congelados que se señalan en el párrafo 19 a) de la resolución [1970 \(2011\)](#). Las exenciones previstas en los párrafos 19 a 21 de dicha resolución siguen en vigor. No cabe atender notificaciones de exenciones que no encajen en ninguna de las disposiciones vigentes, con independencia de si la entidad designada tiene o no acceso a los fondos.

120. Habida cuenta de las diferencias de interpretación del párrafo 19 de la resolución [1970 \(2011\)](#), el Grupo de Expertos sigue prestando asistencia al Comité al aportarle nuevas orientaciones para abordar adecuadamente la cuestión, lo que pone de relieve la necesidad de supervisar la aplicación de las disposiciones sobre gestión activa que se enuncian en el párrafo 19 de la resolución¹⁵³.

¹⁵⁰ Véanse www.libyaherald.com/2022/01/attorney-general-in-bid-to-end-belgian-legal-moves-to-seize-lia-assets, 24 de enero de 2022; y <https://libyaupdate.com/libyas-attorney-general-in-belgium-for-talks-on-frozen-assets>, 2 de febrero de 2022.

¹⁵¹ Párrs. 200 a 207.

¹⁵² Véase la definición que figura en el párr. 165 del documento [S/2021/229](#), que es la que suele aceptarse en la legislación financiera y las instrucciones administrativas de muchos Estados Miembros.

¹⁵³ Véase [S/2021/229](#), párr. 168, sobre algunos activos del Instituto Libio de Inversiones y la Cartera de Inversiones de Libia en África gestionados activamente y la opinión del Grupo al respecto.

E. Otros asuntos

121. El Instituto Libio de Inversiones sigue señalando aspectos preocupantes del propio régimen de sanciones y de LAFICO, la Cartera de Inversiones de Libia en África y sus diversas filiales, a saber: a) la imposibilidad de obtener intereses en virtud de la nota orientativa núm. 6 del párr. la aplicación de la resolución; b) los tipos de interés negativos; c) la imposibilidad de reinvertir y mantener inversiones existentes; y d) las cuestiones de procedimiento con los Estados Miembros.

122. El Instituto señala que la congelación de activos es la principal causa de una pérdida de fondos que, según estimaba un consultor internacional en un informe de auditoría, sumarían unos 4.000 millones de dólares¹⁵⁴. A su juicio, es imposible administrar bien la entidad sin la posibilidad de gestionar los fondos congelados, por lo que se está viendo obligado a agotar los recursos cada vez más escasos que no tiene congelados para sufragar gastos operativos corrientes. A un fondo soberano que ha de ser ágil en la ejecución de decisiones comerciales o estratégicas, el sistema de licencias le resulta funcionalmente inmanejable¹⁵⁵.

Análisis de la aplicación de tipos de interés negativos en casos de congelación de activos

123. El Instituto Libio de Inversiones solicitó varias veces al Comité que liberase algunos de sus fondos para el pago de tasas o comisiones legales en los Estados Miembros. En las solicitudes solía invocarse el párrafo 19 a) de la resolución [1970 \(2011\)](#). Algunas solicitudes tenían que ver con la aplicación de tipos de interés negativos conformes al derecho nacional.

124. Al Grupo de Expertos le parece cuestionable que la banca comercial aplique tipos de interés negativos en situaciones extraordinarias como la congelación de activos. Esa política va mermando los fondos congelados, un resultado opuesto al que persigue el régimen de sanciones, que es preservar los fondos en beneficio del pueblo libio. Esa política bancaria, que consiste en imponer tipos de interés negativos a los depósitos de efectivo a largo plazo para que los clientes no tengan fondos inmovilizados durante mucho tiempo, perjudica al Instituto, que no puede transferir fondos congelados para eludir esos tipos.

125. Aunque es consciente de que los Estados Miembros lo consideran un asunto interno, el Grupo de Expertos propone examinar esta política en el plano nacional para determinar si debe aplicarse a activos congelados en virtud de sanciones de las Naciones Unidas (véase la recomendación 6).

VII. Imposición de medidas de congelación de activos y prohibición de viajar a entidades designadas

A. Saadi Qadhafi

126. El 6 de septiembre de 2021, el Gobierno de Unidad Nacional anunció la liberación de Saadi Gadafi (LYi.015), que estaba detenido en Trípoli (véase el anexo 106). Fuentes oficiales libias confirmaron al Grupo de Expertos que el Sr. Gadafi había abandonado el país la noche del 5 de septiembre de 2021 a bordo de un avión del Gobierno de Libia (Dassault Falcon 900EX, número de matrícula 5A-DCN) que había aterrizado en Estambul (Türkiye) el 6 de septiembre de 2021 a la 1.37 horas. El

¹⁵⁴ *Ibid.*, párrs. 152 a 163.

¹⁵⁵ Reunión del Grupo de Expertos (20 de septiembre de 2021).

8 de septiembre de 2021, el Grupo envió a Türkiye y a Libia sendas cartas y, el 17 de noviembre del mismo año, envió a Türkiye otra carta con información identificatoria complementaria. No se han recibido respuestas. El Grupo sigue investigando.

B. Abu Zayd Umar Dorda

127. Los medios de comunicación informaron de que Abu Zayd Umar Dorda (LYi.006) había fallecido el 27 de febrero de 2022¹⁵⁶. El Grupo de Expertos escribió a Libia y Egipto, que según los datos de la lista eran respectivamente los países de nacionalidad y residencia del interesado. Egipto respondió que Dorda había fallecido por causas naturales el 28 de febrero de 2022 y adjuntó una copia de su certificado de defunción (véase el anexo 107). En dicho certificado se indicaba un segundo nombre adicional, Hmeid, y el nombre inscrito era Abu Zayd Umar Hmeid Dorda. No se ha recibido respuesta de Libia (véase la recomendación 5).

C. Exenciones generales de la prohibición de viajar

128. El 1 de diciembre de 2020, el Comité decidió conceder a tres personas inscritas en la lista exenciones generales por períodos de seis meses para la realización de viajes humanitarios¹⁵⁷. Gracias a ellas, los interesados pueden viajar sin necesidad de solicitar exenciones para cada desplazamiento del mismo semestre siempre que se informe anticipadamente de ello al Comité, que de ese modo puede mantenerse al corriente del paradero y el propósito de los viajeros.

129. Esas exenciones se han ido prorrogando sucesivamente desde entonces; la última expira el 31 de mayo de 2022. El Comité informó a todos los Estados Miembros, mediante comunicados de prensa¹⁵⁸ y notas verbales sobre el tema, de que seguía siendo necesario informar de cada viaje antes y, a más tardar, un mes después de realizarlo, conforme a las directrices del Comité y a lo dispuesto en su nota orientativa núm. 4 para la aplicación de resoluciones¹⁵⁹. El Comité también señaló que los Estados que permitieran a esas tres personas viajar o transitar por su territorio deberían notificarle las llegadas y tránsitos pertinentes en un plazo de 48 horas. En la notificación, que se hará por escrito, se indicarán la fecha de entrada y la duración prevista de estancia.

130. Durante el período sobre el que se informa, dos personas exentas viajaron o transitaban por Egipto, Türkiye y los Emiratos Árabes Unidos, pero ninguno de estos países lo notificó al Comité en aplicación de las directrices mencionadas. Omán y Suiza sí notificaron al Comité los viajes de personas exentas, conforme a las directrices en cuestión.

131. Para una aplicación plena de las directrices del Comité y de lo dispuesto en su nota orientativa núm. 4, tal vez convendría facilitar a los Estados Miembros pertinentes una información más útil y oportuna (véase la recomendación 4).

¹⁵⁶ Véanse <https://al-ain.com/article/abuzeid-dorda-libya-intelligence>, 28 de febrero de 2022; y www.libyaobserver.ly/inbrief/former-regime-official-died-cairo, 28 de febrero de 2022.

¹⁵⁷ Véase www.un.org/press/en/2020/sc14369.doc.htm, 1 de diciembre de 2020; las personas en cuestión son Safia Farkash Al-Barassi (LYi.019), Aisha Muammar Muhammad Abu Minyar Qadhafi (LYi.009) y Mohammed Muammar Qadhafi (LYi.012).

¹⁵⁸ Véanse www.un.org/press/en/2021/sc14543.doc.htm, 7 de junio de 2021; y www.un.org/press/en/2021/sc14718.doc.htm, 3 de diciembre de 2021.

¹⁵⁹ Véanse www.un.org/securitycouncil/sanctions/1970/guidelines; y https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/1970_ian4_0.pdf.

VIII. Recomendaciones

132. He aquí las recomendaciones del Grupo de Expertos:

Al Consejo de Seguridad:

- Recomendación 1. Considerar la posibilidad de exigir a los Estados Miembros que notifiquen al Comité todo envío a Libia de carga diplomática, artículos humanitarios o material de protección en buques o aeronaves militares [véase el párr. 60].
- Recomendación 2. Pedir al Gobierno de Libia que, conforme a lo dispuesto en el párrafo 6 de la resolución [2278 \(2016\)](#), actualice los datos de su punto focal y facilite al Comité información útil sobre la estructura de las fuerzas de seguridad que están bajo su mando [véase el párr. 67].

Al Comité:

- Recomendación 3. Eliminar de la entrada de la lista de sanciones correspondiente al Instituto Libio de Inversiones la indicación de que también se conoce como “Empresa Libia de Inversiones Extranjeras” y considerar la posibilidad de inscribir por separado a la Empresa (también denominada Libyan Arab Foreign Investment Company) como entidad designada distinta [véase el párr. 112].
- Recomendación 4. Recordar a los Estados Miembros pertinentes sus obligaciones de notificación cuando el Comité sea informado de viajes que vayan a realizarse al amparo de una exención general de la prohibición de viajar [véase el párrafo 131].
- Recomendación 5. Actualizar la entrada de la lista de sanciones correspondiente a Abu Zayd Umar Dorda (LYi.006) para dejar constancia de su fallecimiento y de su otro segundo nombre [véase el párr. 127].

A los Estados Miembros:

- Recomendación 6. Hacer que en las políticas nacionales se tengan en cuenta las condiciones excepcionales a las que están sujetos los fondos congelados en virtud de regímenes de sanciones de las Naciones Unidas [véase el párr. 125].

Annexes

	<i>Page</i>
Annex 1 Overview of the evolution of the Libya sanctions regime	47
Annex 2 Abbreviations and acronyms	50
Annex 3 Methodology	52
Annex 4 Member States, organizations and institutions consulted	58
Annex 5 Summary of Panel correspondence	60
Annex 6 Urgent expenditures committed by the GNU	63
Annex 7 Letter addressed by the 5+5 Joint Military Commission (JMC) to the Presidential Council and to the Prime Minister	67
Annex 8 Statements by the Chief of Staff of the Libyan Armed Forces and the Stability Support Apparatus (SSA)	69
Annex 9 Mahmoud Al Warfalli's death and burial certificates	73
Annex 10 Decrees by the Presidential Council	77
Annex 11 Decree by Haftar disbanding 116 brigade (11 September 2021)	81
Annex 12 Improvement of HAF operational capability	83
Annex 13 Counterterrorism and terrorism related events in Libya (2021)	84
Annex 14 Statement of the HAF representatives of the 5+5 JMC	87
Annex 15 Sudanese groups in Libya	89
Annex 16 Front pour l'Alternance et la Concorde (FACT) and other Chadian opposition groups in Libya	90
Annex 17 Syrian fighters in Libya	92
Annex 18 22 December 2021 HNEC statement	94
Annex 19 Various factors impacting the electoral process	97
Annex 20 Incidents of violations of international humanitarian law and international human rights law committed in detention facilities under the control of armed groups in Libya	100
Annex 21 Slavery of migrant detainees in the Mitiga detention facility	103
Annex 22 Attacks on human rights defenders, social activists and media workers	110
Annex 23 Human rights abuses in unlawful detention places under the control of networks of human traffickers in Bani Walid and Tazirbu	112
Annex 24 Violations of international human rights law against migrants and asylum seekers	116
Annex 25 Maritime and air delivery non-compliance profile indicators	149
Annex 26 Summary of arms embargo equipment violations (26 Feb 2011 - 25 Apr 2022)	152
Annex 27 Naval assets used by the Stability Support Apparatus	163
Annex 28 Activities by HAF naval units	168
Annex 29 "Prohibited zone" declared by HAF	170
Annex 30 Military Armoured Vehicles on board MV Luccello (4 March 2022)	171
Annex 31 Italian naval vessel presence in Libya	174
Annex 32 Summary of newly identified arms embargo equipment transfer and training violations and non-compliances	176
Annex 33 Streit Typhoon 4x4 APC (13 December 2014)	183
Annex 34 KaMaz 6x6 Military Trucks (1 June 2018)	184
Annex 35 SPG-9 73mm Grenade Launcher (5 March 2019)	185
Annex 36 Orsis T-5000 Sniper Rifle (7 May 2019)	186
Annex 37 Type 56-1 Assault Rifle, Type-80 GPMG and Type-69 Grenade Launcher (26 January 2020)	187
Annex 38 Inkas Titan-S 6x6 APC (15 March 2020)	188
Annex 39 12.7mm W-85 Heavy Machine Gun (21 March 2020)	189
Annex 40 ZALA 421-16E UAV (20 April 2020)	190
Annex 41 ZSU-23-2-CP 23mm Twin Cannon (14 June 2020)	191
Annex 42 120mm High Explosive (HE) Mortar Bomb M62P10 (3 June 2020)	192
Annex 43 1RL131 P-18 early warning radar (18 June 2020)	194
Annex 44 Ural 6x6 Military Trucks (12 July 2020)	195

Annex 45	TM-62M Anti-Tank Mine (1 August 2020)	196
Annex 46	120mm High Explosive (HE) Mortar Bomb (9 October 2020)	197
Annex 47	120mm 120-PM-43 M1948 Mortar (15 November 2020)	198
Annex 48	XP Type Holographic Weapon Sights (HWS) (21 November 2020)	199
Annex 49	MKEK MBT 55K Assault Rifles (21 November 2020)	200
Annex 50	120mm M-74 Mortar (4 January 2021)	201
Annex 51	<i>Akdas</i> AK40-GL type 40x46mm Grenade Launchers (28 January 2021)	202
Annex 52	AK-103 Assault Rifles with HAF 106 brigade (30 January 2021)	203
Annex 53	<i>System Defence</i> 5.56mm Multi-Functional Rifle (MFR) (2 February 2021)	204
Annex 54	5.56mm JAWS 556 Assault Rifles in Libya (4 February 2021)	205
Annex 55	122mm M-30 M1938 Howitzer in Libya (23 March 2021)	206
Annex 56	T-62 variant Main Battle Tank (MBT) in Libya (23 March 2021)	207
Annex 57	GNU-AF training on M60 <i>Patton</i> Main Battle Tank in Libya (27 March 2021)	208
Annex 58	AMN 233114 Tiger-M MPV deployed with HAF (30 March 2021)	209
Annex 59	HAF Sordin Supreme Pro-X Max Black hearing protectors (5 May 2021)	210
Annex 60	Seizure of SUR BRT M9 blank firing pistols in Misrata (18 May 2021)	211
Annex 61	UAZ-469 communication vehicles with HAF 166 brigade (24 May 2021)	212
Annex 62	Militarized Jeep Gladiator with HAF (27 May 2021)	213
Annex 63	Militarized Toyota Land Cruiser 6x6 variant with HAF (29 May 2021)	214
Annex 64	TAG <i>BATT</i> 4x4 APC (29 May 2021)	215
Annex 65	<i>Steyr</i> SSG 08 variant or copy Sniper Rifle (3 June 2021)	216
Annex 66	Armoured Toyota Land Cruiser 79 variant with Russian PMC (3 June 2021)	217
Annex 67	GNU-AF CForce All-Terrain Vehicles (ATV) (4 July 2021)	218
Annex 68	MKEK JNG-90 Bora Sniper Rifles in Libya (11 July 2021)	219
Annex 69	AN/PVS-7 Night Vision Goggles (9 August 2021)	220
Annex 70	122mm <i>Rocketsan</i> FFR Pods and Hybrid Launcher (17 August 2021)	221
Annex 71	SALW seizures in Sudan (18 September 2021 and 8 January 2021)	222
Annex 72	Katmerciler <i>KIRAC</i> Armoured Personnel Carrier (24 December 2021)	223
Annex 73	AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL) (31 December 2021)	224
Annex 74	Aselsan A100 Night Vision Monocular (NVM) (9 February 2022)	225
Annex 75	MKEK 7.62 x 51mm MBT-76 Assault Rifles (9 February 2022)	226
Annex 76	M79 Osa 90mm Anti-tank Rockets (23 March 2022)	227
Annex 77	GNA-AF Air Defence training in Turkey (1 February 2021)	228
Annex 78	GNA-AF Military Diving training in Khoms, Libya (6 February 2021)	229
Annex 79	GNA-AF Officer Cadet training in Tripoli, Libya (7 February 2021)	230
Annex 80	GNU-AF Unit 444 UAV training in Libya (25 March 2021)	231
Annex 81	GNU-AF training on <i>Firtina</i> T-155 SP howitzer in Libya (30 March 2021)	232
Annex 82	GNU-AF Special Forces Training in Turkey (7 August 2021)	233
Annex 83	HAF 106 brigade return from training in Egypt (8 September 2021)	234
Annex 84	GNU-AF Sniper Training from Turkish Armed Forces (3 October 2021)	235
Annex 85	GNU-AF Mountain Corps Academy Training in Turkey (9 October 2021)	236
Annex 86	Russian Federation military cargo flights in eastern Libya	237
Annex 87	Turkish military cargo flights in support of GNU-AF	241
Annex 88	Cham Wings Airlines flights in support of HAF	244
Annex 89	Summary of aviation related violations, non-compliances and 'of interest' air operators	248
Annex 90	Libya Police Aviation IL-76TD cargo aircraft (5A-POL)	252
Annex 91	Alpha Air LLC owned IL-76TD cargo aircraft (5A-7656)	254
Annex 92	FlySky Airlines LLC (FSQ), Kyrgyz Republic flights in support of HAF	256
Annex 93	FlySky Airlines LLC (FSU) Ukraine flights in support of HAF	265
Annex 94	Green Flag Aviation, Sudan aircraft in support of HAF	271
Annex 95	NPP Mir Aviakompania (NPP), Russian Federation in support of HAF	273
Annex 96	Sapsan Airline LLC (KGB), Kyrgyz Republic flights in support of HAF	274
Annex 97	Space Cargo Inc (UAE) activities in 2021	276
Annex 98	Syrian Arab Airlines (SYR) operating in Libya	313

Annex 99	Update on Project Opus	314
Annex 100	Update on ChVK Wagner and Russian PMC operations and logistics	322
Annex 101	End user certificates for communication surveillance systems	350
Annex 102	Member States and regional organizations responses to arms embargo violations	355
Annex 103	HAF tactical ballistic missile test launches	357
Annex 104	Central Bank of Libya (CBL) reunification process from report of external consultant to the CBL	367
Annex 105	Ernst and Young Global Limited progress status of LIA as of 18 February 2022	368
Annex 106	Press release by GNU on the release of Saadi Qadhafi (LYi.15) (6 September 2021)	369
Annex 107	Certificate of death for Abu Zayd Umar Dorda (LYi.006)	371

Annex 1 Overview of the evolution of the Libya sanctions regime

1. By resolution [1970 \(2011\)](#), the Council expressed grave concern at the situation in Libya, condemned the violence and use of force against civilians and deplored the gross and systematic violation of human rights. Within that context, the Council imposed specific measures on Libya, under Chapter VII of the Charter of the United Nations, including the arms embargo, which relates to arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, in addition to the provision of armed mercenary personnel. The arms embargo covers both arms entering and leaving Libya. The Council also imposed travel ban and asset freeze measures, and listed individuals as subject to one or both measures, in the resolution. Furthermore, the Council decided that the travel ban and the asset freeze were to apply to the individuals and entities designated by the Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya involved in or complicit in ordering, controlling or otherwise directing the commission of serious human rights abuses against persons in Libya.
2. By resolution [1973 \(2011\)](#), the Council strengthened the enforcement of the arms embargo and expanded the scope of the asset freeze to include the exercise of vigilance when doing business with Libyan entities, if States had information that provided reasonable grounds to believe that such business could contribute to violence and use of force against civilians. Additional individuals subject to the travel ban and asset freeze were listed in the resolution, in addition to five entities subject to the freeze. The Council decided that both measures were to apply also to individuals and entities determined to have violated the provisions of the previous resolution, in particular the provisions concerning the arms embargo. The resolution also included the authorization to protect civilians and civilian populated areas under threat of attack in Libya. In addition, it included a no-fly zone in the airspace of Libya and a ban on flights of Libyan aircraft.
3. On 24 June 2011, the Committee designated two additional individuals and one additional entity subject to the targeted measures. By resolution [2009 \(2011\)](#), the Council introduced additional exceptions to the arms embargo and removed two listed entities subject to the asset freeze, while allowing the four remaining listed entities to be subjected to a partial asset freeze. It also lifted the ban on flights of Libyan aircraft.
4. By resolution [2016 \(2011\)](#), the Council terminated the authorization related to the protection of civilians and the no-fly zone. On 16 December 2011, the Committee removed the names of two entities previously subject to the asset freeze.
5. In resolution [2040 \(2012\)](#), the Council directed the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures with regard to the two listed entities – the Libyan Investment Authority and the Libyan Africa Investment Portfolio – and decided that the Committee was, in consultation with the Libyan authorities, to lift the designation of those entities as soon as practical.
6. In resolution [2095 \(2013\)](#), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.
7. By resolution [2144 \(2014\)](#), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.
8. By resolution [2146 \(2014\)](#), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.
9. By resolution [2174 \(2014\)](#), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability of security of Libya or obstructing the completion of the political transition. The resolution strengthened the arms embargo, by requiring prior approval of the Committee for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya intended for security or disarmament assistance to the Libyan government, with the exception of

non-lethal military equipment intended solely for the Libyan government. The Council also renewed its call upon Member States to undertake inspections related to the arms embargo, and required them to report on such inspections.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24. 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

AQIM	Al-Qaida in the Islamic Maghreb
BPD	Barrels Per Day
CBL	Central Bank of Libya
CCMSR	Conseil de Commandement Militaire pour le Salut de la République
CEO	Chief Executive Officer
ChVK	Russian language abbreviation for private military enterprise
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
DCIM	Directorate for Combating Illegal Migration
DCSIM	Department for Combating Settlement and Illegal Migration
DOB	Date of Birth
ECBL	Eastern Central Bank of Libya
EOD	Explosive Ordnance Disposal
EUNAVFOR	EU Naval Force Mediterranean
EUR	Euro
FACT	Front pour l'Alternance et la Concorde au Tchad
FMCG	Fast Moving Consumer Goods
FNDJT	Front de la Nation pour la Démocratie et la Justice
FZE	Free Zone Enterprise (UAE)
GACS	General Administration for Coastal Security
GMMR	Great Man Made River
GNA	Government of National Accord
GNA-AF	Government of National Accord Affiliated Forces
GNU	Government of National Unity
HAF	Haftar Affiliated Forces
HNEC	High National Election Commission
HoR	House of Representatives
IAN	Implementation Assistance Notice
IFSWF	International Forum of Sovereign Wealth Funds
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMO	International Maritime Organization
ISIL	Islamic State in Iraq and the Levant
JMC	Joint Military Commission
JPA	Juba Peace Agreement
km	Kilometre(s)
LAAF	Libyan Arab Armed Forces (HAF)
LAFICO	Libyan Arab Foreign Investment Company
LAIP	Libyan Africa Investment Portfolio
LCG	Libyan Coast Guard
LFB	Libyan Foreign Bank
LFIC	Libyan Foreign Investment Company
LIA	Libyan Investment Authority
LIA	Libyan Investment Authority
LIDCO	Libyan Investment and Development Company
LN	Libyan Navy
LNA	Libyan National Army (now LAAF)

LPDF	Libyan Political Dialogue Forum
LYD	Libyan Dinar(s)
m	Metre(s)
MAV	Military Armoured Vehicle
MRCC	Maritime Rescue and Coordination Centre
MV	Motor Vessel
NGO	Non-governmental organization
nm	Nautical Miles
NOC	National Oil Corporation
Panel	Panel of Experts
PC	Presidency Council
PFG	Petroleum Facility Guard
PMC	Private Military Company
PMO	Project Management Office
RHIB	Rigid Hulled Inflatable Boats
RTGS	Real-Time Gross Settlement System
SAR	Search and Rescue
SCMS	Susah Combat Marine Squadron
SDF	Special Deterrence Force
SLA/AW	Sudan Liberation Army/Abdul Wahid
SSA	Stability Support Apparatus
SWF	Sovereign Wealth Funds
TBM	Tactical Ballistic Missile(s)
TBZ	Tariq Ibn Ziyad (brigade)
ToR	Terms of Reference
TRB	Tripoli Revolutionary Brigade
UAE	United Arab Emirates
UFR	Union des Forces de la Resistance
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNSMIL	UN Support Mission in Libya
USD	United States Dollars
WMO	World Meteorological Organization

Annex 3 Methodology

1. The Panel ensured compliance with the methodological standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997). Those standards call for reliance on verified, genuine documents and concrete evidence and on-site observations by the experts, including taking photographs, wherever possible. When physical inspection is not possible, the Panel will seek to corroborate information using multiple, independent sources to appropriately meet the highest achievable standard, placing a higher value on statements by principal actors and first-hand witnesses to events.
2. The Panel used satellite imagery of Libya procured by the United Nations from private providers to support investigations, as well as open-source imagery. Commercial databases recording maritime and aviation data were referenced. Public statements by officials through their official media channels were accepted as factual unless contrary facts were established. Any mobile phone records from service providers were also accepted as factual. While the Panel wishes to be as transparent as possible, in situations in which identifying sources would have exposed them or others to unacceptable safety risks, the Panel decided not to include identifying information in this document and instead placed the relevant evidence in United Nations secure archives.
3. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, to appropriately meet the highest achievable standard of proof.
4. The spelling of toponyms within Libya often depends on the ethnicity of the source or the quality of transliteration. The Panel has adopted a consistent approach in the present update. All major locations in Libya are spelled or referenced as per the UN Geographical Information System (GIS) map at appendix 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 based on unanimity.
6. The Panel is committed to impartiality in investigating incidents of non-compliance by any party.
7. The Panel is equally committed to the highest degree of fairness and has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this update. Their response has been taken into consideration in the Panel's findings. The methodology for this is provided in appendix B.
8. The Panel's methodology, in relation to its investigations concerning IHL, IHRL and human rights abuses, is provided in appendix C.

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

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity² in a Panel’s report could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/material in support. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
 - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
 - (b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:
 - (c) Result in the individual moving assets if they get warning of a possible recommendation for designation;
 - (d) Restrict further access of the Panel to vital sources;
 - (e) Endanger Panel sources or Panel members;
 - (f) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or
 - (g) 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's methodology, in relation to its investigations concerning IHL, IHRL and human rights abuses, is set out as below:

- (a) All Panel investigations are initiated based on verifiable information being made available to the Panel, either directly from sources or from media reports.
- (b) In carrying out any investigations on the use of explosive ordnance against the civilian population, the Panel will rely on at least three or more of the following sources of information:
 - (i) At least two eye-witnesses or victims;
 - (ii) At least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iii) If there are casualties associated with the incident, and if the casualties are less than ten in number, the Panel obtains copies of death certificates and medical certificates. In incidents relating to mass casualties, the Panel relies on published information from the United Nations and other organizations;
 - (iv) Technical evidence, which includes imagery of explosive events such as the impact damage, blast effects, and recovered fragmentation. In all cases, the Panel collects imagery from at least two different and unrelated sources. In the rare cases where the Panel has had to rely on open-source imagery, the Panel verifies that imagery by referring it to eye or by checking for pixilation distortion;
 - a. In relation to air strikes, the Panel often identifies the responsible party through crater analysis or by the identification of components from imagery of fragmentation; and
 - b. The Panel also analyses imagery of the ground splatter pattern at the point of impact from mortar, artillery, or free flight rocket fire to identify the direction from which the incoming ordnance originated. This is one indicator to assist in the identification of the perpetrator for ground fire when combined with other source information.
 - (v) The utilisation of open source or purchased satellite imagery wherever possible, to identify the exact location of an incident, and to support analysis of the type and extent of destruction. Such imagery may also assist in the confirmation of timelines of the incident;
 - (vii) Access to investigation reports and other documentation of local and international organizations that have independently investigated the incident;
 - (vii) Other documentation that supports the narrative of sources, for example, factory manuals that may prove that the said factory is technically incapable of producing weapons of the type it is alleged to have produced;
 - (viii) In rare instances where the Panel has doubt as to the veracity of available facts from other sources, local sources are relied on to collect specific and verifiable information from the ground. (For example, if the Panel wished to confirm the presence of an armed group in a particular area);
 - (ix) Statements issued by or on behalf of a party to the conflict responsible for the incident; and/or
 - (x) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.
- (c) In carrying out its investigations on deprivation of liberty and associated violations the Panel relies on the following sources of information:

- (i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;
 - (ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;
 - (iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iv) Medical documentation and, where applicable, death certificates;
 - (v) Documentation issued by prison authorities;
 - (vi) Interviews with medical personnel who treated the victim, wherever possible;
 - (vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;
 - (viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;
 - (ix) Statements issued by the party to the conflict responsible for the incident; and/or
 - (x) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.
- (d) In carrying out its investigations on other violations, which can include forced displacement and threats against medical workers, the Panel relies on information that includes:
- (i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;
 - (ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
 - (iii) Documentation relevant to verify information obtained;
 - (iv) Statements issued by the party to the conflict responsible for the incident; and/or
 - (v) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.
- (e) Upon completion of its investigation, wherever possible, the Panel provides those responsible with an opportunity to respond to the Panel's findings in so far as it relates to the attribution of responsibility. Detailed information on incidents will not be provided when there is a credible threat that would threaten Panel sources.
- (f) If a party does not provide the Panel with the information requested, as called upon by paragraph 14 of resolution [2571 \(2021\)](#), the Panel may consider this for reporting to the Committee.

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

3. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: 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

This list excludes individuals and certain 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 and institutions consulted ^{a b c}

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Algeria		Permanent Mission to the UN	
Australia			Federal Police ^c
Austria	Ministry of Foreign Affairs ^c	Permanent Mission to the UN ^c UNODC ^c Office of the Public Prosecutor ^c	
Belgium		EU EEAS	
Chad		Permanent Mission to the UN ^c	
China ^a		Permanent Mission to the UN	
Cyprus	Ministry of Foreign Affairs ^c		
Egypt		Permanent Mission to the UN ^c	
France ^a	Ministry of Foreign Affairs	Permanent Mission to the UN Embassy to Libya (in Tunis) UNESCO ^c	NGOs
Germany		Embassy to Libya (in Tunis)	NGOs ^c
India ^b		Permanent Mission to the UN ^c	
Ireland ^b	Ministry of Foreign Affairs ^c	Permanent Mission to the UN	
Italy	Ministry of Foreign Affairs and other ministries and departments	Permanent Mission to the UN ^c HQ EU NAVFOR Guardia di Finanza Office of the Public Prosecutor	NGOs
Jordan		Permanent Mission to the UN ^c	
Kazakhstan			Civil Aviation Authority ^c
Libya	Ministry of Foreign Affairs, security agencies	Permanent Mission to the UN IOM ^c UNHCR UNICEF ^c UNSMIL UNODC ^c	Designated entities, Office of the Attorney General, CBL NOC NGOs

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Liechtenstein		Permanent Mission to the UN ^c	
Malta	Ministry of Foreign Affairs	Permanent Mission to the UN	NGOs
Mexico ^b		Permanent Mission to the UN	
Netherlands		Embassy to Libya	
Nigeria		Permanent Mission to the UN ^c	
Norway		Permanent Mission to the UN	
Poland		FRONTEX ^c	
Russian Federation		Permanent Mission to the UN ^c	
Serbia	Ministry of Foreign Affairs		
Sweden	Ministry of Foreign Affairs (Inspectorate for Strategic Products) ^c		
Switzerland		UN OHCHR	NGOs
Tunisia	Ministry of Foreign Affairs and other ministries and departments	EU Delegation to Libya EUBAM ^c UNODC ^c	NGOs
Turkey		Permanent Mission to the UN Embassy to Libya	
United Kingdom ^a	Foreign, Commonwealth and Development Office, and Treasury ^c	Permanent Mission to the UN	NGOs
UAE		Permanent Mission to the UN	
USA ^a	State Department and other departments	Mission to the UN SRSG SVC ^{c d} SRSG CAAC ^{c e}	C4ADS ^c

^a Countries indicated 'a' are permanent members of the Security Council.

^b Countries indicated 'b' are non-permanent members of the Security Council (2022).

^c Via VTC or other electronic platform only.

^d Sexual Violence in Conflict.

^e Children and Armed Conflict.

Annex 5 Summary of Panel correspondence

Table 5.1

Correspondence with Member States (2571 (2021) Mandate)³
(15 May 2021 to 25 April 2022)^a

<i>Member State / country</i>	<i># letters sent by the Panel^b</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
Armenia	1	1	0
Azerbaijan	1	1	0
Belarus	4	4	0
Bulgaria	1	1	0
Chad	4	2	2
Cyprus	3	3	0
Egypt	4	3	1
France	2	2	0
India	1	1	0
Greece	2	0	2
Iran (Islamic Republic of)	1	1	0
Italy	4	2	2
Jordan	4	1	3
Kazakhstan	1	1	0
Kyrgyz Republic	9	7	2
Lebanon	1	0	1
Libya	24	3	21
Moldova	2	1	1
Qatar	2	1	1
Russian Federation	4	3	1
Saudi Arabia	1	0	1
South Africa	3	0	3
Sudan	4	1	3
Tunisia	1	1	0
Turkey	15	7	8
Turkmenistan	1	1	0
Uganda	1	0	1

³ Excluding updates to the Committee, letters to the Chair or visa requests to Member States.

<i>Member State / country</i>	<i># letters sent by the Panel ^b</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
Ukraine	3	2	1
United Arab Emirates	7	4	3
United Kingdom	2	2	0
Total	113	56	57

^a 15 May 2021 being the date the Panel was appointed pursuant to resolution [2571 \(2021\)](#), and 25 April 2022 being the last date for which responses had been requested by the Panel. Letters requesting responses after 25 April 2022 are not included in the table.

Table 5.2

**Correspondence with regional organizations and other entities (2571 (2021) Mandate)
(15 May 2021 to 25 April 2022) ^a**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies ^b</i>	<i># awaiting reply</i>
Attorney General's Office Libya	2	0	2
European Union (FRONTEX)	2	1	1
<i>Front pour l'Alternance et la Concorde au Tchad</i>	1	1	0
HAF LAAF	1	0	1
Libyan Investment Authority	1	1	0
Total	7	3	4

^a 15 May 2021 being the date the Panel was appointed pursuant to resolution [2571 \(2021\)](#), and 25 April 2022 being the last date for which responses had been requested by the Panel.

Table 5.3

**Correspondence with commercial companies (2571 (2021) Mandate)
(15 May 2021 to 25 April 2022) ^a**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies ^b</i>	<i># awaiting reply</i>
Aerobusiness FZE, UAE	1	0	1
Africo 1, Lebanon	1	0	1
Airbus, France	1	1	0
Akar Group, Turkey	1	0	1
Alpha Express, Ukraine	1	0	1
Antonov Airlines, Ukraine	1	0	1

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies ^b</i>	<i># awaiting reply</i>
AR Global FZE, UAE	1	0	1
Arkas Denizcilik Ve Nakliyat, Turkey	1	0	1
CAE Aviation LLP, Luxembourg	1	1	0
Ceha Hempel LLP, Austria	1	0	1
CMA CGM, France	1	1	0
EOTech Ltd, USA	1	1	0
Grimaldi Group SpA, Italy	1	1	0
Hilton Group, USA	1	1	0
Holman Fenwick Willan MEA LLP, UAE	4	3	1
Iveco D.V, Italy	1	1	0
Jabal Alkowf, Libya	1	0	1
Jamaluddin Trading, UAE	1	0	1
Jeep LLC, USA	1	1	0
Kapeks Kimya Sanayi A.S, Turkey	1	1	0
L3 Harris LLC, USA	1	0	1
Mehdi Bros, India	1	1	0
Meridien Airlines FZE, UAE	2	1	1
MNG Airlines, Turkey	1	1	0
MSPV LLC, UAE	1	1	0
Novi Automax LLC, UAE	1	0	1
RAK Leisure FZE, UAE	1	0	1
Roland Aviation FZE, UAE	2	0	2
Sberbank Magyarorszag Zrt, Hungary	1	1	0
South Florida Jeeps Ltd, USA	1	0	1
Space Cargo FZE, UAE	6	6	0
Steyr Arms, Austria	1	1	0
Sur Arms, Turkey	1	1	0
Syrian Arab Airlines, Syria	2	0	2
Toba Ship Management, Marshall Islands	1	1	0
Toyota Motor Company, Japan	1	0	1
ZMT LLC, Poland	1	0	1
Total	48	26	22

^a 15 May 2021 being the date the Panel was appointed pursuant to resolution [2571 \(2021\)](#), and 25 April 2022 being the last date for which responses had been requested by the Panel.

Annex 6 Urgent expenditures committed by the GNU

Panel's observations:

- Line 16 allocates LYD 16.8 million to the Stability Support Agency
- Line 24 allocates LYD 15 million to the Internal Security Service
- Line 65 allocates LYD 25 million to the Joint Task Force
- Line 87 allocates LYD 15 million to the Special Deterrence Force

Figure 6.1

Urgent expenditures committed by the GNU (source: Confidential Source)

إدارة الميزانية قسم التمويل موقف بما تم تمويله على الباب الخامس (نفقات الطوارئ) للعام 2021م						
2021 / 08 / 19						
ملاحظات	5,000,000,000	القيمة	رقم أذن التمويل	رقم الكتاب أو القرار	الجهة	ت
	4,900,000,000	100,000,000	3204	قرار مجلس الوزراء رقم (16) لسنة 2021م	وزارة الصحة	1
	4,882,000,000	18,000,000	3221	كتاب رئيس مجلس الوزراء رقم (660) بتاريخ 2021/4/5	ديوان وزارة المواصلات	2
	4,876,182,236	5,817,764	3228	كتبي وزير الدولة (1524) - (1569) بتاريخ 2021/4/21-20	وزارة الصحة	3
	4,849,182,236	27,000,000	3233	قرار مجلس الوزراء رقم (54) لسنة 2021م	وزارة الداخلية	4
	4,845,082,236	4,100,000	3234	قرار مجلس الوزراء رقم (49) لسنة 2021م	وزارة الثروة البحرية	5
	4,775,082,236	70,000,000	3235	قرار مجلس الوزراء رقم (50) لسنة 2021م	الجهز التنفيذ للطيران الخاص	6
	4,690,082,236	85,000,000	3236	قرار مجلس الوزراء رقم (44) لسنة 2021م	جهز تنمية وتطوير المراكز الإدارية	7
	4,540,082,236	150,000,000	3237	قرار مجلس الوزراء رقم (53) لسنة 2021م	وزارة الدفاع	8
	4,534,082,236	6,000,000	3238	قرار مجلس الوزراء رقم (62) لسنة 2021م	ديوان مجلس الوزراء	9
	4,524,082,236	10,000,000	4239	قرار مجلس الوزراء رقم (69) لسنة 2021م	وزارة الحكم المحلي - شركة الخدمات العامة طرابلس	10
	4,523,818,236	264,000	4241	قرار مجلس الوزراء رقم (67) لسنة 2021	وزارة الإسكان والتعمير	11
	4,433,470,616	90,347,620	4843	قرار مجلس الوزراء رقم (85) لسنة 2021	وزارة المواصلات لصيانة الطائرات	12
	4,383,470,616	50,000,000	5609	قرار مجلس الوزراء رقم (144) لسنة 2021 كتاب وزير الدولة رقم (4668) بتاريخ 13/6/2021م	مكتب النائب العام	13
	4,371,167,335	12,303,281	5610	قرار مجلس الوزراء رقم (111) لسنة 2021م	وزارة الحكم المحلي - شركة الخدمات العامة طرابلس	14
	4,356,167,335	15,000,000	5611	قرار مجلس الوزراء رقم (114) لسنة 2021م	ديوان وزارة الداخلية	15
	4,339,367,335	16,800,000	5766	قرار مجلس الوزراء رقم (127) لسنة 2021م	جهز دعم الاستقرار	16
	4,329,367,335	10,000,000	5767	قرار مجلس الوزراء رقم (124) لسنة 2021م	المجلس الرئاسي	17
	4,279,367,335	50,000,000	5768	قرار مجلس الوزراء رقم (131) لسنة 2021م	جهز المخبرات الطبية	18
	4,271,712,335	7,655,000	5769	قرار رئيس مجلس الوزراء رقم (144) لسنة 2021م	قوة مكافحة الارهاب	19
	4,269,312,335	2,400,000	5770	قرار مجلس الوزراء رقم (123) لسنة 2021م	ديوان وزارة الاقتصاد والتجارة	20
	4,252,640,770	16,671,565	5771	قرار مجلس الوزراء رقم (105) لسنة 2021م	المركز الوطني للأمن وإدارة الأزمات	21
	4,242,640,770	10,000,000	5772	قرار مجلس الوزراء رقم (128) لسنة 2021م	وزارة الرياضة	22
	4,240,648,583	1,992,187	5773	قرار مجلس الوزراء رقم (130) لسنة 2021م	وزارة الحكم المحلي - بلدية العزيزية	23

إدارة الميزانية
قسم التمويل
موقف بما تم تمويله على الباب الخامس (نفقات الطوارئ) للعام 2021م

2021 / 08 / 19

ت	الجهة	رقم الكتاب أو القرار	رقم أذن التمويل	القيمة	5,000,000,000	ملاحظات
24	جهاز الأمن الداخلي	قرار مجلس الوزراء رقم (129) لسنة 2021م	5774	15,000,000	4,225,648,583	
25	وزارة الدفاع	قرار مجلس الوزراء رقم (106) لسنة 2021م	5979	8,000,000	4,217,648,583	
26	جهاز الردع لمكافحة الجريمة المنظمة والإرهاب	قرار مجلس الوزراء رقم (138) لسنة 2021م	5991	15,000,000	4,202,648,583	
27	ديوان وزارة الاقتصاد والصناعة	قرار مجلس الوزراء حكومة الوحدة الوطنية رقم (58) لسنة 2021م	6868	4,707,820	4,197,940,763	
28	ديوان وزارة المواصلات		6869	22,993,349	4,174,947,414	
29	وزارة الصحة		6870	1,080,702	4,173,866,712	
30	وزارة الإسكان والمرافق		6871	5,207,130	4,168,659,582	
31	الهيئة العامة للموارد المائية		6872	8,190,678	4,160,468,904	
32	ديوان الهيئة العامة للثقافة والمجتمع المدني		6873	3,134,180	4,157,334,724	
33	هيئة المشروعات العامة		6874	1,714,806	4,155,619,918	
34	الهيئة العامة لتشجيع الاستثمار وشؤون الخصخصة		6875	11,955,823	4,143,664,095	
35	دار الإفتاء الليبية	قرار مجلس الوزراء رقم (134) لسنة 2021م	6876	3,000,000	4,140,664,095	
36	المحكمة العليا	قرار مجلس الوزراء رقم (142) لسنة 2021م	6877	10,000,000	4,130,664,095	
37	وزارة التربية والتعليم	قرار مجلس الوزراء رقم (137) لسنة 2021م	6878	10,000,000	4,120,664,095	
38	وزارة السياحة والصناعات التقليدية	قرار مجلس الوزراء رقم (146) لسنة 2021م	6879	3,000,000	4,117,664,095	
39	وزارة الصناعة والمعادن	قرار مجلس الوزراء رقم (145) لسنة 2021م	6880	2,000,000	4,115,664,095	
40	وزارة المواصلات (مصلحة المطارات)	قرار مجلس الوزراء رقم (147) لسنة 2021م	6881	2,000,000	4,113,664,095	
41	وزارة الداخلية (جهاز المباحث الجنائية)	قرار مجلس الوزراء رقم (148) لسنة 2021م	6882	10,000,000	4,103,664,095	
42	ديوان وزارة الاقتصاد والصناعة	قرار مجلس الوزراء رقم (58) لسنة 2021م	6883	10,800	4,103,653,295	
43	جهاز تنمية وتطوير المراكز الإدارية		6884	13,648,849	4,090,004,446	
44	وزارة الإسكان والمرافق		6885	907,604	4,089,096,842	
45	الهيئة العامة لتشجيع الاستثمار وشؤون الخصخصة		6886	2,280,960	4,086,815,882	
46	جهاز استثمار مياه النهر الصناعي- الحصانة		6889	179,040	4,086,636,842	
47	الهيئة العامة لتشجيع الاستثمار وشؤون الخصخصة		6890	140,904	4,086,495,938	
48	وزارة الإسكان والمرافق		6891	44,748	4,086,451,190	

إدارة الميزانية
قسم التمويل
موقف بما تم تمويله على الباب الخامس (نفقات الطوارئ) للعام 2021م

2021 / 08 / 19

ت	الجهة	رقم الكتاب أو القرار	رقم آذن التمويل	القيمة	5,000,000,000	ملاحظات
49	ديوان مجلس الوزراء	قرار مجلس الوزراء رقم (156) لسنة 2021م	6895	10,000,000	4,076,451,190	
50	وزارة الدفاع	قرار مجلس الوزراء رقم (244) لسنة 2021م	6896	200,000,000	3,876,451,190	
51	شركة الخدمات العامة طرابلس	قرار مجلس الوزراء رقم (162) لسنة 2021م	6897	17,015,180	3,859,436,010	
52	وزارة الحكم المحلي	قرار مجلس الوزراء رقم (243) لسنة 2021م	6898	45,000,000	3,814,436,010	
53	ديوان مجلس الوزراء	قرار مجلس الوزراء رقم (240) لسنة 2021م	6899	10,000,000	3,804,436,010	
54	الرقابة على الأغذية والأدوية	قرار مجلس الوزراء رقم (181) لسنة 2021م	6900	23,300,000	3,781,136,010	
55	وزارة الحكم المحلي	قرار مجلس الوزراء رقم (168) لسنة 2021م	6901	13,131,878	3,768,004,133	
56	وزارة التعليم العالي	قرار مجلس الوزراء رقم (238) لسنة 2021م	6902	19,700,000	3,748,304,133	
57	وزارة الحكم المحلي - بلدية مصراته	قرار مجلس الوزراء رقم (254) لسنة 2021م	6904	8,000,000	3,740,304,133	
58	وزارة الصحة	قرار مجلس الوزراء رقم (227) لسنة 2021م	6905	500,000,000	3,240,304,133	
59	وزارة الصحة	قرار مجلس الوزراء رقم (248) لسنة 2021م	6906	600,000,000	2,640,304,133	
60	صندوق الضمان الاجتماعي	قرار مجلس الوزراء رقم (247) لسنة 2021م	6907	500,000,000	2,140,304,133	
61	المجلس الأعلى للدولة	قرار مجلس الوزراء رقم (157) لسنة 2021م	6908	50,000,000	2,090,304,133	
62	وزارة الحكم المحلي - بلدية طبرق	قرار مجلس الوزراء رقم (150) لسنة 2021م	6909	4,910,365	2,085,393,768	
63	ديوان مجلس الوزراء	قرار مجلس الوزراء رقم (152) لسنة 2021م	6910	15,000,000	2,070,393,768	
64	شركة الخدمات العامة طرابلس	قرار مجلس الوزراء رقم (161) لسنة 2021م	6911	10,558,500	2,059,835,268	
65	قوة العمليات المشتركة	قرار مجلس الوزراء رقم (158) لسنة 2021م	6912	25,000,000	2,034,835,268	
66	مركز زليتن الطبي	قرار مجلس الوزراء رقم (255) لسنة 2021م	6913	6,000,000	2,028,835,268	
67	المفوضية الوطنية للانتخابات	قرار مجلس الوزراء رقم (143) لسنة 2021م	6915	50,000,000	1,978,835,268	
68	مركز بحوث الثقلبات الحيوية	قرار مجلس الوزراء رقم (265) لسنة 2021م	6916	5,000,000	1,973,835,268	
69	وزارة الدفاع	قرار مجلس الوزراء رقم (239) لسنة 2021م	6917	300,000,000	1,673,835,268	
70	وزارة الداخلية	قرار مجلس الوزراء رقم (246) لسنة 2021م	6918	500,000,000	1,173,835,268	
71	التعليم التقني والفني	قرار مجلس الوزراء رقم (164) لسنة 2021م	6919	2,000,000	1,171,835,268	

إدارة الميزانية
قسم التمويل
موقف بما تم تمويله على الباب الخامس (نفقات الطوارئ) للعام 2021م

2021 / 08 / 19

ت	الجهة	رقم الكتاب أو القرار	رقم آذن التمويل	القيمة	5,000,000,000	ملاحظات
72	الهيئة العامة للبحوث والتعرف على المفكرين	قرار مجلس الوزراء رقم (144) لسنة 2021م	6920	3,000,000	1,168,835,268	
73	ديوان مجلس الوزراء	قرار مجلس الوزراء رقم (272) لسنة 2021م	6921	50,000,000	1,118,835,268	
74	وزارة الحكم المحلي	قرار مجلس الوزراء رقم (78) لسنة 2021م	7473	6,000,000	1,112,835,268	
75	وزارة العدل	قرار مجلس الوزراء رقم (287) لسنة 2021م	7309	10,000,000	1,102,835,268	
76	المحكمة العليا	قرار مجلس الوزراء رقم (289) لسنة 2021م	7310	3,011,000	1,099,824,268	
77	المركز الليبي للبحوث والدراسات الاستراتيجية والأمن القومي	قرار مجلس الوزراء رقم (155) لسنة 2021م	8082	25,000,000	1,074,824,268	
78	وزارة الموارد المالية	قرار مجلس الوزراء رقم (286) لسنة 2021م	8090	5,000,000	1,069,824,268	
79	وزارة الشباب	قرار مجلس الوزراء رقم (293) لسنة 2021م	8091	12,000,000	1,057,824,268	
80	وزارة المواصلات	قرار مجلس الوزراء رقم (296) لسنة 2021م	8092	3,000,000	1,054,824,268	
81	وزارة المواصلات (تفويضات الطرقة بالمواني البحرية (وزارة طرابلس بحري)	قرار مجلس الوزراء رقم (295) لسنة 2021م	8093	10,000,000	1,044,824,268	
82	مصلحة الطيران المدني	قرار مجلس الوزراء رقم (297) لسنة 2021م	8095	5,000,000	1,039,824,268	
83	مصلحة المطارات	قرار مجلس الوزراء رقم (297) لسنة 2021م	8095	15,000,000	1,024,824,268	
84	وزارة الثقافة والتنمية المجتمعية	قرار مجلس الوزراء رقم (276) لسنة 2021م	8096	4,000,000	1,020,824,268	
85	وزارة الخدمة المدنية	قرار مجلس الوزراء رقم (277) لسنة 2021م	8097	4,000,000	1,016,824,268	
86	البنك المركزي الليبي	قرار مجلس الوزراء رقم (318) لسنة 2021م	8101	120,000	1,016,704,268	
87	جهاز الردع لمكافحة الجريمة المنظمة والإرهاب	قرار مجلس الوزراء رقم (327) لسنة 2021م	8102	15,000,000	1,001,704,268	
88	مستوى تسوية مرتبات العاملين بالشركات	قرار مجلس الوزراء رقم (58) لسنة 2021م	8103	7,670,700	994,033,568	
89	وزارة الدفاع	قرار مجلس الوزراء رقم (140) لسنة 2021م	6746	34,653,450	تحت الاجراء	
90	الثروة البحرية	قرار مجلس الوزراء رقم (140) لسنة 2021م	8104	7,996,950	تحت الاجراء	
الإجمالي				4,048,616,832		

رئيس قسم التمويل

.....

الرصيد المتبقي في حساب الطوارئ حتى 25 أغسطس

951,383,168

اعداد
كريمة الشهوي
محمد يحيى أحمد

2	بالمخلص قرار تسوية مرتبات الشركات المتضررة	قرار مجلس الوزراء رقم (58) لسنة 2021م	16,131,907	تحت الاجراء
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إدارة الميزانية
قسم التمويل
موقف بما تم تمويله على الباب الخامس (نفقات الطوارئ) للعام 2021م

2021 / 08 / 19

ت	الجهة	رقم الكتاب أو القرار	رقم آذن التمويل	القيمة	5,000,000,000	ملاحظات
2	بالمخلص قرار تسوية مرتبات الشركات المتضررة	قرار مجلس الوزراء رقم (58) لسنة 2021م		16,131,907		تم تخصيص مائة مليون للشركات المتضررة
الإجمالي				4,064,748,739		

Annex 7 Letter addressed by the 5+5 Joint Military Commission (JMC) to the Presidential Council and to the Prime Minister

Figure 7.1

Letter addressed by the 5+5 Joint Military Commission (JMC) to the Presidential Council and to the Prime Minister (14 August 2021)



Official UN Translation

2113678E

Translated from Arabic

I. Letter to PC-GNU on AGs (14 August 2021)

5+5 Joint Military Commission

Re: Review of agencies

Date:.....

Corresponding to: 19 August 2021

Joint Military Commission 32/167

**To: The President of the Presidency Council
President of the Government of National Unity**

At its meeting held in Sirte on 14 August 2021, the 5+5 Joint Military Commission, considered the security situation in the State of Libya as it impinges directly the Commission's action plans for banishing the spectre of war and restoring security and stability. It noted that there is a multiplicity of security and military agencies and bodies that have been charged with overlapping tasks or granted overlapping military and security authorities. These agencies are subsidiary to a variety of different entities (the Presidency Council, the Commander-in-Chief, the Minister of Defence) and have not had their tasks and duties clearly defined. This has created instability and severely undermined the performance of military and security institutions.

The agencies in question are as follows:

- | | |
|--|------------------------------------|
| 1. The Stability Support Apparatus | 2. The General Security Service |
| 3. The Counter-Terrorism Force | 4. The Emergency Operations Centre |
| 5. The Special Deterrent Force | 6. The Misratah Joint Force |
| 7. The Military zones (Central - West - Tripoli) | |
| 8. The operations rooms in general | |
| 9. Any other agencies directly subsidiary to the Commander-in Chief that we may have failed to mention | |

The Commission recommends that the hierarchical structure of these agencies be reviewed and rearranged to bring them under the Joint Chiefs of Staff or the Ministry of Interior depending on the tasks assigned to them, so they can be re-evaluated and restructured, have their tasks defined by a scientific and professional study, and have their budgets placed under the Joint Chiefs of Staff or the Ministry of Interior rather than being independent.

May peace and God's mercy and blessings be upon you.

(Signed) Major General Ahmed Ali Abu Shahma
Chair of the 5+5 Commission

(Signed) Lieutenant General Emraja'a Emhammed
Mohammed Al-Ammami
Chair of the 5+5 Committee

Libyan Parliament/ Please be advised . . .

Annex 8 Statements by the Chief of Staff of the Libyan Armed Forces and the Stability Support Apparatus (SSA)

Figure 8.1
Statement of Al Haddad (17 August 2021)



وَزَارَةُ الدِّفَاعِ
وَكائِلَةُ الأَرْكَانِ الْعَامَةِ لِلجَيْشِ اللِّبِيِّ
مَقَرُّ وَكائِلَةِ الأَرْكَانِ

الموضوع: بيان لجنة 5+5
الرقم الإشاري: / /
الموافق: 2021 / 08 / 17

218 بيان رئاسة الأركان العامة للجيش الليبي

نشيد ... ونؤمن ما حققته لجنة 5+5 العسكرية من إنجازات ساهمت في خفض مستوى التوتر وخطاب الكراهية بين أبناء الوطن الواحد وخلق مناخ مناسب لنقاش سياسي بين الفرقاء، حيث أشرفت على عودة أعداد من المحتجزين من الطرفين إلى أهلهم وذوهم، وساهمت في فتح الطريق الساحلي لتسهيل حركة تنقل المواطنين بين شرق البلاد وغربها.

وإذ ... تقترب من موعد الاستحقاق الانتخابي في 24 ديسمبر نتفاجأ بانحراف لجنة 5+5 عن مسارها المهني والفني المرسوم وتدخلها في الشؤون السياسية المناطة حصراً بالسلطة التنفيذية القائمة، هذه التدخلات المرفوضة وغير المهنية لها انعكاسات سلبية على مهام المجلس الرئاسي باعتباره القائد الأعلى الوحيد وعلى مهام حكومة الوحدة الوطنية المناطة بها إدارة الشأن العام وحدها دون غيرها.

نحن ... نستغرب خطوات هذه اللجنة وخطاباتها الأخيرة التي قد يفسرها الكثير من المهتمين بالشأن الوطني والسياسي بأن دورها أصبح كسلطة جديدة فوق السلطات الوطنية القائمة، نذكر من أهمها والتي طالت وخلقت جدل كبير بين فئات عريضة من أبناء الشعب الليبي ومؤسساته، طلبها تعيين وزير دفاع على الفور رغم أننا نعلم قصر المدة المتبقية وصعوبة الاتفاق على شخصية في هذا الزمن القصير، كما تناولت خطاباتهم الأجهزة الأمنية والعسكرية القائمة وفقاً للتشريعات التي كان معمولاً بها في زمنها وأغفلت الجهود الكبيرة التي قامت بها بعضها في مكافحة الإرهاب والجريمة وساهمت في الاستقرار الأمني.

ونأسف ... على ذلك وحتى نبدد المخاوف الناشئة عن هذه الخطابات فأنا نطلب من القائد الأعلى ورئيس حكومة الوحدة الوطنية ووزير الدفاع التدخل بوقف هذه التجاوزات التي لا تخدم حالة السلم السياسي والمجتمعي، وبأن يكون عملها مهتبا طبقاً لسياسات هذه السلطات القائمة.

حفظ الله ليبيا وشعبها

الفريق أول ركن
محمد علي أحمد الحداد
رئيس الأركان العامة للجيش الليبي

00218 21 462 4103 WWW.PGSLA.GOV.LY

الطرابلس - ليبيا

Official UN Translation

2113678E

Translated from Arabic

Ministry of Defence
Joint Chiefs of Staff of the Libyan Armed Forces
Headquarters of the Joint Chiefs of Staff

Re: Statement by the 5+5 Commission
Ref. No.:
Corresponding to: 17 August 2021

218

Statement of the Joint Chiefs of Staff of the Libyan Armed Forces

We appreciate and commend the achievements of the 5+5 Military Commission, which has contributed to reducing the level of tension and hate speech among the people of our one country and creating an atmosphere conducive to political debate among various factions. It has overseen the return of numerous detainees from both sides to their families and helped to open the coastal road, thereby facilitating the movement of citizens between the country's east and west.

However, as we approach the 24 December election deadline, we are surprised that the 5+5 Commission has deviated from its customary professional and technical approach and chosen to interfere in political affairs that should be the exclusive purview of the current executive branch. These unacceptable and unprofessional interventions are having negative repercussions for the functions of the Presidency Council as the Commander-in-Chief and functions of the Government of National Unity as the sole entity entrusted with managing public affairs.

We are particularly dismayed by recent steps and statements of the Commission that could be interpreted by those who take an interest in national political affairs as arrogating to itself the role of a new authority above existing national authorities. One of the steps it has taken that has created considerable friction among broad segments of the Libyan public and its institutions has been its request for the immediate appointment of a new Minister of Defence, even though we all know that that it would be difficult to reach agreement on any particular person for the short time available. Its statements regarding security and military agencies formed in accordance with previously existing legislation ignore the significant efforts made by some of those agencies in the fight against terrorism and crime and their contributions to national stability.

Given the preceding, and with a view to dispelling the concerns raised by these statements, we call on the Commander-in-Chief and President of the Government of National Unity, as well as the Minister of Defence, to intervene to put a stop to these infringements, which do not serve the cause of political and social peace, and to ensure that the Commission behaves professionally and in accordance with the policies of these existing authorities.

May God save Libya and its people.

(Signed) Staff Major General
Muhammad Ali Ahmad al-Haddad
Chair of the Joint Chiefs of Staff of the Libyan Armed Forces

Figure 8.2
Statement of SSA (18 August 2021)

State of Libya LIBYAN RESIDENTIAL COUNCIL Stability Support		دولة ليبيا المجلس الرئاسي جهاز دعم الاستقرار
Index :..... Date : / /	رقم الإشراف : التاريخ : / /	
بيان		
في الوقت الذي نؤكد فيه على الجهود المبذولة من قبل اللجنة العسكرية 5+5 والتي توجت بحل العديد من المشاكل العالقة من بينها فتح الطريق الساحلي الرابط ما بين الشرق والغرب . نؤكد ونؤيد ايضاً على ما جاء في بيان غرفة العمليات المشتركة بالمنطقة الغربية التابعة لرئاسة الأركان العامة بالجيش الليبي والذي يؤكد على ضرورة ان لا تتجاوز اللجنة العسكرية 5+5 اختصاصاتها الموكلة لها . حيث تدخلت هذه اللجنة في إعادة هيكلة الأجهزة الأمنية والعسكرية التي شكلتها حكومة الوفاق السابقة وهذا ليس من اختصاص اللجنة العسكرية 5+5 حيث ان هذا العمل هو من اختصاص الحكومة . إضافة الى عدم ذكرها إعادة تنظيم القيادة العامة في الشرق لتكون من ضمن أجهزة الدولة العسكرية وتناست وتغافلت تماماً عن ذلك . وكذلك تدخلها في تعيين وزير دفاع وهو اختصاص اصيل للحكومة بالتشاور مع المجلس الرئاسي واعتماد مجلس النواب .		
جهاز دعم الاستقرار يطالب لجنة 5+5 بالالتزام بالمهام المكلفة بها من المجلس الرئاسي وعدم الانحياز إلى طرف دون آخر . وذلك ضماناً للحفاظ على وحدة الوطن وأمنه واستقراره .		
حفظ الله ليبيا آمنه ومستقرة جهاز دعم الإستقرار صدر بتاريخ : 18 اغسطس 2021م		
		
ssa.ly	المقر الرئيسي طرابلس بالقرب من برج ابوليلة	

Official UN Translation

2113678E

Translated from Arabic

State of Libya
Presidency Council
Stability Support Apparatus

State of Libya
Libyan Presidency Council
Stability Support

Ref. No.:

Date: / /

Index.....

Date: / /

Statement

While we commend the efforts of the 5+5 Military Commission, which have culminated in the resolution of many outstanding problems, including the opening of the east-west coastal road, we must express our support for the statement of the Western Region joint operations room (subsidiary to the Joint Chiefs of Staff), which emphasizes the need for the 5+5 Joint Commission not to exceed the authorities assigned to it. That Committee has intervened in the restructuring of the security and military agencies formed by the previous government of reconciliation. That is not a prerogative of the 5+5 Military Commission; it is a competence of the Government. It also failed to mention the reorganization of the General Command in the east to become part of the State's military apparatus. It completely ignored that. It also interfered in the appointment of a Minister of Defence, which is the prerogative of the Government in consultation with the Presidency Council and subject to approval by the House of Representatives.

The Stability Support Authority calls on the 5+5 Commission to stick to the tasks assigned to it by the Presidency Council and not to align itself with one side at another's expense. That would ensure the preservation of the unity, security and stability of the nation.

May God keep Libya safe and stable.

Stability Support Apparatus
Issued: 18 August 2021

Main headquarters, Tripoli, near the Abu Layla tower

ssa.ly

Annex 9 Mahmoud Al Warfalli's death and burial certificates

Figure 9.1

Al Warfalli's death certificate

الجمهورية العربية الليبية الشعبية الاشتراكية العظمى
اللجنة الشعبية العامة للأمن العام
مصلحة الأحوال المدنية

مكتب السجل المدني بـ

رقم ورقن العائلة / 65258
رقم قيد العائلة / 2045604

رقم القيد بالسجل / 1651
رقم الصفحة /

الشعبية: البركة
المحللة: المؤتمر الشعبي الأساسي
رقم مكتب العائلة:
مكان صدور:

شهادة وفاة
مستخرج رسمي لاثبات واقعة وفاة

اسم المبلغ: [REDACTED]
عنوانه: بنغازي
مستند اثبات الشخصية ورقمه: 281228

اسم المتوفي ثلاثي: محمد بن يوسف الوزلي
السن: 43
تاريخ الولادة: 1978
أسباب الوفاة (تذكر مفصلة): انفجار سيارة ناري
العنوان ومحل الإقامة: بنغازي
تاريخ الوفاة / الساعة: 24
الوافق اليوم: 2021
مكان الوفاة: بنغازي

الجنس: ذكر
الجنسية: ليبي

اللقب: الوزلي

اسم والد المتوفي: [REDACTED]
اسم والدته: [REDACTED]

قد استحق من البيانات أعلاه وقيدت بسجل الوفيات بالرقم أعلاه
مكتب الذي قام بالقيد: مصلحة عام
توقيع والتمتع: [Signature]
تاريخ القيد: 25
تاريخ التبليغ اليوم: 25
الوافق اليوم: 2021

(ملاحظات)

Source: Confidential

Official UN Translation

2204597E

Translated from Arabic

Great Socialist People's Libyan Arab Jamahiriya
 General People's Committee on Public Safety
 Civil Registry Authority
 Form No. 10 bis

Civil Registry Office: Benghazi

Family sheet No.: 65258
 Family registration number:
 2045604

Entry No. in the register:
 Page No.: 1651

District
Locality: <u>Birkah</u>
Basic People's Congress
-
Family booklet No.
Issued at:

Death certificate
 Official extract establishing death

Informant's name: [Redacted]
Address: Benghazi
Identification document and No.: 281228 <u>ba'</u>

Three-part name of the deceased: Mahmud Mustafa Busif Surname: Al-Warfalli
 Sex: Male

Age: 43 Profession: Soldier Religion: Muslim
 Nationality: Libyan

Date of birth: 1978, Benghazi
 Causes of death (detailed): gunshots
 Address and place of residence: Benghazi

Date/time of death:	Day:	Month:	Sunnah:
Corresponding to/day: 24		Month: March	Year: 2021
Place of death: Benghazi			

Reporting party (provide name and address):

Name of deceased's father: [Redacted] Surname: Al-Warfalli
 Mother's name: [Redacted] Surname:

The data above have been verified and recorded in the register of deaths under the number given above

Registering official: Misbah Amir Title: Employee

Signature/seal:

Date of registration: Corresponding to:

Reported on/Day: Month: Sunnah:
 Corresponding to/day: 25 Month: April Year: 2021
 (Comments):

Figure 9.1
Al Warfalli's burial certificate

نموذج رقم (40)

دولة ليبيا

مكتب السجل المدني / بنغازي

تصريح بالدفن

التاريخ: 2021 - 3 - 24

اسم المتوفي: محمد بن علي بن علي الورفالي

وجنسه: (ذكر أو أنثى): ذكر

وجنسيته: ليبية

وبطاقته الشخصية إن وجدت أو جواز سفره: 9

تاريخ وجهة صدورهما: 9

تاريخ ميلاده: 1978

عمره: 43

محل إقامته: بنغازي

محل وفاته: بنغازي

اسم والد المتوفي إن كان معروفا للمبلغ: # ولقبه: #

اسم والدته المتوفي إن كانت معروفة للمبلغ: # ولقبها: #

سبب الوفاة: #

صرحنا بدفن الجثة بعد أن تحققنا من شخصية المتوفي وسبب الوفاة.

توقيع أمين السجل المدني

Source: Confidential

Official UN Translation

2204597E

Translated from Arabic

State of Libya

Civil Registry Authority

Form No. 40

Civil Registry Office: Benghazi

Burial permit

Date: . 24 March 2021

Name of the deceased: Mahmud Mustafa Busif Surname: Al-Warfalli Sex (Male/female): Male Nationality: Libyan

Identity card or passport, if any: - Date and place of issuance: -

Date of birth: 1978 Age: 43

Name of deceased's father, if known to informant: [Redacted] Surname: -

Name of deceased's mother, if known to informant: [Redacted] Surname: Cause of death: -

Having verified the identity of the deceased and the cause of death, we hereby authorize burial

Signed by the registrar: *(Signed)*

Annex 10 Decrees by the Presidential Council

Figure 10.1

Decree no. 7 creating a force for combating terrorism and organized crime in southern Libya



Source: Confidential

*Official UN Translation
2205125E
Translated from Arabic*

State of Libya Decisions
Libyan Presidency Council
Office of the Commander-in-Chief

Decision of the Commander-in-Chief of the Libyan Army No. 7 (2021) concerning the establishment of a counter-terrorism and organized crime force in the Libyan south

The Commander-in-Chief of the Libyan Army,

Having considered the following:

The Constitutional Declaration of 3 August 2011 and amendments thereto; The Libyan Political Agreement signed on 17 December 2015;

The outcomes of the Libyan Dialogue Forum adopted on 9 November 2020; Act No. 40 (1974) concerning military service and amendments thereto; Act No. 43 (1974) concerning military retirement and amendments thereto; Act No. 35 (1977) concerning reorganization of the Libyan army (formerly the armed forces); Act No. 5 (1978) amending certain provisions of military laws;

Act No. 11 (2012) approving certain provisions concerning the authorities of the leadership ranks of the Libyan army;

And the minutes of the meeting of the Presidency Council in its capacity as Commander-in-Chief of the Libyan army (No. 6 on 17 June 2021).

Hereby decides as follows:

Article 1

A military force to be called the Counter-Terrorism and Organized Crime Force is hereby established in the Libyan south. It shall be made up of the first company of the 116th infantry brigade and shall be subordinate to the Commander-in-Chief of the Libyan Army.

Article 2

An officer of the rank of no less than major shall be appointed as commander of the Counter-Terrorism and Organized Crime Force in the Libyan south by decision of the Commander-in-Chief of the Libyan Army.

Article 3

The force shall assume the following functions:

- It shall apprehend armed gangs that threaten the security of the South.
- It shall confront terrorism through arrests and investigations, with assistance and coordination from the relevant authorities

Figure 10.2

Decree no. 9 appointing Masud Jeddi as Commander of the force (17 June 2021)

Source: https://twitter.com/W_Lacher/status/1406505082066149379/photo/3

*Official UN Translation
2205125E
Translated from Arabic*

State of Libya Decisions
Libyan Presidency Council
Office of the Commander-in-Chief

Decision of the Commander-in-Chief of the Libyan Army No. 9 (2021) concerning the appointment of a commander of the counter-terrorism and organized crime force in the Libyan south

The Commander-in-Chief of the Libyan Army,

Having considered the following:

The Constitutional Declaration of 3 August 2011 and amendments thereto; The Libyan Political Agreement signed on 17 December 2015;

The outcomes of the Libyan Dialogue Forum adopted on 9 November 2020; Act No. 40 (1974) concerning military service and amendments thereto; Act No. 43 (1974) concerning military retirement and amendments thereto;

Act No. 35 (1977) concerning reorganization of the Libyan army (formerly the armed forces); Act No. 5 (1978) amending certain provisions of military laws;

Act No. 11 (2012) approving certain provisions concerning the authorities of the leadership ranks of the Libyan army;

The minutes of the meeting of the Presidency Council in its capacity as Commander-in-Chief of the Libyan army (No. 6 on 17 June 2021);

And the Decision of the Commander-in-Chief of the Libyan Army No. 7 (2021) concerning the establishment of a counter-terrorism and organized crime force in the Libyan south.

Hereby decides as follows:

Article 1

Major Mas'ud Abdullah Mas'ud Abduljalil is hereby appointed commander of the Counter-Terrorism and Organized Crime Force in the Libyan south.

Article 2

This decision shall enter into force as of its date of issue and the relevant parties are required to implement it.

The Commander-in-Chief of the Libyan Army

Done on 7 Dhu al-Qa'dah A.H. 1442
17 April 2021

Annex 11 Decree by Haftar disbanding 116 brigade (11 September 2021)



Source: <https://www.facebook.com/sebha.press/posts/2923631484553823>.

Official UN translation
Translated from Arabic

General Command of the Libyan Armed Forces

Decisions

General Commander Decision No. 311 (2021) concerning the disbanding of the 116th and 117th infantry brigades

The General Commander,

Having considered the following:

- Act No. 40 (1974) concerning service in the armed forces and amendments thereto;
- Act No. 1 (2015) amending Act No. 11 (2012) concerning the powers and leadership ranks of the Libyan army;
- House of Representatives Decision No. 20 (2014) concerning delegation of the Office of the Speaker of the House of Representatives of the competences of the Commander-in-Chief of the Libyan Army;
- And Commander-in-Chief Decision No. 20 (2015) appointing a General Commander of the Libyan Arab Armed Forces,

Hereby decides as follows:

Article 1

The 116th and 117th infantry brigades are hereby disbanded. All their personnel, functions, vehicles, weapons and ammunition in their entirety are hereby assigned to the Sabha military district.

Article 2

The present decision shall enter into force on the date of its issuance, all provisions contradicting it are hereby rescinded, and the relevant parties shall be required to implement it.

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

Done at General Command headquarters - Rajmah
11 September 2021

Annex 12 Improvement of HAF operational capability

1. On 19 October 2021 HAF 106 brigade released a video on their official social media⁴ of their latest combined arms firepower demonstration and exercise. The Panel believes that this demonstrates a significant increase in the professionalism of this unit from the 2019 conflict. Indicators of this include:

- (a) The activities shown on the imagery demonstrates a reasonable understanding and execution of combined arms manoeuvre [0:25] and armoured infantry tactics deploying from armoured fighting vehicles (AFV) [27:00];
- (b) The low-level infantry tactics are reasonable, with proper fire and manoeuvre and aimed shots the norm [4:30];
- (c) The main battle tank (MBT) gunnery tactics are good. The MBT are firing from hull-down, protective positions with the appropriate use of camouflage and concealment [8:30' and 9:20'];
- (d) The all arms capability very likely includes engineer manoeuvre support with gap crossing capabilities [30:10];
- (e) The capability to deliver an integrated indirect fire plan was demonstrated using a combination of: (i) fighter ground attack aircraft [22:00]; (ii) BM-21 free flight rocket units [23:35]; 3) field artillery [25:12]; and 4) heavy mortars [24:58' and 27:28']; and
- (f) The use of ZSU-23/4 for integrated formation air defence along the line of advance [25:36' and 30:08'].

This brings the 106 Brigade, under the command of Khaled Khalifa Haftar⁵ much closer to the qualities of an army unit. Indeed, many of the officers have a "Libyan Army" patch on their uniforms and vehicles display the national flag of Libya.

⁴ <https://www.youtube.com/watch?v=sdyN0wA6AiU>, 19 October 2021.

⁵ <https://libyaupdate.com/photos-lina-106-brigade-commander-checks-on-final-arrangements-for-big-tactical-training/>, 20 March 2022.

Annex 13 Counterterrorism and terrorism related events in Libya (2021)

1. The Panel has not been able to independently verify some of the events listed in tables 12.1 and 12.2. For those verified the date is in bold type.

Table 12.1

Reported terrorism related events in Libya

Date	Event
6 Jun 2021	ISIL-Libya claimed responsibility in the official ISIL (QDe.115) weekly publication “Annaba’a”, of a suicide vehicle-borne improvised explosive device (SVBIED) attack targeting a HAF checkpoint at the ‘Mafreq Abnae Maziq’ Gate, near Sebha. The explosion killed at least two people including the head of the Sebha Criminal Investigation Department, Captain Ibrahim Abdunabi Mannae, and injured several others. ^a
14 Jun 2021	ISIL-Libya claimed Improvised Explosive Device (IED) attack against a HAF patrol in the Mount of Al Haruj, killing the commander of the “Martyrs of Al-Waw” company, Ali Mohammed Othman Al Tibaoui. ^b
19 Jul 2021	ISIL-Libya released a photo set entitled ‘Diaries of Caliphate Soldiers in Libya during Eid Al Adha’ showing a small group of fighters celebrating the Islamic holiday of Eid al-Adha, presumably in southern Libya. ^c
22 Aug 2021	HAF 128 brigade was attacked at the Zillah gate checkpoint near Jufra by a suicide bomber, whose associate survived the blast, identified as a Sudanese national. He was shot as he tried to escape. On 23 August 2021, ISIS claimed responsibility for this attack that wounded some HAF personnel, through ISIL’s official media branch “Aamaq”. ^d
27 Sep 2021	ISIL-Libya claimed an attack on a HAF checkpoint south of Sebha. According to initial reports there were no injuries, but the specific details of the incident remain unclear. ^e
18 Jan 2022	ISIL-Libya claimed an IED attack on a HAF camp in Umm al-Aranib, on 17 January 2022, which killed one person and injured two others. ^f
24 Jan 2022	ISIL-Libya claimed an attack against two HAF vehicles, on the road between the towns of Um al-Aranib and al-Qatrun, disabling one vehicle and killing two of its occupiers. ^g
13 Mar 2022	ISIL-Libya published photos of its members swearing allegiance to the new leader of the ISIL mother group, Abu al-Hasan al-Hashimi al-Qurashi appointed on 10 March 2022. ^h
31 Mar 2022	ISIL-Libya published a video of one of its members called “Abu Tabet Al Muhajer” giving a speech where the latter pledged allegiance to the new leader of core ISIL and urging muslims to join the terrorist groups and fight on behalf of the terrorist group. ⁱ

^a Official ISIL weekly publication “Annaba’a” n°291. <https://letsupload.io/2dtmw>, 21 June 2021.

^b Ibid.

^c https://archive.org/details/haded_80-61, 30 July 2021.

^d <https://www.afrigenews.net/article/تنظيم-داعش-الارهابي-يتبنى-هجوم-زلّة-الانتحاري-جنوب-ليبيا/>, 25 August 2021.

^e <https://ent.siteintelgroup.com/Statements/is-division-in-libya-claims-bombing-lna-checkpoint-in-sabha.html>, 27 September 2021.

^f <https://ent.siteintelgroup.com/Jihadist-Threat-Statements/is-libya-province-claims-blast-on-lna-position-in-sabha.html>, 18 January 2022.

^g <https://ent.siteintelgroup.com/Jihadist-Threat-Statements/exactly-1-week-after-blast-in-sabha-is-libya-province-claims-armed-attack-on-lna-vehicles-in-same-city.html>, 24 January 2022.

^h <https://ent.siteintelgroup.com/documents/insite-reports-islamic-state/1553-islamic-state-insite-march-9-15/file.html>, 18 March 2022.

ⁱ <https://libyasecuritymonitor.com/isis-wiliyat-libya-issues-pledge-of-allegiance-to-new-caliph/>; 31 March 2022

Table 12.2
Reported counterterrorism related events in Libya

<i>Date</i>	<i>Event</i>
4 Mar 2021	The AGO announced the Misratan Special Task Force arrested six ISIL-Libya members in Zliten, Garabulli, Tripoli and Zawiya. ^a
14 Mar 2021	HAF spokesperson Al Mismari announced the arrest of an ISIL-Libya leader named Mohammed Miloud Mohammed (a.k.a. Abu Omar), in Al Shareb neighbourhood in the city of Awbari. ^b
18 Mar 2021	The Tripoli AGO stated that 10 women and 14 children of Tunisian origin, detained during the recapture of Sirte from ISIL-Libya, have been transferred to Tunis. The women implicated in terrorist cases are still under investigation in Libya. ^c
2 Jun 2021	Open-source media reported that the HAF Tareq Bin Ziyad brigade arrested three Al-Qaeda in the Islamic Maghreb (AQIM) affiliated individuals in the village of Tarout, 30km from Brak al-Shati in the south of Libya. ^d
19 Jun 2021	Libyan open source media reported that HAF have undertaken airstrikes within the area of the Harouj Mountains against ISIL-Libya positions around the same area. ^e
19 Jul 2021	The AGO filed criminal lawsuits against 54 suspected ISIL-Libya members who were arrested during security operations after the liberation of Sirte. They are accused of different crimes against the State. ^f
11 Aug 2021	HAF's spokesperson Ahmed al-Mismari announced the arrest of a suspected ISIL-Libya operative of Sudanese origin, named Adam Ibrahim Ahmed, during a security operation near Qatrun. His associates have reportedly fled to the Chadian border. ^g
11 Aug 2021	The Libyan Minister of Justice announced the future closing of a few prisons and deportation of 100 ISIL members of Arab and African origins to their home countries. ^h
1 Sep 2021	The Misratan Special Task Force (MSTF) had an armed clash with 'extremist and terrorist' elements (wanted by the AGO) in the '11 July area' of Misrata, which resulted in the killing of an element of the Force. ⁱ
3 Sep 2021	The HAF Tareq Bin Ziyad brigade (TBZ) arrested a suspected AQIM member named Al-Ajili Ali al-Hasnawi, near Brak al-Shati. Ajili was reportedly responsible for arms and ammunition transfers to terrorist organisations in neighbouring countries. ^k
7 Sep 2021	GNU Prime Minister Adbul Hamid Dbeibah announced that the Misratan Joint Operations Force had arrested an ISIL-Libyan leader named M'barek Al Khazmi. ^l
22 Sep 2021	Open-source media reported that HAF military intelligence arrested an Al Qaida affiliated Egyptian national in Tobruk named Saad Desouqi Sayyed Mohamed Issa. He is believed to have entered Libya on 12 September 2021 in an attempt to reach the south of Libya. ^m
23 Oct 2021	Libyan open-source media reported that the GNU-affiliated Counter Terrorism Force (CTF) arrested at least two members of ISIL-Libya in the town of Misrata, one of whom fought previously in Syria. This operation was reportedly conducted in coordination with the OGA. ⁿ
28 Nov 2021	HAF 106 Brigade announced, through their official Facebook page, the arrest of an alleged terrorist named Ali Al Bakir in his residence neighbourhood of Hejara, in the city of Sebha. ^o
20 Jan 2022	HAF's Commander of the Moral Affairs, Khaled Mahjoub, reported that the 106 Brigade's 'Sahrawi' unit had arrested members of a criminal gang that trades arms and deals with extremist groups in Algeria and Mali. ^p

28 Jan 2022	HAF's spokesperson Ahmed al-Mismari announced in a press conference that 24 members of ISIL-Libya members of different nationalities were killed and one was captured during three days of clashes with LNA forces near Qatrun in south-western Libya. ^q
02 Feb 2022	Libyan open-source media reported that the GNU-affiliated security services underwent terrorist search and track operations in the areas of Sabratha and Mount Nafousa which resulted in the arrest of an alleged terrorist of Tunisian nationality named Bilal Bin Abdelwahab Bin Torad. ^r
19 Feb 2022	The Misratan Joint Operations Force published the confessions of four detained members of AQIM and ISIL-Libya who were based in Tripoli. These individuals revealed plans of terrorist attacks against governmental sites in Libya. ^s
7 Mar 2022	The 10 th Unit of TBZ published on its official page a video of six HAF units/brigades affiliated to the Southern Operations room carrying out patrols in the Niger-Tchad border area with Libya, where they had reportedly been able to find a hideout, and a secret prison belonging to ISIL-Libya as well as a grave of one of the members of the terrorist group. ^t

^a <https://akhbarlibya24.net/2021/03/07/معلومات-استخباراتية-وتعاون-دولي-تنجح/>, 6 March 2021.

b <https://www.france24.com/ar/الأخبار-المغربية/20210314-ليبيا-قوات-حقت-تعن-القبض-على-قيادي-بارز-في-تنظيم-الدولة-الإسلامية-مجنوب-البلاد>, 20 March 2021.

^c <https://www.eanlibya.com/ترحيل-10-نساء-و-14-طفلاً-من-أبناء-عناصر-داع/>, 23 March 2021.

^d <https://al-ain.com/article/libyan-military-sources-qaeda-arrested>, 5 June 2021.

^e <https://thenewkhalij.news/article/234318/قوات-حقتر-تقصف-جنوب-غربي-ليبيا-وتزعم-استهداف-تنظيم-الدولة>, 23 June 2021.

^f https://arabic.rt.com/middle_east/1253410-لبييا-النيابة-تحيل-54-عنصر-اتباعا-لتنظيم-داعش-لمحكمة-الجنايات/, 23 July 2021.

^g <https://libyanstand.com/defaultnews/2021-08-12/18501>, 12 August 2021.

^h <http://alwasat.ly/news/libya/329131>, 13 August 2021.

^j <https://web.facebook.com/100471891533689> - قوة المهام الخاصة بمديرية أمن مصر، 3 September 2021.

^k <https://anbaa.info/?p=66642>, 5 September 2021.

¹ <https://www.alarabiya.net/north-africa/2021/09/07/ليبيا-الدبيبة-يعلن-القبض-على-أخطر-قادة-داعش>, 10 September 2021.

^m https://web.facebook.com/permalink.php?story_fbid=391121039125768&id=100667168171158, 24 September 2021.

ⁿ <https://www.maghrebvoices.com/cve/2021/10/23/قوة-مكافحة-الإرهاب-في-ليبيا-تعتقل-عناصر-إل-إي-إي-ز-انتظيم-داعش/>, 24 October 2021.

⁰ <https://www.facebook.com/Brigade106/photos/a.1731529457062609/3063934390488769>, 28 November 2021.

^p <https://www.libyaakhbar.com/libya-news/1767883.html>, 20 Jan 2022.

^q Press conference of HAF's Spokesperson <https://youtu.be/1Kqkyga8UU>, 28 January 2022.

^r <https://www.alchourouk.com/article/القبض-على-الارهابي-التونسي-بلال-بن-عبد-الوهاب-في-العاصمة-الليبية-طرابلس>, 3 February 2022.

^s <https://akhbarlibya24.net/2022/02/20/خليفة-إرهابية-في-طرابلس/>, 20 February 2022.

^t <https://fb.watch/bP3lOsOhY8/>, 11 March 2022.

Annex 14 Statement of the HAF representatives of the 5+5 JMC

الموضوع : بيان
التاريخ :
الموافق : 2021/11/11

اللجنة العسكرية المشتركة
5+5

اللجنة العسكرية المشتركة
5+5

**بيان اللجنة العسكرية المشتركة (5+5)
ممثلي القيادة العامة للقوات المسلحة العربية الليبية**

انطلاقاً من حرص اللجنة العسكرية المشتركة (5+5) على تنفيذ بنود اتفاق وقف إطلاق النار في 23/10/2020 م بجينيف .
ودعماً من القيادة العامة للقوات المسلحة العربية الليبية وتحفيزها لأعضاء اللجنة العسكرية المشتركة (5+5) على المضي قدماً وبخطوات شجاعة تحفظ كرامة الوطن والمواطن وحتى تتحرر كافة الأراضي الليبية بعزيمة أبناء الوطن وحرصاً من القيادة العامة على السيادة الوطنية والأمنية للاراضي الليبية ولطلب القيادة الفرنسية للقيادة العامة بشأن إطلاق مبادرة عملية لإخراج دفعة أولى من المرتزقة والمقاتلين الأجانب والمتواجدين في مناطق سيطرة القوات المسلحة العربية الليبية وذلك كاستثناء من شرط الخروج المتزامن والمتوازن الذي تم الاتفاق عليه بين أعضاء اللجنة العسكرية المشتركة (5+5) في خطتها لإخراج المرتزقة والمقاتلين الأجانب والقوات الأجنبية برعاية بعثة الأمم المتحدة للدعم في ليبيا .

قررت القيادة العامة للقوات المسلحة العربية الليبية إخراج عدد (300) فرد من المرتزقة والمقاتلين الأجانب كدفعة أولى وسيتم التنسيق المباشر مع بعثة الأمم المتحدة أثناء عملية نقل المقاتلين إلي دولهم وبمراعاة كافة المحاذير والأوضاع الأمنية وذلك بالتنسيق مع هذه الدول لتحقيق السلام والاستقرار في ليبيا ودول الجوار

حفظ الله ليبيا

اللجنة العسكرية المشتركة 5+5
ممثلي القيادة العامة للقوات المسلحة العربية الليبية

Source: <https://www.alghad.tv/> لجنة-55-البدء-في-سحب-300-مرتزق-من-ليبيا, 11 November 2021

Official UN translation

Translated from Arabic

5+5 Joint Military Commission

Subject: Statement

Date:

Corresponding to: 11 November 2021

Statement of the 5+5 Joint Military Commission

Representatives of the General Command of the Libyan Arab Armed Forces

In keeping with the commitment of the 5+5 Joint Military Commission to implementing the terms of the ceasefire agreement signed in Geneva on 23 October 2020,

With the support of the General Command of the Libyan Arab Armed Forces; with a view to encouraging the members of the 5+5 Joint Military Commission to move forward with bold steps to preserve the dignity of the Libyan homeland and its citizens; with a view to seeing all of Libyan territory liberated in accordance with the determination of our homeland's citizenry; in keeping with the commitment of the General Command to the sovereignty and security of Libyan territory; and in response to the request made by the French leadership to the General Command to take the initiative on the ground to evacuate an initial group of mercenaries and foreign fighters from areas controlled by the Libyan Arab Armed Forces – as an exception to the condition of synchronized and balanced withdrawal agreed to between members of the 5+5 Joint Military Commission in its plan to remove mercenaries, foreign fighters and foreign forces under the auspices of the United Nations Support Mission in Libya (UNSMIL),

The General Command of the Libyan Arab Armed Forces has decided to evacuate an initial group of 300 mercenaries and foreign fighters. There will be direct coordination with the United Nations Mission during the process of transferring fighters to their countries, accompanied by security precautions and coordination with the countries involved, with a view to bringing about peace and stability in Libya and neighbouring countries.

May God preserve Libya.

The 5+5 Joint Military Commission
Representatives of the General Command of the Libyan Arab Armed Forces

Annex 15 Sudanese groups in Libya

1. Since the entry into force of the Juba Peace Agreement, most of the signatories who had an important presence in Libya, namely Sudan Liberation Army / Minni Minawi (SLA/MM), Sudan Liberation Army / Transitional Council (SLA/TC), Gathering of the Sudan Liberation Forces (GSLF) and Justice and Equality Movement (JEM), have brought their elements back to Sudan (paragraph 19 to [S/2021/229](#)). However, it is estimated that their forces still in Libya are scattered in the areas of Hun, Suknah, Jufra, Zilla, Brak al-Shatii and Ghat. Since October 2020, other subgroups of non-signatories, such as Sudan Liberation Army/Abdul Wahid (SLA/AW) and the Sudanese Revolutionary Awakening Council (SRAC), have not had an effective military capability in Libya due to internal divisions.
2. SLA/MM is still receiving salaries and equipment from HAF however they have been reduced over the last months. This group is recruiting fighters in Sudan and training new members in Darfur, some of whom are sent to Libya. On 29 April 2021, the Sudanese Prime Minister Abdallah Hamdok issued a decree appointing Minni Minawi, leader of SLA/MM, as governor of the Darfur region⁶. The members of this group move back and forth between Darfur and Libya.
3. Abdallah Banda's group is still active in Libya in the area of Jufra, providing support personnel to HAF there. It has been reported that some of his members have allied to the SLA/MM group remaining in Libya, from whom they receive salaries.
4. By December 2021, half of Taher Hajar's GSLF group remained in Libya and are positioned around Surt and Jufra.
5. On 30 June 2021, the social media website of the military operation "Volcano of Rage" reported that a group of armed Sudanese nationals attacked a police station in Hun, in an attempt to free one of their members, who had been arrested by the local authorities for the killing of a Libyan national.⁷ This incident was later confirmed and described⁸ by Mahmud Ghmed, President of the "Jufra Society".⁹
6. In mid October 2021, at least 150 vehicles belonging to Sudanese armed groups, escorted by vehicles marked as belonging to HAF 116 and 117 brigades¹⁰ relocated from the area of Al Fawwar¹¹ (south-east of Waw al-Kabir) to the region of Kilinja¹² (west of Kufra).
7. In early December 2021, at least 300 members of SLA/TC led by Saleh Jabal Si have moved from Libya to Korma in Sudan where a field visit was undertaken by UNITAMS, a team of experts from United Nations headquarters and members of the Darfur Permanent Ceasefire Committee ([S/2022/172](#)).
8. On 1 March 2022, during a patrol, the HAF Subul Al Salam battalion clashed with a Sudanese armed group that used to serve under HAF 128 in the Al-Rubyana, 90 km from Tazerbu area. Sources of the Panel indicated that after their defection from the latter, this group of armed Sudanese engaged in criminal activities and set up checkpoints to rob the population in the area. The group was composed of at least 18 individuals and 3 armed vehicles with HAF 128 brigade insignia.

⁶ <https://www.dabangasudan.org/en/all-news/article/rebel-leader-minawi-appointed-governor-of-darfur>, 21 May 2021

⁷ <https://www.facebook.com/Burkanly/posts/2916186455324164>, 20 September 2021.

⁸ <https://web.facebook.com/watch/?v=302701233762470>, 20 September 2021.

⁹ "Al Jufra Society" is a social group created in February 2021, based in Hun. It is a civil society organization that cares of all social issues related to the Jufra region including human rights.

¹⁰ See annex 10 HAF disbanding 116 brigade. The Panel has yet to reconcile the status of this military grouping.

¹¹ 24°03'08.5"N 17°35'37.9"E

¹² 23°16'35.80"N, 20° 1'37.02"E

Annex 16 Front pour l'Alternance et la Concorde (FACT) and other Chadian opposition groups in Libya

Background on FACT

1. By early 2021, this group held several bases in the areas of Tamenhint, Brak Shati and Jabal Al Aswad. Comprised of at least 1,500 fighters, it was affiliated to HAF for which it operated surveillance and patrol missions in the south of Libya in cooperation with the 128 brigade and the 116brigade (prior to its disbandment). The leader of FACT, Mahamat Mahdi Ali, claimed that during their stay in Jufra in 2020, they collaborated with ChVK Wagner operatives in security missions in Brak Shati, adding that this PMC distrusted him because of his close relationship with France (where he was a political refugee for 25 years). Mahamat Mahdi denied to the Panel receiving any kind of training from ChVK Wagner, and further added that all contact with HAF stopped in April 2021.

FACT military activities in Libya

2. On 11 April 2021, FACT launched its offensive against the Chadian forces from its bases in south Libya to Tibesti in Chad, which coincided with the presidential election day in Chad. The Chadian army claimed more than 300 FACT fighter fatalities and imprisonment of 150 others, whilst losing five of its soldiers in the clashes.¹³ FACT counter-claimed that they took control of two Chadian bases in Wour and Zouarké.¹⁴ The FACT leader claimed that drones of unknown origin constantly monitored his forces' movement.

3. On 18 April 2021, the Chadian President was reported to be dead, from wounds suffered on the combat front against FACT.¹⁵ However, the FACT leader claimed that his group had no knowledge of the presence of Deby on the battlefield¹⁶ and was unsure whether his forces were directly responsible for the Deby's death.

4. On 14 September 2021, the HAF Tariq Bin Ziyad (TBZ) special forces battalion led an offensive against a FACT base in the area of Terbu that lasted at least 4 days. FACT later issued two communiqués¹⁷ on the incident describing the armed clashes against their group .¹⁸ The HAF official media branch reported on its official social media page¹⁹ that the offensive was led by the TBZ battalion supported by the 116 brigade, with air support from its air force.

5. FACT members are still present in Libya, reportedly south of Qatrun.²⁰

¹³ <https://fr.africanews.com/2021/04/19/tchad-plus-de-300-rebelles-et-cinq-militaires-tues-samedi-dans-le-nord-selon-l-armee/>, 4 May 2021.

¹⁴ FACT communiqué of 11 April 2021. <https://bit.ly/2YsD5Wn>.

¹⁵ https://www.lemonde.fr/afrique/article/2021/04/20/mort-d-idriss-deby-le-sud-libyen-troublante-base-arriere-des-rebelles-tchadiens_6077460_3212.html, 20 April 2021.

¹⁶ Panel interview with Mahamat Mahdi Ali, Leader of FACT, July 2021.

¹⁷ FACT communiqué of 14 September 2021. <https://web.facebook.com/LeFACT/photos/3067447253544786>.

¹⁸ FACT communiqué of 15 September 2021. <https://web.facebook.com/LeFACT/photos/3068023780153800>.

¹⁹ https://web.facebook.com/mediawarinformationdivision/?_rdc=1&_rdr, 20 September 2021.

²⁰ "Soldiers of fortune: The future of Chadian fighters after the Libyan ceasefire"

<https://globalinitiative.net/analysis/chadian-fighters-libyan-ceasefire/>, 3 December 2021

FNDJT and CCMSR:

6. On 26 January 2022 FNDJT claimed responsibility for an armed attack launched from its rear bases in south of Libya on a Chadian military post (Post 35) in Kouri Bougoudi, in the Tibesti region, north of Chad.²¹ FNDJT and CCMSR²² are both members of a military-political coalition created on 28 March 2021 along with two other Chadian opposition groups namely *L'union des mouvements pour la démocratie et le développement* (UMDD), *l'Union Nationale pour le Changement* (UNC)(Fig.1).

Figure 16.1

Constitution of the alliance



Source: <https://www.facebook.com/www.CCMSR>, 28 March 2021.

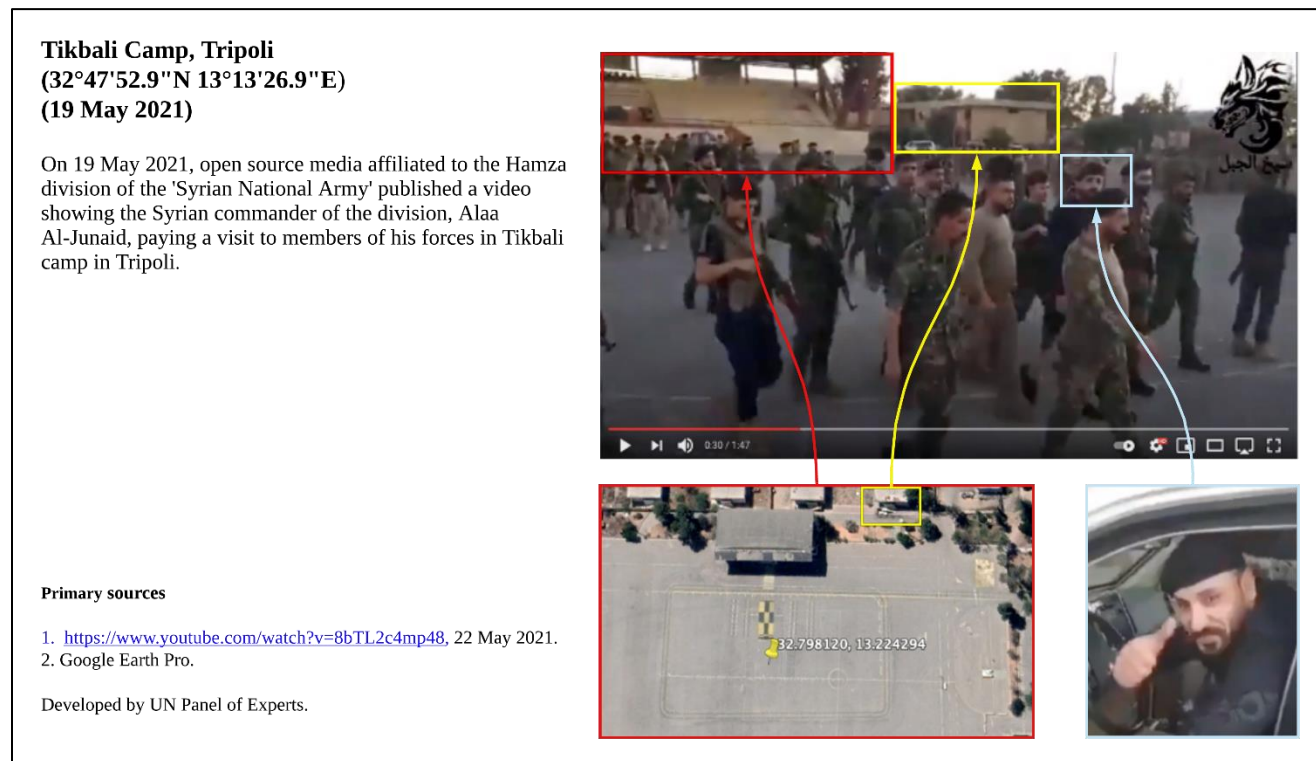
²¹ <https://www.facebook.com/tchadienne.larevolutionpopulaire>, 26 January 2021.

²² The Panel has reported on the activities of CCMSR in Libya in to [S/2021/229](#), annex 9.

Annex 17 Syrian fighters in Libya

Figure 17.1

Alaa Al-Junaid at Tikbali Camp, Tripoli



1. On 18 July 2021, in a video interview,²³ Colonel Fadl Allah Hajji²⁴ of the 'Syrian National Army' admitted sending Turkish backed Syrian combatants to Libya "as part of a strategic plan of the cooperation between the (Syrian) National Army and the Turkish Army...and they are not considered as mercenaries by the Turks nor by the Libyans...we didn't send fighters to kill the Libyans, but to maintain peace and security, to protect airports and the Libyan oil interests...".

²³ https://mobile.facebook.com/watch/?v=294256929137721&_rdr, 18 July 2021.

²⁴ Identified from figures 13.2 and 13.3.

Figure 17.2
Colonel Fadl Allah Hajji



Figure 17.3
Video still of Hajji



Source: <https://jisrtv.com/الأخبار-الجسر/الأخبار-السورية/استقالة-القائد-العام-للجبهة-الوطنية-للتحرير>, 1 August 2021.

2. On 31 August 2021 a group of GNU-AF Syrians demonstrated outside their base camp of Al Yarmouk against the delay in their salaries for over four months (figure 13.4). They put road blockades on a main road and set small fires in the immediate surroundings in front of the entrance gate of the camp. A GNU-AF commander stated to the Panel that the Syrians present in those camps were not engaged in any military activity and some escaped to attempt to migrate illegally to Europe.

Figure 17.4
Demonstration at Al Yarmouk Camp, Tripoli

Al Yarmouk Camp, Tripoli
(32°47'52.9"N 13°13'26.9"E)
(31 August 2021)

On 31 August 2021, a video widely published on social media shows a group of individuals, later identified as Syrians based in the Al Yarmouk Camp, putting blockades on a road, setting fire and demonstrating in front of the main gate of the same camp.

Primary sources

1. <https://web.facebook.com/AACNEWSLY/videos/1045475682876324>, 3 September 2021.
2. Google Earth Pro.

Developed by UN Panel of Experts.



Annex 18 22 December 2021 HNEC statement



بيان مجلس المفوضية: بشأن تحديد يوم الاقتراع (للمرحلة الأولى) من الانتخابات الرئاسية

2021-12-22 12:09 م

لقد أخذت المفوضية على عاتقها تحقيق (إرادة الشعب) في انتخابات حرة ونزيهة تقود إلى تغيير سلمي للسلطة تُنتج حالة من الاستقرار كخطوة نحو بناء دولة المؤسسات والقانون التي ينشدها الليبيون. وعلى الرغم من الصعوبات والتحديات الفنية والقانونية التي واجهتها منذ استلامها للقوانين الانتخابية إلا أنها أنجزت الكثير وباتت على مشارف انجاز تاريخي يسطع نوره على كافة أرجاء الوطن.

غير أن تلك الصعوبات لا تنفك حتى تأتي بأخرى. فقد شكلت مرحلة (الطعون) المنعطف الخطير على مسار العملية الانتخابية. وكانت بمثابة المحطة التي توقفت عندها مساعي الجميع لإنجاز هذا الاستحقاق التاريخي المسؤول لاعتبارات لم تكن في متناول القائمين عليها كان أبرزها: قصور التشريعات الانتخابية فيما يتعلق بدور القضاء في الطعون والنزاعات الانتخابية. الأمر الذي انعكس سلباً على حق المفوضية في الدفاع عن قراراتها. وأوجدت حالة من عدم اليقين من أن قرارات المفوضية جانبها الصواب فيما يتعلق باستبعادها لعدد من المترشحين الذين لا تنطبق عليهم الشروط. كما أن التداخل القائم بين المعطيات السياسية والاحكام القضائية الصادرة دفع بقرار الإعلان عن (القائمة النهائية) للمترشحين إلى ما يعرف بحالة (القوة القاهرة) التي أفضت إلى عدم تمكن المفوضية من الإعلان عنها ومن ثم عدم قدرتها على تحديد يوم 24 ديسمبر يوماً للاقتراع على الرغم من جاهزيتها الفنية الكاملة لإنجاز العملية في التاريخ المذكور.

ووفقاً لما ورد بالمادة (43) من القانون رقم (1) لسنة 2021 بشأن انتخاب رئيس الدولة وتحديد صلاحياته. وتعديلاته. والتي تنص على أن تُعلن المفوضية عن تأجيل عملية الاقتراع. ويحدد مجلس النواب موعداً آخر لإجراء عملية الاقتراع خلال (30) يوماً. فأن المفوضية تقترح بعد التنسيق مع مجلس النواب أن يؤجل يوم الاقتراع (للمرحلة الأولى) إلى 24 يناير 2022 عملاً بنص المادة أعلاه. على أن يتولى (مجلس النواب) العمل على اتخاذ الإجراءات الكفيلة بإزالة حالة (القوة القاهرة) التي تواجه استكمال العملية الانتخابية.

وعلى مستوى عملية انتخاب مجلس النواب المقررة بموجب القانون رقم (2) لسنة 2021. فأن عملية التدقيق في طلبات المترشحين البالغ عددها (5385) قد قاربت على الانتهاء وهي في طور المراجعة النهائية. وحال استلامنا لردود شركائنا في عملية التدقيق ومدى انطباق شروط الترشيح الواردة بالقانون. سوف تصدر المفوضية قرارها المتعلق بالإعلان عن القوائم الأولية لمترشحي مجلس النواب. ومن ثم البدء في مرحلة الطعون.

وبالمناسبة نود أن نؤكد على أننا لم نتخل عن تحمل مسؤولياتنا. وانجزنا ما يتوجب علينا القيام به بما لا يدع مجالاً للشك في حيادتنا واستقلاليتنا. وأن الاتهامات الموجهة إلينا بالتقصير والتسيس ما هي إلا مجرد حملات للتشويش والتظليل هدفها النيل من سمعة المفوضية وعرقلة هذا الاستحقاق بما يخدم اجنداتهم العنيفة. وفي الوقت نفسه نضع السلطات التشريعية والقضائية أمام مسؤولياتهم والتزاماتهم في الأخذ بإجراءات تُفضي إلى نجاح هذا الاستحقاق بما يحقق آمال شعبنا وتطلعاته نحو غداً أفضل يزخر بالسلام والتنمية والرخاء.

وُفقنا جميعاً إلى ما فيه صالح البلاد والعباد والله ولي التوفيق

مجلس المفوضية الوطنية العليا للانتخابات

في 22 ديسمبر 2021



بيان مجلس المفوضية: بشأن تحديد يوم الاقتراع (للمرحلة الأولى) من الانتخابات الرئاسية

لقد أخذت المفوضية على عاتقها تحقيق (إرادة الشعب) في الانتخابات حرة ونزيهة تقود إلى تغيير سلمي للسلطة تُنتج حالة من الاستقرار كخطوة نحو بناء دولة المؤسسات والقانون التي ينشدها الليبيون، وعلى الرغم من الصعوبات والتحديات الفنية والقانونية التي واجهتها منذ استلامها للقوانين الانتخابية إلا أنها انجزت الكثير ويات على مشارف انجاز تاريخي يسبق نوره على كافة أرجاء الوطن.

غير أن تلك الصعوبات لا تتفكك حتى تأتي بأخرى، فقد شكلت مرحلة (الطمعون) التعميط الخطير على مسار العملية الانتخابية، وكانت بمثابة المحطة التي توقفت عندها مساعي الجميع لإنجاز هذا الاستحقاق التاريخي المسؤول، لا اعتبارات لم تكن في متناول القائمين عليها كان أبرزها: قصور التشريعات الانتخابية فيما يتعلق بدور القضاء في الشؤون والنزاعات الانتخابية، الأمر الذي انعكس سلباً على حق المفوضية في الدفاع عن قراراتها، وأوجدت حالة من عدم اليقين من أن قرارات المفوضية جانبها الصواب فيما يتعلق باستبعادها لعدد من المترشحين الذين لا تنطبق عليهم الشروط، كما أن التداخل القائم بين المصالحات السياسية والأحكام القضائية الصادرة دفع بقرار الإعلان عن (القائمة النهائية) للمترشحين إلى ما يعرف بحالة (القوة القاهرة) التي اضطرت إلى عدم تمكن المفوضية من الإعلان عنها ومن ثم عدم قدرتها على تحديد يوم 24 ديسمبر يوماً للاقتراع على الرغم من جاهزيتها الفنية الكاملة لإنجاز العملية في التاريخ المذكور.

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**وَفَقْنَا جَمِيعاً إِلَى مَا فِيهِ صَالِحُ الْبِلَادِ وَالْعِبَادِ
وَاللَّهُ وَثِي التَّوْفِيقِ**

مجلس المفوضية الوطنية العليا للانتخابات
في 22 ديسمبر 2021



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عضو مجلس المفوضية يستقبل المستشار الدولي
"جاستن ماروزي" page-00...-بيان-مجلس-المفوضية-بشأن-تحديد-ي-

إعلان عن تمديد فترة تسجيل المرشحين
2014-05-07

مجلس المفوضية يعقد اجتماعاً استثنائياً مع أعضاء
اللجان الانتخابية بنغازي

Source: <https://hnec.ly/2021/12/22/بيان-مجلس-المفوضية-بشأن-تحديد-يوم-الاقتراع-للمرحلة-الاولى/>

Translated from Arabic
Official UN translation

High National Elections Commission

Statement of the Commission board on setting a polling date for the first round of presidential elections

22 December 2021, 12:09 hours

The Commission is carrying out its responsibility to see the will of the people realized in free and fair elections leading to a peaceful transfer of power that brings about stability as a step towards building the State of institutions and law to which Libyans aspire. Despite the technical and legal difficulties and challenges it has faced since it received the elections laws, it has accomplished a lot and is on the verge of a historic achievement that will shine its light throughout the whole country.

Unfortunately, no sooner is one set of difficulties resolved than another emerges. The challenge stage marked a dangerous turning point in the electoral process. It in effect became the station stop at which efforts to carry forward this historical election came to a halt, owing to considerations that were beyond election officials' control. Most notably, electoral laws were deficient with respect to the role of the judiciary in electoral challenges and disputes. That had a negative impact on the right of the Commission to defend its decisions. It created uncertainty about the correctness of decisions by the Commission to disqualify a number of candidates who did not meet conditions. The interference of political interests with the judicial rulings issued pushed the decision to announce the final list of candidates into what may be described as a force majeure situation. The Commission was unable to make its announcement, and therefore unable to set 24 December as election day even though, from a technical standpoint, it was fully prepared to conduct the process on that date.

Article 43 of Act No. 1 (2021) on the election and definition of powers of the Head of State and amendments thereto provides that the Commission shall announce the postponement of the voting process and the House of Representatives shall set another date for conduct of the voting process within 30 days. After coordinating with the House of Representatives, the Commission proposes to postpone the polling date for the first round to 24 January 2022 in accordance with the above-mentioned article. Meanwhile, the House of Representatives must act to take measures to remove the force majeure situation standing in the way of the electoral process.

As far as election for the House of Representatives – as provided for by Act No. 2 (2021) – is concerned, the vetting process for the 5,385 candidate applications is nearing completion and is at the final review stage. Once we have received the responses of our partners in the vetting process on whether the conditions for candidacy provided for by the law have been met, the Commission will issue a decision announcing preliminary candidate lists for the House of Representatives. Then the challenge phase will begin.

We would like to take this opportunity to stress that we have not abdicated our responsibilities. We have carried out our duties in a way that leaves no doubt as to our neutrality and independence. The accusations of negligence and politicization being made against us are just efforts to cast a shadow over the Commission's reputation and obstruct this election in the interests of unconstructive agendas. In the meantime, we encourage the legislative and judicial branches to carry out their responsibilities and take the actions needed for the success of this election in order to achieve the hopes and aspirations of our people for a better tomorrow full of peace, development and prosperity.

May we all succeed achieving the interests of the country and the people, with God's help.

The High National Elections Commission

22 December 2021

Annex 19 Various factors impacting the electoral process

1. A disputed legal framework

The electoral laws adopted by the House of Representatives (HOR)²⁵ failed to offer a largely agreed constitutional basis.²⁶ Several sources believe that these texts were deliberately devised to create dissension and prevent the elections from happening; they would have been adopted only to demonstrate goodwill and avoid sanctions.²⁷ Similarly, the UN and various Member States received their share of criticism²⁸ for failing to achieve consensus among the Libyans in a timely manner after the adoption of the roadmap²⁹ and for supporting the electoral process despite the flaws affecting the laws finally adopted.

2. Controversial candidacies

The successive candidacies for presidential election of prominent figures across Libya of Saif al-Islam Qadhafi (LYi.015),³⁰ Khalifa Haftar,³¹ the HoR Speaker, Aguila Saleh,³² and incumbent Prime Minister Dbeibah³³ stirred controversies over their legality and/or legitimacy.³⁴ The confirmation of Saif al-Islam Qadhafi's (LYi.015) candidacy by the Sebha court on 5 December 2021 antagonized both Haftar and Libyan figures and armed groups from the west. This has exacerbated the challenge of publishing the final list of candidates by HNEC.

3. Threats and security incidents

The Panel identified several problematic incidents that preceded the planned elections, such as forced closure of electoral offices, public calls to boycott the elections, and threats addressed to the HNEC (table 19.1).

²⁵ On 8 September 2021, HoR issued Law No. 1 (2021) on the elections of the president; on 1 November 2021, HoR issued Law No. 9 (2021) amending Law No. 1: https://liasinstitute.com/PDFs/HoR_Law_No_1_2021.pdf, 8 September 2021.

²⁶ See SG Report 2022/31, paragraph 5 regarding the amendment of the electoral framework, SG Report 2022/31.

²⁷ Confidential sources and Jalel Harchaoui and Wolfram Lacher in <https://www.franceculture.fr/emissions/cultures-monde/de-tripoli-a-bagdad-voter-suffit-il-a-faire-etat>, 10 January 2022.

²⁸ Confidential sources and Jalel Harchaoui and Wolfram Lacher in <https://www.franceculture.fr/emissions/cultures-monde/de-tripoli-a-bagdad-voter-suffit-il-a-faire-etat>, 10 January 2022.

²⁹ According to the roadmap, the 75 participants to the LPDF should have agreed on the constitutional basis for the elections by July 2021.

³⁰ On 14 November 2021

³¹ On 16 November 2021

³² On 17 November 2021

³³ On 21 November 2021

³⁴ <https://www.skynewsarabia.com/video/1480989-%D8%A7%D9%84%D8%AF%D8%A8%D9%8A%D8%A8%D8%A9-%D9%8A%D9%82%D8%AF%D9%85-%D8%A7%D9%94%D9%88%D8%B1%D8%A7%D9%82-%D8%AA%D8%B1%D8%B4%D8%AD%D9%87-%D9%84%D9%84%D8%A7%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B1%D9%8A%D9%94%D8%A7%D8%B3%D9%8A%D8%A9-%D9%84%D9%8A%D8%A8%D9%8A%D8%A7>, 22 November 2021.

Table 19.1

Threats and security incidents

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
4 Nov 2021	During a televised interview, ³⁵ Khaled al-Mishri, Head of the PC, staunchly expressed his opposition to elections “devised for Haftar”, rejected the electoral laws adopted by the HOR, challenged the legitimacy of Imad al-Sayeh as HNEC chair, declared that the outcome of the 24 December 2021 elections will not be accepted and concluded that if Haftar were elected, the western region would take up arms.	
11 Nov 2021	The cleric Sadiq al-Gharyani called upon the Libyan representatives from various regions to gather and issue a statement supported by “the sound of arms” inciting Libyans to boycott the elections. He also voiced his concern about forged voter cards. ³⁶	
14 Nov 2021	Saif al-Islam Qadhafi (LYi.015) submitted his application for the presidential election that was formally registered by the HNEC.	This has drawn angry reactions ³⁷ in Western Libya that forced the HNEC to temporarily close electoral centres in some places (e.g. in Zliten, Zawiya and Misrata). Public calls in the west to boycott the elections also followed the submission of Saif al-Islam Qadhafi’s (LYi.015) candidacy. ³⁸
24 Nov 2021	HNEC rejected 25 submissions including that of Saif al-Islam Qadhafi (LYi.015). ³⁹	The next day, the candidate challenged the decision before the Sebha court that was subsequently surrounded by TBZ brigade and forced to close for several days. ⁴⁰

³⁵ <https://www.youtube.com/watch?v=PQC1Z1fBIF0>;

<https://mubasher.aljazeera.net/news/politics/2021/11/5/%D8%AE%D8%A7%D9%84%D8%AF-%D8%A7%D9%84%D9%85%D8%B4%D8%B1%D9%8A-%D9%84%D9%84%D8%AC%D8%B2%D9%8A%D8%B1%D8%A9-%D9%85%D8%A8%D8%A7%D8%B4%D8%B1-%D8%A5%D8%AC%D8%B1%D8%A7%D8%A1>, 4 November 2021.

³⁶ https://m.facebook.com/story.php?story_fbid=1553940311640789&id=625474811154015&m_entstream_source=video_home&player_suborigin=entry_point&player_format=permalink&_ft=qid.-7380469463049397347%3Amf_story_key.9179170747893826860%3Atop_level_post_id.425419515814851%3Acontent_owner_id_new.625474811154015%3Apage_id.625474811154015%3Atracking_source.video_home%3Astory_location.31%3Astory_attachment_style.video_inline%3Aott.AX90DCVHFNO_Zsl%3Atds_flg.3, 11 November 2021.

³⁷ <https://www.alarabiya.net/north-africa/2021/11/15/%D9%85%D9%84%D9%8A%D8%B4%D9%8A%D8%A7%D8%AA-%D8%A8%D8%BA%D8%B1%D8%A8-%D9%84%D9%8A%D8%A8%D9%8A%D8%A7-%D8%AA%D8%B1%D9%81%D8%B6-%D8%AA%D8%B1%D8%B4%D8%AD-%D8%B3%D9%8A%D9%81-%D8%A7%D9%84%D8%A7%D8%B3%D9%84%D8%A7%D9%85-%D8%A7%D9%84%D9%82%D8%B0%D8%A7%D9%81%D9%8A-%D9%88%D8%AA%D9%87%D8%AF%D8%AF-%D8%A8%D8%A7%D9%84%D8%AD%D8%B1%D8%A8->, 15 November 2021.

³⁸ <https://www.rfi.fr/fr/afrique/20211115-libye-l-%C3%A9pineuse-candidature-de-sa%C3%AFf-al-islam-kadhafi>, 15 November 2021.

³⁹ <https://hnecl.ly/wp-content/uploads/2021/11/scan0001-1.pdf>. Accessed 13 April 2022

⁴⁰ <https://unsmil.unmissions.org/unsmil-warns-against-acts-could-serve-deprive-libyans-exercising-their-democratic-right>, 29 November 2021.

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
		Despite this intimidation, the procedure ended on 5 December 2021 with a decision favourable to Saif al-Islam Qadhafi's (LYi.015) inclusion in the list of presidential candidates.
16 Dec 2021	Salah Badi (LYi.028) threatened to shut down State institutions in Tripoli ⁴¹ and asserted that elections would not happen. ⁴²	

⁴¹ <http://en.alwasat.ly/news/libya/342713>, 16 December 2021.

⁴² https://www.facebook.com/watch/?ref=search&v=291163996357697&external_log_id=9f7ac813-f3ff-40d3-9aa1-abfc9a2bf367&q=%D8%B5%D9%84%D8%A7%D8%AD%20%D8%A8%D8%A7%D8%AF%D9%8A%20%D9%84%D9%8A%D8%A8%D9%8A%D8%A7%20%D8%A7%D9%84%D8%A5%D9%86%D8%AA%D8%AE%D8%A7%D8%A8%D8%A7%D8%AA, 16 December 2021.

Annex 20 Incidents of violations of international humanitarian law and international human rights law committed in detention facilities under the control of armed groups in Libya

1. The Panel has interviewed twenty-three victims and their family members⁴³ in regard to alleged violations of international humanitarian law and human rights law that took place during the period from 2015 to 2021. The incidents were perpetrated in official and unofficial places of detention including: (a) the Mitiga detention facility in Tripoli, under the exclusive responsibility and control of the Special Deterrence Forces (SDF); (b) the Saadawi Camp in Ain Zara under the control of Tripoli Revolutionaries Brigade (TRB); (c) the Gernada detention facility in Al Bayda under the control of the HAF Libyan Arab Armed Forces (LAAF); (d) Al Kweifiya detention facility in Benghazi under the control of the HAF LAAF; (e) unofficial place of detention (“military prison”) in Sidi Freij in Benghazi under the control of HAF Tariq Ibn Ziyad brigade; (f) HAF LAAF military intelligence facilities in Benghazi; (g) unofficial place of detention under the internal security agency (ISA) facility in Al Marj; and (h) the detention facility in Tarhuna under the control of Al Kaniyat until June 2020. Summary information is at table 20.1.

2. The Panel identified that officials of SDF, TRB and the four LAAF armed groups had complete control over the victims during the period of their arrest, detention, and transfers to other locations. In all twenty-three cases the Panel found that the detaining authorities: (a) violated victims’ right to liberty and security of person by arresting them on arbitrary grounds; and (b) intentionally depriving them of core procedural and judicial guarantees. This equates to arbitrary and unlawful detention.⁴⁴

3. Fifteen individuals consistently reported that different methods of torture and other mistreatment were administered on detainees, including severe beatings with pipes and cables, suspension, sleep deprivation, denial of food and potable water, and deliberate denial of medical care. Some of these methods were used in combination and repeatedly on a regular basis for the purpose of obtaining information, punishing, or otherwise coercing the detainees.⁴⁵ Four family members of individuals detained in the Gernada, Saadawi and Mitiga detention facilities reported inhuman treatment caused by prolonged incommunicado detention and harsh material conditions.⁴⁶

4. Five of seven detainees were executed in detention facilities under the control of Al-Kaniyat.⁴⁷ The five victims were identified among excavated bodies from mass graves in the Tarhuna area. All victims and witnesses attributed the seven incidents to individuals of the Al-Kaniyat armed group. Three witnesses consistently stated that the three Al-Kani brothers who were Al-Kaniyat’s top commanders, Abdurahem El Shgagi (a.k.a. Abdurahem Al-Kani), Mohammed El Shgagi (a.k.a. Mohammed Al-Kani),⁴⁸ and Mohsen⁴⁹ El Shgagi (a.k.a. Mohsen Al-Kani), ordered and in five cases executed acts of torture and murder of detainees.

5. Six members of the legal profession told the Panel that armed groups operating in the above locations have seriously undermined the role of judges and lawyers in: (a) ensuring respect for detainees’ procedural rights; and (b) in preventing torture and other ill-treatment in detention. These armed groups act with complete impunity from the judicial system. The Panel identified that in two documented cases, the SDF refused to implement decisions of Libyan judicial and government institutions in violation of procedural and judicial safeguards of detainees held in the SDF Mitiga detention facility.

⁴³ Where a victim was unable to give testimony due to an ongoing detention the Panel interviewed an immediate family member.

⁴⁴ Article 9 of the ICCPR; UN Human Rights Committee, *General Comment No. 35*, CCPR/C/GC/35, 16 December 2014.

⁴⁵ See Common Article 3 of the Geneva Conventions; article 7 of the ICCPR.

⁴⁶ Panel interview with family members (CS 07, 08, 09 and 13).

⁴⁷ Common Article 3 of the Geneva Conventions.

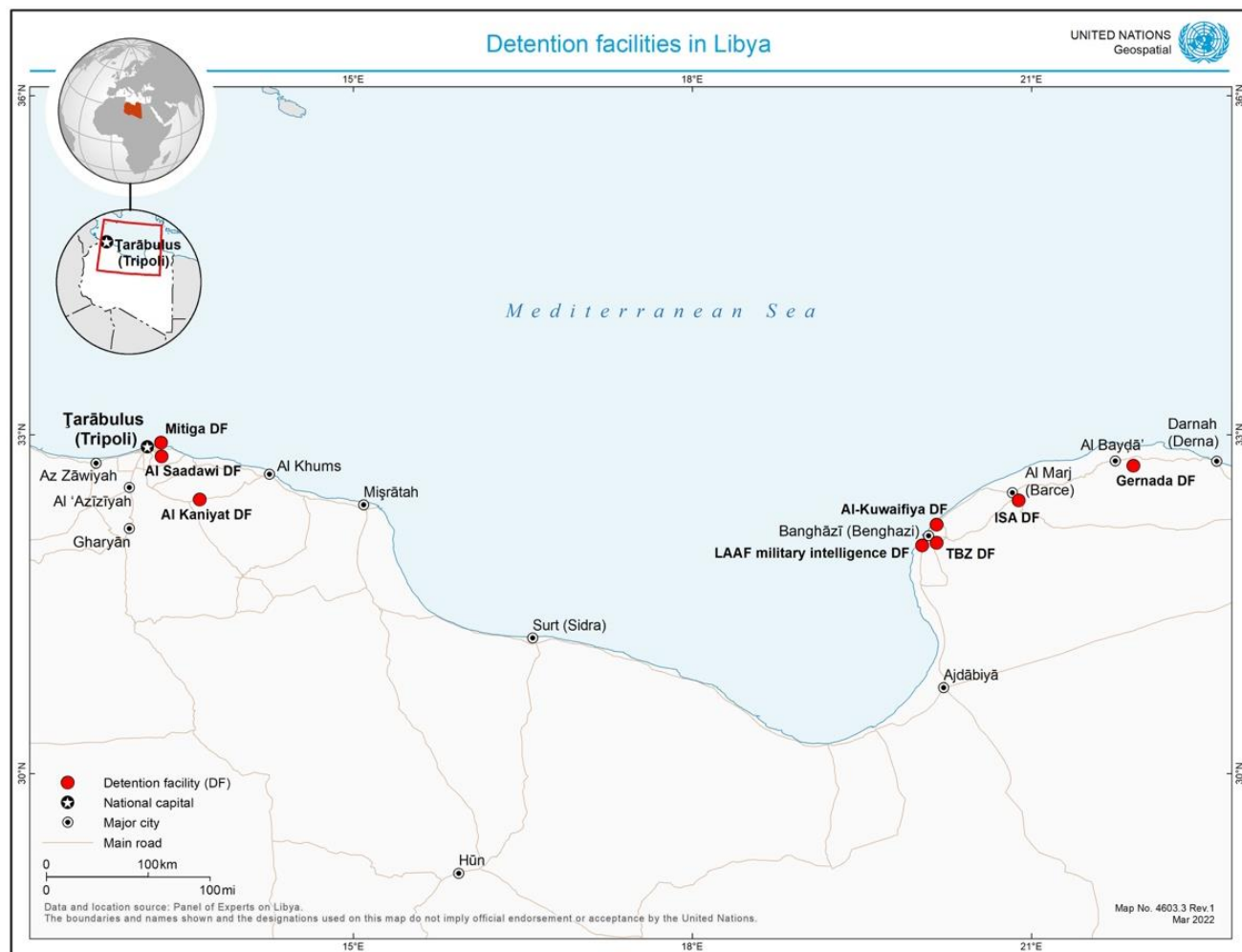
⁴⁸ Deceased, reportedly on 27 July 2021, <https://apnews.com/article/middle-east-africa-shootings-libya-13a98c8ccac6def7c4ebd381e7e32fbc>.

⁴⁹ Deceased, reportedly on 13 September 2019, <https://www.reuters.com/article/us-libya-security-idUSKCN1VY2L2>.

Appendix A to Annex 20: Locations of detention facilities under the control of armed groups

Figure 20.1

Map of detention facilities



CONFIDENTIAL Appendix B to Annex 20: Summary of investigated incidents

Annex 21 Slavery of migrant detainees in the Mitiga detention facility

1. Four migrant detainees testified to the Panel that individuals of the SDF formed and supervised groups of able-bodied migrants in the Mitiga detention facility (“Mitiga”) for the primary purpose of forced labour. Former detainees identified Osama Najim and Adel Mohamed Ali (a.k.a. “Sheikh Adel”) as individuals directly responsible for their unlawful transfer and unlawful labour that violated the prohibition of slavery, cruel treatment and outrages upon personal dignity under international humanitarian law.⁵⁰

2. Migrant detainees were unlawfully transferred to Mitiga from official and unofficial detention places in Tripoli by a well-organised scheme operated by SDF individuals since at least April 2019.⁵¹ The migrants were captured by the Libyan Coast Guard while attempting to cross the Mediterranean Sea and taken to temporary detention places in the Tripoli area (see figure 21.1).

3. SDF members responsible for the supervision of detainees deliberately exercised power of ownership over migrant detainees under their exclusive control. They forcibly deployed detainees in various locations inside and in close vicinity of Mitiga, primarily as a labour force in support of SDF military operations. In addition to being unlawfully recruited to participate in military operations, detainees had to perform labour under dangerous conditions and inside legitimate military objectives. Military-related tasks included: (a) cleaning and loading weapons; (b) unloading arms shipments in Tripoli port; and (c) unloading arms and other military equipment into underground ammunition storage sites around Mitiga (see appendix C), where they were occasionally exposed to shelling. Other tasks involved collecting and managing dead bodies of fighters and migrant detainees who were killed on the front lines;⁵² and reparation and reconstruction work on facilities belonging to the SDF that were damaged or destroyed during the active military hostilities.⁵³

4. Under armed supervision, migrant detainees worked for twelve to fourteen hours a day to the point of physical exhaustion, without any form of compensation. When they refused to engage in unlawful labour or were unable to perform enforced tasks due to fatigue, they were punished by severe beatings and prolonged solitary confinement in an inadequate isolation cell under poor sanitary conditions and without access to food and potable water (for the Panel’s findings on mistreatment in Mitiga, see annex 20). They performed assigned tasks feeling degraded and humiliated, and under the constant fear of violence.

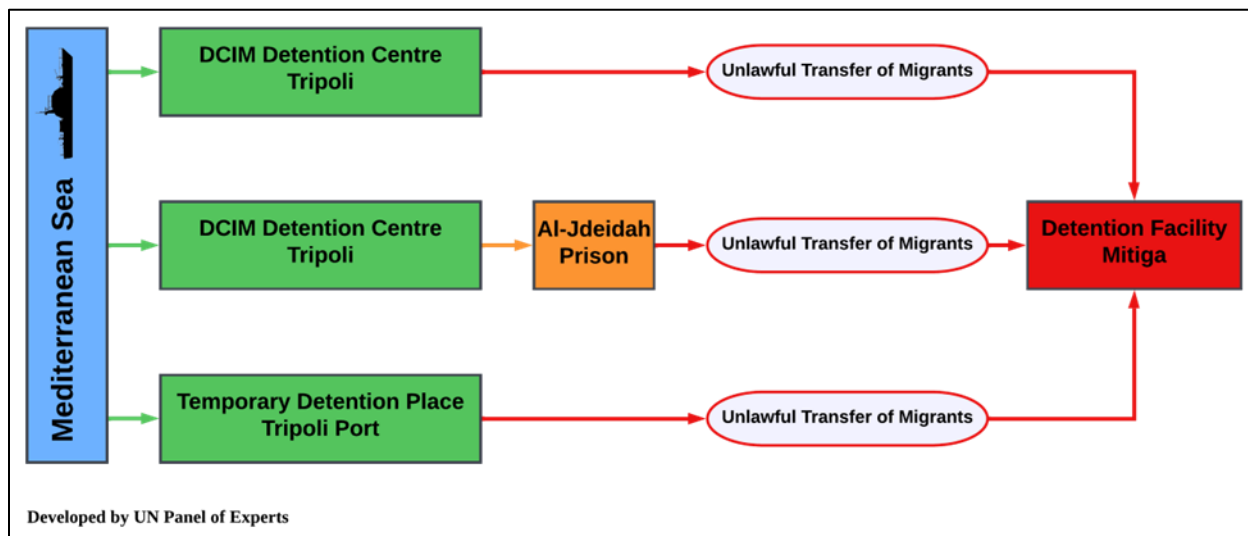
⁵⁰ Common article 3 of the Geneva Conventions; Article 4 of Additional Protocol II.

⁵¹ Victims testified that the scheme of unlawful transfers of migrants for forced labour existed at least since the military offensive on Tripoli by HAF LAAF started in April 2019.

⁵² Victims testified that groups of migrant detainees were forcibly sent to the front lines to directly participate in the hostilities.

⁵³ Common article 3 of the Geneva Conventions.

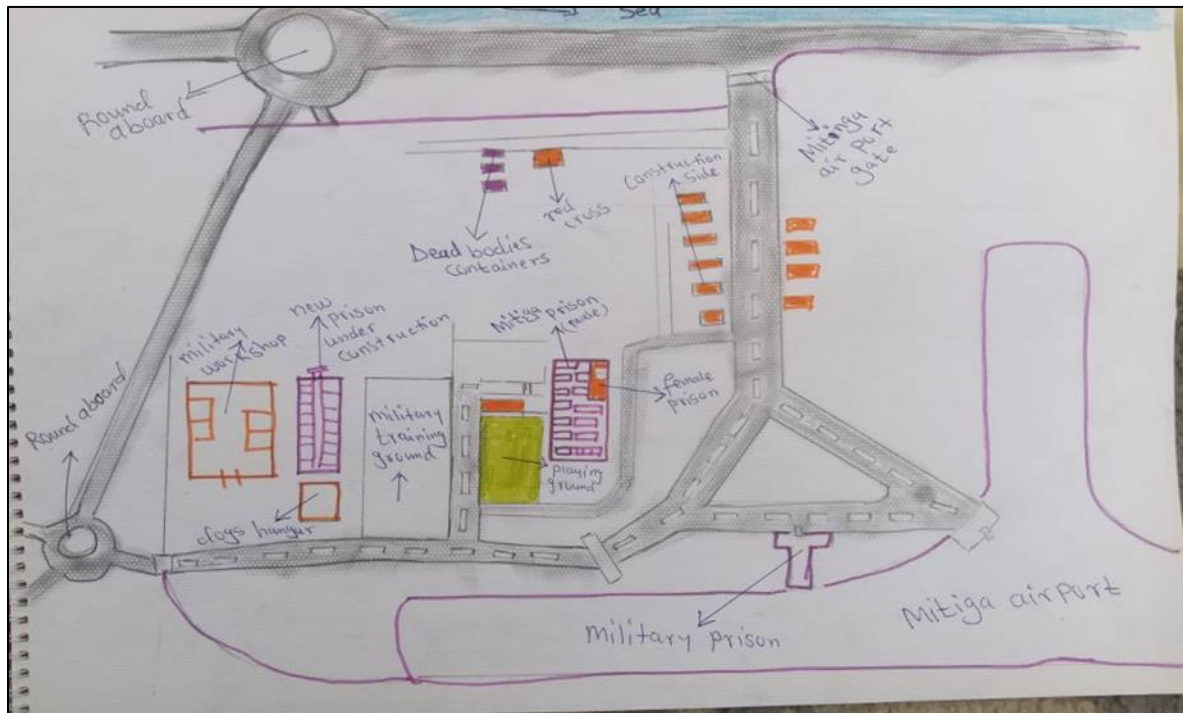
Appendix A to Annex 21: Scheme of unlawful transfers of migrants to the Mitiga detention facility



Appendix B to Annex 21: Locations of forced labour in the Mitiga detention facility

Figure 21.B.1

Former detainee's sketch of Mitiga



Source: Confidential

Figure 21.B.2
Satellite imagery of Mitiga for comparison⁵⁴



Source: Google Earth

⁵⁴ The veracity of the detainee's evidence was supported by the accuracy of his hand-drawn map which matches the actual geographic features shown on the satellite imagery.

Appendix C to Annex 21: Satellite imagery and locations of GNU-AF underground ammunition storage sites where migrant detainees were forced to perform military tasks

Figure 21.C.1

Underground ammunition storage site 1



Source: Google Earth

Figure 21.C.2

Underground ammunition storage site 2



Source: Google Earth

Figure 21.C.3

Underground ammunition storage site 3

Source: Google Earth

Annex 22 Attacks on human rights defenders, social activists and media workers

1. The Panel identified six incidents of attacks committed against individuals who participated in public life as human rights defenders, social activists, or media workers. Attacks were perpetrated in the form of unlawful deprivation of life, unlawful deprivation of liberty, enforced disappearance, intimidation, and threats to life.
2. Two female human rights defenders were further intimidated into withdrawing from public life by being subjected to gender-based violence, which included repeated online harassment for reasons related to their gender, receiving humiliating and degrading messages of misogynistic nature on their social media accounts, and online threats of exposing intimate photographs in public.⁵⁵
3. Two prominent human rights defenders were unlawfully abducted from their workplaces by masked armed men and taken in Toyota vehicles to unknown locations shortly after they actively promoted free and democratic elections in Libya. The victims have been kept outside the protection of the law and their whereabouts were deliberately concealed for an extended period of time. The Panel continues to investigate to identify the perpetrators.
4. The Panel found that all these violent acts violated the victims' human rights and in particular the right to life, liberty, and freedom of expression.⁵⁶ A summary is at table 22.1 in confidential appendix A.

⁵⁵ Article 1 of the International Convention on the Elimination of All Forms of Discrimination against Women.

⁵⁶ See articles 6, 9 and 19 of the ICCPR. See also UN CAT, *Francisco Dionel Guerrero Larez v. Venezuela*, Communication No. 456/2011, 15 May 2015, para. 6.6; UN Human Rights Committee, *General Comment No. 35*, para. 58 (incommunicado detention or enforced disappearance as a form of ill-treatment).

CONFIDENTIAL Appendix A to Annex 22

Annex 23 Human rights abuses in unlawful detention places under the control of networks of human traffickers in Bani Walid and Tazirbu

1. This annex contains evidence of human rights abuses committed against four migrants in unlawful detention facilities under the control of networks of human traffickers: (a) Bani Walid (appendix A); and (b) Tazirbu (confidential appendix B).

Appendix A to Annex 23: Locations of unlawful detention places under the control of human traffickers in Bani Walid

Figure 23.A.1

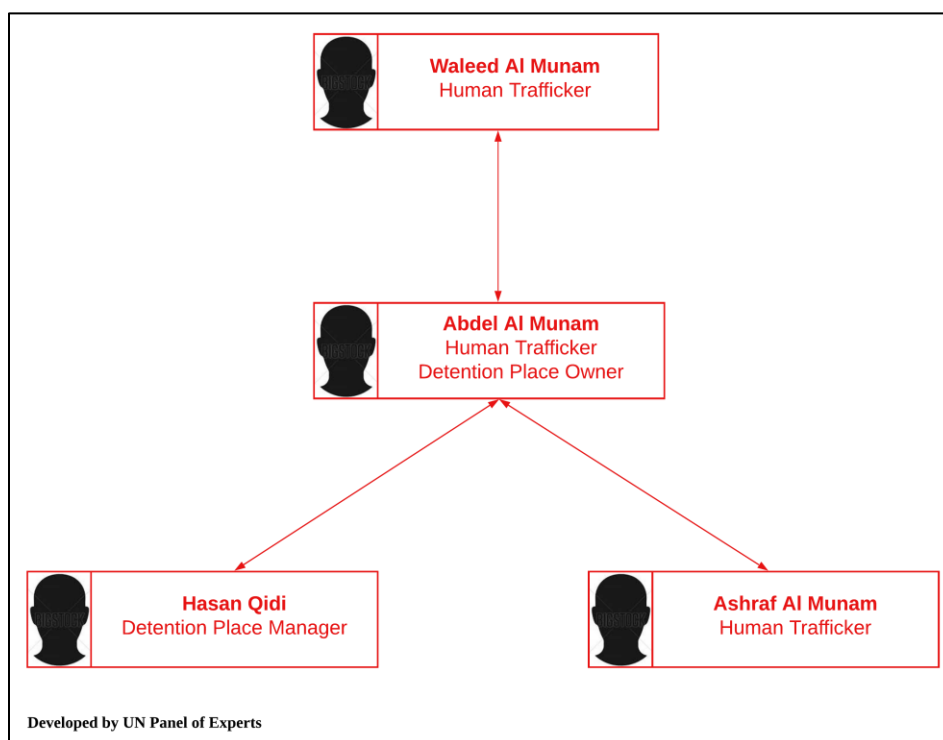
Excerpts from a video footage of detention places in Bani Walid



Source: <https://twitter.com/rgowans/status/1368703470702845959?s=20&t=vkxBPES4Bs7gYPy9ZQmUJg>.

Figure 23.A.2

Network of identified human traffickers in control of detention places in Bani Walid and responsible for serious human rights violations against migrants and asylum seekers



Sources: CS 85 and 86.

1. Witnesses identified four individuals responsible for running a well-organised network of human trafficking of persons from, among others, Eritrea, Somalia and Sudan. Abdel Al Munam owns private detention facilities in Bani Walid where trafficked persons were imprisoned and subjected to serious human rights violations. Hassan Qidi manages the detention facilities and Abdel Al Munam's brothers, Waleed and Ashraf, assist him in running the trafficking chain.
2. Two female victims, who were children at the time of captivity, identified Hassan Qidi and Abdel Al Munam as individuals who repeatedly raped them, subjected them to sexual enslavement and other forms of sexual violence in the period from 2018 until 2020.
3. Hassan Qidi was arrested on 5 March 2021 during a law enforcement operation by members of the Libyan Ministry of Defence.⁵⁷

⁵⁷ <https://twitter.com/rgowans/status/1368703470702845959?s=20&t=vkxBPes4Bs7gYPy9ZQmUJg>.

CONFIDENTIAL Appendix B to Annex 23: Locations of unlawful detention places under the control of human traffickers in Tazirbu

Annex 24 Violations of international human rights law against migrants and asylum seekers

1. This annex contains evidence of serious violations of international human rights law against migrants and asylum seekers: (a) in detention centres for migrants under the authority of the DCIM prior to December 2021, and (b) under the authority of the SSA (appendices A and B); and 2) associated with maritime operations (appendix C).⁵⁸
2. The Panel sent five letters to Libya requesting information regarding the human rights situation in DCIM detention facilities and associated with maritime operations, and responses are awaited.
3. On 23 March 2022, the Panel had a telephone call with the new Head of DCIM, Mr. Mohamed Salem al-Khodja,⁵⁹ to discuss the human rights situation of migrants and asylum seekers under the control and authority of the DCIM and in particular the identified human rights violations in DCIM detention centres for migrants.

⁵⁸ See articles 6, 7 and 9 of the International Covenant on Civil and Political Rights.

⁵⁹ Mohamed Salem al-Khodja was appointed as Head of DCIM by GNU Decree 742 (2021) on 23 December 2021.

Appendix A to Annex 24: Violations of international human rights law committed against migrants in detention centres

Table 24.A.1

Location of DCIM detention facilities for migrants prior to December 2021

<i>Facility</i>	<i>Operator</i>	<i>Latitude (⁰N)</i>	<i>Longitude (⁰E)</i>	<i>Remarks</i>
Abu Salim	DCIM	32.830867	13.158163	Operational
Ain Zara	DCIM	32.783611	13.28545	Operational
Ajdabiya	DCIM	30.75967	20.223749	Empty
Al Bayda	DCIM	32.768295	21.741761	Operational
Al Falah	DCIM	32.849505	13.14872	Operational
Al Gatroun	DCIM	24.933333	14.633333	Empty
Al Kufra	DCIM	24.184672	23.275175	Empty
Al Mabani	DCIM	32.849937	13.111648	Operational
Al Marj	DCIM	32.29559	20.49483	Empty
Al Qubba	DCIM	32.758201	22.241164	Operational
az-Zawiyah Abu Isa	DCIM	32.753059	12.631052	Operational
az-Zawiyah Al-Nasr	DCIM	32.771767	12.696328	Operational
Baten al Jabal	DCIM	32.071312	11.43797	Operational
Bir al Ghanam	DCIM	32.2904663	12.4932337	Operational
Dirj	DCIM	30.172877	10.455851	Operational
Ganfouda Benghazi	DCIM	32.042797	20.028183	Operational
Gharyan Abu Rashid	DCIM	32.205972	12.980663	Operational
Gharyan al Hamra	DCIM	32.30664	12.989343	Empty
Sabrata	DCIM	32.79193	12.484716	Empty
Shahhat	DCIM	32.808215	21.869684	Operational
Shara az-Zawiyah	DCIM	32.874982	13.191959	Operational
Shati	DCIM	27.53884	13.987545	Empty
Suq al Khamis	DCIM	32.604361	14.342944	Empty
Talmetha (as-Sahel)	DCIM	32.31056	20.342	Empty
Tarik al-Sikka	DCIM	32.877049	13.196427	Empty
Tobruk	DCIM	32.083611	23.976389	Operational
Twesha	DCIM	32.694866	13.1588745	Empty
Wadi Al Hai	DCIM	32.191	12.4454	Empty
Zintan	DCIM	31.991556	12.515028	Empty

<i>Facility</i>	<i>Operator</i>	<i>Latitude (°N)</i>	<i>Longitude (°E)</i>	<i>Remarks</i>
Zliten	DCIM	32.472881	14.57121	Empty
Zwara	DCIM	32.938242	12.063675	Empty

Sources: CS 24, 36, 45, and Panel analysis.

Table 24.A.2

Location of DCIM detention facilities for migrants as of March 2022

<i>Facility</i>	<i>Operator</i>	<i>Latitude (°N)</i>	<i>Longitude (°E)</i>	<i>Remarks</i>
Abu Salim	DCIM	32.830867	13.158163	Operational
Ain Zara	DCIM	32.783611	13.28545	Operational
Ajdabiya	DCIM	30.75967	20.223749	Empty
Al Bayda	DCIM	32.768295	21.741761	Operational
Al Gatroun	DCIM	24.933333	14.633333	Empty
Al Kufra	DCIM	24.184672	23.275175	Empty
Al Marj	DCIM	32.29559	20.49483	Empty
Al Qubba	DCIM	32.758201	22.241164	Operational
az-Zawiyah Abu Isa	DCIM	32.753059	12.631052	Operational
Daraj	DCIM	30.172877	10.455851	Operational
Ganfouda Benghazi	DCIM	32.042797	20.028183	Operational
Gharyan Abu Rashid	DCIM	32.205972	12.980663	Operational
Gharyan al Hamra	DCIM	32.30664	12.989343	Empty
Sabrata	DCIM	32.79193	12.484716	Empty
Shahhat	DCIM	32.808215	21.869684	Operational
Shara az-Zawiyah	DCIM	32.874982	13.191959	Operational
Shati	DCIM	27.53884	13.987545	Empty
Suq al Khamis	DCIM	32.604361	14.342944	Empty
Talmetha (as-Sahel)	DCIM	32.31056	20.342	Empty
Tarik al-Sikka	DCIM	32.877049	13.196427	Empty
Tobruk	DCIM	32.083611	23.976389	Operational
Twesha	DCIM	32.694866	13.1588745	Empty
Zintan	DCIM	31.991556	12.515028	Empty
Zwara	DCIM	32.938242	12.063675	Empty

Table 24.A.3

Location of detention facilities for migrants under the former DCIM administration as of December 2021

<i>Facility</i>	<i>Operator</i>	<i>Latitude (⁰N)</i>	<i>Longitude (⁰E)</i>	<i>Remarks</i>
Al Mabani	Former DCIM administration	32.849937	13.111648	Operational
Baten al Jabal	Former DCIM administration	32.071312	11.43797	Operational
Wadi Al Hai	Former DCIM administration	32.191	12.4454	Operational

Table 24.A.4

Location of SSA DCSIM detention facilities for migrants as of December 2021

<i>Facility</i>	<i>Operator</i>	<i>Latitude (⁰N)</i>	<i>Longitude (⁰E)</i>	<i>Remarks</i>
Al-Maya	SSA DCSIM	32.808367	12.900751	Operational
Al-Zahra	SSA DCSIM	32.41347	12.52082	Operational
az-Zawiyah Al-Nasr	SSA DCSIM	32.771767	12.696328	Operational

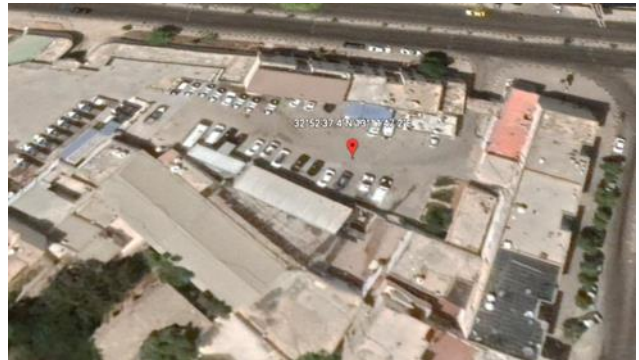
Sources: CS 24, 28, and Panel analysis.

Figure 24.A.5

DCIM Ain Zara [L] and DCIM Al Mabani [R]

Source: Google Earth

Figure 24.A.6
DCIM An Naser [L] and DCIM Tarik al-Sikka [R]



Source: Google Earth

Figure 24.A.7
DCIM Shara Zawiya [L] and SSA Al-Maya [R]



Source: Google Earth

CONFIDENTIAL Appendix B to Annex 24: Summary of investigated incidents

Appendix C to Annex 24: Violations of international human rights law committed against migrants and asylum seekers associated with maritime operations

A. Maritime incidents of 30 April 2021 and 30 June 2021

Figures 24.C.1^a and 24.C.2^b

Excerpts from video imagery showing the acts of ill-treatment and excessive use of force committed against persons in distress by the Libyan Coast Guard at sea



LCG member beating migrants in distress with a bullwhip.



LCG members shooting at and making hazardous manoeuvres against migrants.

^a Sea-Watch 4 crew video of 30 April 2021.

https://twitter.com/seawatch_intl/status/1388171810315902976, 30 April 2021. The Panel authenticated the video with the primary source.

^b Seabird – Sea-Watch reconnaissance aircraft video of 30 June 2021.

<https://www.youtube.com/watch?v=62BDsKmjsVY>, 5 July 2021. The Panel authenticated the video with the primary source.

B. Maritime incidents of 12 August 2021 and 19 January 2022

1. The Panel identified that on the night of 12 August 2021, in a supposedly law enforcement operation, armed individuals of SSA maritime units used deadly force against migrants, located in a boat in the waters that survivors claimed to be an hour away from the coast of Zawiya, in violation of their right to life.⁶⁰ In particular, SSA individuals performed hazardous movements, including by hitting the migrant boat, and fired gunshots at the passengers that caused the death of one person on board.⁶¹ The surviving eyewitnesses, whom SSA embarked on their boat and returned to Libya, recognised the SSA boat as responsible for the incident (see figure 24.C.3)

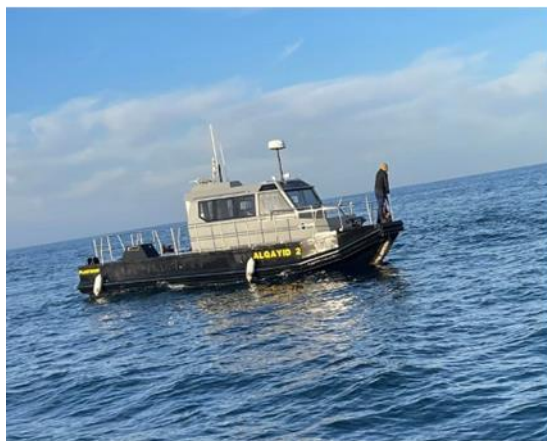
⁶⁰ Article 6 of the ICCPR.

⁶¹ CS 38 and 60; Forensic death report dated 23 August 2021.

2. The Panel identified the same pattern of violence in an incident of 19 January 2022, when the armed individuals of SSA maritime units used excessive force against around fifty migrants at sea and subjected them to degrading treatment (see Figures 24.C.4 to 24.C.6).⁶²

Figures 24.C.3 to 24.C.6

Imagery of SSA maritime units involved in excessive use of forces and degrading treatment against migrants at sea⁶³



SSA boat *Alqayid-2* identified by eyewitnesses of 12 August 2021 incident.^a Source CS 38 and 60.



SSA Lambro Olympic D74 boat identified by eyewitnesses of 19 January 2022 incident.^b Source CS82.



Individual of SSA kicking a person in distress during the 19 January 2022 incident.^c



Two individuals of SSA armed with AK-type assault rifles engaged in the 19 January 2021 incident.^d

^a SSA DCSIM official Facebook page: <https://www.facebook.com/107789065107358/posts/113202834565981/?d=n>, 03 January 2022.

^b MV Louise Michel: <https://twitter.com/mylouisemichel/status/1483861110470107140?s=21>, 19 January 2022.

^c SSA DCSIM official video of the 19 January 2022 incident: https://twitter.com/rgowans/status/1486032488149438464?s=20&t=bxYGk7i5hyWSXXz_sCz0MA, 25 January 2022.

⁶² Articles 6, 7 and 9 of the ICCPR.

⁶³ For a detailed overview of SSA naval assets, see annex 27.

^d SSA DCSIM official video of the 19 January 2022 incident: https://twitter.com/rgowans/status/1486032462564278281?s=20&t=bxyGk7i5hyWSXXz_sCz0MA, 25 January 2022.

C. Maritime incident of 22 April 2021

1. The Panel investigated a shipwreck incident that had resulted in approximately 130 fatalities to individuals in distress⁶⁴ in the Libyan Search and Rescue region (SRR) on 22 April 2021. During the investigation, the Panel interviewed ten witnesses and collected forty-seven elements of documentary evidence, including imagery of the shipwrecked boat.⁶⁵

2. The boat (designated by Panel as BD01) with approximately 130 passengers on board left Al Khoms at approximately 22:00 hours CEST⁶⁶ on 20 April 2021⁶⁷ and set course for Italian ports. BD01 was accompanied by a second boat (designated by Panel as BD02), which had approximately 100 passengers on board. The vessels became “in distress” on the morning of 21 April 2021 due to deteriorating weather conditions. This was a complex incident which is best explained by summarising the facts (see table 24.C.7).⁶⁸

Table 24.C.7

Maritime incident with boat BD01 (20 – 22 April 2021)

<i>Date</i>	<i>Time ^a</i>	<i>Event</i>	<i>Remarks</i>
20 Apr 2021	22:00	BD01 and BD02 depart Al Khoms, Libya	▪ 230+ migrants and asylum seekers on board.
21 Apr 2021	09:52	NGO Alarm Phone alert Libya, Italy and Malta MRCCs via email to possible Search and Rescue (SAR) incident.	▪ No acknowledgement or response from any MRCC.
21 Apr 2021	10:03	NGO Alarm Phone establish contact with BD01.	
21 Apr 2021	11:00	NGO Alarm Phone receive coordinates and details of dangerous conditions on board.	▪ NGO Alarm Phone maintain contact with BD01 throughout day until evening.
21 Apr 2021	11:28	NGO Alarm Phone send full details of incident to Libya, Italy and Malta MRCCs by email, including conditions and coordinates.	▪ Figures 24.C.9 and 24.C.10. ▪ Seven updates sent during day (see figures 24.C.11 to 24.C.14, 24.C.16, 24.C.17 and 24.C.20). ▪ No acknowledgement or response from any MRCC.

⁶⁴ International Convention on Maritime Search and Rescue (SAR Convention) defines “distress phase” as “a situation wherein there is a reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance”, Annex, Chapter 1, para. 1.3.13, SAR Convention.

⁶⁵ The Panel considers a boat in this context as a small watercraft designed for use on inland waterways or protected coastal areas. This is to distinguish it from a vessel, which has a sea going capability.

⁶⁶ All times are in Central European Summer Time (CEST).

⁶⁷ Panel interviews with CS 69 and 88; and <https://alarmphone.org/en/2021/04/22/coordinating-a-maritime-disaster-up-to-130-people-drown-off-libya/>.

⁶⁸ For another detailed timeline of the incident, see <https://alarmphone.org/en/2021/04/22/coordinating-a-maritime-disaster-up-to-130-people-drown-off-libya/>; https://alarmphone.org/wp-content/uploads/2021/07/20210716_AP182_BF-COE.pdf; and https://www.lemonde.fr/international/video/2021/10/31/migrants-enquete-sur-le-role-de-l-europe-dans-le-piege-libyen_6100475_3210.html.

<i>Date</i>	<i>Time ^a</i>	<i>Event</i>	<i>Remarks</i>
21 Apr 2021	12:05	NGO Alarm Phone make first attempt to contact Libya MRCC by phone.	Only one of the seven phone lines was responsive. Libya MRCC operator informed about alert messages sent via email.
21 Apr 2022	18:39	Frontex patrol plane streams live video from the scene.	No acknowledgement or response from any MRCC.
21 Apr 2021	18:51	Frontex send email to Libya, Italy and Malta MRCCs containing extensive information on the incident.	- Details obtained from a Frontex flight. - No acknowledgement or response from any MRCC.⁶⁹
21 Apr 2021	18:58	Contact lost with BD01.	Assuming satellite phone batteries exhausted.
21 Apr 2022	19:14	Frontex asset broadcasts an initial “Mayday” call to all ships in vicinity of BD01 regarding the incident.	<i>MV Ocean Viking</i> (IMO 8506854) and <i>MV Alk</i> [IMO 9298612] receive the MAYDAY call (see figures 24.C.18 and 24.C.19).
22 Apr 2021	12:42	Shipwreck of BD01 found by Frontex patrol plane. ⁷⁰	No survivors found.
22 Apr 2021	12:43	Frontex asset broadcasts a second “Mayday” call to all ships in vicinity of BD01 call regarding the incident.	No acknowledgement or response.
22 Apr 2021	13:08	Frontex send email to Libya, Italy and Malta MRCCs containing extensive updated information on the incident.	- Details obtained from a Frontex flight. - No acknowledgement or response from any MRCC.⁷¹
22 Apr 2021	13:23	Last attempt [by <i>MV Ocean Viking</i>], of 38 attempts, made to contact Libya MRCC by phone and VHF radio.	- NGO Alarm Phone, <i>MV Ocean Viking</i> and Frontex attempt to reach the Libyan MRCC by phone and VHF radio 38 times in total. - Libya MRCC respond to only seven phone calls of NGO Alarm Phone. See paragraph 4 for Libya MRCC response.

^a All timings are CEST (GMT+1).

⁶⁹ Frontex letter of 8 November 2021 (IEC/ICU/IAGA/10803/2021).

⁷⁰ Two vessels that arrived in the location of the capsized BD01 on 22 April 2022 observed several dead bodies floating in the water (see figures 24.C.27 and 24.C.28), <https://twitter.com/sosmedintl/status/1385297161550798851>. The Panel received the information on the identity of 18 people who were boarded on BD01 and have been disappeared since the shipwreck. In its letter of 10 March 2022 to Libya, the Panel requested information on the actions that Libyan authorities took to recover and manage the dead bodies after the shipwreck, in particular the identification of the bodies and the delivery of the bodies to family members. A response is awaited.

⁷¹ Frontex letter of 8 November 2021 (IEC/ICU/IAGA/10803/2021).

3. Responsible officials of all three notified States, Libya, Italy and Malta, were obliged to protect and respect the lives of individuals who found themselves in a situation of distress at sea on 21 and 22 April 2021 in accordance with their international obligations on rescue at sea,⁷² provided that they exercised power or effective control over the enjoyment of the right to life of the distressed individuals.⁷³ The Panel notes that legal obligations of the three MRCCs regarding this incident, other than under international human rights law, are outside of the Panel's mandate.⁷⁴

4. Since the incident took place in the Libyan Search and Rescue Region (SRR) (see figure 24.C.8), the Libyan national authority, Libyan MRCC, had the primary obligation under international law to actively proceed with all possible speed to the rescue of persons in distress, if informed of their need of assistance.⁷⁵ The Panel considers that Libya MRCC was well informed about the emergency situation that threatened the lives of all estimated 130 passengers, as established above, but failed to take appropriate measures to provide the needed assistance to BD01.⁷⁶ NGO Alarm Phone informed the Panel that Libya MRCC had provided three conflicting scenarios to them as a justification for this failure: (a) that the Libyan patrol boat was on the way to search and rescue BD01 on 21 April 2021; (b) that the Libya MRCC was unaware of BD01 distress case; and (c) that Libyan maritime units were unable to execute SAR operation on 21 April 2021 due to bad weather.

5. The Panel finds these justifications problematic. Firstly, none of the actors that had visuals on BD01, including Frontex and private vessels, received any information that Libyan patrol boats were engaging in a SAR operation that involved BD01 (for example, see figures 24.C.27 and 24.C.28). To the contrary, NGO Alarm Phone, Frontex and *MV Ocean Viking* all reported that Libya MRCC officers were consistently unresponsive to distress calls and alert messages that these three entities conveyed to them multiple times. Secondly, the overwhelming evidence of the direct knowledge of the Libya MRCC officers contradicts the claim that they were unaware of the incident (for example, see figures 24.C.9 to 24.C.28). Finally, whilst the Panel appreciates that the assessment of operational conditions that might have endangered the boat or the crew members due to bad weather was at the relevant authorities' discretion,⁷⁷ Libya MRCC was responsible at the minimum to engage in activities aimed at rendering assistance to BD01 such as: (a) providing shelter to BD01; and (b) actively coordinating SAR operation with neighbouring MRCCs and merchant vessels that were attempting to search and rescue BD01.⁷⁸ Additionally, the ability of Libyan officers to search and rescue BD01 on time was indicated in the morning hours of 21 April, 2021 when the Libyan Coast Guard found BD02 and returned the surviving passengers to Libya.⁷⁹ The Panel wrote to Libya on 10 March 2022 and has yet to receive a response.

6. While the primary responsibility for the search and rescue operation of BD01 fell to Libya MRCC, the Italian and Maltese MRCC also had a duty to cooperate with and provide assistance to Libya MRCC to rescue people in distress at sea and to take all feasible measures to prevent loss of life at sea.⁸⁰

⁷² Article 98 of the United Nations Convention on the Law of the Sea (UNCLOS); Chapter 5, Regulation 33 of the International Convention for the Safety of Life at Sea (SOLAS); Annex, paras. 4.2.1 and 4.3 of the International Convention on Maritime Search and Rescue (SAR Convention).

⁷³ Articles 2(1) and 6 of the ICCPR; Human Rights Committee, General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, para. 63. This obligation applies to all individuals within the power or effective control of the said authorities, regardless of their nationality, statelessness or other status.

⁷⁴ Paragraph 11(a) of resolution 2213 (2015). International humanitarian law is inapplicable in this incident due to the absence of the required link (or "nexus") of alleged acts to the armed conflict in Libya.

⁷⁵ Although Libya is not State Party to the UNCLOS, it is bound by the duty to render assistance to persons in distress at sea as a norm of customary international law codified in article 98(1) of the UNCLOS: "Every State shall require the master of a ship flying its flag, in so far as he can do so without danger to the ship, the crew or the passengers: (a) to render assistance to any person found at sea in danger of being lost; (b) to proceed with all possible speed to the rescue of persons in distress, in so far as such action may reasonably be expected of him." See also Chapter 5, Regulation 33 of the SOLAS; Annex, paras. 4.2.1 and 4.3 of the SAR Convention; International Law Commission, Commentary to draft article 36 of the Articles concerning the Law of the Sea, Yearbook of the International Law Commission, Volume II (1956).

⁷⁶ Article 6 of the ICCPR.

⁷⁷ Article 98(1) of the UN Convention on the Law of the Sea.

⁷⁸ Chapter 4, Regulation 33 of SOLAS Convention; Chapter 2, para. 2.1.9 of the SAR Convention.

⁷⁹ https://twitter.com/alarm_phone/status/1384973210702200835?s=21.

⁸⁰ SAR Convention, Annex, paras. 4.2.1.1. and 4.3.

(a) Malta MRCC did not engage in such cooperation, despite their knowledge of BD01, their position being that “*Malta was not the responsible nor the coordinating authority on this particular case*” given that the incident took place outside the Maltese SRR.⁸¹

(b) Italy MRCC was also uncooperative in providing assistance to BD01. In addition to multiple email messages, Italy MRCC received at least five telephone calls from NGO Alarm Phone and *MV Ocean Viking* asking the Italian authorities to provide assistance to search and rescue of BD01. The Italian officers referred them to the Libyan MRCC as a competent authority. Furthermore, according to the NGO Alarm Phone report, Libya MRCC claimed that Italy MRCC engaged with them to request authorisation for an Italian flagged merchant vessel engage in SAR operations for BD01. The Panel was unable to verify this claim.

7. While the passive attitude of the Italian and Maltese MRCCs to alert messages might be qualified as a serious failure in the response to assist in the search and rescue operation under the international law of the sea, having assessed all the evidence available, the Panel was unable to establish a jurisdiction link between these authorities and BD01, necessary to make the findings on the responsibility of Italy and Malta MRCCs officials under international human rights law.

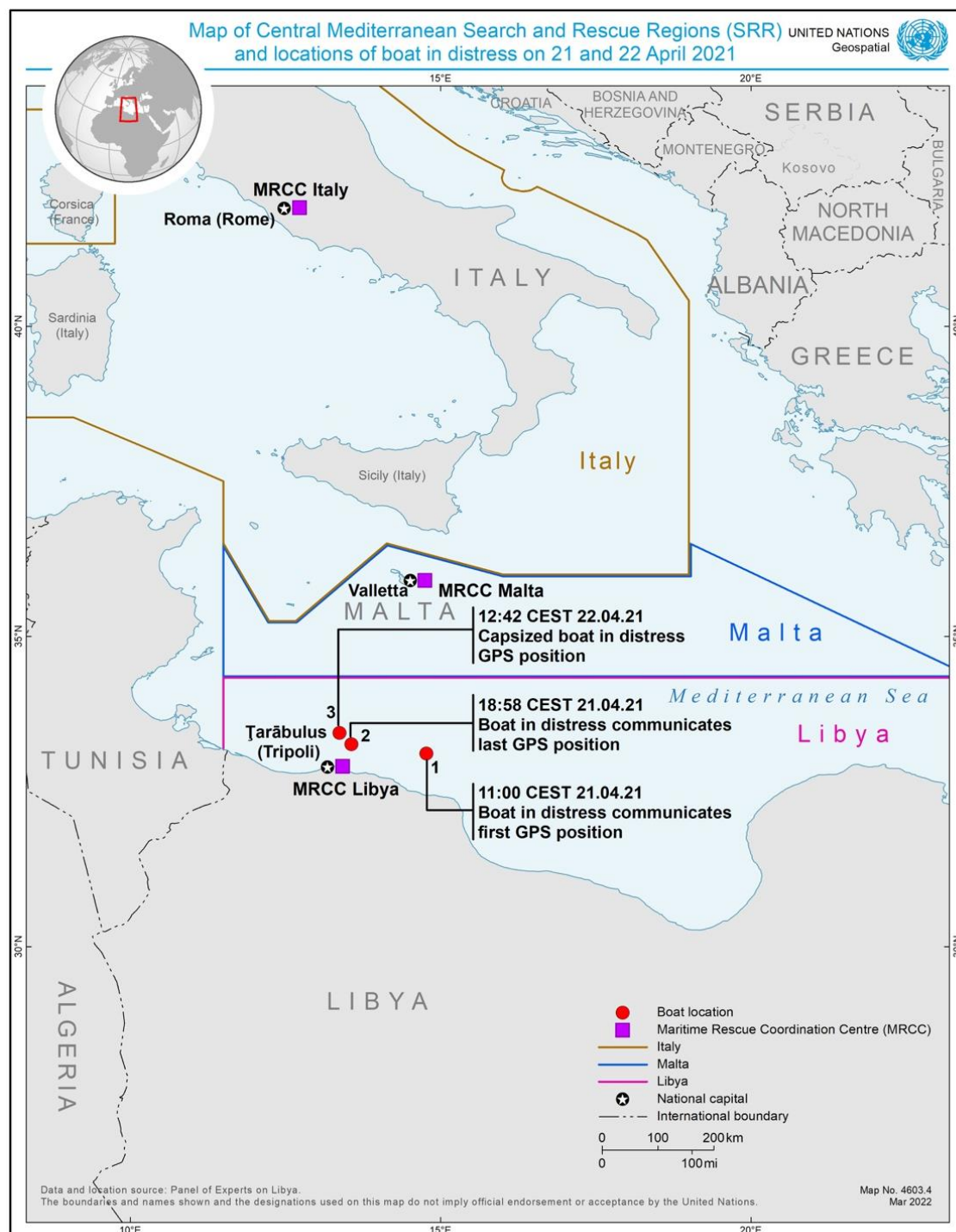
8. Shipmasters of private vessels that were in sufficient proximity to the boat in distress also had the duty under international law to proceed with all possible speed to render assistance to persons in distress. Four private vessels – *MV Alk* (IMO: 9298612), *VS Lisbeth* (IMO: 9309978), *MY Rose* (IMO: 8207381), and *MV Ocean Viking* (IMO: 8506854) were the only vessels that actively searched for BD01 for over ten hours.⁸² They, however, reached the site of BD01 on 22 April only to find a number of dead bodies in the sea and a capsized boat without survivors.

⁸¹ Written response to the Panel’s request for information by Malta, dated 12 July 2021. Malta reiterated its position at the meeting with representatives of the Government of Malta on 15 February 2022 in Valletta.

⁸² Merchant vessels ALK and BRUNA [IMO 7601073] were in close proximity of BD01 at around noon of 21 April but Bruna declined to engage in the search and rescue and instead changed its course for unestablished reasons (see figures 24.C.11 and 24.C.13).

Figure 24.C.8

Map of Central Mediterranean Search and Rescue Regions (SRR) and locations of boat in distress on 21 and 22 April 2021



Figures 24.C.9 to 24.C.28

Copies of email correspondences between involved actors of the 22 April 2021 incident

Figure 24.C.9

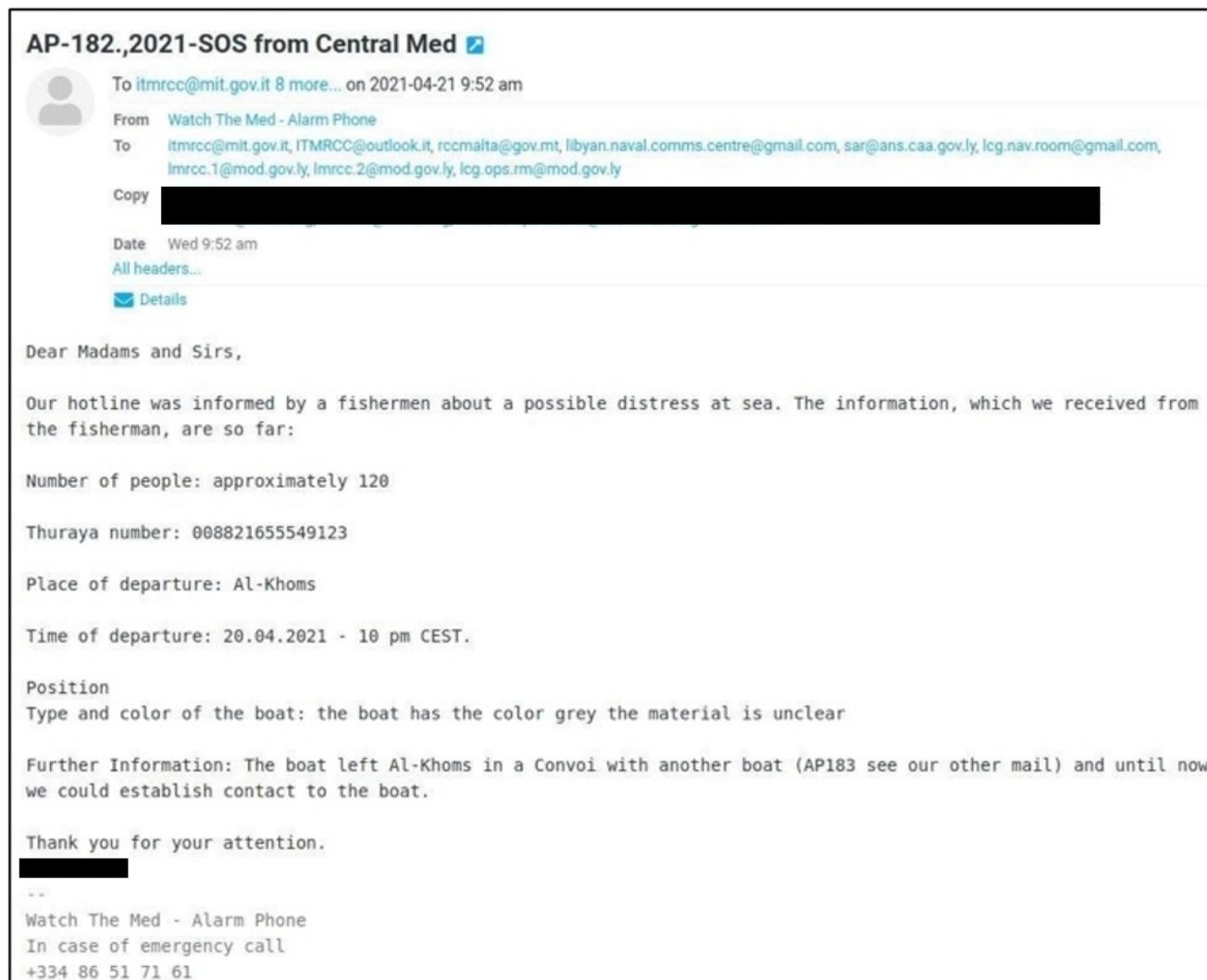


Figure 24.C.10

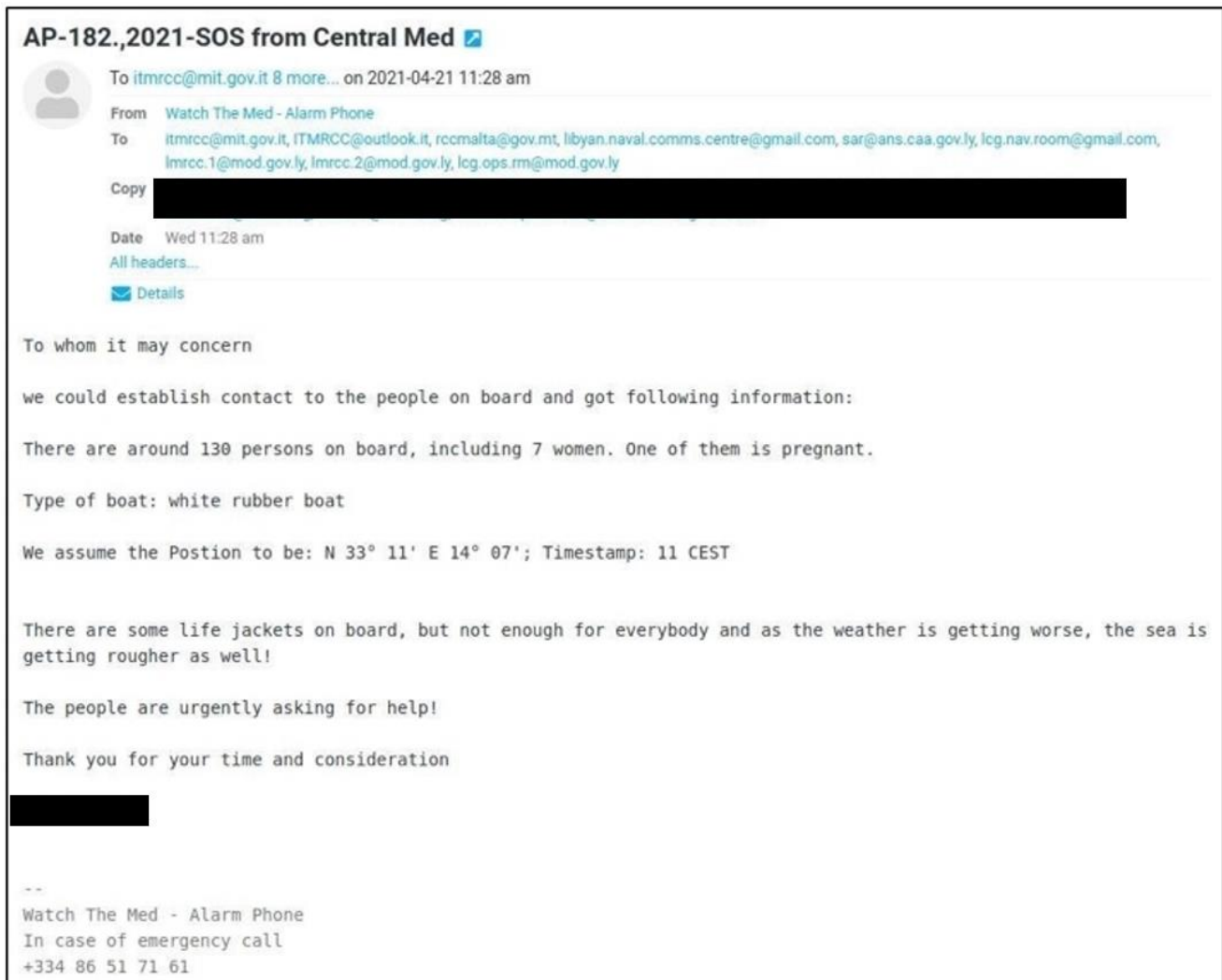


Figure 24.C.11

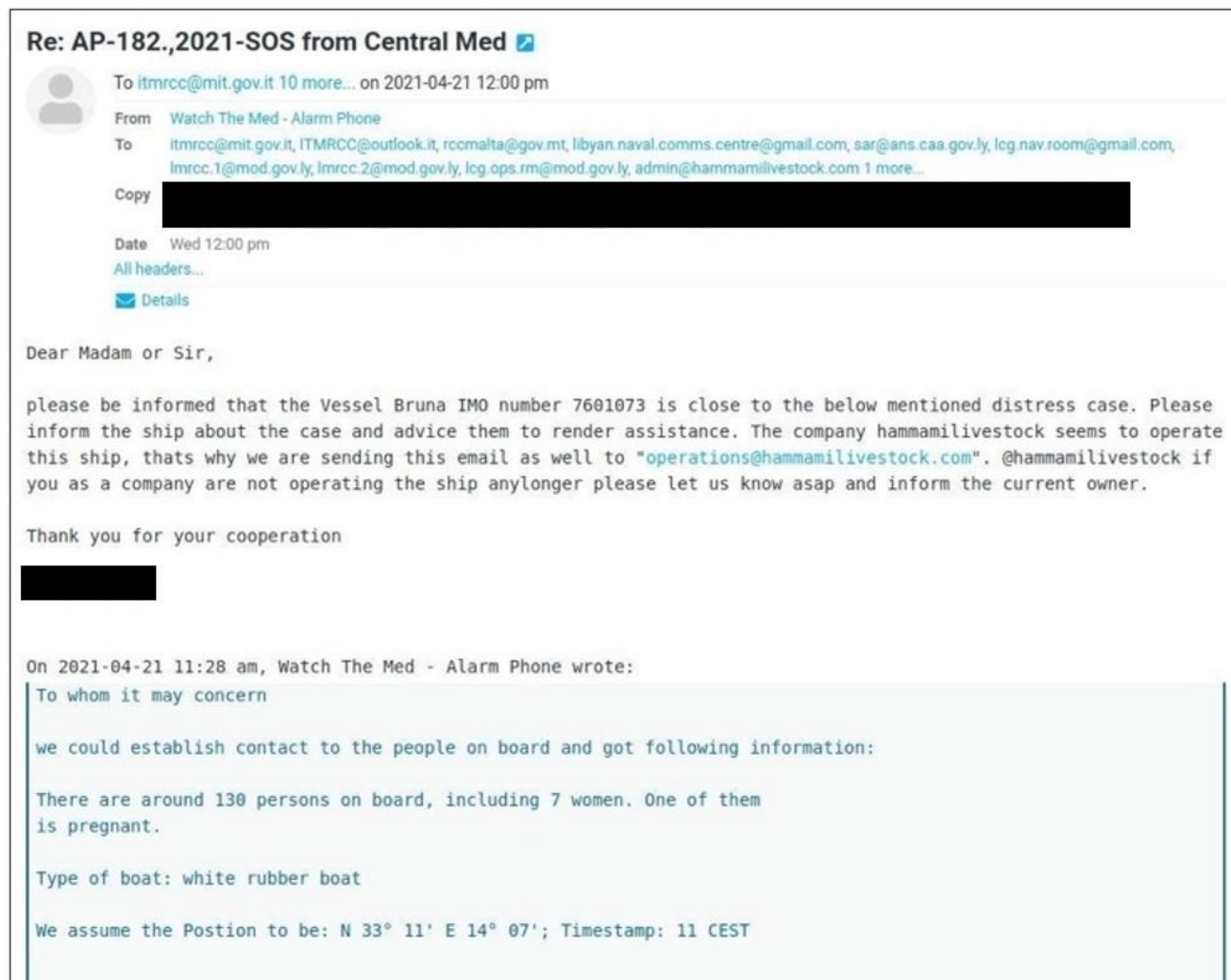


Figure 24.C.12

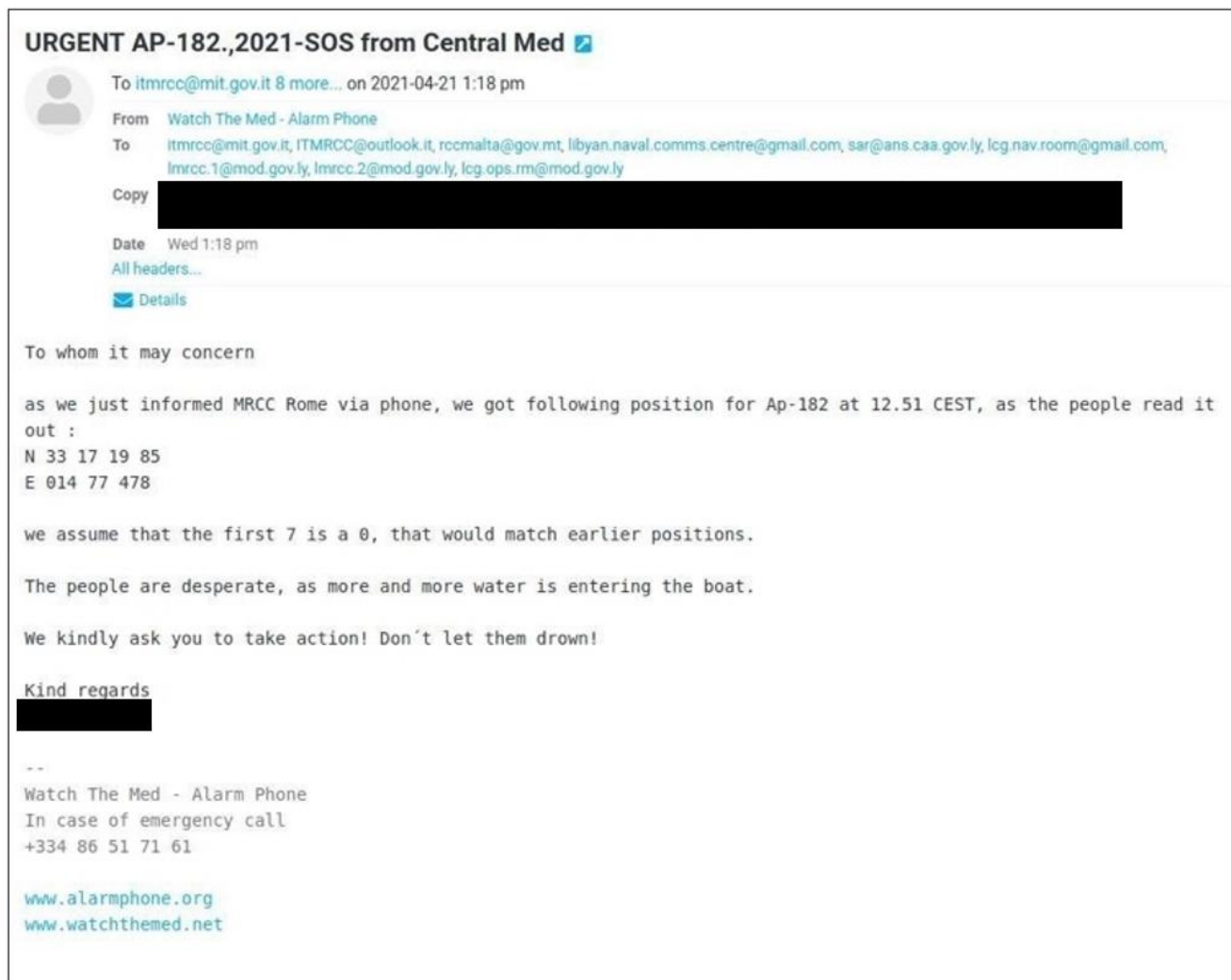


Figure 24.C.13

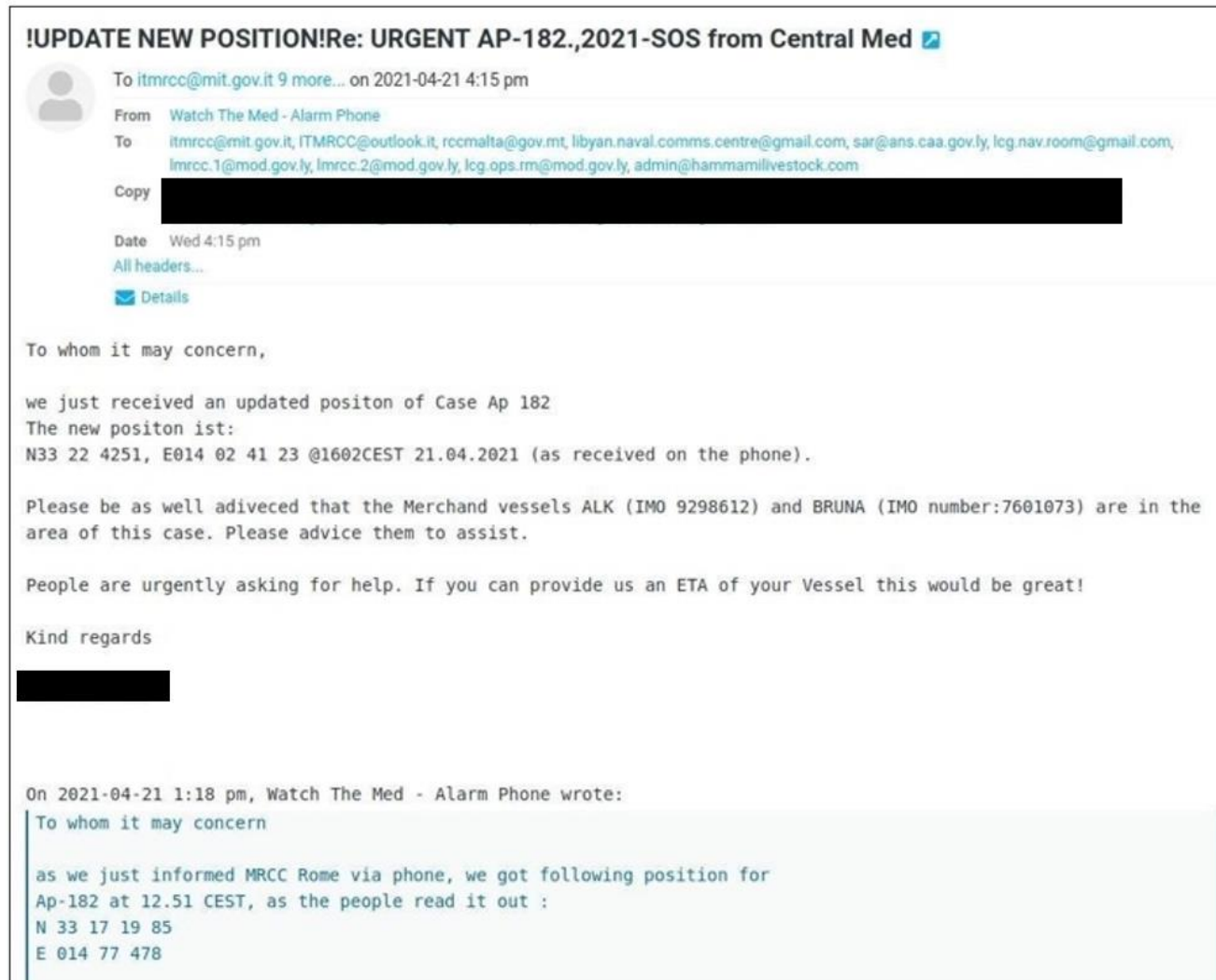


Figure 24.C.14

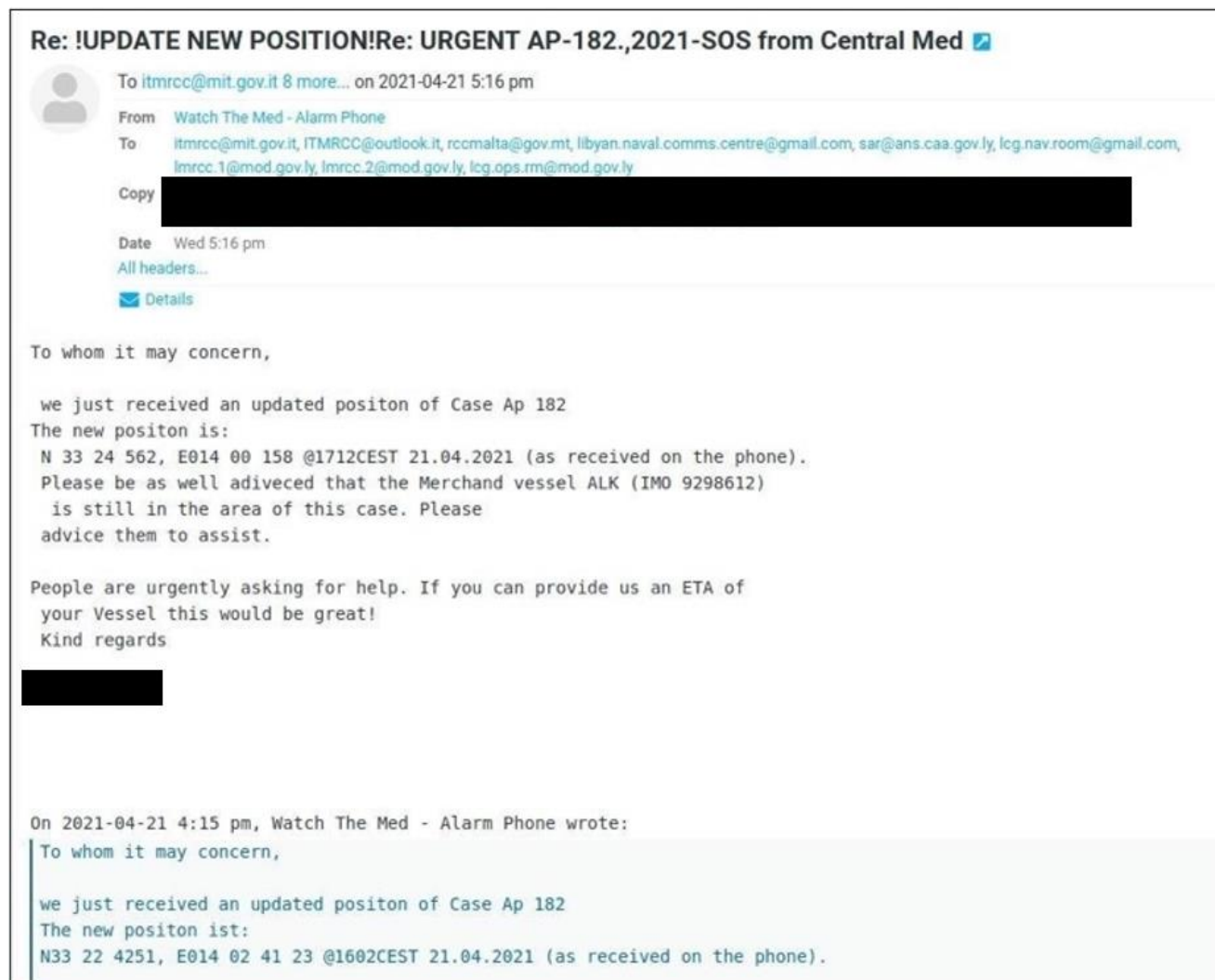


Figure 24.C.15

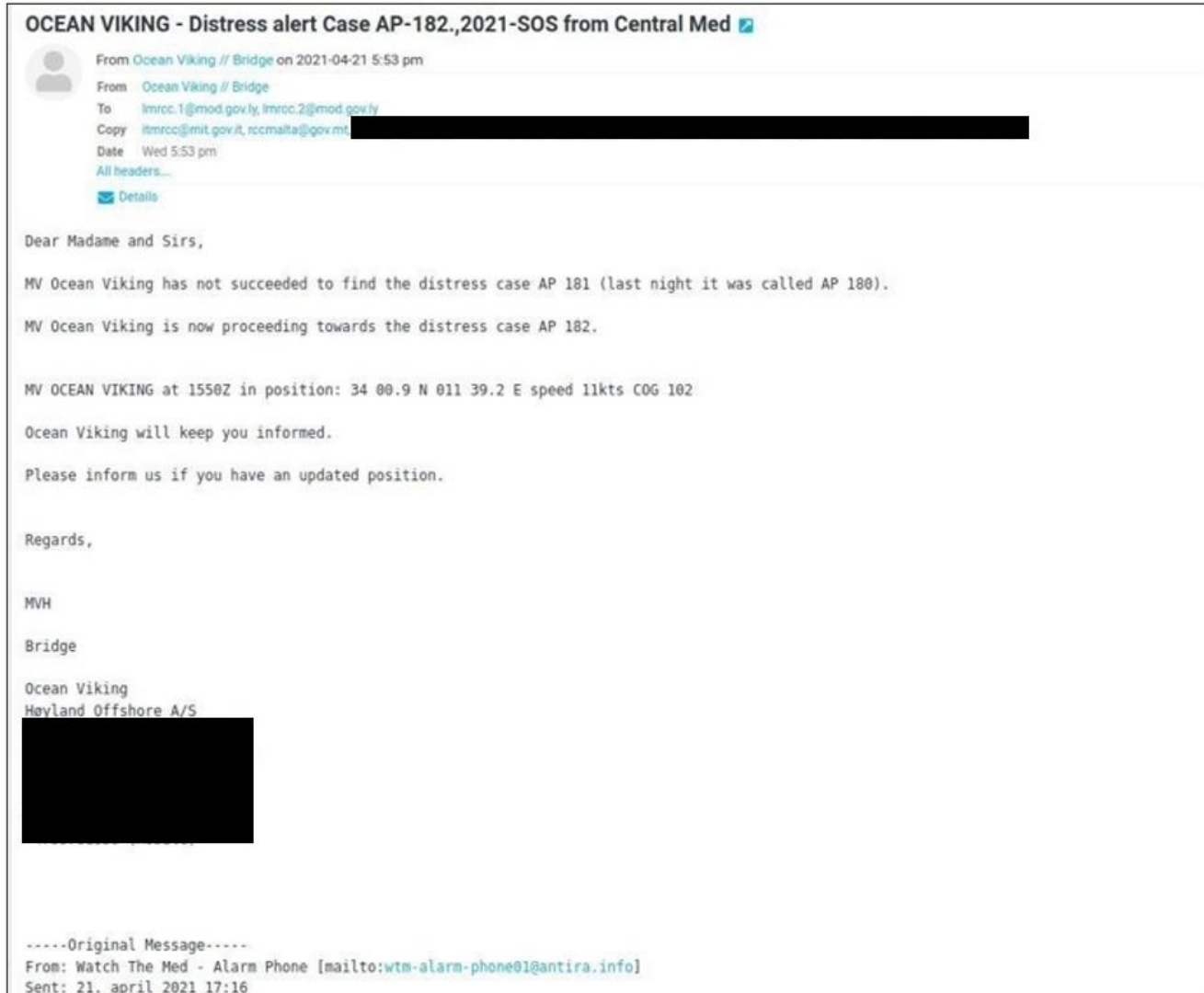


Figure 24.C.16

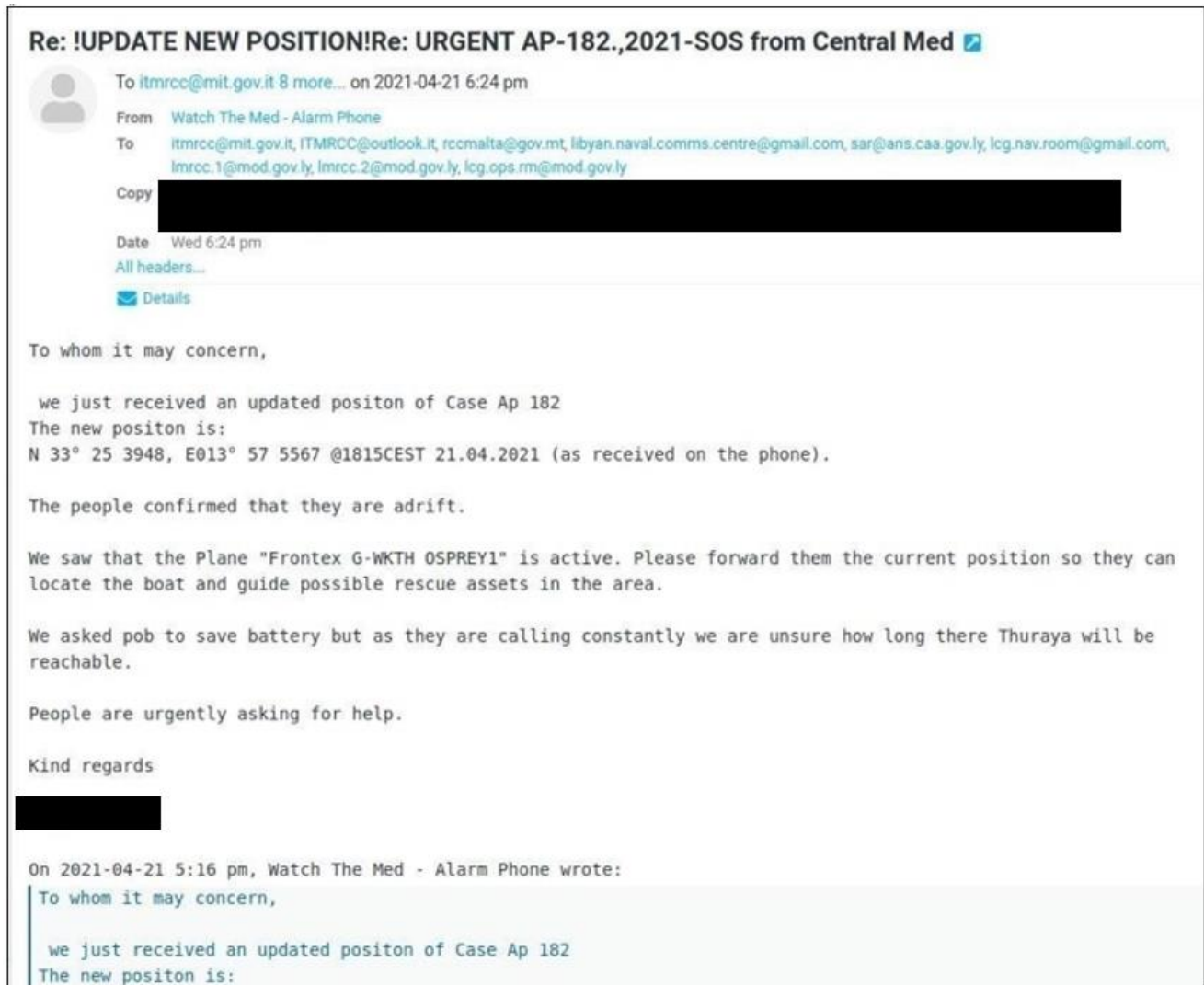


Figure 24.C.17

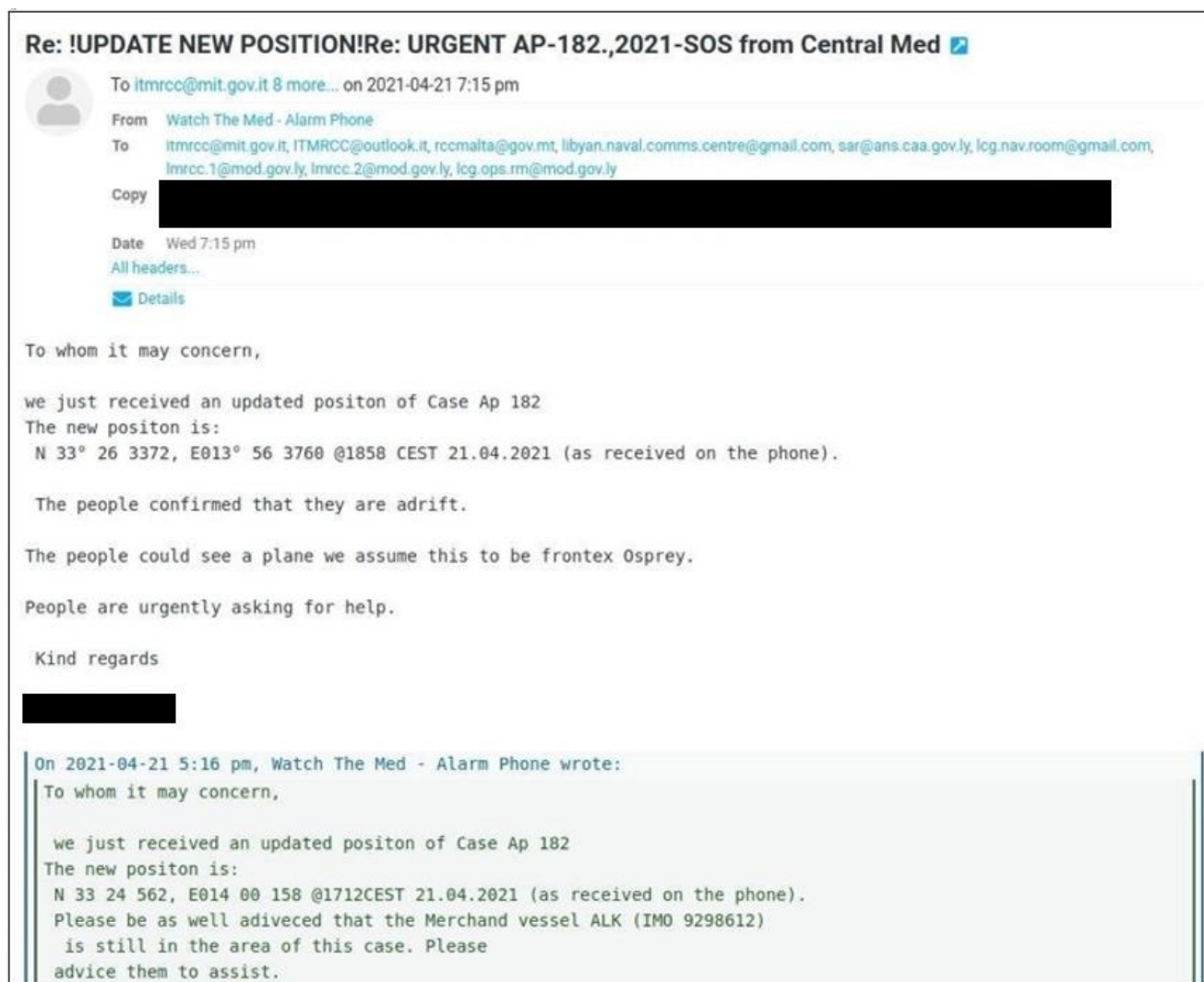


Figure 24.C.18

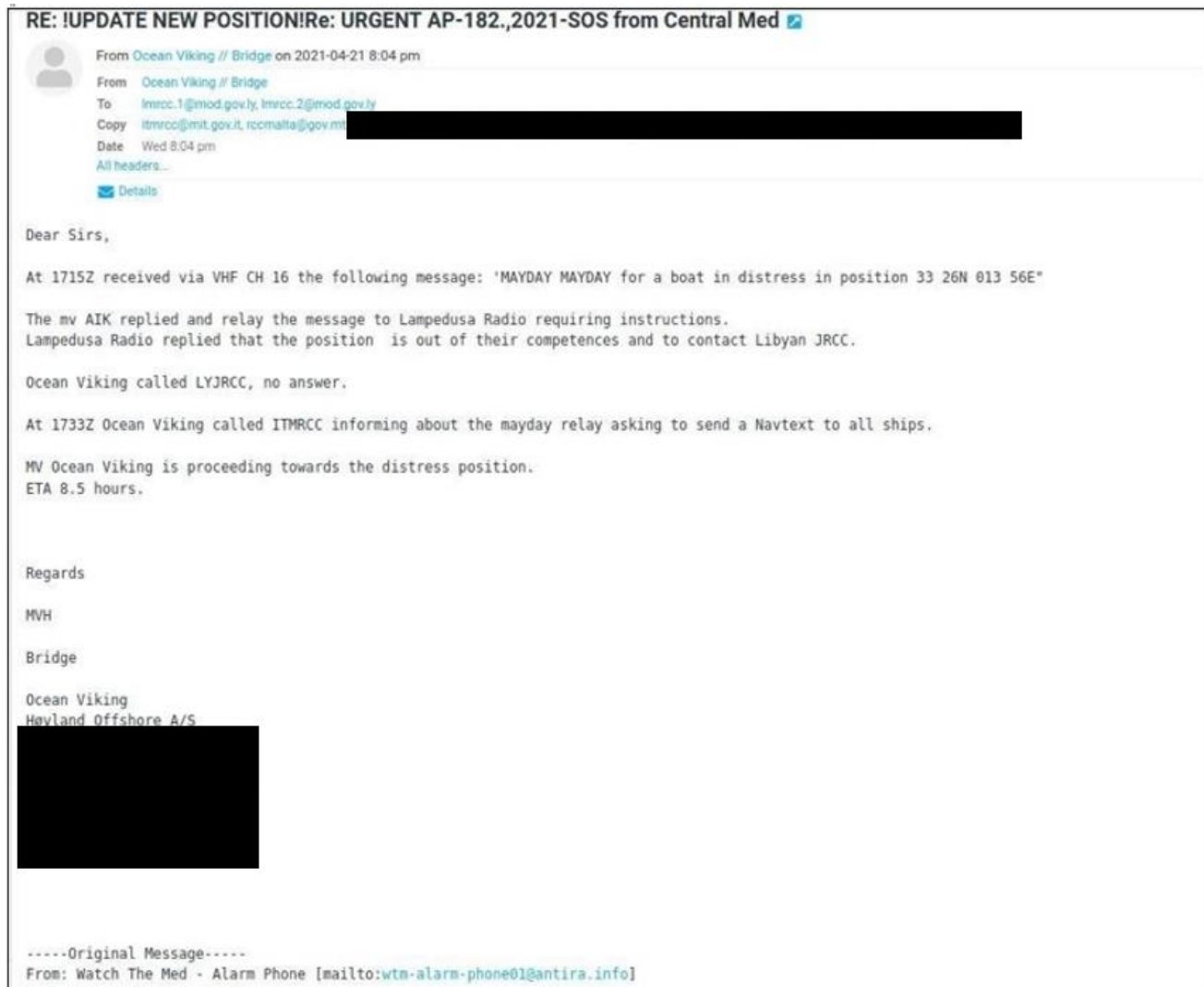


Figure 24.C.19

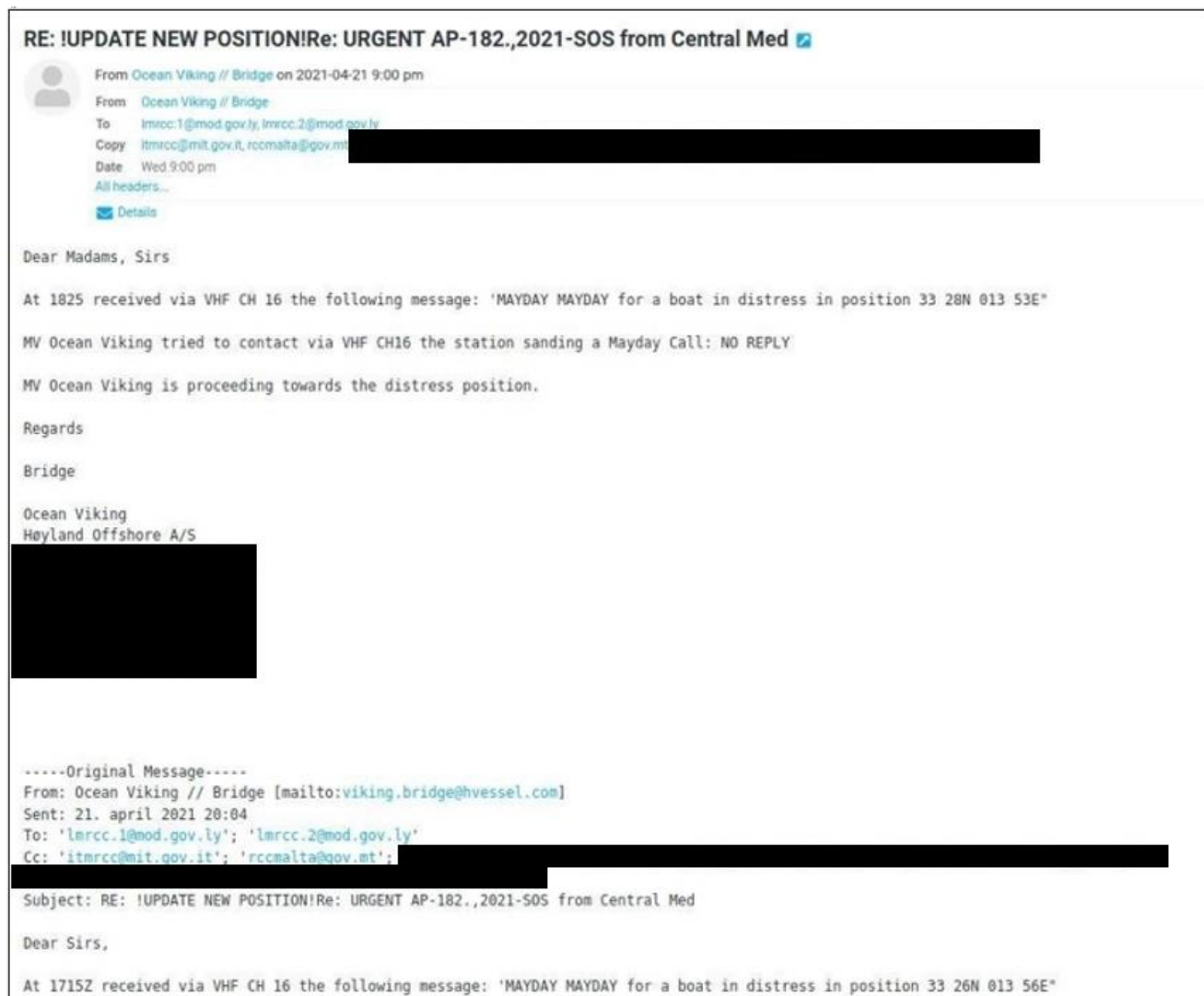


Figure 24.C.20

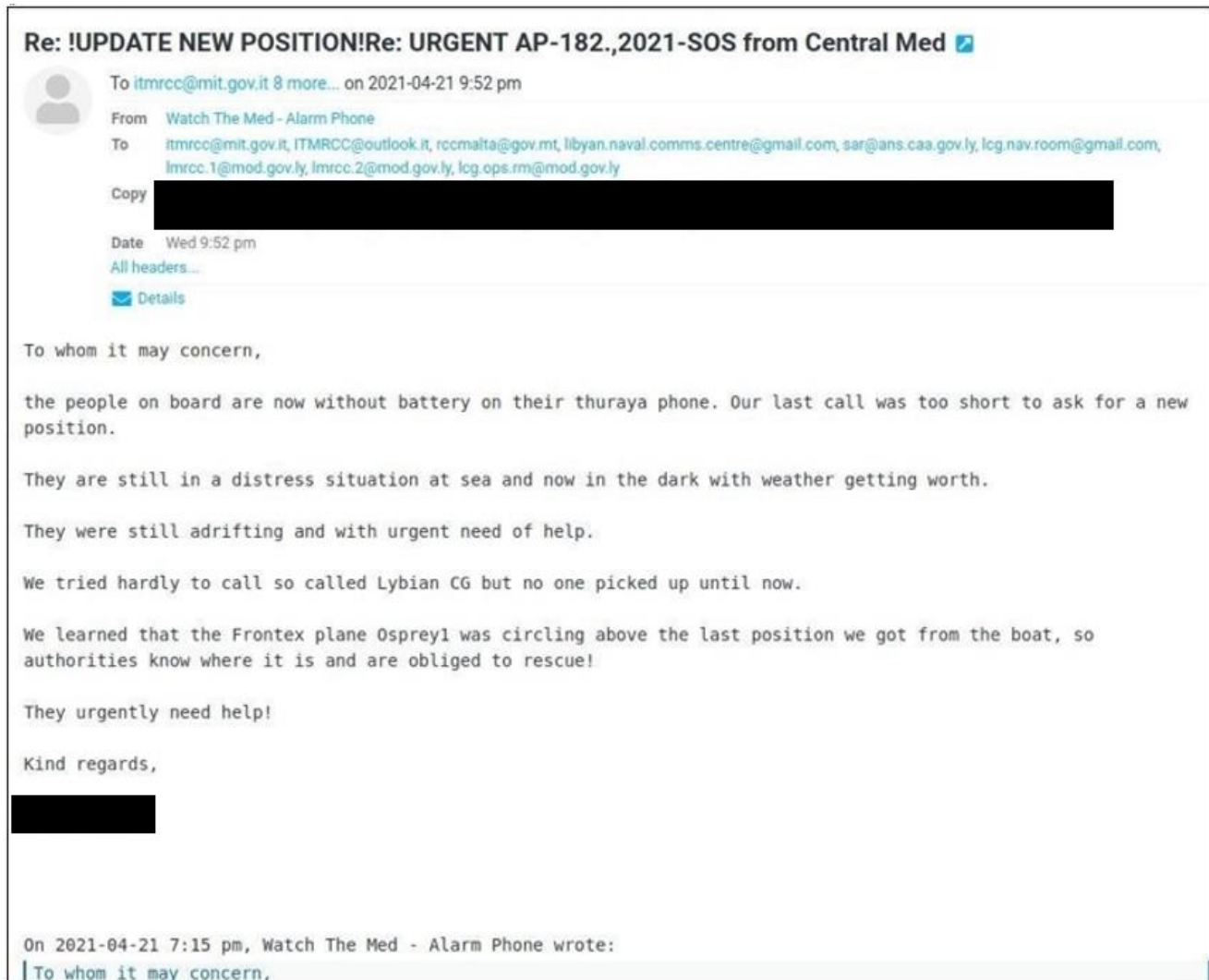


Figure 24.C.21

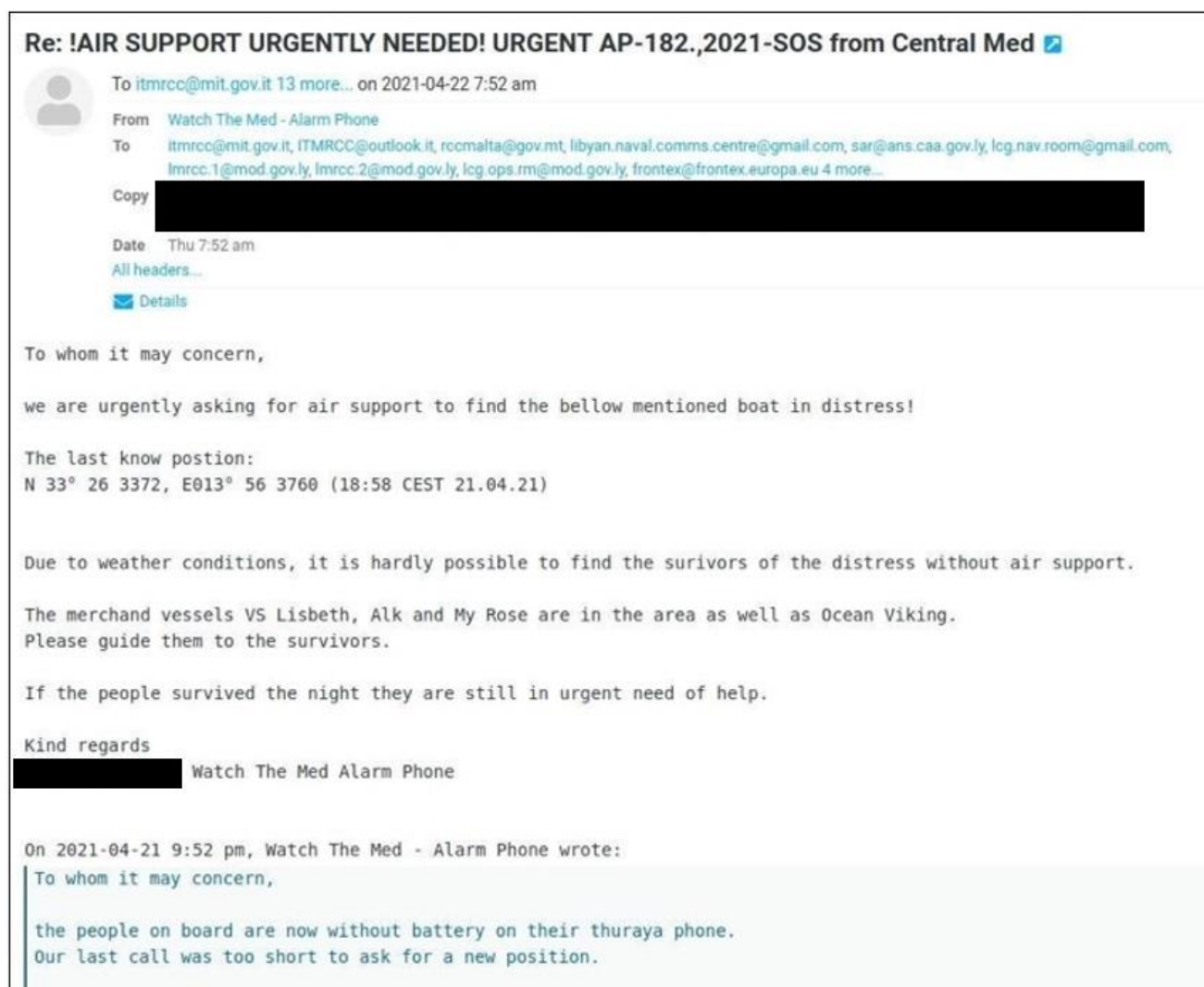


Figure 24.C.22

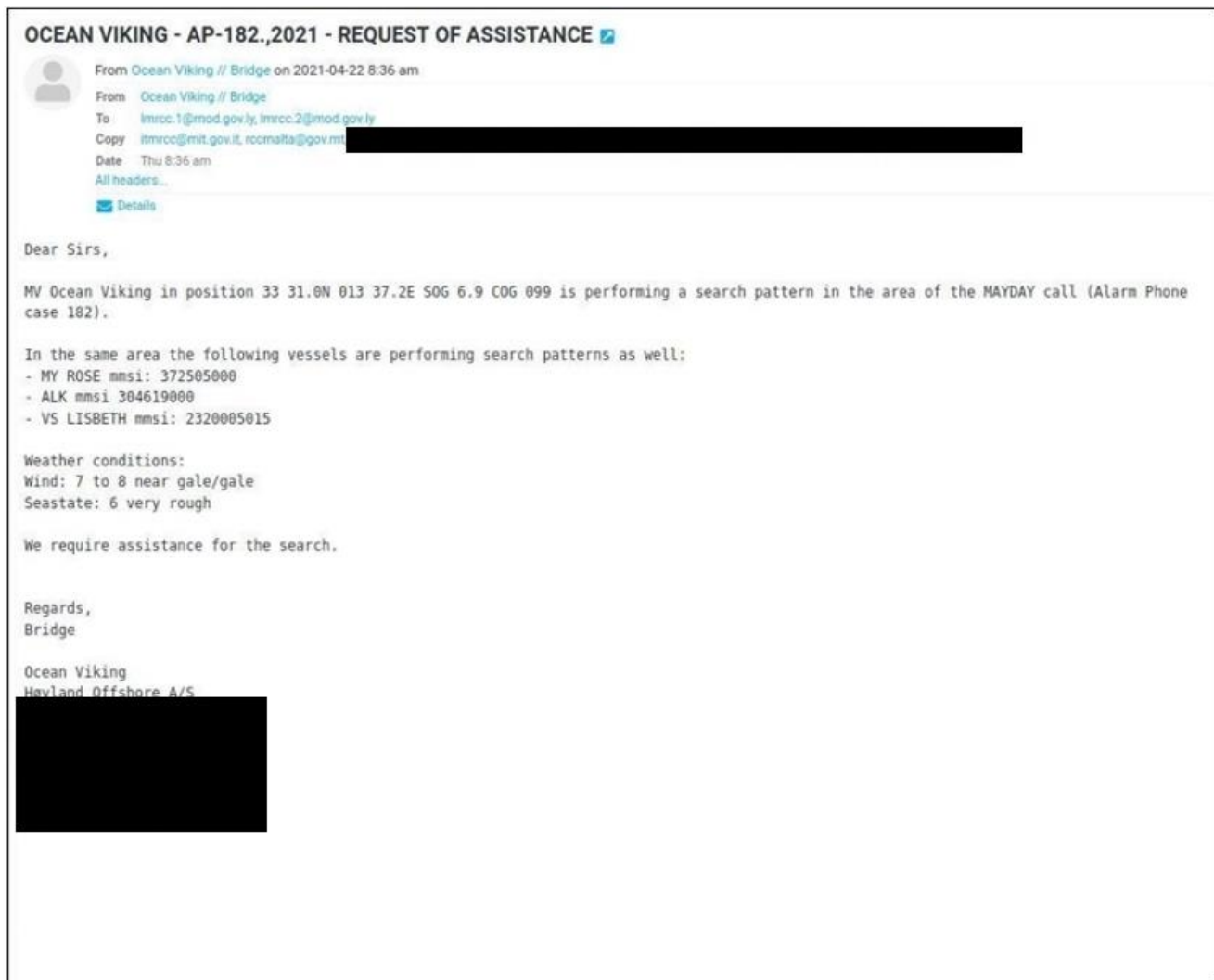


Figure 24.C.23

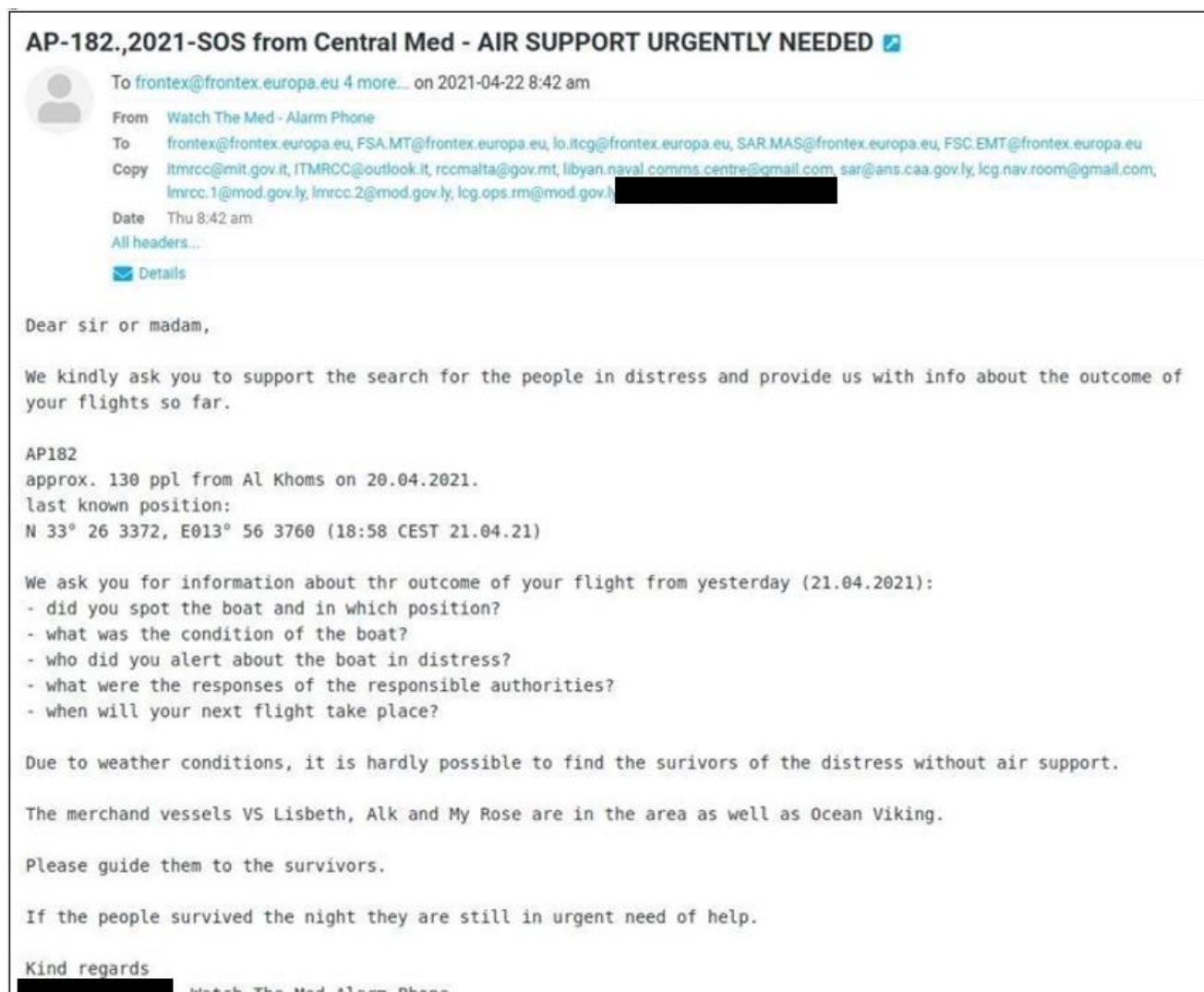


Figure 24.C.24

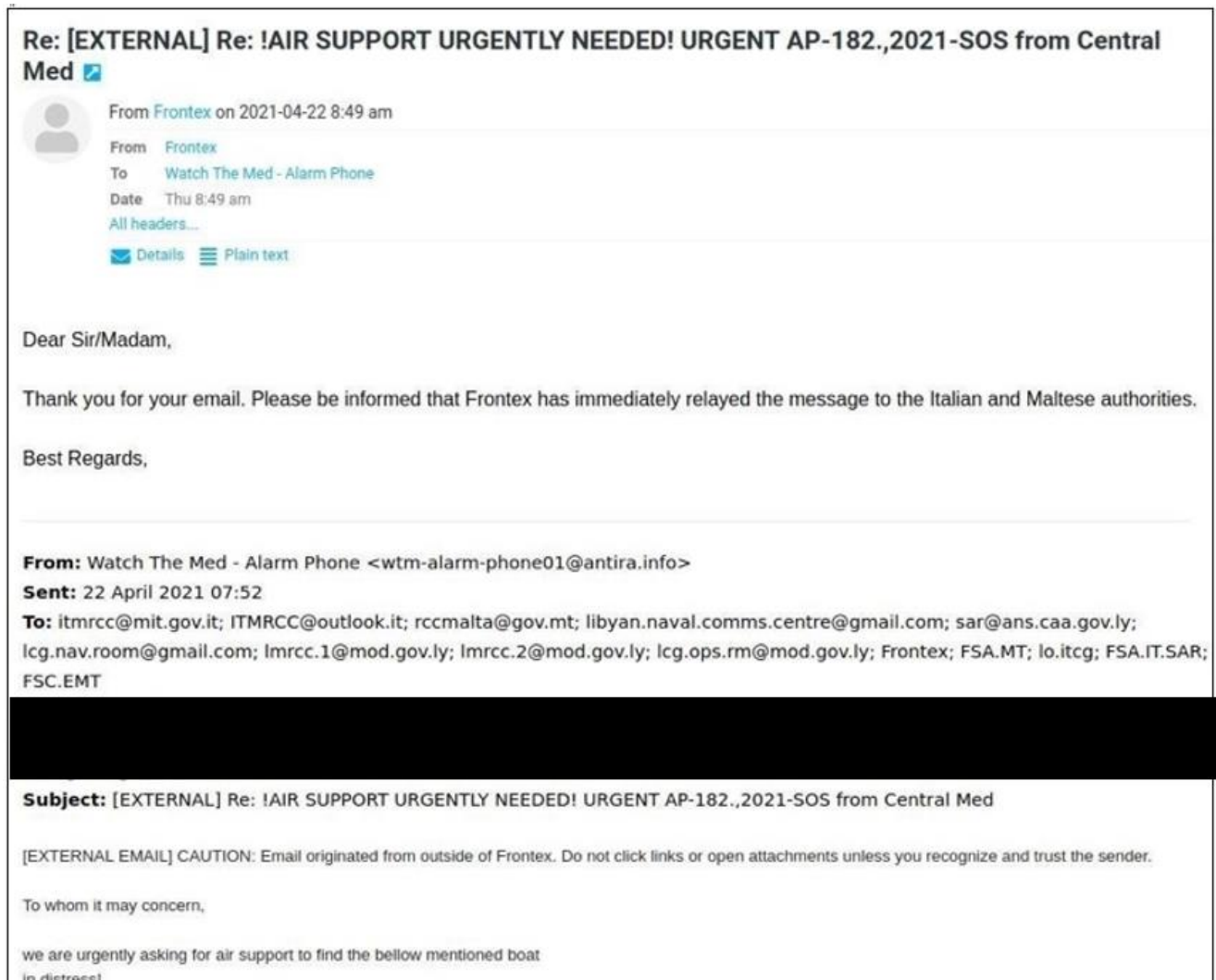


Figure 24.C.25

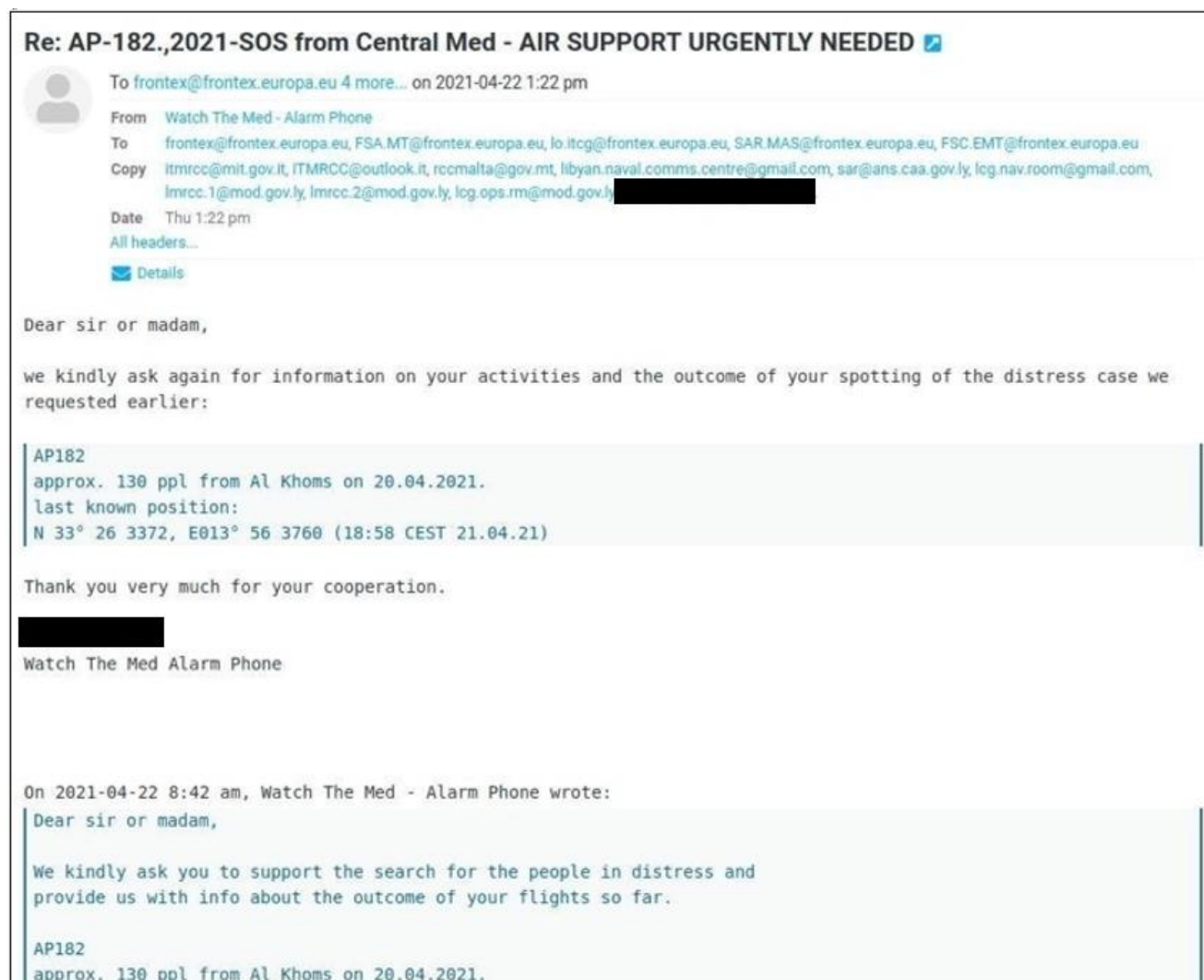


Figure 24.C.26

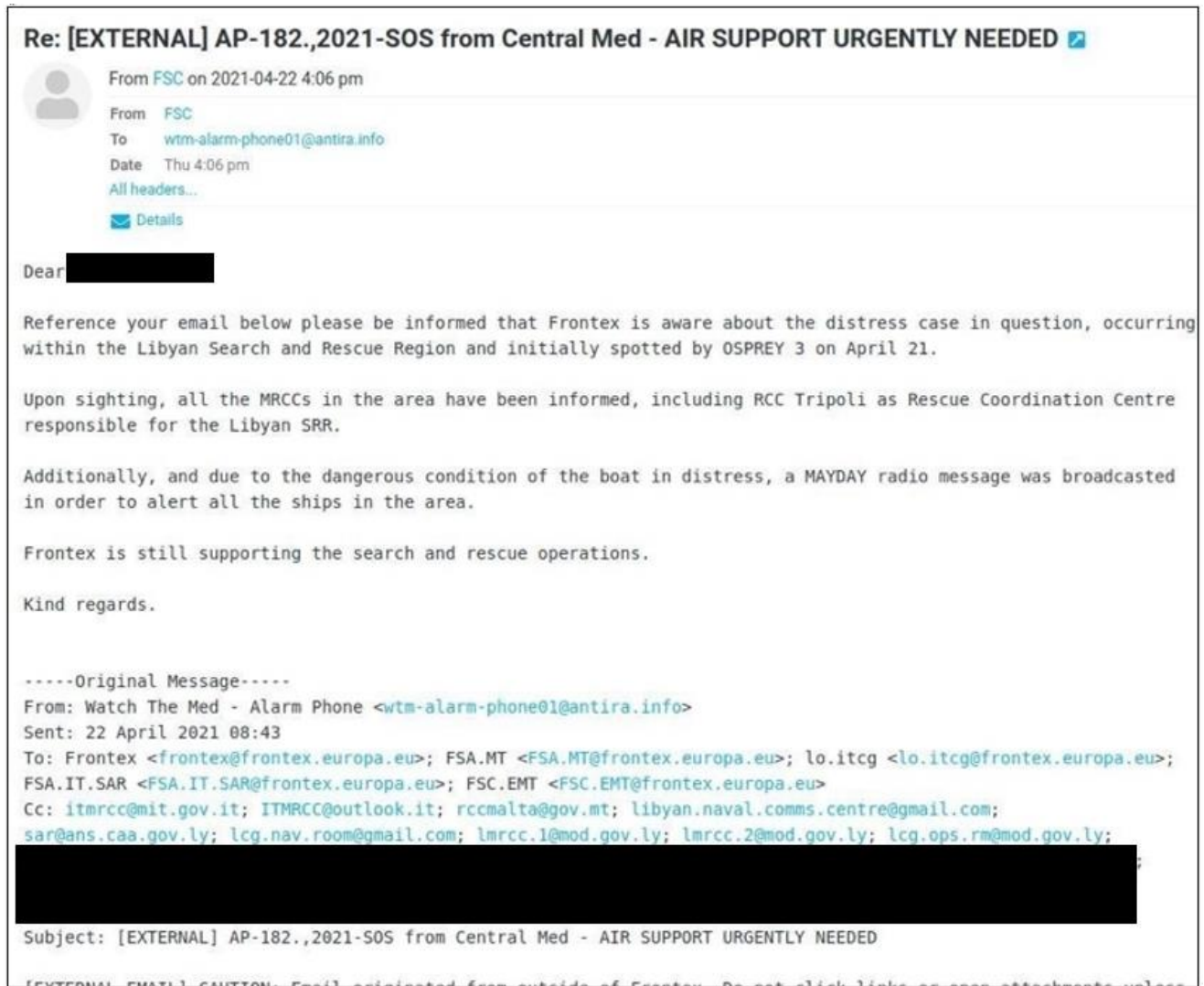


Figure 24.C.27

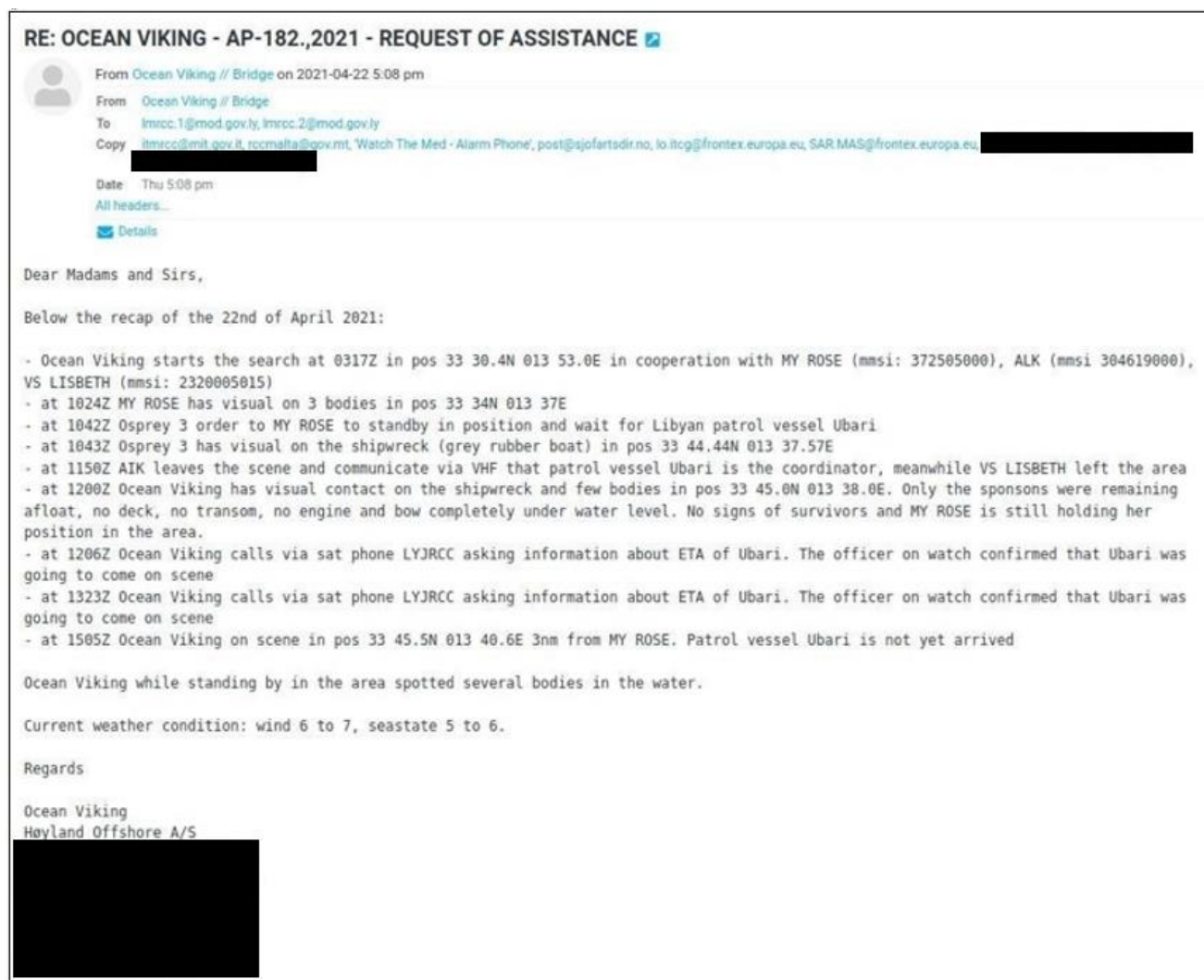


Figure 24.C.28



Annex 25 Maritime and air delivery non-compliance profile indicators

1. The Panel has continued to use a set of profile indicators⁸³ of suspicious activities and documentation that, when considered collectively, indicate that a vessel or aircraft is likely to be carrying illicit cargo (see tables 25.1 and 25.2). Multiple indicators are required before a vessel, aircraft or airline is classified as of interest to the Panel or reported as being a violation of or non-compliance with the arms embargo. This annex summarises these indicators.

Table 25.1

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	▪ Lack of corporate on-line presence.
4	Operators	Frequent change of vessel’s operators	▪ Lack of corporate on-line presence.
5	Vessel Name	Frequent change of vessel’s name	
6	Vessel Tonnage	Tonnage Range	▪ Comparison to historical tonnage of vessels known to be non-compliant.
7	Vessel Draught	Change of Draught	▪ Comparison of draught at loading and discharge.
8	Commercial Relationships	Linkages	▪ Links between owners / operators / agents.
8	Commercial Activity	Uneconomic behaviour	▪ Low utilization profile
9	Flag of Registry	Flags of convenience and multiple flag changes	▪ Includes Flag refusal to allow inspections when requested.
10	Documentation	Accuracy	▪ Transparency in information supplied to Panel. ▪ Accuracy of completion.
11	Cargo Shielding	Container layout on weather deck Container layout on port dock	▪ Containers are used to line the edge of the weather deck to shield the remainder of the deck from external view. ▪ Containers are used to shield off-loading sites at ports from external view.

⁸³ First developed for use in [S/2021/229](#).

#	Type	Indicator	Remarks
12	Cargo Analysis	Volumetric and mass analysis	Do reported weight and packaging match declaration on documentation?
13	Sanctions Listings	Sanctions designated or reported vessel	- Previous reports by other UN Panels and Monitoring Groups. - Sanctions notices by subscription-based resources.

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

Table 25.2

Profile indicators of airbridge and air delivery

#	Activity	Details	Remarks
1	Flight volume	The number of unscheduled flights on a previously little used route	For example, a significant number of flights over a short period indicates a centrally organized supply chain.
2	Flight timings	Most flights are planned so that the cargo aircraft are unloaded during darkness	Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.
3	Flight routing	The flights often take off from a civilian airport, then land at a military airbase before departing on a flight track directly towards Libya	- Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist. - Indicative of the loading of military related equipment.
4	Flight safety	Signals from the aircraft ADS-B ^a transponders are not visible on open-source ADS-B monitoring shortly after entering Egyptian airspace	- Airline captains sometimes “go dark” when approaching Libyan airspace as a countermeasure against being targeted by air defence systems, but usually not for the majority of the flight. - Deliberately switched off due to the covert nature of these flights. - Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).
5	Flight safety	Signals from the aircraft ADS-B transponders are switched to MLAT (multilateration) mode ⁸⁴ for the whole flight	MLAT mode only transmits aircraft code, heading, altitude and speed but NOT current location.

⁸⁴ Aircraft without, or that are not broadcasting on, ADS-B transponders do not broadcast their latitude/longitude, so flight monitoring software uses multilateration of 1090 MHz Mode S transponder signals to determine the aircraft's location by using the time difference of arrival (TDOA) when an aircraft is detected across four or more receivers/ground stations.

#	Activity	Details	Remarks
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights	- Airlines have utilised a “blocking” service provided by some of the open-source ADS-B monitoring providers. - A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.
7	Flight availability	Scheduled or non-scheduled route	Ticket unavailability from the air operator for passenger aircraft flights suggests movement of military personnel. For example: Cham Wings flights from Syria to Benghazi.
8	Aircraft documentation	The use of fake Air Operating Certificates (AOC)	The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.
9	Flight documentation	The submission of incomplete or inaccurate Cargo Manifests and Air Waybills The lack of detailed flight documentation submitted	- Fake consignees listed. - Fake consignors listed. - Used to disguise the true nature of the actual cargo. - Customs value listed as zero. - Failure to supply, for example: 1) Flight Plan; 2) Aircraft Technical Logbook; 3) Journey Flight Log; 4) Weight and Balance Report; 5) Take-off and Landing Balance; and 6) General Declaration.
10	Air operator transparency	Limited, inaccurate or no information provided to requests for information	Indicative of covert or illicit activity.
11	Air operator web presence	Lack of corporate website or very limited contact information on website	A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.
12	Cargo agency web presence	Lack of corporate website	A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.
13	Air operator’s relationships	Corporate links	Change of ownership or operating conditions for aircraft between linked companies.
14	Sanctions Listings	Current or previous listings of owner, operator, or aircraft	- Previous reports by other UN Panels and Monitoring Groups. - Sanctions notices by subscription databases.

Annex 26 Summary of arms embargo equipment violations (26 Feb 2011 - 25 Apr 2022)

1. Tables 26.1 and 26.2 summarises confirmed arms and military materiel transferred into Libya in violation of paragraph 9 of resolution [1970 \(2011\)](#), as modified by subsequent resolutions.⁸⁵ It does not include arms and military materiel transferred to Libya for which exemptions were provided for by the Committee.

Table 26.1

Confirmed arms and military materiel transferred from Libya (26 Feb 2011 - 25 Apr 2022) (weapon systems and equipment)⁸⁶

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Aircraft (FGA) ⁸⁷	IOMAX AT-802i	S/2017/466	UAE	▪
	Dassault <i>Mirage 2000/9</i>	S/2021/229	UAE	▪ Operated from Sidi Barani airbase in Egypt.
	General Dynamics F-16	S/2021/229	Turkey	▪ Overflight.
	** MiG-21MF	S/2015/128 S/2016/209	Egypt	▪
	MiG-23ML(D)	New ⁸⁸	UID ⁸⁹	▪ Identification from 2017 imagery and unreported by Panel. ▪ Other aircraft restored to flight status by cannibalization. ⁹⁰
	MiG-29	S/2021/229	Russian Federation	▪
	Su-24	S/2021/229	Russian Federation	▪
Aircraft (ISR) ⁹¹	<i>Pilatus PC-6</i>	S/2021/229	Lancaster6	▪ Project Opus.
Aircraft (Rotary Wing)	** AS332L <i>Super Puma</i> Medium Utility	S/2021/229	Lancaster6	▪ Project Opus.
	Mi-8	S/2015/128 S/2016/209	Egypt	▪
	Mi-24	S/2016/209	Sudan	▪
	Mi-24V	S/2016/209	UID	▪
	Mi-24P	S/2017/466	UAE	▪
	SA341 <i>Gazelle</i> Light Utility	S/2021/229	Lancaster6	▪ Project Opus.
	UH-60M <i>Blackhawk</i>	S/2017/466	UAE	▪
Aircraft (Transport)	Airbus A400B <i>Atlas</i>	S/2021/229	Turkey	▪ For transfer of military materiel into Libya.

⁸⁵ This annex updates and clarifies information within the previous original work at <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021.

⁸⁶ Items marked ** appeared in the 29 May 2021 7th Anniversary of Operation Dignity parade in Benghazi. <https://www.youtube.com/watch?v=mbIDXxITPa0>.

⁸⁷ Fighter Ground Attack.

⁸⁸ <https://medium.com/war-is-boring/it-looks-like-russia-gave-a-fighter-jet-to-libyas-warlord-1a564098b223>, 1 March 2017. Although the imagery shows the MiG-23 in Libya the Panel does not endorse the supply chain in the article.

⁸⁹ UID, in all uses, means unidentified, or low evidential levels, and responsibility has yet to be attributed by the Panel.

⁹⁰ <https://www.africanmilitaryblog.com/2019/08/libya-frankenstein-mig-23-flogger-fighter-jet-take-flight>, 3 August 2019.

⁹¹ Intelligence, Surveillance and Reconnaissance.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Antonov AN-12A [#2340806] ⁹²	New ⁹³	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-12BP [#5342908]	New	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-12BP [#5343005]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-26 [#503]	S/2017/466 S/2019/914	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	Antonov AN-32B [#2009]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF.
	C-17A <i>Globemaster</i>	S/2021/229	Turkey	▪ For transfer of military materiel into Libya.
	C-130E <i>Hercules</i>	S/2015/128 S/2016/209	Sudan	▪ For transfer of military materiel into Libya.
	C-130E <i>Hercules</i>	S/2021/229	Turkey	▪ For transfer of military materiel into Libya.
	Ilyushin IL-18D [#172001401]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF
	Ilyushin IL-18D [#187009903]	S/2017/466	Space Cargo Inc	▪ Operating in Libya in direct support of HAF
	Ilyushin IL-76TD [#73479367]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF
	Ilyushin IL-76TD [#1013405167]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF
	Ilyushin IL-76TD [#1013409282]	S/2021/229	Green Flag Aviation	▪ Operating in Libya in direct support of HAF
	Ilyushin IL-76TD [#1023411378]	S/2021/229	Space Cargo Inc	▪ Operating in Libya in direct support of HAF
	** Ilyushin IL-76TD [5A-ILA]	New	UID	▪
	Ilyushin IL-76TD Various	S/2021/229	Russian Federation	▪ For transfer of military materiel into Libya.
Air Defence (Guns)	** 23mm ZSU-23-2CP	New	UID	▪
	35mm <i>Korkut</i> Cannon	S/2021/229	Turkey	▪
Air Defence (Missiles)	MIM-23 <i>Hawk</i>	S/2021/229	Turkey	▪
	MIM-104 <i>Patriot</i>	New ⁹⁴	UAE	▪
	<i>Pantsir</i> S1	S/2021/229	Russian Federation	▪ On KaMAZ platform.
	<i>Pantsir</i> S1	S/2021/229	UAE	▪ On MAN platform.
Anti-Tank (ATGW) ⁹⁵	9K115-2 <i>Metis-M</i>	S/2019/914	UID	▪ With GNU-AF.
	9M133 <i>Kornet</i>	S/2019/914	UID	▪ With GNU-AF.
	<i>Dehleyvah</i>	S/2021/229	UID	▪ With GNU-AF.
Armoured Vehicles (APC) ⁹⁶	AMN 233114 <i>Tigr-M</i>	New	Likely Russian PMC	▪

⁹² These are the manufacturer's serial numbers (MSN).

⁹³ Where indicated as new, the evidence appears elsewhere in the annexes to the report as an infographic, unless otherwise indicated by a footnote reference.

⁹⁴ In a single open-source report in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021. A confidential source informed the Panel that the system was only very briefly deployed to Libya and soon withdrawn.

⁹⁵ Anti-Tank Guided Weapon.

⁹⁶ Armoured Personnel Carriers. Sometimes also referred to as Protected Patrol Vehicles (PPV).

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	<i>Irigiri 4x4</i>	S/2019/914	UID	▪ First seen 2015.
	<i>Inkas Titan-DS 4x4</i>	S/2021/229	UAE	▪
	<i>Inkas Titan-S 6x6</i>	New	UID	▪
	** KADDB Al Wahsh 4x4	S/2016/209	Jordan	▪
	<i>KADDB Al Wahsh 4x4</i>	S/2018/812	Jordan	▪ "Snake Head" Turret fitted.
	<i>Katmerciler Kirac</i>	New	Turkey	▪
	<i>Lenco Bearcat G3 4x4</i>	S/2021/229	UID	▪ With GNU-AF.
	<i>Mezcal Tygra 4x4</i>	S/2017/466	UAE	▪
	<i>MIC VPK Tigr-M</i>	S/2021/229	Russian PMC	▪
	** MSPV Panthera T6 4x4	S/2016/209 S/2017/466 S/2018/812 S/2021/229	UAE	▪ From different shipments.
	<i>MSPV Panthera F9 4x4</i>	S/2018/812	UAE	▪
	** Streit Cobra 4x4	S/2016/209	UAE	▪ Transferred in 2012.
	<i>Streit Cougar 4x4</i>	S/2016/209	UAE	▪ Transferred in 2012.
	** Streit Cougar 4x4	S/2019/914	Jordan	▪ "Snake Head" Turret fitted.
	<i>Streit Spartan 4x4</i>	S/2016/209 S/2018/812 S/2021/229	UAE	▪ From different shipments.
	<i>TAG BATT APC</i>	New	UID	▪
	** TAG Terrier LT-79 4x4	S/2021/229	UAE	▪ New attribution. ⁹⁷
	<i>Tundra Variant</i>	S/2021/229	UID	▪
Armoured Vehicles (IAFV) ⁹⁸	<i>FNSS ACV-15</i>	S/2021/229	Turkey	▪
	<i>KADDB Mared 8x8</i>	S/2019/914	Jordan	▪
	** KADDB Mared 8x8	S/2021/229	Jordan	▪ "Snake Head" Turret fitted.
	<i>Paramount Mbombe 6x6</i>	S/2019/914	UID	▪ With HAF.
	<i>Ratel-60</i>	S/2019/914	UID	▪ With HAF.
Armoured Vehicles (MRAP) ⁹⁹	<i>BAe Cayman</i>	S/2016/209	UID	▪ First seen 2012.
	<i>BMC Kirpi 4x4</i>	S/2019/914	Turkey	▪
	<i>BMC Vuran 4x4</i>	S/2019/914	Turkey	▪
	<i>Evro-Polis Valkyrie 4x4</i>	S/2021/229	ChvK Wagner	▪ Based on a Ural-432007 platform. ▪ New attribution.
	<i>NIMR Jais 4x4</i>	S/2016/209	UAE	▪ First seen 2013.
	<i>Streit Typhoon 4x4</i>	New	UID	▪

⁹⁷ https://www-africaintelligence-com.eu1.proxy.openathens.net/north-africa_business/2019/12/19/un-supplier-tag-supplies-armoured-cars-to-haftar,108386984-art, 19 December 2019.

⁹⁸ Infantry Armoured Fighting Vehicles.

⁹⁹ Mine Resistant Armoured Protected.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Artillery (Towed)	** 122mm M1938 M-30 Howitzer	New	UID	▪ This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.¹⁰⁰ ▪ Identified with HAF 106 brigade.
	** 155mm G5 Howitzer	S/2021/229	UID	▪ With HAF.¹⁰¹
Artillery (Self-Propelled)	155mm <i>Firtina</i> T-155	S/2021/229	Turkey	▪
Artillery (MLRS)	Rocketsan 122mm <i>Sakarya</i> T-122	S/2021/229	Turkey	▪
	** 128mm LSRVM <i>Morava</i>	S/2021/229	UID	▪ The 107mm variant may also have been supplied.¹⁰²
	122mm Hybrid Version	New	UAE	▪
Logistic Vehicles	** CFORCE All-Terrain Vehicle	New	UID	▪
	** Jeep Gladiator	New	UID	▪ Militarised.
	KamAZ 6x6 Truck	New	UID	▪ Identification from 2018 and unreported by Panel. ▪ Also delivered to Libya on <i>MV Fehn Calypso</i> in 2020.¹⁰³
	KamAZ 8x8 Truck	S/2021/229	Russian PMC	▪ Identified as the mobility platform for the ChVK Wagner operated Pantsir-1.
	Militarised Toyota Land Cruiser 79 4x4	New	UID	▪
	** Toyota 6x6 Light Utility Vehicle	New	UID	▪
	UAZ-469 Light Communications Vehicle	New	UID	▪
	Ural-4320 Truck	New	UID	▪ Some identified on deck of <i>MV Fehn Calypso</i> on 25 April 2020 during transit of Bosphorus, but these off-loaded in Alexandria according to shipping company.
	Ural-4320 Truck (Armoured)	New	UID	▪
Mortars (Field)	120mm 120-PM-43 M1943	New	UID	▪
	120mm M-74	New	UID	▪ With HAF Tariq bin Ziyad brigade.

¹⁰⁰ Pre-2011 Libyan inventory based on that equipment reported in Jane's publications and the IISS Military Balance (<https://www.iiss.org/publications/the-military-balance-plus>).

¹⁰¹ Also <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

¹⁰² Single source report in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021. Extract imagery from a video dated 29 May 2021 (<https://youtu.be/mbIDXxITPa0>) (2:37:26) may also show the 107mm variant, but resolution was insufficient to allow confirmatory analysis by photogrammetry.

¹⁰³ Information from shipping company.

Generic type	Nomenclature / Calibre	Panel Report	Responsible	Remarks
Naval Vessels	Corrubia Class patrol boats	S/2019/914	Member State	Converted to naval vessels post-delivery.
	Damen Stan Patrol 1605 Class patrol boats	S/2018/812		
	Gabya Class Frigates	S/2021/229	Turkey	
	Lambro Olympic D74 Fast Patrol Boat	New	Libya SSA	- In use with SSA - a.k.a. <i>Javelin</i> Class.
	MRC-1250 Rigid Hulled Inflatable Boats	S/2021/229	Lancaster6	Project Opus.
	Offshore Patrol Vessel <i>Alkarama</i>	S/2018/812 S/2019/914	Universal Satcom Services, UAE	
	Patrol Boat <i>Alqayid Saqar</i>	New	Libya SSA	- Type UID. - Classed as military as dual use and subsequently armed.
	Raidco RPB 20 class patrol boats	S/2019/914	Member State	Converted to naval vessels post-delivery.
Radars and EW	Aselsan <i>Koral</i> Electronic Warfare System	S/2021/229	Turkey	
	** 1RL131 P-18 Early Warning Radar	New	UID	
	LEMZ 96L6/E Target Acquisition Radar	S/2021/229	UID	
	Samel-90 Mobile IED Jammer	S/2019/914	UID	
Small Arms and Light Weapons	5.56mm AK-103 Assault Rifles	New	Likely Russian PMC	
	5.56mm JAWS-556 Assault Rifles	New	Jordan	
	5.56mm MFR Multi-Functional Rifles	New	Turkey	
	5.56mm MPT 55K Assault Rifles	New	Turkey	
	7.62 x 39mm AK-103-1 Assault Rifles	New	UID	
	7.62 x 39mm AR-M9F Assault Rifles	S/2016/209	UAE	
	7.62 x 39mm Type 63-1 Assault Rifle	New	UID	
	7.62 x 51mm FN FAL Assault Rifle	S/2013/99	UAE	
	7.62 x 51mm JNG-90 <i>Bora -12</i> Sniper Rifle	New	Turkey	
	7.62 x 51mm MPT 76 Assault Rifles	New	UID	
	7.62 x 54mmR Type-80 General Purpose Machine Gun ¹⁰⁴	New	UID	
	0.308 Sako TRG Sniper Rifle	New	UID	
	0.338 Orsis T-5000 Sniper Rifle	New	UID	Chambered for <i>Lapua</i> rounds.
	0.338 <i>Steyr</i> SSG-08 Sniper Rifle (Variant or Copy)	New	Russian PMC	Chambered for <i>Lapua</i> rounds.
	0.50 Barrett M82 variant Anti-Materiel Rifle	New	UID	
	9mm Caracal F Pistols	S/2015/128	UAE	
	9mm <i>EKOL</i> P29 Blank Firing Pistols	S/2019/914	UID	
	9mm <i>SUR</i> BRT M9 Blank Firing Pistols	New	UID	
	12.7 x 108mm W-85 Heavy Machine Gun	New	UID	

¹⁰⁴ https://twitter.com/r_u_vid/status/1221227142911905793, 26 January 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	AGS 30mm Grenade Launcher	S/2021/229	Russian PMC	▪ Either AGS-17 or AGS-30 based on ammunition recovered.
	VOG-25 40mm Grenade Launcher	S/2021/229	Russian PMC	▪ Based on ammunition recovered.
	40 x 46mm Akdas AK-40-GL Grenade Launchers	New	Turkey	▪
	RPG-32 <i>Nashbab</i> Rocket Launcher	S/2019/914	Jordan	▪
	** SPG-9 73mm Recoilless Rifle	New	UID	▪
	Type-69 85mm Rocket Launcher	New	UID	▪
Tanks (MBT)	M-60 <i>Patton</i> ¹⁰⁵	New	Turkey	▪
	T-62MV	S/2021/229	Russian PMC	▪ Also see annex 56.
Uncrewed Aerial Vehicles (UAV)	Adcom <i>Yabhon-HMD</i>	S/2019/914	UAE	▪
	Aeryon <i>Scout Micro</i>	S/2013/99	Zariba Security Corporation	▪
	Chilong CL-11 VTOL	S/2019/914	UID	▪ Dual use system.
	** DJI Inspire	New	UID	▪
	Mohajer-2	S/2019/914	UID	▪
	Orbiter-3	S/2019/914	GNA-AF	▪ Dual use system.
	Orlan-10	S/2019/914	HAF	▪ Possibly from ChVK Wagner.
	Schiebel Camcopter S-100	S/2017/466	UID	▪ With a UID Militia.
	Xiamen <i>Mugin 4450</i>	S/2021/229	UID	▪ Dual use system.
	Zala 421-16E	New	UID	▪ With HAF.
UAV (Loitering Munition)	IAI <i>Harpy</i>	S/2021/229	UID	▪ With GNU-AF.
	STM <i>Kargu-2</i>	S/2021/229	Turkey	▪
	WB <i>Warmate</i>	S/2021/229	UID	▪
Uncrewed Aerial Combat Vehicles (UACV)	Bayraktar TB2	S/2019/914	Turkey	▪
	TAI <i>Anka</i>	S/2021/229	Turkey	▪
	Wing Loong I	S/2017/466	UAE	▪
	Wing Loong II	S/2019/914	UAE	▪
Miscellaneous	AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL)	New	UID	▪
	AN/PVS-7 Night Vision Goggles	New	UID	▪
	Aselsan A100 Night Vision Monocular	New	Turkey	▪
	Dahua DHI-UAV-D-1000JHV2 Anti Drone Gun	S/2021/229	UID	▪
	Holographic Weapon Sights (HWS)	New	Turkey	▪

¹⁰⁵ Also <https://twitter.com/MiddleEastWatc1/status/1281616199957323776>, 10 July 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Sordin Supreme Pro-X Hearing Protectors	New	UID	▪

Table 26.2

Confirmed arms and military materiel transferred to Libya (26 Feb 2011 - 25 Apr 2022) (ammunition and explosive ordnance)

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Air to Ground Missiles (AGM)	BA-7 Blue Arrow	S/2019/914	UAE	▪
Anti-Tank (ATGM)	FGM-148 <i>Javelin</i>	S/2019/914	Member State	▪ Present under resolution 2214 (2015). ¹⁰⁶
	<i>Rocketsan</i> UMTAS	S/2021/229	Turkey	▪
Anti-Tank (Rockets)	M-79 Osa	New	UID	▪
Engineer Stores	ML-8 anti-lift initiators	S/2021/229	Russian PMC	▪
Free Flight Rockets (FFR)	122mm <i>Rocketsan</i> FFR	New	Turkey UAE	▪
Grenades	F1 Fragmentation	New	ChVK Wagner	▪
	30mm VOG-17M Grenades	S/2021/229	ChVK Wagner	▪
	40mm VOG-25 Grenades	S/2021/229	ChVK Wagner	▪
Laser Guided Bombs (LGB)	GBU-12 <i>Paveway</i> II	S/2017/466	UAE	▪
Laser Guided Projectiles (LGP)	155mm GP-1A	S/2017/466 S/2018/812	UAE	▪
	155mm GP-6	S/2019/914	UAE	▪
Mines (Anti-personnel)	MON-50	New	ChVK Wagner	▪
	MON-90	New	ChVK Wagner	▪
	MON-200	New	ChVK Wagner	▪
	OZM-72	New	ChVK Wagner	▪
	PMN-2	S/2021/229	ChVK Wagner	▪
	POM-2R	S/2021/229	ChVK Wagner	▪
Mines (Anti-Tank)	TM-62M	New	Russian PMC	▪
Mortar Bombs	120mm high explosive	S/2021/229	UID	▪
	120mm M62P8 high explosive	S/2021/229	UAE	▪
	120mm M62P10 high explosive	New	UAE	▪
Small Arms and Cannon Ammunition	7.62 x 39mm	S/2015/128 S/2016/209	Belarus UID	▪ For Ministry of Interior.
	7.62 x 39mm	S/2016/209	Sudan	▪
	7.62 x 39mm TulAmmo	S/2021/229	Russian PMC	▪ Lot A421/2019.
	7.62 x 51mm M80	S/2016/209	Qatar	▪
	7.62 x 54Rmm	S/2016/209	UID	▪ Manufactured in 2012.

¹⁰⁶ In [S/2019/914](#), the Panel recommended that the Committee provide guidance as to whether the term “combat by all means” in paragraph 3 of resolution 2214 (2015) overrides the requirements of paragraph 9 of resolution 1970 (2011) and as subsequently amended.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	12.7 x 108mm	S/2013/99 S/2015/128	UAE Belarus	▪ ▪ For Ministry of Interior.
	14.5 x 114mm	S/2015/128	Belarus	▪ For Ministry of Interior
	23 x 115mm	S/2015/128	Belarus	▪ For Ministry of Interior.
Thermobaric Munitions	KBP RPO-A <i>Shmel</i>	S/2021/229	ChVK Wagner	▪

2. Tables 26.3 and 26.4 summarises arms and military materiel that have been reported in open-sources as new transfers. The Panel is still investigating these alleged transfers as: (a) in some cases the arms and military materiel were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo; and/or (b) the imagery was not of high enough resolution to identify serial numbers or lot/batch numbers to confirm post-2011 manufacture, and thus enable the initiation of tracing requests to identify supply chains. The Panel continues to investigate to find confirmatory information to the appropriate evidential standards.

Table 26.3

Reported but not yet confirmed arms and military materiel transferred to Libya (26 Feb 2011 - 25 Apr 2022) (weapon systems and equipment) ¹⁰⁷

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Air Defence (Missiles)	S-125 (SA-3)	▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ Reports in June 2020 of supply from Ukraine to Turkey,¹⁰⁸ and then deployed to Al Watiya.¹⁰⁹ No S-125 appear on satellite imagery of Al Watiya at that time, only <i>HAWK MIM</i>.
Anti-Tank (ATGW)	9M113 <i>Konkurs</i> ¹¹⁰	▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. ▪ Also seen with HAF 106 brigade in November 2020 exercise, but resolution of imagery insufficient to identify if post-2011 production. ▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Armoured Vehicles (APC)	<i>NIMR II</i> ¹¹¹	▪ This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. The unit badge on the vehicle dates back to 1970. ▪ Supplied under a contract signed in 2009 between Libya and the Bin Jamr Group, UAE.¹¹² ▪ The imagery was not sufficient to allow for confirmation of a new transfer to Libya without other confirmatory evidence.

¹⁰⁷ Listed primarily in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021.

¹⁰⁸ <https://avia-pro.net/news/na-vooruzhenii-livii-poyavilis-ukrainskie-s-125-protiv-rossiyskih-mig-29-i-su-24>, 8 July 2020.

¹⁰⁹ https://www.youtube.com/watch?v=_mPg5CTUJHQ, 12 July 2020.

¹¹⁰ Reported capture. <https://twitter.com/AnalystMick/status/1249681644933599233>, 13 April 2020.

¹¹¹ <https://twitter.com/oded121351/status/966794267585925120>, 22 February 2018.

¹¹² <http://www.army-guide.com/eng/product.php?prodID=3936&printmode=1>. Accessed 21 January 2022.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Armoured Vehicles (IAFV)	BRDM-2	- This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. S/2016/209 reported the transfer of these APC types from Libya to Mali. - Ukraine sold 108 BRDM to a UAE customer in 2017.¹¹³ - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Artillery (Towed)	** 122mm D-30 Howitzer ¹¹⁴	- This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
	152mm 2A65 Msta-B Howitzer	- This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - The open-source imagery that initially referred to this weapon was later updated to attribute the gun as a G5 Howitzer.¹¹⁵ - The Panel has yet to find any imagery of the weapon system deployed in Libya.
	155mm Norinco AH4 Gun-Howitzer	- This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - Procured by UAE in 2019.¹¹⁶ - Ammunition for the weapon system reported in S/2017/466, S/2018/812 and S/2019/914, but this may be compatible with the 155mm G5 Howitzer known to have been transferred. - The Panel has yet to find any imagery of the weapon system proving deployment in Libya.
Artillery (MLRS)	107mm LSRVM <i>Morava</i>	- The 128mm version was reported in S/2021/229. - Also see table 26.1.
	107mm <i>Taka</i>	- Copy of Chinese Type-63 manufactured in Sudan. - The single source imagery cannot confirm the weapon type, nor deployment in Libya.¹¹⁷
Logistic Vehicles	Safir Light Utility Vehicle	- This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Mortars (Field)	60mm Type-32	Image resolution insufficient for 100% identification.¹¹⁸
	82mm 82-BM-37 ¹¹⁹	- This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Mortars (Self-propelled)	120mm <i>Boragh</i> Armoured Mortar Vehicle	The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.¹²⁰
Radars and EW	Grozna-S Counter UAV	The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.¹²¹

¹¹³ <https://defence-blog.com/ukraine-sold-108-brdm-2-armoured-reconnaissance-vehicles-to-uae/>, 1 August 2017.

¹¹⁴ <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

¹¹⁵ <https://twitter.com/Oded121351/status/1328016339072638978/photo/1>, 15 November 2020; and <https://twitter.com/darksecretplace/status/1328024363887595520>, 15 November 2020.

¹¹⁶

https://www.armyrecognition.com/march_2019_global_defense_security_army_news_industry/norinco_ah4_155_mm_howitzers_for_united_arab_emirates_army.html, 1 March 2019.

¹¹⁷ <https://postimg.cc/fkz4Rqhp>, undated. Accessed 23 January 2022.

¹¹⁸ <https://twitter.com/libyatogether20/status/1378031351132254209>, 2 April 2021.

¹¹⁹ <https://twitter.com/Oded121351/status/1328012799948312576>, 15 November 2020.

¹²⁰ <https://twitter.com/tariqgibrel/status/601900388267208704>, 23 May 2015; and <https://postimg.cc/4K7MjjVH>, undated. Accessed 23 January 2022.

¹²¹ <https://twitter.com/towersight/status/1292885386902069249>, 10 August 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
	Grozna-6	The single source image is of a Grozna-6 deployed in the UAE,¹²² but the Panel has yet to see imagery of the system deployed in Libya.¹²³
	Krasuha	Single source on 18 May 2020 with no supporting high-resolution imagery to allow for confirmation of type or location in Libya.¹²⁴
Small Arms and Light Weapons	7.62 x 54mmR PKM General Purpose Machine Gun	- This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
Tanks (MBT)	T-55E	- The T-55 was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - HAF official social media showed a T-55 variant with the Tariq bin Ziyad brigade in 2020.¹²⁵ - ChvK Wagner personnel also repaired 16 and overhauled 31 T-55 variants in 2019, so possible these are from that work.¹²⁶ - More confirmatory evidence required before post-2011 transfer to Libya can be proven.
	T-62M	- T-62 variants were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. - ChvK Wagner personnel also repaired 4 and overhauled 9 T-62 variants in 2019.¹²⁷ - The imagery was not sufficient to allow for confirmation of a new transfer to Libya.
UAV	Ababil-2	- Reported as operated by HAF. - Image resolution insufficient for 100% identification of type or location.¹²⁸
	Zagil	- The Panel has identified a single-source report alleging Sudan supplied this UAV type in 2014.¹²⁹ The imagery shows Libyan officers but is insufficient to prove the presence of this UAV type in Libya. - No open-source imagery of a "Zagil" UAV could be found to allow for confirmation of UAV type.

Table 26.4
Reported but not confirmed arms and military materiel transferred to Libya (26 Feb 2011 - 25 Apr 2022) (ammunition and explosive ordnance)

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Artillery	155mm 2K25 Krasnopol laser guided projectile.	▪ Reported as being for the 152mm 2A65 Msta-B Howitzer (see table 26.3), so possible calibre error in report. ▪ Imagery insufficient to confirm calibre or transfer to Libya.¹³⁰ ▪ The imagery could equally be of a GP1, which is a direct copy.¹³¹ GP1 reported in in S/2017/466 and S/2018/812.

¹²² <https://www.menadefense.net/mideast/les-emirats-arabes-unis-se-dotent-de-brouilleurs-bielorusses-groza-6/>, 25 June 2020.

123 <https://army-tech.net/forum/index.php?threads/الالكترونية-البيلاروسية-groza-18194>, 25 April 2020.

¹²⁴ <https://libya.liveuamap.com/en/2020/18-may-gna-turkish-uav-airstrike-on--electronic-warfare-system>, 20 May 2020.

¹²⁵ <https://www.youtube.com/watch?v=LXt5d1iacEk>, 14 November 2020. [14min 29sec].

¹²⁶ Table 77.2 to [S/2021/229](#).

¹²⁷ Table 77.2 to [S/2021/229](#).

¹²⁸ <https://postimg.cc/3dNhpry1>. Accessed 23 January 2022.

¹²⁹ <https://m.facebook.com/1445146409065850/photos/a.1445154462398378/1484269561820201/?type=3&source=54>, 9 August 2014.

¹³⁰ <https://twitter.com/lostweapons/status/1243787785724542976?lang=he>, 28 March 2020.

¹³¹ Confidential source analysis.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Engineer Stores	Fateh-4 mine clearance line charge	▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.¹³²
Mines (Anti-personnel)	MON-100	▪ The Libyan Mine Action Centre (LibMAC) have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.¹³³ ▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.¹³⁴
Mines (Anti-Tank)	TM-83	▪ LibMAC have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.¹³⁵ ▪ The single source imagery is insufficient to confirm type or transfer to Libya.¹³⁶

¹³² https://vk.com/wall-98555648_224885?lang=en, 10 August 2021.

¹³³ Email to Panel of 25 January 2022.

¹³⁴ https://www.libyaobserver.ly/news/libyas-interior-ministry-urges-south-tripoli-residents-not-return-home-just-yet?qt-libya_weather=1&qt-sidebar_tabs=1, 8 June 2020.

¹³⁵ Ibid.

¹³⁶ <https://twitter.com/analystmick/status/1125785280626200576>, 7 May 2019.

Annex 27 Naval assets used by the Stability Support Apparatus

A. Overview of SSA naval assets

1. The newly formed maritime unit of the SSA operates at least six vessels, including the *Alqayid-1*, the *Alqayid-2*, *Alqayid Saqar* and a fast patrol boat (FPB) whose name is unknown to the Panel (figures 27.1 through 27.5). Further context on the use by the SSA on its naval assets can be found in Annex 24.

B. Civilian-type vessels

1. Alqayid 1 and 2

2. The Panel has identified the *Alqayid 1*, and the *Alqayid 2* as being operated by the SSA.¹³⁷ *Alqayid 1* has been observed both with and without a heavy machine gun mounted on its bow (figure 27.1). No imagery has emerged of the *Alqayid 2* being armed (figure 27.2). They are not specifically designed for intercepting migrant boats for return, mainly owing to their limited passenger and life-saving equipment capacity. The SSA addresses this shortcoming by operating these boats in tandem with a large wooden boat with higher passenger capacity (also pictured in figure 27.1).¹³⁸

Figure 27.1

Vessel *Alqayid 1* in unarmed (left) ^a and armed configuration (right)^b



Sources: ^a <https://twitter.com/SARwatchMED/status/1485711494633472000>, 24 January 2022;

^b <https://www.facebook.com/watch/?v=305766508128448>, 28 December 2021

¹³⁷ At least two further, unidentified civilian vessels are presented on the SSA's official social media: https://twitter.com/SSA_Gov/status/1480979918456504331, 11 January 2022.

¹³⁸ <https://www.facebook.com/watch/?v=305766508128448>, 28 December 2021.

Figure 27.2

Vessel *Alqayid 2*

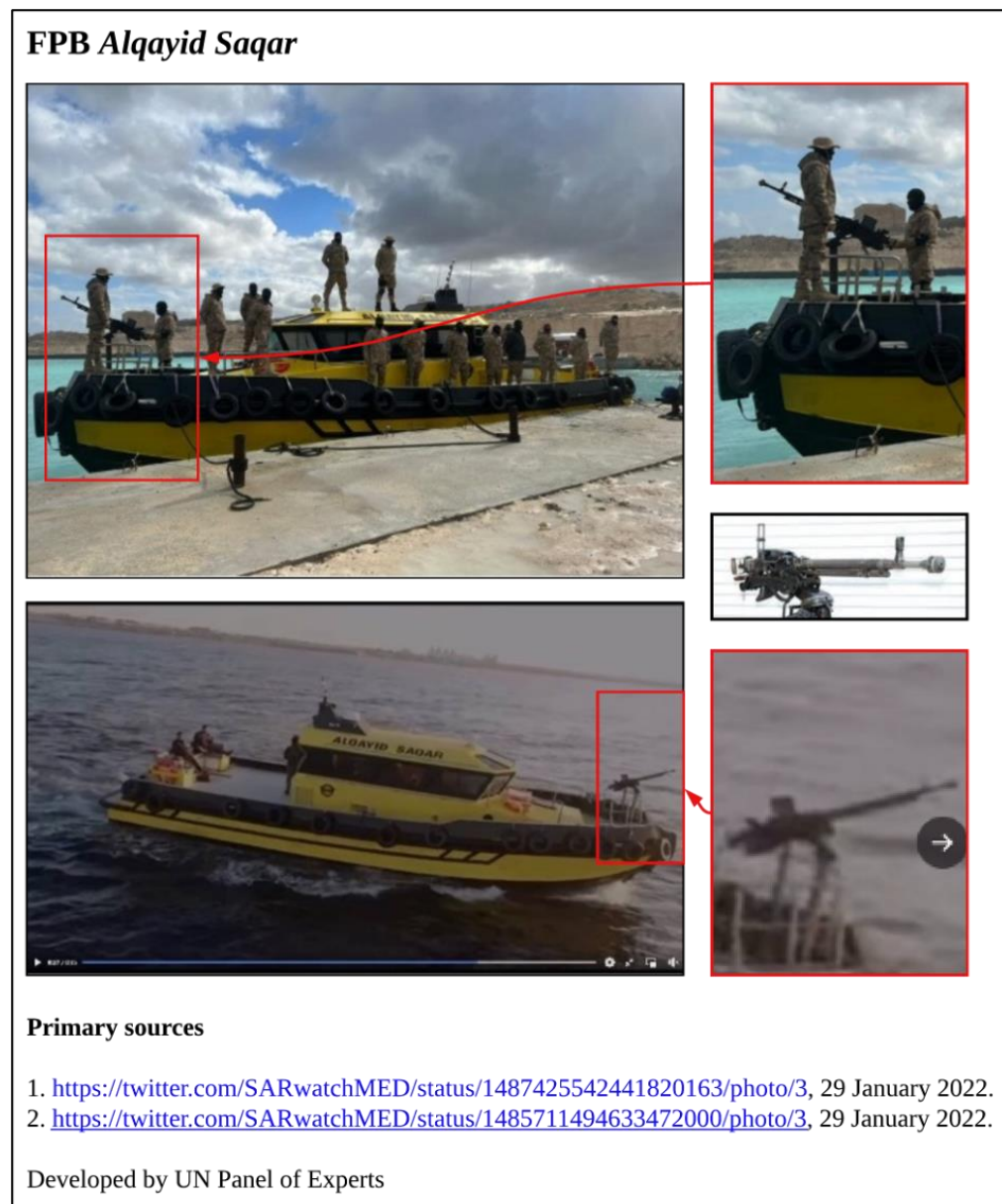
Source: <https://twitter.com/SARwatchMED/status/1485711494633472000>, 24 January 2022

2. Alqayid Saqar

3. The *Alqayid Saqar* has a yellow paint scheme that would suggest SAR use (see figure 27.3). While appearing to be a tender or a pilot boat, it also has features that support use as a SAR vessel. These being a deck to accommodate a limited number of survivors and a low stern platform for ease of recovery and man-overboard assistance. However, the vessel also has a 12.7mm DShK variant heavy machine gun (HMG) mounted to its bow, which gives the vessel a role as a fast patrol boat (FPB), even if other features of a naval-type vessel¹³⁹ are missing.

¹³⁹ Annex 32 of [S/2019/914](#) explains the rationale for the classification of specifically naval designed vessels as military materiel, regardless of whether armed or not.

Figure 27.3

FPB *Alqayid Saqar* with mounted 12.7mm DShK variant HMG

3. Military conversion of dual-use items

4. All of these vessels are civilian in design and thus are not classified as naval-type vessels by virtue of design, hence they are not classified as military materiel *per se*.¹⁴⁰ While an initial transfer of a vessel in a civilian configuration, be it as

¹⁴⁰ Annex 32 of [S/2019/914](#) explains the rationale for the classification of specifically naval designed vessels as military materiel, regardless of whether armed or not.

tender, pilot boat or as SAR vessel, would not be a violation of the arms embargo, a post-transfer mounting of weaponry is problematic. This clearly shows how modification, even if post-transfer, converts dual-use into military materiel (see paragraph 61 of main body of report). The Panel is still investigating the exact type, capabilities, and supply chain of this vessel.

C. Naval-type vessel

1. Lambro Olympic D74 (Javelin 74) Fast Patrol Boat

5. The SSA also operates a FPB that has design features consistent with the Lambro Olympic D74 (Javelin 74) FPB previously used by the Hellenic Coast Guard. The vessel was first observed unarmed (figure 27.4) and later with a twin mounted machine guns on its bow (figure 27.5). Regardless of being armed or unarmed and regardless of its eventual capabilities for SAR use, it is by design a naval-type fast patrol boat, and hence classified as military materiel. The Panel has written to Greece to establish the supply chain and is awaiting a response. The transfer of this vessel is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Figure 27.4

Lambro Olympic D74 used by the SSA, unarmed (in red, left) and used by the Greek Coast Guard (right)

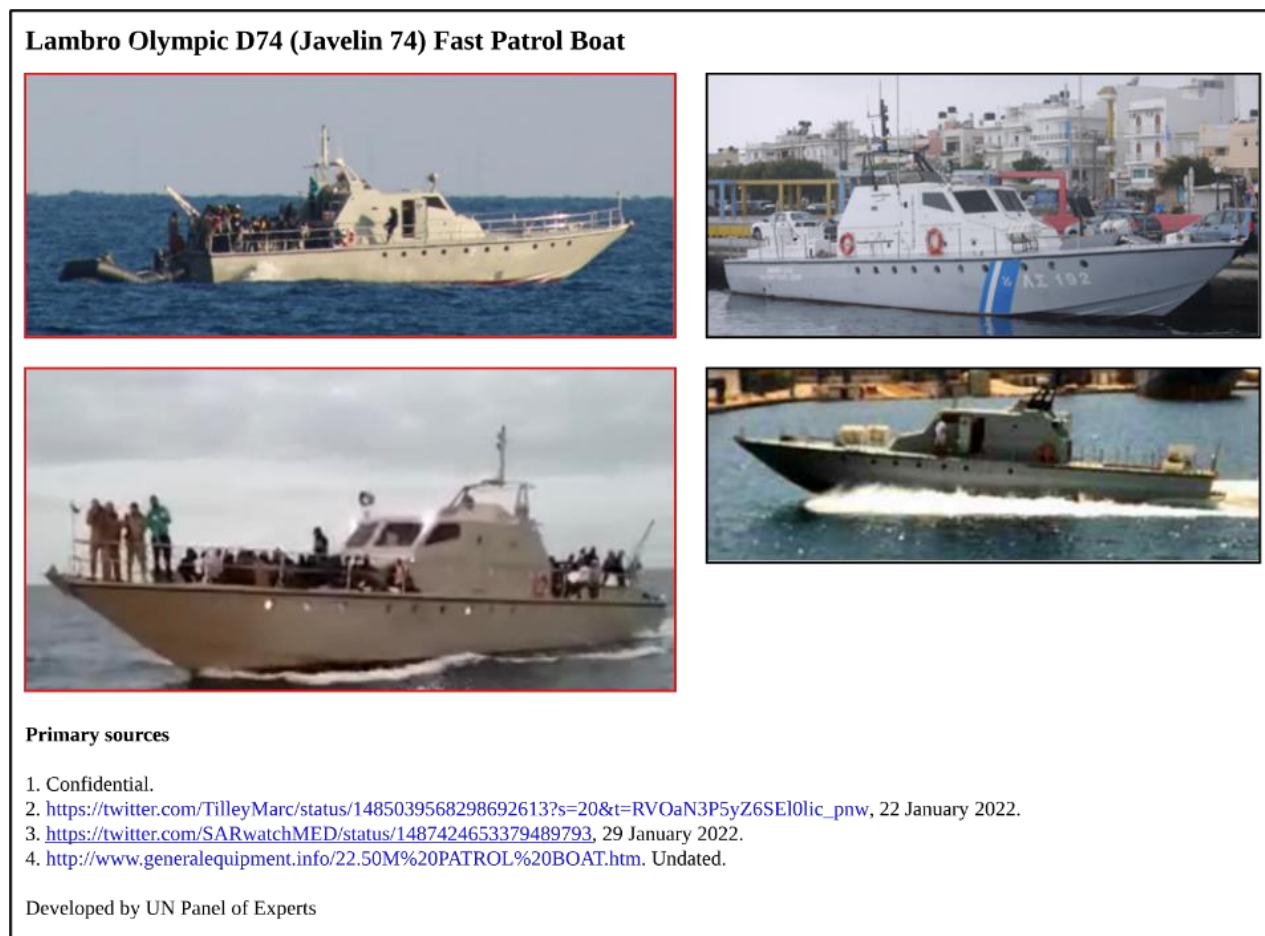


Figure 27.5

Lambro Olympic D74 used by the SSA, in armed configuration



Source: <https://www.facebook.com/watch/?v=6977063982334836>, 15 February 2022.

Annex 28 Activities by HAF naval units

1. Overview

1. The Panel is investigating 24 incidents of unlawful hailing, boarding and detention of foreign-flagged vessels by members of the HAF Susah Combat Marine Squadron (SCMS) that have taken place since late 2020. The SCMS individuals execute these unlawful acts under the justification that the targeted vessels violated a restricted zone unilaterally declared by the LNA in 2015 (see paragraphs 68-71 in main body of report). The majority of the hailing incidents occurred between January and November 2021. While the Panel is still investigating each individual case, it has established the *modus operandi* and highlights one incident as a case study.

2. Modus operandi

2. While its selection criteria are so far unclear to the Panel, the SCMS intercepts on average one to two vessels per month, although on an irregular basis. In 2021, only March, April, July and December saw no interceptions. Once members of the SCMS identify a vessel, they hail the vessel over the radio (VHF channel 16) and ask it to reduce speed and prepare for inspection. Vessels are regularly intercepted around 20 nautical miles (nm) from the Libyan shore, in international waters, that fall within the unlawfully demarcated HAF “no-sail zone” but mostly outside the “prohibited zone” (see paragraphs 68-71 in main body of the report). Vessels are then approached by naval-type vessels flying the Libyan flag, that most often are high-speed rigid-hulled inflatable boats (RHIB) of the same type widely used by Coast Guards, military or law enforcement agencies of other Member States.¹⁴¹ SCMS also operates a Damen Stan 1605 patrol boat.¹⁴² The use of these boats gives merchant vessels the first impression that they are being hailed by an authorised enforcement unit of a Member State.¹⁴³

3. Once merchant vessels have stopped, armed members of SCMS in camouflage uniforms with distinct insignia board. They present themselves as the Libyan Coast Guard and inform the master of the merchant vessel that the vessel is being stopped for having violated a “no-sail zone” (see paragraphs 68-71 in main body of the report). Ship and crew documents are confiscated, and vessels are detained and forced to follow the SCMS to the anchorage area 2 nm off Ras El Hilal, within Libyan territorial waters.

4. Once at anchorage off Ras El Hilal, crews remain detained on the merchant vessel, while the vessel’s insurance company, through local intermediaries, arranges for the payment of an unlawful fine for the violation of the “no-sail zone”. The fine of LYD 200,000 (approximately USD 42,000) is negotiable and has to be paid in cash. Once paid, the master of the merchant vessel has to sign a document declaring that an agreement to pay the fine for having violated the “no-sail zone”. Documents are then returned and the vessel is released.

3. Case study: MV *Corona J*

5. On 24 May 2021, the MV *Corona J* (IMO: 9238686) on track from Port Said, Egypt to Misrata, Libya, was hailed via radio by members of the SMCS identifying themselves as Libyan Coast Guard, instructed to reduce speed, and then boarded by members of SMCS around 20 nm off the coast of Libya, north of Ras El Hilal (interception point: 33°14'30.00"N, 22°17'18.00"E). SMCS used two naval-type RHIBs with Libyan flags, one approaching and one trailing several miles behind. Once on board, members of SMCS, wearing uniforms and being armed with assault rifles and sidearms, informed the vessel’s master that the *Corona J* had been stopped for violating the “no-sail zone” then, and also a few years earlier; thus a fine needed to be paid. SMCS collected the ship’s and crew’s documents but refused to inspect the documents on

¹⁴¹ The Panel has recently identified the type of RHIB used by SMCS but has yet to give the relevant Member State appropriate time to respond. That Member State is therefore not named here.

¹⁴² Confidential sources.

¹⁴³ Panel interviews with primary sources.

board the *Corona J*; instead, they returned to their RHIB and instructed the *Corona J* to follow them to anchorage off Ras El Hilal.

6. En route to the anchorage position SMCS did not respond to radio calls. During that time, the *Corona J* was in contact with the vessel's owner, who informed the insurance company and the flag State (Antigua and Barbuda). Once at anchor off Ras El Hilal (32°53'60.00"N, 22°11'0.00"E), a six-member SCMS team arrived, again all armed, wearing uniform and identifying themselves as Libyan Coast Guard. They told the master of the *Corona J* to assemble the crew on the bridge, from where they were prohibited to leave by two armed SMCS members. They ordered the seal on one container to be removed, opened the container, superficially checked the cargo, and then closed the container again. No certificate of inspection was issued. Thereafter, they started to search the crew's quarters, while the crew was not allowed inside, despite request. When they were finished, crew checked and noted that currency and personal valuables of crew members had been taken (value totaling around USD 11,000). The ship's safe in the master's quarters had signs of (failed) attempted forceful entry. The crew protested the theft but were threatened with the use of force. The SCMS members left the *Corona J*.

7. On 25 May 2021, the *Corona J* protection and indemnity insurance mutual (P&I Club) negotiated the settlement of the fine for having violated the "no-sail zone", through a local agent. In the end, LYD 180,000 (USD 41,000) was paid in cash. In addition, to secure the release of the vessel, the master of the *Corona J* was forced to sign a document stating that he was guilty of "entering territorial waters without authorization" by "entering the restricted area in Ras El Hilal" and accepted the fine. He also needed to provide a letter from the vessel's owner, to also be counter-signed by him, in which he apologized for having brought forward unwarranted allegations of theft against the Libyan Coast Guard.¹⁴⁴ The stolen currency and valuables were not returned. The ship was allowed to sail after having spent about one day in detention.

¹⁴⁴ The Panel has reviewed the relevant documentation and established its veracity to reach these findings.

Annex 29 “Prohibited zone” declared by HAF

SUBJECT:- LIBYAN COAST GUARD PROHIBITED ZONE

TO ALL SHIP MASTERS, SHIP OWNERS, CHARTERS, AND SHIP AGENTS

THIS IS TO INFORM YOU ALL THAT SAILING THROUGH AND/OR CROSSING THE FOLLOWING COORDINATES IS PROHIBITED.

32 54 42N, 022 04 22 E
 33 04 11 N, 022 01 55 E
 32 59 22 N, 022 40 59 E
 32 65 12 N, 023 14 40 E
 32 36 21 N, 023 07 57 E

MUST SAIL 5 NM NORTH TO ABOVE COORDINATES

ANY VESSEL DOES NOT CONFORM AND COMPLY TO THE LIBYAN COAST WARNING, WILL BE SUBJECTED TO DETAINING AND FINANCIAL PENALTIES.

IN CASE OF EMERGENCY TO ENTER PROHIBITED ZONE PERMISSION MUST BE OBTAINED FROM THE RESPONSIBLE PERSONS;

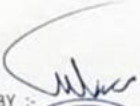
CAPT. HUSSEIN ALSHARAA-ISPS OFFICER, MOB. +218 92 580 7934 /+218 91 052 0474
 EMAIL: beng.safetyport@gmail.com

MR. MUFTAH AL GHOUL : MOB.+218 92 756 9391

NAVY COAST GUARD OFFICER,;MOHAMED AL MAJDOUB: MOB. +218 92 579 84 65

NAVY OFFICER : MR KHALED ABOKHAID: MOB. +218 91 382 7051
 EMAIL: khaledboket@gmail.com

OR CALL YOUR LOCAL SHIPPING AGENCY FOR GUIDE LINES.

RECEIVED BY : 

NAME:- 

DATE:





Source: Confidential

Annex 30 Military Armoured Vehicles on board MV Luccello (4 March 2022)

Introduction

1. Open and confidential sources have informed the Panel that on 4 March 2022 the MV *Luccello* (IMO: 78100112) offloaded 100 military armoured vehicles (MAV) in Benghazi Port (LYBNG, 32°06'04"N, 20°02'52"E). This was confirmed by satellite imagery of 6 March 2022, which showed 100 MAV parked in the port area behind shielding (figure 30.1).

Figure 30.1

Satellite imagery of armoured vehicles at Benghazi Port on 6 March 2022



Source: Confidential

Voyage

2. The vessel arrived at Aqaba, Jordan (JOAQJ) on 18 February and left on 21 February 2022. The draft of the vessel had changed from 4.7 to 5.8 m (+1.1 m), confirming that a cargo was embarked at Aqaba. On 22 February 2022, whilst still in the Gulf of Aqaba, the vessel declared Suez Canal, Egypt (EGSUZ) as the next destination.

3. On 24 February 2022, after transit of the Suez Canal, the vessel continued north towards Antalya, Turkey with intermittent AIS transmissions. On 26 February 2022, on approaching Turkish territorial waters the vessel declared Tripoli, Libya (LYTIP) as the next destination. The vessel's track was then erratic, first heading west into Greek territorial waters, then west and finally north to an anchorage off Kemen Marina, 15 nautical miles (NM) south of Antalya, Turkey (TRAYT).

4. On 27 February 2022 the vessel continued its voyage on a south-west track, passing south of Crete, until on the evening of 1 March 2022 the vessel turned onto a southerly track when 55nm north of Al Bayda, well within the HAF "no-sail zone", but outside of the HAF "prohibited zone" (see paragraphs 68-71 of main part of the report). The AIS transmission was lost soon thereafter north of Ras Al Hilal (LYREH) until 2 March 2022 when the vessel was near Derna (LYDRX). AIS was lost again until 3 March 2022 close to Ras Al Hilal, when the vessel track was then west in close proximity to the coast. The vessel stayed within Libyan territorial waters until approaching Benghazi port on 4 March 2022. The vessel then changed its declared destination to Benghazi before entering the port and making a port call. Elements of the unusual routing and track changes of the vessel from Aqaba to Benghazi is shown at figures 30.2 to 30.4.

Figure 30.2
Track from Aqaba



Figure 30.3
Track near Turkish anchorage

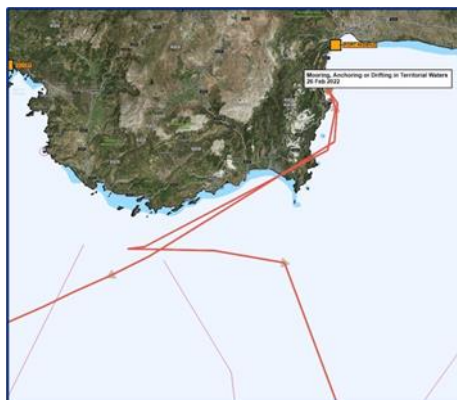


Figure 30.4
Track along Libyan coast



Source: IHS Maritime and Trade (Subscription).

5. A draft change for the vessel from 5.8m to 5.5m (-0.3m) indicates that the vessel discharged cargo in Benghazi between 4 and 6 March 2022. Change of draft cannot be used as a sole indicator of cargo discharge as the vessel could be ballasting. In this case cargo discharge is supported by the presence of MAV in the port area immediately after the vessel's arrival (see below). The vessel departed Benghazi on 6 March 2022 on a north-east track.

Analysis of voyage, seizure claims and cargo

6. The initial detour of the vessel via Antalya, Turkey can plausibly be explained by the inclement weather conditions known to be prevailing during the transit days in the south-eastern Mediterranean. One subscription-only source reports that the vessel declared a technical issue on 26 February 2022 and might have anchored off Antalya for repairs.

7. On 15 March 2022, a claim surfaced on social media¹⁴⁵ that HAF had intercepted a vessel 70nm off Libya's coast that was carrying 100 armoured vehicles, worth 100 million LYD, destined for Abdel Raouf Kara's Special Deterrent Force (SDF). The report stated the vehicles were coming from Aqaba, Kingdom of Jordan, and that the vessel was intercepted "70 miles" off Libya's eastern coast, boarded and redirected under the threat of force to the port of Derna.¹⁴⁶ The vessel was later released after the vehicles had been seized. A confidential source confirmed to the Panel that the background of the image that accompanied the report indeed shows the MV *Luccello* and its cargo in question (see figure 30.5 below).

8. At this stage it is unclear whether the above-described seizure indeed took place. The AIS signal loss north of Ras Al Hilal (LYREH), followed by a dark period of almost two days, the subsequent sailing in Libyan territorial waters within the NSZ, and the declaration of Benghazi as of destination only upon arrival at that port supports indicators that would support that a seizure took place. However, were this to be the case, and the true destination was Tripoli and the SDF, this would be remarkable as it would indicate shifting alliances. Such a large military cargo could not have been loaded in Aqaba, Jordan without permission of, at least, local port officials. The interception point, regardless if 70 nm as per the open-source report or if 55 nm as per the vessel's sudden change of direction, would be at a far greater distance to the Libyan coast than the area that members of the SCMS have so far undertaken interceptions in (see annex 27).

¹⁴⁵ <https://www.facebook.com/113742230465858/posts/491945085978902/?sfnsn=mo>, 15 March 2022; and <https://twitter.com/libyapress2010/status/1503683044615593984>, 15 March 2022.

¹⁴⁶ The social media sources give different dates for this event, ranging from 1 March to the evening of 2 March 2022.

9. A confidential source has stated that the MAV offloaded in Benghazi are *Spartan-2*¹⁴⁷ manufactured by Streit Group (figure 30.5). In 2011 Streit Group opened a manufacturing facility in Aqaba, Jordan,¹⁴⁸ and the port of departure of the voyage of the MV *Luccello*. HAF have previously received deliveries of Streit Group MAV, and such vehicles form a major component of its military capability.

Figure 30.5

Spartan-2 MAV on board the MV *Luccello* (left) ^a and manufacturer's image (right) ^b



Sources: ^a <https://twitter.com/libyapress2010/status/1503683044615593984>; ^b <https://www.armored-cars.com/products-services/military-vehicles/spartan-mav/>

10. After delivery, the MAV were temporarily stored in an area with a perimeter wall (see figure 30.1). A confidential source informed the Panel that the approximately 6 metres high perimeter wall had only been erected between November 2021 and January 2022. This indicates that deliveries of sensitive cargo were expected, as this is a common concealment tactic used in Libya.

Other indicators

11. The vessel changed its name and flag a few days after the voyage, to MV *Victory Roro* under Equatorial Guinea flag. This is the third name and second flag change in five years for this vessel. Frequent name and flag changes for vessels are both indicators of illicit activity.

Violation

12. The Panel continues its investigation into the full supply chain and the perpetrators of this transfer of MAV from Jordan to Libya. The transfer is a violation of paragraph 9 of resolution [1970 \(2011\)](#) and a non-compliance by Jordan for failure to inspect the vessel.

¹⁴⁷ <https://www.armored-cars.com/products-services/military-vehicles/spartan-mav/>.

¹⁴⁸ <https://www.armored-cars.com/company/manufacturing-facilities/>.

Annex 31 Italian naval vessel presence in Libya

1. Delivery of equipment intended solely for humanitarian or protective use

1. On 7 December 2021, a media article reported the delivery of a Maritime Rescue and Coordination Centre (MRCC) to Libya, on board the MM *San Giorgio* Landing Platform Dock (L9892).¹⁴⁹ Italy informed the Panel that on 2 December 2021, the Italian MM *San Giorgio* Landing Platform Dock (L9892) docked at Tripoli's commercial harbour and delivered an MRCC facility to the Libyan Coast Guard and Navy. The delivery was undertaken within the framework of the EU program "Support to Integrated Border and Migration Management in Libya" (SIBMMIL). The MRCC consisted of ten containers that serve for lodgings, office space, mobile kitchen, storage, electricity generation and MRCC functions and activities. The *San Giorgio* departed Libya the next day.

2. The MM *San Giorgio* is operated by the Italian Navy and is equipped with an Oto Melara 76mm / 62 calibre gun and two Oerlikon 20mm cannons, and clearly falls under the category of arms and related materiel in the sense of paragraph 9 of resolution [1970 \(2011\)](#) (see figure 31.1).

3. While the items delivered by the MM *San Giorgio* fall under the exception of "supplies of non-lethal military equipment intended solely for humanitarian or protective use, ..." under the auspices of paragraph 9 of resolution [2095 \(2013\)](#), in the Panel's view, the entering and exiting of Libyan territory by the vessel is by itself a technical violation of paragraph 9 to resolution [1970 \(2011\)](#), even if there is no intent to transfer arms and related materiel to Libya.

Figure 31.1

MM *San Giorgio* Landing Platform Dock (L9892)



Source: Panel of Experts, Brindisi, 8 April 2022.

¹⁴⁹ https://www.repubblica.it/esteri/2021/12/07/news/nave_italiana_libia-329232874/?fbclid=IwAR1V3mGgd_WZWfdWjSfBk2TV1Y1sIvtDDXJUmfUeA2VQJeUzUf70BR8F8f0, 7 December 2021.

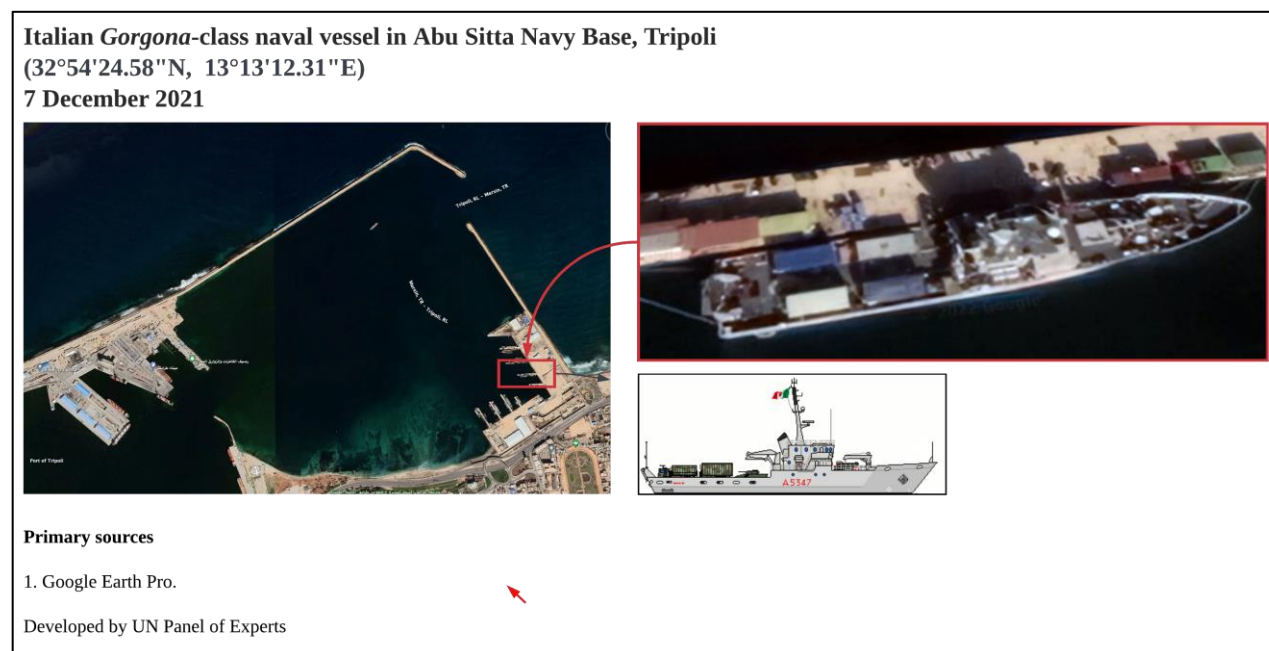
2. Presence in Abu Sitta naval base

4. In [S/2019/914](#),¹⁵⁰ the Panel noted the activities of Italian Navy *Gorgona* class coastal transport ships (CTS) MTC¹⁵¹ *Capri* (A5353) and MTC *Tremi* (A5348). The Panel has identified that a *Gorgona*-class vessel has continued to be regularly moored at Abu Sitta navy base, Tripoli (32°54'24.68"N, 13°13'12.48"E). Open-source satellite imagery shows that the vessel has been present there consistently since 2018 (for the latest image, see figure 31.2). There has been also a rotation that included the MTC *Caprera* (A5349).¹⁵² The Panel has written to Italy to inquire about the vessels' activities and is awaiting a response.

5. The *Gorgona*-class vessels are operated by the Italian Navy and are equipped with an Oerlikon 20mm cannon and two 7.62mm machine guns, and clearly falls under the category of arms and related materiel in the sense of paragraph 9 of resolution [1970 \(2011\)](#).

6. In the Panel's view, the entering and exiting of Libyan territory by the vessel is by itself a technical violation of paragraph 9 to resolution [1970 \(2011\)](#), even if there is no intent to transfer arms and related materiel to Libya.

Figure 31.2



¹⁵⁰ Table 27.3, page 189.

¹⁵¹ Moto Trasporto Costiero (MTC).

¹⁵² See also

https://www.difesa.it/OperazioniMilitari/op_intern_corso/Libia_Missione_bilaterale_di_supporto_e_assistenza/notizie_teatro/Pagine/Nave_Caprera_sostituisce_la_Capri_nella_missione_bilaterale_di_assistenza_e_supporto_in_Libia.aspx

Annex 32 Summary of newly identified arms embargo equipment transfer and training violations and non-compliances

1. Sources for tables 32.1 and [32.2](#), which are shown in the appropriate annexes, are primarily from a combination of: (a) Member States responses to Panel enquiries; (b) entity responses to Panel enquiries; (c) official social media of national armed forces; (d) official social media of armed groups; (e) other social media; (f) authoritative specialist military media; (g) imagery supported by geo-location; and/or (h) imagery supported by technical analysis.
2. Transfer violations that took place and went unreported during previous mandates are included in table 32.1 to provide the evidence for the baseline data necessary to assist in the identification of any future violations.

Table 32.1

Summary of equipment transfer violations

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Equipment nomenclature</i>	<i>Responsible</i>	<i>Cross-references</i>
Previously unreported					
33	31 Dec 2014	GNA	Streit Typhoon 4x4	UID ^a	▪
34	1 Jun 2018	HAF	KaMaz 6x6 Military Truck	UID	▪
35	5 Mar 2019	HAF	SPG-9 73mm Rocket Launcher	UID	▪
36	7 May 2019	HAF	Orsis T-5000 Sniper Rifle	UID	▪
During resolution 2509 (2020) reporting period and unreported or unattributed					
37	26 Jan 2020	HAF	7.62 x 39mm Type 63-1 Assault Rifle 7.62 x 54mmR Type-80 General Purpose Machine Gun Type 69 85mm Grenade Launcher	UID	▪
38	15 Mar 2020	HAF	Inkas Titan-S 6x6 APC	UID	▪
39	21 Mar 2020	HAF	12.7mm W-85 Heavy Machine Gun	UID	▪
40	17 Apr 2020	HAF	Zala 421-16E UAV	UID	▪
41	14 June 2020	HAF	ZSU 23-2-CP 23mm Twin Cannon	UID	▪
42	3 Jun 2020	HAF	120mm HE Mortar Bomb M62P10	UAE	▪
43	18 Jun 2020	HAF	1RL131 P-18 Early Warning Radar	UID	▪
44	12 Jul 2020	Russian PMC	Ural 4320 6x6 Military Truck	Russian PMC	▪
45	1 Aug 2020	Russian PMC	TM-62M Anti-Tank Mine	UID	▪
46	9 Oct 2020	GNU	120mm HE Mortar Bomb	Turkey	▪ Update to table 4, and annex 41 to S/2021/229 .

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Equipment nomenclature</i>	<i>Responsible</i>	<i>Cross-references</i>
47	15 Nov 2020	HAF	120mm 120-PM-43 M1943 Mortar	UID	▪
48	21 Nov 2020	GNU	Holographic Weapon Sights (HWS) virtually identical to EOTECH design	Turkey	▪
49	21 Nov 2020	GNU	MKEK 5.56mm MPT 55K Assault Rifles	Turkey	▪
50	4 Jan 2021	HAF	120mm M-74 Mortar	UID	▪
51	28 Jan 2021	GNU	Akdas AK40-GL 40x46mm Grenade Launchers	Turkey	▪ Also a training violation.
52	30 Jan 2021	HAF	5.56mm AK-103 Assault Rifles	UID	▪
53	2 Feb 2021	GNU	System Defence MFR 5.56mm Multi-Functional Rifle	Balance of Probability Turkey ^b	▪
54	4 Feb 2021	HAF	JAWS-556 5.56mm Assault Rifle (14.5" barrel)	Jordan	▪
55	23 Mar 2021	HAF	122m M-30 M1938 Howitzer	UID	▪
56	23 Mar 2021	HAF	T-62MV variant Main Battle Tanks	UID	▪ Update to annex 64 to S/2021/229/Corr.1 .
57	27 Mar 2021	GNU	Patton M60 Main Battle Tanks.	UID	▪ Also a training violation.
58	30 Mar 2021	PMC / HAF	AMN 233114 <i>Tiger-M</i> Multi-Purpose Vehicle	UID	▪
During resolution 2571 (2021) reporting period (all new identifications)					
59	5 May 2021	HAF	Sordin Supreme Pro-X Max Black hearing protectors	UID	▪
60	18 May 2021	UID	SUR BRT M9 blank firing pistols	UID	▪
61	24 May 2021	HAF	UAZ-469 light communications vehicle	UID	▪
62	24 May 2021	HAF	Militarized Jeep Gladiator light 4 x 4 vehicle	UID	▪
63	27 May 2021	HAF	Militarized Toyota light 6 x 6 vehicle	UID	▪
64	29 May 2021	HAF	TAG BATT 4x4 APC	UID	▪
65	3 Jun 2021	Russian PMC	Steyr SSG 08 variant or copy Sniper Rifle	UID	▪

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Equipment nomenclature</i>	<i>Responsible</i>	<i>Cross-references</i>
66	3 Jun 2021	Russian PMC	Militarized Toyota Land Cruiser 79 4 x 4 vehicle	UID	▪
67	5 Jul 2021	GNU	GFORCE all-terrain vehicle ('ATVG')	UID	▪
68	11 Jul 2021	GNU	MKEK JNG-90 Bora-12 Sniper Rifle	Balance of Probability Turkey	▪ Also a training violation.
69	9 Aug 2021	HAF	AN/PVS-7 Night-Vision Goggles	UID	▪
70	17 Aug 2021	GNU HAF	Rocketsan 122mm Free Flight Rocket pods	Turkey UAE	▪ Battlefield capture of hybrid system.
71	18 Sep 2021 9 Jan 2022	UID	Small arms and ammunition	UID	▪ Transfer from Libya to Sudan.
72	24 Dec 2021	GNU	Katmerciler KIRAC Armoured Personnel Carriers	Turkey	▪
73	31 Dec 2021	GNU	AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL)	UID	▪
74	8 Feb 2022	GNU	Aselsan A100 Night Vision Monocular	Turkey	▪
75	8 Feb 2022	GNU	MKEK 5.56mm MPT 55K Assault Rifles	UID	▪
76	24 Mar 2022	UID	M79 OSA Anti-tank Rockets	UID	▪

^a Unidentified as yet.

^b International arms sales are virtually always widely reported by the manufacturer in authoritative defence media as it is their major means, other than conflict, of attracting publicity for future sales. Authoritative media includes: Janes Defence Weekly (<https://www.janes.com/defence-news/>); Janes Intara (<https://www.janes.com/intara-interconnected-intelligence/defence-industry>); Defence Procurement International (<https://www.defenceprocurementinternational.com/magazine>); Military Systems and Technology (<https://www.militarysystems-tech.com/>); and Army Technology (<https://www.army-technology.com/>). Covert arms transfers go unreported until identified by investigation.

1. The Panel has determined that none of the training listed in table 32.2 falls under the exception contained in paragraph 10 of resolution [2095 \(2013\)](#), which is for disarmament and security purposes only.

Table 32.2

Summary of training violations

<i>Annex</i>	<i>Date identified in Libya or by Panel</i>	<i>End User</i>	<i>Type of training support</i>	<i>Responsible</i>	<i>Cross-references</i>
During resolution 2509 (2020) reporting period and unreported or unattributed					
77	1 Feb 2021	GNU	Air defence systems, <i>iHASAVAR</i> and <i>iHATAR</i> anti-drone systems training in Konya, Turkey	Turkey	▪
78	6 Feb 2021	GNU	Military diving training	Turkey	▪
79	7 Feb 2021	GNU	Officer Cadet training	Turkey	▪
80	25 Mar 2021	GNU	Training to Unit 444 in UAV use. <i>Foxtech</i> Baby Shark 260 VTOL UAV.	UID ^a	▪
81	30 Mar 2021	GNU	Operation of <i>Firtina</i> T-155 artillery	Turkey	▪ Transfer reported in table 4, and annexes 28 and 34 to S/2021/229 .
During resolution 2571 (2021) reporting period (all new identifications)					
82	7 Aug 2021	GNU	Special Forces unit from Misrata training in Turkey	Turkey	▪
83	8 Sep 2021	HAF	Official HAF social media report that elements of HAF 106 brigade were training in Egypt	UID	▪ Egypt denies such training.
84	3 Oct 2021	GNU	Sniper training of GNU-AF	Turkey	▪
85	9 Oct 2021	GNU	Mountain Corps Academy training of GNU-AF in Turkey.	Turkey	▪

^a Unidentified as yet.

Synergy with other arms embargo violation attempts

2. The Panel also identified a synergy between an attempted arms embargo violation reported in the Panel of Experts established pursuant to Security Council resolution 1874 (2009) report [S/2016/157](#)¹⁵³ and Panel report [S/2021/229](#).¹⁵⁴ [S/2016/157](#) reported on an attempt by a UAE resident, Abdulrahman Bager, to procure arms for an entity named Al Mutlaq Technology through the auspices of the Korea Mining Development Trading Corporation (KOMID) of the Democratic People's Republic of Korea.

3. The complete list of arms requested by the UAE from KOMID is at figure 32.1. In [S/2021/229](#) the Panel reported on a Serbian manufactured P62M8 120mm Mortar Bomb and provided a copy of the End User certificate (DP3/2/50/1/2015/64/185) dated 21 October 2015 from the UAE, which was supplied to Serbia for the purchase of the ammunition (see figure 32.2). A comparison of the two lists shows them to be over 75% identical (see table 32.3). The Panel considers that the purchase from Serbia was made after the failure of the deal through KOMID. Table 32.3 also identifies the arms subsequently identified as being transferred to Libya.

Figure 32.1

UAE Products List for procurement from KOMOD, DPRK (2 May 2015)

Requirement list		
#	Item	Qty.
1	M92 Cal 7.62x39	5,000
2	7.62X39Ammunition	5,000,000
3	Sniper Rifle 7.62x54 (Draganov)	150
4	7.62x54 R ammunition	15,000
5	7.62PKM Machine Gun	1,000
6	7.62x54 ammunition	10,000,000
7	Sniper Rifle 12.7x108	50
8	Ammunition 12.7x108	10,000
9	Heavy Machine Gun M02 Coyote Cal 12.7x108	200
10	12.7mmx108 Ammunition	10,000,000
11	Mortar 60mm M57	100
12	Mortar Shell 60mm	50,000
13	Mortar 82mm M69	100
14	82mm Mortar Shells	50,000
15	120mm PM-38 Mortar	40
16	120mm Mortar Shell	30,000.00
17	14.5x114mm B-32, BZT Cartridges	2,000,000.00
18	23mm HEI with Link	1,500,000.00
19	107 MULTIROCKET Launcher	30.00
20	107mm Rocket	40,000.00
21	122MM rocket Projectile M210	40,000.00
22	Hand Grenade	3,000.00
23	Armor Vest	5,000.00
24	Anti-Tank 106mm HEAT Ammunition	5,000.00

¹⁵³ Annexes 104 and 105.

¹⁵⁴ Annex 52.

Figure 32.2

UAE End User Certificate from UAE to Serbia (5 October 2015)

UNITED ARAB EMIRATES G. H. Q ARMED FORCES LOGISTICS STAFF DEPARTMENT OF GENERAL PURCHASING Our Ref.: DP3/2/50/1/2015/64/185		دولة الامارات العربية المتحدة القيادة العامة للقوات المسلحة هيئة الامداد مديرية المشتريات العامة Date: 21/10/2015
---	---	---

**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

Jugoimport - SDPR" J.P., Beograd, Bulevar Umetnosti 2, 11150 Novi Beograd, Republic of Serbia

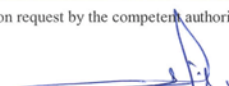
IS FOR THE EXCLUSIVE USE OF: GHQ UAE ARMED FORCES, UAE
 AND WILL NOT BE EXPORTED OR RE-EXPORTED WITHOUT A PRIOR WRITTEN CONSENT OF THE GOVERNMENT OF THE REPUBLIC SERBIA.

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	7.62x54mm Sniper ammunition	15,000
4	7.62x54mm general purpose machine gun M84 (PKM Machine gun substitute)	1,000
5	7.62x54mm R M30 FMJ ammunition	10,000,000
6	12.7x108mm Black Arrow Sniper Rifle	50
7	12.7x108mm M09 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	26
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 receipt of the goods listed above.



**STAFF BRIGADIER ENGINEER
DIRECTOR GENERAL PURCHASING
WAHEED HASSAN IBRAHIM AL-ZAAKI**



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 ص. ب. 2501 أبو ظبي، دولة الامارات العربية المتحدة

Source: Member State.

Table 32.3
Comparison of arms requirements

# ^a	Description ^b	Quantity in Products List to KOMID DPRK (5 May 2015)	Quantity UAE EUC to Ser- bia (5 Oct 2015)	# ^c	Remarks
1	M92 Rifle 7.62x39mm	5,000			KOMID request only.
2	7.62x39mm ammunition	5,000,000	5,000,000	1	
3	Sniper Rifle 7.62x54Rmm Draganov	150	150	2	
4	7.62x54mm R ammunition	15,000	15,000	3	
5	7.62mm PKM Machine Gun	1,000	1,000	4	Type M84 requested as substitute
6	7.62x54mm ammunition	10,000,000	10,000,000	5	
7	Sniper Rifle 12.7x108mm	50	50	6	Black Arrow requested as substitute
8	12.7x108mm ammunition	10,000	10,000	7	
9	Heavy Machine Gun M02 Coyote 12.7x108mm	200	200	8	
10	12.7x108mm ammunition	20,000,000	0		KOMID request only.
11	60mm Mortar M57	100	100	9	
12	60mm Mortar Bombs	50,000	50,000	10	
13	82mm Mortar M69	100	100	11	
14	82mm Mortar Bombs	50,000	50,000	12	
15	120mm Mortar PM-38	40	40	13	
16	120mm Mortar Bombs	30,000	30,000	14	
17	14.5x114mm B-32 BZT ammunition	2,000,000	0		KOMID request only.
18	23mm HEI Linked ammunition	1,500,000	1,500,000	15 and 16	
19	107mm Multi-Barrel Rocket Launcher (MBRL)	30	0		KOMID request only.
20	107mm Rockets	40,000	40,000	18	
21	122mm Rocket Projectile M210	40,000	0		KOMID request only.
22	Hand Grenade	3,000	3,000	17	
23	Armour Vest	5,000	5,000	20	
24	106mm Anti-Tank HEAT ammunition	5,000			
N/A	128mm M63 MBRL (Towed)			26 19	
N/A	Ballistic Plates		10,000	21	

^a Serial is from the Products List requirement submitted to KOMID, DPRK by the UAE.

^b Items in bold text have been identified as transferred to Libya in violation of the arms embargo.

^c Serial is from the EUC supplied to Serbia by the UAE.



Developed by UN Panel of Experts

Annex 34 KaMaz 6x6 Military Trucks (1 June 2018)

Kamaz 43118 6x6 Military Truck (Dirne) (1 June 2018)

The Panel has identified from open-source media the presence of a KaMaz 6x6 Military Truck in the possession of HAF on 1 April 2018.

This military vehicle type was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The Panel has also identified that Kamaz 43118 6x6 Trucks were shipped to Benghazi on the MV *Fehn Calypso* on 24 April 2020. These were declared as civilian vehicles, but have obvious dual-military use.

The transfer to Libya of this military vehicle type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).



3. Cargo

- We herewith also attach the respective B/L for shipment in question.
- We herewith provide a list of Specification of cargo stuffed into boxes, which have been loaded per trucks of trucks KAMAZ destination Benghazi.
- Further and as absolutely usual, we are (at least yet) not in possession of any further cargo related documentation as this solely rests with cargo interest and Charterers. At the moment, we thus cannot provide a detailed specification of the cargo other than those evidenced by the letter from [REDACTED] (the B/L, the additional list (see item 3.b.)).
- However, we kindly refer to Kamaz website (<https://kamazexport.com/truck/kamaz-43118/>) showing the details of the trucks shipped (model no. 43118, 6x6) and also pointing to the trucks being solely designed for civil use only.

Primary sources

- <https://twitter.com/Oded121351/status/1002608845762555905>, 1 June 2018;
- Confidential source, 15 June 2020; and
- <https://kamazexport.com/truck/kamaz-43118/>. Accessed 22 January 2022.

Developed by UN Panel of Experts

Annex 35 SPG-9 73mm Grenade Launcher (5 March 2019)**SPG-9 73mm Recoilless Rifle
(Al Gharefa)
(05 March 2019)**

The Panel has now identified the presence of an SPG-9 73mm Recoilless Rifle in the possession of HAF near Al Gharefa, which went unreported in [S/2021/229](#).

These weapon types were not reported to be in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of these weapon types is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

**Primary sources**

1. Extract from video imagery at <https://twitter.com/Mansourtalk/status/1102893338057981952>, 5 March 2019; and
2. Jane's Defence.

Developed by UN Panel of Experts

Annex 36 *Orsis T-5000 Sniper Rifle (7 May 2019)*

0.338in Orsis T-5000 Sniper Rifle (HAF) (7 May 2019)

The Panel has identified from open-source imagery the presence of an early version of an *Orsis T-5000* Sniper Rifle in the possession of HAF. The magazine profile suggests that this weapon is chambered for 0.338in *Lapua* Magnum ammunition.

These is the first sighting of this weapons system in Libya. This weapon type has been manufactured since 2011 and is in service with at least seven Member States. Without the serial number a tracing request would be ineffective.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/analystmick/status/1125785280626200576>, 7 May 2019;
2. <http://orsis.com/en/production/product/202/> . Accessed 22 January 2022;
3. Confidential source for identification; and
4. customer.janes.com, 20 October 2020. (Subscription).

Developed by UN Panel of Experts



Annex 37 Type 56-1 Assault Rifle, Type-80 GPMG and Type-69 Grenade Launcher (26 January 2020)

7.62 x 39mm Type 56-1 Assault Rifle, 7.62 x 54mmR Type-80 General Purpose Machine Gun and Type 69 40mm calibre Grenade Launcher (Eastern Libya) (26 January 2020)

The Panel has now identified the presence of 7.62 x 39mm Type 56-1 Assault Rifles, 7.62 x 54mmR Type-80 General Purpose Machine Guns and Type 69 40mm calibre Grenade Launchers in the possession of the Municipal Guard Fighting Unit in Benghazi, which went unreported in [S/2021/229](#).

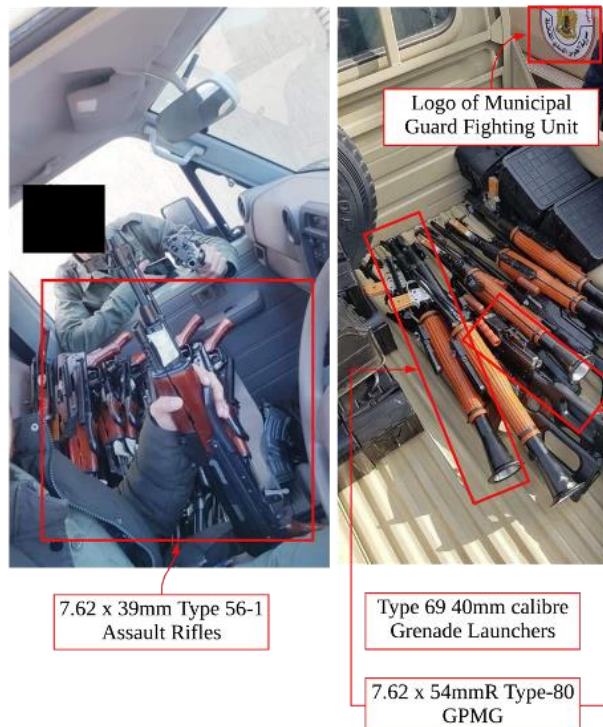
These weapon types were not reported to be in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of these weapon types is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. https://twitter.com/r_u_vid/status/1221227142911905793, 26 January 2020; and
2. Jane's Defence.

Developed by UN Panel of Experts



Annex 38 Inkas *Titan-S* 6x6 APC (15 March 2020)

Inkas *Titan-S* 6x6 APC (HAF Tariq bin Ziyad brigade) (15 March 2020)

The Panel has identified from official HAF social media the presence of Inkas *Titan-S* 6x6 APCs in the possession of the HAF Tariq bin Ziyad brigade on 15 March 2020.

This military vehicle type was manufactured in the United Arab Emirates by Inkas Armoured Vehicle Manufacturing. It is no longer advertised as being in production on the manufacturers website.

The transfer to Libya of this military vehicle type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. https://www.youtube.com/watch?v=JGN_nFJ9m18, 15 March 2020. [Extract at 5"21"; and
2. <https://inkasvehiclesuae.com/armored/inkas-titan-s-apc/>. Accessed 22 January 2022. (For identification).

Developed by UN Panel of Experts

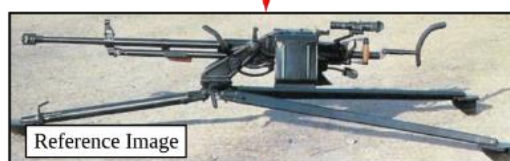


Annex 39 12.7mm W-85 Heavy Machine Gun (21 March 2020)

12.7mm W-85 Heavy Machine Gun (Benghazi) (21 March 2020)

The Panel has now identified from open-source imagery the presence of a 12.7mm W-85 Heavy Machine Gun in the possession of HAF in Benghazi on 21 March 2020 and with the HAF Tariq Ibn Ziyad brigade on 4 January 2021, which went unreported in [S/2021/229](#).

The transfer to Libya of this weapon type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).



Primary sources

1. <https://foreignpolicy.com/2020/04/07/coronavirus-libya-civil-war-pandemic/>, 07 April 2020;
2. Abdullah Doma, AFP via Getty Images;
3. <https://twitter.com/Oded121351/status/1346162906967191553>, 4 January 2021; and
4. Jane's Defence.

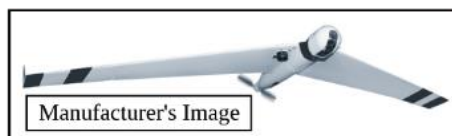
Developed by UN Panel of Experts

Annex 40 ZALA 421-16E UAV (20 April 2020)

ZALA 421-16E UAV (Near Ain Zara) (17 April 2020)

The Panel has now identified from open-source imagery the presence of a Zala 421-16E UAV that was downed near Ain Zara, south of Tripoli during the conflict in that area. This event was unreported in [S/2021/229](#).

The Panel considers that as this dual-use technology is primarily being imported by actors actively participating in armed conflict, and then used for military purposes, such transfers are a violation of paragraph 9 to resolution [1970 \(2011\)](#).



Primary sources

1. <https://twitter.com/oded121351/status/1251052368906596352>, 17 and 18 April 2020;
2. <https://southfront.org/gna-forces-shot-down-russian-made-drone-near-libyas-ain-zara-photos/>, 18 April 2020;
3. <https://zala-aero.com/en/production/bvs/zala-421-16e/>. Accessed 18 January 2022.

Developed by UN Panel of Experts

Manufacturer's Image

Developed by UN Panel of Experts

Annex 42 120mm High Explosive (HE) Mortar Bomb M62P10 (3 June 2020)

120mm M62P10 High Explosive (HE) Mortar Bomb (GNA-AF Omar Al-Mukhtar Training Centre, Tripoli) (21 November 2020)

The Panel identified imagery showing a 120mm High Explosive (HE) mortar bomb being used as the main charge of an improvised explosive device (IED) in a civilian property in the Ain Zara area of Tripoli. The device was recovered from an area previously occupied by armed groups affiliated to Khalifa Haftar (HAF).

The item was positively identified as a 120mm M62P10 HE mortar bomb with Lot Number #01/19. A tracing request was sent to the country of manufacture, who stated that mortar bombs of that lot/batch were supplied to the International Golden Group PJSC company (see appendix A) of the United Arab Emirates in 2018 as part of a batch of 15,000 rounds under Contract No: ICG/Krusik/2018/3527 of 21 March 2018. The Delivery Verification Certificate DP3/2/50/2018/30/10018 was supplied by the United Arab Emirates on 25 September 2019.

The United Arab Emirates have not responded to a Panel request for information sent on 15 November 2021. 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

- <https://twitter.com/CalibreObscura/status/1268446698642321408>, 4 June 2020; and
- Member State (6 October 2021).

Developed by UN Panel of Experts



UNITED ARAB EMIRATES
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الهيئة العامة لشؤون المبيعات
القوات المسلحة الامارات
مكتب المشتريات العامة
1971-2-4078939
1971-2-4414042
ص.ب. 2501، أبو ظبي

Date: 14/03/2018

Our Ref: DP3/2/50/2018/30/10018

TO THE AUTHORITIES OF THE GOVERNMENT OF THE REPUBLIC OF SERBIA

END USER CERTIFICATE

1. Name and address of the End User:
CHQ UAE Armed Forces
Downtown General Purchasing
Post Box No. 2501, Abu Dhabi, Fax: +971 2 441 41 46

2. Name and address of the Importer:
INTERNATIONAL GOLDEN GROUP PJSC
Nation Tower, Corniche Road, Post Box 43999, Abu Dhabi
UAE Tel: +971 2 66661, Email: igdg@igdguae.ae

3. Name and address of the Seller:
HOLDING CORPORATION "KRUSIK" A.D.
Vladika Nikola 59, 14000 Valjevo
Republic of Serbia

4. Name and address of the Exporter:
HOLDING CORPORATION "KRUSIK" A.D.
Vladika Nikola 59, 14000 Valjevo
Republic of Serbia

5. Description and full description of the goods:

No	DESCRIPTION OF ITEM	QUANTITY
1	MORTAR SHELL 60mm M73 HE	15,000
2	MORTAR SHELL 81mm M72 HE	15,000
3	MORTAR SHELL 120mm M62P10 HE	15,000
4	MORTAR SHELL 120mm M62P10 HE	15,000

6. Place of use of the goods: United Arab Emirates

7. Purpose of use of the goods: Use for own needs of Armed Forces of United Arab Emirates

8. The End User: Armed Forces of United Arab Emirates confirms with the present document that the proper indicated by the points No 5 will not be used in a different way from the way indicated in point No 7 and will not be re-exported, sold or transferred to the third countries without the corresponding written permission of the State Service of Export Control of Republic of Serbia and United Arab Emirates.

9. It is undertaken to fill "Delivery Verification Certificate" after received of goods by the End User if required.

STAFF BRIG. GENERAL (RNG.)
DIRECTOR GENERAL PURCHASING
WAHEED HASAN IBRAHIM AL ZAKARI

1. The Panel noted that the broker for this procurement was the United Arab Emirates based International Golden Group PJSC¹⁵⁵ (www.iggroup.ae). The Panel has reported before on the involvement of this company in the illicit transfer of arms and military materiel to Libya in Panel reports [S/2013/99](#)¹⁵⁶ and [S/2016/209](#).¹⁵⁷

2. Open-source media has reported that International Golden Group PJSC is an essential link in Haftar's equipment supply chain.¹⁵⁸ It was reported that the company plays a key role in the procurement of weapons from Serbia and other Eastern European countries in support of Haftar.¹⁵⁹

International Golden Group PJSC involvement in previous violations of arms embargoes (Libya)

3. In [S/2013/99](#) the Panel identified that the International Golden Group PJSC procured 800,000 rounds of 12.7 x 108mm small arms ammunition from the Military Export Import Company (MEICO)¹⁶⁰ of Albania through a Ukrainian broker (Ukrinmash) and an Armenian facilitator (DG Arms Corporation). Although the end user was falsely declared as the United Arab Emirates the ammunition was shipped by air directly to Benghazi, Libya on the Ayk Avia¹⁶¹ owned Ilyushin IL-76 (#EK-76659). This was a post-departure diversion, as the flight plan filed with the Albanian authorities showed the United Arab Emirates as the destination. A Delivery Verification Certification dated 24 February 2012 was provided to Albania by the International Golden Group PJSC stating that the ammunition had been delivered to the declared end user, the United Arab Emirates Armed Forces. Note that a commercial company, albeit an official supplier to the United Arab

¹⁵⁵ Private Joint Stock Company.

¹⁵⁶ Para. 81, figure 3 and annex 7.

¹⁵⁷ Annex 27.

¹⁵⁸ IOL, "International Golden Group key Emirati supporter of Haftar", in *Intelligence Online*, Issue 862, 7 October 2020.

¹⁵⁹ IOL, "Despite its exposure in Libya ...", in *Intelligence Online*, 2 March 2021.

¹⁶⁰ <https://www.mod.gov.al/eng/index.php/ministry/subordinate-structures/meico>. Accessed 5 December 2021.

¹⁶¹ Ayk Avia was reported in the Somalia Panel report [S/2011/433](#), annex 6.3 for breaching the Somalia arms embargo.

Emirates Armed Forces, is authorised to sign DVC on their behalf. The United Arab Emirates did not respond to a tracing request from the Panel.¹⁶²

4. In [S/2016/209](#)¹⁶³ the Panel identified a Bulgarian manufactured AR-M9F assault rifle¹⁶⁴ (#AB 46 7722) being offered for sale on open-source social media. Bulgaria informed the Panel that the weapon had been procured by the International Golden Group PJSC using a United Arab Emirates end user certificate. The United Arab Emirates did not respond to a tracing request from the Panel.¹⁶⁵

5. On 21 February 2019 the UAE announced at IDEX 2019 that it had procured Norinco 155mm AH4 gun howitzers, and that International Golden Group PJSC was awarded a US\$2.8 million contract to supply the ammunition.¹⁶⁶ This weapon system fires the GP6 155mm Laser Guided Projectile (LGP). In [S/2019/914](#)¹⁶⁷ the Panel reported on the presence of GP6 155mm LGP from a consignment supplied to the United Arab Emirates prior to 2019. In its response, 14 months after the Panel tracing request,¹⁶⁸ the United Arab Emirates "rejected the allegation" but provided no information or clarification as to how ammunition delivered to their armed forces was present in Libya.¹⁶⁹

Previous violations of arms embargoes (other)

6. In [S/2016/157](#)¹⁷⁰ the Panel of Experts established pursuant to resolution 1874 (2009) investigated International Golden Group PJSC in relation to the attempted procurement of conventional arms for a contract worth US\$100 million by the Korea Mining Development Trading Corporation (KOMID).

Signatory

7. The Panel notes that the end user certificate signatory for the 12.7 x 108mm small arms ammunition shipment reported in [S/2013/99](#) is the same individual that signed the end user certificate in 2018 for the 120mm High Explosive M62P10 Mortar Bombs referred to in this annex; Staff Brigadier General (Engineering) Waheed Hasan Ibrahim Al Zaaki, Director of General Purchasing, GHQ Armed Forces Logistics Staff.

8. The General Headquarters of the United Arab Emirates Armed Forces appears to be selective as to when and when not to use the auspices of the International Golden Group PJSC for the procurement of ammunition. In annex 52 to [S/2021/229](#)¹⁷¹ the Panel reported on the sale of 120mm High Explosive M62P8 Mortar Bombs, identified in Libya, to the General Staff of the Armed Forces of the United Arab Emirates in September 2016. Whereas in 2018 the importer for 120mm High Explosive M62P10 Mortar Bombs referred to in this annex was International Golden Group PJSC.

¹⁶² Panel letter of 21 December 2012.

¹⁶³ Annex 27.

¹⁶⁴ <https://www.arsenal-bg.com/c/556x45-762x39-mm-assault-rifles-barrel-length-415-mm-44/556x45-and-762x39-mm-ar-m9f-44>. Accessed 5 December 2021.

¹⁶⁵ Panel letter of 22 December 2015.

¹⁶⁶ Christopher F Foss, "UAE confirms Chinese 155mm AH4 gun-howitzer acquisition", in *Jane's Defence Weekly*, 28 February 2019.

¹⁶⁷ Para. 95 and annex 39.

¹⁶⁸ 12 July 2019.

¹⁶⁹ Member State letter of 3 September 2020.

¹⁷⁰ Annex 104.

¹⁷¹ Annex 52 (p.281).

Annex 43 1RL131 P-18 early warning radar (18 June 2020)

1RL131 P-18 early warning radar (29°12'41.25"N, 15°59'28.63"E - Al Jufra) (18 June 2020)

The Panel has now identified the presence of 1RL131 P-18 early warning radars at Al Jufra military air base on 18 June 2020, which were unreported in [S/2021/229](#).

The same equipment type also featured on the official HAF social media covering the HAF 7th Anniversary Operation Dignity parade in Benghazi on 29 May 2021.

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



18 June 2020 - Al Jufra



18 June 2020 - Al Jufra



29 May 2021 - Benina, Benghazi



Manufacturer's reference image.
(Jane's Defence)

Primary sources

1. <https://www.africom.mil/pressrelease/32941/new-evidence-of-russian-aircraft-active-in-li>, 20 June 2020;
2. <https://twitter.com/Oded121351/status/1287019300281352192>, 25 July 2020;
3. <https://www.youtube.com/watch?v=mbIDXxITPa0>, 31 May 2021; and
4. [customer.janes.com](https://www.janes.com), 13 December 2021. (Subscription).

Developed by UN Panel of Experts

Annex 44 Ural 6x6 Military Trucks (12 July 2020)

Ural 4320 6x6 Military Truck (Russian PMC Convoy) (12 July 2020 and 10 May 2021)

The Panel has identified from open-source media the presence of Ural 4320 6x6 Military Trucks in a Russian PMC convoy on 12 July 2020. An armoured version was identified in Houn on 10 May 2021.

This military vehicle type was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of this military vehicle type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. Extract from <https://www.facebook.com/FebruaryBN/videos/2384205178548707/>, 12 July 2020. [18 sec];
2. <https://twitter.com/Oded121351/status/139169145343323523/photo/2>, 10 May 2021;
3. <https://1cars.org/426-ural-4320-specifications-modifications-photos-videos-reviews.html>. Accessed 21 January 2022; and
4. Janes Defence. 31 March 2004. (Subscription).

Developed by UN Panel of Experts



Annex 45 TM-62M Anti-Tank Mine (1 August 2020)

TM-62M Anti-Tank Mine (Russian PMC) (Summer 2020)

The Panel has identified from open-source media and confidential sources the presence of TM-62M anti-tank mines in Southern Tripoli. The mines were made safe and recovered from areas previously occupied by Russian PMC. Many had anti-lift devices underneath.

The mines identified had 1981 lot numbers, so tracing is no longer possible due to their age and the wide spread export of such mines.

This explosive ordnance was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of this explosive ordnance type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. <https://postimg.cc/G9rPsG6F>. Accessed 23 January 2022;
2. Confidential source; and
3. <https://cat-uxo.com/explosive-hazards/landmines/tm-62m-landmine>. Accessed 23 January 2022.

Developed by UN Panel of Experts



Annex 46 120mm High Explosive (HE) Mortar Bomb (9 October 2020)

120mm High Explosive (HE) Mortar Bombs (GNA-AF in Western Libya) (9 October 2020)

Imagery from the website of the "Sons of Lions" Mortar Unit of the GNA Western Command showed the presence of a batch of 120mm high explosive (HE) Mortar Bombs not previously seen in Libya before. This is an update to that reported in table 4 and annex 41 of Panel report [S/2021/229](#).

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 Panel offered an opportunity to respond to Turkey on 8 March 2021. No response was received.

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

Primary sources

- <https://twitter.com/i/status/1314628386258653185>, 9 October 2020;
- <https://www.facebook.com/pages/category/Interest/115506966518255/?rdc=2&rdc=2&rdc=2>, Accessed 17 October 2020;
- customer.janes.com, 14 October 2019. (Subscription); and
- Member State, 18 February 2021 and 28 August 2021.

Developed by UN Panel of Experts.

END USER CERTIFICATE		
TO: INTERMINISTERIAL COMMISSION FOR EXPORT CONTROL AND NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION		
1. Name of the Exporter:		
2. Name of the Buyer/Importer: Neftürk Savunma ve Havacılık Sanayi AŞ İçerenköy Mah. Prof.Dr.Hecmettin Erbakan Cad. Özce Yılmaz İş Merkezi No: 97 İç Kapı No: 14 Alagehir-İstanbul / TURKEY Tax ID: No:292491 VD 6300974451 204003-5		
3. Name of the End User: Turkish Land Forces Command		
4. Full description of the goods and quantity:		
NO	DESCRIPTION OF THE GOOD	QUANTITY / PIECES
1	120MM MORTAR BOMB HE 120	3.000
5. Place of the use of the goods: Republic of Turkey		
6. Purpose of use of the goods: For the requirement of Land Forces Command		
7. The End-User of the goods hereby guarantees that the goods defined in the clause N° 4 of the present certificate will not be used other than for the purpose defined in the clause N° 6 and will not be transferred to any other person of the business activity in the territory of the Republic of Turkey or re-exported, lent or rented without written permission of the Bulgarian Export authorities.		
8. We also certify that the items defined in the clause N° 4 will not be used for the purpose of violating the human rights.		
9. We confirm that the items defined in the clause N° 4 will not be used for the purposes associated with chemical, biological or nuclear weapons or missiles capable to deliver such weapons, nor will they be resold if we know or suspect that it is likely intended to be used for such purpose.		
(Signature and stamp from the End User)		
Government Certification		



Annex 47 120mm 120-PM-43 M1948 Mortar (15 November 2020)

120mm 120-PM-43 M1943 Mortar (HAF) (15 November 2020)

The Panel has identified from open-source social media the presence of 120mm 120-PM-43 M1943 Mortars in the possession of HAF on 15 November 2020.

This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of this weapon type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).



Primary sources

1. <https://twitter.com/Oded121351/status/1328012799948312576>, 15 November 2020;
2. https://commons.wikimedia.org/wiki/File:120_mm_regimental_mortar_M1943.jpg. Accessed 22 January 2022;
3. Confidential source for identification; and
4. Jane's Defence.

Developed by UN Panel of Experts



Reference Image

Annex 48 XP Type Holographic Weapon Sights (HWS) (21 November 2020)

EOTECH "Type" Holographic Weapon Sights (HWS) (HAF Omar Al-Mukhtar Training Centre, Tajoura) (21 November 2020)

From imagery of a GNA-AF training demonstration at the Omar Al-Mukhtar Training Centre near Tajoura on, 21 November 2021 the Panel has identified weapon sights, virtually identical to the XP type holographic weapon sights (HWS) manufactured by EOTECH LLC, USA. The HWS were fitted to 5.56mm MKEK MBT 55K assault rifles in the possession of the armed forces of the then Government of National Accord (GNA-AF). Weapons sights fall under the auspices of "arms and related materiel of all types" under the arms embargo.

The present owners of the US company claim that they cannot be sure that HWS were not supplied to Libya prior to 31 July 2020, the date they purchased the company. The company also informed the Panel that the XP HWS was widely counterfeited by "Far East based" companies.

Although the Panel cannot positively identify the supplier of the HWS to Libya, the transfer of this military material to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/Oded121351/status/1330225538875658242>, 21 November 2020;
2. Location confirmed from <https://twitter.com/TRTArabi/status/1330177488580960263>, 21 November 2021;
3. <https://www.facebook.com/Erdoganarabie/posts/412139096861489>, 21 November 2021; and
4. Manufacturers image for comparison and identification.

Developed by UN Panel of Experts



Annex 49 MKEK MBT 55K Assault Rifles (21 November 2020)

5.56mm MKEK MBT 55K Assault Rifles (HAF Omar Al-Mukhtar Training Centre, Tajoura) (21 November 2020)

The Panel identified from imagery of a GNA-AF training demonstration at the Omar Al-Mukhtar Training Centre near Tajoura on 21 November 2020, 5.56mm MKEK MBT 55K assault rifles in the possession of the armed forces of the then Government of National Accord (GNA-AF).

These weapons are designed and manufactured by Mechanical and Chemical Industry Company (MKEK) (Makina ve Kimya Endüstrisi Kurumu) of Turkey. This weapon type entered service with the Turkish Armed Forces in 2018, and no exports were made until 2021, after they were first identified in Libya. These exports being 30 weapons to two Balkan countries for evaluation. Over 60 weapons were identified at the training demonstration in Khoms.

The Panel offered an opportunity to respond to Turkey in letters of 8 March 2021 and 5 October 2021. No response was received.

The transfer of these weapons to Libya by Turkey is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/Oded121351/status/1330225538875658242>, 21 November 2020;
2. Location confirmed from <https://twitter.com/TRTArabi/status/1330177488580960263>, 21 November 2021;
3. <https://www.facebook.com/Erdoganarabi/posts/412139096861489>, 21 November 2021;
4. <https://www.mkek.gov.tr/en/product.aspx?id=52&source=Products&pid=1383>, Accessed 23 March 2021; and
5. customer.janes.com, 12 July 2021.(Subscriber).

Developed by UN Panel of Experts



Annex 50 120mm M-74 Mortar (4 January 2021)

120mm M-74 Mortar (HAF Tariq Ibn Ziyad brigade) (4 January 2021)

The Panel has identified from official HAF social media the presence of 120mm M-74 Mortars in the possession of the "10th Unit" of the HAF Tariq Ibn Ziyad brigade on 4 January 2021.

This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of this weapon type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).



Primary sources

1. Extract from <https://www.facebook.com/sreya10.army.ly/videos/229234458726136/>, 4 January 2021. (7min 24sec);
2. <https://www.yugoimport.com/en/proizvodi/120mm-mortar-m74>. Accessed 22 January 2022; and
3. Jane's Defence.

Developed by UN Panel of Experts

Annex 51 Akdas AK40-GL type 40x46mm Grenade Launchers (28 January 2021)

Akdas AK-40 GL variant 40x46mm SR Grenade Launchers (GNA-AF Khoms Joint Naval Training Centre) (28 January 2021)

On 28 January 2021 imagery was published on official social media of the Turkish Armed Forces of the then GNA-AF receiving training in the use of the Akdas AK-40 GL variant 40x46mm SR grenade launchers from Turkish military instructors.

This is the first time that Akdas AK-40 GL variant 40x46mm SR grenade launchers have been identified in Libya. These weapons are designed and manufactured by the Akdas Arms Company of Turkey (www.akdassilah.com). This weapon type entered service with the Turkish Armed Forces in October 2019, and deliveries of the 8,000 units ordered continued through 2020. No exports have been reported in the authoritative defence trade media. They are also designed for use as under barrel grenade launchers fitted to the Turkish MKEK 5.56mm MBT 55K assault rifles, also supplied to Libya by Turkey.

The Panel offered Turkey an opportunity to respond in letters dated 9 February and 5 October 2021. No response was received.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/tcsavunma/status/1354772279897563136>, 28 January 2021;
2. <https://silahreport.com/2020/02/11/akdas-ak-40gl-turkeys-new-underbarrel-grenade-launcher/>, 11 February 2020;
3. <https://akdassilah.com/en/ak-40gl.html>. Accessed 11 November 2021; and
4. customer.janes.com.

Developed by UN Panel of Experts



The transfer of these weapons to Libya by Turkey, is also a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Annex 52 AK-103 Assault Rifles with HAF 106 brigade (30 January 2021)

7.62mm AK-103 variant Assault Rifle (HAF 106 brigade, Eastern Libya) (30 January 2021)

The Panel has identified from official and open-source imagery of a training exercise on 30 January 2021 the presence of AK-103 variant assault rifles in the possession of HAF 106 brigade.

The Panel is confident these are a new import into Libya due to the two digit year code [20] that forms part of the serial number [201109571].

On 12 May 2021 the Panel wrote to the Member State that designed and manufactures the weapon, and also the two Member States that manufacture them under licence. No responses have yet been received by the Panel, so supply chain tracing is stalled.

The transfer of these weapons to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/mediawarinformationdivision/videos/406443407317097/>, 28 January 2021;
2. <https://twitter.com/Oded121351/status/1355414260034260993>, 30 January 2021;
3. <https://twitter.com/CalibreObscura/status/1355434875214585857>, 30 January 2021; and
4. customer.janes.com. Subscriber only.

Developed by UN Panel of Experts



Annex 53 *System Defence 5.56mm Multi-Functional Rifle (MFR) (2 February 2021)*

System Defence 5.56mm Multi-Functional Rifle (MFR) (GNU Ministry of Interior security agencies) (2 February 2021)

The Panel has identified from official GNU Ministry of Interior and open-source imagery the presence of System Defence 5.56mm multi-functional rifles (MFR) in the possession of Ministry of Interior personnel on 2 February 2021. Subsequent official social media posted on 2 July 2021 confirmed the presence of this weapon type with the Ministry of Interior security agencies.

These are the first sightings of this weapon type in Libya. This weapon type has only been manufactured since 2018 and there have been no reported foreign sales in the authoritative trade media.

The Panel offered Turkey an opportunity to respond in a letter of 12 July 2021. On 12 September 2021 Turkey stated that, based on inventory analysis, it had not sold, transferred or exported such weapons to Libya.

The transfer of this weapon type to Libya, in the absence of an approved exemption request, is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. https://www.facebook.com/enfad.alkanon/photos/2810902145798509?_rdc=1&_rdr, 2 February 2021;
2. <https://www.facebook.com/watch/?v=333678458468381>, 2 July 2021; and
3. <http://www.nowyousafe.com/rifles/>. Accessed 10 August 2021.

Developed by UN Panel of Experts



Developed by UN Panel of Experts



Annex 55 122mm M-30 M1938 Howitzer in Libya (23 March 2021)

122mm M-30 M1938 Howitzer (HAF 106 brigade) (23 March 2021)

The Panel has identified from open-source media the presence of 122mm M-30 M1938 Howitzers in the possession of HAF 106 brigade on 23 March 2021.

This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.

The transfer to Libya of this weapon type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).



Primary sources

1. https://twitter.com/Libya_OSINT/status/1374424342608547843, 23 March 2021;
2. <https://www.istockphoto.com/photo/soviet-122-mm-howitzer-m1938-back-view-gm495566889-41002254>. Accessed 22 January 2022; and
3. Jane's Defence.

Developed by UN Panel of Experts

Annex 56 T-62 variant Main Battle Tank (MBT) in Libya (23 March 2021)

HAF T- 62 MV variant Main Battle Tank (MBT) (Update) (near Benghazi) (23 March 2021)

The Panel corrected its initial report (annex 64 to [S/2021/229](#)) on the presence of T-62 main battle tanks (MBT) in Libya in annex 64 to [S/2021/229/Corr.1](#). Subsequent to the drafting of that corrigendum the Panel has identified further information on social media from third-party investigators on the presence of the T-62 MV variant in Libya, who identified the variant from imagery in official media of HAF 106 brigade.

The Panel initially considered that the presence of the T-62 MV variant may have been due to upgrades made to T-62 MBT by ChVK Wagner personnel to T-62 already in possession of the Libyan Armed Forces prior to the arms embargo. Further investigations, including consideration of the findings of independent OSINT analysts, now consider that option as highly unlikely due to the design differences between the two variants, and the extensive engineering work necessary to make such modification.

The transfer of this military materiel into Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. Twitter, @HasairiOuais. 5 June 2020;
2. <https://twitter.com/oryxspioenkop/status/1371893466641354757>, 16 March 2021;
3. <https://www.facebook.com/aljishlibya/photos/pcb.1779681972210482/1779680602210619>, 23 March 2021;
4. <https://www.facebook.com/Brigade106/photos/pcb.287275536273323/2872753766273500>, 29 March 2021;
5. <https://twitter.com/oryxspioenkop/status/1376829002015514629>, 30 March 2021; and
6. [customer.janes.com](https://www.janes.com). (Subscription).

Developed by UN Panel of Experts



Annex 57 GNU-AF training on M60 *Patton* Main Battle Tank in Libya (27 March 2021)

GNU-AF M60 *Patton* Main Battle Tank Transfer and Training (Joint Land Training Centre, Tajoura) (27 March 2021)

The Panel identified from open source information, including a subsequently deleted 'tweet' from the official Turkish Ministry of Defence social media account, Turkish military personnel training GNU-AF personnel on M60 *Patton* main battle tanks (MBT). This is the first sighting of an M60 *Patton* MBT in Libya as this equipment was not in the past inventory of the Libyan Armed Forces.

In response to an enquiry by the Panel, Turkey denied transferring M60 *Patton* MBT to Libya, denied providing training and denied having a surplus of such MBT in the Turkish Armed Forces.

The Panel has evidence that contradicts the Turkish response to the Panel:

- 1) Copy of the imagery [R] from the official Turkish Ministry of Defence social media account;
- 2) Credible evidence that the Turkish Armed Forces have a surplus of M60 *Patton* MBT, which were originally procured from the USA during 1992/1993; and
- 3) Confidential information that the M60 *Patton* MBT were delivered to Misrata, Libya on 28 May 2020 onboard the MV Cirkin. [See appendix D to annex 34 to S/2021/229].

Primary sources

1. <https://twitter.com/tcsavunma/status/1375719303471898630>, subsequently deleted;
2. <https://www.savunmatr.com/savunma-sanayii/msb-den-libyali-askerlere-sinif-okulu-intibak-egitimi-h10067.html>;
3. <https://twitter.com/BurkanLy/status/1376617705009188869>, 29 March 2021;
4. <https://www.janes.com/defence-news/news-detail/m60-tanks-transferred-to-libya>, 31 March 2021;
5. https://customer.janes.com/Janes/Display/JAA_0085-JAFV, Accessed 15 April 2021. (Subscription);
6. Member State (20 May 2021); and
7. Confidential source.

Developed by UN Panel of Experts



This training in the operation of M60 *Patton* MBT undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the GNU is a violation of paragraph 9 of resolution 1970 (2011).

This transfer of M60 *Patton* MBT into Libya by Turkey is a violation of paragraph 9 of resolution 1970 (2011).

Annex 58 AMN 233114 Tiger-M MPV deployed with HAF (30 March 2021)

AMN 233114 Tiger-M Multi-Purpose Armoured Vehicle (MPV) (HAF Live Firing Exercise and Benina, Benghazi) (30 March 2021)

The Panel reported on the presence of a Tigr-M variant with ChVK Wagner operatives in annex 63 to [S/2021/229](#). The vehicles covered in that report were painted grey or black.

Since then the Panel has identified some AMN 233114 Tiger-M MPV present at the HAF 106 brigade live firing exercise in late March 2021. These vehicles were painted in a sand colour. Four vehicles were also seen with the Tariq Ibn Ziyad brigade on the HAF 7th Anniversary of Operation Volcano parade at Benina, Benghazi on 29 May 2021. A further vehicle was identified with HAF 106 brigade on 8 July 2021.

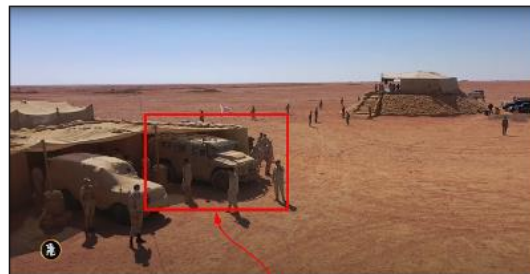
The Panel has not yet identified whether these vehicles are in operational use by HAF, or whether they are used by ChVK Wagner personnel embedded within HAF units as advisors.

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. <https://twitter.com/Oded121351/status/1376806109416144897>, 30 March 2021;
2. <https://twitter.com/Oded121351/status/1376812499954241542>, 30 March 2021;
3. <https://twitter.com/RS0TM/status/1400586112574406657>, 3 June 2021;
4. <https://milindcom.ru/EN/catalog/voennaya-produktsiya/avtomobil-mnogotselevogo-naznacheniya-amn-233114-tigr-m/>. Accessed 10 June 2021; and
5. https://twitter.com/Libya_OSINT/status/1413082728422117378, 8 July 2021.

Developed by UN Panel of Experts



Annex 59 HAF Sordin Supreme Pro-X Max Black hearing protectors (5 May 2021)

Sordin Supreme Pro-X Max Black hearing protectors (HAF 106 brigade) (5 May 2021)

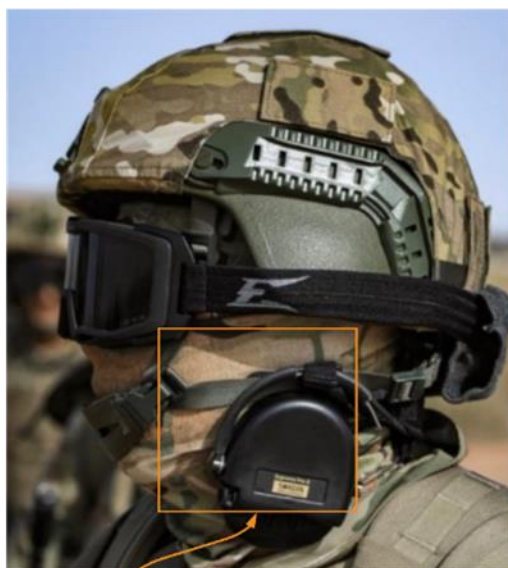
The Panel has identified from official social media of HAF and other open-source imagery the presence of Swedish-manufactured Sordin Supreme Pro-X Max Black hearing protectors being used by fighters of HAF 106 brigade. The Member State confirmed that these items are not subject to export controls, nor specifically classified as military material or dual-use. Yet they they have obvious military utility.

The Panel considers that as this dual-use technology is primarily being imported by actors actively participating in armed conflict, and then used for military purposes, such transfers are a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. https://twitter.com/Libya_OSINT/status/1390066440254992386, 5 May 2021;
2. <https://www.youtube.com/watch?v=aBiya-OpBfI>, 28 May 2021;
3. Member State (11 May 2021); and
4. <https://www.sordin.com/products/supreme-pro-x-neckband>.

Developed by UN Panel of Experts



Annex 60 Seizure of SUR BRT M9 blank firing pistols in Misrata (18 May 2021)

SUR MRT M9 blank firing pistols (Misrata) (18 May 2021)

The Panel has identified from social media the seizure of 2,000 Surarms SUR BRT M9 blank firing pistols by customs authorities in Misrata port on 18 May 2021. The pistols were concealed within a shipping container [#280132.3] full of clothes, which was offloaded from the MV *Medkon Azmir* (IMO 9103374). This information was confirmed to the Panel on 22 October 2021 and 24 February 2022 by the Libyan authorities who are investigating the case.

These pistols can be readily converted into live firing weapons and the Panel assesses that they were destined to be such converted and then sold on the black market by an organized criminal group.

The transfer of these weapons to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. https://twitter.com/Libya_OSINT/status/1394787951058505731, 18 May 2021;
2. Member State (22 October 2021 and 24 February 2022); and
3. <http://en.surarms.com/bri-m9/>. Accessed 18 November 2021.

Developed by UN Panel of Experts

Annex 61 UAZ-469 communication vehicles with HAF 166 brigade (24 May 2021)**UAZ-469 communication vehicles
(Eastern Libya)
(24 May 2021)**

The Panel has identified from open-source media the presence of UAZ-469 variant communication vehicles in the possession of HAF 166 brigade. The vehicle type had not been seen in Libya before.

This particular vehicle has been exported to over 80 countries, so a tracing request would be highly unlikely to provide any useful information as to the supply chain to Libya.

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. https://twitter.com/Libya_OSINT/status/1396868224696963077, 25 May 2021; and
2. customer.janes.com, 23 March 2020. (Subscription).

Developed by UN Panel of Experts



Annex 62 Militarized Jeep Gladiator with HAF (27 May 2021)

Militarized Jeep Gladiator light utility vehicle (Benghazi) (27 May 2021)

The Panel has identified from open-source media the presence of two militarized Jeep Gladiator light utility vehicles preparing to take part in the HAF 7th anniversary "Operation Dignity" parade near Benghazi, which was held on 29 May 2021.

The manufacturer has stated that the paint colour of the vehicles is Gobi (Code: PUA), for which 6,965 vehicles were manufactured in 2020. Of these 55 were exported to distributors or individuals in 6 middle eastern countries. None were exported direct to Libya. A tracing request is thus unlikely to yield results.

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. Extract from video at https://twitter.com/Libya_OSINT/status/1397790180476608517, 27 May 2021; and
2. Letter from manufacturer (2 July 2021).

Developed by UN Panel of Experts



Annex 63 Militarized Toyota Land Cruiser 6x6 variant with HAF (29 May 2021)

Militarized Toyota 6x6 light utility vehicle (Eastern Libya) (29 May 2021)

The Panel has identified from open-source media the presence of a militarized Toyota Land Cruiser 6x6 type light utility vehicle in Libya for the first time. It was participating in the HAF 7th anniversary "Operation Dignity" parade held on 29 May 2021 at Benina, Benghazi .

The Panel wrote to the manufacturer on 11 June 2021 requesting further information. No response was received.

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary source

1. <https://www.youtube.com/watch?v=mbIDXxITPa0>, 31 May 2021.

Developed by UN Panel of Experts

Annex 64 TAG BATT 4x4 APC (29 May 2021)

TAG BATT 4x4 APC (Benghazi) (29 May 2021)

The Panel has identified from open-source social media the presence of a TAG BATT 4x4 APC taking part in the 29 May 2021 HAF 7th anniversary "Operation Dignity" parade near Benghazi. The antenna array on the vehicle indicates it is equipped for communications, electronic warfare or electronic countermeasures.

This military vehicle type was first manufactured by The Armored Group (TAG) in 2011, which complicates tracing requests due to the requirement to only keep records for 10 years under the auspices of the Arms Trade Treaty. It is no longer in production.

The transfer to Libya of this military vehicle type is a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. <https://postimg.cc/LhXkM4nv>, Accessed 23 January 2022; and
2. <https://www.armoredcars.com/batt-ap-swat-truck-canada/batt-ap/>, 6 April 2011.

Developed by UN Panel of Experts



Annex 65 *Steyr SSG 08 variant or copy Sniper Rifle* (3 June 2021)***Steyr SSG 08 variant or copy Sniper Rifle*
(Russian PMC in Eastern Libya)
(3 June 2021)**

The Panel has identified from open-source imagery the presence of a weapon virtually identical to a *Steyr SSG 08* variant sniper rifle in the possession of a Russian PMC operative in Eastern Libya.

The Panel was informed by the manufacturer that they had not exported any weapons to Libya, and that the finish on the weapon was not a standard production finish. They also stated that this weapon type has had worldwide sales, and that copies are now being made. This precludes further tracing by the Panel unless a serial number can be obtained.

The transfer of this weapon type to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/RS0TM/status/1400585777394900995>, 3 June 2021;
2. <https://twitter.com/Oded121351/status/1401482925212905474>, 6 June 2021;
3. <https://www.steyr-arms.com/en/sporting-rifles/ssg-08/>. Accessed 6 June 2021; and
4. Letter from manufacturer, 24 June 2021.

Developed by UN Panel of Experts



Annex 66 Armoured Toyota Land Cruiser 79 variant with Russian PMC (3 June 2021)

Armoured Toyota Land Cruiser 79 light utility vehicle (29°13'21.03"N, 16°11'22.29"E) (3 June 2021)

The Panel has identified from open-source media the presence of armoured Toyota 79 Land Cruiser light utility vehicles in Libya for the first time. The vehicles were heading North East in a Russian PMC convoy from Al Jufra to Sirte.

Panel research has identified that numerous companies provide this up-armouring option to the standard Toyota Land Cruiser 79. Successful tracing of the supply chain is not possible without more detailed information,

The Panel also notes that the GNU-AF (Misrata militias) may also have possession of similar vehicles, but the imagery resolution available does not allow for a 100% identification (see primary source 4).

The transfer of this military materiel to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. <https://twitter.com/RS0TM/status/1400582605431619587>, 3 June 2021;
2. Geo-referenced at <https://twitter.com/CourtenaySargon/status/1401503780596768768>, 7 June 2021; and
3. Extract from <https://twitter.com/salaaah62/status/1401893333044244484>. (0.46min). 7 June 2021.

Developed by UN Panel of Experts

Annex 67 GNU-AF CForce All-Terrain Vehicles (ATV) (4 July 2021)

CForce All Terrain Vehicles (ATV) (GNU-AF in South Tripoli) (4 July 2021)

The Panel has identified from official social media of the GNU Ministry of Interior and other open-source imagery the presence of CFMoto CForce All Terrain Vehicles (ATV) being used by the GNU Ministry of Interior's General Department of Security Operations in southern Tripoli. Although these items are not subject to export controls, nor specifically classified as military material or dual-use, they have obvious military utility.

This has been included in the report as a further example of the ease with which arms embargos can be negated by the innovative use of commercial or dual use products. In this case all the vehicles were seen in black or green "military" colours.

CFMoto is a global brand with high production levels and global distribution, which means that without vehicle identification numbers (VIN) supply chain tracing is not possible.

The Panel considers that as this dual-use technology is primarily being imported by actors actively participating in armed conflict, and then used for military purposes, such transfers are a violation of paragraph 9 to resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/moi.gov.ly/photos/pcb.4108454315917896/4108453999251261>, 4 July 2021.
2. https://twitter.com/Libya_OSINT/status/1412183012960260098, 5 July 2021; and
3. <https://www.cfmoto.co.uk/atv/>. Accessed 21 November 2021.

Developed by UN Panel of Experts



Annex 68 MKEK JNG-90 Bora Sniper Rifles in Libya (11 July 2021)

MKEK 7.62mm JNG-90 Bora Sniper Rifle (GNU Ministry of Interior security agencies) (11 July 2021 and 9 March 2022)

The Panel has identified from official GNU Ministry of Interior and open-source imagery the presence of *MKEK 7.62mm JNG-90 Bora Sniper Rifles* in the possession of Ministry of Interior security agencies on 11 July 2021 and 9 March 2022. The weapons were being used as part of sniper training provided by Turkey.

These are the first sightings of this weapons system in Libya. This weapon type has been manufactured since 2008. The two Member States also licensed to produce the weapon have confirmed to the Panel that they have yet to manufacture any weapons.

The Panel offered Turkey an opportunity to respond in a letter of 22 July 2021. On 12 September 2021 Turkey stated that, based on inventory analysis, it had not sold, transferred or exported such weapons to Libya.

This military sniper training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the GNA, and the transfer of this weapon type to Libya, are both violations of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/Ministry.of.Interior.libya/posts/4127878207308840>, 11 July 2021;
2. <https://twitter.com/Oded121351/status/1414847896751648771>, 13 July 2021;
3. <https://web.archive.org/web/20101126225913/http://mkek.gov.tr/english/foUrunDetaylari.aspx?iKodUrun=335&iKodUrunKategorisi=131>, Accessed 22 July 2021;
4. <https://www.facebook.com/photo?fbid=511947766965593&set=pcb.511948683632168>, 9 March 2022; and
5. [customer.janes.com](#), 20 October 2020. (Subscription).

Developed by UN Panel of Experts



Annex 69 AN/PVS-7 Night Vision Goggles (9 August 2021)

AN/PVS-7 Night Vision Goggles (PNG) (Benina, Benghazi) (9 August 2021)

The Panel has identified from official HAF social media imagery of the 81st Anniversary parade of the formation of the Libyan Army, held at Benina on 9 August 2021, HAF personnel equipped with Army/Navy Portable Visual Search 7 (AN/PVS-7) type Night Vision Goggles (NVG). This is the first reporting of this military materiel by the Panel, although independent research has identified a single image of the same equipment with a HAF fighter on 3 August 2017, which went unreported by the Panel at the time.

Designed in the United States in 1982, in-service since 1985, with many manufacturers, means that a tracing request is unlikely to identify the supply chain unless serial numbers can be identified.

Weapons sights fall under the auspices of *arms and related materiel of all types* under the arms embargo.

Although the Panel cannot positively identify the supplier of the AN/PVS-7 NVG to Libya, the transfer of this military material to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.youtube.com/watch?v=Vscz8zHfL70>, 9 August 2021;
2. <https://twitter.com/Oded121351/status/1425789777975074821>, 12 August 2021;
3. <https://twitter.com/Oded121351/status/892972404833734656>, 3 August 2017; and
4. Manufacturers image for comparison and identification.

Developed by UN Panel of Experts



Annex 70 122mm *Rocketsan* FFR Pods and Hybrid Launcher (17 August 2021)

122mm *Rocketsan* Free Flight Rockets (FFR) and Hybrid Launcher (Sidi Bilal, 32°48'56.73"N, 12°57'19.76") (17 August 2021)

A Hybrid Multi-Barrel Rocket Launcher (MBRL) was identified in the possession of the GNU-AF entering Camp Sidi Bilal, near Janzour, on 17 August 2021. The location was confirmed by an independent OSINT analyst using geo-location, and the Panel concurs with the coordinates identified.

This MBRL is of interest as further research identified that a very similar hybrid MBRL was seen in the possession of HAF in Tarhuna on 5 June 2020. In 1989/1990 the DPRK supplied the UAE with some 240mm M-1985 MBRL, and the erector launcher seen on the hybrid MBRL is of the same type. The manufacturer has confirmed to the Panel that Iveco 230.35 WM chassis were supplied to the UAE during 1991/1992.

The Hybrid MBRL seen at GNU-AF Camp Sidi Bilal has the Turkish manufactured *Rocketsan* 122mm free flight rocket (FFR) pods mounted on an M-1985 MBRL erector launcher on an uparmoured Iveco 230.35WM chassis.

This makes it almost certain that the Hybrid MBRL identified with the GNU-AF at Camp Sidi Bilal is the result of a battlefield capture from HAF.

The transfer of this Hybrid MBRL to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#) by the UAE. The supply of the *Rocketsan* 122mm FFR is a violation of paragraph 9 of resolution [1970 \(2011\)](#) by Turkey.

Primary sources

1. www.politico.eu/article/libya-khalifa-haftar-in-retreat-france-hedges-its-bets/, 5 June 2020;
2. www.oryxspioenkop.com/2020/11/inconvenient-arms-north-korean-weapons.html, 2 November 2020;
3. twitter.com/Oded121351/status/1427514232749404180, 17 August 2021;
4. twitter.com/oryxspioenkop/status/1427536079981322241, 17 August 2021;
5. twitter.com/azyakancokkacan/status/1427552230912241671, 17 August 2021;
6. Geo-located at twitter.com/il_kanguru/status/1427520357867696139, 17 August 2021;
7. www.oryxspioenkop.com/2021/12/the-mystery-mrsls-that-fuelled-both.html, 14 December 2021; and
8. customer.janes.com. (Subscription).

Developed by UN Panel of Experts



Iveco 230/35 WM Chassis
HAF Hybrid 122mm MBRL in Tarhuna
(5 June 2020)



GNU-AF Hybrid 122mm MBRL in Janzour
(17 August 2021)



Rocketsan 122m FFR Pod >>



<< DPRK M-1985 erector launcher

Annex 71 SALW seizures in Sudan (18 September 2021 and 8 January 2022)

Small Arms and Light Weapons (SALW) Transfers to Sudan (18 September 2021 and 8 January 2022)

On 18 September 2021 imagery was published on official social media of the Sudanese Rapid Support Forces (RSF) of an SALW seizure in the area of Sidi al-Barli, Sudan. It was reported that four smugglers, two Libyans and two foreign nationals, were arrested, but the Panel has yet to verify this information. The seizure included 36 x AK variant assault rifles, two DshK heavy machine guns, two RPG-7 rocket launchers and associated ammunition.

On 8 January 2022 official RSF open source media reported a further seizure of 3,995 rounds of small arms ammunition.

The Panel requested further information from Sudan in letters dated 26 September 2021 and 4 February 2022. No response was received.

This transfer of small arms and light weapons from Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://rsf.gov.sd/news/1467>, 18 September 2021;
2. <https://twitter.com/RSFSudan/status/1439183450691575808?s=20>, 18 September 2021; and
3. <https://english.alaraby.co.uk/news/sudanese-forces-seize-libya-arms-shipment>, 19 September 2021;
4. <https://www.rsf.gov.sd/news/1666>, 8 January 2022;
5. <https://rsf.gov.sd/en/news/1667/RSF-Thwarts-Attempt-of-Smuggling-a-Shipment-of-Ammunition-on-the-Sudanese-Libyan-Borders>, 9 January 2022; and
6. <https://www.libyaobserver.ly/inbrief/sudan-thwarts-ammunition-smuggling-operation-near-libyan-border>, 9 January 2022.

Developed by UN Panel of Experts



Annex 72 Katmerciler *KIRAC* Armoured Personnel Carrier (24 December 2021)

Katmerciler *KIRAC* Armoured Personnel Carriers (APC) (GNU Ministry of Interior in Tripoli) (25 December 2021)

The Panel has identified from Turkish specialist defence media the presence of Katmerciler *KIRAC* armoured personnel carriers (APC) being used by the GNU in Tripoli. These vehicles are designed and manufactured by the Katmerciler Arac Ustu Ekipman Sanayi ve Ticaret A.Ş. Merkez (Fabrika) company in Turkey.

The manufacturer's coverage on their website states that this New Generation Criminal Investigation Vehicle has a unique design which can be configured as armoured personnel carrier, command control vehicle and internal security vehicle. If designed for use in the "Command Control" or "Internal Security" roles, the vehicles, depending on the end-user, could fall under the exception for non-lethal humanitarian or protective use provided for in paragraph 9 (a) of resolution 1970 (2011), as amended by paragraphs 9 and 10 of resolution 2095 (2013).

However, these particular vehicles are armoured and are being used in the APC role, hence an exemption request and prior approval by the Committee would have been required under paragraph 8 of resolution 2174 (2014). No such request was made by Libya or Turkey.

The Panel offered Libya and Turkey an opportunity to respond in letters dated 1 February and 31 January 2022 respectively. No response was received.

This transfer of military equipment to Libya undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#) by Turkey.



KIRAC APC in Tripoli. Note the official Libyan Ministry of Interior number plate.



Two KIRAC APC in official convoy in Tripoli. Note the Libyan police car.

Primary sources

1. <https://www.defenceturk.net/turk-katmerciler-firmasinin-zirhli-araclari-libyada>, 24 December 2021; and
2. <http://www.katmerciler.com.tr/L/EN/mid/343/g/343/c/31/id/79/KIRAC-New-Generation-Criminal-Investigation-Vehicle.htm>. Accessed 11 January 2022.

Developed by UN Panel of Experts

Annex 73 AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL) (31 December 2021)

AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL) (Misrata) (31 December 2021)

The Panel has identified from GNU official social media the presence of a target pointer illuminator (TPI), virtually identical to the AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL), fitted to an assault rifle in the possession of the Joint Operations Force of the Government of National Unity (GNU-AF) in Misrata on 31 December 2021.

Target Pointer Illuminators (TPI) fall under the auspices of *arms and related materiel of all types* under the arms embargo.

The ATPIAL has high production levels and is globally distributed, which means that without a serial number supply chain tracing is not possible.

The transfer of this military material to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/GOVLYT/photos/1825880584261887>, 2 January 2022; and
2. <https://www.l3harris.com/all-capabilities/advanced-target-pointer-illuminator-aiming-laser-atpial-an-peq-15>. Accessed 22 January 2022.

Developed by UN Panel of Experts





Manufacturer's Image

Manufacturer's Image

[illegible]

22-06446

Imagery on GNA 166 Battalion official social media of a GNA-AF training demonstration at the Omar Al-Mukhtar Training Centre near Tajoura on 8 February 2022 shows the use of 7.62mm MBT-76 assault rifles.

These weapons are designed and manufactured by Mechanical and Chemical Industry Company (MKEK) (Makina ve Kimya Endüstrisi Kurumu) of Turkey. This weapon type entered service with the Turkish Armed Forces in 2014, and is now in service with six Member States. Tracing requests would therefore be unlikely to yield positive results.

The transfer of these weapons to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. https://www.facebook.com/L-إبتيك-للخدمات-الكلية-166-سوارح-أوسا-2465151337105462/photos/3292495114371076/?_rdc=1&_rdr, 8 February 2022; and
2. customer.janes.com. Accessed 11 February 2022.

Developed by UN Panel of Experts

Annex 76 M79 Osa 90mm Anti-tank Rockets (23 March 2022)

M79 Osa 90mm Anti-tank Rockets (Ajdabia) (23 March 2022)

The Panel has identified from GNU official social media the seizure of five M79 Osa 90mm anti-tank rockets by the Security Directorate in Ajdabia on 23 March 2022. This ammunition type has not been seen in Libya before.

The resolution of the imagery was not high enough to confirm the Lot/Batch number, which appeared to be 18-1984. The age and wide distribution of this ammunition type means that a tracing request would be nugatory.

The transfer of this military material to Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. https://www.facebook.com/permalink.php?story_fbid=3112507732370942&id=1706796266275436, 23 March 2022; and
2. [customer.janes.com](#). Subscription. Accessed 23 March 2022.

Developed by UN Panel of Experts

Annex 77 GNA-AF Air Defence training in Turkey (1 February 2021)

GNA -AF Air Defence systems training (1 February 2021)

On 01 February 2021 imagery was published on social media of the Turkish Armed Forces providing training in Konya, Turkey to the then GNA-AF across a range of air defence systems. It was confirmed by video imagery on the official Turkish Armed Forces website.

The systems included: 1) *Korkut* Twin 35mm Cannon (SSA and KKA); 2) *Kalkan* II Air Defence Radar; 3) *iHASAVAR* Anti-Drone System; 4) *iHATAR* Anti-Drone System; and 5) Twin *Oerlikon* 35mm Cannon.

The Panel offered Turkey an opportunity to respond in letters dated 9 February and 5 October 2021. No response was received.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

- https://twitter.com/COIN_V2/status/1356172136629624832, 1 February 2021;
- <https://twitter.com/Oded121351/status/1356161444769898496>, 1 February 2021;
- <https://www.aselsan.com.tr/en/capabilities/air-and-missile-defense-systems/self-propelled-and-air-burst-munition/korkut-self-propelled-air-defense-gun-system>;
- <https://www.aselsan.com.tr/en/capabilities/radar-systems/air-defense-radars/kalkan-air-defence-radar>; and
- <https://www.ssb.gov.tr/urunkatalog/en/412/>.

Developed by UN Panel of Experts

Annex 78 GNA-AF Military Diving training in Khoms, Libya (6 February 2021)

GNA -AF Military Diving Training by Turkey (Khoms Naval Base) (6 February 2021)

On 6 February 2021 imagery was published on official social media of the Turkish Armed Forces of military diving training in the Khoms Joint Naval Training Command centre being provided to the then GNA-AF. The Panel has confirmed the imagery by geo-locating the training location to 32°41'30.7"N 14°14'31.8"E.

The Panel offered Turkey an opportunity to respond in letters dated 12 July and 5 October 2021. Their response of 17 March 2022 stated that only training was provided and no diving equipment was supplied.

This military diving training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/tcsavunma/status/1358031134941212672>, 6 February 2021; and
2. Google Earth Pro.

Developed by UN Panel of Experts



Annex 79 GNA-AF Officer Cadet training in Tripoli, Libya (7 February 2021)

GNA-AF Officer Cadet training by Turkey (Tripoli) (7 February 2021)

On 7 February 2021 imagery was published on official social media of the Turkish Armed Forces of Officer Cadet training being provided to the then GNA-AF. The Panel has confirmed the imagery by geo-locating the training location to a military base in Tripoli at 32°50'23.2"N, 13°12'07.3"E.

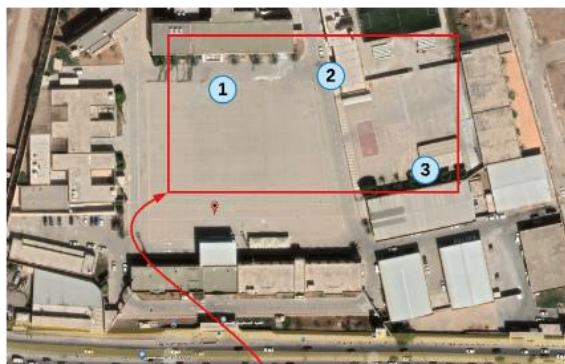
The Panel offered Turkey an opportunity to respond in letters dated 12 July and 5 October 2021. No response was received.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/tcsavunma/status/1358392940591259648>, 4 February 2021;
2. <https://twitter.com/tcsavunma/status/1358392818083848201>, 7 February 2021; and
3. Google Earth Pro.

Developed by UN Panel of Experts



Annex 80 GNU-AF Unit 444 UAV training in Libya (25 March 2021)

GNU-AF Unit 444 UAV training (Takbali Training Camp, Tripoli) (25 March 2021)

The official social media account of the GNU-AF Tripoli Military District 444 Unit, showed imagery of training in the use of unmanned aerial vehicles (UAV) at the Takbali Training Camp on 25 March 2021. The Panel has confirmed the imagery by geo-referencing the location to approximately 32°48'53.9"N, 13°13'26.7"E.

The Panel has identified the UAV as a Foxtech Baby Shark 260 VTOL, which has dual use military utility as an Intelligence, Surveillance and Reconnaissance (ISR) platform. The imagery shows a vehicle painted in a military sand colour, with air conditioning and a dual antenna array. The Panel considers it almost certain that this vehicle is a command, control and communications (C3) vehicle for the operation of the UAV.

The wide commercial distribution of the Foxtech Baby Shark 260 VTOL, means that a tracing request is unlikely to identify the supply chain unless serial numbers can be identified.

This transfer of the Foxtech Baby Shark 260 VTOL into Libya is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/الوحد-444-الوحد-115065407070788/photos/pcb.231514245425903/231513142092680>, 25 March 2021;
2. <https://www.foxtechfpv.com/foxtech-baby-shark-vtol.html>. Accessed 18 June 2021; and
3. Google Earth Pro.

Developed by UN Panel of Experts



Annex 81 GNU-AF training on *Firtina* T-155 SP howitzer in Libya (30 March 2021)

GNU-AF *Firtina* T155 Training (Joint Land Training Centre, Tajoura) (30 March 2021)

The Panel reported on the transfer of *Firtina* T-155 self propelled howitzers from Turkey to Libya in annexes 28 and 34 to [S/2021/229](#).

The Panel identified from an official social media account of the GNU-AF “Media Centre for Operation Volcano of Anger” a report of the Turkish Armed Forces providing artillery training on the use of the T-155 *Firtina* self-propelled howitzers to the GNU-AF.

The Panel offered Turkey an opportunity to respond in letters dated 15 July and 5 October 2021. No response was received.

This training in the operation of *Firtina* T155 self propelled howitzers undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNU is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://twitter.com/BurkanI.y/status/1376896912553562117>, 30 March 2021; and
2. https://customer.janes.com/Janes/Display/JAA_1327-JAAD, 2 February 2021. (Subscription).

Developed by UN Panel of Experts



Annex 82 GNU-AF Special Forces Training in Turkey (7 August 2021)

GNU-AF Special Forces Training (Egirdir, Turkey) (7 August 2021)

On 7 August 2021 imagery was published on official social media of the GNU-AF, and on 15 August 2021 on open-source media, of GNU-AF personnel receiving special forces training at the Turkish Ministry of Defence Counter-Terrorism Training and Exercise Centre near Egirdir, Turkey.

The training location was geo-referenced to 37°52'18.56"N, 30°49'52.14"E by an independent OSINT analyst. The Panel concurs with the location identified (see R).

The Panel offered Turkey an opportunity to respond in a letter dated 7 October 2021. No response was received.

This military special forces training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).

Primary sources

1. <https://www.facebook.com/Libyabook/posts/1175363809541529>, 7 August 2021;
2. <https://twitter.com/Oded121351/status/1424632216617893891>, 9 August 2021;
3. https://twitter.com/il_kanguru/status/1424637919080419329, 9 August 2021;
4. <https://twitter.com/Oded121351/status/1426881959876235265>, 15 August 2021; and
5. Google Earth Pro.

Developed by UN Panel of Experts



Annex 83 HAF 106 brigade return from training in Egypt (8 September 2021)

HAF 106 brigade training (Egypt) (8 September 2021)

On 8 September 2021 imagery was published on the official social media of the HAF 106 brigade reporting the conclusion of a training event in Egypt.

The Panel has confirmed that the aircraft in the imagery showing the return of HAF 106 brigade personnel was in Libya when the image was taken, and that it is the IL-76 [MSN#33446205] [now 5A-7656] flying in support of HAF.

The Panel offered Egypt an opportunity to respond in a letter dated 29 September 2021. On 21 October 2021 Egypt responded that the official HAF report was false.

This training is a violation of paragraph 9 of resolution [1970 \(2011\)](#) by HAF and the, as yet to be identified, training provider.



Primary sources

1. <https://twitter.com/JDTkLYZayYGdbew/status/1435663797679792132/photo/1>, 8 September 2021; and
2. https://twitter.com/Gerjon_/status/1436052461031133190?s=20, 9 September 2021.

Developed by UN Panel of Experts

Annex 84 GNU-AF Sniper Training from Turkish Armed Forces (3 October 2021)

GNU -AF Sniper Training by Turkey (Western Region, Tripoli) (3 October 2021)

On 3 October 2021 imagery was published on official social media of the Turkish Armed Forces of military sniper training being provided to military personnel of the GNU-AF Western Region.

The Panel offered Turkey an opportunity to respond in a letter dated 7 October 2021. No response was received.

This military sniper training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. <https://twitter.com/tcsavunma/status/1444632404128378880>, 3 October 2021; and
2. https://twitter.com/wady_dynar/status/1444662262640398341?s=20, 3 October 2021.

Developed by UN Panel of Experts

Annex 85 GNU-AF Mountain Corps Academy Training in Turkey (9 October 2021)

GNU-AF Mountain Corps Academy Training (Turkey) (9 October 2021)

On 9 October 2021 imagery was published on the official website of the Presidency of the General Staff to the Libyan Army of GNU-AF personnel receiving training at the Mountain Corps Academy in Turkey. Note the Blue Beret worn by a Turkish instructor. The Blue Beret is worn by elite units of the Turkish Armed Forces such as: 1) Land Forces Mountain Commandos; and 2) Gendarmerie Commandos.

The Panel offered Turkey an opportunity to respond in a letter dated 13 December 2021. On 15 February 2022 the Turkish authorities confirmed to the Panel that 34 Libyan students were trained between 2 August to 8 October 2021.

This specialist military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the then GNA is a violation of paragraph 9 of resolution [1970 \(2011\)](#).



Primary sources

1. <https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/photos/pcb.250136173721830/250136023721845>; 9 October 2021;
2. <https://twitter.com/Oded121351/status/1447198469953925120>; 10 October 2021;
3. <https://iacmc.forumotion.com/t10559-berets-of-the-turkish-armed-forces-law-enforcement-units>. Accessed 23 November 2021; and
4. Letter from Member State dated 15 February 2022.

Annex 86 Russian Federation military cargo flights in eastern Libya

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 base¹⁷² in Syria to eastern Libya. These flights meet the profile indicators for flights deemed to be suspicious. The Panel wrote to the Member State (see paragraph 5).

2. The Panel has identified at least 175 flights by specific aircraft registration number,¹⁷³ equating to a maximum cargo delivery capacity of 7,922 tonnes from 1 May 2021 to 31 March 2022 (assuming a 48-tonne cargo payload for an IL-76TD). Flights are summarised at tables 86.1 and 86.2 and figures 86.1 and 86.2.¹⁷⁴ The data is not exhaustive as pre-departure flight plans are not usually filed directly with Eurocontrol¹⁷⁵ for entry into European airspace. Entry is usually activated by Cyprus air traffic control (ATC) using a ZZZZ code for departure airfield, or by the destination airfield itself.

Table 86.1

Summary of RF military cargo flights to Libya (1 January – 31 December 2021)

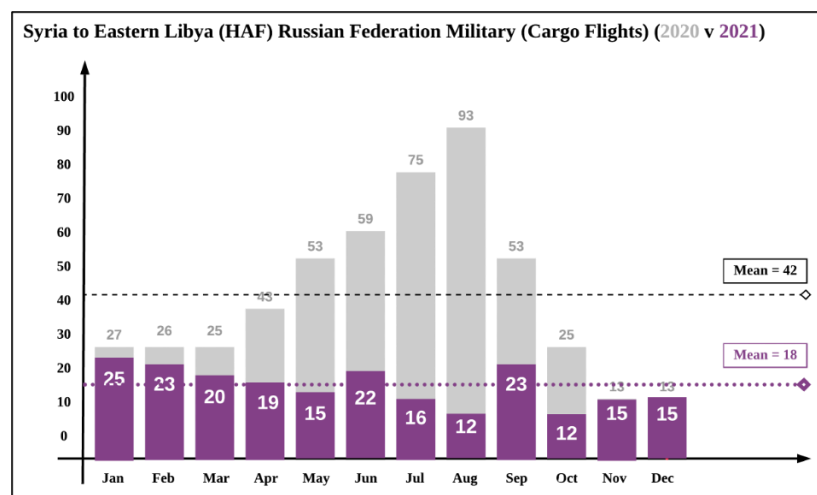
Data set	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
# Flights ^a	25	23	20	19	15	22	16	12	23	12	15	15	217
Max load (t) ^b	1,168	1,072	920	912	682	1,016	728	544	1,064	576	624	656	9,962

^a Identified by Panel.

^b Assuming cargo payload of 48 tonnes for IL-76 aircraft. Data is rounded and includes other aircraft types.

Figure 86.1

Number of RFF military cargo flights to Libya (1 January - 31 December 2021)



¹⁷² Centred on 35°24'27.07"N, 35°57'8.00"E.

¹⁷³ Flight data for flights is based on data received from a combination of: (a) Confidential sources; (b) www.flightradar24.com; (c) www.radarbox.com; (d) www.italmilitaradar.com; (e) C4ADS analysis; (f) Twitter [@ALandewers](https://twitter.com/ALandewers); [@Gerjon](https://twitter.com/Gerjon) (primarily) and (g) Twitter [@YorukIsik](https://twitter.com/YorukIsik).

¹⁷⁴ The Panel has maintained a database of flight details.

¹⁷⁵ <https://www.eurocontrol.int/>.

Table 86.2

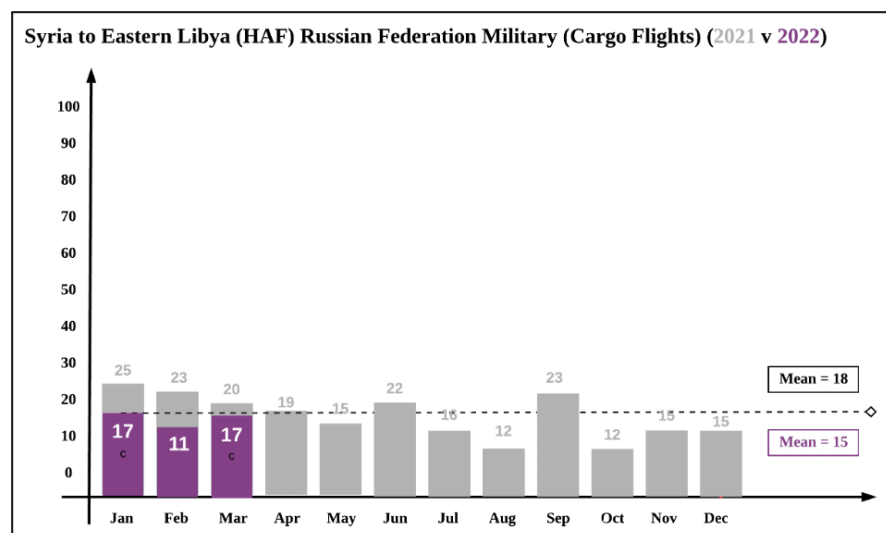
Summary of RF military cargo flights to Libya (1 January – 31 March 2022)

<i>Data set</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Totals</i>
# Flights ^a	17	11	17	45
Max load (t) ^b	752	464	816	2,032

^a Identified by Panel.

^b Assuming cargo payload of 48 tonnes for IL-76 aircraft. Data is rounded and includes other aircraft types.

Figure 86.2

Number of RF military cargo flights to Libya (1 January - 31 March 2022)

3. The Panel requested further information from the Member State¹⁷⁶ and in their reply¹⁷⁷ they stated that the cargo comprised of “humanitarian assistance to Libya, including the supply of vaccines against COVID-19”. No further details were provided.

4. UN agencies have neither observed, nor heard of, any large quantity of humanitarian aid from the Russian Federation being supplied to, or distributed in, eastern Libya.¹⁷⁸ No humanitarian aid has been identified from satellite imagery or ground reports in the aircraft unloading areas at Benina (HLLB) and Al Khadim (HL59), and Al Khadim is not known to be a humanitarian hub for any aid agency.¹⁷⁹ A mass and volumetric cargo analysis by the Panel (see table 86.2) shows the cargo capacity of these flights for selected items.

¹⁷⁶ Panel letter of 5 October 2021.

¹⁷⁷ Email to Panel of 26 October 2021.

¹⁷⁸ Senior UN official in the UN Country Team.

¹⁷⁹ Ibid.

Table 86.2

Volumetric cargo analysis of typical humanitarian aid

<i>Item</i>	<i>Mass (tonnes)</i>	<i>Volume (m³)</i>	<i>Density (tonnes/m³)</i>	<i>Flights</i>	<i>Maximum load</i>	<i>Pay- Remarks</i>
IL-76 TD Cargo Capacity	48	234				
COVID-19 (5,000 vials) ^a	1	6	1.67	175	42,000,000 vials	92% of cargo hold volume
Wheat	1	0.79	0.79	175	8,400 tonnes	26% of cargo hold volume
Water	1	1	1.00	175	8,400,000 litres	21% of cargo hold volume

^a Assuming packed in Single Use Thermal Type packaging.

5. The Panel also noted that Russian Federation military cargo aircraft are using eastern Libyan airfields for technical stop overs on flights to other destinations in Africa, including the Central African Republic. For example, on 2 October 2021 aircraft tracking websites identified a Russian Federation Air Force Tupolev TU-154M (registered #RA-85042)¹⁸⁰ on the normal route from Latakia (OSLK), Syria to Al Khadim (HL59), Libya. The aircraft tracking websites then showed “no data” for the period from 01:48 hours UTC on 2 October to 15:16 hours UTC on 3 October 2021. A “dark period” of 1 Day, 13 Hours and 26 Minutes. Sentinel-1 satellite imagery for that period did not show a TU-154M aircraft parked at Al Khadim (HL59) in eastern Libya. Figure 86.2 shows the same aircraft at Bangui M’Poko airport (FEFF), Central African Republic on 2 October 2021 between 08:15 to 10:36 hours UTC, based on the ground time for the Air France Boeing 777-228 (F-GSPO) parked in the vicinity and shown on aircraft tracking websites. The Panel of Experts on the Central African Republic established pursuant to resolution [2127 \(2013\)](#) was informed of this flight activity.¹⁸¹

Figure 86.2

TU-154M (RA-85042) at Bangui, CAR (2 October 2021)



Source: https://twitter.com/tom_bullock_/status/1445386123161788421, 2 October 2021.

¹⁸⁰ This aircraft was also reported in annexes 55 and 77 to [S/2021/229](#) as operating in support of ChVK Wagner.

¹⁸¹ Reported in the Panel of Experts on the Central African Republic report [S/2021/259](#) (annex 3.4).

6. The Panel has identified that flights from Benghazi, Libya (HLLB) to Modibo Keita International Airport, Mali (GABS) took place on 1, 21 and 26 February 2022. The Panel of Experts on Mali established pursuant to resolution [2374 \(2017\)](#) has been informed of this flight activity.

7. The Panel finds that this flight activity by military cargo aircraft is a violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya. As they are military aircraft their routine landing at Libyan airports violates paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether the aircraft are transferring arms or military equipment to Libya.

Annex 87 Turkish military cargo flights in support of GNU-AF

1. The Panel has continued to monitor and analyse the quantity of military cargo flights by the Turkish Air Force (TuAF) on the air line of communication (ALoC) from Turkey to western Libya by Airbus A400M operated by the 221 Breeze Squadron based at Kayseri/Erkilet.¹⁸²

2. The Panel has identified at least 33 flights by specific aircraft registration number,¹⁸³ equating to a maximum cargo delivery capacity of 1,221 tonnes from 1 May 2021 to 31 March 2022 (assuming a 37-tonne cargo payload for an Airbus A400M). Flights are summarised at tables 87.1 and 87.2 and figures 87.1 and 87.2.¹⁸⁴ The list may not be exhaustive as the TuAF use an indirect route to avoid certain Flight Information Regions (FIR). This route follows the Istanbul / Nicosia FIR boundary and then the Athens / Cairo FIR boundary until reaching the Tripoli FIR. These flights meet the profile indicators for flights deemed to be suspicious and almost certainly violating the arms embargo.

Table 87.1

Summary of TuAF cargo flights to Libya (1 January - 31 December 2021)

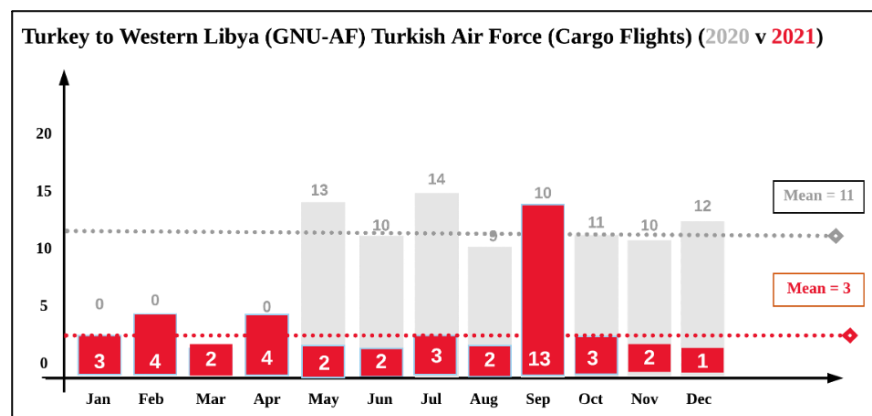
Data set	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals
# Flights ^a	3	4	2	4	2	2	3	2	13	3	2	1	41
Max load (t) ^b	111	130	74	148	74	74	111	74	222	37	0	37	1,517

^a Identified by Panel.

^b Assuming cargo payload of 37 tonnes for Airbus A400M aircraft.

Figure 87.1

Number of TuAF cargo flights to western Libya (1 January – 31 December 2021)



¹⁸² LTAU. Joint Airbase. 38°46'13"N, 35°29'43"E.

¹⁸³ Flight data for flights is based on data received from a combination of: (a) Confidential sources; (b) www.flightradar24.com; (c) www.radarbox.com; (d) www.italmilaradar.com; (e) C4ADS analysis; (f) Twitter [@ALandewers](https://twitter.com/ALandewers); [@Gerjon](https://twitter.com/Gerjon) (primarily); and (g) Twitter [@YorukIsik](https://twitter.com/YorukIsik).

¹⁸⁴ The Panel has maintained a database of flight details.

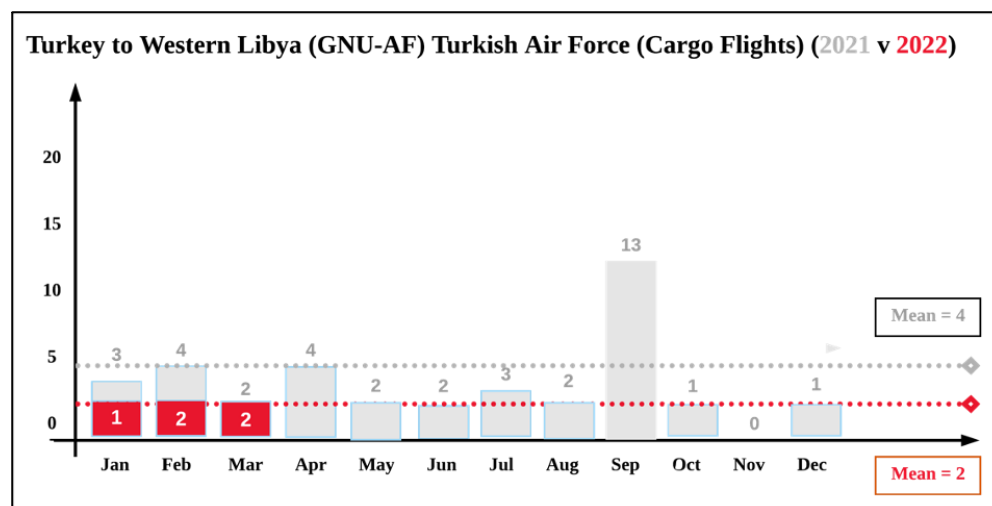
Table 87.2

Summary of TuAF military cargo flights to Libya (1 January – 31 March 2022)

<i>Data set</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Totals</i>
# Flights ^a	1	2	2	5
Max load (t) ^b	37	78	78	193

^a Identified by Panel.^b Assuming cargo payload of 48 tonnes for IL-76 aircraft.

Figure 87.2

Number of TuAF military cargo flights to Libya (1 January - 31 March 2022)

3. On 14 April 2021 one TuAF A400 delivered humanitarian supplies (vaccines) to Tripoli (figure 87.2), but two other aircraft flew to their military operating base at Al Wattiyah.

Figure 87.2
TuAF A400M offloads vaccines at Tripoli (Mitiga) (14 April 2021)



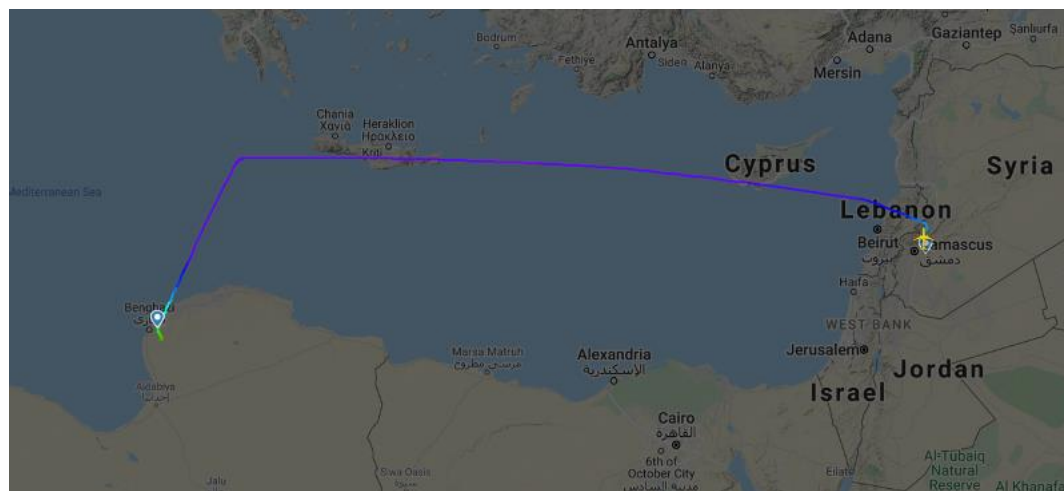
Source: <https://twitter.com/libyaalahrartv/status/1382366609612890112>, 14 April 2021.

4. The Panel finds that this flight activity by military cargo aircraft is a violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya. As they are military aircraft their routine landing at Libyan airports violates paragraph 9 of resolution [1970 \(2011\)](#) regardless of whether the aircraft are transferring arms or military equipment to Libya.

Annex 88 Cham Wings Airlines flights in support of HAF

1. The flight activity of Cham Wings Airlines¹⁸⁵ (SAW) aircraft continued to be of interest to the Panel during this mandate.¹⁸⁶
2. On 2 December 2021 the European Union placed restrictive measures¹⁸⁷ on Cham Wings Airlines for an issue unrelated to the UN sanctions measures relating to Libya. This action has impacted on the company's flight operations in regard to Libya as the EU sanctions measures consider access to European controlled airspace as an "economic resource". It is the responsibility of the Member State to refuse access to its own national air space.
3. By international law, a State "has complete and exclusive sovereignty over the airspace above its territory", which corresponds with the maritime definition of territorial waters as being 12 nautical miles (22.2 km) out from a nation's coastline.¹⁸⁸ Airspace not within any country's territorial limit is considered international, analogous to the "high seas" in maritime law. Operational control of air space over the Mediterranean is split up, under an agreement with the International Civil Aviation Organization (ICAO) into Flight Information Regions (FIR). For the coastal States of the Mediterranean, the FIR consists of the airspace above its land and sea territory plus any international airspace in respect of which ICAO has assigned responsibility to that State.
4. The Panel has identified that shortly after the imposition of EU sanctions on Cham Wings Airlines their flight routes changed to avoid the national air space of Cyprus and Greece. Their aircraft still transit the FIR controlled by these two nations, as well as Malta FIR, but try and fly on the inter-FIR boundaries in order to introduce a level of confusion of responsibility as to which Member State should take action (see figures 88.1 and 88.2). The Panel mentions this as an example of sanctions evasion tactics used by airlines.

Figure 88.1
Cham Wings Airlines flight profile 2021 (pre-EU sanctions)



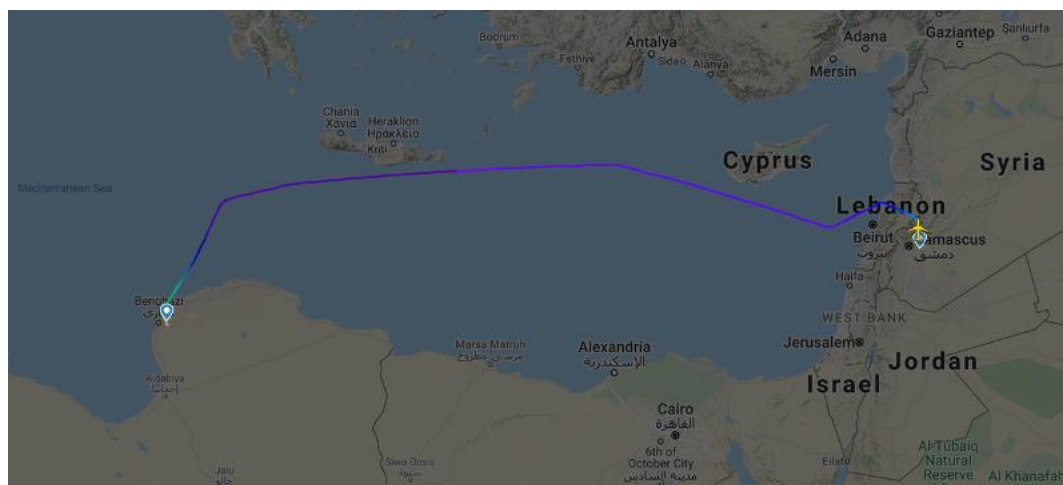
¹⁸⁵ www.chamwings.com. Fardos Street, Damascus, Syria. +963 11 9211. (cs@chamwings.com).

¹⁸⁶ In particular Airbus A320-211 (Registered in Syria as YK-BAB).

¹⁸⁷ (a) Council Implementing Regulation (EU) 2021/2124 of 2 December 2021; and (b) Council Implementing Decision (CFSP) 2021/2125 of 2 December 2021. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L:2021:4301:FULL&from=EN>.

¹⁸⁸ Convention on International Civil Aviation. https://www.icao.int/publications/Documents/7300_cons.pdf.

Figure 88.2
Cham Wings Airlines flight profile 2021 (post-EU sanctions)



5. The Panel has identified at least 158 flights between 1 January to 31 December 2021, and 29 flights between 1 January 2022 to 31 March 2022 for Cham Wings Airlines aircraft into eastern Libya, (tables 88.1 and 88.2, and figures 88.3 and 88.4).¹⁸⁹ The list may not be exhaustive if some pre-departure flight plans were not filed directly with Eurocontrol¹⁹⁰ for entry into European airspace.

6. The Panel identified the following factors and evidence to show that the airline is transporting Syrian fighters to and from Libya:

(a) UNSMIL source reporting;

(b) NGO reporting;¹⁹¹

(c) The flights meet at least six of the air delivery profile indicators (see annex 25) that when considered collectively indicate that an aircraft is almost certainly carrying illicit cargo: (a) lack of an obvious schedule, with flights usually in dark hours for concealment of offloads; (b) the random nature of the flights; (c) some flights depart from the military airbase at Damascus airport (OSDI); (d) AIS is sometimes switched off; (e) tickets were unavailable for public purchase (the Cham Wings Airlines website does not list an office or agent for Libya) and flights to Libya did not appear on their schedule. Flights to Libya could not be booked through their on-line booking service; and (f) air operator transparency is opaque;

(d) In addition to Benghazi airport (HLLB) unscheduled flights also go to Marsa Brega airport (HLMB), which is closer to the separation of forces area near Surt. Other than for the transfer of foreign fighters close to the front lines, or their rotation, there would be no credible reason for passenger flights to this airport, which serves no other international destinations;

(e) It was reported on 13 December 2020 that Cham Wings Airlines would commence scheduled twice-weekly flights to Benghazi,¹⁹² and a Panel test booking found seat availability on the website on 7 January 2021, but it was not possible to book a seat remotely. More recent Panel checks on 14 April 2021 and 26 October 2021 found no flight availability on the airline booking system and flights could not be booked from Cham Wings Airlines via phone; and

¹⁸⁹ Flight data for flights is based on data received from a combination of: 1) Confidential sources; 2) www.flightradar24.com; 3) www.radarbox.com; 4) www.italmilaradar.com; 5) C4ADS analysis; and 6) Twitter [@ALandewers](https://twitter.com/ALandewers); [@Gerjon](https://twitter.com/Gerjon) (primarily), and [@YorukIsik](https://twitter.com/YorukIsik).

¹⁹⁰ <https://www.eurocontrol.int/>.

¹⁹¹ For example: Syrians for Truth and Justice. Hundreds of Syrians Deployed to Libya Despite the Ceasefire Agreement. June 2021. Pp 4 and 16. <https://stj-sy.org/en/hundreds-of-syrians-deployed-to-libya-despite-the-ceasefire-agreement/>.

¹⁹² <https://libyareview.com/8705/syrias-cham-wings-airlines-operates-direct-flights-to-benghazi/>. 13 December 2020.

- (f) No response to Panel enquiries was received from the Member State nor the airline.

Table 88.1

Summary of Cham Wings Airlines flights to eastern Libya (1 January – 31 December 2021)

<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>	<i>Totals</i>
# Flights	13	13	18	13	8	20	17	16	9	5	14	12	158
Max passengers	2,262	2,262	3,132	2,262	1,392	3,480	2,958	2,784	1,566	870	2,436	2,088	27,492
Max load (t)	103	103	142	103	63	158	134	126	71	40	111	95	1,249

Figure 88.3

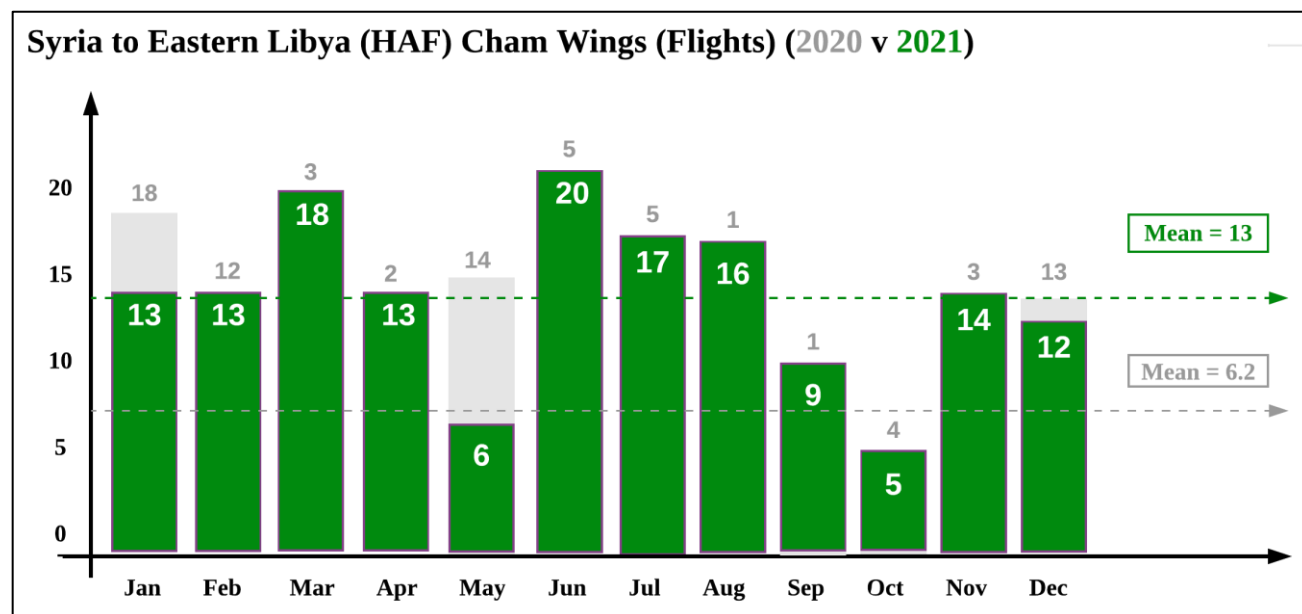
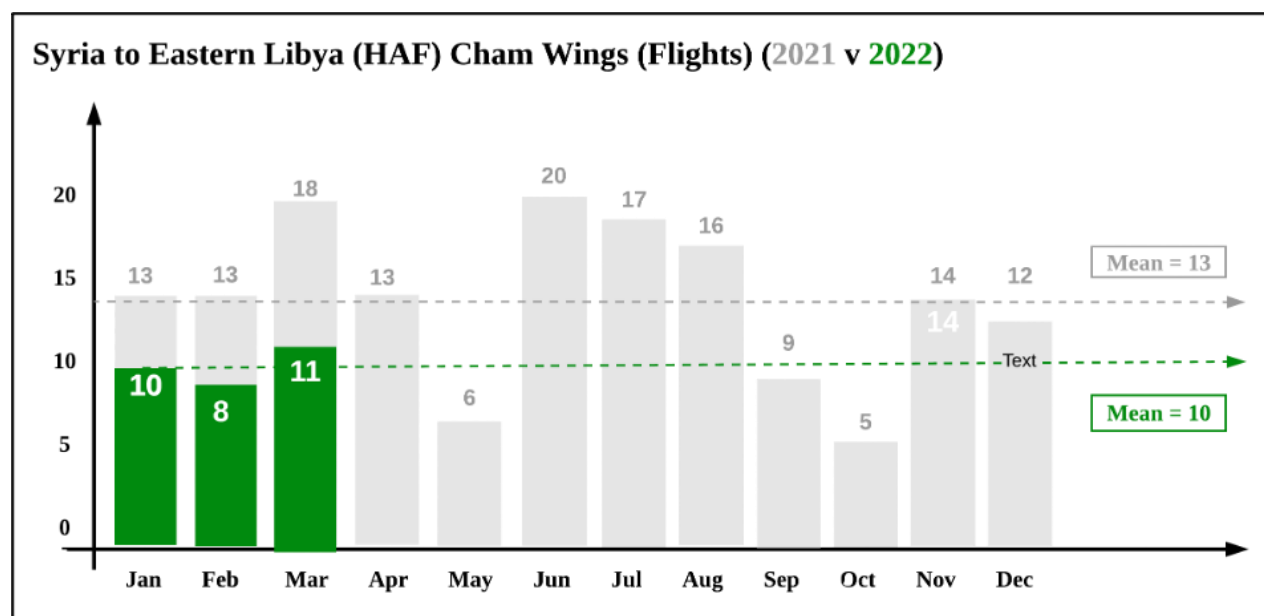
Number of Cham Wings Airlines flights to Libya (1 January - 31 December 2021)

Table 88.2

Summary of Cham Wings Airlines flights to eastern Libya (1 January – 31 March 2022)

<i>Data set</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Totals</i>
# Flights	10	8	11	29
Max passengers	1,740	1,392	1,914	5,046
Max load (t)	79	63	87	229

Figure 88.4
Number of Cham Wings Airlines flights to Libya (1 January - 31 March 2022)



7. The Panel has further identified that these flights are not always uniquely military in nature, as flights for migrants have also taken place.¹⁹³ Since 26 June 2021, a Facebook profile¹⁹⁴ of a representative of the airline has occasionally reported on availability of migrant flights to Libya,¹⁹⁵ stating tickets and security clearances must be obtained through ‘their’ offices.

8. The Panel finds that Cham Wings Airlines have continued to conduct flight operations in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

¹⁹³ Confidential report by IHL CS24. 10 September 2021.

¹⁹⁴ <https://www.facebook.com/MMD.76/>. 26 June 2021.

¹⁹⁵ Flights offered for 29 June, 10 July, 14 July, 30 July, 8 August, 17 August, 3 September 2021. A total of seven flights out of the 34 identified during this period. Panel interviews with Syrian migrants (CS66 to CS68) (13 and 14 January 2022) confirmed that this was now a regular route for the onward transfer of migrants.

Annex 89 Summary of aviation related violations, non-compliances and 'of interest' air operators

1. The Panel has multiple sources for the entries in tables 89.1 to 89.5, which are shown in the appropriate annexes, and are primarily from a combination of: (a) Member States responses to Panel enquiries; (b) entity responses to Panel enquiries; (c) official social media of national armed forces; (d) social media of armed groups; (e) other social media; (f) specialist aviation databases¹⁹⁶ and web platforms;¹⁹⁷ (g) imagery supported by geo-location; and/or (h) imagery supported by technical analysis.

2. Commercial aviation related violations and non-compliances, or data on airlines of current interest to the Panel, are presented in the annexes listed in tables 89.1 to 89.4 below:

Table 89.1

Commercial airlines or operators identified as violating the arms embargo in support of GNU-AF

<i>Airline</i>	<i>ICAO Code</i>	<i>Air Operator Certificated (AOC) ^a</i>	<i>Operational Base ^b</i>	<i>Owned aircraft in direct support of GNU-AF or MoI ^c</i>	<i>Annex</i>
Libya Police Aviation	^d	^e	Libya	IL-76TD [MSN#53465956] ^f	90

^a Member State where the company is registered.

^b Member State from which airline primarily operates.

^c Ministry of Interior.

^d Not registered with the ICAO.

^e Information not received from the Libyan Civil Aviation Authority after numerous Panel requests.

^f Previously flew for Sigma Airlines as UP-I7645 and reported in: annex 52 to [S/2019/914](#); and appendix C to annex 55 of Panel report [S/2021/229](#).

Table 89.2

Commercial airlines or operators identified as violating the arms embargo in support of HAF

<i>Airline</i>	<i>ICAO Code</i>	<i>Air Operator Certificated (AOC) ^a</i>	<i>Operational Base ^b</i>	<i>Owned aircraft in direct support of HAF</i>	<i>Annex</i>
Alpha Air LLC				IL-76TD [MSN#0033446325] ^c	91
Cham Wings Airlines	SAW	Syria	Syria		88
FlySky Airlines LLC	FSQ	Kyrgyz Republic	UAE		92
FlySky Airlines LLC	FSU	Ukraine	UAE		93

¹⁹⁶ 1) Aerotransport Database (www.atdb.org). (Subscription); 2) www.ch-aviation.com. (Subscription); and 3) <http://www.csgnetwork.com/aviationdatabases.html>.

¹⁹⁷ Flight data for flights is based on data received from a combination of: (a) Confidential sources; (b) www.flightradar24.com; (c) www.radarbox.com; (d) www.italmilaradar.com; (e) C4ADS analysis; (f) Twitter [@ALandewers](#); [@Gerjon](#) (primarily); and (f) Twitter [@YorukIsik](#).

<i>Airline</i>	<i>ICAO Code</i>	<i>Air Operator Certified (AOC) ^a</i>	<i>Operational Base ^b</i>	<i>Owned aircraft in direct support of HAF</i>	<i>Annex</i>
Green Flag Aviation	GNF	Sudan	Libya	IL-76TD [MSN#1013409282] ^d	94
NPP Mir Aviakompania	NPP	Russian Federation	Russian Federation		95
Sapsan Airlines LLC	KGB	Kyrgyz Republic	UAE		96
Space Cargo Inc FZE	^e	UAE	Libya	AN-12A [MSN#2340806] AN-12BP [MSN#5342908] AN-12BP [MSN#5343005] ^f AN-32B [MSN#2009] ^g IL-18D [MSN#172001401] ^h IL-18D [MSN#187009903] ^j IL-76TD [MSN#73479367] ^k IL-76TD [MSN#1013405167] ^l IL-76TD [MSN#1023411378] ^m	97

^a Member State where the company is registered.

^b Member State from which airline primarily operates.

^c Also see table 55.3 and appendix E to annex 55 of [S/2021/229](#).

^d Also see appendix K to annex 55 of [S/2021/229](#).

^e Although Space Cargo Inc FZE owns and operates aircraft the company is not registered with ICAO.

^f Also see appendix K to annex 55 to [S/2021/229](#).

^g Also see appendix J to annex 55 to [S/2021/229](#).

^h Also see appendix F to annex 55 to [S/2021/229](#).

^j Also see annex 35 to [S/2017/466](#).

^k Also see appendix F to annex 55 to [S/2021/229](#).

^l Ibid.

^m Flying with Sapsan Airline, Kyrgyz Republic since 18 May 2021, with owner changed to BU Shames FZE. Also see appendix F to annex 55 to [S/2021/229](#).

Table 89.3

Commercial airlines or operators of interest to the Panel regarding potential arms embargo in support of HAF

<i>Airline</i>	<i>ICAO Code</i>	<i>Air Operator Certified (AOC) ^a</i>	<i>Operational Base ^b</i>	<i>Owned aircraft in direct support of HAF</i>	<i>Annex</i>
Syrian Arab Airlines ^c	SYR	Syria	Syria		98

^a Member State where the company is registered.

^b Member State from which airline primarily operates.

^c This is the legal name. Flies as Syria Air.

Table 89.4

Summary of other aviation related violations and non-compliances

<i>Date identified</i>	<i>End User</i>	<i>Type</i>	<i>Details of violation or non-compliance</i>	<i>Responsible</i>	<i>Remarks</i>
During resolution 2509 (2020) reporting period					
18 Apr 2020 11 Jun 2020	GNU	Military aircraft overflights	Squadron of ten F16 multi-role fighter aircraft violated Libyan air space off the coast of Tripoli and Misrata. ^a	Turkey	
During resolution 2571 (2021) reporting period					
29 May 2021	HAF	Cargo aircraft	IL-76 now marked as 5A-??? identified operating in support of HAF, but not 5A-ILA as paint scheme different. ¹⁹⁸ Based on colour scheme, highly probably ex UP-I7651 ^b or ex UP-I7652, ^c both operated by Azee Air LLC and owned by Space Cargo Inc.	HAF	
21 Aug 2021	HAF	Cargo aircraft	IL-76 marked as 5A-ILA first identified operating in support of HAF. Libyan registration and manufacturers serial number to be confirmed.	HAF	

^a Source: Member State.^b [MSN#0073479367]. IAC airworthiness expired on 25 September 2020.^c [MSN#1013405167]. IAC airworthiness expired on 19 July 2020.

3. Routine commercial air activity is now expanding for Libya, as time moves on from the more recent conflicts. Table 89.5 lists those air operators now routinely operating commercial cargo and passenger flights into Libya on a regular basis. Panel monitoring has identified no suspicious activity during this reporting mandate.

Table 89.5

Routine commercial cargo and passenger operators for Libya

<i>Air Operator</i>	<i>Primary type</i>	<i>ICAO Code</i>	<i>Air Operator Certificated (AOC)^a</i>	<i>Operational Base^b</i>	<i>Remarks</i>
Afriqiyah Airways ^c	Passenger	AAW	Libya	Tripoli	- Government owned. - Flights mainly to Algeria and Turkey.
Buraq Air Transport ^d	Mixed	BRQ	Libya	Tripoli	Flights currently only to Turkey.
Express Air Cargo ^e	Cargo	XRC	Tunisia	Tunis	
Libyan Airlines ^f	Mixed	LAA	Libya	Tripoli	- Government owned. - Flights currently only to Turkey.

¹⁹⁸ ??? means unknown letters. XXX not used as this could be a real number.

<i>Air Operator</i>	<i>Primary type</i>	<i>ICAO Code</i>	<i>Air Operator Certified (AOC) ^a</i>	<i>Operational Base ^b</i>	<i>Remarks</i>
Libyan Wings Airlines ^g	Mixed	LWA	Libya	Tripoli	▪
MNG Airlines ^h	Cargo	MNB	Turkey	Istanbul	▪
Rada Airlines ⁱ	Cargo	RDA	Belarus	Minsk	▪ Contracted by WFP.
Tunis Air ^j	Mixed	TAR	Tunisia	Tunis	▪
ULS Airlines Cargo ^k	Cargo	ULS	Turkey	Istanbul	▪

^a Member State where the company is registered.

^b Member State from which airline primarily operates.

^c <https://flyafriqiyahairways.com>.

^d www.buraq.aero.

^e <http://express-aircargo.com>.

^f <https://libyanairlines.aero>.

^g <https://libyanwings.ly>.

^h www.mngairlines.com.

ⁱ <http://www.rada.aero/>.

^j www.tunisair.com.

^k <https://ulsairlines.com>.

Annex 90 Libya Police Aviation IL-76TD cargo aircraft (5A-POL)

1. The Panel has identified that the IL-76TD cargo aircraft displaying Libyan registration 5A-POL¹⁹⁹ is the IL-76TD (MSN²⁰⁰ 186009403). The aircraft previously flew for Sigma Airlines under Kazakhstan registration UP-I7645²⁰¹ and was reported for violating the arms embargo in: (a) annex 52 to [S/2019/914](#); and (b) appendix C to annex 55 of Panel report [S/2021/229](#). At that time, it was being chartered by Space Cargo Inc.
2. This aircraft is listed on www.aerotrtransport.org (ATDB), a definitive aviation database, as being operated by 'Libyan Police Aviation' since December 2019, and is the only aircraft listed as operating for them. No ownership is listed on ATDB.
3. The last known owner²⁰² of the aircraft was Technoline FZC of Sharjah, UAE.²⁰³ The owner has no open-source web presence, but the Panel notes that the email address is hosted by North South Cargo, whose website states that they specialise in cargo flights from UAE to the Russian Federation.²⁰⁴
4. The aircraft made 53 return flights from Misrata (HLMS) to Istanbul (LTFM) in 2020 and only one in 2021. The Panel notes that the manufacturer's Certificate of Airworthiness for this aircraft expired on 21 June 2021.²⁰⁵ Without such a certificate, flights cannot be legally made through EU controlled air space, thus restricting the aircraft to operations within Libya.

Figure 90.1

IL-76TD (POL) at Minsk (26 September 2020)



Figure 90.2

IL-76TD (POL) at Istanbul (6 October 2020)



Sources: (a) <https://www.airplane-pictures.net/photo/1346627/5a-pol-libya-government-ilyushin-il-76-all-models/>, 26 September 2020; and (b) <https://www.jetphotos.com/photo/9882694>, 6 October 2020

5. The activities and profile of this aircraft meet at least seven of the Panel's air delivery profile indicators that when considered collectively indicate that a vessel or aircraft is almost certainly carrying illicit cargo: (a) lack of an obvious schedule, with flights usually in dark hours for concealment of offloads; (b) the random nature of the flights; (c) AIS is sometimes switched off; (d) tickets are unavailable for public purchase; (e) there is no open-source trace for the air operator; (f) air operator transparency is opaque; and (g) the previous record of this aircraft for sanctions violations.

¹⁹⁹ Initially reported in Reported in table 39.1 of annex 39 to Panel report [S/2021/229](#).

²⁰⁰ Manufacturer's serial number.

²⁰¹ Kazakhstan removed the aircraft from its civil aviation register on 10 September 2019. Certificate #291.

²⁰² Member State information of 25 December 2019.

²⁰³ Sharjah Airport Free Zone, Sharjah, UAE. +971 6 557 3127, +971 6 557 3128. technoline@nsc.ae

²⁰⁴ Warehouse 2, Street #24, Sharjah, UAE. +971 6 532 5538. nsc@nsc.ae.

²⁰⁵ <https://ilyushin.org/en/airworthiness/>.

6. The Panel requested further information from Libya in letters dated 31 March 2020 and 7 January 2022. No response was received.

7. The Panel finds that the IL-76TD (MSN 186009403) cargo aircraft undertook internal and external flight operations to Libya in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

Annex 91 Alpha Air LLC owned IL-76TD cargo aircraft (5A-7656)

1. The Panel has identified that the IL-76TD cargo aircraft displaying Libyan registration 5A-7656 is the IL-76TD (MSN²⁰⁶ 33446325). The aircraft previously flew for Jenis Air LLC under Kazakhstan registration UP-I7656²⁰⁷ and was reported for violating the arms embargo in appendix E to annex 55 of Panel report [S/2021/229](#). At that time, it was being chartered by Space Cargo Inc.

Figure 91.1

IL-76TD displaying registration 5A-7656 flying in support of Haftar

Ilyushin IL-76TD cargo aircraft (5A-7656) at Benghazi (29 May 2021)

The Panel has identified an Ilyushin IL-76 cargo aircraft flying as part of the Libyan National Army 7th Operation Dignity anniversary military parade in Benghazi on 29 May 2021. Flight operations in support of armed groups affiliated to Khalifa Haftar are a violation of paragraph 9 of resolution 1970 (2011) as such operations constitute “*other assistance*”.

The aircraft was displaying the registration number 5A-7656, which is unusual as the correct ICAO format for all Libyan registered aircraft is 5A-XXX (Libyan Civil Aviation Regulations, Aircraft Registration and Markings (LYCAR.47) clause 47.045 (b) refers).



Primary sources

1. <https://twitter.com/Gerjon/status/1398695363138273288>, 29 May 2021; and
2. Confidential source.

Developed by UN Panel of Experts

2. The documentation submitted to the Kazakhstan civil aviation authorities states that the aircraft is owned by Alpha Air LLC of Ukraine.²⁰⁸ The aircraft is still registered in Kazakhstan as UP-I7656 and is thus flying under a “fake registration”.

3. The Panel notes that the manufacturer's Certificate of Airworthiness for this aircraft expired on 21 May 2020.²⁰⁹ Without such a certificate, flights cannot be legally made through EU controlled air space, thus restricting the aircraft to operations within Libya.

²⁰⁶ Manufacturer's serial number.

²⁰⁷ Registration Certificate #1180 dated 21 May 2019.

²⁰⁸ Office 58, House 1A, Dnepropetrovskaya Street, Kiev, Ukraine. +380 67 6123237. yss67uae@gmail.com.

²⁰⁹ <https://ilyushin.org/en/airworthiness/>.

4. The Panel requested further information from Libya in letter dated 8 July 2021. No response was received. The Panel also requested further information from Ukraine on 21 October 2021. No response was received.
5. The Panel finds Alpha Air LLC in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

Annex 92 FlySky Airlines LLC (FSQ), Kyrgyz Republic flights in support of HAF

1. The flight activity of FlySky Airlines LLC (FSQ)²¹⁰ aircraft continued to be of interest to the Panel during this mandate. FlySky Airlines LLC (FSQ) received their Air Operating Certificate (AOC) #53 from the Kyrgyz Republic Civil Aviation Agency on the 28 August 2020 and then operated the aircraft shown in table 92.1 on the Libyan airbridge to HAF.²¹¹

Table 92.1

FlySky Airlines LLC (FSQ) aircraft

Type	MSN#	Current Registration #	Re-Registration #	Previous Registration #	Current Owner	Previous Owner
Ilyushin IL-76TD	1033418596	EX-76003		UP-I7650	Aero Business Charter FZE ^a	Azee Air LLC

^a Office C3/17, PO Box 8399, SAIF Zone, Sharjah, UAE. +971 6 557 1440. Sales@charteraflight.com. www.charteraflight.com is non-operational. The Panel notes that a second address in Fujairah International Airport, UAE was used on documentation from the company.

2. Table 92.2 summarises the recent history of this aircraft as it relates to sanctions violations. Note that it was previously owned and operated by Azee Air LLC (AZL) of Kazakhstan who were reported for violating paragraph 9 of resolution [1970 \(2011\)](#) in Panel report [S/2021/229](#).²¹² Azee Air LLC (AZL) had their AOC suspended on 21 April 2020, and the aircraft was transferred to a Kyrgyz Republic registration (EX-76003) on 9 June 2020, before the Azee Air LLC (AZL) AOC was revoked by Kazakhstan on 1 February 2021. The aircraft was sold to Aero Business Charter FZE on 31 July 2020. The Panel considers that this action was taken to protect the aircraft against any legal action from the Kazakhstan authorities.

Table 92.2

IL-76TD (MSN# 1033418596) sanctions violations related history

Date	Activity	Panel Evidence / Remarks ^a
9 Jul 2018	Registered by Kazakhstan as UP-I7650.	▪ Certificate of Registration No.1145.
14 Jan 2020	First identified by the Panel flying on UAE - Libya airbridge operating in support of HAF.	▪
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform at Azee Air LLC (AZL) request.	▪ FR24 documentation. ^b ▪ Intended to disguise clandestine flights into Libya.
21 Apr 2020	Azee Air LLC (AZL) Air Operating Certificate suspended for six months.	▪ Until 20 October 2020.
4 May 2020	Dry leased by Azee Air LLC (AZL) to FlySky Airlines (FSQ), Kyrgyz Republic.	▪ Dry Lease No 04/05/20. ▪ Prior to issuance of FlySky Airlines (FSQ) air operating certificate.
9 Jun 2020	Registered by Kyrgyz Republic as EX-76003.	▪

²¹⁰ Office No 6, Ch Aitmatova Avenue 82A, Bishkek 720044, Kyrgyz Republic. +996 312 979300. office@flysky.kg.

²¹¹ Identified in para. 83 and annex 55 to [S/2021/229](#).

²¹² Annex 55.

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence / Remarks ^a</i>
15 Jun 2020	Cancellation of aircraft registration by Kazakhstan.	▪ Certificate of Cancellation No. 301.
31 Jul 2020	Sold by Azee Air LLC (AZL) to Aero Business Charter FZE, UAE.	▪ Sale Agreement #9009-07-2020. ▪ The Panel notes that the Acceptance Certificate was signed on 7 May 2020, 11 weeks prior to the Sales Agreement.
28 Aug 2020	FlySky Airlines LC (FSQ) receive Air Operating Certificate from Kyrgyz Republic CAA.	▪ AOC Certificate #53.
7 Sep 2020	First flight (FSQ1110) identified as made by IL-76 (EX-76003) on the airbridge leg from UAE to Sidi Barani, Egypt.	▪ In Panel report S/2021/229 ^c the Panel found that flights along this airbridge formed part of the wider supply chain to HAF, and were therefore a violation of paragraph 9 of resolution 1970 (2011). ▪ Flight documentation showed cargo for the return flight only.^d ▪ Suspicious flights made during 2021 are at appendix A.
24 Sep 2020	IL-76 (EX-76003) made flight (FSQ1110) on the airbridge from UAE to Sidi Barani, Egypt.	▪ The flight documentation listed the shipper as the Khalifa Foundation of Abu Dhabi. ▪ The Khalifa Foundation was previously used in flight documentation by Azee Air LLC (AZL) for flight AZL1538 on 20 January 2020. In Panel report S/2021/229 the Panel found very similar documentation to be false.^e ▪ After documentary analysis the Panel finds the flight documentation for this flight to be false (see appendix B).
1 Oct 2020	Dry leased by Aero Business Charter FZE to FlySky Airlines (FSQ), Kyrgyz Republic.	▪ Unreferenced lease document.
1 Feb 2021	Azee Air LLC Air Operating Certificate revoked by Kazakhstan	▪ Revocation Order #00.47.
6 Feb 2021	IL-76 (EX-76003) made flight on the airbridge from UAE to Sidi Barani, Egypt.	▪ FlySky Airlines LLC (FSQ) only supplied flight documentation for the return flight despite two requests from the Panel.
4 Apr 2021	IL-76 (EX-76003) made flight from UAE to Mitiga, Tripoli.	▪ The Panel has analysed the flight documentation for this flight and elements of it are suspicious (see appendix C). ▪ Imagery shows the aircraft on the ground in Mitiga, Libya, with a brand named vaccine packaging box in the cargo hold.^f ▪ The Panel continues to investigate this flight.

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence / Remarks ^a</i>
1 Aug 2021	IL-76 (EX-76003) made flight on the airbridge from UAE to Mitiga, Tripoli.	▪ The Panel has analysed the flight documentation for this flight and elements of it are suspicious (see appendix D). ▪ The Panel continues to investigate this flight.
2 Aug 2021	IL-76 (EX-76003) made flight on the airbridge from UAE to Mitiga, Tripoli.	▪ The Panel has analysed the flight documentation for this flight and elements suspicious (see appendix D). ▪ The Panel continues to investigate this flight.
		▪

^a The Panel has evidentiary copies of the documentation listed in this table on file.

^b Email to Panel of 23 June 2020.

^c Annex 55.

^d FlySky Airlines, Ukraine (FSU) also supplied flight documentation for return flights, claiming outbound flights were empty.

^e Para.13 to annex 55.

^f https://twitter.com/Gerjon_/status/1378623180458328066, 4 April 2021.

3. The Panel identified that FlySky Airlines LLC (FSQ) flights in 2020 meet at least eight of the air delivery profile indicators (see annex 25) that when considered collectively indicate that an aircraft is almost certainly carrying illicit cargo. (a) lack of an obvious schedule; (b) flights usually in dark hours for concealment of offloads; (c) the random nature of the flights; (d) ADBS signal on AIS is often switched off; (e) false flight documentation; (f) air operator transparency is opaque; (g) inconsistent use of flight numbers; and (h) the links to Azee Air LLC (AZL).

4. The Panel has examined the documentation for the flights on 4 April, 1 August and 2 August 2021, which reports that the cargo was vaccines and medical supplies. Although the flight documentation is inaccurate and suspicious, the Panel considers it possible that this is because the same shipping agents were used as for the military cargo flights, and thus it was routine for the shipping agents to be inaccurate in completion of such documents. Additionally, the WFP (the logistic coordination agency for the UN presence in Libya) have confirmed that vaccines were delivered during that period, although they have no knowledge of the delivery mechanism. The Panel does not have evidence to the necessary evidential standards that these three flights carried military materiel.

5. The Panel offered FlySky Airlines LLC (FSQ) an opportunity to respond on 26 November 2021. Their response was sent by the Member State on 17 December 2021. This stated that they were aware of the flights by their aircraft into Libya and that “*the airline is also aware of the nature of the cargo being transported, which conforms to the stated requirements, is not prohibited for transport by air and does not constitute military cargo subject to United Nations Security Council sanctions*”. The Panel does not consider that this response addresses any of the indicators (paragraph 3) and documentary evidence (appendices) identified by the Panel.

6. The Panel offered the owner of the aircraft, Aero Business Charter FZE, an opportunity to respond on 25 January 2022. No response has yet being received by the Panel.

7. The Panel finds that FlySky Airlines LLC (FSQ) conducted flight operations on the air bridge from UAE to Egypt during 2020 in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

7. The Panel also notes that FlySky Airlines, Kyrgyz Republic (FSQ) and FlySky Airlines, Ukraine (FSU) share the same logo, and conducted flights on the Libya airbridge alongside each other in early 2021. The Panel has yet to determine the exact relationship between the two companies.

Appendix A to Annex 92: FlySky Airlines LLC (FSQ) suspicious flights on Libya airbridge 2020 and 2021

1. Table 92.A.1 shows a consolidated list of flights made by FlySky Airlines LLC, Kyrgyz Republic (FSQ).

Table 92.A.1

FlySky LLC Airlines (FSQ) suspicious flights on Libya airbridge 2021

<i>Date</i>	<i>From</i>		<i>To</i>		<i>A/C</i> ^a	<i>Flight#</i>	<i>Remarks</i>
7 Sep 2020	OEJN	Jeddah	HE40	Sidi Barani	EX-76003	FSQ1110	Only return flight documentation to OMDW Al Mak-toum supplied to Panel after two requests.
9 Sep 2020	OMAH	Al Dafra ^a	HE40	Sidi Barani	EX-76003	FSQ1110	Only return flight documentation to Al Dhafra supplied to Panel after two requests.
24 Sep 2020	OMAA	Abu Dhabi	HE40	Sidi Barani	EX-76003	FSQ1110	Suspicious air waybill. See appendix B.
14 Nov 2020	OJAQ	Aqaba			EX-76003	FSQ1110	- On direct flight track to HE40. - AIS disabled.
30 Nov 2020	OJAQ	Aqaba			EX-76003	FSQ4921	- On flight track towards HE40 or Libya. - AIS disabled.
17 Jan 2021	OJAQ	Aqaba	HE40	Sidi Barani	EX-76003	FSQ1120	- On flight track towards HE40 or Libya. - AIS disabled.
18 Jan 2021		UAE	HE40	Sidi Barani	EX-76003	FSQ1119	AIS disabled.
21 Jan 2021		UAE			EX-76003	FSQ1119	- On direct flight track to HE40. - AIS disabled.
22 Jan 2021		UAE			EX-76003	FSQ1120	- On flight track towards HE40 or Libya. - AIS disabled.
7 Feb 2021	OEJN	Jeddah			EX-76003	FSQ1119	- On direct flight track to HE40. - AIS disabled.

<i>Date</i>	<i>From</i>	<i>To</i>	<i>A/C</i> ^a	<i>Flight#</i>	<i>Remarks</i>
3 Apr 2021	OMAA Abu Dhabi	HLLM Mitiga	EX-76003	FSQ1110	- Declared cargo of vaccines, but flight documentation highly suspicious. - Same flight number as used for flights to HE40.
9 Apr 2021	OMAA Abu Dhabi	HLLM Mitiga	EX-76003	FSQ1110	- Declared cargo of vaccines. - Same flight number as used for flights to HE40.
2 May 2021	OMAA Abu Dhabi	HLLB Benina	EX-76003	FSQ1112	Declared cargo of vaccines.
1 Aug 2021	OMAA Abu Dhabi	HLMS Misrata	EX-76003	FSQ1111	Declared cargo of vaccines.
2 Aug 2021	OMAA Abu Dhabi	HLLM Mitiga	EX-76003	FSQ1113	Declared cargo of vaccines.
3 Aug 2021	OMAA Abu Dhabi	HLLM Mitiga	EX-76003	FSQ1115	
17 Oct 2021	OEJN Jeddah	HLLM Mitiga	EX-76003	FSQ1110	

^a Aircraft registration #.^b Al Dafra is a UAE military airbase. 24°14'24"N, 054°32'54"E. This was listed on return flight documentation supplied by airline.

Appendix B to Annex 92: Panel analysis of Air Waybill for Flight FSQ1110 (24 September 2020)²¹³

AZE-1600 0244		AZE-1600 0244	
Shipper's Name & Address KHALIFA FOUNDATION, ABU DHABI		Shipper's Account Number	
Consignee's Name & Address REPRESENTATIVE OF KHALIFA FOUNDATION, ABU DHABI		Consignee's Account Number	
Issuing Carrier's Agent Name and City AZEE AVIATION FZE		Accounting Information AS AGREED	
Agent's IATA Code		Account No.	
Airport of departure (date, of First Carrier) and Requested Routing ABU DHABI (AUH)		Currency USD	
Air of Origin		Amount of Insurance	
SIC (SARANI) (HEAD)		Insurance	
Handling Information		Insurance	
INFORM CONSIGNEE UPON ARRIVAL		Insurance	
No. of PCS BOP	Gross Weight	Net Weight	Net / Charge
360	27000		AS AGREED
Total		Feature and Quantity of Goods (incl. Dimensions or Volume)	
AS AGREED		FOODSTUFF & MEDICINES	
Weight Charge		Other Charges	
Valuation Charge		Tax	
Total other charges due amount		Signature of Shipper or his Agent	
Total other charges due carrier		Signature of Shipper or his Agent	
Currency conversion rates		24.09.2020 ABU DHABI, UAE	
Charges at destination		Total Collected charges	
For carrier's use only at destination		Total Collected charges	

SHIPPER
Known fake Shipper and Consignee, often used for illicit flights in violation of arms embargo.

SUPPLIER
Azee Aviation FZE sold the aircraft on 31 July 2020. The Azee AOC was revoked on 23 September 2021.

CARGO WEIGHT
Highly unlikely to be a "000" number if proper cargo analysis was done.

FORM
This is an Azee Aviation FZE AWB form, not a FlySky Airlines AWB form. So a false carrier has been declared.

DECLARED VALUE
No Customs value is highly unusual.

GOODS
No identified Khalifa Foundation project to provide humanitarian aid to Egypt. Insufficient information provided.

UNSIGNED

²¹³ The Panel has higher quality imagery available on request. The imagery resolution is poor in some of the remaining appendices due to the infographics being compressed to make the overall document a more manageable size.

262/372

Appendix D to Annex 92: Panel analysis of Air Waybill for Flight FSQ1110 (1 August 2021)

'Suspicious' Air Waybill

Fly Sky Airlines (FSQ), Kyrgyz Republic, Flight# FSQ1111, Declared UAE to Misrata
(1 August 2021)

The image shows a scanned air waybill for flight FSQ1111. Key fields are highlighted with red boxes and arrows pointing to explanatory text:

- AIR CARRIER:** Fly Sky Airlines (FSQ), Kyrgyz Republic.
- CONSIGNEE:** Ministry of Health for Libya in Mitiga.
- GROSS WEIGHT:** 12,646.0 kg.

Consignor Contact Number +971 5066 22961

Same contact number for air waybills for Maximus Air flights on 12, 14, 18 and 19 January 2020. See appendix G to annex 55 to [S/2021/229](#) for the reported violations of the arms embargo for these flights.

The number linked to Mubarak Al Ameri the contact for the GHQ of United Arab Emirates Armed Forces. a.k.a Mubarak Al Amri or Mubarak Al Ansari. The number is also linked to a security incident of 20 October 2021, which was reported separately to the Committee.

On 11 Oct 2021 the listed UAE contact number claimed to be "Fast Food" shop in Gaza, then "Fast Food" shop in Abu Dhabi. Same claim to a 12 Oct 2021 OTR.

Consignee Contact Number NONE

No proper address for the Ministry of Health for Libya in Mitiga.

Volumetric Cargo Analysis

The declared 12,646kg for the cargo would equate to 89,500 vaccines if packed similarly to the standard WFP Single Use Thermal packaging. This equates to 26% of the maximum cargo load mass for the aircraft, and 27% of the maximum cargo area volume for the aircraft.

Flight FSQ1115 on 2 August 2021, made by the same aircraft had a declared cargo of 17,886kg of "relief goods". This equates to 37% of the maximum cargo load mass for the aircraft. The use of two flights is inefficient, expensive and unlikely if the cargo was as declared.

Appendix E to Annex 92: Panel analysis of Air Waybill for Flight FSQ1110 (2 August 2021)

'Suspicious' Air Waybill

Fly Sky Airlines (FSQ), Kyrgyz Republic, Flight# FSQ1115, Declared UAE to Mitiga
(2 August 2021)

Consignor Contact Number +971 5066 22961

Same contact number for air waybills for Maximus Air flights on 12, 14, 18 and 19 January 2020. See appendix G to annex 55 to [S/2021/229](#) for the reported violations of the arms embargo for these flights.

The number linked to Mubarak Al Ameri the contact for the GHQ of United Arab Emirates Armed Forces. a.k.a Mubarak Al Amri or Mubarak Al Ansari. The number is also linked to a security incident of 20 October 2021, which was reported separately to the Committee.

On 11 Oct 2021 the listed UAE contact number claimed to be "Fast Food" shop in Gaza, then "Fast Food" shop in Abu Dhabi. Same claim to a 12 Oct 2021 OTR.

Consignee Contact Number +218 8285 32639

Contact number does not belong to the Ministry of Health for Libya in Mitiga.

Volumetric Cargo Analysis

The declared 17,886kg for the cargo would equate to 89,500 vaccines if packed similarly to the standard WFP Single Use Thermal packaging. This equates to 37% of the maximum cargo load mass for the aircraft, and 33% of the maximum cargo area volume for the aircraft.

Flight FSQ1111 on 1 August 2021, made by the same aircraft had a declared cargo of 12,646kg of "relief goods". This equates to 26% of the maximum cargo load mass for the aircraft. The use of two flights is inefficient, expensive and unlikely if all the cargo was as declared.

Annex 93 FlySky Airlines LLC (FSU) Ukraine flights in support of HAF

1. FlySky Airlines LLC (FSU)²¹⁴ received their Air Operating Certificate (AOC) #UK058 from the Ukraine State Aviation Administration on the 28 October 2020 and operated the aircraft shown in table 93.1 on the Libyan airbridge to HAF route.²¹⁵ The company's AOC was suspended by the Ukraine State Aviation Administration on 11 June 2021²¹⁶ for non-compliance with aviation standards. The AOC was reinstated on 19 July 2021.²¹⁷

Table 93.1

FlySky Airlines LLC (FSQ) aircraft of interest

Type	MSN#	Registration # on violation	Previous Re- gistration #	Current Owner	Previous Operator
Ilyushin IL-76TD	93498974	UR-FSA	UR-COE	Aganya Holdings Limited, UAE ^{a b}	Europe Air LLC, Ukraine
Ilyushin IL-76TD	1023412399	UR-FSC	UR-CRN	Aganya Holdings Limited, UAE	Europe Air LLC, Ukraine
Ilyushin IL-76TD	1003403075	UR-FSE	UR-EAB	Aganya Holdings Limited, UAE	Europe Air LLC, Ukraine

^a Operated from RAK Offshore, PO Box 48904, Al Khaimah UAE. Documentation from the company claims that it is incorporated in the British Virgin Islands, (BVI) but the BVI authorities confirmed to the Panel on 28 April 2020 that the company was not registered in the BVI.

^b Second address used for aircraft registration: PO Box 128666, 24 Al Sila Tower, Abu Dhabi Global Market Square, Al Maryah Island, Abu Dhabi, UAE.

2. The previous owner of the FlySky LLC (FSU) aircraft above was Europe Air LLC of Ukraine, who were reported for violating paragraph 9 of resolution [1970 \(2011\)](#) in Panel report [S/2019/914](#).²¹⁸ The Europe Air LLC AOC suspended by the State Aviation Administration of Ukraine on 27 July 2019 and the company ceased trading on 9 August 2019. At that time their aircraft were leased from Infinite Seal Inc of the BVI, whose listed beneficial owner works for the Department of Civil Aviation of Fujairah, UAE, but were subsequently transferred to Aganya Limited, UAE. The Panel has not been able to refine the date of transfer of the aircraft from Infinite Seal Inc ownership to Aganya Limited beyond mid-2020.²¹⁹ The Panel considers that this ownership transfer was taken to protect the aircraft against any legal action from the appropriate authorities.

3. Tables 93.2 to 93.4 summarise the recent history of the aircraft at table 93.1 as relating to sanctions violations regarding Libya.

²¹⁴ Office 16, 1 Pidlisna Street, Kiev 03164, Ukraine .+380 44 353 1083. office@flysky.co.

²¹⁵ Identified in para. 83 and annex 55 to [S/2021/229](#).

²¹⁶ Order of the State Aviation Administration of Ukraine # 902 dated 10 June 2021.

²¹⁷ Order of the State Aviation Administration of Ukraine # 1134 dated 19 July 2021.

²¹⁸ Annex 52.

²¹⁹ In 2020 Aganya Limited also sold other aircraft to Space Cargo Inc (Appendix E to annex 55 to [S/2021/229](#)). It appears to the Panel as if aircraft ownership are transferred between the three companies to disguise beneficial ownership and to protect the aircraft against legal action by appropriate authorities.

Table 93.2

FlySky Airlines LLC (FSU) aircraft sanctions violations related history

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence / Remarks ^a</i>
21 Apr 2020	Air Operating Certificate of Azee Air LLC (AZL) suspended by Civil Aviation Authority of Kazakhstan for six months.	See later for link to Deek Aviation FZE, UAE contract and previous arms embargo violations.
28 Oct 2020	Air Operating Certificate issued to FlySky (FSU) by State Aviation Administration of Ukraine	Certificate #UK 058.
3 Nov 2020	IL-76TD (MSN#93498974) registered by Ukraine as UR-FSA.	Certificate of Registration #4283/2
3 Nov 2020	IL-76TD (MSN#1023412399) registered by Ukraine as UR-FSC.	Certificate of Registration #4569/2
10 Nov 2020	General Contract for Freight Transportation signed between FlySky (FSU) and Deek Aviation, UAE.	- Contract #10112020. - See paragraph 4.
1 Jan 2021	IL-76TD (MSN#1003403075) registered by Ukraine as UR-FSE.	Certificate of Registration #4434/1
19 Jan 2021	First flight (FSU4812) identified as made by IL-76 (UR-FSA) on the airbridge from UAE to Sidi Barani, Egypt.	- In Panel report S/2021/229 ^c the Panel found that cargo flights on this air bridge formed part of the wider supply chain to HAF, and were therefore a violation of paragraph 9 of resolution 1970 (2011). - Suspicious flights made during 2021 are at appendix A.
1 Feb 2021	Air Operating Certificate of Azee LLC (AZL) formally revoked by Civil Aviation Administration of Kazakhstan.	Order #00.47.
8 Feb 2021	Last flight (FSU4814) identified as made by IL-76 (UR-FSA) on the airbridge from UAE to Sidi Barani, Egypt.	
11 Jun 2021	Air Operating Certificate of FlySky Airlines LLC (FSU) suspended by State Aviation Administration of Ukraine.	Order 902 of State Aviation Administration of Ukraine.
19 Jul 2021	Air Operating Certificate of FlySky Airlines LLC (FSU) reinstated by State Aviation Administration of Ukraine.	Order 1134 of State Aviation Administration of Ukraine.

^a The Panel has evidentiary copies of the documentation listed in the tables in this appendix. The documentation is not included in the report as the final report would become even more voluminous.

3. The Panel identified the FlySky Airlines LLC (FSU) flights meet at least seven of the air delivery profile indicators (see annex 25) that when considered collectively indicate that an aircraft is almost certainly carrying illicit cargo. (a) lack of an obvious schedule; (b) flights usually in dark hours for concealment of offloads; (c) the random nature of the flights; (d) ADBS signal on AIS is often switched off; (e) false flight documentation; (f) air operator transparency is opaque; and (g) the links to other Libyan arms embargo violators such as Deek Aviation FZE.

4. The Panel notes that the airline is contracted under a General Sales Agreement to fly cargo on the Libya airbridge by Deek Aviation FZE;²²⁰ a company with a history of arms embargo violations:

(a) Deek Aviation FZE was reported in Panel report [S/2019/914](#)²²¹ for violating paragraph 9 of resolution [1970 \(2011\)](#) for contracting Europe Air LLC to fly military materiel into Libya.

(b) Deek Aviation was further reported in Panel report [S/2021/229](#)²²² in connection to a violation of paragraph 9 of resolution [1970 \(2011\)](#) by Azee Air LLC, with whom they had a General Sales Agreement.

5. Due diligence by FlySky Airlines LLC (FSU) should have identified the involvement of Deek Aviation FZE in sanctions violations activities in Libya. The Panel considers that FlySky Airlines LLC (FSU) have in effect partly taken on the logistic support role to HAF previously undertaken by Azee Air LLC until their AOC was suspended. The remainder of that role being taken on by FlySky Airlines LLC (FSQ) (see annex 92).

6. The Panel finds that FlySky Airlines LLC (FSU) have conducted flight operations on the air bridge from UAE to Egypt in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

7. The Panel notes that FlySky Airlines, Ukraine (FSU) and FlySky Airlines, Kyrgyz Republic (FSQ) share the same logo, and conducted flights on the Libya airbridge alongside each other in early 2021.

²²⁰ www.deek.aero.

²²¹ Annexes 28 and 52. The two aircraft destroyed at Al Jufra on 26 July 2019 (UR-CMP and UR-CRC) were both operated by Europe Air LLC, the previous operator of the aircraft now operated by FlySky LLC (FSU).

²²² Para. 8 of annex 55.

Appendix A to Annex 93: FlySky Airlines LLC (FSU) suspicious flights on Libya airbridge in 2021

1. Table 93.A.1 shows a consolidated list of flights made by FlySky Airlines LLC, Ukraine (FSU).

Table 93.A.1

FlySky LLC Airlines (FSU) suspicious flights on Libya airbridge 2021

<i>Date</i>	<i>From</i>	<i>To</i>	<i>A/C^a</i>	<i>Flight#</i>	<i>Remarks</i>
19 Jan 2021	OMDW Dubai		UR-FSA	FSU4812	- On direct flight track to HE40. - AIS disabled.
19 Jan 2021	OMFJ Fujairah		UR-FSC	FSU4814	- On direct flight track to HE40. - AIS disabled.
21 Jan 2021	OMDW Dubai			FSU4814	- On direct flight track to HE40. - AIS disabled.
22 Jan 2021	OMDW Dubai			FSU4812	- On direct flight track to HE40. - AIS disabled.
24 Jan 2021		UAE		FSU4814	- On direct flight track to HE40. - AIS disabled.
6 Feb 2021	OJAQ Aqaba	HE40 Sidi Barani	UR-FSA	FSU4814	- AIS disabled. - Flight documentation shows zero payload for the flight from OJAQ to HE40. - The Panel has analysed the flight documentation for the return flight and finds it suspicious (see appendix B).
7 Feb 2021	OEJN Jeddah	HE40 Sidi Barani	UR-FSC	FSU4817	- AIS disabled. - Flight documentation shows zero payload for the flight from OMSJ (Sharjah) to OEJN (Jeddah) and then zero payload from OEJN to HE40.

<i>Date</i>	<i>From</i>		<i>To</i>	<i>A/C</i> ^a		<i>Flight#</i>	<i>Remarks</i>
7 Feb 2020	OEJN	Jeddah	HE40	Sidi Barani	UR-FSE	FSU4812	▪ AIS disabled. ▪ Flight documentation shows zero payload for the flight from OMDW (Al Maktoum) to OEJN and then zero payload from OEJN to HE40. Supplied copies of Cargo Manifest showing "EMPTY", which is highly unusual.
8 Feb 2021	OEJN	Jeddah	HE40	Sidi Barani	UR-FSA	FSU4814	▪ AIS disabled. ▪ Flight documentation shows zero payload for the flight from OMDW (Al Maktoum) to OEJN and then zero payload from OEJN to HE40. ▪ Subsequent flights made by FlySky Airlines LLC (FSQ). ▪

^a Aircraft registration #.

Appendix B to Annex 93: Panel analysis of Air Waybill for Flight FSU4814 (Return from HE40) ²²³

SHIPPER / CONSIGNEE

There is no listing for a company called "Powerex Eastpac LLC" in any UAE business directory, nor a presence on social media.

A company called "Eastpac International" was identified, but their representative informed the Panel that the company had never conducted business in Egypt.

DECLARED VALUE

No Customs value is unusual.

FSU- 0001 0205		FSU- 0001 0205																																																	
Shipper's Name & Address REP OF POWEREX EAST PAC LLC, SIDI BARRANI, EGYPT.		Shipper's Account Number	Not negotiable Air Waybill FlySky Airline LLC 03164, Ukraine, Kyiv, Pidisna Street, 1, office 16 info@flysky.co																																																
Consignee's name & address POWEREX EASTPAC LLC, ABU DHABI UNITED ARAB EMIRATES.		Consignee's account Number	Issued by: Copies 1, 2 and 3 of this Air Waybill are original and have same validity. It is agreed that the goods described are accepted in payment of good order and condition (except as noted). No average SUBJECT TO THE CONDITIONS OF THE REVERSE HEREOF. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such liability by declaring a higher value for carriage and paying a supplemental charge if required.																																																
Issuing Carrier's Agent Name and City FLYSKY AIRLINES LLC		Accounting information FREIGHT PREPAID																																																	
Agent's IATA Code		Account No.																																																	
Airport of departure (Addr. Of First Carrier) and Requested Routing SQK SIDI BARRANI AIRPORT																																																			
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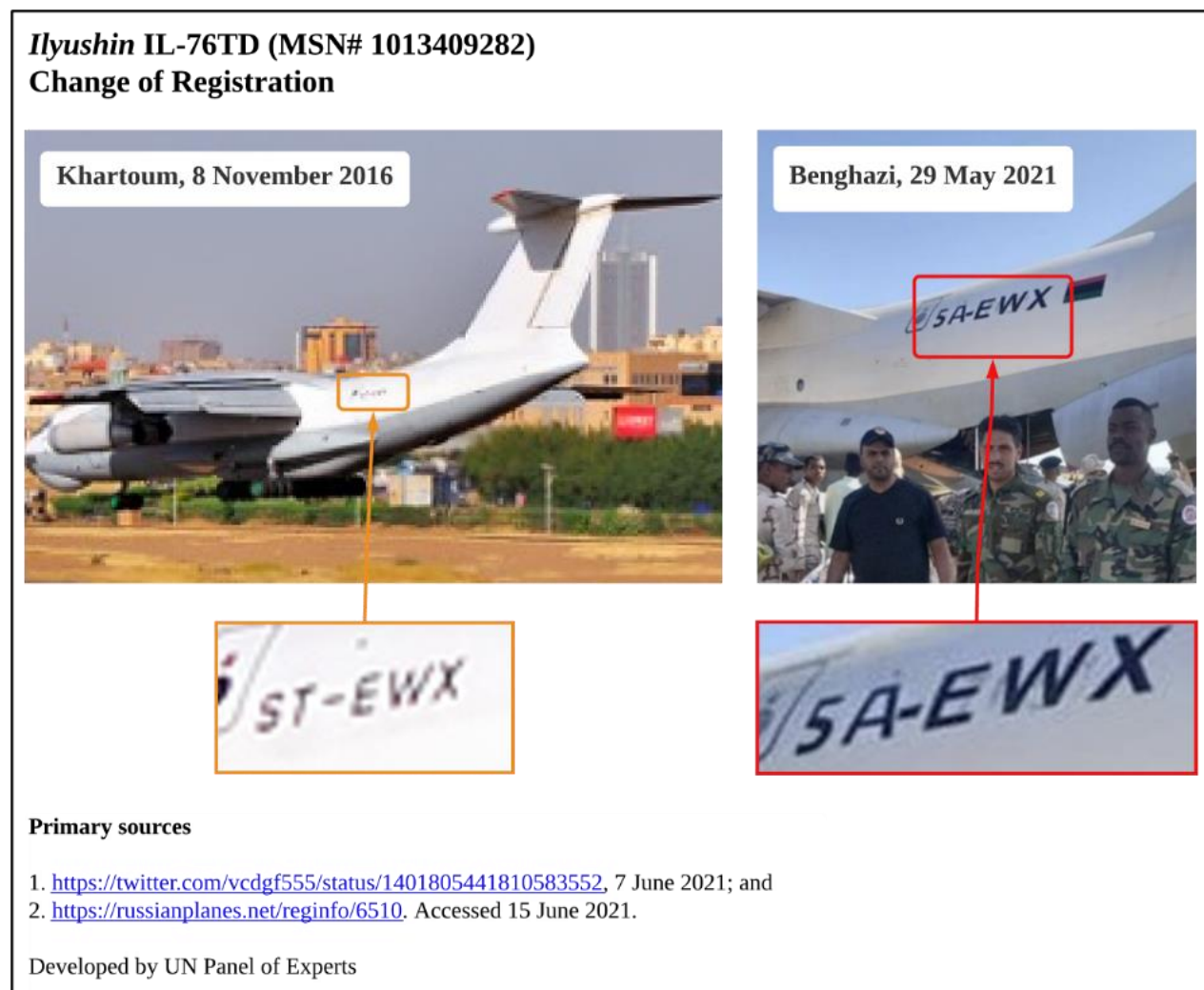
²²³ The Panel has higher quality imagery available on request. The imagery resolution is poor in some of the remaining appendices due to the infographics being compressed to make the overall document a more manageable size.

Annex 94 Green Flag Aviation, Sudan aircraft in support of HAF

1. The Panel has identified that the Ilyushin IL-76TD cargo aircraft displaying Libyan registration 5A-EWX²²⁴ is the Ilyushin IL-76TD (MSN²²⁵ 1013409282). Closer inspection of the number by the Panel has identified that the number has been adapted from a Sudan Civil Aviation Authority registration ST-EWX, in that the “5” uses the bottom half of the original “S” and the “A” uses the top of the “T” from the previous registration number.

Figure 94.1

Change of registration from ST-EWX to 5A-EWX



²²⁴ New registration first identified when the aircraft was participating in the Libyan National Army 7th Operation Dignity anniversary military parade in Benghazi on 29 May 2021.

²²⁵ Manufacturer's serial number.

2. The aircraft previously flew for Green Flag Aviation (GNF)²²⁶ under Sudanese registration ST-EWX²²⁷ and was reported for violating the arms embargo in appendix K to annex 55 of Panel report [S/2021/229](#).²²⁸ This aircraft is listed on www.aerotrtransport.org (ATDB), a definitive aviation database, as being owned by Green Flag Aviation (GNF) since July 2011. No ownership transfer to HAF is listed on ATDB.
3. The Panel notes that the manufacturer's Certificate of Airworthiness for this aircraft expired on 24 February 2017.²²⁹ Without such a certificate, flights cannot be legally made through EU controlled air space, thus restricting the aircraft to operations within Libya.
4. The Panel requested further information from Libya in letter dated 8 July 2021. No response was received.
5. The Panel finds that Green Flag Aviation have supported flight operations within Libya in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment and (...) other assistance (...)* to Libya.

²²⁶ <http://www.greenflag-sdn.com>. Website inactive.

²²⁷ The Member State confirmed to the Panel on 21 September 2021 that the aircraft was no longer registered in Sudan.

²²⁸ Sources: (a) https://twitter.com/Gerjon_/status/1268467153340174336; and (b) <https://twitter.com/HasairiOuais/status/1268466092265127937>, 4 June 2020.

²²⁹ <https://ilyushin.org/en/airworthiness/>.

Annex 95 NPP Mir Aviakompania (NPP), Russian Federation in support of HAF

Converted *Ilyushin IL-18D* cargo aircraft at Al Khadim (HL59) (31°59'48.04"N, 21°12'7.03"E) (3 October to 2 November 2021)

The Panel has identified from satellite imagery the presence of an *Ilyushin IL-18D* cargo aircraft at Al Khadim airbase (HL59) on 3, 17, 26 and 28 October 2021, and 1 and 2 November 2021. The aircraft has been converted from an IL-38 maritime patrol aircraft at some time, as evidenced by the presence of a sensor tail boom.

The aircraft is almost certainly IL-18TD (MSN 186009403). This aircraft is listed on www.aerotrtransport.org (ATDB), a definitive database, as being operated by NPP MIR Aviakompania of Saint Petersburg, Russian Federation at that time.

The Panel requested further information from the Russian Federation in a letter dated 22 December 2021. On 28 January 2022 they responded that the aircraft was deregistered from #RA-75713 on 24 February 2004. The Russian Federation did not provide the requested information regarding the air operator. ATDB now show the aircraft as registered by the Central African Republic as TL-ARN in October 2021 and operated by an unknown user.

The use of this aircraft in support of HAF is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. Satellite imagery and Google Earth Pro;
2. Confidential source; and
3. www.jetphotos.com/photo/8722017, 9 October 2017.

Developed by UN Panel of Experts



Annex 96 Sapsan Airline LLC (KGB), Kyrgyz Republic flights in support of HAF

1. The flight activity of Sapsan Airline LLC (KGB)²³⁰ aircraft became of interest to the Panel during this mandate. Sapsan Airline LLC (KGB) received their Air Operating Certificate (AOC) #54 from the Kyrgyz Republic Civil Aviation Agency on the 27 January 2021 and then operated at least one of the aircraft shown in table 96.1 on the Libyan airbridge to HAF.²³¹

Table 96.1

FlySky Airlines LLC (FSQ) aircraft

Type	MSN#	Current Registration #	Re-Registration #	Previous Registration #	Current Owner	Previous Owner
Antonov AN-74D	36547098943	EX-74001		RA-74048	Sapsan Airline	▪ Uktus Air Company
Ilyushin IL-76TD	63471147	EX-76005		UR-CIV	Technoline FZC, UAE ^a	▪ Technoline FZC, UAE
Ilyushin IL-76TD	1033416515	EX-76008		UR-CIG	BU Shames FZE ^b	▪ Technoline FZC, UAE

^a No corporate web presence. Suite Y-2-215, PO Box 8953, Sharjah Airport Free Zone, Sharjah, UAE. +971 65 578170. +971 65 573127. (technoline@nsc.ae).

^b No corporate web presence. A4-08, PO Box 7812, SAIF, Sharjah, UAE.

2. Table 96.2 summarises the recent history of Ilyushin IL-76TD (EX-76008) as it relates to sanctions violations. This aircraft was previously registered by the Aviation Administration of Ukraine as UR-CIG where it was operated by ZetAvia LLC (ICAO Code: ZAV). In appendix J to annex 55 of Panel report [S/2021/229](#) the Panel found that flight activity by ZetAvia using this aircraft was a violation of paragraph 9 of resolution 1970 (2011) for the *direct supply of (...) military (...) equipment and (...) other assistance (...)* to Libya. ZetAvia LLC also delivered the aircraft in support of Operation OPUS in 2019 (annex 76 of Panel report [S/2021/229](#) refers).

Table 96.2

IL-76TD (MSN# 1033416515) sanctions violations related history

Date	Activity	Panel Evidence / Remarks ^a
1 Jul 2018	ZetAvia LLC receive Air Operating Certificate from the State Aviation Administration of Ukraine.	▪ AOC Certificate #UK009
30 Jul 2019	State Aviation Administration of Ukraine prohibited flights of Ukrainian registered aircraft to Libya.	▪
7 Mar 2020	Aircraft first identified leaving Sweihan military base ^b on the UAE to Libya airbridge route.	▪

²³⁰ 132 A/1 Bakaeva Street, Bishkek 720032, Kyrgyz Republic. +996 552 962888. sapsan.aircargo@mail.ru.

²³¹ Identified in para. 83 and annex 55 to [S/2021/229](#).

<i>Date</i>	<i>Activity</i>	<i>Panel Evidence / Remarks</i> ^a
30 Apr 2020	Last flight identified of the aircraft on the UAE to Libya airbridge route.	▪
11 Jan 2021	ATDB reports sale of aircraft from Technoline FZE, UAE to BU Shames FZE.	▪
21 May 2021	Aircraft transferred from ZetAvia LLC to Sapsan Airline LLC as air operator.	▪
4 Jan 2022	Aircraft first identified as operating on the UAE to Libya airbridge route using new callsign KGB4961.	▪
10 Jan 2022	Aircraft operated on the UAE to Libya airbridge route using callsign KGB4961.	▪ Returned to Sweihan military base in UAE.
11 Jan 2022	Aircraft operated on the UAE to Libya airbridge route using callsign KGB4961.	▪ Returned to Sweihan military base in UAE.
		▪

^a The Panel has evidentiary copies of the documentation listed in this table on file.

^b OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.

3. The activities and profile of this aircraft meet at least six of the Panel's air delivery profile indicators that when considered collectively indicate that a vessel or aircraft is almost certainly carrying illicit cargo: (a) lack of an obvious schedule; (b) flights usually in dark hours for concealment of offloads; (c) use of military airbases; (d) AIS dark activity; (e) air operator transparency is opaque (no online presence); and (f) corporate links to previous sanctions violators.

4. The Panel requested further information from the Kyrgyz Republic in a letter dated 25 January 2022. In their response of 9 February 2022, they provided flight documentation showing that Ilyushin IL-76TD (EX-76008) had flown to Chanda, Pakistan on 4 January 2022. This is contrary to the ADBS²³² data shown on open-source flight tracking platforms. The Panel accepts the veracity of the flight data provided by the Member State regarding the air operations of Ilyushin IL-76TD (EX-76008) on that day. Nevertheless, an aircraft transmitting the hex code of that aircraft certainly made a flight on the UAE to Libya airbridge route that day. Independent aviation OSINT analysts have identified that Sapsan Airline operated aircraft have exchanged ADBS Hex "squawk" codes for other flights.²³³ This exchange of ADBS Hex "squawk" codes is not accidental and is designed to disguise the activities of specific aircraft. It is also contrary to ICAO regulations.

5. The Panel finds that the Sapsan Airline LLC cargo aircraft flight operations to Libya were in violation of paragraph 9 of resolution [1970 \(2011\)](#) for the *direct, and indirect, supply of (...) military (...) equipment* and (...) *other assistance* (...) to Libya.

²³² Automatic Dependent Surveillance–Broadcast.

²³³ https://twitter.com/Gerjon_/status/1487392355028283400?s=20, 29 January 2022; https://twitter.com/Gerjon_/status/1487392355028283400?s=20, 29 January 2022; and https://twitter.com/Gerjon_/status/1487393905809281035, 29 January 2022.

Annex 97 Space Cargo Inc (UAE) activities in 2021

1. The Panel has previously reported on Space Cargo Inc (United Arab Emirates)²³⁴ owned or operated aircraft in [S/2019/914](#)²³⁵ and [S/2021/229](#).²³⁶ Space Cargo Inc remains a common denominator in many of the illicit aviation activities relating to eastern Libya and airports under the control of HAF. The Panel found that the company has a major coordination and operational role for the United Arab Emirates airbridge to eastern Libya, and the delivery of military materiel to HAF. The company has also operated as a PMC in Libya during this period.

2. During the investigations covered in Panel report [S/2021/229](#) the Panel identified that Space Cargo Inc supplied false and misleading information in response to Panel enquiries. The company continued to do so during this mandate (see paras. 10, 20 and 24).

A. Aviation logistic support to HAF

3. The Panel has documentation or evidence showing that Space Cargo owns or operates other aircraft previously reported as operating in Libya in support of United Arab Emirates and has developed the consolidated list at table 97.1 for reference. The Panel notes that many aircraft are not flying in accordance with ICAO regulations²³⁷ as the aircraft do not have a valid airworthiness certificate. Only details of newly identified aircraft (shown below in *italic*) are included later in this annex.

Table 97.1

Summary of Space Cargo Inc related aircraft supporting HAF operations in Libya

<i>Date</i> ^a	<i>Aircraft type</i>	<i>MSN#</i> ^b	<i>Registration #</i> ^c	<i>Status</i>	<i>Remarks</i>
22 Jun 2015	AN-26	503	UP-AN601	Owned	▪
4 Mar 2019	IL-76TD	1013409295	UP-I7601 ^d	Chartered	▪ Previously operated by Sigma Airlines. ▪ Went to ZetAvia (UR-CTO) on 15 June 2020 and not seen in Libya since.
24 Nov 2019	IL-76TD	1003405167	UP-I7652 ^e	Owned	▪ Previously operated by Jenis Air. ^f ▪ Now HAF.
20 Dec 2019	IL-18D	172011401	UP-I1805	Owned	▪ Previously operated by Jenis Air. ^g ▪ Now HAF.

²³⁴ A4-73, Block A4 Street, G Floor, Sharjah International Airport, Al Ruqa Al Hamra, 61487 Sharjah, UAE or SaifZone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. www.spacecargoinc.com. The website was live and was then removed after Panel enquiries to the Company in September 2020.

²³⁵ Table 8 and annexes 28 and 52.

²³⁶ Annex 55 and appendix F to annex 55.

²³⁷ See annex 8 at <https://aviation-is.better-than.tv/icaodocs/Annex%208%20-%20Airworthiness%20of%20Aircraft/Annex%2008,%2010%20edition.pdf>.

<i>Date</i> ^a	<i>Aircraft type</i>	<i>MSN#</i> ^b	<i>Registration #</i> ^c	<i>Status</i>	<i>Remarks</i>
1 Feb 2020	IL-76TD	1023411378	UP-I7646 ^h 5A-7656 EX-76007	Owned	- Previously operated by Azee Airⁱ and then Jenis Air. - Then HAF. - Went to Sapsan Airlines LLC (EX-76007) on 18 May 2021 and not seen in Libya since.
19 Mar 2020	IL-76TD	73479367	UP-I7651 ^j	Owned	- Previously operated by Azee Air.^k - Now HAF.
12 Apr 2020	AN-32B	2009	EY-332	Owned	
30 Jan 2021	AN-12A	2340806	UP-AN220 9U-BBD	Owned	Flying under fake Burundi markings.
30 May 2021	AN-12BP	5342908	UP-AN218	Owned	
2 Oct 2021	IL-18D	187009903	ER-ICS ^l	Owned	Now flying as 5A-AND.
12 Oct 2021	AN-12BP	5343005	EY-407 ^m	Owned	

^a Date purchased, first identified operating in Libya or identified by the Panel as owned by Space Cargo Inc.

^b Manufacturers serial number.

^c Includes all registrations legitimately used or illicitly displayed by the aircraft during Libya operations.

^d No Ilyushin Aviation Complex airworthiness listed.

^e Ilyushin Aviation Complex airworthiness expired 19 July 2020. May now be flying displaying a Libyan 5A series registration.

^f Reported in annex 55 and appendix E to annex 55 of [S/2021/229](#). Jenis Air LLC had its air operating certificate suspended by the Kazakhstan civil aviation authorities on 3 July 2020. It was not renewed by the company.

^g Reported in appendix F to annex 55 to [S/2021/219](#).

^h Ilyushin Aviation Complex airworthiness expires on 24 June 2022.

ⁱ Also see appendix F to annex 55 to [S/2021/219](#).

Operating outside Libya since at least 17 July 2021 with Sapsan Airlines (KGB) of Kyrgyz Republic.

^j Ilyushin Aviation Complex airworthiness expired on 25 September 2020. May now be flying displaying a Libyan 5A series registration.

^k Reported in annex 55 and appendix D to annex 55 of [S/2021/229](#). Azee Air LLC had its air operating certificate revoked by the Kazakhstan civil aviation authorities on 20 September 2020.

^l First reported in annex 35 of [S/2017/406](#).

^m First reported as operating in support of HAF in appendix K to annex 55 to [S/2021/219](#). A 31 October 2021 response to the Panel by Space Cargo contained inconsistencies and used a previously discredited purchase type explanation, used in previous cases where the Panel found Space Cargo's claims as not credible.

1. Antonov AN-12A cargo aircraft (MSN#2340806) (ex UP-AN220)

4. At 13:00 hours on 28 January 2021 the Antonov AN-12A cargo aircraft (MSN#2340806) departed Amman (Marka) airport, Jordan (ICAO: OJAM) bound for Benghazi (Benina) airport, Libya (ICAO: HLLB). On board were three technicians recruited under a Space Cargo Inc contract to repair the three AS332L Super Puma helicopters reported in annex 76 to [S/2021/229](#) (see later for details of this PMC activity). The aircraft encountered technical issues with its transponders forcing a return to OJAM.²³⁸

²³⁸ Confidential source.

5. The aircraft was clearly marked with a Kazakhstan registration UP-AN220 at this time (see appendix A). This is contrary to a statement made by the then operator, Jupiter Jet LLC²³⁹ to the Aviation Authority of Kazakhstan that the Kazakhstan markings had been overpainted on 25 January 2021 (see imagery at appendix A).²⁴⁰ The General Manager of Jupiter Jet LLC, Erikzhan Satenovich Kozbagarov, informed the Aviation Authority of Kazakhstan that the aircraft owner, Space Cargo Inc, had terminated their lease of the aircraft on 25 January 2021 and that the owner had requested that the aircraft be delivered to Amman, Jordan on termination of the lease. The Panel notes that the aircraft had landed at Amman, Jordan on 23 January 2021, two days prior to the declared termination of the lease.

6. After resolving the transponder technical issue, the aircraft departed Amman (OJAM) at 14:45 hours on 31 January 2021 with the same crew, and successfully delivered the three Space Cargo Inc technicians to Benghazi (HLLB). The Panel obtained imagery of the aircraft at HLLB on 5 February 2021, which was then displaying a Burundi registration (see appendix A). The Panel has confirmed with the Burundi authorities that this is a fake registration, and that no AN-12 type aircraft are registered with Burundi.²⁴¹

7. This aircraft was registered with the Aviation Administration of Kazakhstan as UP-AN220 until the registration was officially cancelled on 12 February 2021. It is now unregistered.

8. The timeline of events regarding this aircraft is summarised at table 97.2.

Table 97.2

Timeline of main events for AN-12A cargo aircraft (#2340806) (ex UP-AN220)

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
20 Mar 2020	Ukraine registration (UR-CSI) for aircraft cancelled.	▪ Cancellation No. PB1319. ▪ Then owned by Aeronet FZE.²⁴² ▪ Aircraft operating unregistered for nine months.
2 Sep 2020	Aircraft leased by Space Cargo Inc to Jupiter Jet LLC	▪ Contract No.02/09/2020.
22 Dec 2020	Aircraft registered by Aviation Authority of Kazakhstan as UP-AN220.	▪ Certificate No.1230.
23 Jan 2021	Aircraft arrives at Amman (Marka) (OJAM) from Sudan (HSSS).	▪ At Space Cargo Inc request. ▪ Departed Sudan (HSSS) on 22 Jan 2021. Ferry flight documentation with Panel. ▪ Pilot was Nikolay DENISOV (Kazakhstan).
25 Jan 2021	Lease agreement ²⁴³ with Jupiter Jet LLC, Kazakhstan for aircraft cancelled by owner, Space Cargo Inc, UAE.	▪ Space Cargo Inc had requested aircraft be taken to Aqaba, Jordan, but it was already in Amman, Jordan.
25 Jan 2021	Kazakhstan registration on aircraft declared by Jupiter Jet LLC to the Kazakhstan aviation authorities as having been overpainted blue.	▪ Fake report as identified with Kazakhstan registration was still displayed on the aircraft on 28 Jan 2021.

²³⁹ www.jupiterjet.aero. Last accessed 6 August 2021.

²⁴⁰ Letter from Member State of 2 June 2021.

²⁴¹ Letter from Member State of 30 June 2021.

²⁴² PO Box 7902, Sharjah, UAE.

²⁴³ Contract No 02/09/220 dated 02 September 2020 between Space Cargo Inc, UAE and Jupiter Jet LLC, Kazakhstan.

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
28 Jan 2021	13:00 hours. Aircraft (marked as UP-AN220) departs from Amman (OJAM) for Benghazi (HLLB) but returns after 90 minutes due to a transponder fault.	▪ Three Space Cargo Inc technicians as passengers. ('Team A' – see Part B).
31 Jan 2021	14:45 hours. Aircraft departs Amman (OJAM) for Benghazi (HLLB).	▪ Three Space Cargo Inc technicians as passengers. ('Team A' – see Part B).
5 Feb 2021	Aircraft identified in Benghazi airport (HLLB) now displaying Burundi registration 9U-BBD or 9U-BBO.	▪ Burundi has confirmed that this is a fake registration number. ²⁴⁴
12 Feb 2021	UP-AN220 registration cancelled by Aviation Authority of Kazakhstan. ²⁴⁵	▪ Cancellation No.332. ▪ At the request of the operator.
10 Apr 2021	Aircraft identified in Benghazi airport (HLLB) by satellite imagery.	▪ Identified by unique blue and red colour scheme. ▪ Aircraft parking position and orientation different to that of 5 February 2021 indicating flight operations have taken place.

9. The Panel notes: (a) that the aircraft was moved to Jordan (OJAM) prior to the cancellation of the contract; (b) the contract was extant for only four months: aircraft leases are usually much longer; and (c) the operator provided the Kazakhstan aviation authorities with false information regarding the markings on the aircraft. The Panel considers that these activities were deliberately designed to protect Jupiter Jet LLC from any allegations of arms embargo violations. The aircraft was still technically operated by Jupiter Jet LLC for its flight to Libya, as the aircraft registration was not cancelled until two weeks after the flight.

10. The Panel offered Space Cargo an opportunity to reply on 15 July 2021. Their response on 10 August 2021 claimed that they had sold the aircraft to a South Sudanese company²⁴⁶ on 20 January 2020. This is the same response they made in their proven false claim when questioned about their ownership of the Ilyushin IL-76TD cargo aircraft (MSN#0073479367) on 15 November 2020. On 10 August 2021 the South Sudanese company again refuted all claims made by Space Cargo Inc and denied any business relationship with them.²⁴⁷ The Panel considers the documentation provided by Space Cargo Inc to the Panel on 10 August 2021 (see appendix A) as nothing more than a virtual "cut and paste" of the fake documentation supplied to the Panel on 15 November 2020 for the Ilyushin IL-76TD cargo aircraft (MSN#0073479367). The extensive and detailed evidence in this annex serves to refute all claims made by Space Cargo in their letters of 10 August and 9 September 2021. Mr Maher Nayef Alismail, General Manager of Space Cargo Inc., has again provided the Panel with false documentation and a narrative of falsehoods, and continues to violate the UN arms embargo with complete impunity.

11. The provision of this aircraft for "*other assistance relating to military activities*" is a further violation of paragraph 9 of resolution [1970 \(2011\)](#) by Space Cargo Inc, and Mr. Maher Nayef Alismail. Jupiter Jet LLC remains under investigation for its involvement in this violation.

²⁴⁴ Letter to Panel of 30 June 2021.

²⁴⁵ Letter to Panel of 2 June 2021. Cancellation No 322.

²⁴⁶ The Panel is aware of the identity of the company but considers it is not necessary to report the identity of the company at this stage and expose the company to any reputational risk resulting from its cooperation with the Panel and being named in a UN report on sanctions violations. The Panel has copies of all correspondence from the South Sudanese company that refutes the Space Cargo Inc claim.

²⁴⁷ Email to Panel of 10 August 2021. The address used by Space Cargo Inc in their documentation was last occupied by the South Sudanese company in 2015.

2. Antonov AN-12BP cargo aircraft (MSN#5342908) (ex UP-AN218)

12. The Panel has now confirmed that this aircraft is owned by Space Cargo Inc and is operating in Libya in support of HAF.

13. The timeline of events regarding this aircraft is summarised at table 97.3.

Table 97.3

Timeline of main events for AN-12BP cargo aircraft (MSN#5342908)²⁴⁸

Date	Event	Remarks
12 May 2019	Leased by Roland Aviation FZE, UAE to Jupiter Jet LLC (JPJ), Kazakhstan.	▪ Lease unreferenced.
24 Sep 2019	Registered in Kazakhstan as UP-AN218.	▪ Registration certificate #1191. ▪ Previously registered as EY-414 by Lithuania.
17 Jul 2020	Termination of lease between Roland Aviation FZE, UAE and Jupiter Jet LLC (JPJ), Kazakhstan.	▪
26 Aug 2020	Deregistered by Kazakhstan.	▪ Cancellation certificate #314.
9 Sep 2020	Panel identified from a confidential source ²⁴⁹ that Roland Aviation FZE had sold the aircraft to Space Cargo Inc FZE.	▪
29 May 2021	Identified as flying on HAF parade in Benina, Benghazi. ^a	▪ The aircraft has a distinctive blue and white colour scheme (figure 97.1) ▪

^a <https://twitter.com/gerjon/status/1401616972589248516>, 31 May 2021.

Figure 97.1

Comparative imagery of AN-12BP cargo aircraft (MSN#5342908)



11 August 2020: Image supplied by Jupiter Jet LLC to Kazakhstan CAA



29 May 2021: HAF Benghazi Parade.



29 May 2021: Enhancement of HAF Benghazi Parade imagery.

²⁴⁸ The Panel has copies of all the documentation referred to in this table.

²⁴⁹ A senior commercial airline official in Kazakhstan in taped interview with Kazakhstan CAA.

14. The Panel offered Space Cargo an opportunity to reply on 23 December 2021. Their response on 20 January 2022 (extract in appendix A) claimed that they were going to act as a broker for the sale of this aircraft, but that the then owner, Roland Aviation FZE, sold the aircraft directly to the same above-mentioned South Sudanese company²⁵⁰ on, or about, 28 December 2020. On 23 January 2022 the South Sudanese company again refuted all claims made by Space Cargo Inc, denied any business relationship with Space Cargo Inc.²⁵¹ The company also denied that it had purchased any aircraft from Roland Aviation FZE. The Panel requested information as to the ownership trail for this aircraft from Roland Aviation FZE on 15 July 2021 and 14 February 2022. No response was received.

15. The detailed evidence in possession of the Panel serves to refute all claims made by Space Cargo in their letter of 20 January 2022. Mr Maher Nayef Alismail has again provided the Panel with a narrative of falsehoods and continues to violate the UN arms embargo with complete impunity.

16. The provision of this aircraft for “*other assistance relating to military activities*” is a further violation of paragraph 9 of resolution [1970 \(2011\)](#) by Space Cargo Inc and Mr. Maher Nayef Alismail.

3. Ilyushin IL-18D cargo aircraft (MSN# 187009903) (ex ER-ICS)

17. This aircraft has been reported on in [S/2017/466](#),²⁵² [S/2019/914](#)²⁵³ and [S/2021/229](#),²⁵⁴ where it identified as being the aircraft previously registered as ER-ICS. A Member State has confirmed that this aircraft was sold to Space Cargo Inc sometime after 8 July 2015.²⁵⁵

18. The timeline of events regarding this aircraft is summarised at table 97.4.

Table 97.4

Timeline of main events for IL-12D cargo aircraft (MSN#187009903)²⁵⁶

Date	Event	Remarks
14 Dec 2013	Registered in Moldova to Sky Prim Air S.R.L as ER-ICS.	▪ Certificate 0418.
29 May 2015	Export Certificate of Airworthiness listed Chad as country of export.	▪ Chad confirmed to Panel that this aircraft had never being listed under their aviation registry. ^a
8 Jul 2015	Cancellation of Moldovan registration ER-ICS.	▪ De-registration Certificate 0418. ▪ Member State confirm sold to Space Cargo Inc.
15 Sep 2016	IL-18D (ER-ICS) identified in Zintan.	▪ Paint scheme identical to that seen later on for positive identification.
25 Nov 2016	IL-18D (ER-ICS) identified in Benina.	▪ Paint scheme identical to that seen later on positive identification.

²⁵⁰ The Panel is aware of the identity of the company but considers it is not necessary to report the identity of the company at this stage and expose the company to any reputational risk resulting from its cooperation with the Panel and being named in a UN report on sanctions violations. The Panel has copies of all correspondence from the South Sudanese company that refutes the Space Cargo Inc claim.

²⁵¹ Email to Panel of 23 January 2022. The address used by Space Cargo Inc in their documentation was last occupied by the South Sudanese company in 2015.

²⁵² Annex 35.

²⁵³ Annex 52.

²⁵⁴ Annex 55 and appendix F to annex 55.

²⁵⁵ Letter to Panel dated 15 September 2021.

²⁵⁶ The Panel has copies of all the documentation referred to in this table.

Date	Event	Remarks
27 Jul 2020	IL-18D re-confirmed as ex ER-ICS	▪ Identified by independent OSINT analyst. ^c See appendix B.
2 Oct 2021	Aircraft identified as now flying under Libyan registration number 5A-AND. ^d	▪ Legitimacy of Libyan registration unconfirmed.

^a Letter to Panel dated 8 November 2021.

^b Letter from Member State dated 1 April 2022.

^c https://twitter.com/Gerjon_/status/1288061918364794889, 27 July 2020.

^d https://twitter.com/Gerjon_/status/1444324396349411332?s=20, 2 October 2021

19. The Panel wrote to Libya on 7 October 2021 requesting confirmation, or otherwise, of the legitimacy of the displayed Libyan registration. No response has been received.

20. The Panel offered Space Cargo Inc an opportunity to reply on 7 October 2019 regarding their ownership of this aircraft. Their response of 21 February 2021 denied that their company had purchased the aircraft, which is contrary to the information provided, and subsequently confirmed, by a Member State.

21. The provision of this aircraft for “*other assistance relating to military activities*” is a further violation of paragraph 9 of resolution [1970 \(2011\)](#) by Space Cargo Inc and Mr. Maher Nayef Alismail.

4. Antonov AN-12BP cargo aircraft (MSN#5343005) (ex-EY-409)

22. This aircraft was reported on in [S/2021/229](#),²⁵⁷ where it identified as being the aircraft previously registered as EY-409. The Panel has now confirmed that this aircraft is owned by Space Cargo Inc.

23. The timeline of events regarding this aircraft is summarised at table 97.5.

Table 97.5

Timeline of main events for AN-12BP cargo aircraft (MSN#5343005)²⁵⁸

Date	Event	Remarks
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).	▪ Lease Agreement No 15/03 dated 1 April 2015. ^a
4 Nov 2015	Aircraft returned to owners by Allied Services Limited, South Sudan, but stayed in storage in Juba.	▪ No longer required as South Sudan CAA had banned use of AN-12 cargo aircraft in South Sudan. ^b
9 Nov 2015	ALA International renamed as Meridien FZE.	▪ Addendum to Memorandum and Articles of Understanding. ^c
11 Dec 2015	Deregistered by Tajikistan	▪ De-registration Certificate dated 11 December 2015.

²⁵⁷ Annex 55 and appendix K to annex 55.

²⁵⁸ The Panel has copies of all the documentation referred to in this table.

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
1 Apr 2016	Formal expiration of lease between Allied Services Limited, South Sudan and Meridien FZE.	▪
20 Aug 2019	Sold to Space Cargo Inc by Meridien FZE.	▪ Aircraft Purchase and Sale Agreement dated 20 August 2019. ^d
26 Oct 2019	Aircraft departed Juba, South Sudan flown by AsiaAirways LLC of Tajikistan.	▪ South Sudan CAA Pre-Flight Inspection Report.
4 Nov 2019	AN-12BP identified delivering HAF commanders to Al-Muzaq.	▪ Subsequently confirmed as AN-12 BP (MSN#5343005). ^e
22 Aug 2020	Identified as AN-12 BP (MSN#5343005) in Al Jufra, Libya flying in support of HAF.	▪ Identified by independent OSINT analyst. ^f

^a Email to Panel from Meridien FZE of 12 October 2021.

^b Letter/Email to Panel from Allied Services Limited of 29 October 2021.

^c Supplied by Meridien FZE on 12 October 2021.

^d Supplied by Meridien FZE on 12 October 2021.

^e <https://twitter.com/Oded121351/status/1191436452716056577>, 4 November 2019.

^f https://twitter.com/Gerjon_/status/1297157977816915969?s=20, 22 August 2020.

24. The Panel offered Space Cargo Inc an opportunity to reply on 19 October 2019 regarding their ownership of this aircraft. Their response to the Panel on 31 October 2021 contained inconsistencies and used a previously discredited purchase type explanation, used in previous cases, where the Panel found Space Cargo's claims as not credible. In this case Space Cargo Inc claimed to have used an offset credit agreement to sell the aircraft to a company called Mars Avia Tech LLC in Belarus. The Panel found this claim as not credible as:

- (a) The alleged sale took place two days after they purchased the aircraft from Meridien. This would not allow time for the normal due diligence for aircraft purchases to take place.
- (b) Mars Tech Avia LLC is not registered as a company in Belarus,²⁵⁹ and there is no trace of the company in open source information in either English or Russian.
- (c) The contract with Meridien FZE stated that the Buyer, Space Cargo LLC, should provide the crew at Juba, South Sudan. The aircraft was flown out of South Sudan by a crew from Asia Airways LLC, who were listed on the flight operations manual provided by Meridien to the original lessee.
- (d) Allied Services Limited, South Sudan handed the aircraft back to Meridien FZE and not the alleged new owners, Mars Avia Tech LLC as stated in the alleged contract between Space Cargo LLC and Mars Avia Tech LLC.
- (e) The contract with Space Cargo LLC stated that the alleged Buyer, Mars Avia Tech LLC, should settle the contract based on 100% pre-payment of US\$ 553,446. No mention of an offset credit agreement, which was submitted unreferenced to the Panel, and in a very different format to the fake one supplied for the sale of the Antonov AN-12A cargo aircraft (MSN#2340806) (see paragraph 10).

²⁵⁹ Confirmed by Member State in letter to Panel of 13 December 2021.

25. The extensive and detailed evidence in this annex serves to refute all claims made by Space Cargo in their letters of 10 August and 9 September 2021. Mr Maher Nayef Alismail has again provided the Panel with a narrative of falsehoods and forged documentation. He continues to violate the UN arms embargo with complete impunity.

26. The provision of this aircraft for “*other assistance relating to military activities*” is a further violation of paragraph 9 of resolution [1970 \(2011\)](#) by Space Cargo Inc and Mr. Maher Nayef Alismail.

B. PMC maintenance support for three AS332L Super Puma helicopters

27. The Panel has established that Space Cargo Inc contracted the provision of helicopter engineers and aircrew from a South African company to make the three AS332L Super Puma helicopters transferred into Libya during July 2019 by Project Opus²⁶⁰ airworthy. In doing so it became a private military company for under the auspices of “*other assistance relating to military activities*”. Supporting imagery and evidence is at appendix C.

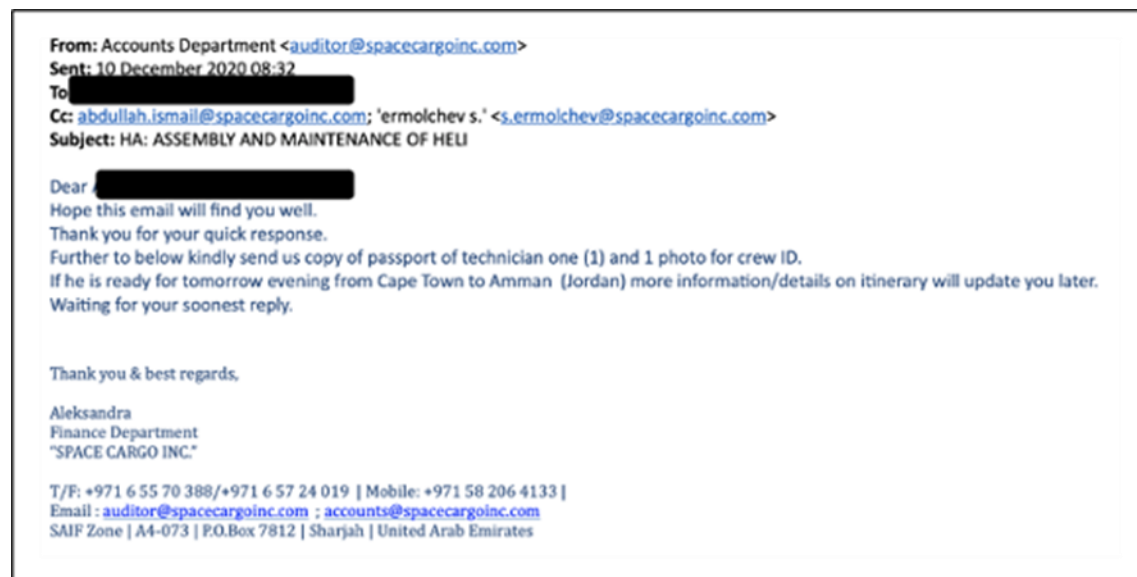
28. On 10 December 2020 a South African helicopter maintenance company²⁶¹ was contracted by Space Cargo Inc to provide qualified individuals capable of making the above-mentioned helicopters airworthy. The individual in Space Cargo Inc responsible for coordinating this programme with the South African company was Aleksandra Isamova, the “Auditor” of Space Cargo Inc, (see figure 97.2, the remaining Email evidence is at appendix C). The Panel offered Aleksandra Isamova an opportunity to respond on behalf of the company on 7 August 2021, which she declined.²⁶²

²⁶⁰ See annex 76 to Panel report [S/2021/229](#).

²⁶¹ The Panel is aware of the identity of the company but considers that: (a) as the company was unaware that the work would be a technical non-compliance with the arms embargo; and (b) has fully cooperated with the Panel, it is not necessary to report the identity of the company at this stage and expose the company to any reputational risk resulting from its participation. Similarly, the Panel is aware of the identities of all the individuals employed by the company that deployed to Libya.

²⁶² WhatsApp message. 7 August 2021, which the company has confirmed receiving (Email of 20 January 2022). Three separate numbers were also used to call and there was no reply, but the Panel acknowledges that unless the subscriber is using a virtual private network (VPN) calls are blocked on WhatsApp in the UAE.

Figure 97.2

E Mail to company from Space Cargo Inc

29. The Panel has established that the first technician deployed to Jordan on 19 December 2020 on flight EK903 from Dubai, where he was met by a representative from SkyWings Aviation²⁶³ and accommodated in the Hotel Corp, Amman, Jordan.²⁶⁴ He then soon flew into Libya on a Space Cargo Inc charter flight.

30. A team of three further technicians ('Team A') then deployed to Jordan on 1 January 2021 on Egypt Air flights MS840 and MS871. They were also met by a representative from SkyWings Aviation and accommodated in the Hotel Corp, Amman, Jordan.

31. 'Team A' was delayed in Jordan until the first attempt was made on 28 January 2021 to fly them to Libya on the Space Cargo Inc owned Antonov AN-12 (#2340806) (see Part A above). This flight had to return to Jordan due to transponder issues, and 'Team A' eventually deployed to Libya on 31 January 2021 on the Antonov AN-12 (#2340806). 'Team A' remained in Libya working on the helicopters until returning to Johannesburg on 17 February 2021.

32. The Panel has copies of the return flight tickets for Team 'A', which were paid for by a credit card in the name of Maher ALISMAIL, the same name as the Managing Director of Space Cargo Inc (see figure 97.3).

²⁶³ <http://www.skywingsjordan.com>. Accessed 18 June 2021. Contact person details +96277900077. Elie NJEIM. ops@skywingsjordan.com.

²⁶⁴ <https://www.hmhhotelgroup.com/en/jor/amman/corp-amman>. Accessed 18 June 2021.

Figure 97.3

Payment information for Team A return flights to South Africa (17 February 2021)

Payment reference 50160547	Administration fee EGP 189.72
Booked on 17 February 2021	Booking total EGP 6,513.72
Card number: *****7800	AED 1,557.64
Maher Alismail 17 February 2021	Equivalent to EGP 6,513.72
Please note, that the credit/debit card used to make the payment will be checked at the airport.	

Source: Confidential.

33. The agreed contract price for the provision of ‘Team A’ was \$195,000, which was invoiced to Space Cargo Inc.²⁶⁵

34. On 27 April 2021 a second team (‘Team B’) consisting of one pilot and four technicians deployed to Benghazi, Libya directly from Johannesburg (Lanseria) airport (FALA) on board a Dassault Falcon 900DX business jet (see at appendix C).²⁶⁶ The Panel also independently obtained a copy of the aircraft flight plan from another source, which confirms this flight. The aircraft charter flight was booked by Shamil Travel Services Company of Benghazi, whom the Panel could not contact for their comment. The charter cost was LYD 135,000 (US\$ 29,800), which was paid in cash.

35. After ‘Team B’ maintenance work, two of the AS332L Super Puma helicopters were seen flying as part of the HAF Libyan National Army 7th Operation Dignity anniversary military parade in Benghazi on 29 May 2021 (see figure 97.4).

²⁶⁵ Confidential source.

²⁶⁶ The Panel is aware of the owner and operator of the private jet but considers that as the company was unaware that the flight would be a technical non-compliance with the arms embargo, and cooperated fully with the Panel, it is not necessary to expose them to the reputational risk resulting from the company being identified.

Figure 97.4
AS332L Super Pumas flying in Haftar parade (29 May 2021)



Source: https://twitter.com/Libya_OSINT/status/1398654492980166658, 29 May 2021

36. The agreed contract price for the provision of 'Team B' was \$375,000, which Space Cargo Inc requested to be invoiced to BU Shames FZE.²⁶⁷ The Panel has identified that a Mr. Abdullah Mohamed Alismail²⁶⁸ is listed as the owner of BU Shames FZE.²⁶⁹ In figure 97.2 there is a copy email address for abdullah.ismail@spacecargoinc.com, and the Panel has confirmed that Abdullah Mohamed Alismail also uses abdullahgm@bushamesfze.com. The Panel has identified that Aleksandra Isamova,²⁷⁰ Auditor of Space Cargo Inc, is also listed as working in the finance department of BU Shames FZE. Although the Panel has yet to confirm the exact family relationship between Maher Nayef Alismail, the General Manager of Space Cargo Inc, and Abdullah Mohamed Alismail, the owner of BU Shames FZE, the Panel considers that the two companies are in effect operated as a single business entity.

37. During the maintenance periods for both Space Cargo Inc 'Team A' and 'Team B', their local HAF air force counterparts requested information as to the types of weapons that could be mounted to the aircraft, and what sort of weapons mounts were required.²⁷¹ The Panel also identified from confidential imagery that the three Gazelle helicopters delivered in July 2019 as part of Project Opus had been repainted in military sand colour with Libyan armed forces markings (see figure 97.5).

²⁶⁷ Registered as company #11617945 on 3 March 2020. 600 M2 Warehouse A4-08, Sharjah, UAE. The invoice was paid from account number IBAN AE080260001015771385401, Emirates NBD Bank, Deira Branch, Dubai, UAE.

²⁶⁸ a.k.a. Abdullah Mohamed ALISMAEL, Abdullah Mohamed AL ISMAIL, Abdullah Mohamed AL ISMAEL.

²⁶⁹ <https://are.databasesets.com/en/company-all/company/27180>. Accessed 6 August 2021.

²⁷⁰ Uses sasha@bushamesfze.com and auditor@spacecargoinc.com. Same telephone number as Space Cargo Inc +971 58 206 4133.

²⁷¹ Confidential source.

Figure 97.5
Project Opus Gazelle helicopters in military livery (2021)



Source: Confidential

38. The Panel has identified that one or more of the Super Puma aircraft has rotor gearbox faults necessitating the delivery of spare parts. These are only legitimately available from Airbus Helicopters²⁷² or companies that have passed the Airbus Helicopters' due diligence and compliance processes. Airbus Helicopters informed the Panel²⁷³ that the three helicopters were removed from the Airbus Helicopters database on 10 March 2020 after a self-declaration from the previous legitimate owner Starlite Aviation²⁷⁴ on 28 August 2019. This was over nine months after Starlite sold the helicopters to L6-FZE of Project Opus. It is thus highly unlikely that Space Cargo Inc or HAF will ever be able to legitimately access the spare parts necessary to maintain any airworthiness for these aircraft. Sources have informed the Panel that illegitimate sources for such parts are rare.

39. The timeline of events regarding this support by Space Cargo Inc is summarised at table 97.6.

²⁷² <https://www.airbus.com/helicopters.html>. Accessed 6 August 2021.

²⁷³ Letter of 2 August 2021 and Email of 1 September 2021.

²⁷⁴ <https://www.starliteaviation.com>. Accessed 6 August 2021.

Table 97.6

Timeline of main events for Space Cargo Inc support to HAF (2021)

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
10 Dec 2020	South African maintenance company contacted by Space Cargo Inc (UAE) ²⁷⁵ for recruitment of Super Puma engineers for a contract in Libya.	▪
19 Dec 2020	Team Leader for the Space Cargo Inc contract deploys to Jordan from South Africa.	▪ Arrives Amman on flight EK903 from Dubai. ▪ Met by Skywings Aviation and accommodated at Corp Amman Hotel, Amman.
1 Jan 2021	Repair Team A (3 persons) deploy from Johannesburg, RSA via Cairo to Amman, Jordan.	▪ Egypt Air flights MS840 and MS871. ▪ Flights booked by info@spacecargoinc.com . ▪ Payment card ending in 7800 (Maher Alis-mail). ▪ Met by Skywings Aviation and accommodated at Corp Amman Hotel, Amman.
23 Jan 2021	Aircraft AN-12A (#2340806) arrives at Amman (Marka) airport (OJAM) from Sudan (HSSS) .	▪ At Space Cargo request. ▪ Departed Sudan (HSSS) on 22 Jan 2021. ▪ Pilot was Nikolay DENISOV (Kazakhstan).
24 Jan 2021	Repair Team A members identified by Panel.	▪
28 Jan 2021	13:00 hours. Repair Team A departs from Amman (OJAM) for Benghazi (HLLB) on aircraft AN-12A (#2340806) (marked UP-AN220).	▪
28 Jan 2021	14:30 hours. Aircraft AN-12A (#2340806) (marked UP-AN220) returns to Amman (OJAM), Jordan due to technical fault.	▪
31 Jan 2021	14:45 hours. aircraft AN-12A (#2340806) departs Amman (OJAM) for Benghazi (HLLB)	▪ Repair 'Team A' now deployed.
7 Feb 2021	Repair 'Team A' identified working on third Super Puma.	▪ 32° 5'36.44"N, 20°15'38.67"E.
8 Feb 2021	Panel identify Repair 'Team A' accommodation location.	▪ 32° 5'18.16"N, 20°15'37.66".

²⁷⁵ auditor@spacecargoinc.com. Aleksandra. +971 6 55 70 388. Fax: +971 6 57 24 019. Mobile: +971 58 206 4133. SAIF Zone | A4-073 | P.O.Box 7812 | Sharjah | UAE.

<i>Date</i>	<i>Event</i>	<i>Remarks</i>
10 Feb 2021	General Haftar's representative visited Benina Hanger and observed ground tests on all three Super Puma. Looking to recruit pilots from RSA as no Libyan pilots qualified. RSA company to recruit and pilots for Space Cargo Inc.	▪ Confidential source.
17 Feb 2021	Repair 'Team A' departs Benghazi for Johannesburg	▪ Route HLLB > Alexandria (HEBA) > Dubai (OMDB) > Addis Adaba (HAAB) > Johannesburg (FAOR)
26 Apr 2021	Private jet flight from Benghazi (HLLB) via Entebbe (HUEN) to Johannesburg (FAOR) to collect Repair 'Team B'.	▪ Dassault Aviation Falcon 900EX registered 9A-XXX.
27 Apr 2021	Repair 'Team B' fly on private jet flight from Johannesburg (FAOR) via Entebbe (HUEN) to Benghazi (HLLB)	▪ 'Team B' accommodation located 14.5km from airport at 31°59'36.75"N, 20°9'45.23"E.
29 May 2021	Two Super Puma helicopters fly in the HAF 7th Anniversary of Operation DIGNITY parade. ²⁷⁶	▪
20 Jul 2021	Repair "Team B" returns to South Africa.	▪

40. The Panel offered Space Cargo an opportunity to reply on 23 December 2021. Space Cargo Inc responded on 22 January 2022 and requested a three-week delay for them to respond so that they could consolidate the necessary documentation. The Panel agreed, but no response was received by the agreed 12 February 2022 deadline.

41. On 7 January 2022 the Panel wrote to Holman Fenwick Willan MEA LLP (HFW), the legal representative of the last known owners of the aircraft to request an update on the aircraft ownership, or any sales or transfers that may have taken place. HFW have yet to respond to the Panel's request.

42. The provision of maintenance technicians for these particular aircraft that were supplied for military use and are operated now by HAF falls under the auspices of "*other assistance relating to military activities*". This is a further violation of paragraph 9 of resolution [1970 \(2011\)](#) by Space Cargo Inc and Maher Nayef ALISMAIL.

C. Space Cargo Inc violations of other arms embargoes

43. The Panel notes that in paragraph 75 of [S/2021/569](#) the Panel of Experts on the Central African Republic also named Space Cargo Inc as the owner of two IL-76TD cargo aircraft (MSN# 33446325 and 1013405167) operated by Jenis Air LLC, Kazakhstan, who used the aircraft on 19 December 2020 for the transfer of military materiel into the Central African Republic.

²⁷⁶ <https://www.youtube.com/watch?v=mbIDXxITPa0>, 31 May 2021. (@35 min 05 sec).

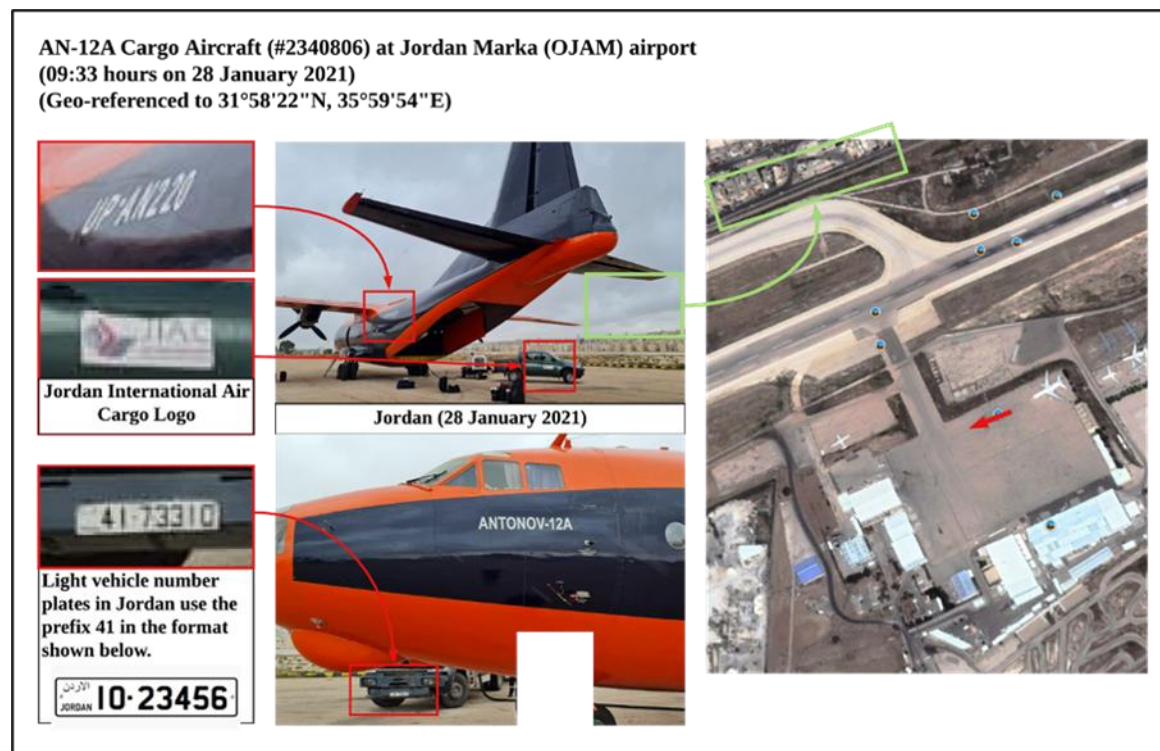
D. Space Cargo Inc business licences

44. The United Arab Emirates informed the Panel on 24 March 2022 that the company's business licence (#20155) was not renewed after expiry on 26 October 2021. The United Arab Emirates provided no information on the company's other business licences (#00607) and (#14987).

Appendix A to Annex 97: Supporting imagery and documentation relating to Space Cargo Inc aviation support

Figure 97.A.1

AN-12A cargo aircraft (#2340806) at Jordan Marka airport (OJAM) (28 January 2021)



Sources: Confidential source and Panel analysis

Figure 97.A.2

Faked imagery of AN-12A cargo aircraft (#2340806) claiming markings overpaint on 25 January 2021



^a Geo-referenced to 31°58'22"N, 35°59'54"E (OJAM).

^b Note UP-AN220 still on aircraft on image in figure 97.A.1, taken 3 days after the claimed date the above images were taken.

Sources: Member State and Panel analysis.

Figure 97.A.3

AN-12A cargo aircraft (#2340806) in Benghazi with faked Burundi registration (5 February 2021)

AN-12A Cargo Aircraft (#2340806) in Benghazi (5 February to 10 April 2021)



Image extracted from confidential source video imagery of 5 February 2021. Note the changed registration number to a Burundi registration 9U-BBD or 9U-BBO. The paint work is of poor quality.



5 February 2021.
Benghazi Airport
32°05'34.47"N,
20°15'39.92"E



10 April 2021.
Benghazi Airport
32°05'33.16"N,
20°15'40.58"E

Sources: Confidential source and Panel analysis

Figure 97.A.4

Space Cargo Inc OTR false response (10 August 2021)

6	Sale Purchase Contract of aircraft (ANTONOV AN-12) Serial No (2340806) holding registration mark (UP-AN220) with [REDACTED] [REDACTED] [REDACTED] along with the full material and financial possession. The capacity of our company in the capacity of the owner/medium/broker without any control or actual possession to the airport. Our documentary possession of the aircraft by one day is 10/3/2020 (only one day)	2020/03/10	.2
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Figure 97.A.5

Extract from Space Cargo Inc fake sales agreement (20 January 2021) supplied to Panel (10 August 2021)

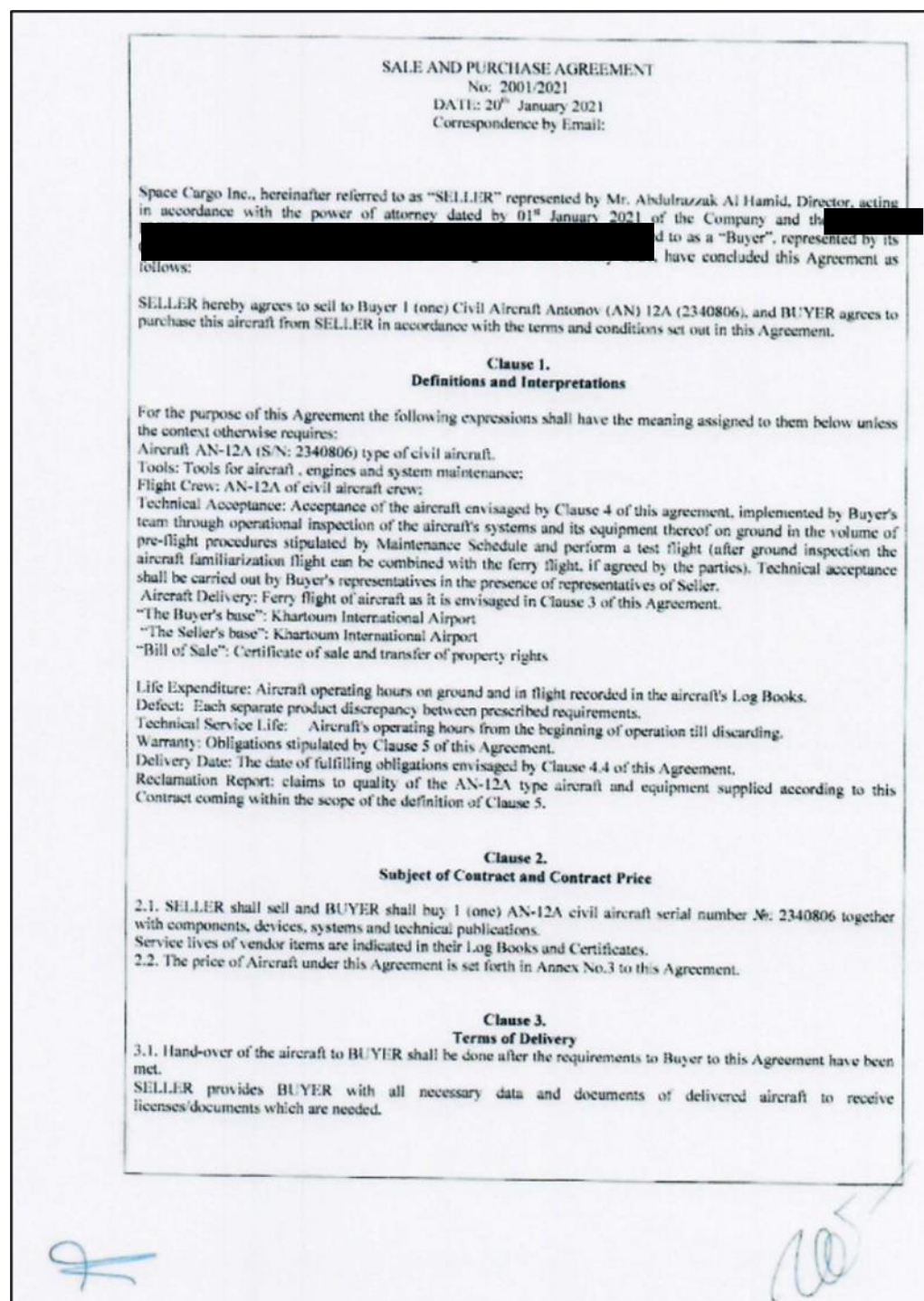


Figure 97.A.6

Space Cargo Inc fake credit note to South Sudanese company (20 January 2021) supplied to Panel (10 August 2021)

CREDIT NOTE

No: SCI/CN/3 **Date: 20-01-2021/8888**

Credit to: SPACE CARGO INC

Reference:

Outstanding Balance for Services Provided in Sudan and Ethiopia /Fueling, Handling and Landing Permits for Aug 2020 to Dec 2020

S.N.	GL Acct.	Description	Cur.	Amount	Amount AED
1	Dr 11000	Accounts receivable, Outstanding Balance for Services Provided in Sudan and Ethiopia /Fueling for Aug 2020 to Dec 2020	USD	393,652.00	1,446,671.10
	Cr 20000	Accounts payable	USD	393,652.00	1,446,671.10
2	Dr 11000	Accounts receivable, Outstanding Balance for Services Provided in Sudan and Ethiopia / Handling and Landing Permits for Aug 2020 to Dec 2020	USD	174,371.00	640,813.43
	Cr 20000	Accounts payable	USD	174,371.00	640,813.43
TOTAL:			USD	568,023.00	0.00

Amount in words: Five Hundred Sixty Eight Thousand Twenty Three Dollars Only

Prepared by _____ Accounts Manager _____ General Manager _____

Received by _____

Figures 97.A.7 and 97.A.8

One of the South Sudanese company's responses to Panel enquiry (10 August 2021)

The Panel holds copies of all the other rebuttals from this company, and this one is included for an illustration of that company's responses.

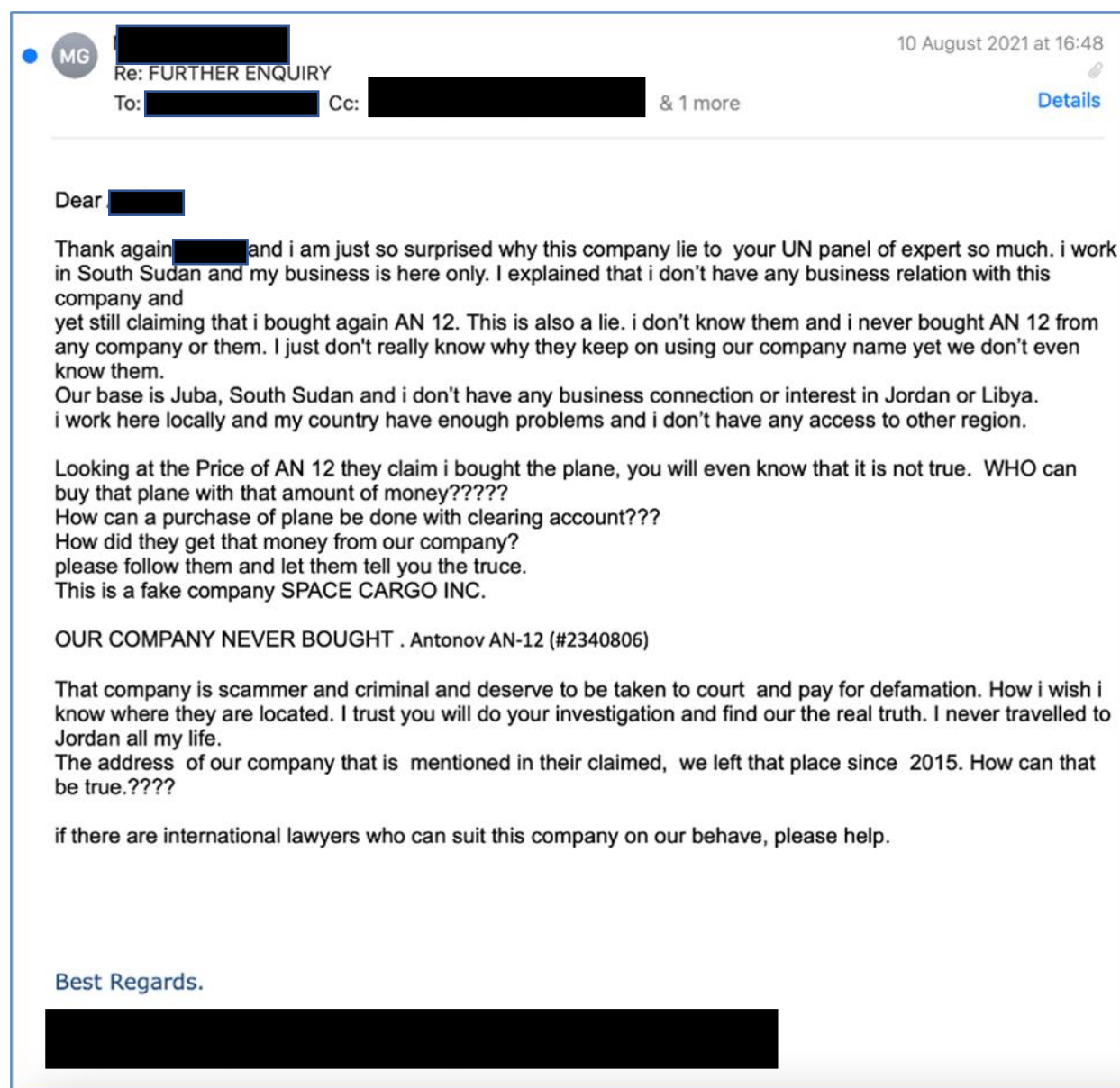


Figure 97.A.9

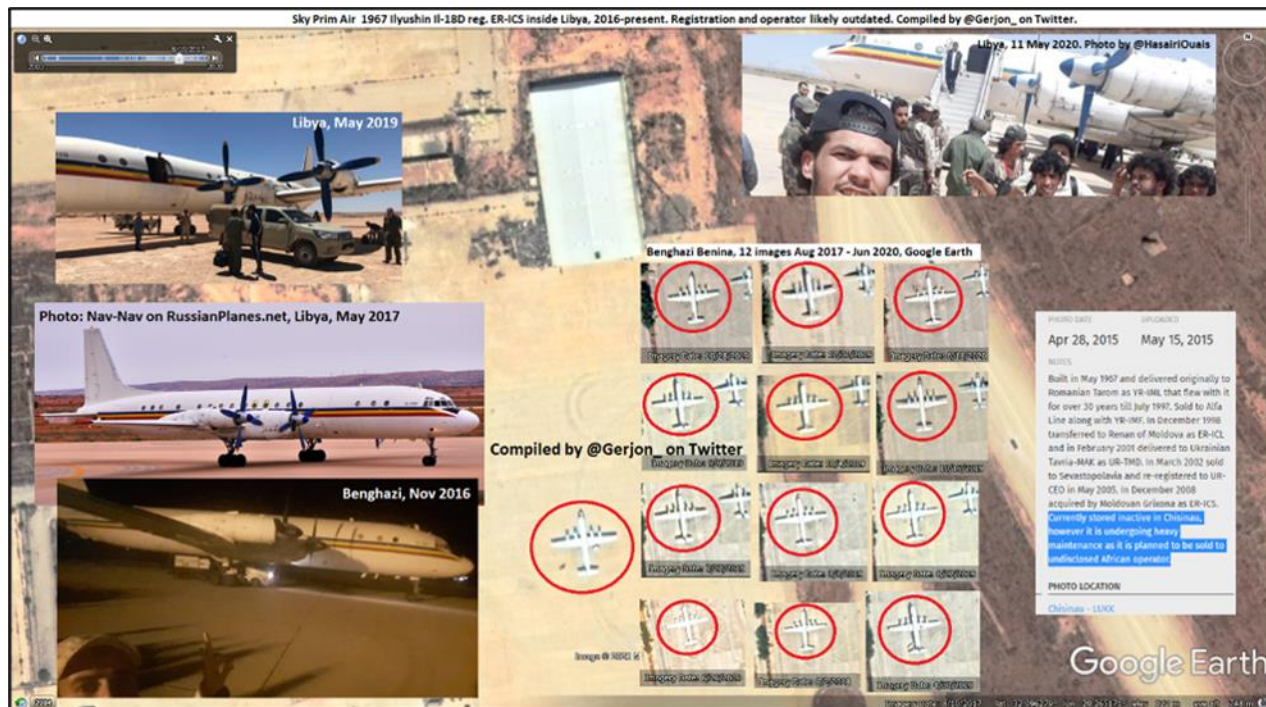
Extract from Space Cargo Inc OTR inaccurate response (20 January 2022)

1. Regarding the aircraft (Antonov AN-12A) with the serial number (5342908), and <u>since among the activities of our company is the activity of importing and exporting aircraft and their spare parts under License No. (0067) issued in 1999 by the Sharjah Airport International Free Zone Authority:</u> a. On (December 28, 2020), our company requested (reservation in return for purchase) as an intermediary/ broker in dealing with the purchase of the aircraft described in our response above from the seller (Roland Aviation FZE) with the intention of reselling it to others. b. The selling company (Roland Aviation FZE) issued an invoice in the name of our company, and the amount (the down payment) was settled with the intention of completing the mediation and completing the sale. c. Immediately and on the same date on (28/12/2020) and before making any change in the registration or any flight or operation of the aircraft, the selling company executed the sales contract directly with the buyer (other than our company).	3. Our company is not concerned with the name of the air operator / company that currently operates the aircraft described in our response and is not concerned with its technical condition or the scope of its operations and operation, nor is it aware of any of the foregoing.
2. Our company has not entered with the selling company (Roland Aviation FZE) into any sale and purchase contract and has not concluded any lease contract, because the oral agreement is that the amount paid by our company as a deposit is a refundable / redeemable advance to prove the seriousness of the deal and to book the aircraft, provided that the transaction is direct sale and purchase contract between Seller and Buyer.	4. Our company is not concerned with the civil registration number of the aircraft described in our answer, nor its registration certificate, nor is it aware of any of the foregoing.
	5. Our company is not concerned with the airworthiness certificate of the aircraft described in our answer, nor is it aware of any of the foregoing
	6. Our company is not concerned with operating the aircraft described in our answer, nor is it aware of any of the foregoing
	7. Our company is not concerned with any means of payment regarding the implementation of the operation of the aircraft described in our answer and is not aware of any of the foregoing.
	8. To the best of our knowledge, the selling company has executed the sale contract for the aircraft described in our answer directly with the buyer ((Eagle Enterprise Company Limited), Address: Eastern Pearl, Juba, South Sudan, Tel: 00211955921703 and our company has not obtained any copy of any contract between the two parties (the seller and the buyer) in the same matter

Appendix B to Annex 97: Supporting imagery and documentation relating to IL-18D (MSN#187009903)

Figures 97.B.1

Independent OSINT analyst identification of the IL-18D.^a

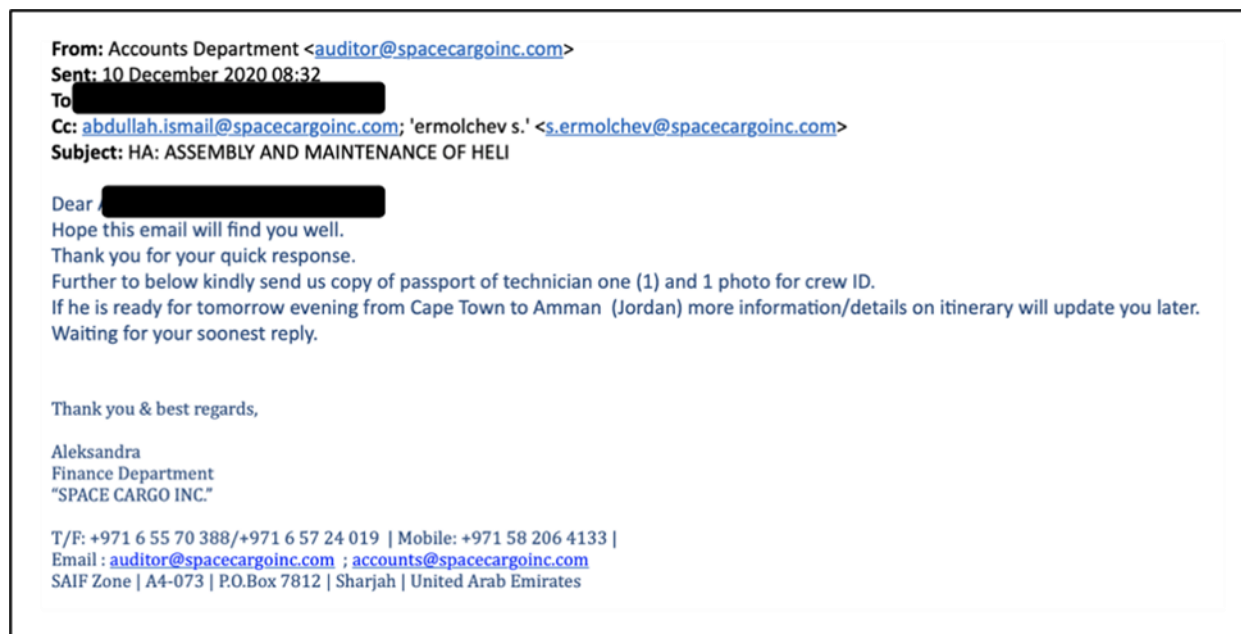


^a Source: https://twitter.com/Gerjon_/status/1287815982350766085, 27 July 2020.

Appendix C to Annex 97: Supporting imagery and documentation relating to Space Cargo Inc PMC support

Figures 97.C.1

Space Cargo Inc emails regarding initial deployment²⁷⁷



²⁷⁷ The resolution of some of this evidence has been reduced as a result of the means of transfer to the Panel via secure social messaging platform, then data erasure to protect sources and finally file compression when adding to this document. Higher resolution imagery is available on request.

From: Accounts Department <auditor@spacecargoinc.com>
 Sent: Saturday, December 12, 2020 2:08 PM
 To: [REDACTED]
 Cc: abdullah.ismail@spacecargoinc.com; 'ermolchev s.'
 Subject: HA: ASSEMBLY AND MAINTENANCE OF HELI

Dear [REDACTED]
 Please let M [REDACTED] go for COVID test immediately.
 Once test will be ready, please let me know we will purchase for him regular flight from Cape Town to Amman (Jordan), and from Jordan we will arrange flight to point of work.

Regards, Sasha

Thank you & best regards,

Aleksandra
 Finance Department
 "SPACE CARGO INC."

T/P: +971 6 55 70 388/+971 6 57 24 019 | Mobile: +971 58 206 4133 |
 Email : auditor@spacecargoinc.com ; accounts@spacecargoinc.com
 SAIF Zone | A4-073 | P.O.Box 7812 | Sharjah | United Arab Emirates

From: Accounts Department <auditor@spacecargoinc.com>
 Sent: 16 December 2020 09:04
 To: [REDACTED]
 Cc: s.ermolchev@spacecargoinc.com; maher_nafaa@yahoo.com; 'Abdullah Ismail' <abdullah.ismail@spacecargoinc.com>; jyotsna@spacecargoinc.com
 Subject: regulations for M [REDACTED] or his trip to Amman, Jordan

Dear [REDACTED]
 Please note below and handover to M [REDACTED] information as follows:

1. <https://play.google.com/store/apps/details?id=jo.gov.moh.aman> – this application he has to download on his mobile device;
2. Above application is for QR code tracking – QR code required at Cape Town and Dubai airports;
3. He has to pay around – USD 60-70 for visa stamping on arrival;
4. CORP HOTEL in Amman & Meeting Company is Skywings Aviation - +962779200077 contact number of Skywings Aviation representative – this information required by Immigration in Amman, Jordan;

Confirm the receipt of email

Thank you & best regards,

Aleksandra
 Finance Department
 "SPACE CARGO INC."

T/P: +971 6 55 70 388/+971 6 57 24 019 | Mobile: +971 58 206 4133 |
 Email : auditor@spacecargoinc.com ; accounts@spacecargoinc.com
 SAIF Zone | A4-073 | P.O.Box 7812 | Sharjah | United Arab Emirates

On 18 Dec 2020, at 3:10 PM, s.ermolchev@spacecargoinc.com wrote:

Dear colleagues,

Good afternoon!

Kindly arrange transportation and HOTAC (1 single room) for [REDACTED] arriving in Queen Alia International Airport on 19th of December 2020 at 15.55 local Jordanian time by flight #EK903 (EMIRATES AIRLINES) from Dubai.

Thank you in advance!

Best Regards,

Sergey Ermolchev
Operations Manager

T/F: +971 6 544 4159 | Mobile: +971 52 7888 309 | E-mail: s.ermolchev@spacecargoinc.com
SAIF Zone | A4-073 | P.O.Box 7812 | Sharjah | United Arab Emirates

On 18 Dec 2020, at 3:10 PM, s.ermolchev@spacecargoinc.com wrote:

Dear colleagues,

Good afternoon!

Kindly arrange transportation and HOTAC (1 single room) for [REDACTED] arriving in Queen Alia International Airport on 19th of December 2020 at 15.55 local Jordanian time by flight #EK903 (EMIRATES AIRLINES) from Dubai.

Thank you in advance!

Best Regards,

Sergey Ermolchev
Operations Manager

T/F: +971 6 544 4159 | Mobile: +971 52 7888 309 | E-mail: s.ermolchev@spacecargoinc.com
SAIF Zone | A4-073 | P.O.Box 7812 | Sharjah | United Arab Emirates

From: auditor@spacecargoinc.com <auditor@spacecargoinc.com>
Sent: Friday, December 18, 2020 6:53 PM
To: [REDACTED]
Cc: Abdullah Ismail; S Ermolchev
Subject: Fwd: FW: HOTAC & TRANSPORTATION REQUEST/19 DEC 2020

Dear [REDACTED]
Hope all is well at your side .
Kindly accept below confirmation for transportation and Hotel Accommodation for [REDACTED] contact details are below.
Regards, Sasha
--
Отправлено из Outlook Email App для Android

----- Пересланное письмо -----
От: s.ermolchev@spacecargoinc.com
Кому: Auditor SCI auditor@spacecargoinc.com
Дата: пятница, 18 декабря 2020г., 18:44 +04:00
Тема: FW: HOTAC & TRANSPORTATION REQUEST/19 DEC 2020

From: Ops <ops@skywingsjordan.com>
Sent: Friday, December 18, 2020 6:11 PM
To: s.ermolchev@spacecargoinc.com
Cc: Mike <ops@skywingsjordan.com>; suha <suha@skywingsjordan.com>
Subject: Re: HOTAC & TRANSPORTATION REQUEST/19 DEC 2020

Dear Sergey
Good evening
Ref below well action and confirm
Kind regards
Elie Njeim
OCC/SWA
Mob:+962779200077
24/7:+962777818444
www.skywingsjordan.com
Amman-Jordan

Source: Confidential

Figure 97.C.2

Imagery of AS332L Super Puma helicopter repairs in Libya (February to May 2021)²⁷⁸



Source: Confidential

²⁷⁸ The resolution of some of this evidence has been reduced as a result of the means of transfer to the Panel via secure social messaging platform, then data erasure to protect sources and finally file compression when adding to this document. Higher resolution imagery is available on request.

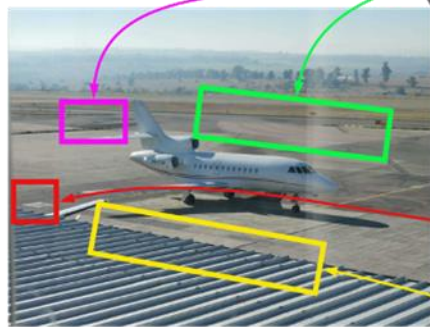
Figures 97.C.3 and 97.C.4

Infographic for 'Team B' private jet transfer from South Africa to Libya (27 April 2021)

**PMC 'Team B' deployment on P4-XXX
(27 April 2021) Departure from Johannesburg
(25°56'7.13"S 27°55'38.19"E)**

A confidential source provided an image taken of the Dassault Falcon 900DX business jet (registered P4-XXX) prior to departure from Johannesburg (Lanseria) airport. The aircraft was used to deploy Space Cargo Inc 'Team B' to support HAF air operations.

The PMC was contracted to provide the necessary maintenance personnel to get the 3 x Super Puma delivered in July 2019 ready for operational flight.



Primary sources

1. Confidential source.
2. Google Earth Pro
3. Geo-reference by Panel.

Developed by UN Panel of Experts.

**PMC 'Team B' deployment on P4-XXX
(27 April 2021) Arrival at Benghazi
(32°05'38.30"N, 20°15'45.84"E)**

A confidential source provided an image taken from the cockpit of the Dassault Falcon 900DX business jet (registered P4-XXX) during taxiing in Benghazi (Benina) airport. The aircraft was used to deploy the Space Cargo Inc 'Team B' to support HAF air operations.

Space Cargo Inc was contracted to provide the necessary maintenance to get the 3 x Super Puma delivered in July 2019 ready for operational flight.



Primary sources

1. Confidential source.
2. Google Earth Pro
3. Geo-reference support from "Il-Kangurur".

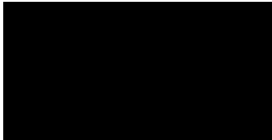
Developed by UN Panel of Experts.

Figure 97.C.5

Private jet transfer booking request (10 April 2021)



التاريخ 10 أبريل 2021



تتقدم شركة الشامل للخدمات السياحية بطلبها هذا بسؤالكم عن إمكانية ترتيب رحلة بطائرة خاصة من جوهانسبرغ (جنوب أفريقيا) إلى بنغازي (ليبيا) لعدد 5 أشخاص وذلك حسب خط السير أدناه

عدد الركاب	خط السير	تاريخ الرحلة
5	Johannesburg (JNB) Benghazi (BEN)	27/04/2021

على أن يكون الإقلاع من مدينة جوهانسبرغ على تمام الساعة 10:00 صباحا بتوقيت جنوب أفريقيا

نرجو من حضراتكم التكرم بالرد بالإمكانية لتوفير هذه الرحلة وإعلامنا بتكلفة الرحلة بالدينار الليبي وطرق الدفع وشكرا

تجدون طيئته قائمة بأسماء الركاب ونسخة من صور الجوازات

تقبلوه بفائق الاحترام
مدير قسم الحجوزات
شركة الشامل للخدمات السياحية



هاتف : 0619091531-0619091530 العنوان : السلماني الشرقي مقابل البريد الرئيسي

Source: Confidential

OFFICIAL UN TRANSLATION 2107704E

Translated from Arabic

Date: 10 April 2021

Falcon Jet

Sirs,

Greetings

The Shamil Travel Services Company would like to inquire as to the possibility of arranging a private aeroplane flight from Johannesburg, South Africa, to Benghazi, Libya, for five people, with the following itinerary:

<i>Date of flight</i>	<i>Route</i>	<i>Number of passengers</i>
27 April 2021	Johannesburg (JNB) Benghazi (BEN)	5

Take-off time from Johannesburg should be 1000 hours South African time

We ask you to kindly respond about the possibility of providing such a flight and let us know the cost in Libyan dinars and the preferred method of payment. Thank you.

Please find attached a list of the passengers' names and a copy of the passport photos.

Accept, Sir, the assurances of my highest consideration.

(Signature) Director of the Reservations Division

Shamil Travel Services Company

Address: Eastern Salmani opposite the Main Post Office Tel: 0619091531-0619091530

Figure 97.C.6 and 97.C.7

BU Shames FZE Business Licenses

SAIF ZONE المنطقة الحرة - شارقة SHARJAH FREE ZONE		حكومة الشارقة Government of Sharjah	
شهادة ترخيص License Certificate			
LICENSE NO.	21315	رقم الرخصة	٢١٣١٥
NAME	BU SHAMES (FZE)	الاسم	بو شامس (م.م.ح)
LEGAL STATUS	Free Zone Est. with Limited Liability	الشكل القانوني	مؤسسة منطقة حرة ذات مسؤولية محدودة
TYPE OF LICENSE	Commercial	نوع الرخصة	تجارية
ACTIVITY(S)	Trading in Civil Aircrafts & Spare Parts	النشاط	تجارة الطائرات المدنية وقطع غيارها (بشرط الحصول على موافقة الجهات المختصة في دولة الإمارات العربية المتحدة)
OWNER(S)	ABDULLAH MOHAMED ALISMAEL	المالك	عبدالله محمد الاسماعيل
MANAGER	ABDULLAH MOHAMED ALISMAEL	المدير المسؤول	عبدالله محمد الاسماعيل
SAIF-ZONE ADDRESS	600 M2 Warehouse A4-08 Sharjah - U.A.E	العنوان في المنطقة الحرة	مستودع ٢١٠٠ - ٨ - ٤ الشارقة - أ.ع.م
INCORPORATION DATE	08 March 2020	تاريخ عقد التأسيس	٠٨ مارس ٢٠٢٠
ISSUE DATE	08 March 2021	تاريخ الاصدار	٠٨ مارس ٢٠٢١
EXPIRY DATE	07 March 2022	تاريخ الانتهاء	٠٧ مارس ٢٠٢٢
REMARKS	THIS LICENSE IS ISSUED AND BASED UPON EMIRI DECREE NO. 2 OF 1995, ISSUED IN SHARJAH ON MAY 8, 1995. THIS LICENSE IS GRANTED TO THE LICENSEE ONLY AND SHALL NOT BE LEASED OR TRANSFERRED WITHOUT PRIOR APPROVAL OF THE SAIF ZONE. SALES IN U.A.E. SHALL BE CAIRED OUT IN ACCORDANCE WITH THE VALID LAWS AND REGULATIONS THEREOF.	ملاحظات	هذه الرخصة صادرة استنادا الى ترميم الاميري رقم ٢ لسنة ١٩٩٥ الصادر في شارقة بتاريخ ٨ مايو ١٩٩٥. هذه الرخصة منوطة للمرخص له فقط ولا يجوز تاجيرها او تحويلها الا بموافقة هيئة المنطقة لحرة لمطار شارقة الدولي. تم احسن البيع داخل الدولة وفقا للنظم والقوانين المعمورة فيها.
To check the validity of the license:		للتحقق من صلاحية ترخيصك	
1- Send an SMS to 2514 with License number.		1- رسالة نصية قصيرة (SMS) إلى الرقم 2514 مع رقم الرخصة.	
2- Scan the QR code.		2- مسح رمز الاستجابة السريع (QR Code).	
3- Visit the website: https://portal.saif-zone.com/LicenseDetail.aspx		3- زيارة الموقع الإلكتروني: https://portal.saif-zone.com/LicenseDetail.aspx	
			
هذه الوثيقة رسمية ولا تحتاج لختم أو توقيع والتأكد من صحة البيانات يرجى زيارة الموقع www.saif-zone.com This document is official and it does not need to be stamped or signed. To view license detail visit www.saif-zone.com			



حكومة الشارقة
Government of Sharjah

شهادة ترخيص

License Certificate

LICENSE NO.	22237	٢٢٢٣٧	رقم الرخصة
NAME	BU SHAMES (FZE)	بو شامس (م.م.ح)	الاسم
LEGAL STATUS	Free Zone Est. with Limited Liability	مؤسسة منطقة حرة ذات مسؤولية محدودة	الشكل القانوني
TYPE OF LICENSE	Services	خدمية	نوع الرخصة
ACTIVITY(S)	Chartering & Leasing of Civil Aircraft	تأجير واستئجار الطائرات المدنية (بشرط الحصول على موافقة الجهات المختصة في دولة الإمارات العربية المتحدة)	النشاط
OWNER(S)	ABDULLAH MOHAMED ALISMAEL	عبدالله محمد الاسماعيل	المالك
MANAGER	ABDULLAH MOHAMED ALISMAEL	عبدالله محمد الاسماعيل	المدير المسؤول
SAIF-ZONE ADDRESS	600 M2 Warehouse A4-08 Sharjah - U.A.E	مستودع ٢٦٠٠ ٨-٤٠٤ الشارقة - أ.ع.م	العنوان في المنطقة الحرة
INCORPORATION DATE	08 March 2020	٠٨ مارس ٢٠٢٠	تاريخ عقد التأسيس
ISSUE DATE	17 March 2021	١٧ مارس ٢٠٢١	تاريخ الاصدار
EXPIRY DATE	07 March 2022	٠٧ مارس ٢٠٢٢	تاريخ الإنتهاء
REMARKS	THIS LICENSE IS ISSUED AND BASED UPON EMIRI DECREE NO. 2 OF 1995 ISSUED IN SHARJAH ON MAY 8, 1995 THIS LICENSE IS GRANTED TO THE LICENSEE ONLY AND SHALL NOT BE LEASED OR TRANSFERRED WITHOUT PRIOR APPROVAL OF THE SAIF ZONE SALES IN U.A.E SHALL BE CARRIED OUT IN ACCORDANCE WITH THE VALID LAWS AND REGULATIONS THEREOF	هذه الرخصة صادرة استنادا الى المرسوم الأميري رقم ٢ لسنة ١٩٩٥ الصادر في الشارقة بتاريخ ٨ مايو ١٩٩٥ هذه الرخصة ممنوحة للمرخص له فقط ولا يجوز تأجيرها أو تحويلها إلا بموافقة هيئة المنطقة الحرة لمطار الشارقة الدولي تتم أعمال البيع داخل الدولة وفقا للنظم والقوانين السارية فيها	ملاحظات

To check the validity of the license:

- 1- Send an SMS to 2514 with License number.
- 2- Scan the QR code.
- 3- Visit the website:
<https://portal.saif-zone.com/LicenseDetail.aspx>



للتحقق من صلاحية الرخصة:

- 1- رسالة نصية قصيرة (SMS) إلى الرقم 2514 مع رقم الرخصة.
- 2- مسح رمز الاستجابة السريع (QR Code)
- 3- زيارة الموقع الإلكتروني:
<https://portal.saif-zone.com/LicenseDetail.aspx>

هذه الوثيقة رسمية ولا تحتاج لحتم أو توقيع

This document is official and it does not need to be stamped or signed

Date : 17/03/2021
RM

التاريخ: ٢٠٢١/٠٣/١٧

Figure 97.C.8

Repair Team 'A' accommodation in Benghazi airport**PMC 'Team A' Accommodation
(02 February 2021)
(32° 5'18"N, 20°15'38"E)**

A confidential source provided imagery of the accommodation for the Space Cargo Inc 'Team A' that deployed to Libya on 31 January 2021.

The location was identified from geo-referencing.

Primary sources

1. Confidential sources.
2. Google Earth Pro
3. Geo-reference support from "Il-Kanguru".

Developed by UN Panel of Experts.



Figure 97.C.9

Repair Team 'B' accommodation in Benghazi**PMC 'Team B' Accommodation
(April/May 2021)
(31°59'36.75"N, 20° 9'45.23"E)**

A confidential source provided imagery of the accommodation for the Space Cargo Inc 'Team B' that deployed to Libya on 27 April 2021.

The location was identified from geo-referencing.

Primary sources

1. Confidential sources.
2. Google Earth Pro
3. Geo-reference support from "Il-Kanguru".

Developed by UN Panel of Experts.



Annex 98 Syrian Arab Airlines (SYR) operating in Libya

1. The Panel has identified that the Syrian Arab Airlines²⁷⁹ operated IL-76T cargo aircraft displaying Syrian registration YK-ATA (MSN²⁸⁰ 93421613) made an initial flight from Damascus to Benghazi or Tobruk on 20 August 2021. The aircraft was identified as making five flights from Benghazi to Tobruk in December 2022 and six flights in February 2022.
2. The activities and profile of this aircraft meet five of the Panel's air delivery profile indicators that when considered collectively indicate that an aircraft is carrying illicit cargo: (a) lack of an obvious schedule; (b) the random nature of the flights; (c) the indirect route; (d) AIS is often switched off; (d) air operator transparency is opaque; and (e) the aircraft flew a similar track to that used for the “Libya Airbridge” reported in UN document [S/2021/229](#) (paragraphs 81 to 83 and annexes 39 and 55).
3. The Panel requested further information from the airline in letters dated 24 September 2021 and 14 March 2022. No response has yet been received.
4. The Panel will continue to monitor the activities of Syrian Arab Airlines (SYR).

²⁷⁹ Office 3N, 35 Starinovskaya Street, 220056 Minsk, Belarus. +375 (17) 3507253. www.rada.aero.

²⁸⁰ Manufacturer's serial number.

Annex 99 Update on Project Opus

Aircraft

1. The Panel has identified further information on the design, deployment routing and current whereabouts of the LASA T-Bird (YU-TSH) light attack aircraft reported in [S/2021/229](#).²⁸¹
2. The aircraft²⁸² deployed from GAS Aviation in Rudine, Serbia on 18 June 2019 and flew to Wiener Neustadt airport, Austria (LOAN). Wiener Neustadt airport is the base of Airborne Technologies,²⁸³ the company that designed and modified the aircraft.²⁸⁴ It remained there for six days before deploying to Amman, Jordan (OJAM) on 24 June 2019 making technical stops at Sofia, Bulgaria (LBSF) and Heraklion, Greece (LGIR). The pilot was Shawn Matthews, the Head of Airborne Technologies Flight Test department.²⁸⁵
3. The Panel can now confirm that the aircraft left Amman, Jordan on 18 July 2019 for Larnaca, Cyprus (LCLK) and not on 22 July 2019 as initially reported. On 30 July 2019 the aircraft was moved to Paphos, Cyprus (LCPH) where it is now in storage with EDT Hangar Services Limited (see figures 99.1 and 99.2).²⁸⁶ The pilot was Matthew Coughlin, one of the PMC operatives that evacuated from Libya to Malta on the rigid hulled inflatable boat (RHIB) 'Manta-1' on 29 June 2019.²⁸⁷ An updated infographic for the aircraft is at appendix A.²⁸⁸

Figure 99.1

LASA T-Bird condition in Serbia on 16 June 2019



Figure 99.2

LASA T-Bird at Larnaca (19 July 2019)



Sources: See figure 99.3

4. The Panel noted that at some time between leaving Serbia on 18 June 2019 and arriving at Larnaca on 19 July 2019 the overall body colour of the aircraft had changed from white to a 'military grey'. The position and font of the registration

²⁸¹ See paras. 39 to 41 and annex 76 of [S/2021/229](#).

²⁸² Using Mode-S Hex Code 4C4E47.

²⁸³ <https://www.airbornetechnologies.at>.

²⁸⁴ At that time (2013 to 2017) Erik PRINCE was an indirect partner in the Company, controlling 25%. <https://www.profil.at/wirtschaft/neue-ermittlungen-gegen-firma-airborne-technologies-aus-noe/401724246>, 4 September 2021; and <https://theintercept.com/2016/04/11/blackwater-founder-erik-prince-drive-to-build-private-air-force/>, 11 April 2016. See later for example of disguised ownership.

²⁸⁵ Confidential source.

²⁸⁶ <http://www.edthangarservices.com/>.

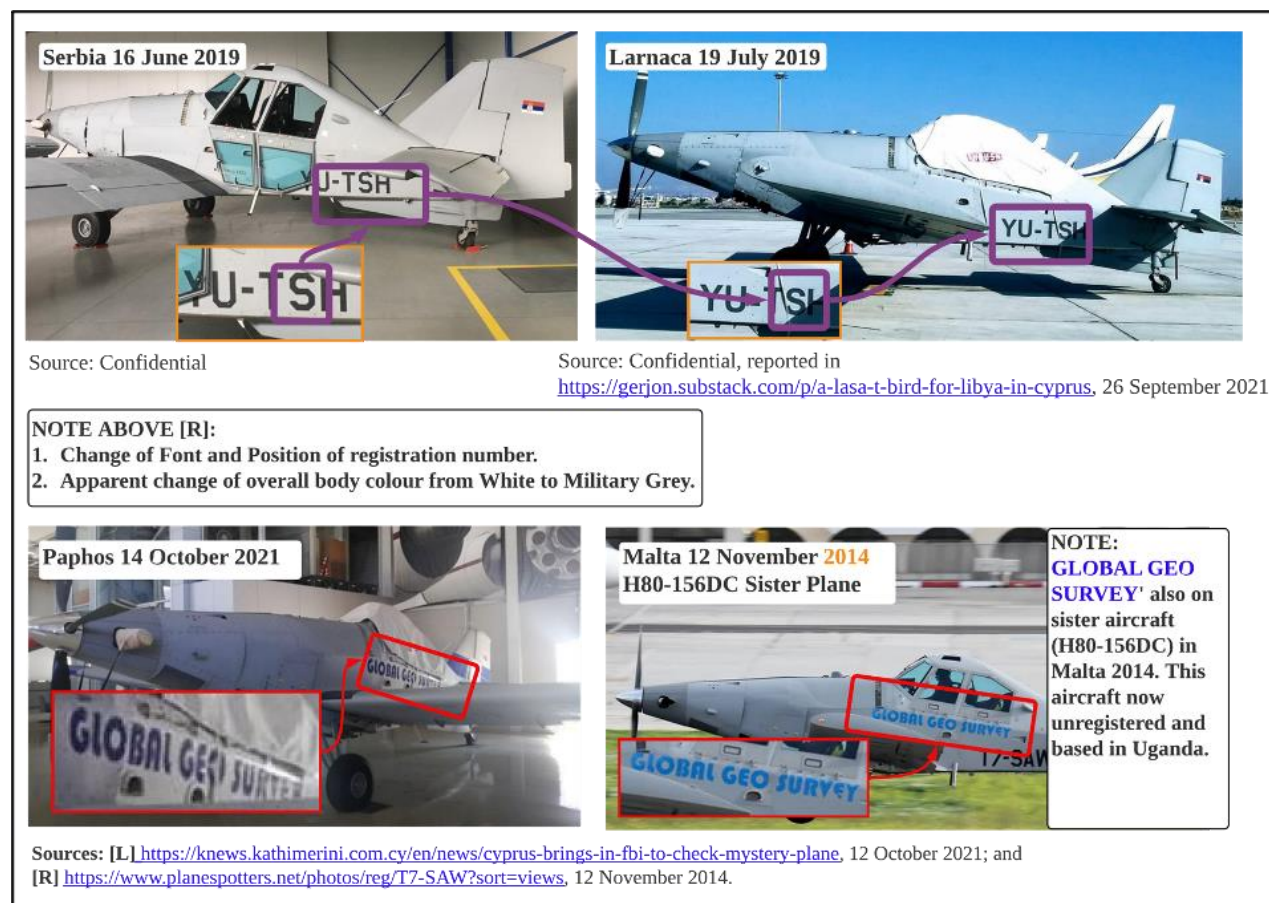
²⁸⁷ See appendix R to annex 76 of [S/2021/229](#).

²⁸⁸ This no longer includes the transfer to Aircraft and More GmbH, as the company was purely used as a sales agent. Information from Cerha Hempel Rechtsanwälte GmbH dated 16 November 2021.

markings had also changed (see figure 99.3). The Panel notes that 'Global Geo Survey' markings were applied to the aircraft in Paphos. The company does not exist, and the company name was last seen on the sister aircraft H80-156DC on 12 November 2014 in Malta. This sister aircraft was last seen in Nakasongola air force base in Uganda in May 2019.

Figure 99.3

Comparison of overall body colour and registration markings



5. The aircraft no longer holds a valid certificate of airworthiness, which expired on 4 June 2020,²⁸⁹ and the Serbian authorities revoked the aircraft registration certificate on 8 October 2021. At this time, the aircraft can no longer legally fly until re-registered with a Member State and a certificate of airworthiness issued.

6. The aircraft were inspected by the Cypriot authorities, in the presence of a Member State law enforcement agency on 11 October 2021. The Panel is awaiting the official release of this report to the Panel.

Disguised company ownership

7. In [S/2021/229](#) the Panel made a statement regarding the assistance provided by Erik Prince for the rapid transfer of aviation assets from companies that he controlled. What the Panel did not report at that time, due to it being single source, was an interview with Gregg Smith who, as the Chief Executive Officer of Frontier Services Group (FSG) from 2014 to 1

²⁸⁹ Data from Serbian CAA civil aircraft registry. <http://cad.gov.rs/en/strana/20841/aircraft-registry#app>.

May 2016,²⁹⁰ worked closely with Erik Prince, then the Chairman of FSG. Gregg Smith stated to the Panel²⁹¹ that the cover story for Operation Opus would be “oil and gas security” or “oil and gas survey” as that was what Erik Prince had always used. Gregg Smith repeated this publicly in an interview with www.narativ.org on 17 September 2020.²⁹²

8. Gregg Smith also claimed that it was implausible that Erik Prince did not control Lancaster6, the company that launched the operation. Gregg Smith went on to explain that, in his experience, Erik Prince protected himself from litigation by not owning companies, and by controlling them through debt ownership or security pledges he would receive material or financial benefits in other ways. The Panel now has evidence²⁹³ of this technique being used by Erik Prince regarding PBM Limited (Malta #C74485), which was 50% owned by Unified Global Services Group Limited (Malta C66387) a company controlled by James Fenech, coincidentally the supplier of the RHIBs to Operation Opus. On 1 June 2017 Unified Global Services Group Limited pledged 100% of their shareholding in PBM Limited (Malta) to a US registered company Phalanx Holding Company LLC (Delaware# 4901076), which was controlled by Erik Prince, hence making Erik Prince in effect the beneficial owner of PBM Limited (Malta). After the investigation and arrest of James Fenech in late April 2020, and the freezing of Fenech’s assets on 24 April 2020 by the Maltese court, Erik Prince made efforts to divest himself of his interest in PBM Limited (Malta) and sever business links with James Fenech. The Panel believes this to be part of a wider cover up operation. At this point Erik Prince revealed his interest in Phalanx Holding Company LLC by personally signing the termination of pledge documentation, in effect returning control and ownership of the company back to Nicola Bandini and Unified Global Services Group Limited (Malta) on 21 July 2020. This was an uncharacteristic error of Erik Prince whose signature has not previously been identified by the Panel on open-source corporate documentation. Documentary evidence is at appendix B to this annex.

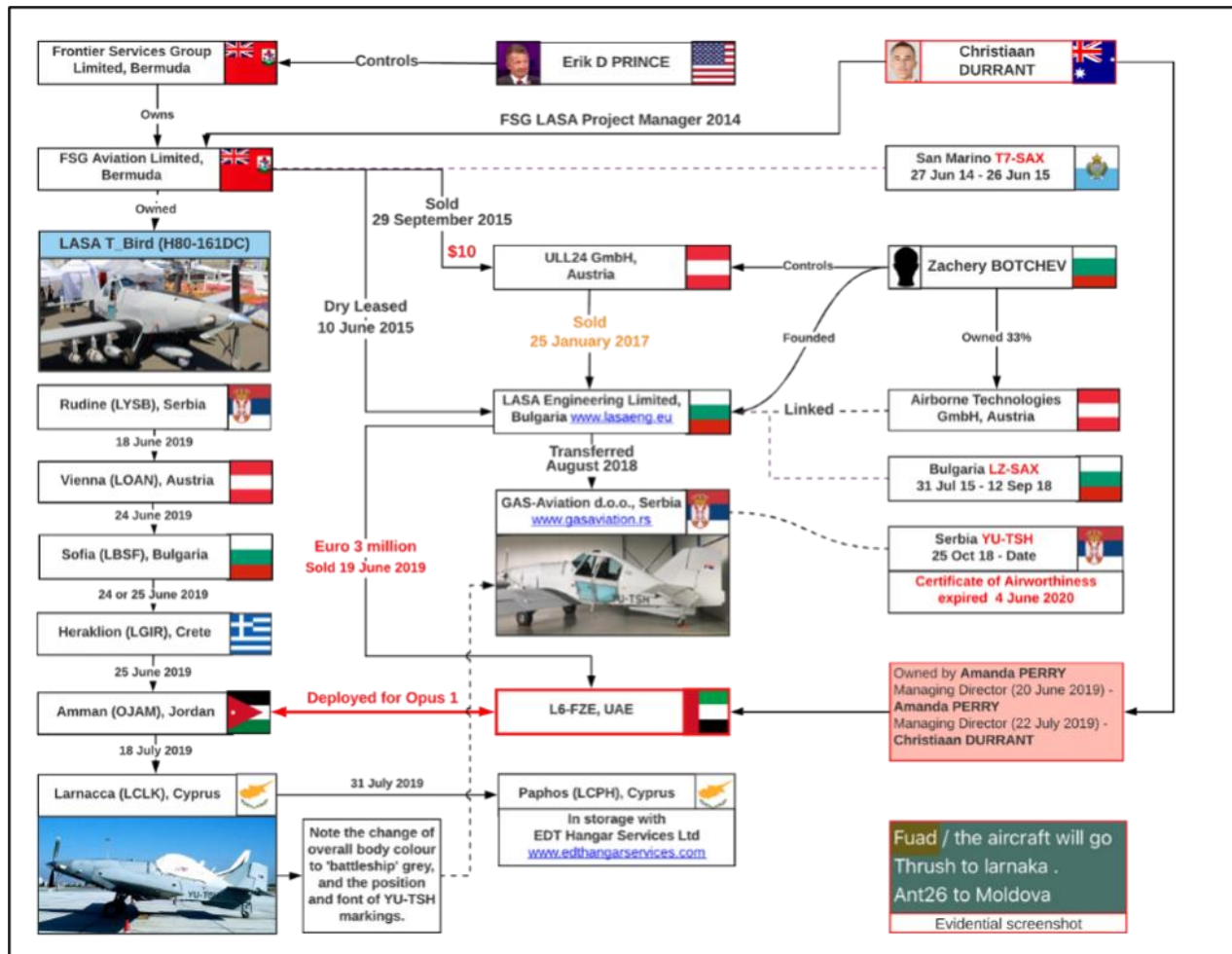
²⁹⁰ <https://www.marketscreener.com/quote/stock/Frontier-Services-Group-L-6165919/news/Frontier-Services-1-RESIGNATION-OF-AN-EXECUTIVE-DIRECTOR-2-GRANT-OF-SHARE-OPTIONS-3-RESIGNAT-22268951/>, 29 April 2016.

²⁹¹ Panel interview of 30 March 2020.

²⁹² Smith, Gregg interviewed by Shalev, Zev, “Prince of Proxy: Libya”, *Narativ live with Zev Shalev*, Narativ.org, 12:30 to 13:35. 17 September 2020. <https://www.podbean.com/ew/pb-zzcef-ebc21a>.

²⁹³ Initially identified by @bugdavem (Twitter), 18 April 2019.

Appendix A to Annex 99: LASA T-Bird (YU-TSH) infographic



Appendix B to Annex 99: Documentation illustrating disguised ownership technique used by Erik PRINCE

1. Documentation for figures 99.B.1 to 99.B.3 within this annex is from the Malta Business Registry.²⁹⁴
2. PBM Limited was registered on 2 December 2016 with 1,200 authorized shares. Nicola Bandini held 600 shares and Unified Global Services Group Limited (Malta C66387) the remaining 600 shares. Unified Global Services Group Limited (Malta C66387) is owned by James Fenech, the individual who supplied the RHIBs to Opus through a separate subsidiary of Unified Global Services Group Limited called Sovereign Charterers (Malta) Limited.

Figure 99.B.1

Authorised Share Capital of 1000 shares

MBR MALTA BUSINESS REGISTRY			
Company Share Capital			
Company Details Authorised Shares Involved Parties Beneficial Owners Documents			
Company Registration Number C 78445 - PBM LIMITED			
Company Registration Number C 78445			
Total No. of Authorised Shares 1,200 (EUR 1200.00)			
Total No. of Issued Shares 1,200 (EUR 1200.00)			
Authorised Share Capital	Type	Nominal Value Per Share in EUR	Issued Shares
1,200	Ordinary	1.000000	1,200

²⁹⁴ <https://registry.mbr.mt>.

Figure 99.B.2

Pledge of shares to Phalanx Holding Company LLC (USA)²⁹⁵ (1 June 2017)

Form T (2)

No. of Company C78445

REGISTRY

RECEIVED

- 6 JUN 2017

OF COMPANIES

Name of Company

COMPANIES ACT, 1995

Notice of a pledge of securities

Pursuant to Section 122 (2)

PBM LIMITED

BG

09 JUN 2017

Given by **MamoTCV Advocates – Dr. Nicholas Valenzia**

To the *Registrar of Companies*:

I hereby give notice in accordance with Section 122 (2) of the Companies Act, 1995 that with effect from 28th May, 2017 the undermentioned securities have been pledged.

Pledgor (Name and Address)	Pledgee (Name and Address)	Securities		
		Number	Kind	Value
UNIFIED GLOBAL SERVICES GROUP LIMITED Co. Reg. № 66837 /22, Parish Square, Melbourne, Australia.	PHALANX HOLDING COMPANY, LLC Co. Reg. № 4901076 1209, Orange Street, Wilmington, New Castle County, Delaware 19801, USA.	600	Ordinary	€1.00
NICOLA BANDINI Italian Passport № A1301870 P.O. BOX 77798, Khalifa Park, Abu Dhabi, United Arab Emirates.	PHALANX HOLDING COMPANY, LLC Co. Reg. № 4901076 1209, Orange Street, Wilmington, New Castle County, Delaware 19801, USA.	600	Ordinary	€1.0

Signature.....
Nicholas Valenzia
As duly authorized
for and on behalf of the Pledgee

Dated this 1ST day of June of the year 2017.

²⁹⁵ Owned by Erik Prince. See figures 99.B.3 and .B.4.

Figure 99.B.3

Termination of pledge of shares to Phalanx Holding Company LLC (USA) signed by Erik Prince (21 July 2020)

Delivered by **Nicola Bandini**

To the Registrar of Companies:

I hereby give notice in accordance with Section 122 (15) of the Companies Act, 1995 that with effect from 21/07/2020 2020 the pledge of the undermentioned securities has been terminated.

Pledgor (Name & Address)	Pledgee (Name & Address)	Securities		
		Number	Type	Nominal Value
Unified Global Services Group Ltd. 22, Parish Street, St. Paul's Bay, Malta Co. Reg. No. 66837	Phalanx Holding Company, LLC Co. Reg. No. 001076 Wilmington, New Castle County, Delaware 19801, USA	600	Ordinary shares	€1
Nicola Bandini Via Casalone, 10 Di Val d'Aosta 13034 Italy Italian Passport Number YA1301870	Phalanx Holding Company, LLC Co. Reg. No. 001076 Wilmington, New Castle County, Delaware 19801, USA	600	Ordinary Shares	€1

Signature 
Erik Prince
For and on behalf of
Phalanx Holding Company,
LLC

Dated this 21 day of July 2020

This form must be completed in typed form.

4. Further research establishes that Phalanx Holding Company LLR is registered to Erik Prince's home address in Virginia.

Figure 99.B.4

Identification of the use of Erik Prince's home address for registration of Phalanx Holding Company LLC (Virginia, USA)

opencorporates
The Open Database Of The Corporate World

Company name or number **SEARCH**

[Companies](#) [Officers](#) [Log in/Sign up](#)

PHALANX HOLDING COMPANY LLC

BRANCH

Company Number T0464935
Status Active
Incorporation Date 9 May 2011 (almost 10 years ago)
Company Type Foreign Limited Liability Company
Jurisdiction [Virginia \(US\)](#)
Branch Branch of PHALANX HOLDING COMPANY, LLC (Delaware (US))

Registered Address 23118 FOXCROFT
 MIDDLEBURG
 20118-0000
 Virginia
 United States

Business Classification Text GENERAL
Agent Name C T CORPORATION SYSTEM
Agent Address 4701 Cox Rd Ste 285, Glen Allen, Virginia, 23060-6808
Directors / Officers [C T CORPORATION SYSTEM, agent](#)

Company network
Not yet available for this company. [Click to find out more](#)

Latest Events

- 2011-05-09 Incorporated
- 2011-05-09 - 2019-11-12 Addition of officer C T CORPORATION SYSTEM, agent
- 2019-12-03 - 2020-12-05 Change of name from 'PHALANX HOLDING COMPANY, LLC' to 'PHALANX HOLDING COMPANY LLC'

[See all events](#)

Corporate Grouping [USER CONTRIBUTED](#)
None known. [Add one now?](#)
[See all corporate groupings](#)

Similarly named companies

PHALANX HOLDING COMPANY, LLC (Delaware (US), 19 Nov 2010-)

Source Commonwealth of Virginia State Corporation Commission, <https://cis.scc.virginia.gov/>, 28 Feb 2021

Annex 100 Update on ChVK Wagner and Russian PMC operations and logistics²⁹⁶

General

1. The Panel has obtained further information and records relating to ChVK Wagner operations and logistics additional to that reported in Panel report [S/2021/229](#).²⁹⁷

2. In early 2021 the BBC gained exclusive access to a Samsung electronic tablet left behind on a Libyan battlefield by a ChVK Wagner mercenary.²⁹⁸ Their investigation was published on 10 and 11 August 2021.²⁹⁹ The Panel has spoken to the BBC investigative team regarding the circumstances of the find and is assured of the chain of custody and continuity of evidence for the electronic tablet. Furthermore, although a single technical source, the electronic device contains tangible documentary and imagery evidence that makes it highly likely that the contents are authentic. Some of the information contained in the tablet has been corroborated by other sources (see below). Two confidential Panel sources with extensive knowledge of the ChVK Wagner organization, independent from the BBC, also considered the find of the electronic tablet and its contents as authentic.

3. The Samsung electronic tablet contained:

- (a) Over 42 military diagrammatic images for Russian designed fuzes, mines and booby-traps (see examples at appendix A);
- (b) Over twenty pages of Russian military low level tactical information on, for example, range finding through weapons sights, published by the Senior Service College of the Far East Department of Weapons and Marksmanship (author S.P. Proshchenkov) (see examples appendix B);³⁰⁰ and
- (c) A mapping application software “All in One Offline Maps Plus”,³⁰¹ which had at least 35 locations of mines and booby traps displayed, as well as code names of fighters and fighting positions in the Ain Zara area of South Tripoli.



²⁹⁶ There were a number of Russian PMC operating in Libya between 2019 and 2020. The Panel will only attribute an incident or activity to a named Russian PMC where evidential standards for attribution have been met. Otherwise, the term “Russian PMC” will be used.

²⁹⁷ Primarily in p.32 and annex 77.

²⁹⁸ The term “private military operative” was previously used in Panel reporting as evidential standards of ‘*direct participation in hostilities*’ by specifically ChVK Wagner personnel had not been met to allow the Panel to use the term ‘mercenary’ when referring to ChVK Wagner personnel. The term ‘mercenary’ when used in this document refers to ‘armed mercenary personnel’ as referenced in paragraph 9 of resolution [1970 \(2011\)](#). The information contained in this update provides evidence of ‘*direct participation in hostilities*’ by ChVK Wagner individuals thus allowing the Panel to make a definitive finding as to the “armed mercenary personnel” status of the individuals identified in Libya as operating for ChVK Wagner.

²⁹⁹ <https://www.bbc.co.uk/news/world-africa-58009514>; and <https://www.bbc.co.uk/news/extra/8iaz6xit26/the-lost-tablet-and-the-secret-documents>.

³⁰⁰ Official UN translation 2108754E.

³⁰¹ https://play.google.com/store/apps/details?id=net.psyberia.offlinemaps&hl=en_GB&gl=US.

Imagery of anti-personnel mines

4. The imagery included schematic diagrams of the Russian designed MON-50, POM-2 and PMN-2 anti-personnel mines (APM). The POM-2 and PMN-2 APM were reported as being first seen in Libya in Panel report [S/2021/229](#),³⁰² and were found to be violations of paragraph 9 of resolution [1970 \(2011\)](#) by a Russian PMC. Also see paragraphs 7 to 9 below for other equipment, weapons and ammunition requested in the logistic resupply documentation found on the electronic tablet, that were first seen in Libya during 2020.

Mapping application - location of anti-personnel mines

5. The locations of thirty-five APM were indicated within the mapping application as shown in table 100.1 and in figure 100.1. The Panel has geo-referenced the locations shown to confirm the accuracy of the mapping application software. The Panel also confirmed that the area within which the mined locations are indicated on the mapping software was under the control of HAF, including his ChVK Wagner support, from the end of February 2020 until the HAF withdrawal in late May 2020. It was their frontline at that time, which explains the deployment of defensive command initiated anti-personnel mines such as the MON-50, 90 and 200 series. The Panel has further confirmed³⁰³ that explosive hazards were removed from these specific locations by a combination of Libyan Ministry of Interior, military and NGO explosive ordnance disposal (EOD) teams as part of ongoing battlefield area clearance (BAC) operations in mid 2020. Examples of screenshots from the electronic tablet are at appendix C.

Table 100.1

Indicated locations of APM

#	ChVK #	Type	Location (Longitude and Latitude)		Remarks
1			32°46'36.33"N	13°17'02.69"N	
2			32°46'40.36"N	13°16'56.46"N	
3			32°46'21.96"N	13°16'51.43"N	
4			32°45'54.59"N	13°16'50.97"N	
5		Booby Trap	32°46'24.01"N	13°16'21.85"N	▪ Booby trapped F1 Grenade.
6		Command	32°46'23.52"N	13°16'21.33"N	▪ Possible remote controlled OZM APM.
7		Booby Trap	32°46'24.28"N	13°16'20.24"N	▪ Booby trapped F1 Grenade.
8			32°46'08.80"N	13°16'20.64"N	
9	A1		32°45'38.24"N	13°16'41.90"N	
10	A1		32°46'33.28"N	13°16'23.97"N	▪ Second A1 code location referenced.
11	A2		32°45'41.13"N	13°16'48.19"N	
12	A2		32°46'32.27"N	13°16'31.89"N	▪ Second A2 code location referenced.
13	A3		32°45'42.48"N	13°16'54.73"N	
14	A3		32°46'31.72"N	13°16'26.77"N	▪ Second A3 code location referenced.
15	A4		32°45'42.65"N	13°16'55.88"N	
16	A5		32°45'44.47"N	13°16'55.43"N	

³⁰² PMN-2 in table 6 and annex 67. POM-2R in table 6 and annex 70.

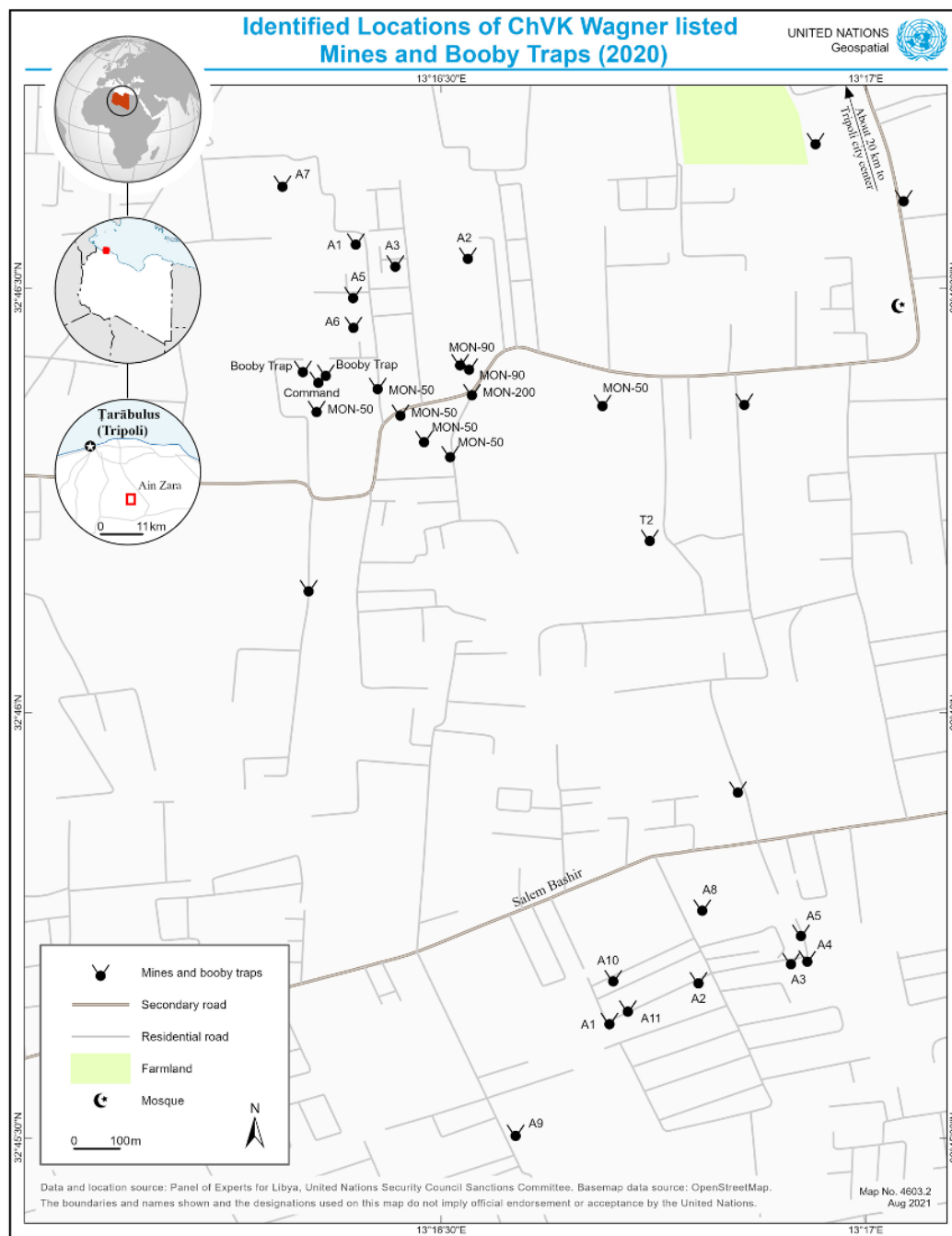
³⁰³ Source: An operational demining organization in Libya.

#	ChVK #	Type	Location (Longitude and Latitude)		Remarks
17	A5		32°46'29.50"N	13°16'23.78"N	▪ Second A3 code location referenced.
18	A6		32°45'45.14"N	13°17'10.12"N	
19	A6		32°46'27.40"N	13°16'23.81"N	▪ Second A6 code location referenced.
20	A7		32°45'50.90"N	13°17'09.53"N	
21	A7		32°46'37.36"N	13°16'18.79"N	▪ Second A7 code location referenced. ▪ Two F3 EOD operators killed at 32° 46' 37.46"N", 13°16'19.10"E by an OZM-72 on 5 July 2020. (8.5m between reported locations). ^a
22	A8		32°45'46.25"N	13°16'48.46"N	
23	A9		32°45'30.35"N	13°16'35.27"N	
24	A10		32°45'41.26"N	13°16'42.17"N	
25	A11		32°45'39.13"N	13°16'43.20"N	
26	T2		32°46'12.35"N	13°16'44.75"N	
27		MON-50	32°46'21.88"N	13°16'41.41"N	
28		MON-50	32°46'18.27"N	13°16'30.64"N	▪ Possibly remote initiated.
29		MON-50	32°46'19.33"N	13°16'28.80"N	
30		MON-50	32°46'21.46"N	13°16'21.21"N	
31		MON-50	32°46'21.20"N	13°16'27.13"N	
32		MON-50	32°46'23.08"N	13°16'25.52"N	
33		MON-90	32°46'24.75"N	13°16'31.35"N	
34		MON-90	32°46'24.45"N	13°16'31.98"N	
35		MON-200	32°46'22.64"N	13°16'32.18"N	

^a **Source:** Accident report by an operational demining organization in Libya.

6. The locations at table 100.1 also includes some information as to the type of mine deployed. These include MON-50, MON-90, MON-200 and OZM-72, none of which have been reported as being in Libya before. The transfer of these mines to Libya is therefore a violation of paragraph 9 of resolution [1970 \(2011\)](#). Imagery of three of these mine types recovered by GNU-AF and Libyan NGO EOD teams in the Tripoli area is at appendix D.

Figure 100.1
Indicated locations of APM from mapping software



5. The Panel also received information³⁰⁴ regarding the recovery during Summer 2020 of booby-trapped TM-62M anti-tank mines from positions previously occupied by, primarily, ChVK Wagner operatives in Southern Tripoli (see figure 100.2).³⁰⁵

Figure 100.2

TM-62M mine with booby trap



IHL and indiscriminate use of explosive ordnance

6. When employing explosive weapons in their military operations, Russian PMC operatives were obliged under IHL to respect the prohibition of indiscriminate attacks and to take all feasible precautionary measures to protect civilians from the indiscriminate effects of those weapons.³⁰⁶ These measures should include: (a) the visible marking of mines and other explosive devices; (b) issuing effective warnings on the emplacement of these devices to the local civilian population; and (c) removing or facilitating their removal upon the end of active hostilities.

7. The Panel found that ChVK Wagner operatives did not take the required precautions when they laid the thirty-five APMs (table 100.1 above) in urban locations of the Ain Zara municipality that were likely to be used by civilians after their withdrawal. This failure to avoid, or at least to minimize, incidental effects of the deployed ordnance on the civilian population and civilian objects rendered their method of warfare unlawful under IHL.³⁰⁷

8. In at least one case on 5 July 2020, shortly after the withdrawal of the ChVK Wagner operatives from their positions in Ain Zara, a booby-trapped mine (serial 21 in table 100.1 above) unexpectedly detonated during an EOD clearance operation. This resulted in the indiscriminate death of two civilian EOD operators.³⁰⁸ The device was unmarked and attached to a harmless object inside a civilian house (see appendix F). The two victims, who did not take a direct part in the hostilities, were staff members of a mine action non-governmental organisation deployed to remove mines, booby-traps and other explosive devices from the populated area of Ain Zara.

³⁰⁴ Confidential source in the mine action community (19 January 2022).

³⁰⁵ The use of ML-8 anti lift initiators was reported in S/2019/229.

³⁰⁶ Customary International Humanitarian Law [CIHL] rules 1, 11-12, and 15.

³⁰⁷ CIHL rules 80-83. *See also* CIHL rule 15.

³⁰⁸ Confidential sources within mine action organizations operational in Libya. The Panel has copies of the death certificates.

9. The Panel further found that Russian PMC operatives did not take the required precautions when they laid the TM-62M booby trapped anti-tank mines (figure 100.2 above) in an urban location along the civilian road in Southern Tripoli, which was expected to be used by civilians after the withdrawal of the PMC operatives.³⁰⁹ This failure to avoid, or at least to minimize, incidental effects of the deployed ordnance on the civilian population and civilian objects rendered their method of warfare unlawful under IHL.³¹⁰

10. The method in which ChVK Wagner operatives emplaced the thirty-five APMs and the Russian PMC operatives the TM-62M booby trapped anti-tank mines, without any feasible precautionary measures, also heavily undermined the safe return of the displaced civilians to their homes as well as the protection of those civilian organizations mandated to carry out mine clearance as a specific measure to facilitate the right of the displaced civilians to voluntary return in safety to their homes or places of habitual residence as soon as the reasons for their displacement ceased to exist.³¹¹

Mapping application - tactical information

11. The mapping application software data also contained tactical information such as names and unit identifiers. These are at table 100.2 for reference.

Table 100.2

Tactical information

#	Data	Panel analysis	Remarks
1	Red Dot	ChVK Wagner location	
2	Blue Dot	Enemy / GNU-AF	
3	Yellow Dot	LNA / HAF	
4	Purple Dot	Not confirmed	▪ Possibly ‘Protective Fire’ (PF) ^a or ‘Final Protective Fire’ (FPF) ^b locations.
5	Black Dot	Mines, booby traps or IEDs.	
6	Light Blue Dot	Not confirmed	
7	“Diver”	Unknown	▪ Possible code name of fighter.
8	“German”	Code name of fighter	▪ Three Wagner operatives are known to use this nickname. ^c
9	“Himmler”	Code name of fighter	
10	“Metla”	Fedor Andreevich METELKIN	▪ Wagner # M-1913. ^d
11	“Spirits”	Enemy	▪ “Spirits” is ChVK Wagner nickname for ISIS in Syria, so could mean similar here.

³⁰⁹ Civilian casualties due to UXO were reported in this area during the summer of 2020. Confidential source in the mine action community (19 January 2022).

³¹⁰ CIHL rules 80-83.

³¹¹ CIHL rule 132.

^a ‘Protective fire’ refers to a tactical fire plan for a military unit, pre-set up to protect itself against overwhelming attack. It involves the pre-laying and concentration of all support weapons fire (heavy machine gun, artillery, mortar and air support) directly in front of the unit to impede enemy movement.

^b As the “final” in the name implies, this is the last resort in defensive plans, involving weapons fire directed dangerously close to friendly defensive positions that are at risk of being overrun by the enemy. An FPF request has absolute priority over any other kind of fire support request.

^c 1) Makarov (DOB 6 Jan 1994); 2) Ivanovich Apes (Wagner # M2206); and 3) Alexander Alexandrovich (Wagner # M-0176).

^d <https://myrotvorets.center/criminal/metelkin-fedor-andreevich/>.

Logistic resupply documentation

12. The electronic tablet also stored a ten-page document dated 19 January 2020, which included a list of the weapons and equipment required for various sub-units within ChVK Wagner in Libya. The document is at appendix E together with an official UN translation.³¹² Within this document are code names or nick names of senior ChVK Wagner staff who are mentioned within, or contributed to, the document. These are at table 100.3. A summary of the equipment requested is at appendix G.

Table 100.3

Identification of report name mentions and contributors

Page #	Codename	Panel identification	Remarks
1	Director General	Highly probably Yevgeny PRIGOZHIN	
1	Lipetsk	Libya	
1	Zurab		- Senior Signals Officer. - New in position as Head of Communications.
1	The Nineth	Dimitry UTKIN	Utkin is known as “the nineth”. This is based on his Wagner number M-0209. The Panel assesses that the hand written word “DA” in Cyrillic appears in the document next to the typed “nineth”, meaning “Yes” has been written as a personal approval for the transfer.³¹³
2	Bonya		- Senior Intelligence Officer. - Probably a former district police officer from the Asiatic regions. - Been with Wagner since 2014 but still unidentified.
5	Chukcha	Kirill Vladimirovich TIKHONOVIC	- M-0379 - Commander, Assault Team 6. - DoB 16 March 1984

³¹² 2107434E.

³¹³ This assessment is agreed by two confidential sources with extensive knowledge of the ChVK Wagner Organization. The Panel has seen other documents authenticated as genuine ChVK Wagner documents where both the Cyrillic initials “DU” and “DA” appear in the same handwriting as approval signatures.

Page #	Codename	Panel identification	Remarks
7	'1374'		- Commander, Assault Team 1. - M-1374 personal number is assigned to Leonardovich Vasilij PIVNEV.
9	Lotus	Possibly Alexander Antolievich TISHCHENKO	Commander, Assault Team 7.
12	Cap ³¹⁴	Probably Alexey Vasilievich KLOKOV	- Commander, Assault Team 2. - DoB 14 October 1973

13. The Panel notes that the equipment list contains equipment, weapons and ammunition not previously seen in Libya before 2020, and reported for the first time in Panel report [S/2021/229](#): (a) MIC VPL *Tigr*-M armoured vehicles;³¹⁵ (b) KBP RPO-A *Schmel* Thermobaric Munitions;³¹⁶ (c) VOG-17M 30mm Grenades; and (d) VOG-25 40mm Grenades.³¹⁷ These were all found by the Panel to be violations of paragraph 9 of resolution [1970 \(2011\)](#) by a Russian PMC.

14. Other weapons on the equipment list have been identified by the Panel as being newly present in Libya during 2021, and are reported on elsewhere in the report: (a) AK-103 Assault Rifles manufactured in 2020 (annex 52); and (b) *Steyr* SSG 08 anti-materiel rifle (annex 65).

15. The Panel noted that some military materiel requested in the equipment list are technologically advanced systems that have only very recently been made available for operational use. The systems include: (a) the *Ironiya* electro-optical system (serial 17 to table 100.E.1), which was first seen publicly in April 2019;³¹⁸ (b) the 1L277 *Sobolyatnik* battlefield surveillance radar (see serial 11 to table 100.E.1), which have only been seen operationally deployed since 2018.³¹⁹

16. The Panel is currently investigating how much of the requested equipment was physically supplied, if any, to ChVK Wagner in Libya.

Media response to BBC coverage in Russia

17. Media outlets closely linked to, or controlled by, Yevgeny Prigozhin³²⁰ have heavily criticised the initial BBC report.³²¹ RIAFAN (a.k.a the Federal News Agency)³²² stated the BBC report was “...an assortment of inventions, rumours, falsified materials and fakes which have been disproved many times”.

³¹⁴ Another Wagner mercenary with this nickname, Alexander Viktorovich UMANSKY (M-1181), was previously killed in operations elsewhere.

³¹⁵ Annex 63.

³¹⁶ Annex 60.

³¹⁷ Annex 77. VOG-17 and VOG-25.

³¹⁸ <https://avia-pro.net/news/rossiyskiy-optiko-elektronnyy-kompleks-ironiya-vperve-pokazali-publike>.

³¹⁹ https://www.armyrecognition.com/june_2020_news_defense_global_security_army_industry/russian_airborne_forces_receive_sobolyatnik_portable_radar.html, 23 June 2020.

³²⁰ Mentioned as connected with ChVK Wagner in Panel report [S/2021/229](#) (annex 77 and appendix A to annex 77).

³²¹ <https://monitoring.bbc.co.uk/country/LBY?preview=true>. Subscription.

³²² <https://riafan.ru/1502678-professionalizm-lzhi-vasserman-obyasnil-cel-filma-vvs-o-rossiyanakh-v-livii>. This is also commonly referred to as the “Troll Factory”.

18. The RIAFAN response was reprised in other media outlets³²³ within the Prigozhin controlled Patriot Media group.³²⁴ RIAFAN questioned the chain of custody of the electronic tablet and the continuity of the evidence contained within it.

19. Key to the RIAFAN response was that some of the locations within the mapping application were under the control of the GNU-AF and “Tripoli gangs” in 2019. This is true, but irrelevant as they later came under control of HAF and ChVK Wagner (see paragraph 4).

20. RIAFAN also reported that they had interviewed an individual mentioned in the report, Fedor METELKIN (“Metla”), who denied being in Libya and that he worked on a construction site.

Communications liaison between ChVK Wagner and HAF

21. The Panel obtained a copy of a separate handwritten document³²⁵ that contained receipts from HAF officers for the delivery of BauFeng UV-5R series hand-held radios.³²⁶ Two independent confidential Panel sources with extensive knowledge of the ChVK Wagner organization considered the document as credible and authentic. The Panel has also confirmed that the names of the HAF officials accurately reflect the command appointments reflected in the document. A copy of the original documentation and official UN translation is at appendix H, and summarised in table 100.4 below:

Table 100.4

Summary of communication receipts

<i>Receipt #</i>	<i>ChVK Wagner name</i>	<i>HAF Official in receipt</i>	<i>Communication device</i>	<i>Quantity</i>
2	Zurab ^a	lieutenant colonel Omar Mraji‘i Hasan commander, Tareq Bin Ziyad battalion	BauFeng UV-5R	20
3	Zurab	major general Salih Abbudah battlefield commander	BauFeng UV-5R	10
4	Zurab	major general Ahmad Salim commander, second division	BauFeng 5R	10
5	Zurab	major general Ahmad Salim commander, second division	BauFeng UV-5R	15

³²³ Economics Today (<https://rueconomics.ru/537270-tehnologiya-voiny-obmana-fedorov-ocenil-psevdorassledovanie-vbs-o-rossiyanah-v-livii>, <https://rueconomics.ru/537265-fan-ukazal-na-somnitelnye-istochniki-v-rassledovanii-bbc-o-livii>, <https://rueconomics.ru/537186-fan-anonsiroval-razoblachenie-rassledovaniya-bbc-o-livii>; <https://rueconomics.ru/537256-zvenya-zapadnoi-propagandy-manukyan-obyasnil-chto-stoit-za-rassledovaniem-bbc-o-livii>); Info Reactor (<https://infoactor.ru/385841-v-afrike-nikogda-ne-byl-figurant-rassledovaniya-o-rossiyanah-otvetil-na-publikaciyu-bbc>; <https://infoactor.ru/385834-peredacha-plansheta-v-ruki-zhurnalistov-sdelala-bespoleznoi-glavnuyu-uliku-rassledovaniya-vvs>); PolitRos (<https://politros.com/217387-bbc-pytalos-vydat-fail-iz-word-office-za-dokazatelstvo-prisutstviya-rossiyan-v-livii>); and PolitExpert (<https://politexpert.net/256930-fan-zametil-fakticheskie-oshibki-v-rassledovanii-bbc-o-liviiskom-konflikte>).

³²⁴ <https://mediapatriot.ru/o-mediagruppe/>.

³²⁵ Confidential source.

³²⁶ <https://baofengtech.com/product/uv-5r/>.

<i>Receipt #</i>	<i>ChVK Wagner name</i>	<i>HAF Official in receipt</i>	<i>Communication device</i>	<i>Quantity</i>
6	Zurab	major general Ahmad Salim commander, second division	BauFeng UV-5R	50
7	Zurab	lieutenant colonel Omar Mraji'i commander, Tareq Bin Ziyad battalion	BauFeng 5R	5
8	Zurab	major general Ahmad Salim commander, second division	BauFeng 5R	5
9	Zurab	major general Ahmad Salim commander, second division	BauFeng UV-5R	10
11	Zurab	Ali al-Ghazwi ^b western region operations room	BauFeng UV-5R	2
12	Zurab	Ali al-Ghazwi western region operations room	BauFeng UV-5R	10
?	Zurab	major general Salih Abbudah battlefield commander forward operations room western region operations room	BauFeng UV-5R	50

^a See table 27.3.

^b a.k.a Mabrouk Al Ghazwi.

22. The Panel assesses that the radios were supplied to ensure deconfliction between the armed groups during low-level tactical operations within a 5km area. The radios are readily available consumer items, insecure and obsolescent. Nevertheless, they are cheap, simple to operate, can be pre-programmed to operate on specific frequencies and are expendable.

Verified open-source information

23. A social media page for the mercenary community,³²⁷ known as Reverse Side of the Medal (RSOTM), has recently begun to display imagery of ChVK Wagner in Libya that was verified by geo-location or from other sources.³²⁸

³²⁷ <https://twitter.com/RSOTM>.

³²⁸ For example:

<https://twitter.com/RSOTM/status/1403061848665112588>, 10 June 2021 (@0.31 minutes) (geo-located ;
<https://twitter.com/RSOTM/status/1420379513712746499>, 28 July 2021;
<https://twitter.com/RSOTM/status/1431663037866446851>, 28 August 2021 (by geo-location); and
<https://twitter.com/RSOTM/status/1431657243603259401>, 28 August 2021 (by geo-location).

24. Other social media video imagery³²⁹ contains evidence of ChVK Wagner in Libya. This video, geo-located by the Panel, shows a mixed ChVK Wagner and HAF 106 brigade convoy entering Bani Walid in late May 2020. The image at figure 100.2 provides evidence of ChVK Wagner / HAF interoperability as the vehicle is painted in the distinctive “Africa” camouflage used exclusively by HAF 106 brigade.

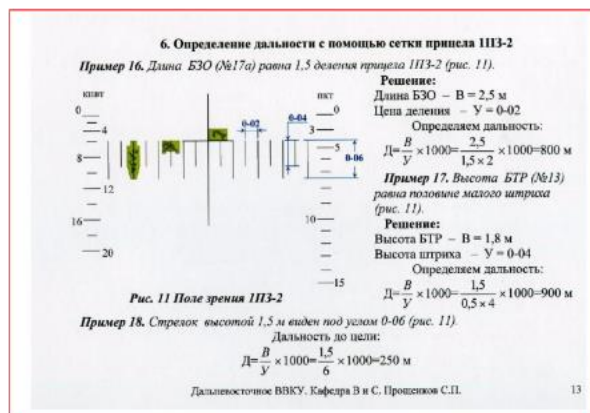
Figure 100.2

HAF 106 brigade ‘Africa’ camouflage



³²⁹ <https://www.youtube.com/watch?v=tt2ne2So5sQ>, 26 May 2020.

Appendix A to Annex 100: Low level tactical publications (example)



13

2108754E.docx

6. Determining the range using the 1PZ-2 reticle

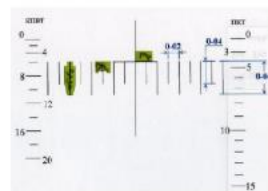


Figure 11. Field of view of a 1PZ-2

Exercise 16. The length of the BZO warhead (No. 17a) is equal to 1.5 divisions of the 1PZ-2 reticle (Figure 11).

Solution:

L = Length of the warhead = 2.5 m

Y = Division value = 0.02

The range is calculated as follows:

$$R = \frac{L}{Y} \times 1,000 = \frac{2,5}{1,5 \times 2} \times 1,000 = 800 \text{ m}$$

Exercise 17. The height of the armoured personnel carrier (No. 13) is equal to half of one small reticle line (Figure 11).

Solution:

H = Height of the armoured personnel carrier = 1.8 m

Y = Height of the reticle line = 0.04

The range is calculated as follows:

$$R = \frac{H}{Y} \times 1,000 = \frac{1,5}{0,5 \times 4} \times 1,000 = 900 \text{ m}$$

Exercise 18. A shooter 1.5 m tall is visible at 0.06 radian (Figure 11).

The range to target is calculated as follows:

$$R = \frac{B}{Y} \times 1,000 = \frac{1,5}{6} \times 1,000 = 250 \text{ m}$$

Senior Service College of the Far East Department of Weapons and Marksmanship
S.P. Proshchenkov

13

Appendix B to Annex 100: Diagrams of fuzes, mines and booby traps (example)



ВЗРЫВНЫЕ УСТРОЙСТВА

ВЗРЫВЧАТЫЕ ВЕЩЕСТВА

Взрывчатые вещества (ВВ) называются соединениями веществ или смесью, способными под действием внешнего воздействия взорваться и распространять энергию взрыва на окружающие объекты и вещества. Взрывчатые вещества (ВВ) и взрывчатые смеси (ВВС) являются основными компонентами взрывных устройств.

ВВ	Вид	Взрывчатость	Плотность
Триггер	1,38	4000	
Триггер	1,78	4000	
Триггер	1,77	3000	
Триггер	1,80	3000	
Триггер	1,42	4000	
Триггер	1,5-1,8	3000-5000	
Триггер	1,3-1,7	3000-5000	

СХЕМЫ ВЗРЫВНЫХ УСТРОЙСТВ

Взрывные устройства (ВУ) представляют собой технические средства, предназначенные для взрыва объектов или взрывчатых веществ. ВУ могут быть простыми или сложными, в зависимости от количества взрывчатых веществ и способа их взрыва.

ВЗРЫВНЫЕ УСТРОЙСТВА ЗАВОДСКОГО ИЗГОТОВЛЕНИЯ

ВУ заводского изготовления имеют стандартную конструкцию и предназначены для взрыва объектов или взрывчатых веществ. ВУ заводского изготовления могут быть простыми или сложными, в зависимости от количества взрывчатых веществ и способа их взрыва.

САМОДЕЛЬНЫЕ ВЗРЫВНЫЕ УСТРОЙСТВА

Самодельные ВУ представляют собой технические средства, изготовленные самостоятельно. Самодельные ВУ могут быть простыми или сложными, в зависимости от количества взрывчатых веществ и способа их взрыва.

ВЗРЫВООПАСНЫЕ ВЕЩЕСТВА

Взрывоопасные вещества (ВОВ) называются соединениями веществ или смесью, способными под действием внешнего воздействия взорваться и распространять энергию взрыва на окружающие объекты и вещества. ВОВ являются основными компонентами взрывных устройств.

МЕРЫ БЕЗОПАСНОСТИ ПРИ ОБНАРУЖЕНИИ ВУ

При обнаружении взрывного устройства необходимо соблюдать следующие меры безопасности:

- Не трогать ВУ и не приближаться к нему.
- Не пытаться снять ВУ или его компоненты.
- Не использовать ВУ для взрыва объектов или взрывчатых веществ.
- Не использовать ВУ для взрыва объектов или взрывчатых веществ.

РУЧНЫЕ ОСКОЛОЧНЫЕ ГРАНАТЫ

ОСНОВНЫЕ ЧАСТИ

Основными частями ручной осколочной гранаты являются:

- Корпус (тело).
- Спусковой механизм.
- Снаряд.
- Снарядная часть.

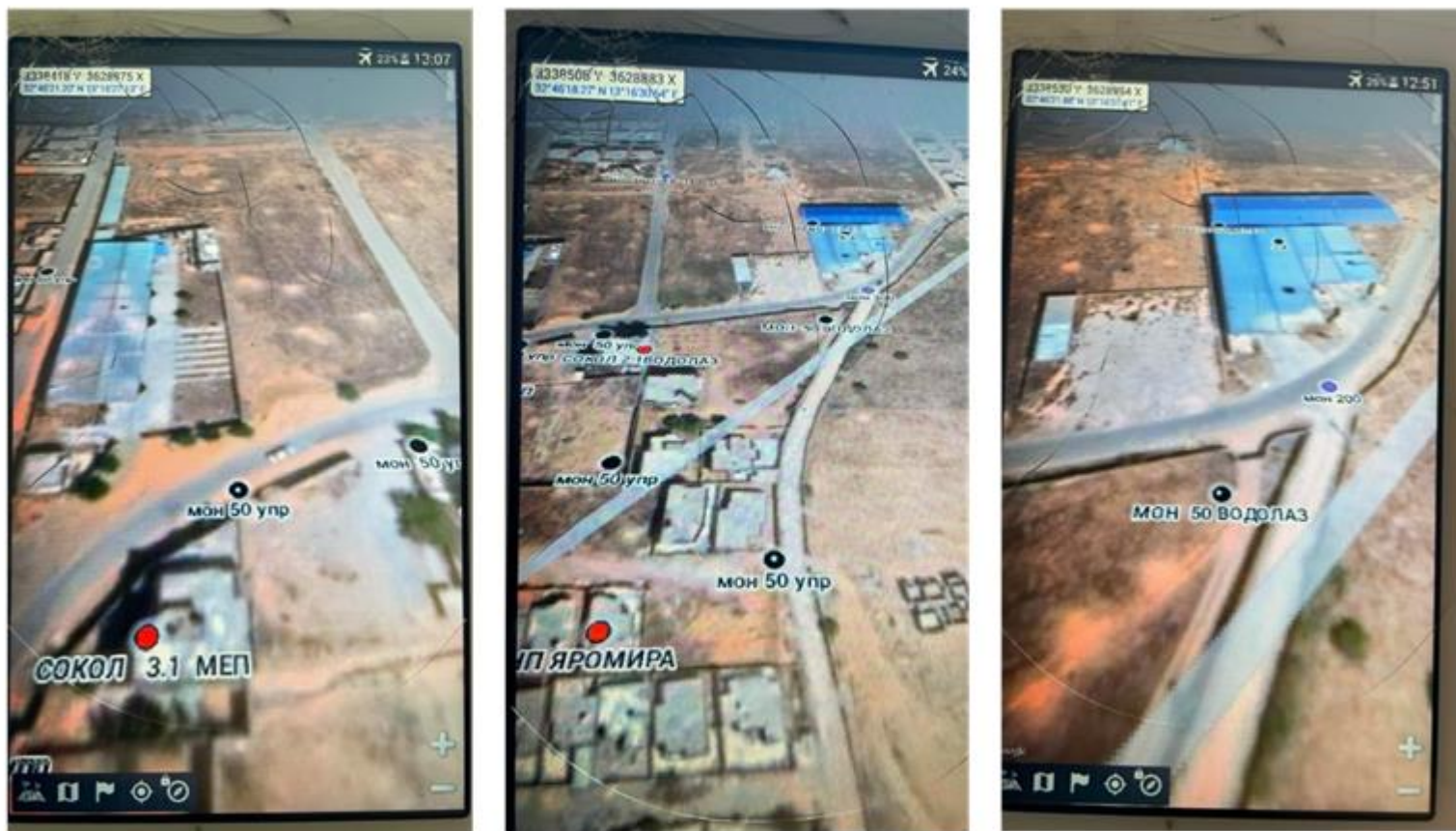
ОБЩЕЕ УСТРОЙСТВО

Общее устройство ручной осколочной гранаты включает в себя корпус, спусковой механизм, снаряд и снарядную часть.

УДАРНО-ДИСТАНЦИОННЫЙ ЗАПАЛ УДЗ

Ударно-дистанционный запал (УДЗ) является частью ручной осколочной гранаты. УДЗ предназначен для взрыва снаряда на заданном расстоянии от гранаты.

Appendix C to Annex 100: Mapping software mine and booby trap locations (examples)



Appendix D to Annex 100: Imagery of explosive ordnance recovered from old ChVK Wagner locations

MON-50 APM



MON-90 APM



OZM-72 APM



Primary sources

1. @lpc.ly Twitter, 3 September 2021.
2. www.napd.com, 3 September 2021.
3. <https://twitter.com/Oded121351/status/1434439691340759043>, 5 September 2021.
4. customer.janes.com. (Subscription). 7 September 2021.
5. CAR-UXO. 7 September 2021.

Developed by UN Panel of Experts.



Appendix E to Annex 100: ChVK logistic resupply documentation (original: left; translation: right)³³⁰

Генеральному директору

Заявка

В целях обеспечения выполнения боевой задачи на направлении «Липецк» прошу Вас о закупке средств связи:

1. Радиостанции для установки на автомобили и бронеемкости Motorola DM 4600 – 70 шт.
2. Антенна AW-6 UHF – 70 шт.
3. Кабельная сборка – 70 комплектов (кабель питания для подключения радиостанции к АКБ, кабельная сборка для подключения радиостанции к антенне с креплением, переходник антенный BU-312).
4. Радиостанция носимая Motorola DP 4400 (комплект 2АКБ, зарядное устройство) – 190 комплектов. (замена радиостанций старого парка Motorola DP-1400, Vertex)
5. Рюкзак носимый с радиостанцией Motorola DM 4600 с АКБ Li-Po 2 шт., с карманом под радиостанцию и с карманом под АКБ, зарядным устройством, антенная сборка для подключения радиостанции к антенне-8 метров с креплением, кабельная сборка антенной AW-6 UHF – 20 комплектов.
6. Квадрокоптер DJI Mavic 2 Pro с ночной камерой 20 комплектов.
7. Смартфон с SD картой 64 Gb для установки программы All-In-One Offline Maps-30 штук.
8. Ларингофонная гарнитура для радиостанции Motorola DP 4400-4600-500 штук.

Начальник связи  «Зураб»

«19» января 2020г.

Согласовано:

Командир БрГ  «Девятый»

UN Translation 2107434E
Translated from Russian

Attn: Director General

Requisition note

I hereby request the purchase of the following communication equipment to ensure the success of the Lipetsk [LIBYA] combat mission:

1. Motorola DM4600 radio to be installed in vehicles and armoured vehicles, 70 units.
2. AW-6 UHF antenna, 70 units.
3. Set of cables, 70 sets (a power cable to connect the radio to the battery, a set of cables and mount for connecting the radio to the antenna and a BU-312 antenna adapter).
4. Motorola DP4400 wearable radio (in a set with two batteries and charging device), 190 sets (replacements for the old Motorola DP1400, Vertex, radios).
5. A backpack for carrying a Motorola DM4600 radio with two lithium polymer batteries, with a pocket for the radio and another for the battery, charging device, antenna assembly with mount for connecting the radio to an eight-meter antenna, and a cable assembly for the AW-6 UHF antenna, 20 sets.
6. DJI Mavic 2 Pro quadcopter with night vision camera, 20 sets.
7. Smartphone with a 64 GB SD card for installing the All-in-One Offline Maps application, 30 units.
8. Throat microphone for Motorola DP4400 and DP4600 radios, 500 units.

[Signed] “Zurab”

Senior signals officer

19 January 2020

Approved by: [Signed] “The Ninth”, Brigade commander

³³⁰ Only two pages of the ten have been included due to document size limitations.

Командиру бригады

Заявка

Для выполнения боевых задач на направлении «Липецк», СШГ «Трак» требуется следующая техника, вооружение, оптические приборы и средства связи:

I. Бронетехника

1. БТР-82 – 2 ед.
2. БМП-2 – 1 ед.
3. Т-72Б – 1 ед.
4. Пикап LandCruzer 70 с ЗУ-23 – 4 ед.
5. Пикап LandCruzer 70 (бронированный) – 5 ед.

II. Вооружение

1. Комплекс ПЗРК «Верба» 9К333 с РЛС-1Л122 модификация 2Е – 2 ед.
2. 120мм миномет 2Б11 (ШО и ШГ «Легион») – 6 ед.
3. ПТУР «КОРНЕТ» – 3 ед.
4. 7,62мм ПКН – 8 ед.
5. АС «БПЗ0» ВАЛ – 3 ед.
6. 9мм АПС – 40 ед.
7. 9мм ПБ «БП9» – 6 ед.
8. 7,62 мм ПБС – 20 шт.
9. Полуавтоматическое ружье 12кал. – 16 шт.

III. Боеснапасы

1. ПГ-7 (осколочный) – 50 шт.
2. 7,62x39 УС – 28000 шт.
3. 9x56мм ПАБ-9 – 5000 шт.
4. МРО-А – 100 шт.
5. РПО – 50 шт.
6. Патрон 12 кал.(картечь) – 2000 шт.
7. Патрон 12 кал. (пуля) – 2000 шт.
8. Ракеты для ПТУР «Корнет» – 60 шт.

IV. Оптические приборы

1. ППН93-3 (ПКН) – 10 шт.
2. ППН93-1АС – 6 шт.
3. ЛЦУ с возможностью крепления на планку «Пикатинни» на АК – 10 шт.

V. Средства связи

1. Гарнитура для радиостанции Motorola DP – 60 шт.
2. Квадрокоптер с возможностью ночной съемки и зумом – 4 шт.
3. Активные наушники – 60 шт.

19.01.2020г.

Командир ШО _____ «1374»

Attn: Brigade commander

Requisition note

The following equipment, munitions, optical devices and communications equipment are required to carry out the Lipetsk and [unknown abbreviation:] SShG Trak combat missions:

I. Armoured vehicles

1. BTR-82 armoured personnel carrier, two units.
2. BMP-2 armoured personnel carrier, one unit.
3. T-72B tank, one unit.
4. Land Cruiser Pickup 70 with ZU-23 gun, four units.
5. Land Cruise Pickup 70 (armoured), five units.

II. Munitions

1. 9k333 Verba shoulder-fired air-defence missile system with 1L122-2E radar, two units.
2. 120-mm 2B11 mortar (for Assault Team 1 and the Legion assault group), six units.
3. Kornet anti-tank guided missile system, three units.
4. 7.62-mm PKN night-vision Kalashnikov machine gun, eight units.
5. AS Val assault rifle (GRAU designation 6P30), three units.
6. 9-mm Stechkin automatic pistol, 40 units.
7. 9-mm PB silent pistol (Russian armed forces (GRAU) index 6P9), six units.
8. 7.62-mm PBS silencer, 20 units.
9. 12-gauge semi-automatic shotgun, 16 units.

III. Ammunition

1. PG-7 (fragmentation) rocket, 50 units.
2. Subsonic 7.62 x 39 ammunition, 28,000 rounds.
3. 9 x 56 mm PAB-9 ammunition, 5,000 rounds.
4. MRO-A sighting device, 100 units.
5. RPO rocket, 50 units.
6. 12-gauge cartridge (buckshot), 2,000 rounds.
7. 12-gauge cartridge (bullet), 2,000 rounds.
8. Rockets for the Kornet anti-tank guided missile system, 60 units.

IV. Optical devices 1. 1PN93-3 night sight (for night-vision Kalashnikov machine gun), 10 units. 2. 1PN93-1 night sight for assault rifle, six units. 3. Laser designator with Picatinny rail mount for Kalashnikov assault rifle, 10 units. V. Communications equipment 1. Motorola DP radio headset, 60 units. 2. Quadcopter with night vision and zoom, four units. 3. Noise-cancelling headphones, 60 units. [Handwritten note:] Throat microphone, 100 units DM4600 [illegible] DP4400 [illegible] 19 January 2020 “1374” Commander, Assault Team 1
Engineer operations UR-83 mine clearing system, three units ZTP-50, 150 and 300 fuses Portable manual mine clearance kits, 20 units PM-4 blasting machine, 10 units Green camouflage netting (3.5 x 6), 30 units Metal detectors, five units Understaffing of 60 persons (maximum age: 40; maximum weight: 100 kg) 19 January 2020 “Cap” Commander, Assault Team 2

Appendix F to Annex 100: Imagery from the 5 July 2020 explosion site

Figure 100.F.1

Overview of incident site (5 July 2020)



Figure 100.F.2

Location of victims (5 July 2020)



Source: Confidential source.

Appendix G to Annex 100: Summary of major equipment requested by ChVK Wagner in Libya

Table 100.G.1

Major equipment requested by ChVK Wagner in Libya

#	Generic Type	Equipment ^a	Signals	Intelligence	Assault Team 1	Assault Team 2	Assault Team 6	Assault Team 7	Totals	Remarks
1	Communications	Antenna AW-6 UHF	70						70	
2		Antenna AW-6 UHF Cable Assembly	20						20	
3		Motorola DM 4400 Radio	190		UID	21	46	UID	257+	
4		Motorola DM 4600 Radio	70		UID ³³¹	25	63	UID	155+	
5		Throat Microphones	500						500	
6		64GB SD Card Smartphone	30						30	
7	UAV ³³²	DJI Mavic Pro 2 (Night Vision Version) or similar	20		4	10	5	4	43	
8		Orlan 30 UAV		UID					UID	For guiding 152mm Laser Guided Projectiles.
9		Orlan 10 UAV		4					4	
10	Electro Optics	1L-122-2E Radar			1				1	
11		1L227 Sobolyatnik Radar		15					15	Entered operational service in 2018.
12		1PN93-1 NVS ³³³			6		270		276	
13		1PN93-3 NVS			10		12	11	33	
14		DEDAL 370 NVS						12	12	
15		DEDAL DVS-8 NVS				15		18	33	
16		Fortuna 40L6 Thermal Sight					24	9	33	

³³¹ Requested but quantity unidentified.

³³² Unmanned Aerial Vehicles.

³³³ Night Vision Sight.

#	Generic Type	Equipment ^a	Signals	Intelligence	Assault Team 1	Assault Team 2	Assault Team 6	Assault Team 7	Totals	Remarks
17		Ironiya Electro-Optical		9		UID		1	10+	First seen operationally in 2019
18		LPR-1 Laser Range Finder						2	2	
19		LPR-3 Laser Range Finder						4	4	
20		Quaker Night Vision Goggles					72		72	
21	Electronic Warfare	Silok EWS ³³⁴		6					6	
22	AFV / AIFV ³³⁵	T-72 Main Battle Tank			2		4		6	
23		BMP-2			2	3	6	1	12	
24		BTR-82 APC			2	3			5	
25		Gorets APC ³³⁶					4		4	
26		Tigyr					6	8	14	
27	Vehicles	Toyota Land Cruiser			9	18	44		71	
28	Weapons	Anti-Materiel Rifle					4		4	
29		AK-103 Assault Rifle					270		270	
30		AS VAL Assault Rifle			3	9	8		20	
31		AS VSS Sniper Rifle				3			3	
32		ASVK Kord Sniper Rifle				6			6	
33		GP-25 Grenade Launcher					28		28	
34		GP-30 Grenade Launcher				22			22	
35		Kornet ATGW ³³⁷			3	3	4		10	
36		Makarov 9mm Pistol				20		15	35	
37		NSVS Utes 12.7mm Heavy Machine Gun				4			4	
38		PB 6P9 9mm Silent Pistol			6				6	
39		PKM Light Machine Gun				12	16	11	39	
40		RG6 40mm Grenade Launcher				10			10	

³³⁴ Electronic Warfare System.

³³⁵ Armoured Fighting Vehicles / Armoured Infantry Fighting Vehicles.

³³⁶ Armoured Personnel Carrier.

³³⁷ Anti-Tank Guided Weapon.

#	Generic Type	Equipment ^a	Signals	Intelligence	Assault Team 1	Assault Team 2	Assault Team 6	Assault Team 7	Totals	Remarks
41		Shotgun 12 Gauge			16			12	28	
42		Stechkin 9mm Pistol			40	20	24	28	112	
43		SVD 7.62mm Sniper Rifle						7	7	
44		Verba 9K333 MANPADS ³³⁸			2	UID			2+	
45		ZSU-23-2 Cannon			2	10	6		18	
46		ZPU 57mm Cannon				7			7	
47		2B11 120mm Mortar			6			3	9	
48	Ammunition	MRO-A Rockets					UID		UID	
49		OG-7 Rockets				UID			UID	
50		PG-7 Rockets			50				50	
51		RDG-5 Hand Grenades				UID			UID	
52		RPG-26				UID	UID		UID	
53		RPO-A			50		UID		50+	
54		Stun Grenades				UID			UID	
55		TBG-7B Thermobaric Rockets				UID			UID	
56		UR-83 Mine Clearance System				3			3	
57		VOG-17 Grenades					UID	450	450+	
58		VOG-25 Grenades					UID		UID	
59		ZTP-50 Fuze Firing Device				UID			UID	
60		ZTP-150 Fuze Firing Device				UID			UID	
61		ZTP-300 Fuze Firing Device				UID			UID	
62		9M133 Kornet ATGM			60				60	
63		7.62 x 39mm Rounds Ball			28,000				28,000	
64		7.62 x 39mm Rounds Link						10,000	10,000	
65		9 x 56mm PAB-9 Rounds			5,000				5,000	
66		12.7mm Rounds Link						5,000	5,000	
67		12 Gauge Pellet			2,000			1,200	3,200	
68		12 Gauge Solid Shot			2,000				2,000	
69		23mm Rounds						UID	UID	

³³⁸ Man Portable Air Defence System.

#	Generic Type	Equipment ^a	Signals	Intelligence	Assault Team 1	Assault Team 2	Assault Team 6	Assault Team 7	Totals	Remarks

^a The equipment in **bold** has been identified as being in Libya in violation of the arms embargo.

Appendix H to Annex 100: HAF receipts for communications equipment from ChVK Wagner³³⁹

Акт № 7

Приема-передача радиостанции
"Турбо-скай" (Baofeng-UV-5R) в количестве
5 (пяти) комплектов от представителя
организации "Заряд" батальон Тарак
Бен Зияд.

مستند رقم 7

تسليم واستلام الأجهزة اللاسلكية
مقدم التلقيم: القوات المسلحة العربية الليبية
اللاسلكية Turbo-Sky (Baofeng-SR) لا مصنع الصين
وذلك بعدد 5 (خمسة) جهاز لاسلكي اسود اللون

المستلم: صفول الشرك
زوراب

المستلم: صفول القوات المسلحة العربية
الليبية

مقدم / عمر ابراهيم
أمر كتيبه طارق بن زياد

Акт № 7

Приема-передача радиостанции
"Турбо-скай" (Baofeng-UV-5R) в количестве
5 (пяти) комплектов от представителя
организации "Заряд" батальон Тарак
Бен Зияд.

مستند رقم 7

تسليم واستلام الأجهزة اللاسلكية
مقدم التلقيم: القوات المسلحة العربية الليبية
اللاسلكية Turbo-Sky (Baofeng-SR) لا مصنع الصين
وذلك بعدد 5 (خمسة) جهاز لاسلكي اسود اللون

المستلم: صفول الشرك
زوراب

المستلم: صفول القوات المسلحة العربية
الليبية

مقدم / عمر ابراهيم
أمر كتيبه طارق بن زياد

³³⁹ Only one of the six documents has been included due to document size limitations.

Official UN Translation**2111841E***Translated from Arabic*

Document No. 2

Delivery and receipt of wireless devices

Twenty black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Lieutenant Colonel Omar Mraji'I Hasan Commander, Tareq Bin Ziyad Battalion
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Document No. 3

Delivery and receipt of wireless devices

Ten black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Salih Abbudah Battlefield Commander
---	--

Document No. 4

Delivery and receipt of wireless devices

Ten black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Ahmad Salim Commander, Second Division
---	---

Document No. 5

Delivery and receipt of wireless devices

Fifteen black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Ahmad Salim Commander, Second Division
---	---

Document No. 6

Delivery and receipt of wireless devices

Fifty black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Ahmad Salim Commander, Second Division
--	--

Document No. 7

Delivery and receipt of wireless devices

Five black Chinese-made Turbo Sky wireless devices (Baufeng 5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Lieutenant Colonel Omar Mraji'i Commander, Tareq Bin Ziyad Battalion
--	--

Document No. 8

Delivery and receipt of wireless devices

Seven black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Ahmad Salim Commander, Second Division
--	--

Document No. 9

Delivery and receipt of wireless devices

Ten black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Ahmad Salim Commander, Second Division
--	--

Document No. 11

Delivery and receipt of wireless devices

Two black Chinese-made Turbo Sky wireless devices (Baufeng 5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Operations Room Ali al-Ghazwi
---	---

Document No. 12

Delivery and receipt of wireless devices

Ten black Chinese-made Turbo Sky wireless devices (Baufeng UV5R) were delivered to the Libyan Arab Armed Forces.

Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Western Region Operations Room Ali al-Ghazwi
---	---

Document ?

Delivery and receipt of wireless devices

Fifty black Chinese-made Turbo Sky wireless devices (Baufeng UV-5R) were delivered to the Libyan Arab Armed Forces.

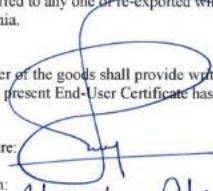
Deliverer: On behalf of the company Zurab	Recipient: On behalf of the Libyan Arab Armed Forces Major General Salih Abbudah Battlefield Commander Forward Operations Room Western Region Operations Room
---	---

Annex 101 End user certificates for communication surveillance systems

1. Figures 101.1 to 101.3 are the EUC submitted by AR Global FZE to the supplier. The signatory, Ahmed Al Alwerfly, is not one of the only two individuals authorised to sign on behalf of Libya, as notified to the Committee in accordance with Implementation Notice (IAN) Number 2.³⁴⁰

Figure 101.1

EUC for Sigma Thuraya (3 December 2020)

LIBYAN GOVERNMENT GENERAL AUTHORITY FOR COMMUNICATIONS AND INFORMATICS		الحكومة الليبية الهيئة العامة للاتصالات والمعلوماتية
التاريخ: 03/12/2020 الرقم الإشاري:		
END-USER CERTIFICATE No. 51970/4 dated 09/12/2020		
Reference: Contract No. 51970 dated 27 th September 2020		
1. User's full name and address: Libyan Ministry of Communication and Information Technology		
2. Agent's full name and address: 		
3. Importer's full name and address: Libyan Ministry of Communication and Information Technology		
4. Exporter's full name and address: 		
5. Description and quantity of the goods: 1 Unit, Thuraya monitoring solution.		
6. Place of installation (use) of the goods: East Libya, Benghazi		
7. The purpose of end-use of the goods: These goods will be plugged in the End-User's equipment with the purpose of Monitoring and collecting statistics of subscribers, which use Thuraya services.		
8. The user of the goods warrants by this, that the goods stated in item 5, will not be used other, than for needs of Libyan Ministry of Communication and Information Technology and will not be transferred to any one or re-exported without a permission of the State Service on Export Control of Lithuania.		
9. The user of the goods shall provide written verification of receipt of stores certifying that consignee against present End-User Certificate has received the stores under the referenced Contract.		
Signature:  Name: Ahmed M. Alwerfly Position: Manager of EUC Libya Seal: 		
مهنى بريد السلماني / بنغازي - ليبيا +218 61 479 9494 info@gacily.com www.gacily.com		

³⁴⁰ As provided in letter from the Permanent Representative of the State of Libya to the United Nations on 12 December 2018.

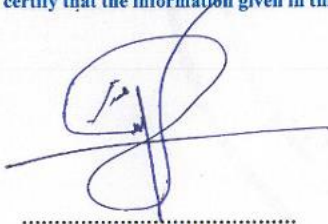
Figure 101.2
EUC for Alpha Max surveillance system (3 December 2020)

LIBYAN GOVERNMENT GENERAL AUTHORITY FOR COMMUNICATIONS AND INFORMATICS		 الحكومة الليبية الهيئة العامة للاتصالات والمعلوماتية	
التاريخ: 03 / 12 / 2020 الرقم الإشاري: /			
END-USER CERTIFICATE			
A. Parties			
1. Exporter		4. Country of final destination.	
[REDACTED]		Libya	
2. Consignee			
Libyan Ministry of Communication and Information Technology			
East Libya, Benghazi			
3. End-user			
Libyan Ministry of Communication and Information Technology			
East Libya, Benghazi			
5. Contract N°: 51970		6. Date of signature of contract: 22/11/2020	
B. Goods			
1. Items			
Alpha-MAX tactical cellular interception system.			
2. Quantity (Units) / weight:			
1 qty			
3. End-use			
This is a software and hardware solution for intelligence purposes and tactical interception of cellular communications. This product is sold only to qualified government intelligence agencies.			
4. Specification of end-use location of the items			
Anti-terrorism and organized crime			
Libyan Ministry of Communication and Information Technology			
East Libya, Benghazi			
 ليبيا  +218 61 479 9494  info@gacily.com  www.gacily.com			

LIBYAN GOVERNMENT GENERAL AUTHORITY FOR COMMUNICATIONS AND INFORMATICS		الحكومة الليبية الهيئة العامة للاتصالات والمعلوماتية
التاريخ: ٠٣ / ١٢ / ٢٠٢٠ الرقم الإشاري: /		
C. Commitment We certify that the items described in section B1 :		
1. will only be used for the purposes described in section B.3 and that the items are intended for final use in the country named in section A.4. 2. that the items will not be used in any nuclear explosive activity or unsafeguarded nuclear fuel cycle activity. 3. that the items will not be used for any purpose connected with any chemical or biological or nuclear weapons, or missiles capable of delivering such weapons. 4. that the items will only be used for civil end uses. (Tick if applicable) 5. as far as technology is concerned, we certify that we treat the technology strictly confidential and neither pass the technology on to other companies nor shall we make knowledge available to third parties. In case of goods produced by the help of transferred technology, these goods will only be delivered to a third person/company in condition that this person/company accepts the commitments of the above declaration as binding for itself and on condition that this third person/company is known to be trustworthy and reliable in the observance or such commitments. 6. we further certify that we will not re-export the items to a third country without the consent of the UAE authorities.		
I undersigned NAME - RANK/ROLE AHMED M. ALWERFLY		
certify that the information given in this document is true and accurate.		
 (Signature)	03/12/2020-Libya (Place, Date)	
 مبنی برید السلماني / بنغازي - ليبيا  +218 61 479 9494  info@gacily.com  www.gacily.com		

Figure 101.3
EUC Alpha interception system (3 December 2020)

LIBYAN GOVERNMENT GENERAL AUTHORITY FOR COMMUNICATIONS AND INFORMATICS		 الحكومة الليبية الهيئة العامة للاتصالات والمعلوماتية	
التاريخ: ٢٠٢٠ / ١٢ / ٠٣ الرقم الإشاري:			
END-USER CERTIFICATE			
A. Parties			
1. <i>Exporter</i>		4: <i>Country of final destination.</i>	
		Libya	
2. <i>Consignee</i>			
Libyan Ministry of Communication and Information Technology East Libya, Benghazi			
3. <i>End-user</i>			
Libyan Ministry of Communication and Information Technology East Libya, Benghazi			
5. <i>Contract N°:</i> CONTRACT NO		6. <i>Date of signature of contract:</i> DATE	
B. Goods			
1. <i>Items</i>			
Alpha-AC-V tactical cellular interception system. Alpha-DET tactical cellular interception detection system.			
2. <i>Quantity (Units) / weight:</i>			
1 qty			
3. <i>End-use</i>			
This is a software and hardware solution for intelligence purposes and tactical interception of cellular communications. This product is sold only to qualified government intelligence agencies.			
4. <i>Specification of end-use location of the items</i>			
Anti-terrorism and organized crime Libyan Ministry of Communication and Information Technology East Libya, Benghazi			
 مبنى بريد السلماني / بنغازي - ليبيا  +218 61 479 9494  info@gacily.com  www.gacily.com			

LIBYAN GOVERNMENT GENERAL AUTHORITY FOR COMMUNICATIONS AND INFORMATICS		الحكومة الليبية الهيئة العامة للاتصالات والمعلوماتية
التاريخ:/...../..... الرقم الإشاري:		
C. Commitment We certify that the items described in section B1 :		
1. will only be used for the purposes described in section B.3 and that the items are intended for final use in the country named in section A.4.		
2. that the items will not be used in any nuclear explosive activity or unsafeguarded nuclear fuel cycle activity.		
3. that the items will not be used for any purpose connected with any chemical or biological or nuclear weapons, or missiles capable of delivering such weapons.		
4. that the items will only be used for civil end uses. (Tick if applicable)		
5. as far as technology is concerned, we certify that we treat the technology strictly confidential and neither pass the technology on to other companies nor shall we make knowledge available to third parties. In case of goods produced by the help of transferred technology, these goods will only be delivered to a third person/company in condition that this person/company accepts the commitments of the above declaration as binding for itself and on condition that this third person/company is known to be trustworthy and reliable in the observance or such commitments.		
6. we further certify that we will not re-export the items to a third country without the consent of the UAE authorities.		
I undersigned NAME – RANK/ROLE AHMED.M. ALWRFLY certify that the information given in this document is true and accurate.		
 (Signature)	03/12/2020 - Lib/a (Place, Date)	 (Company Stamp / Official seal)
		
مبنى بريد السلماني / بنغازي - ليبيا +218 61 479 9494 info@gacily.com www.gacily.com		

Annex 102 Member States and regional organizations responses to arms embargo violations

1. In [S/2021/229](#)³⁴¹ the Panel provided information on unilateral action taken by Member States and regional organizations during 2020 to violations of the arms embargo. Table 102.1³⁴² summarises unilateral responses taken from 1 January 2021 to 31 March 2022, and for those unreported in [S/2021/229](#).

Table 102.1

Member State responses

<i>Date</i>	<i>Perpetrator</i>	<i>Equipment / Entity</i>	<i>Member State location</i>	<i>Response</i>
7 Jul 2020	Kapor Trade LP ^a	Engines and spare parts for vehicle type used by Russian PMC	Malta	Consignment seized pending disposal decision. ^b
1 Feb 2021	Azee Air LLC (AZL) ^c	Airline	Kazakhstan	Revocation of air operating certificate. ^d
1 Feb 2021	Jenis Air LLC (JEN) ^e	Airline	Kazakhstan	Revocation of air operating certificate. ^f
18 May 2021	Company ^g	Communications surveillance equipment.	Lithuania	- Denial of export licence. - Reference (24.38-72E)-3.
11 Jun 2021	FlySky Airlines (FSU) ^h	Airline	Ukraine	Revocation of air operating certificate. ⁱ
8 Oct 2021	L6-FZE ^j	LASA T-Bird (#YU-TSH)	Serbia	Revocation of civil aircraft registration. ^k
13 Dec 2021	Individual ^l	Member of ChVK Wagner	EU	Placed under restrictive measures. ^m
13 Jan 2022	Add Helium ⁿ	Rebreathing diving equipment	USA	- Supply prohibited. - Owner and manager from the company convicted. ^o

^a Kapor Trade LP, Office 29, Clifton House, Fitzwilliam Street Lower, Dublin, D02 XT91.

^b Member State.

^c Appendix D to Annex 55 to [S/2021/229](#).

^d Revocation Order: 00.47.

^e Appendix E to Annex 55 to [S/2021/229](#).

^f Revocation Order: 00.46.

³⁴¹ Annex 78.

³⁴² This table does not include national or regional organization designation listings made in response to a UN designation.

^g The company cooperated fully with the Panel and the contract was immediately cancelled by the company once they were aware that the system would be a breach of a UN arms embargo. This occurred before the Panel made contact with the company. The Panel considers that it is not necessary to expose them to the reputational risk resulting from the company being identified in a Panel report.

^h Annex 75 to [S/2021/229](#).

ⁱ Revocation No: UK 058.

^j Annex 76 to [S/2021/229](#).

^k De-registration Certificate No-01-0022/2021-0008.

^l Annex 77 to [S/2021/229](#).

^m (a) Council Implementing Regulation (EU) 2021/2192 of 13 December 2021; and (b) Council Implementing Decision (CFSP) 2021/2198 of 13 December 2021.

ⁿ <https://addhelium.com>. Accessed 14 January 2022.

^o <https://www.justice.gov/opa/pr/south-florida-residents-sentenced-illegally-exporting-controlled-items-libya>, 13 January 2022.

Annex 103 HAF tactical ballistic missile test launches

1. Background

1. On 7 March 2022 the 1st missile battalion of the LAAF launched at least three tactical ballistic missiles (TBM) in eastern Libya.³⁴³ HAF claimed that two single missiles and a double missile launch took place, but available open-source imagery can only confirm a single and a double launch.³⁴⁴ This was an unexpected event that surprised much of the international community. Unannounced launches of any form of ballistic missile type may act as deterrence but they are also equally likely to be regarded as threatening, particularly when launched by a non-state actor with the recent history HAF has for initiating armed conflict.³⁴⁵

2. HAF displayed ballistic missiles with a profile virtually identical to the R-17/SCUD-B TBM³⁴⁶ at the 29 May 2021 "7th Anniversary of Operation Dignity" parade in Benina.³⁴⁷ Four transport erector launchers (TEL)³⁴⁸ (figure 103.1) and four missile transport vehicles (figure 103.2) were paraded.³⁴⁹

Figure 103.1

TBM on 9P117 *Uragan* TEL vehicles



Figure 103.2

TBM on transport vehicles



2. Identification of missile type

3. The imagery resolution and positioning of the missiles on the vehicles was not sufficient to be able to confirm the exact type of missile or whether they were practicable TBM or not. The number and positioning of fuel and oxidiser filling and drain valves is a key visual indicator as to type and figure 103.3, as an example, shows the key components for a SCUD-B.

³⁴³ Official HAF social media <https://www.facebook.com/watch/?v=496270341902499>, 7 March 2022; and https://twitter.com/aleasima_17/status/1500962189754122244?s=20&t=60EpJCaRRCelikjg6V3Nyg, 7 March 2022.

³⁴⁴ https://twitter.com/soldier_libyan3/status/1501559395146252292, 9 March 2022.

³⁴⁵ 4 April 2019 "Operation Flood of Dignity" offensive against Tripoli.

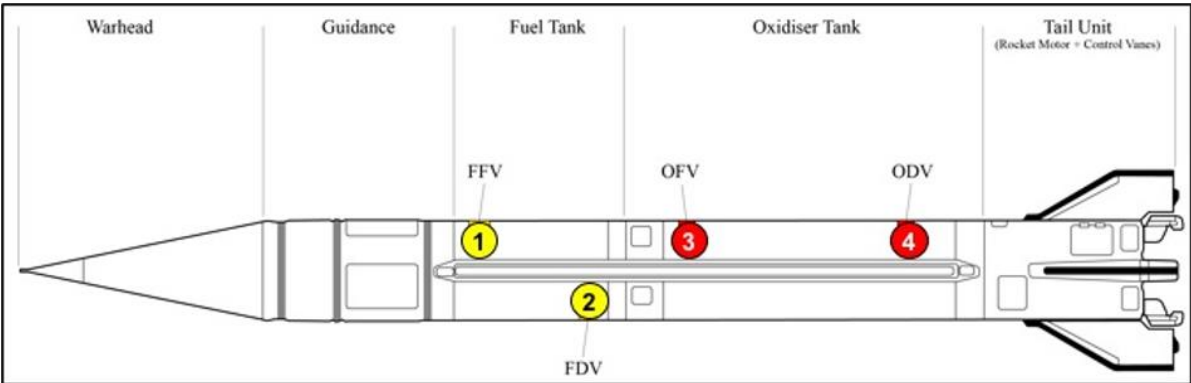
³⁴⁶ SCUD-B can also be classified as a Short-Range Ballistic Missile (SRBM), which has a range classification of up to 1,000km. The Panel will use the term TBM to desensitise the issue. Some Member States also classify it as an Operational-Tactical missile.

³⁴⁷ HAF 7th Anniversary Operation Dignity parade in Benina, 29 May 2021. <http://www.youtube.com/watch?v=mbIDXxITPa0>, 31 May 2021.

³⁴⁸ 9P117 *Uragan* 8x8 MAZ-453 wheeled vehicles.

³⁴⁹ One missile was displayed on the LNA "Alkarama parade" on 7 May 2018. <https://mobile.twitter.com/mahmouedgamal44/status/993809662163243008>, 8 May 2018.

Figure 103.3
Schematic of SCUD-B design³⁵⁰



4. Although virtually identical to the R17/SCUD TBM it is also possible that the missiles are Hwasong-6 TBM. Libya reportedly acquired a few from the Democratic People's Republic of North Korea in 1993.³⁵¹ The Hwasong-6 is a variant of the SCUD-C design. The only major external difference from the SCUD-B being the missile length (see table 103.1). Imagery resolution was insufficient to enable the use of photogrammetry as the differential in length of 0.31m is only 2.8% of the total length, which is within the error margin for photogrammetry at this resolution.

Table 103.1
Comparison of SCUD-B and Hwasong-6³⁵²

Missile	Diameter	Length	Warhead Mass	Range	Accuracy (CEP) ³⁵³
SCUD-B	0.88m	11.25m	545kg ³⁵⁴	300km	450m
Hwasong-6	0.88m	10.94m	770kg	500km	1,000

2. Launch operations

5. Confidential satellite imagery identified the launch area as being at 31°51'08"N, 20°24'02"E (figure 103.4). Four TEL vehicles, five military trucks and two unidentified light utility vehicles were observed on the access road to the training area where the launch positions were located. HAF misinformation placed the launch area as south of Suluq (see figure 103.5).

6. Open-source media reported that the missiles were launched "towards hypothetical targets 300km south of Tobruk",³⁵⁵ (see figure 103.5) but the HAF released imagery of the target area only showed explosions and could not be geo-

³⁵⁰ From UN Panel of Experts on Yemen report [S/2018/594](#). Not scaled but proportional. Valves are shown larger proportionally than on real missile to assist in identification. FFV is Fuel Filling Valve, FDV is Fuel Drainage Valve, OFV is Oxidiser Filling Valve and ODV is Oxidiser Drainage Valve.

³⁵¹ <https://missilethreat.csis.org/missile/hwasong-6/>.

³⁵² Data varies dependent on source, so worse case options used in this table, which was compiled primarily from customer.janes.com.

³⁵³ Circular Error Probability. The CEP is a measure of a weapon system's precision. It is defined as the radius of a circle, centred on the mean, whose boundary is expected to include the landing points of 50% of the missiles fired.

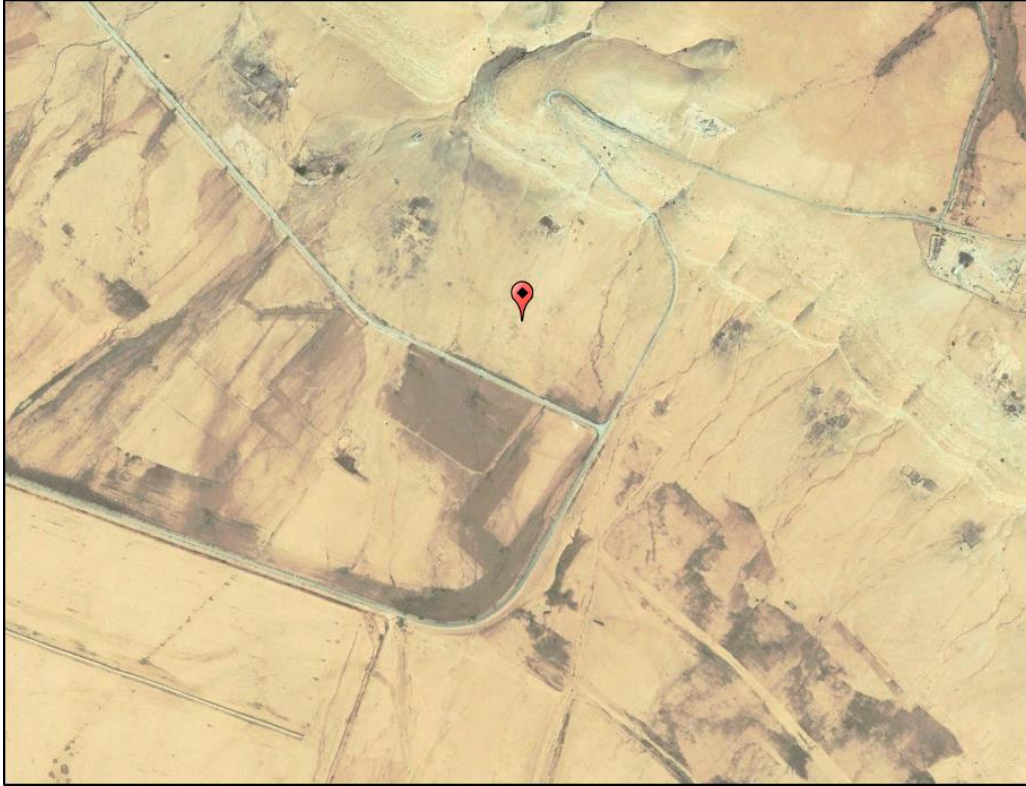
³⁵⁴ From confidential "SCUD data pack".

³⁵⁵ <https://twitter.com/ObservatoryLY/status/1500962768064757765?s=20&t=60EpJCaRRCelikjg6V3Nyg>, & March 2022.

referenced, so the range of the missile, and effectiveness of the warhead cannot yet be independently verified. Official HAF imagery of the firings was released (see figures 103.6 to 103.8).³⁵⁶

Figure 103.4

Location of missile launch area



Source: Google Earth

³⁵⁶ https://twitter.com/soldier_libyan3/status/1501559395146252292, 9 March 2022.

Figure 103.5

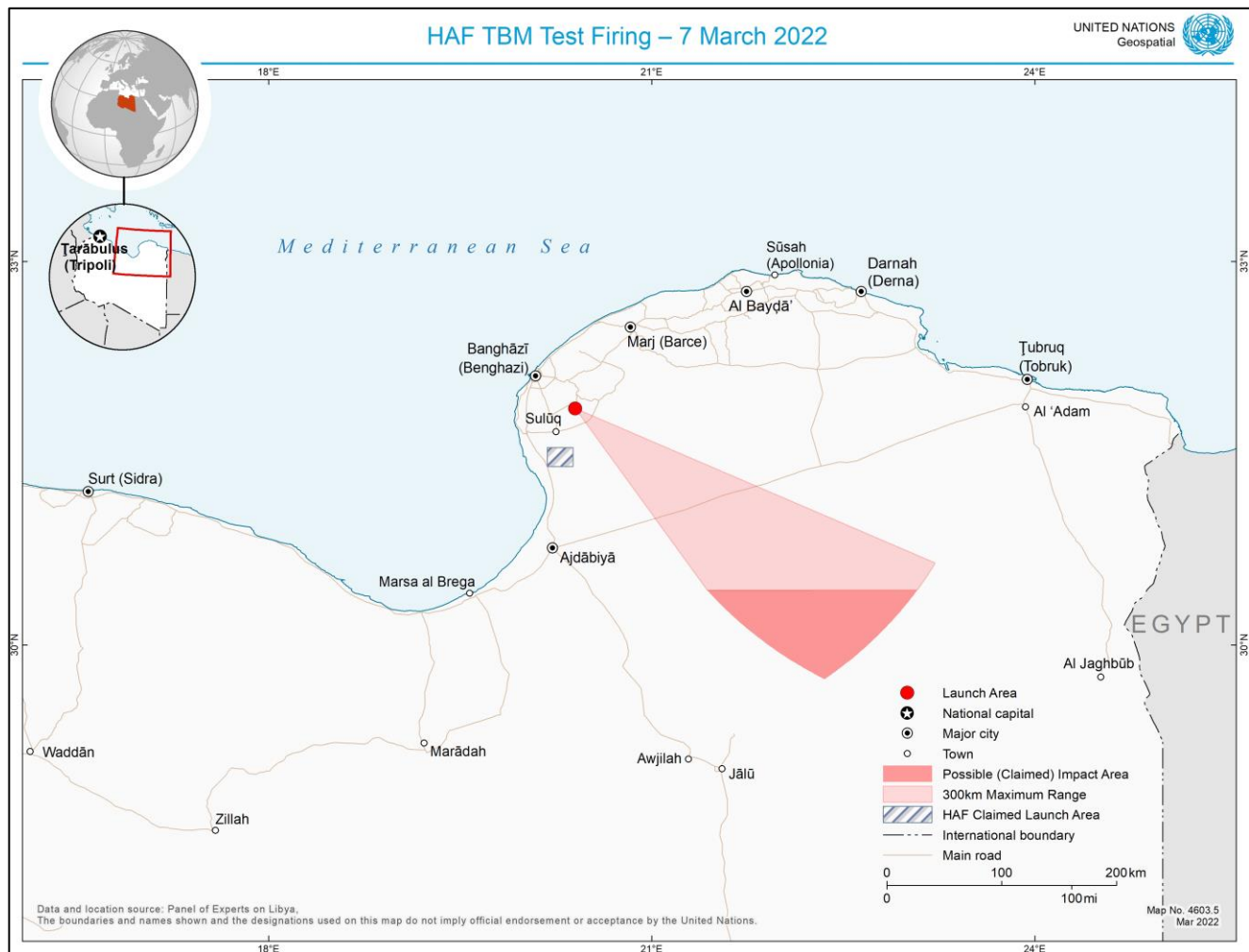
Map of missile launch location and possible target area

Figure 103.6

TBM on TEL in launch position

7. Note the red flag at the front left-hand side of the TEL vehicle. This almost certainly indicates that the missiles are being fired from pre-surveyed positions. Pre-surveyed positions are used to assist in the accuracy of the missile system. They are an indicator that this was the launch of a fully capable missile.

8. Also note that in the HAF video that the crew are wearing full personal protective equipment, indicating that live fuelling operations took place on site. The missile can only be safely filled with the liquid bipropellant when it is in the erected launch position. The missile should not be pre-fuelled when in the transport position as the missile propellant tanks and joints are not strong enough to support the weight of the fuel and oxidiser when being moved the 90° from the transport to launch position. There is also the risk of internal valve leakage due to movement-induced internal pressure on seals. Either event could result in immediate spontaneous combustion of the bipropellant if the fuel and oxidiser met the ignition fuel (usually “Samin”).

Figure 103.7

TBM on TEL in launch position



9. The Libyan flag and the Arabic text “Al Karama” are indicators that this is real imagery of the launch area.

Figure 103.8

Simultaneous launch of two TBM

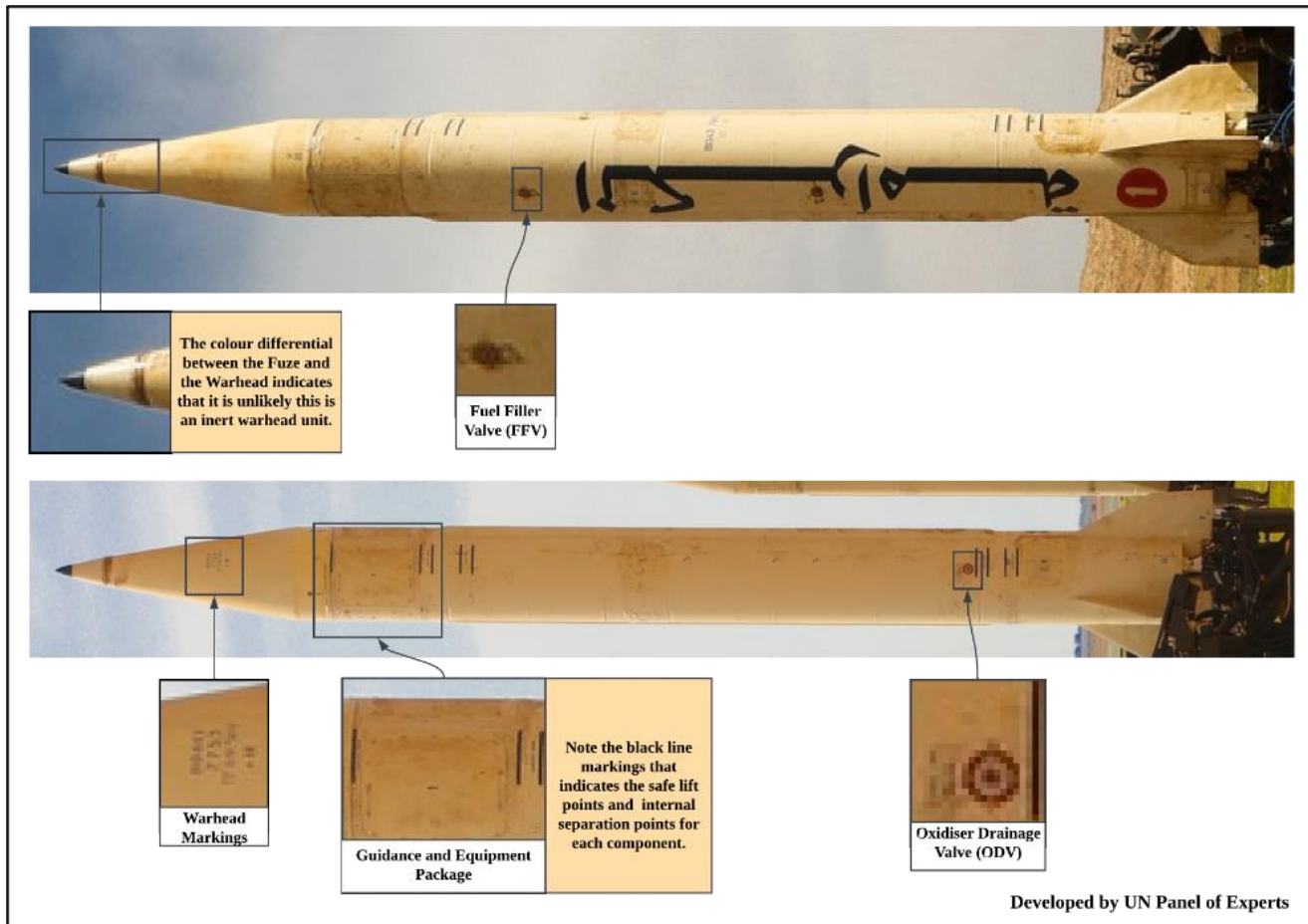
10. The orange-brown smoke on launch is typical for the combustion of the fuel (kerosene or unsymmetrical dimethyl hydrazine (UDMH)) and the oxidiser (inhibited red fuming nitric acid (IRFNA)). These chemicals also have commercial applications and are available in Libya. Stocks of the bipropellant have been reported as been stored near Tobruk.³⁵⁷

11. Analysis of imagery from the launch (figure 103.9) shows indicators that live warheads were fitted to the missiles, but no evidence as to if the full explosive yield of 545kg was present.³⁵⁸

³⁵⁷ Confidential source.

³⁵⁸ Two of the three ballistic missiles show a constant diameter from the base until the guidance and control section, but one appears to have a guidance and control section with a smaller diameter and a small conic section below the guidance and control section, and also between the oxidiser tank and the tail unit (see the missile at the top in figure 103.9 versus the one at the bottom). This is probably an optical illusion, because the cable ducts make the diameter look a bit larger; investigations of this continue.

Figure 103.9
Missile analysis of launch missiles



12. Comparison against one of the few known images of a Libyan SCUD-B (figure 103.10) clearly shows that the black line markings for safe lift points and internal separation points are in the identical positions of those launched (figure 103.9).

Figure 103.10
Libyan confirmed SCUD-B TRM



Source: <http://www.b14643.de/Spacerockets/Specials/Scud/>.

3. Availability

13. The availability of SCUD-B TBM in Libya is, yet, undetermined. In February 2005 Muammar Qadhafi attempted to sell the entire Libyan stockpile of 417 SCUD missiles to the United States of America for USD 834 million, but the United States only acquired ten for testing. More recent estimates state that only 80 SCUD-B missiles remained at the time of the 2011 uprising.³⁵⁹

14. During the 2011 uprising Qadhafi launched a SCUD-B TBM against rebel forces, which had no military effect.³⁶⁰ At that time experts doubted the utility of Libya's SCUD-B TBM arsenal due to poor maintenance and operability, and a history of suboptimal test flight and combat performance.³⁶¹

15. Technical sources who have operated within Libya over the past ten years have yet to report seeing any examples of the SCUD-B TBM, which have remained "hidden" from the international community. Reports have stated that although missile main assemblies may have existed, the specialist missile fuelling and air pressure systems had been lost or were inoperable. The launch on 7 March 2022 clearly indicates that HAF have resolved this issue.

³⁵⁹ https://www.nti.org/wp-content/uploads/2021/09/libya_missile.pdf.

³⁶⁰ <https://www.nti.org/analysis/articles/libya-missile/>.

³⁶¹ James Hackett, "Whatever happened to Libya's Scud-Bs?" *IISS Voices*, 23 March 2011, www.iiss.org; and General Carter Ham, "DOD News Briefing with Gen. Ham via Teleconference from Germany," 21 March 2011.

4. Threat analysis

16. The low number of SCUD-B available to HAF are of minimal military utility. They can only deliver an explosive warhead, no bigger than an average terrorist vehicle-borne IED (VBIED), to an accuracy of within 450m of the target under ideal conditions.

17. Nevertheless, the launch demonstrates that HAF has access to capable missile engineers and technicians, highly probably with cross-transferable skills allowing them to maintain the remainder of his arsenal. This being another indicator of their movement from undisciplined light infantry towards a capable all arms combat force. Khalifa Haftar personally attended the launch and regarded it as a success, and then immediately promoted all the personnel of 1st missile battalion.

18. The possession of a capability to launch ballistic missiles, even at the tactical level, is highly symbolic and goes well beyond the actual combat effectiveness of the system. They are regarded as "prestige" weapon systems despite their limited military utility. Only two non-state actors are confirmed as possessing a launch capability for TBM: (a) the Houthi in Yemen;³⁶² and now (b) HAF.

19. The possession of TBM by non-states actors provides them with a long-range strike capability to attack symbolic area targets such as international airports or critical national infrastructure. Although damage will be limited there is a strategic impact as: (a) it demonstrates a defensive weakness if the target party does not have an effective air defence system;³⁶³ (b) it compels the target party to deploy a disproportionate air defence capability to reassure the civilian population; (c) it demonstrates the vulnerability of the civilian population to surprise attacks by TBM; and (d) results in an immediate increase in military tension.

³⁶² Annexes 35 and 36 to [S/2018/594](#).

³⁶³ MIM-104 Patriot air defence systems did not stop Houthi SRBM attacks against Riyadh. See footnote 98 to para.82 of [S/2018/594](#).

Annex 104 Central Bank of Libya (CBL) reunification process from report of external consultant to the CBL

1. Pillars and challenges resulting from the institutional split

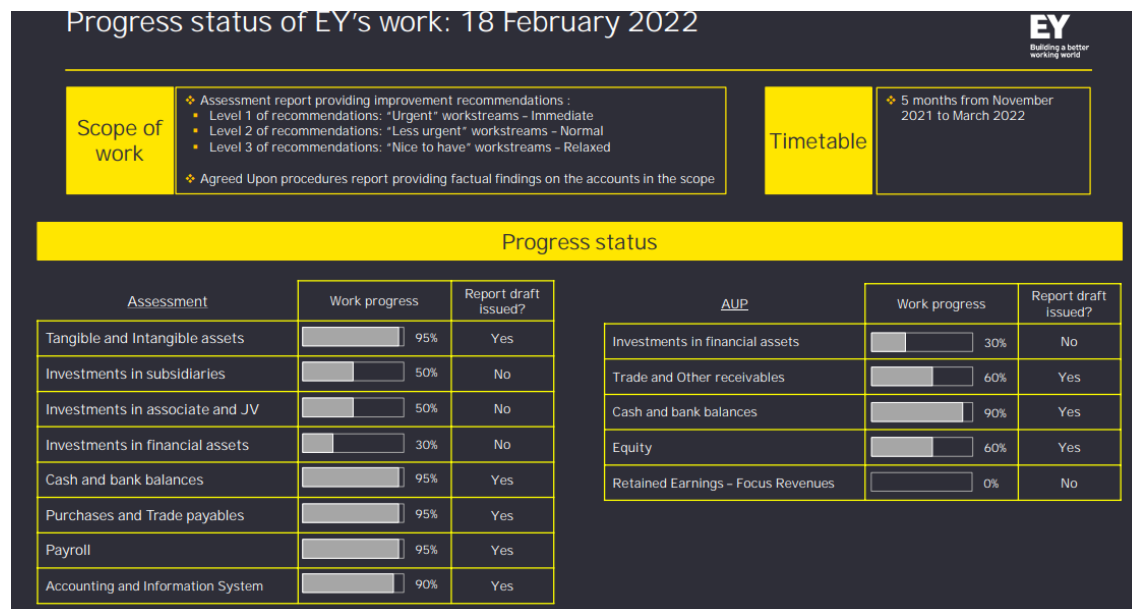
- (a) Currency stability;
- (b) Reserves management;
- (c) Monetary policy;
- (d) Foreign exchange regulation;
- (e) Financial system stability; and
- (f) Banking regulation.

2. Recommendations

- (a) Strengthen financial accountability and transparency;
- (b) Reconcile the two branches' Balance Sheets;
- (c) Unifying the ledger system of the two branches;
- (d) Assessment of letters of Credit system/process;
- (e) Review foreign currency sales distribution to ensure fair distribution;
- (f) Review the composition of asset backing for Currency in Circulation issued by the two branches;
- (g) Adoption of widely accepted IFRS standards for financial reporting;
- (h) Periodic physical count of gold, currencies and verification of value of other tangible assets;
- (i) Establish third party confirmation process;
- (j) Resolve potential conflicts of interest on account of holding investments;
- (k) Assessment of impact of devaluation of LYD;
- (l) Unified organization structure, operations, resource needs and plans;
- (m) Establishment of effective governance and internal controls;
- (n) Comprehensive governance framework for transactions with the Public Treasury; and
- (o) Ensure data proposed to be published reconciles with the trial balances.

Annex 105 Ernst and Young Global Limited progress status of LIA as of 18 February 2022

Figure 105.1

Assessment of progress status of LIA by Ernst and Young Global Limited**Source:** Ernst and Young Global Limited.

Annex 106 Press release by GNU on the release of Saadi Qadhafi (LYi.15) (6 September 2021)



www.gnu.gov.ly

حكومة الوحدة الوطنية
†°١٥٥°٤† †°٥٢٤† †°٨٧°٥†
agasu nduronnu numli-T
Government of National Unity

بيان صحفي

تنفيذا لأحكام القضاء النافذة، أفرج اليوم عن الموقوف الساعدي معمر القذافي بعد عامين من قرار الإفراج عليه بالتعاون مع مكتب النائب العام وجهاز الردع لمكافحة الإرهاب والجريمة المنظمة. وقد تسلمته عائلته وفقا للإجراءات القانونية.

وإن تؤكد حكومة الوحدة الوطنية التزامها بما تعهدت به بالعمل على الإفراج على جميع المساجين ممن تقضي أوضاعه القانونية ذلك دون استثناء، فإنها تأمل بأن تكون مثل هذه الجهود تصب في مسار المصالحة الوطنية الشاملة، والتي أساسها انفاذ القانون واحترامه.

حكومة الوحدة الوطنية

2021 / 09 / 06م

Official UN Translation

2115622E

Translated from Arabic

Government of National Unity

Press release

In accordance with binding court rulings, the detainee Saadi Muammar Qadhafi was released today, two years after the decision to release him was issued. The release was executed in cooperation with the Office of the Public Prosecutor and the Deterrent Agency for Combating Organized Crime and Terrorism. He was received by his family in accordance with the relevant legal procedures.

The Government of National Unity reaffirms that it is committed to its undertaking to release all prisoners, without exception, whose legal situation warrants doing so, and it hopes that such efforts will promote comprehensive national reconciliation, the basis of which is enforcement of and respect for the law.

Government of National Unity

6 September 2021

Annex 107 Certificate of death for Abu Zayd Umar Dorda (LYi.006)

جمهورية مصر العربية
وزارة الداخلية
قطاع الأحوال المدنية

شهادة وفاة

الرقم القومي

بيانات (السنوي)

الاسم: أبو زيد عمر أحمد دورده
النوع: ذكر
الجنسية: ليبية
الاسم اللام: أبو زيد عمر أحمد دورده
الحالة الاجتماعية: متزوج
تاريخ الوفاة: ثمانية وعشرون من فبراير ٢٠٢٢
مكان الوفاة: القاهرة
العمر عند الوفاة: ٧٨ سنة ١ شهر ٢٧ يوم
مكان الميلاد: مصر

م: ص: ز: ر: ١١٥٥
س: م: د: السيد زينج
س: ا: ص: ا: م: نموذجي القطع P ت: ا: ص: ا: ر: ٢٠٢٢/٢/٢٨

رقم مسلسل ١٤٩٥٥٥٨٢٠

تأكد من وجود العلامة المائية ونشر شعار الجمهورية - وثيقة أحوال مدنية

وزارة الداخلية
قطاع الأحوال المدنية

طلب استخراج صورة قيد وفاة
خدمة خاصة مميزة

اسم طالب الخدمة:

التاريخ:

(نموذج ٤٠/٣)

Source: Member State.

*Official UN translation
Translated from Arabic*

Arab Republic of Egypt
Ministry of the Interior
Civil Status Division

Copy of death registration

National ID:

Particulars of the deceased

Name: Abu Zayd Umar Ahmid Durdah

Gender: Male

Religion: Muslim

Nationality: Libya

Mother's name:

Social status: Married

Date of death: 28 February 2022

Place of death: Cairo

Age at death: 78 years, 1 month, 27 days

Place of birth:

Health office: Zaynhum

Record No.: 1155

Civil registration office: Sayyidah Zaynab Date of record: 28 February 2022

Issuing registry: Division forms office Date of issue: 24 March 2022

Serial number: 149555820

Check for watermark and eagle emblem of the Republic - Civil status document

Ministry of the Interior	Request to obtain copy of death registration	(Form 40/3)
Civil Status Division	Special service	
Name of person requesting service:		Date: