



# Security Council

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## Letter dated 6 December 2024 from the Panel of Experts on Libya established pursuant to resolution 1973 (2011) addressed to the President of the Security Council

The Panel of Experts on Libya established pursuant to resolution 1973 (2011) has the honour to transmit herewith, in accordance with paragraph 18 of resolution 2701 (2023), the final report on its work.

The attached report was provided to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya on 12 November 2024 and was considered by the Committee on 5 December.

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

(Signed) Jelena **Plamenac**  
Coordinator

Panel of Experts established pursuant to resolution 1973 (2011)

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## Final report of the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya

### *Summary*

Armed groups in Libya have achieved an unprecedented level of influence over State institutions. In the west, this influence affected the ability of State institutions to implement their mandates outside the interests of armed groups. In the east, Government of National Stability bodies were used as a cover for the absolute control of the Libyan Arab armed forces (LAAF) over the governance functions in that part of Libya. Saddam Haftar affirmed his control not only over the LAAF land force but also in relation to the external relations strategy and economic interests of LAAF.

In particular, armed groups considerably increased the amount of revenue that they generated from diesel smuggling by using the General Electric Company of Libya in Tripoli and the facilities in the old harbour in Benghazi to divert a considerable amount of diesel, and by influencing the National Oil Corporation and the Brega Petroleum Marketing Company.

Despite the absence of terrorist attacks in Libya during the reporting period, terrorist elements remained active in southern Libya, using cross-border illicit activities for financing and recruitment. LAAF leveraged the deteriorating security situation along the southern borders with neighbouring countries to strengthen its wider influence as a key regional actor with an oversight of cross-border movements, especially through security cooperation with Chad and the Niger. The armed conflict in the Sudan directly affected the security and stability of Libya.

The joint military force under the 5+5 Joint Military Commission failed to materialize due to political divisions and fragmentation within the country's security sector. The presence of foreign fighters and private military companies further destabilized the national security landscape.

Five Libyan armed groups were responsible for systematic violations of international humanitarian and human rights law, including arbitrary detention, murder, torture and the destruction of civilian property, which they committed through institutionalized retaliatory systems designed to target civilians perceived as threats to their political and economic interests in Benghazi and Tripoli. Human rights defenders and journalists were particularly vulnerable to abduction, enforced disappearance and intimidation.

International human trafficking and smuggling networks, in collaboration with Libyan armed actors, utilized Libyan territory as a transit hub for operating 17 identified international trafficking routes. Migrants and asylum-seekers, including children, were regularly subjected to rape and other sexual violence, mistreatment and extortion along these routes. The Panel uncovered three well-developed Libyan trafficking networks, led by elements of armed groups, that expanded their operations in scale and complexity to increase funding for their illegal activities.

The arms embargo did not prevent armed groups from obtaining equipment, both military and what the Panel considers dual-use. Sophisticated military equipment was acquired by armed groups in Misratah. LAAF displayed its newly acquired equipment and extensive arsenal through its large-scale military exercise and parade. LAAF also grew its maritime assets significantly, by seizing two armed naval vessels and procuring through private companies dual-use vessels that were militarized after transfer. The number of foreign naval vessels entering Libya more than doubled. Military equipment was transferred to Libya during one such visit.

The arms embargo remained ineffective where Member States controlled the logistical flow and supply chains to armed actors in Libya. Some Member States became more open about the type of military cooperation they had implemented with western and eastern armed actors. This included an increased number of military training sessions provided by Member States and by a private entity inside and outside of Libya.

The National Oil Corporation underwent internal restructuring that now facilitates the access of armed groups to lucrative service agreements. The first private Libyan oil company, under an agreement approved by the Government of National Unity, has exported crude oil valued at around \$460 million since May 2024.

Systemic issues in the estimation of fuel needs and in the supply chain facilitated the import of large surplus amounts of diesel to Libya, which was subsequently illicitly exported by armed groups. The Panel identified the General Electric Company of Libya as the main source for such surplus diesel used in illicit exports. The Panel identified networks responsible for having exported around 450,000 tons of diesel from the Benghazi old harbour. In total, the Panel identified 185 illicit diesel exports from that location since March 2022, amounting to an estimated export volume of 1.125 million tons of diesel.

Ten Member States and 16 financial institutions were found in repeated non-compliance with the asset freeze. Some of these instances of non-compliance caused the erosion of the frozen assets. Inconsistent practices in charging negative interest and management fees, carrying out active asset management and crediting income on frozen funds persisted, in disregard of the relevant resolutions.

The Panel found the Libyan Investment Authority's investment plan lacking in comprehensiveness, transparency and data consistency, resulting in inflated uninvested assets and overstated opportunity losses. The Authority's frozen assets have grown since the imposition of the asset freeze, contrary to its claim of asset depletion due to the freeze. Given this situation and considering the associated risks of misuse and misappropriation, the Panel provided its recommendations, including possible adjustments to the asset freeze to allow the Authority to reinvest frozen liquid assets with suitable safeguards pursuant to paragraph 15 of resolution [2701 \(2023\)](#).

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

## I. Background

### A. Introduction

1. The present final report, provided to the Council pursuant to paragraph 18 of resolution [2701 \(2023\)](#), covers the period following the end of the reporting period covered by the Panel's previous report ([S/2023/673](#)),<sup>1</sup> from 18 July 2023 until 25 October 2024.<sup>2</sup> It includes updates on ongoing investigations detailed in that earlier report. An overview of the evolution of the sanctions regime concerning Libya can be found in annex 1.<sup>3</sup> A table of abbreviations and acronyms can be found in annex 2.

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

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

### B. Cooperation with stakeholders and institutions

4. Member States, organizations and institutions consulted are listed in annex 4, and the correspondence records of the Panel are listed in annex 5. The Panel submitted 17 letters with updates or analysis to the Committee on issues of interest. The Panel travelled to 12 Member States in the implementation of its mandate. It also, through electronic platforms, maintained contact with Member States and other interlocutors, including other Panels of Experts and the Analytical Support and Sanctions Monitoring Team pursuant to Security Council resolutions [1526 \(2004\)](#) and [2253 \(2015\)](#) concerning Islamic State in Iraq and the Levant (ISIL) (Da'esh), Al-Qaida and the Taliban and associated individuals and entities.

5. The Panel benefited from logistical support provided by the United Nations Support Mission in Libya and held exchanges with the Mission. The Panel also had exchanges with the European Union military operation in the Mediterranean (Operation IRINI).

6. During the Panel's mandate under resolution [2701 \(2023\)](#), responsible Libyan authorities granted six-month multiple-entry visas to Panel experts only once. The Panel travelled to Libya twice, from 25 February to 7 March and 2 to 10 June 2024, where it met the Libyan authorities and other relevant interlocutors in Tripoli.<sup>4</sup> The Panel noted enhanced cooperation with the Ministry of Foreign Affairs, reflected notably in regular exchanges and timely facilitation of the Panel's requests for meetings. The Panel met with 24 different Libyan government stakeholders, including some with whom it met for the first time in four years, such as the Presidential Council and the Ministry of Interior. The Panel also utilized the occasion to offer to government authorities that had submitted their responses to the Panel's previous final report

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<sup>1</sup> All references to [S/2023/673](#) should be understood to encompass [S/2023/673/Corr.1](#).

<sup>2</sup> All hyperlinks accessed on 24 October 2024.

<sup>3</sup> The annexes are being circulated mostly in the language of submission, and without formal editing. Given the word limits on reports of monitoring mechanisms, the Panel provides details relating to several investigations in the annexes.

<sup>4</sup> The Panel also travelled to Libya from 1 to 5 October 2023 in accordance with the mandate under resolution [2644 \(2022\)](#).

(S/2023/673) a clarification of the scope of its mandate, work methodology and specific aspects of its findings relevant for the implementation of the sanctions regime.

7. During both visits, the Panel had also planned to visit Benghazi, which had to be delayed due to (a) financial constraints on the Panel's travel budget and (b) internal rearrangements of the composition of the Libyan Arab armed forces (LAAF) delegation. The Panel took measures to overcome these limitations by maintaining regular exchanges with LAAF representatives and holding meetings with them outside Libya. At the meeting with the LAAF focal point on 12 February 2024, the Panel received the response of LAAF to its previous final report and offered to clarify the scope of its mandate, work methodology and specific aspects of its findings relevant for the implementation of the sanctions regime.<sup>5</sup>

8. Although it did affect the Panel's visit to Benghazi, the Panel's limited ability to travel due to the Organization's financial situation did not have an impact on Panel access to Libya overall. The second visit to Libya, however, had to take place with reduced Panel representation and for a shorter duration. Due to this situation, the Panel had to further prioritize those investigations that were feasible under its constrained mobility to physically gather primary evidence in locations of Panel interest outside Libya.

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

### **A. Control of armed groups over Libyan institutions**

9. Fathi Bashagha's failed attempts to assume the role of Prime Minister in 2022 have reshaped the dynamics among armed groups in Libya.<sup>6</sup> Libyan armed groups now exert an unprecedented level of influence over Libyan State institutions. Armed groups in the west and LAAF in the east operate uncontrolled, preventing government authorities from functioning outside the interests of these armed groups, as illustrated by the misuse of the Libyan judicial system by the Deterrence Apparatus for Combating Organized Crime and Terrorism and the Internal Security Agency in Tripoli (see paras. 42 and 43).

10. The armed groups have further infiltrated the operations of the Central Bank of Libya, the National Oil Corporation and the Brega Petroleum Marketing Company, consolidating their control over the management of oil revenue and the national budget. Tripoli-based armed groups exercised such control over fuel supply channels, including through the case of the General Electric Company of Libya analysed below. LAAF capitalized on its control over maritime routes from the old harbour in Benghazi to smuggle large quantities of fuel.

#### **1. Central Bank of Libya under the influence of armed groups**

11. The circumstances surrounding the appointment of Naji Mohamed Issa Belqasem as the new governor of the Central Bank of Libya indicated the ambition of armed groups to impose complete control over the Bank's operations. This nomination was a compromise between Tripoli-based armed groups and LAAF, and could not have been finalized without their consent. The composition of the Bank's board of directors, appointed on 21 October 2024, was negotiated to include

<sup>5</sup> LAAF response, 5 February 2024 (8 volumes, 556 pages).

<sup>6</sup> S/2023/673, annex 10.

representatives holding interests of armed groups, including LAAF.<sup>7</sup> The Panel assessed that control by armed groups over the Bank's functioning and management of oil revenue is likely to continue to increase. Annex 6 includes the Panel's analysis of the Bank leadership dispute, and the decisive role that armed groups played in it.

## **2. The case of the General Electric Company of Libya**

### **(a) A company resisting national oversight**

12. The General Electric Company of Libya, a State-owned company, is responsible for generating, transmitting and distributing electric power throughout Libya. Although the Company received public funds and fuel allocations, the Libyan Audit Bureau was unable to audit the company in 2022 and 2023. Armed actors guarding the Company's premises denied auditors entry to its headquarters in Tripoli.<sup>8</sup> The committee on corruption in the electricity sector created under the Presidential Council in 2024<sup>9</sup> was also obstructed during its investigations into allegations of corruption and fuel smuggling linked with the Company operations through a lack of cooperation and death threats to the Committee's members.

### **(b) A chair shielded by armed groups**

13. The primary obstacle to auditing the Company's operations was its chair: Mohamed Omar Hassan Al-Mashay. The Panel found that Al-Mashay was instrumental in preventing governmental entities from exercising any form of oversight, including by intimidating responsible national authorities and consistently refusing to cooperate with them. Al-Mashay has managed the Company's operations and assets under the direct instruction of Tripoli-based armed group leaders, that is, Abdel Ghani Al-Kikli, commander of the Stability Support Apparatus, and Colonel Abdulsalam Al-Zobi, commander of the 111th Brigade. Al-Mashay maintained his close connection with Al-Kikli and his associates through his involvement in Al-Ahli Sports Club, a popular football team in Tripoli unofficially led by Al-Kikli. Al-Mashay serves as the club's interim president (see annex 7) alongside armed group leaders affiliated with the Stability Support Apparatus. Al-Mashay used to boast about his ability to operate with impunity due to his connections with these commanders.<sup>10</sup>

14. With no prior experience in the energy sector, Al-Mashay was appointed as the Company chair with the support of Prime Minister Abdulhamid Al Dabiba in July 2022. Al-Mashay's appointment was one of the conditions for securing Al-Kikli's support for Al Dabiba in his political conflict with Fathi Bashagha over the position of Prime Minister (see annex 8).<sup>11</sup> To expand his influence, Al-Kikli regularly gave instructions to Al-Mashay, in particular on the placement of infrastructure for transmission and distribution of electricity without prior planification or technical consideration.

15. Further links between the Company and Al-Kikli existed through the North Africa Development and Investment Holding Company,<sup>12</sup> which held contracts with both the General Electric Company of Libya and the National Oil Corporation, and was managed by Al-Kikli's brother, Fathi Al-Kikli. These contracts, related to equipment imports and maintenance services, were also deliberately kept outside the scrutiny of the relevant Libyan authorities.

<sup>7</sup> Confidential sources (Libyan officials).

<sup>8</sup> Ibid.

<sup>9</sup> See [https://web.facebook.com/100070692046441/posts/pfbid0vXRpvxfcRn8GkPALQcKaeP7NUcW1pRwwGyVNVpJJXzYk3Ro9oCDW3nydK3bG6UCWl/?mibextid=WC7FNe&\\_rdc=1&\\_rdr](https://web.facebook.com/100070692046441/posts/pfbid0vXRpvxfcRn8GkPALQcKaeP7NUcW1pRwwGyVNVpJJXzYk3Ro9oCDW3nydK3bG6UCWl/?mibextid=WC7FNe&_rdc=1&_rdr), 1 May 2023.

<sup>10</sup> Confidential sources (Libyan officials and armed group members).

<sup>11</sup> Ibid.

<sup>12</sup> [www.na-holding.com.ly](http://www.na-holding.com.ly).

16. In his opportunity to reply to the Panel's findings, Abdelghani Al-Kikli denied any connection with the General Electric Company of Libya or Al-Mashay's appointment, claiming that the Company was cooperating with a range of international audit firms (see annex 9).

17. Al-Zobi was recently appointed undersecretary to the Minister of Defence and promoted to colonel by Prime Minister Al Dabiba. The 111th Brigade was in charge of security at the Company headquarters and the main Brega storage facilities, both located in the area under Al-Zobi's control. On 16 March 2023, Al-Kikli, together with Al-Zobi and other commanders of armed groups, showed up at the offices of the Libyan Audit Bureau with over 20 armed vehicles belonging to the 111th Brigade to meet with Bureau officials with the intention (a) to pressure the Bureau to halt any further attempts to exercise oversight in relation to the Company's operations and (b) to force it into approving a contract worth over \$200 million for the import of electricity meters for the Company. The above-mentioned North Africa Development and Investment Holding Company was granted subcontracts for the installation and maintenance of the electricity meters. It barely executed its duties and obligations under these subcontracts, however.<sup>13</sup>

**(c) The enabling environment of fuel smuggling**

18. The main enabling factors for fuel smuggling, that is, (a) the systemic dysfunctionality of the fuel supply chain and (b) the management of the General Electric Company of Libya representing a risk of diversion of subsidized fuel, are detailed in section IV.

**3. Financial autonomy of the Libyan Arab armed forces**

19. LAAF continued to exert undisputed control over territorial waters in eastern Libya, including the activities of commercial vessels. In effect, LAAF regulated shipping activities, controlled customs (see para. 66) and managed coastal security. In this context, the activities at the Benghazi old harbour were strictly under the supervision of responsible LAAF units, including a significant expansion of fuel smuggling (see paras. 106–110) and human trafficking and migrant smuggling (see para. 51).

20. The agreement between the National Oil Corporation and a private company, as approved by the Government of National Unity, enabled LAAF to indirectly sell crude oil and collect its own revenue (see para. 97). In this way, LAAF reduced its financial dependence on the National Oil Corporation and the Central Bank of Libya, and magnified its capacity to maintain territorial control. This development has reduced the leverage for national political dialogue.

**4. Presence of the Libyan Arab armed forces at the southern borders**

21. On 16 May 2024, brigadier general Saddam Haftar was appointed chief of staff of the LAAF land forces by his father, marshal Khalifa Haftar (see annex 10). This appointment marked a significant step in consolidating Saddam Haftar's control over the Haftar affiliated forces (HAF),<sup>14</sup> as well as some of the key governance functions in eastern Libya, including external relations. It also coincided with Saddam Haftar's tour to meet with selected regional Heads of State. Being in command of LAAF land

<sup>13</sup> Confidential sources (Libyan officials).

<sup>14</sup> The Panel uses "Haftar affiliated forces" (HAF) to cover LAAF and all Haftar-affiliated armed groups. The lower case is used to refer to armed groups that refer to themselves as, for example, "Brigade" or "Battalion", to identify the group without providing them with the legitimacy of being a formed military unit of a government. Similarly, the lower case is used, if appropriate, when referring to the authorities in the east of Libya.



forces, Saddam Haftar has become unchallenged in his ability to implement security arrangements in southern Libya agreed at the regional level (see para. 29).

**(a) Borders with the Niger and Chad: tighter control over transborder traffic**

22. Saddam Haftar's connection with the Government in Niamey has led to the restructuring of LAAF operations in the Salvador Triangle.<sup>15</sup> The presence of LAAF in the area of Birak al-Shati', Ghat, Qatrun, Sabha and Awbari in south-western Libya was reinforced by a large convoy of armoured vehicles in early August 2024. Saddam Haftar ordered this movement to support the following internal security objectives of LAAF: (a) to prevent the installation of the Tuareg-dominated Front patriotique de libération in the Niger-Libya border region; (b) to reduce the number of checkpoints previously delegated to groups under the HAF umbrella for management; and (c) to secure the collection of revenue generated at LAAF checkpoints along trafficking routes in the region.

23. LAAF also collected fees from illicit cross-border activities, including drug trafficking and gold smuggling, as a source of finance. These activities included the movement of cocaine from West Africa through the Niger into Libya. HAF elements stationed at the Tummo checkpoint,<sup>16</sup> inside the Niger, controlled the route leading to Qatrun in the Murzuq district, which serves as a gateway for drugs to either northern Libya or Egypt.<sup>17</sup> Along the Chad-Libya border, LAAF focused on controlling and "taxing" gold mines in the Kouri Bougoudi region. Most of the smuggled gold, which was subject to LAAF fees, eventually reached northern Libya, mainly Misratah, before being shipped abroad. Competition over the control of the gold mining area at the Chad-Libya border generated clashes among LAAF elements (see annex 11). In addition, the Panel identified a new human trafficking and migrant smuggling route from Chad to Libya (see figure IV). The rapid transportation of migrants from southern Chad to eastern Libya via this route suggests a certain level of coordination between traffickers and local elements of LAAF controlling the region.

**(b) Conflict in the Sudan: an instability factor at the border**

24. In addition to the short-lived military assistance to the Rapid Support Forces previously reported,<sup>18</sup> the Panel determined that, until the end of July 2024, Sudanese armed groups affiliated with both the Rapid Support Forces and the Sudanese Armed Forces secured a steady flow of logistical supplies from Libya to the Sudan with the assistance of some LAAF units operating in the Kufrah region. The supplies comprised mainly 4x4 vehicles and fuel.<sup>19</sup> Annex 12 provides further details on the role of 77th company in the situation at the Libya-Sudan border.

**B. International terrorist groups and individuals**

25. The Panel identified no terrorist attacks in Libya during the reporting period. Forces affiliated with the Government of National Unity neutralized two senior commanders of international terrorist groups in mid-2023 and early 2024. LAAF increased its security presence through regular patrols in southern Libya. All these security measures contributed to reducing the capabilities of terrorist cells to exercise lasting territorial control in Libya. Nevertheless, elements of terrorist groups

<sup>15</sup> The "Salvador Triangle" in Libya refers to an area in the south-western part of the country, near the borders with Algeria and the Niger.

<sup>16</sup> 22°39'10.67"N, 14°5'27.99"E.

<sup>17</sup> Confidential sources (armed group members).

<sup>18</sup> S/2023/673, paras. 25–32.

<sup>19</sup> Confidential sources (armed group members).

remained present in mountainous and desert areas in the south and in the rugged Akakus Mountains, from where they took advantage of cross-border illicit activities to finance their operations (see annex 13).<sup>20</sup>

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

26. Islamic State in Iraq and the Levant-Libya (ISIL-Libya, QDe.165) remained active around Sabha, notably through the distribution of goods and medical supplies by its operatives, as part of a broader strategy to build local support and expand its influence.<sup>21</sup> Due to the intensification of the conflict in the Sudan, ISIL-Libya and its affiliates gained an opportunity to expand their manpower and operational capacity. Sudanese recruiters linked to ISIL-Libya continued to operate in southern Libya, including in the areas of the Akakus Mountains, Khurj, Murzuq and Awbari. They recruited Libyan and foreign fighters (including Chadian, Egyptian, Malian, Nigerian, Nigerien, Senegalese and Sudanese fighters) to join Sudanese ISIL-affiliated cells. Although the number of involved Libyan fighters was limited, they were active within those cells (see annex 14).

### 2. The Organization of Al-Qaida in the Islamic Maghreb (QDe.014)

27. The Panel determined that Malian fighters affiliated with Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM, QDe.159) have intensified their crossings into Libya via its southern borders since December 2023, with temporary stays in Ghat. These fighters exploited tribal ties between Tuareg groups in Libya, Mali and the Niger to facilitate their cross-border movements and engage in the regional illicit gold trade (see annex 15).<sup>22</sup>

## C. Regional dynamics

### 1. Ra's Judayr border crisis

28. The Ra's Judayr border control post is one of the busiest in Libya, facilitating significant daily flows of travellers and goods. The attempt by the acting Minister of Interior of the Government of National Unity to assert control over the border post triggered reactions by armed groups at the local and national levels. Although the decision to close the post was initially linked to armed clashes between Libyan actors, it also disrupted the Tunisian trade supply chain, which relied heavily on this border crossing (see annex 16).

### 2. Libyan Arab armed forces strengthening regional relations

29. Following its seven high-level regional visits, including two led by Saddam Haftar, LAAF expanded its influence in southern neighbouring countries, including by providing security assistance to Chad and the Niger in guarding borders and key land routes between the above-mentioned three countries (see para. 22). This broader strategy not only sought to control Libyan borders, but also enabled Saddam Haftar to leverage regional instability to drive security-oriented external relations with neighbouring States. The Panel assessed that the above-mentioned deployment of large LAAF convoys of armoured vehicles to south-west Libya in August 2024 was also aimed at supporting the LAAF external relations strategy through three primary objectives: (a) position LAAF as a front-line regional security actor; (b) control key trade and trafficking routes; and (c) restrict the cross-border movement of fighters. The attack carried out by Malian Tuaregs against the Malian Armed Forces and their

<sup>20</sup> Confidential sources (official and local Libyan sources).

<sup>21</sup> Confidential sources (local and official Libyan sources).

<sup>22</sup> Confidential sources (Malian and Nigerien armed groups).

allies in late July 2024 was among the key triggers of this deployment, which Saddam Haftar seized as an opportunity to enhance security cooperation between LAAF and Malian authorities (see annex 17).

### 3. Implications of armed conflict in the Sudan

30. LAAF interfered in the conflict in the Sudan by facilitating and allowing logistical support destined for the parties to the conflict – the Rapid Support Forces and the Sudanese Armed Forces – to pass through Libyan territory, where the presence of armed groups affiliated with both sides was permitted (see annex 12).<sup>23</sup> The Rapid Support Forces benefited more from training sessions and well-established supply air bridges and land routes. The Panel identified two such primary supply routes (see figure I).

31. As the armed conflict in the Sudan intensified in northern Darfur in late June 2024 and spilled into Libyan territory, LAAF started to disrupt the logistical supply routes, including by seizing materiel. The increased cross-border movements of fighters and civilians, including the growing influx of migrants and asylum-seekers from the Sudan, have been perceived as real security risks that LAAF attempted to mitigate through tight management of the Libyan-Sudanese border.

Figure I

#### Identified primary supply routes from Libya to the Rapid Support Forces in the Sudan that were active until June 2024



<sup>23</sup> Confidential sources (Sudanese armed groups).

#### 4. 5+5 Joint Military Commission and military reunification

32. The creation of a joint military force under the auspices of the 5+5 Joint Military Commission did not materialize due to several challenges, reflecting the fragmented political and security landscape of Libya. Key stakeholders in Tripoli believed that the Chief of Staff in the east, Abdel Razek al-Nadori, lacked decision-making authority in the process, with those powers being exclusively held by the Haftar family. At the same time, the LAAF general command viewed the Chief of General Staff of the Libyan Army, Mohammed Al-Haddad, as having no effective authority due to the dominance of armed groups in the west. This perception was reinforced by the LAAF position that western armed groups did not possess the military competence or professionalism required to execute the tasks of the joint military force.

33. On 25 August 2024, following a meeting in Sirte, the 5+5 Joint Military Commission issued a unanimous statement confirming that military reunification, including the creation of the joint military force, was outside of the Commission's mandate (see annex 18).<sup>24</sup>

#### 5. Foreign armed groups and fighters

##### (a) Chadian fighters

34. A reduced number of Chadian fighters remained present within HAF, while the majority withdrew to participate in other regional conflicts. LAAF recalibrated its stance towards Chadian opposition groups operating in Libya, previously identified as LAAF allies,<sup>25</sup> expelling them as part of efforts to strengthen relations with the Government of Chad (see para. 29) and to prevent further intra-Chadian clashes from spilling over into Libya (see annex 19). LAAF reached an agreement with the Government of Chad to repatriate some of these Chadian fighters, with logistical support from the Niger.

##### (b) Syrian fighters

35. Syrian fighters backed by Türkiye remained present in several locations around Tripoli, including in the Hamza Camp, Watiyah airbase, Salah Eddine police school and Suq al-Khamis area. However, Libya was no longer seen as a coveted destination for these fighters. A considerable decrease in salaries and the lack of other financial incentives caused Syrian fighters (a) to reduce personnel rotations in late 2023; (b) to seek engagement in active conflict zones, where wages were significantly higher;<sup>26</sup> and (c) to migrate to Europe. The Panel identified 13 cases of Syrian fighters who migrated from Libya to Italy with the assistance of two high-ranking Libyan military officers using Libyan human trafficking networks in Tripoli.<sup>27</sup>

36. In the east, Syrian fighters were present at Khadim airbase, alongside elements that used to be part of the private military company formerly known as ChVK Wagner.

##### (c) Foreign private military companies

37. Although elements of the private military company formerly known as ChVK Wagner rebranded their presence and scaled up their military capabilities in Libya by supplying and equipping their positions with arms and related materiel, the Panel found that no substantial changes were made to the nature of their activities in Libya.

<sup>24</sup> Authenticated by confidential sources of the Panel.

<sup>25</sup> S/2023/673, para. 38.

<sup>26</sup> S/2022/427, para. 30. (All references to S/2022/427 should be understood to encompass S/2022/427/Corr.1.)

<sup>27</sup> Confidential sources (Syrian fighters).

These elements continued to support HAF, by providing technical assistance, conducting repairs and maintenance of materiel at Jufrah airbase, and delivering tactical training at Birak al-Shati’.

38. In the west, operatives of the private military company Amentum Services Incorporated provided training to Libyan armed actors at the Mitiga airbase in early 2024.

#### **D. Acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses**

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

40. The Panel observed a clear advancement in the resources and capabilities of armed groups in Libya to run extrajudicial mechanisms as a façade to legitimize violations of applicable international law. Prominent features of this concealment strategy included: (a) regular intimidation of and physical attacks against persons perceived to engage with international interlocutors; and (b) the systematic use of disinformation and digital manipulation to distort public narratives, which were deliberately designed to obscure the factual circumstances of identified violations of international humanitarian law and international human rights law. Eleven victims and eyewitnesses reported feeling discredited and silenced by intimidation tactics and false narratives, which discouraged them from exposing the abuses to responsible judicial authorities.

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

41. The Panel identified 26 incidents of violations of international humanitarian law and international human rights law that took place in multiple places of detention under the direct control of the Deterrence Apparatus for Combating Organized Crime and Terrorism and the Internal Security Agency in Tripoli, and of the LAAF units in Benghazi.

##### **(a) Responsibility of the Deterrence Apparatus for Combating Organized Crime and Terrorism**

42. The Panel identified eight cases of violations of international humanitarian law and international human rights law committed by individuals under the effective command of the Apparatus, including members of the judicial police operations department, in temporary and permanent detention facilities in Tripoli. Violations followed a consistent pattern of unlawful deprivation of liberty, enforced disappearance, torture and other ill-treatment, and denial of fair trial rights, as previously reported by the Panel.<sup>28</sup> These acts were administered through a coercive quasi-judicial system that the Apparatus command created in misuse of the Libyan judicial system to keep detainees outside the protection of the law (see figure II and

<sup>28</sup> Common article 3 of the four Geneva Conventions of 1949; arts. 4, 5 and 6 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); arts. 7, 9 and 14 of the International Covenant on Civil and Political Rights; [S/2021/229](#), [S/2021/229/Corr.1](#), [S/2021/229/Corr.2](#) and [S/2021/229/Corr.3](#), para. 35; [S/2022/427](#), para. 39 and annex 21; and [S/2023/673](#), para. 44 and annex 16.

annex 20). Among the Apparatus commanders involved, the Panel identified Osama Najim as responsible for administering and facilitating the unlawful arrest and mistreatment of detainees in the Mitiga detention facility.<sup>29</sup> Details of the response of the Apparatus to the Panel's findings can be found in annex 20.

**(b) Responsibility of the Internal Security Agency in Tripoli**

43. The Panel established that individuals acting under the direct orders of Lotfi Harari, the head of the Internal Security Agency in Tripoli, were responsible for five cases of unlawful arrest and detention, enforced disappearance and cruel, inhuman and degrading treatment in temporary detention facilities under the control of the Internal Security Agency.<sup>30</sup> Agency elements arrested the five victims on unsubstantiated grounds with no intention of holding independent and impartial court proceedings for alleged offences under national laws. Instead, they based arrests on the personal vendetta that Harari had against the victims. To legitimize the unlawful conduct, the Agency exercised law enforcement functions in misuse of the Libyan judicial system (see figure II and annex 20). A distinguishing pattern of these violations was the systematic use of video recordings of forced confessions on false charges in public to humiliate the victims, in violation of their procedural fair trial rights.<sup>31</sup> The Panel determined that Harari directed and personally participated in the mistreatment and harsh interrogations of detainees under coercive circumstances.<sup>32</sup> Details of the Agency's response to the Panel's findings can be found in annex 20.

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<sup>29</sup> Panel interviews with victims and eyewitnesses (international humanitarian law confidential sources 18, 31–34, 37, 42–43, 141 and 143).

<sup>30</sup> Common article 3 of the four Geneva Conventions; arts. 7 and 9 of the International Covenant on Civil and Political Rights.

<sup>31</sup> Art. 14 of the International Covenant on Civil and Political Rights.

<sup>32</sup> Panel interviews with victims and eyewitnesses (international humanitarian law confidential sources 8, 21 and 142–145).

Figure II  
**Coercive quasi-judicial systems of the Deterrence Apparatus for Combating Organized Crime and Terrorism and the Internal Security Agency in Tripoli**



*Abbreviations:* DACOT, Deterrence Apparatus for Combating Organized Crime and Terrorism;  
 ISA, Internal Security Agency.

**(c) Responsibility of the Libyan Arab armed forces**

44. The Panel identified two incidents of alleged serious breaches of international humanitarian law, involving unlawful imprisonment, enforced disappearance, murder, torture, cruel treatment, denial of fair trial rights, and pillage, that it attributed to LAAF units: the Tariq bin Ziyad (TBZ) brigade, the 20/20 battalion and the HAF-controlled Internal Security Agency branch in Benghazi.<sup>33</sup> In a single incident that took place on 6 October 2023 in the Salmani neighbourhood, the responsible LAAF units deprived of liberty 13 members of the 204 brigade, including its commander and the former Minister of Defence, Al-Mahdi al-Barghathi, and over 35

<sup>33</sup> Common article 3 of the four Geneva Conventions; arts. 4, 5 and 6 of Protocol II Additional to the Geneva Conventions of 1949; and arts. 6, 7, 9 and 14 of the International Covenant on Civil and Political Rights.

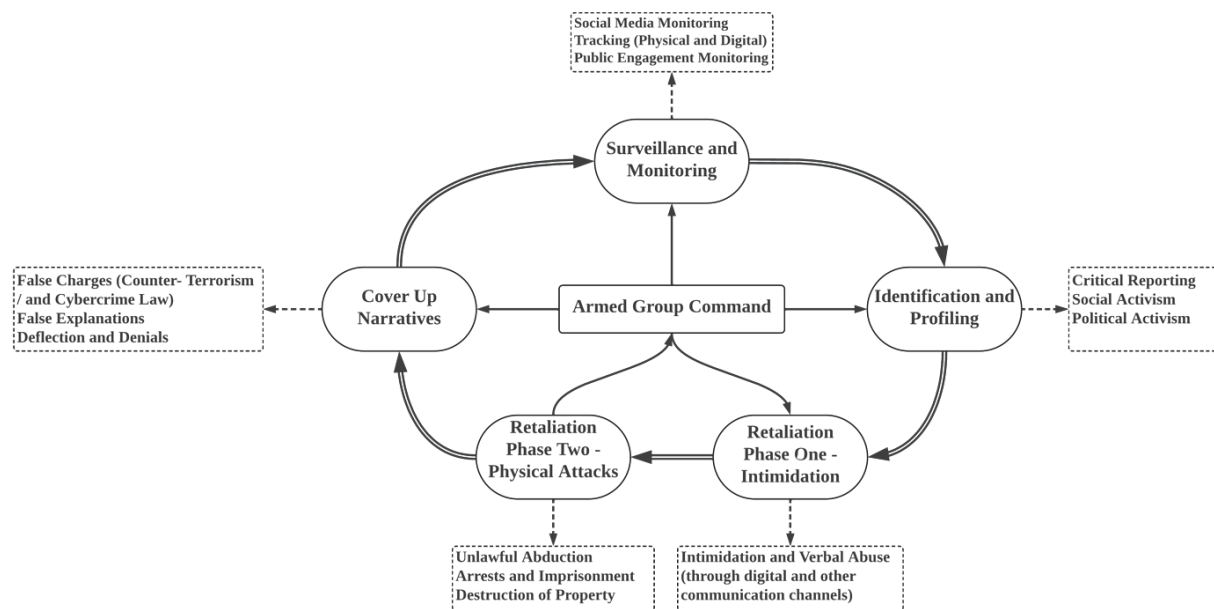
civilians perceived as associated with him. Upon capture, men were separated and taken to detention facilities under the authority of the TBZ brigade, while women and children were confined in their homes for several days.<sup>34</sup> LAAF units then plundered and destroyed targeted civilian dwellings in the neighbourhood, including the Al-Barghathi family house. Thirty-seven detained males had been forcibly disappeared at the time. Of them, six detainees died while in the custody of LAAF units. Details on the response of LAAF to the Panel’s findings can be found in annex 21.

## 2. Attacks against human rights defenders, social activists and journalists

45. The Panel determined that five Libyan armed groups – the Deterrence Apparatus for Combating Organized Crime and Terrorism, the Internal Security Agency in Tripoli, the HAF-controlled Internal Security Agency branches in Benghazi and Sabha, the TBZ brigade and the 20/20 battalion – were responsible for a deliberate crackdown on the freedom of expression of 11 human rights defenders, social activists and journalists targeted through acts of unlawful abduction and severe mistreatment, violent house searches, intimidation and direct threats to victims’ family members.<sup>35</sup> These armed groups deployed well-organized retaliatory targeting systems with the purpose of generating an atmosphere of intimidation and systematic discrimination among local members of Libyan civilian society and journalists to force them to bend to the will and interests of the attackers (see figure III and annex 22).<sup>36</sup>

Figure III

### Retaliatory targeting system of Libyan armed groups against human rights workers and journalists



<sup>34</sup> Panel interviews with witnesses (international humanitarian law confidential sources 24, 35, 38 and 45).

<sup>35</sup> Arts. 7, 9 and 19 of the International Covenant on Civil and Political Rights; [S/2022/427](#), para. 44 and annex 22; and [S/2023/673](#), paras. 53–55.

<sup>36</sup> Panel interviews with victims and witnesses (international humanitarian law confidential sources 21, 29, 31, 33 and 142–145) and Libyan civil society (international humanitarian law confidential sources 1, 5 and 7).



### 3. Violations of international human rights law committed against migrants and asylum-seekers

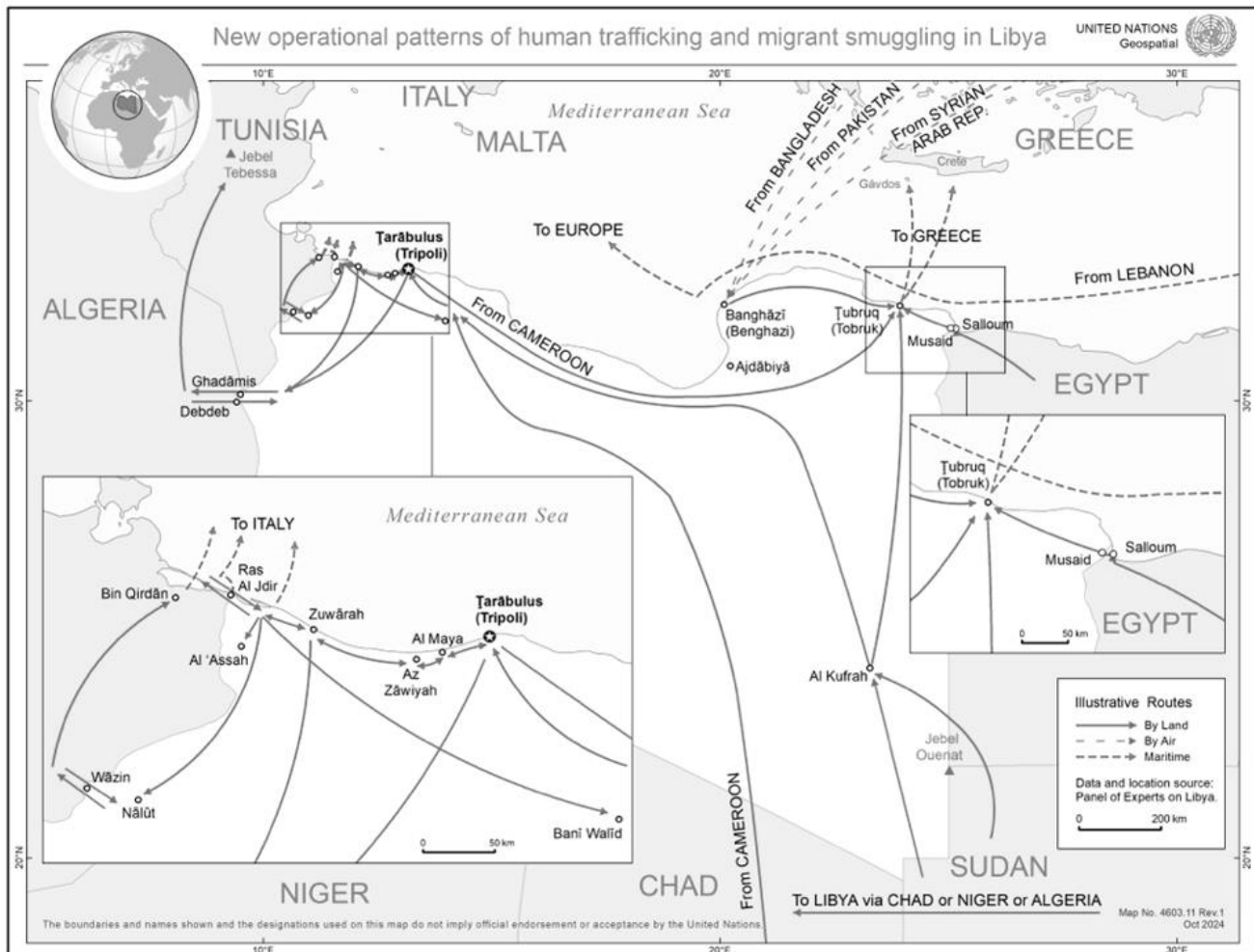
46. International human trafficking and migrant smuggling networks, in collaboration with Libyan armed actors, expanded their activities along 17 identified human trafficking and migrant smuggling routes effectively operated through Libya since June 2023 (see figure IV and annex 23). This expansion occurred through (a) opening four new entry routes originating in Central and North Africa via Algeria, Chad, the Sudan and Tunisia, and five new exit routes through land and maritime borders in Dabdab, Ra's Judayr, Tubruq, Wazin and Zuwarah; (b) increasing the organization of network elements involved in migrant recruitment in countries of origin and in particular in Bangladesh, Egypt, the Sudan and the Syrian Arab Republic; (c) diversifying coordination functions and assigning them to network operatives in final destinations in Europe; (d) utilizing digital platforms to lure the victims into trafficking and remotely coordinate their operations; and (e) developing logistical supply chains, including local boat production and the recruitment of boat drivers from neighbouring countries. Factors that enabled these operational changes included power struggles among Libyan armed actors for exclusive control over border management in key operational areas (see para. 28), systemic corruption among responsible local authorities and a deteriorating regional security situation (see para. 30).

47. The Panel determined that 86 migrants, including nine children, trafficked along these routes were subjected to human rights abuses that involved unlawful deprivation of liberty, rape, enforced prostitution, slavery, forced labour and/or torture and other ill-treatment.<sup>37</sup> These human rights violations, committed by Libyan armed actors and elements of trafficking networks, have been central to the efficient functioning of three unlawful business models – collaborative, decentralized and opportunistic models – that armed groups and criminal networks have used as key sources of their funding in Libya.

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<sup>37</sup> Panel interviews with victims and eyewitnesses (international humanitarian law confidential sources 19, 20, 26, 27, 30 and 47–140).

Figure IV  
New operational patterns of human trafficking and migrant smuggling in Libya



(a) Collaborative models

48. The Panel identified four illicit enterprises that involved collaboration between international trafficking and smuggling networks and Libyan armed actors controlling key operational areas in Benghazi, Musa'id, Ra's Judayr, Tubruq and Zuwarah. These actors, including individuals of the Ministry of Interior of Libya and LAAF, generated profits by exercising a leading role in coordinating trafficking and smuggling operations or permitting criminal networks to operate on the territory under their control in return for revenue and the use of migrants for forced labour.

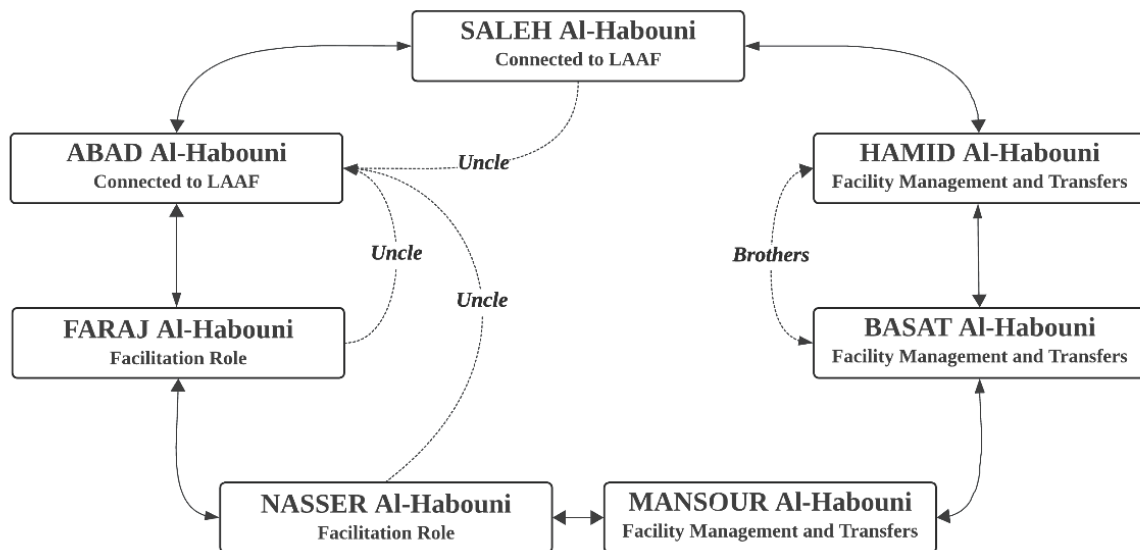
(i) *Al-Habouni and Al-Katani networks in Tubruq*

49. The Panel identified seven members of the Al-Habouni Network and six members of the Al-Katani Network directly responsible for running complex international trafficking and smuggling operations, with central hubs in Musaid and Tubruq and cooperatives active in five countries (see figures V and VI). Both networks had well-developed logistical capabilities to move large groups of migrants through secret detention facilities, trafficking and smuggling them from Tubruq to Greece. In these facilities, 49 migrants endured beatings, floggings and other forms of cruel, inhuman and degrading treatment under armed guard, without potable water

and basic sanitation. Two victims suffered physical injuries and scarring due to the physical violence inflicted upon them.

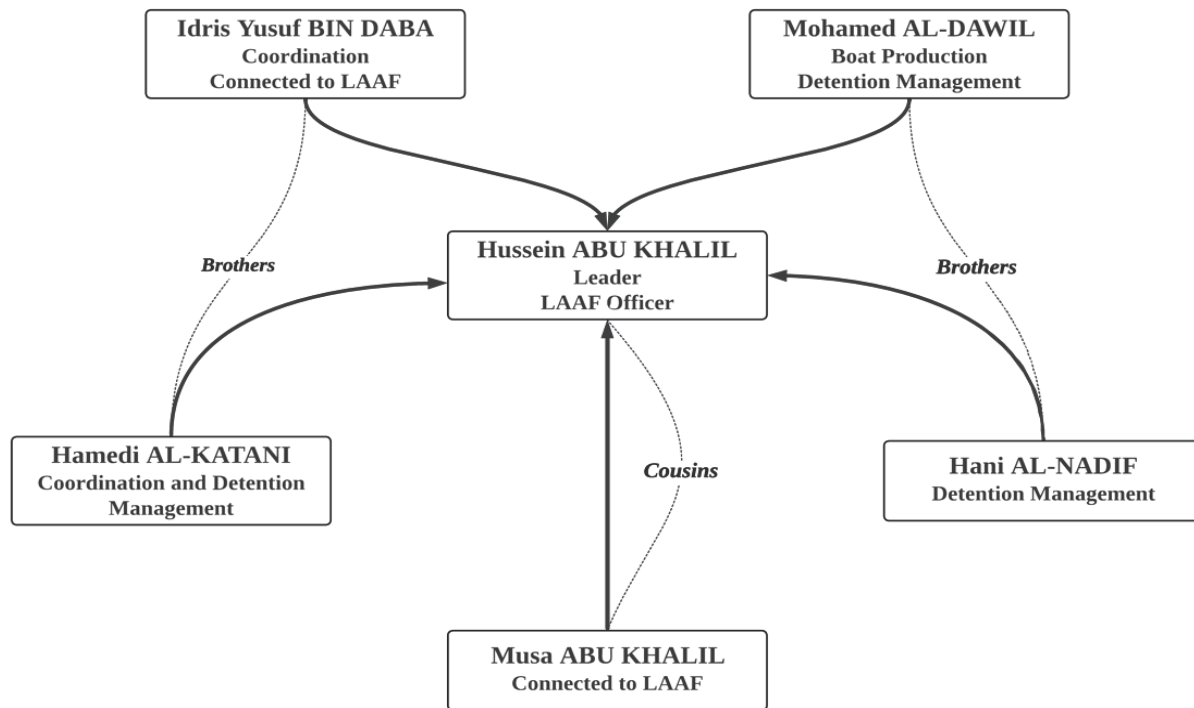
50. Key figures of the Al-Katani Network, Hussein Abu Khalil and Idris Yusuf Bin Daba, and of the Al-Habouni Network, Abad and Saleh Al-Habouni, used their military positions and/or ties to LAAF personnel to facilitate operations without disruption. These military connections played a major role in coordinating the movement of migrants between secret facilities, alerting the networks to potential law enforcement raids and securing the free passage of trafficking vessels out of Libyan territorial waters. The LAAF command informed the Panel that it had undertaken legal and disciplinary measures against the identified elements of both networks. Details of these networks' *modi operandi* and roles and the responsibilities of its members can be found in annex 24.

Figure V  
Al-Habouni Network (Tubruq)



*Abbreviation:* Libyan Arab armed forces, LAAF.

Figure VI  
Al-Katani Network (Tubruq)



Abbreviation: Libyan Arab armed forces, LAAF.

(ii) *Al-Mashai Network in Benghazi*

51. The Panel found Ali Al-Mashai,<sup>38</sup> commander of the 20/20 battalion, to be directly responsible for five cases of unlawful detention, torture and cruel and degrading treatment committed against migrants in an unofficial detention facility<sup>39</sup> under the authority of LAAF elements in the Benghazi port. Four victims recognized Al-Mashai as being in a position of authority over TBZ maritime units operating the MV *Tareq Bin Zeyad* (International Maritime Organization (IMO) 9889930) and responsible for issuing to these units orders to capture the migrants and transfer them to the identified detention facility under his direct control (see annex 25). Al-Mashai issued these orders to unlawfully detain and mistreat the five detainees as retaliation for a failed human trafficking and smuggling operation that he had directed and coordinated with international criminal networks along international smuggling routes that pass through the coastal and maritime areas of eastern Libya.

52. The Panel further determined that members of the TBZ maritime units, acting upon Al-Mashai's orders, were responsible for human rights violations committed against approximately 130 migrants, including children, in international waters. Three victims were subjected to severe beatings that resulted in broken limbs and other painful injuries. Migrants' private property was unlawfully confiscated and destroyed, while migrants were continually exposed to verbal abuse.<sup>40</sup>

<sup>38</sup> S/2023/673, paragraphs 54, 55, 72 and 73 and annexes 17 and 21.

<sup>39</sup> 32°06'18"N, 20°02'36"E.

<sup>40</sup> Arts. 7 and 9 of the International Covenant on Civil and Political Rights.

*(iii) Official and unofficial detention facilities in Libyan western border areas*

53. Migrants trafficked and smuggled through trafficking hubs in Zuwarah into Tunisia and/or forcibly expelled from Tunisia back to Libya have been particularly vulnerable to arbitrary detention, mistreatment, overcrowded and unsanitary conditions and/or extortion in temporary detention facilities in Assah under the control of the Libyan Border Guard, and in Bi'r al-Ghanam under the control of individuals working in the Ministry of Interior (see annex 26).<sup>41</sup>

**(b) Decentralized models**

54. A multitude of autonomous criminal networks operated in a decentralized but interconnected manner to facilitate the supply of trafficked and smuggled migrants through recruitment, transportation, detention and transfer to trafficking and smuggling hubs in both the east and west of the country. The driving force behind this model was local criminal networks in Kufrah, Bani Walid, Sabha, Tazirbu and Tripoli, where they recruited and temporarily detained 23 migrants in local facilities such as warehouses or dwellings on private farms. From these locations, migrants were transferred under harsh conditions to larger trafficking hubs in Ajdabiya, Benghazi, Ghadamis, Sirte, Tubruq and Zuwarah.

**(c) Opportunistic models**

55. Smaller armed groups or individuals kidnapped nine migrants, four of whom were legal residents, in public spaces in Benghazi and Tripoli for ransom and/or forced labour. The eight victims were kept in temporary detention facilities under harsh conditions, subjected to torture and other ill-treatment for ransom, coerced into forced labour and/or sold into slavery to more organized trafficking networks. Two male victims were repeatedly gang-raped during the period of their detention.<sup>42</sup>

**III. Implementation of the arms embargo****A. Overview**

56. Pursuant to paragraphs 9 to 13 of resolution [1970 \(2011\)](#), as modified by subsequent resolutions, the Panel monitored, investigated and identified violations<sup>43</sup> and instances of non-compliance<sup>44</sup> regarding the arms embargo. The Panel identified 34 incidents of arms and related materiel transfers and 18 cases of military training

<sup>41</sup> Panel interviews with former detainees (international humanitarian law confidential sources 52, 53 and 54) and witnesses (international humanitarian law confidential sources 4, 6, 8, 9, 15, 17 and 47–50).

<sup>42</sup> Panel interviews with victims (international humanitarian law confidential sources 61, 62–66 and 81–82).

<sup>43</sup> The Panel considers “a violation” to have occurred when there has been a physical transfer of arms and military materiel, training or the provision of materiel support that is not explicitly covered by exemptions or exceptions to the arms embargo. Based on both the Committee’s exemption practice and consistency in the Panel’s methodology for reporting, this also applies to temporary transfers of military materiel into Libya, such as naval vessels and military cargo aircraft.

<sup>44</sup> An instance of “non-compliance” refers to those occurrences where an entity has not taken the appropriate action, as contained in the resolution, for example: (a) to prevent “a violation”, by not inspecting aircraft or vessels bound for Libya; or (b) to provide required or requested information to the Committee and/or its Panel. Non-compliance may also refer to a situation that objectively is a violation, but where the responsible party could not reasonably be expected to (a) initiate an exemption request or (b) have known at the time that a transfer would amount to a violation.

activities in violation of paragraph 9 to resolution 1970 (2011).<sup>45</sup> The Panel also attributed responsibility for three cases reported in its previous two final reports.<sup>46</sup>

57. Violations are presented in tabular form for ease of reference in annex 27. Annex 28 provides a summary of the types of arms and military materiel transferred into Libya in violation of paragraph 9 of resolution 1970 (2011) since the imposition of the embargo. The summary illustrates the variety and technical complexity of the weapons and military materiel now available in Libya and serves as a baseline to assist in the identification of any future violations.

58. The arms embargo remained ineffective where Member States controlled the logistical flow to and supply chains of armed actors in Libya. Armed actors operating outside the control of the Government of Libya continued to demonstrate that they have not been constrained by the arms embargo through their possession of newly acquired equipment and sophisticated materiel. Armed groups in Misratah expanded their air capabilities by acquiring a new model of an uncrewed aerial vehicle. LAAF displayed its extensive arsenal during a large-scale military exercise in the ceasefire zone near Sirte (see annex 29) and by holding a military parade in Benghazi; the latter was attended by numerous representatives of the diplomatic corps in the country.

59. The Panel observed that three Member States increased their public communication on the type of military cooperation they implemented with western and eastern armed actors. Of these, two Member States argued that such military cooperation fell outside the scope of the arms embargo, contrary to the Panel's findings.

## **B. Implementation challenges**

### **1. Update on forces under control**

60. The Government of Libya has not updated the list of forces under its control since the initial declaration of 27 May 2017, although it was requested to do so by the Security Council in paragraph 9 of its resolution 2701 (2023). The currently declared forces under the control of the government – the Libyan Coast Guard, explosive ordnance disposal units and the Presidential Guard of the Government of National Accord are the only forces authorized to receive non-lethal military equipment without prior Committee approval.<sup>47</sup>

61. On 13 March 2024, Libya updated the list of authorized signatories for end-use certificates by adding the director of the Military Procurement Department as one of the two signatories.<sup>48</sup> This addition followed the previous established practice of including a technical-level authority in procurement.

### **2. Humanitarian deliveries**

62. As 17 identified Member States mobilized aid, search and rescue operations to assist the Libyan population affected by Storm Daniel in September 2023 in the east, including in Darnah, most did so by using military equipment and personnel, and military means of transportation, for comprehensible reasons. Paragraph 9 (a) of

<sup>45</sup> “Transfer incidents” relate to the transfer of arms and related materiel or military equipment, not including temporary transfers such as visits by naval vessels without the unloading of materiel.

“Training incidents” relates to training provided by a third party and relating to military activities.

<sup>46</sup> S/2022/427, paras. 66 and 68 and annexes 27 and 28; and S/2023/673, paras. 84 and 103–105 and annexes 26 and 71.

<sup>47</sup> Paragraph 13 (a) of resolution 2009 (2011), as modified by paragraph 10 of resolution 2095 (2013); and S/2023/673, para. 76 and annex 24.

<sup>48</sup> The other signatory is Prime Minister and Minister of Defence Abdulhamid Al Dabiba.

resolution 1970 (2011), as modified by paragraph 9 of resolution 2095 (2013), excepts only the delivery of non-lethal military equipment meant for humanitarian use. The extant resolutions, or relevant implementation assistance notices,<sup>49</sup> do not provide grounds for an exception to the means of transportation that do not fall under the definition of non-lethal military equipment (see recommendation 2).

63. In the context of the Darnah humanitarian crisis, the Panel applied the same methodology and technical standards used in relation to investigations of entries of naval vessels and military aircraft into Libya. Of the identified 17 Member States, only 6 replied to the Panel's standardized enquires in relation to the use of military planes or naval vessels reported to have delivered humanitarian aid. The responses ranged as follows: (a) three Member States provided full information with the standardized questionnaire returned, allowing the Panel to confirm that the exception in paragraph 9 of resolution 2095 (2013) applied; (b) one Member State provided partial information regarding the humanitarian nature of deliveries, which was sufficient for the Panel to confirm that military transportation means were used; (c) one Member State provided incomplete information on the flights and the cargo delivered, which was insufficient for the Panel to identify the nature of the flights; and (d) one Member State did not use military means of transport, thus falling outside of the scope of the arms embargo. Two Member States further indicated that the use of military means for exclusively delivering aid in the context of the Darnah humanitarian crisis did not constitute a violation of or non-compliance with the obligations pursuant to applicable resolutions. Among 57 investigated cases, the Panel was able to identify 4 cases of non-compliance with paragraph 9 of resolution 1970 (2011) (see table 2 and annex 30).

## C. Maritime violations, non-compliance and other maritime issues

### 1. Maritime transfers

64. The Panel identified an increase in transfers of naval and civilian vessels to Benghazi. Civilian vessels being employed for military and law enforcement activities, such as the MV *Tareq Bin Zeyad* (IMO No. 9889930) (see para. 51), challenged the implementation of the arms embargo. While not subject to arms-related export controls, those vessels served as a force multiplier and enabled armed actors to expand their force projection in the maritime area. This is particularly evidenced by the post-delivery arming of what the Panel considers dual-use vessels,<sup>50</sup> and the remilitarization of previously demilitarized naval vessels. Such vessels, including rigid-hulled inflatable boats, can offer the necessary hardening points for improvised weapon mounts and structural features superior to civilian vessels, making them suitable for security applications beyond traditional naval capability.

65. Thus, the end user of such vessels must be a determining factor in whether the vessels should be classified as civilian equipment or non-lethal military equipment in the sense of paragraph 10 of resolution 2095 (2013). The Panel determined that LAAF used private companies as fronts for imports of naval-type or dual-use vessels that it then used for military purposes.

66. On 15 November 2023, the MV *O7 Gaja* (IMO No. 9273791) entered Tubruq port carrying two naval-type armed OCEA 110 MKII fast patrol boats on its weather deck, in transit to their intended destination of Oman. Tubruq customs authorities

<sup>49</sup> Including Implementation Assistance Notice No. 7 of 4 December 2023.

<sup>50</sup> S/2022/427, para. 66 and annex 27. Such vessels often come from producers that offer both military and civilian configurations of the same vessel, with some technical but minimal optical differences that exclude the civilian versions from export controls.

seized the boats the next day, following what they had identified as a pre-entry declaration omission. LAAF stated to the Panel that: (a) the responsibility for the seizure lay with the customs authority independent of LAAF; (b) the boats were smuggled into Libya; and (c) the boats remained under customs seizure until 18 March 2024, and were then confiscated. Contrary to the explanation of LAAF, the Panel established that the customs seizure was done under the instructions of the LAAF general command and that, by early December 2023 the TBZ brigade had illegally appropriated the vessels and incorporated them as naval assets. The boats were also prominently displayed during the “Dignity Shield 2024” military exercise (see annex 29). This case exemplifies the real risk of diversion of materiel within Libya, including of materiel in transit, highlighting the importance of the implementation of the arms embargo also in the context of cargo in transit (see table 4 and annex 31).

67. The Panel identified a Jordanian national, Amro Salem Ismael Ibrahim, as responsible for the transfer of 3 naval-type vessels and 44 dual-use vessels to Benghazi; the end user of all naval vessels and at least five rigid-hulled inflatable boats, militarized post-delivery, was LAAF.

68. Two naval vessels, newly identified as former Belgian police patrol vessels, were transferred to Benghazi in early 2023: a Damen Stan 2706 (ex-SPN-09) and a Rodman 66 (ex-SPN-14). The vessels had ballistic protection in the front of their cabins but had communications suites removed when they were decommissioned by Belgium. In September 2022, a company in Italy purchased the vessels and in October 2022 resold them to a company in the United Arab Emirates that was represented by Amro Ibrahim. The Panel determined that the transfer of the two vessels to Benghazi took place between January and March 2023. Because of their built type and previous naval purpose, and the end user in Libya being LAAF, the Panel classified these vessels as non-lethal military equipment (see table 4 and annex 32).

69. Six vessels arrived in Benghazi during the night of 7 to 8 March 2024, aboard the MV *BBC Alaska* (IMO No. 9453793) from Port Rashid, United Arab Emirates. The cargo included two interceptor boats, two landing craft and two multipurpose vessels. The Panel determined by the built type, structure and designation that one of the interceptor boats is to be classified as non-lethal military equipment, and the remaining boats as dual-use vessels. The Panel identified the United Arab Emirates shipper and producer or seller of the vessels, both of which were owned or controlled by Amro Ibrahim, and the consignee in Benghazi. Owing to the type and designations of the vessels, the Panel classified them as non-lethal military equipment (see table 4 and annex 32).

70. At the “Dignity Shield 2024” military exercise, LAAF displayed previously present patrol boats it had renovated, a Rafnar 1100 rigid-hulled inflatable boat and five armed ASIS 12-meter rigid-hulled inflatable boats. The Panel identified a United Arab Emirates-based company, represented by Amro Ibrahim, as shipper of 41 ASIS rigid-hulled inflatable boats. These included five boats that arrived in Benghazi aboard the MV *Med Sea Eagle* (IMO No. 8356443) on 21 July 2024. The producer and exporter of the boats, ASIS Boats LLC, confirmed that all 41 of them: (a) had been civilian boats at the time of export; (b) were not endurance-enhanced; (c) had no hard points or weapon mounts; and (d) had been sold to Ibrahim’s company for onward export to five companies in Libya. It further stated that the five armed rigid-hulled inflatable boats must have been converted post-delivery, including with modifications to the floor structure to accommodate the mounted weapon. In the Panel’s assessment, these types of boats are dual-use vessels (see annex 32).



71. Regarding transfers to the western Libya, the Panel established that the June 2023 supply of two Corrubia-class fast patrol boats by Italy to the Libyan Coast Guard fell under the exception of paragraph 10 of resolution [2095 \(2013\)](#) (see annex 33).

72. The Panel identified four individuals responsible for previously reported transfers of a Lambro Olympic D74<sup>51</sup> and an Apollon rigid-hulled inflatable boat<sup>52</sup> to Libya (see table 4 and annex 34).

## 2. Foreign naval vessels

73. The number of armed naval vessels from third-party countries that entered Libya during the reporting period was more than double the number during the previous reporting period, and at least one naval vessel transferred military equipment to Libya (see table 1). Both the entry of armed naval vessels and the supply, sale or transfer of arms and related materiel that does not fall under any of the extant exceptions or has not been exempted by the Committee are, in the Panel's assessment, violations of paragraph 9 of resolution [1970 \(2011\)](#) (see annex 30).

74. Other armed naval vessels entered to deliver items or carry out activities that are excepted or have been exempted by the Committee from the arms embargo. The Panel continues to follow past Committee and Panel practices regarding the interpretation of the arms embargo, including the understanding that exceptions and exemptions to the embargo do not explicitly apply to the means of delivery of exempted items or activities.<sup>53</sup> Accordingly, prior Committee approval is required before a naval vessel enters Libya, unless that vessel itself falls under the exception of being classified as non-lethal military equipment and intended solely for humanitarian or protective use, or for security or disarmament assistance to the Government of Libya. Some Member States expressed their view to the Panel that the nature of the means of transportation was irrelevant for humanitarian deliveries that were excepted from the arms embargo. Only one Member State, Malta, duly sought and was granted an exemption from the Committee to enter with a naval vessel to transfer exempted materiel to Libya. In the context of Member States' response to the Darnah humanitarian crisis of September 2023, the Panel finds that, in accordance with the relevant resolutions, Member States that did not seek exemption from the Committee prior to entering Libya are in non-compliance with paragraph 9 (c) of resolution [1970 \(2011\)](#) (see table 2).

Table 1

### Foreign naval vessels entering Libya in violation of or non-compliance with paragraph 9 of resolution [1970 \(2011\)](#)

Country <sup>a</sup>	Point of entry	Naval vessel	Comments, items delivered and/or activity undertaken
Türkiye	Khums port	TGC <i>Kinaliada</i> (F-514), anti-submarine warfare corvette Gabya-class frigate(s) Barbaros-class frigate(s)	<ul style="list-style-type: none"> <li>• TGC <i>Kinaliada</i> visited in November 2023; Türkiye stated that the visit took place because of inclement weather<sup>b</sup></li> <li>• Gabya-class: 10 visits<sup>c</sup></li> <li>• Barbaros-class: 6 visits<sup>c</sup></li> </ul> (For more information, see annex 35)
Italy	Abu Sittah naval base, Tripoli	ITS <i>Tremiti</i> (A5348), coastal transport ship	<ul style="list-style-type: none"> <li>• Departed from La Spezia, Italy, on 21 February 2024; observed by the Panel at Abu Sittah naval base on 28 February 2024<sup>c</sup></li> </ul>

<sup>51</sup> [S/2022/427](#), para. 66 and annex 27; and [S/2023/673](#), para. 79 and annex 26.

<sup>52</sup> [S/2022/427](#), para. 68 and annex 28; and [S/2023/673](#), para. 84 and annex 26.

<sup>53</sup> [S/2022/427](#), para. 60 and recommendation 1; and [S/2023/673](#), para. 81 and annexes 28–29.

Country <sup>a</sup>	Point of entry	Naval vessel	Comments, items delivered and/or activity undertaken
Russian Federation	Tubruq port	Gren-class large landing ship(s) Ropucha-class large landing ship(s) Slava-class missile cruiser <i>Varyag</i> Udaloy-class frigate <i>Marshal Shaposhnikov</i>	<ul style="list-style-type: none"> <li>• One of three Gorgona-class vessels present on a rotating basis since 2018</li> <li>• Gren-class: 2 visits<sup>c</sup></li> <li>• Ropucha-class: 2 visits<sup>c</sup></li> <li>• During visits on 8, 14 and 21 April 2024, heavy equipment transporters and perimeter security were visible in the port</li> <li>• During a visit on 14 April 2024, military trucks with small trailers were unloaded</li> <li>• Slava- and Udaloy-class: 1 visit<sup>c</sup></li> <li>• The Russian Federation stated that: (a) it observed international restrictions regarding Libya; (b) the movements of such vessels did not fall within the “prohibited field” of the relevant resolutions; and (c) other Member States also used military vessels to visit Libya</li> <li>• LAAF confirmed a visit on 16 June 2024 but denied visits on other dates identified</li> </ul> <p>(For more information, see annex 36)</p>

<sup>a</sup> Listed in chronological order.

<sup>b</sup> Non-compliance.

<sup>c</sup> Violation.

Table 2

**Foreign naval vessels entering Libya in the context of the Darnah humanitarian crisis in non-compliance with paragraph 9 (c) of resolution 1970 (2011)**

Country	Naval vessel	Comments, items delivered and/or activity undertaken
Egypt Italy Malta Türkiye	Various	<ul style="list-style-type: none"> <li>• The four Member States used naval vessels to deliver humanitarian aid to eastern Libya in the context of the Darnah humanitarian crisis of September 2023 (see annex 30)</li> </ul>

## D. Aviation-related violations and non-compliance

### 1. Acquisition of an uncrewed aerial vehicle: Bayraktar Akinci uncrewed combat aerial vehicle

75. On 31 March 2024, the Panel identified the presence of a newly transferred Turkish Bayraktar Akinci uncrewed combat aerial vehicle next to a recently constructed hangar at the Misratah airbase.<sup>54</sup> The construction of the connecting

<sup>54</sup> 32°18'40.43"N, 15°4'1.09"E.

taxiway and a hangar of a size capable of accommodating approximately five Akinci uncrewed combat aerial vehicles was completed in mid-March 2024 (see annex 37).<sup>55</sup>

## 2. Military cargo aircraft

76. Military aircraft from Member States continued to use Libyan airfields. Exclusive of military cargo flights for Darnah humanitarian crisis relief (see para. 63), the Panel requested clarification regarding the purpose of 40 flights from identified Member States (see annex 38). Information from the responses was limited. Türkiye responded that the flights were for the logistical needs of the Turkish military advisers in Libya to provide training to the Libyan armed forces. The United Kingdom of Great Britain and Northern Ireland stated that the flights were compliant with resolution 1970 (2011).<sup>56</sup> France, Italy and the United States of America have not replied. The Panel found these five Member States to be in violation of paragraph 9 of resolution 1970 (2011) (see table 4) for the reasons detailed in annex 38. This issue has been repeatedly raised by the Panel<sup>57</sup> and was explained in annex 28 to S/2023/673.

## 3. Civilian aircraft

77. The Panel has determined that three aircraft meeting the Panel's air delivery profile indicators operated to and from Libyan airfields under HAF control (see annex 3) and that, when considered collectively, they indicate violation of paragraph 9 of resolution 1970 (2011). Table 3 summarizes the data on these aircraft.

Table 3  
Aviation violation

<i>Date identified</i>	<i>End user</i>	<i>Aircraft</i>	<i>Details</i>	<i>Party or parties responsible</i>	<i>Remarks/source</i>
28 July 2023	HAF	Ilyushin IL-76TD [EX-76005] <sup>a</sup> [0063471147] <sup>b</sup>	Met at least five air delivery profile indicators. Identified as operating on the airbridge route between the United Arab Emirates and Libya. Concealed flights to Libya.	Sapsan Airlines HAF	S/2022/427, annex 96; S/2023/673, annex 61; and annex 39 to present report
28 July 2023	HAF	Ilyushin IL-76TD [EX-76008] <sup>a</sup> [1103416515] <sup>b</sup>	Same as above	Sapsan Airlines HAF	Same as above
15 March 2024	LAAF	AS350B2 Écureuil helicopter [I-ALWE] <sup>a</sup>	Provided logistical assistance related to military activities to Khalifa Haftar	Elifly	Annex 40

*Abbreviations:* HAF, Haftar affiliated forces; LAAF, Libyan Arab armed forces.

<sup>a</sup> Aircraft registration.

<sup>b</sup> Manufacturer's serial number.

<sup>55</sup> An Akinci uncrewed combat aerial vehicle was present during the visit of the Chief of General Staff of Türkiye to Libya from 14 to 16 July 2024 (see <https://x.com/TSKGnkur/status/1812827604816151007>).

<sup>56</sup> The United Kingdom informed the Panel on 11 April and 19 June 2024 of four military flights and provided the same explanation.

<sup>57</sup> S/2022/427, para. 60 and recommendation 1.

### **Use of Elifly's flight service by Khalifa Haftar**

78. The Panel determined that Khalifa Haftar took an Aerospatiale AS350B2 Écureuil helicopter (registration I-ALWE) belonging to an Italian company, Elifly International S.r.l. (Elifly), to attend the “Dignity Shield 2024” military exercise (see annex 40). Elifly responded to the Panel's enquiry that the flight had been chartered by the Libyan Air Ambulance Corporation through a company based in Türkiye to provide aerial support for medical purposes. It had carried out an on-site inspection between 17.15 and 18.00 on 5 March 2024, and a flight between 9.05 and 10.48 on 6 March 2024 from Sirte airport to the site for a public event. Elifly stated that it had been unaware of the flight's nature.

79. The Panel found that Elifly had failed to exercise due diligence. Satellite imagery shows that, on 5 March 2024, when the on-site inspection was carried out, military elements, such as trenches and an observation facility connecting to the helicopter landing area, were already in place. The provision of flight service by Elifly for LAAF during the military exercise, as a type of assistance related to military activities, amounts to a violation of paragraph 9 of resolution [1970 \(2011\)](#).

## **E. Military training sessions**

80. The Panel identified 18 training sessions provided to Libyan armed actors, including one provided by a private company.

### **1. Military training sessions provided by Member States**

#### **(a) Türkiye**

81. The Panel determined that Türkiye delivered 14 military training sessions to Libyan armed actors: 12 within Libya and 2 outside the country. Türkiye responded to the Panel that those training sessions had been delivered “in line with the requests received from official Libyan authorities” under the memorandums of understanding on military cooperation between Türkiye and Libya of 4 April 2012 and 27 November 2019. The Panel has consistently reported on such training sessions, including those delivered outside Libya, as violations of the arms embargo because they constitute a supply of training and other assistance related to military activities.<sup>58</sup> Thus, the provision of these training sessions constitutes a violation of paragraph 9 of resolution [1970 \(2011\)](#) by Türkiye (see annexes 41–43).

#### **(b) United States**

82. The Panel identified two instances of military training sessions being delivered to Libyan armed actors within the framework of regional military exercises organized by the United States Africa Command. Elements of the forces affiliated with the Government of National Unity participated in the joint training terminal attack control under the framework of “African Lion 2024” on 2 May 2024 in Tunisia. LAAF elements participated in the special operation training sessions under the framework of “Flintlock 2024” on 21 and 24 May 2024 in Ghana. Thus, the provision of the two military training sessions constitutes a violation of paragraph 9 of resolution [1970 \(2011\)](#) by the United States (see annexes 44 and 45).

<sup>58</sup> [S/2022/427](#), paras. 76 and 77; and [S/2023/673](#), para. 87.

## 2. Military training sessions provided by private companies

### (a) Irish Training Solutions

83. The Panel's investigation into the reported delivery of military training and military equipment for personal protection for HAF in 2023 by an Irish private company specialized in military and security training – Irish Training Solutions (ITS) – was triggered by the national investigations of two Member States (see annex 46).

84. The Panel determined that Harmony Jets, a Maltese charter flight service provider, which maintained regular flights to Libya, provided transportation services to the ITS trainers to enter Libya.<sup>59</sup> In the context of the Panel's investigation to establish the purpose of these transfers of ITS trainers to Libya, the company stated to the Panel that: (a) it had carried out flights to Libya; (b) “no flight was sold” to ITS staff; (c) passengers had not identified themselves as belonging to ITS; and (d) it had not transported “weapons or dangerous goods” to Libya. The company declined to provide information regarding personal protection equipment or passenger manifests, citing privacy laws with regard to the latter. The Panel found Harmony Jets to be in non-compliance with paragraphs 19 and 20 of resolution [2701 \(2023\)](#).

### (b) Amentum Services Incorporated

85. The Panel found that Amentum Services Incorporated, a United States-based private company, provided training sessions for Libyan armed actors in and outside of Libya. In response to an enquiry by the Panel, Amentum stated that it did train “potential Libyan security actors” outside of Libya under the contracts with the Government of the United States but that it “has no record of performing any work in Libya or involving Libyan security actors”.<sup>60</sup> Contrary to Amentum's claim, the Panel determined that Amentum provided training to Libyan armed actors at Mitiga airbase in early 2024 (see para. 38). The Panel was unable to establish the nature of those training sessions as required for the assessment of compliance with paragraph 9 of resolution [1970 \(2011\)](#) (see annex 47).

### (c) Milites Dei Security Services

86. The Panel found that 95 elements affiliated with the TBZ brigade received military training in South Africa from Milites Dei Security Services (Pty) Ltd, a South African private company. The Panel found the company responsible for violating paragraph 9 of resolution [1970 \(2011\)](#) (see annex 48).

## F. Seizures related to arms embargo violations and attempted violations

### 1. Libya

87. In September 2023, the Libyan Customs Authority carried out two seizures of arms and related materiel in Khums port. The Panel confirmed that 820 unconcealed Gamo air rifles were seized, together with 430 boxes of related ammunition, shipped from Spain. The second seizure entailed the discovery of 500 hunting rifles concealed inside wooden furniture shipped from Türkiye (see table 4 and annex 49).

<sup>59</sup> Confidential source.

<sup>60</sup> Letter from Amentum, 17 September 2024.

## 2. Spain

88. The Panel identified two law enforcement operations carried out by the Spanish authorities in 2023 and 2024 in relation to attempted exports of materiel to Libya in violation of paragraph 9 of resolution 1970 (2011). Among the items reportedly seized during those operations were police uniforms and body armour in 2023<sup>61</sup> and anti-drone systems in 2024.<sup>62</sup> Spain did not report any seizures falling under paragraph 11 of resolution 1970 (2011) to the Committee. The Panel contacted Spain several times and requested more information, but, at the time of writing, none had been conveyed. The Panel finds Spain to be in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023) and paragraph 13 of resolution 1970 (2011).

## 3. Italy

89. On 18 and 28 June 2024, respectively, the vessels *MSC Arina* (IMO No. 9839284) and *MSC Apolline* (IMO No. 9896983) arrived at the port of Gioia Tauro, Italy, following which the Italian authorities seized containers destined for Benghazi holding concealed and mis-declared components of what the Italian authorities identified as relating to a “Flying Loong (FL-1)” model uncrewed aerial vehicle. China shared with the Panel the preliminary conclusion of its national investigation that the seized components were “from a scrapped drone model used for disaster prevention and relief, as well as emergency rescue, and are not military equipment”<sup>63</sup> (see annex 50).

90. The Panel awaits the granting of access to the seized materiel, in line with paragraphs 19 and 20 of Security Council resolution 2701 (2023) and the corresponding Implementation Assistance Notice No. 3.<sup>64</sup>

## G. Update on previous cases and seizures

91. An update on “Opus” PMC is set out in annex 51.

92. The Panel identified additional companies in the supply chain of the vehicles that were seized by Operation IRINI on 18 July 2022 from the MV *Victory RoRo* (IMO No. 7800112) (see table 4 and annex 52).

## H. Summary of violation and non-compliance responsibilities

93. The Panel finds that the Member States, entities or individuals listed in table 4 are in violation of and non-compliant with the arms embargo. Further details can be found in annexes 31–46, 48, 49 and 52–61.

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<sup>61</sup> Confidential source.

<sup>62</sup> [www.policia.es/\\_es/comunicacion\\_prensa\\_detalle.php?ID=16045](http://www.policia.es/_es/comunicacion_prensa_detalle.php?ID=16045), 22 January 2024.

<sup>63</sup> Reply from China, 21 October 2024.

<sup>64</sup> [https://main.un.org/securitycouncil/sites/default/files/1970\\_ian3.pdf](https://main.un.org/securitycouncil/sites/default/files/1970_ian3.pdf).

Table 4  
**Summary of responsibility for violations of paragraph 9 of resolution 1970 (2011) and non-compliance with inspection, reporting and provision of information requirements**

<i>Country/entity/individual<sup>a</sup></i>	<i>Violation of resolution 1970 (2011), para. 9</i>	<i>Non-compliance with resolution 2213 (2015), para. 19</i>	<i>Non-compliance with resolution 2701 (2023), paras. 19 and 20</i>	<i>Non-compliance with resolution 1970 (2011), para. 13</i>	<i>Reason</i>
France	✓		✓		Transfer (aircraft) <sup>b</sup> Information <sup>c</sup>
Ireland			✓		Information <sup>c</sup>
Italy	✓		✓		Transfer (aircraft, vessel) <sup>b</sup> Information <sup>c</sup>
Jordan	✓		✓		Training (to forces affiliated with the Government of National Unity) <sup>d</sup> Reporting <sup>e</sup> Information <sup>c</sup>
Libya (forces affiliated with the Government of National Unity)	✓	✓	✓	✓	Procurement <sup>f</sup> Arrival non-inspection <sup>g</sup> Information <sup>c</sup>
Russian Federation	✓				Transfer (vessel) <sup>b</sup> Transfer (materiel) <sup>b</sup>
Spain			✓	✓	Reporting <sup>e</sup> Information <sup>c</sup>
Türkiye	✓		✓		Training (to forces affiliated with the Government of National Unity) <sup>d</sup> Transfer (arms and related materiel, aircraft, vessel) <sup>b</sup> Information <sup>c</sup>
United Arab Emirates			✓		Information <sup>c</sup>
United Kingdom	✓				Transfer (aircraft) <sup>b</sup>
United States	✓		✓		Transfer (aircraft) <sup>b</sup> Training (to forces affiliated with the Government of National Unity and to LAAF) Information <sup>c</sup>
<b>Entities</b>					
LAAF	✓				Procurement <sup>f</sup>
2020 Volume Boats Maintenance & Repairing LLC (United Arab Emirates)	✓		✓		Transfer (vessel) <sup>b</sup> Information <sup>c</sup>
Alrakab Company for Importing Cars and Spare Parts (Libya)	✓		✓		Transfer (vessel) <sup>b</sup> Information <sup>c</sup>

Country/entity/individual <sup>a</sup>	Violation of resolution 1970 (2011), para. 9	Non-compliance with resolution 2213 (2015), para. 19	Non-compliance with resolution 2701 (2023), paras. 19 and 20	Non-compliance with resolution 1970 (2011), para. 13	Reason
Asha Co FZE (United Arab Emirates)	✓		✓		Transfer (vessel) <sup>b</sup> Information <sup>c</sup>
BBC Chartering GmbH & Co. KG (Germany)	✓		✓		Transfer (vessel) <sup>b</sup> Information <sup>c</sup>
BMC Otomotiv Sanayi ve Ticaret A.Ş (Türkiye)			✓		Information <sup>c</sup>
Damen Shipyards (Kingdom of the Netherlands)			✓		Information <sup>c</sup>
Darkmax Tekstil (Türkiye)			✓		Information <sup>c</sup>
Drago Boats (Greece)			✓		Information <sup>c</sup>
Elifly International S.r.l. (Italy)	✓				Provision of logistics to LAAF <sup>i</sup> Information <sup>c</sup>
Gamo Outdoor SLU (Spain)			✓		Information <sup>c</sup>
Harmony Jets (Malta)			✓		Information <sup>c</sup>
Inkas (United Arab Emirates)			✓		Information <sup>c</sup>
Milites Dei Security Services (Pty) Ltd (South Africa)	✓				Training (to LAAF) <sup>d</sup>
Ocean 7 Charterings (Denmark) (✓) <sup>j</sup>					Transfer (vessels) <sup>k</sup>
Sapsan Airlines LLC (Kyrgyzstan)	✓				Assistance (to HAF) <sup>i</sup>
Shield Armored Vehicles (Jordan)			✓		Information <sup>c</sup>
Streit (United Arab Emirates)			✓		Information <sup>c</sup>
Volume FZCO (United Arab Emirates)	✓				Transfer (vessels) <sup>b</sup>
<b>Individuals</b>					
Amro Salem Ismael Ibrahim (national of Jordan; date of birth: 1 June 1986)	✓				Transfer (vessels) <sup>b</sup>
Costas Charalampopoulos (national of Greece; date of birth: 15 August 1959)	✓				Transfer (vessels) <sup>b</sup>
Nikolaos Lardis (national of Greece; date of birth: 4 February 1963)	✓				Transfer (vessel) <sup>b</sup>
Giorgi Phophkatze (national of Georgia; date of birth: 9 February 1990)	✓				Transfer (vessel) <sup>b</sup>



Country/entity/individual <sup>a</sup>	Violation of resolution 1970 (2011), para. 9	Non-compliance with resolution 2213 (2015), para. 19	Non-compliance with resolution 2701 (2023), paras. 19 and 20	Non-compliance with resolution 1970 (2011), para. 13	Reason
Georgios Boumpouras (national of Greece; date of birth: 21 June 1983)	✓				Transfer (vessel) <sup>b</sup>

<sup>a</sup> Listed alphabetically by generic group.

<sup>b</sup> Transfer means transfer of related materiel to Libya, specifically military cargo aircraft (“aircraft”) and naval vessels (“vessels”).

<sup>c</sup> Information means failure to provide information to the Panel on request.

<sup>d</sup> Training means the provision of military training.

<sup>e</sup> Reporting the failure to report seizures to the Committee.

<sup>f</sup> Procurement means the procurement of arms and related materiel.

<sup>g</sup> Arrival non-inspection means the failure to inspect vessels and aircraft on arrival used to transfer arms and related materiel to Libya.

<sup>h</sup> Transfer (materiel) means the transfer of arms and related materiel to Libya.

<sup>i</sup> Assistance related to military activities, such as the provision of aircraft in support of such activities.

<sup>j</sup> Non-compliance. The company was unaware that its vessel’s stopover in Libya would be subject to the arms embargo and that it should take action to improve its due diligence protocols and procedures.

<sup>k</sup> Transit through Libya with vessel loaded with arms and related materiel destined for a third country.

## IV. Petroleum: an unprecedented source of revenue for armed groups

### A. Overview

94. Armed groups now have a decisive influence over oil revenue and the fuel supply chain, in addition to their control over several relevant entities in both the public and private sectors (see para. 10). Several factors demonstrate this finding: (a) the use of a private company to market and sell crude oil outside the traditional control of both the National Oil Corporation and the Central Bank of Libya (see para. 96); (b) the use of the General Electric Company of Libya for procuring excess fuel for illicit export; and (c) smuggling activities out of the Benghazi old harbour. This situation allows armed groups to amass unprecedented amounts of revenue from fuel-smuggling businesses due to an enabling environment at the national and international levels.

95. The latest series of oil facility closures in August and September 2024 were part of deliberate political campaigns. In the recent incidents of force majeure, neither the terminals nor the natural gas-producing fields were affected, thus enabling continued production of electric energy, imports of fuel and limited exports of crude oil.

### B. Evolving role of the National Oil Corporation

96. The infiltration of armed groups into Libyan public institutions also affected the National Oil Corporation. Individuals close to armed groups were appointed to leadership positions in Corporation departments. The Corporation’s organizational structure was changed to limit the functioning of internal checks and balances, such as through the creation of a new strategic office located off-premises.<sup>65</sup> That office is now responsible for service agreements with private companies. Among them was an agreement with the first private oil company in Libya, Arkenu Oil Company.<sup>66</sup> Established in Benghazi in early 2023, it holds several service agreements with the

<sup>65</sup> At the Nabaa Royal Palace [32°54'1.17"N, 13°12'57.36"E].

<sup>66</sup> <https://arkenu.ly/en>.

National Oil Corporation, as approved by the Government of National Unity, including in relation to the Sarir/Mesla oil field. Under these agreements, between May and September 2024, Arkenu exported 6 million barrels of crude oil. At an average price of \$77 per barrel, these shipments amount to \$463 million in total value. The Panel determined that Arkenu is indirectly controlled by Saddam Haftar.

## **C. Illicit exports and imports of petroleum**

### **1. Illicit exports of refined petroleum products**

#### **(a) Overview**

97. In the past two years, fuel smuggling out of Libya has reached unprecedented levels. The key driving factor has been national subsidies, which allow fuel to be imported at market rates but sold for a nominal sum locally. In turn, that imported fuel, predominantly diesel, has then been smuggled abroad and sold at black market rates or at market rates with fake documentation. Armed groups controlled the fuel-smuggling business and received a steady stream of revenue from it. LAAF ensured indirect access to public funds without having to resort to the Central Bank of Libya through fuel smuggling out of the Benghazi old harbour. Armed groups in Tripoli and Zawiyah directly controlled key economic sectors and relevant governmental institutions to smuggle out a large portion of diesel meant for national consumption (see para. 99).

#### **(b) Systemic issues**

98. The National Oil Corporation is the only institution authorized to import refined products into Libya. About 70 per cent of all diesel in Libya is imported. Before 2021, the Central Bank of Libya used to allocate a budget for fuel imports, which was then disbursed by the Ministry of Finance to the National Oil Corporation. The Corporation has used the procedure of offsetting crude oil against fuel (also called an offset procedure or a fuel swap) whenever the Central Bank has faced liquidity issues since 2012. By 2022, as the Bank-allocated funds had gradually decreased, the offset procedure became the only method of importing fuel into Libya. Crude oil proceeds still flow to the Bank, but they have been reduced by the amount that had been used to import fuel.

99. Once a shipment of diesel arrived in Libya, it was sold to Brega (a National Oil Corporation subsidiary) for a nominal sum around \$0.03 per litre, then handed over by Brega to large energy consumers such as the General Electric Company of Libya and the distribution companies<sup>67</sup> on the domestic market. Distribution companies maintained networks of gas stations, where fuel was then sold for heavily discounted rates to the general public, at around \$0.10 per litre. Smuggling the subsidized fuel outside Libya yielded about \$1.00 per litre on the black market. In exchanges with the Panel, the Ministry of Oil and Gas, the National Oil Corporation and Brega all pointed to the distribution companies as the source from which fuel has been diverted to smuggling, and to the Ministry of Interior as being the authority to take action against it.<sup>68</sup> The Panel, however, found that the distribution companies have not been the ones responsible for the increase in fuel smuggling, as they have been

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<sup>67</sup> The four main companies are owned by the Government of Libya.

<sup>68</sup> Meetings with the Ministry of Oil and Gas, including the focal point pursuant to resolution [2146 \(2014\)](#), the National Oil Corporation and the Brega Petroleum Marketing Company (Tripoli, February 2024).

systematically unable to receive enough fuel to supply their gas stations to meet the demand of the Libyan people.<sup>69</sup>

100. The Panel assessed that the underlying methodology of establishing the needs of the local market has been the key enabling factor for fuel smuggling. The main recipients of fuel – the distribution companies, the General Electric Company of Libya, desalination plants and other energy-intensive industries – determined the demand, without having to justify an increase in demand.

101. The Panel determined that the annual use of diesel fuel suddenly increased by 66.3 per cent between 2021 and 2022, from a 3.6 per cent average annual increase between 2018 and 2021. It has remained around that elevated level ever since (see table 5 and figure VII). The Panel identified the disproportionate purported use by the General Electric Company of Libya of diesel for electricity production as an important supply source for fuel smuggling (see recommendation 1).

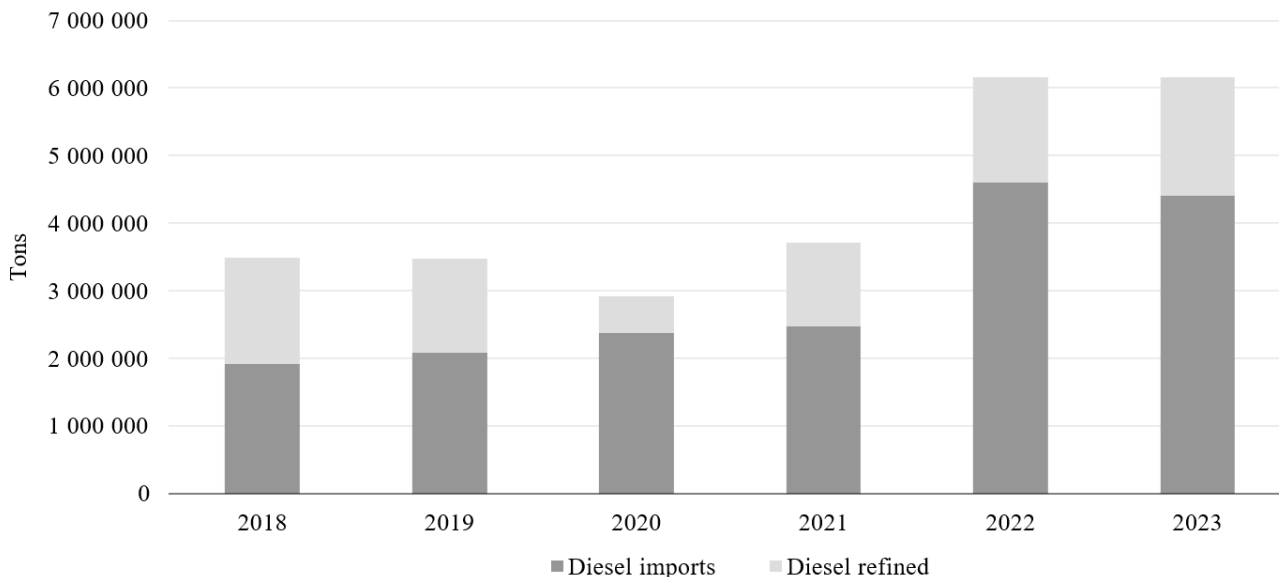
Table 5  
Libyan reported diesel consumption, 2018–2024 (first and second quarters)

<i>Year</i>	<i>Diesel imports (tons)</i>	<i>Yearly percentage change in imports</i>	<i>Diesel refined (tons)</i>	<i>Yearly percentage change in diesel refined</i>	<i>Diesel imported + refined total for consumption (tons)</i>	<i>Yearly percentage change in diesel consumption</i>
2018	1 918 992	–	1 562 799	–	3 481 791	–
2019	2 083 968	8.6	1 388 118	(11.2)	3 472 086	(0.3)
2020	2 370 038	13.7	542 604	(60.9)	2 912 642	(16.1)
2021	2 473 734	4.4	1 232 478	127.1	3 706 212	27.2
2022	4 605 462	86.2	1 558 860	26.5	6 164 322	66.3
2023	4 402 869	(4.4)	1 762 114	13.0	6 164 983	0.0
2024 (Q1+Q2)	1 905 580	–	784 268	–	2 689 848	–

Source: National Oil Corporation.

<sup>69</sup> Confidential sources (Libyan energy sector officials).

Figure VII  
Libyan reported diesel consumption, 2018–2023



(i) *General Electric Company of Libya as a supply source for fuel smuggling*

102. In recent years, requests by the General Electric Company of Libya for petroleum products abruptly surged. For its standard functioning, the Company does not require large amounts of diesel. Its power production has relied on power stations using primarily more efficient natural gas, but also less efficient crude oil and refined products, such as heavy fuel oil, and diesel as a backup. Power stations in Libya have been gradually upgraded to gas turbines capable of running on “dual-fuel”.

103. Nevertheless, between 2022 and 2023, the Company’s budget for petroleum purchases surged by \$5 billion, from \$3.7 billion in 2022 to \$8.7 billion in 2023. This increase was allocated for the purchase of diesel (\$3.5 billion) and natural gas (\$4.1 billion), which accounted for over 87 per cent of the Company’s overall budget for petroleum products in 2023.<sup>70</sup>

104. Despite the additional \$5 billion earmarked for the purchase of petroleum products, electricity production did not rise proportionally. Given the dual-fuel capability of Libyan power stations, the amount allocated for the purchase of natural gas in 2023 alone should have sufficed to meet the electricity production requirements, considering that a 5 per cent yearly increase in the need for fuel is a generally accepted norm.<sup>71</sup> In 2023, the budget of the Company for the import of diesel was \$3.5 billion. It received 2.9 million tons of diesel.<sup>72</sup> However, according to the National Oil Corporation, the average value of diesel at import in 2023 was \$903.58 per ton.<sup>73</sup> This indicates that the Company received fuel worth only \$2.6 billion, leaving a potential gap of \$900 million in the expenditure of its allocated budget.

105. The Company lacked storage capacity to manage the amount of fuel it received in 2023.<sup>74</sup> Furthermore, in 2024, the Company requested Brega to reroute several

<sup>70</sup> Access to confidential documentation available upon request.

<sup>71</sup> Confidential sources (Libyan energy sector officials).

<sup>72</sup> Confidential sources (Libyan oil sector officials); access to confidential documentation available upon request.

<sup>73</sup> Data provided by the National Oil Corporation, 21 August 2024.

<sup>74</sup> Confidential sources (Libyan energy sector officials).

vessels carrying diesel to its western power stations to the power plant in Benghazi, which does not use diesel as fuel.<sup>75</sup> Thus, the risk of diversion of a substantial portion of diesel that the Company receives is extremely high.

(ii) *Smuggling activities from the Benghazi old harbour*

106. The previously reported fuel smuggling from the Benghazi old harbour<sup>76</sup> significantly expanded. Over the reporting period, the Panel identified 137 visits by smuggling vessels. Between March 2022 and September 2024, 48 identified vessels undertook more than 185 visits to Benghazi, some visiting up to 15 times. Average vessel size increased from 5,700 to 9,970 deadweight tons.

107. Obfuscation and trafficking patterns evolved, with ship-to-ship loading in international waters, mostly in Hurds Bank (off Malta), becoming the most used method. Vessels were sometimes untraceable for weeks, and some returned to Benghazi to refill several times during these periods. Movement patterns showed that ship-to-ship loading operations were often undertaken without automatic identification systems enabled, which is highly unusual in legitimate transfers. This indicates that both the supplying and the receiving vessels were cognizant of the illicit origin of the cargo (see annex 62).

108. The combined voyages of the identified vessels amounted to an estimated volume of around 1.125 million tons of diesel. The actual volume illicitly exported is likely higher.

109. The Panel established that some illicit exports occurred with international tenders and fake documentation. Annex 63 contains examples of this pattern. A limited understanding among industry actors of the legitimate processes for exporting fuel from Libya has contributed to generating an enabling environment for illicit exports.

110. Annexes 64 and 65 contain representative case studies regarding the MT *Aristo* (IMO No. 6501355) and the MT *Mardi* (IMO No. 8853673), the latter being one of the most active carriers of diesel from Benghazi. In connection with that vessel, the Panel identified a network comprising another 12 vessels. The Panel identified a Greek-Turkish dual national, Aleksandros Cenevezoz, as being at the forefront of that network. The core leaders of that network are linked to senior elements of armed groups in Libya, who have facilitated the illegal export of 450,000 tons of diesel from territories under their control in Benghazi and Zawiyah to foreign markets through Cenevezoz.

(iii) *Overland fuel smuggling*

111. Overland fuel smuggling activities expanded considerably, with Libyan fuel becoming a catalyst for regional brokers, who establish connections not only at immediate borders but also in countries further afield, including the Central African Republic. Annex 66 contains an example.

**2. Focal point pursuant to resolution 2146 (2014)**

112. The focal point pursuant to resolution 2146 (2014) informed the Panel that on 18 April 2024 the MT *Minerva Rita* (IMO No. 9305867) was attempting to offload a cargo of diesel in Benghazi that had not been ordered by the National Oil Corporation. The vessel ultimately left without entering Libyan territorial waters. The focal point further confirmed that on 31 August 2024 the same vessel, having been authorized by the National Oil Corporation, offloaded a cargo of gasoline at the Benghazi marine oil terminal.

<sup>75</sup> Ibid.

<sup>76</sup> S/2023/673, paras. 117–119 and annexes 74 and 75.

113. No attempts to illicitly export crude oil from Libya have been brought to the Panel's attention.

114. The Panel noted a reduced level of cooperation with the focal point since the role was transferred from the National Oil Corporation to the Ministry of Oil and Gas. This is partially due to the structural issue of the focal point not having direct access to monitoring daily the operations of petroleum imports and exports anymore. This dysfunctionality has led to underreporting by the focal point of rampant illicit exports from Libya.

## **V. Unity and integrity of the Central Bank of Libya**

115. On 20 August 2023, as reported previously,<sup>77</sup> reunification of the Central Bank of Libya was announced. Despite progress, the recent developments surrounding the Bank leadership (see para. 11), including the appointment of a new governor, had an impact on the unification process. In the Panel's assessment, several issues persisted that posed a challenge to complete reunification. The increasing involvement of armed groups in the operations of the Bank also represented a considerable threat to the establishment and functioning of a unified Bank. The reunification measures taken by the Bank to date and the challenges to the process are outlined in annex 6.

## **VI. Implementation of the asset freeze on designated entities**

### **A. Non-compliance with the asset freeze**

116. The Panel's investigations revealed a trend of recurring instances of non-compliance with the asset freeze regarding designated entities: the Libyan Investment Authority (LYe.001), also known as the Libyan Foreign Investment Company,<sup>78</sup> and the Libyan Africa Investment Portfolio (LYe.002).

117. These instances of non-compliance demonstrate that the asset freeze is not being effectively implemented, as 10 Member States and 16 financial institutions or entities acted at their own discretion and in disregard of the applicable extant procedures stipulated in paragraphs 19 and 21 of resolution 1970 (2011) and 16 of resolution 2009 (2011).<sup>79</sup> Some of these instances of non-compliance led to the erosion of the Libyan Investment Authority's frozen assets, contrary to the purpose of the asset freeze measure to protect the frozen assets for the benefit of the Libyan people, as defined in paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), and in subsequent resolutions, including paragraph 14 of resolution 2701 (2023). The identified cases of non-compliance are presented in table 6 (see annexes 67 and 68 and recommendations 3 and 4).

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<sup>77</sup> Ibid., para. 113.

<sup>78</sup> Reference to the Libyan Foreign Investment Company ([https://main.un.org/securitycouncil/sites/default/files/1970\\_ian1.pdf](https://main.un.org/securitycouncil/sites/default/files/1970_ian1.pdf)).

<sup>79</sup> [https://main.un.org/securitycouncil/sites/default/files/1970\\_ian5.pdf](https://main.un.org/securitycouncil/sites/default/files/1970_ian5.pdf).

Table 6  
**Summary of instances of non-compliance**

<i>Reason</i>	<i>Non-compliance with paragraph 19 or 21 of resolution 1970 (2011)<sup>a</sup></i>	<i>Non-compliance with paragraph 14 of resolution 2701 (2023)</i>	<i>Country or entity</i>
Charging of negative interest on the frozen assets of the Libyan Investment Authority (2017–October 2022) and the Libyan Foreign Investment Company (2017–June 2024) without notification to the Committee	✓ ✓	✓ ✓	Belgium Euroclear Bank SA/NV
Judicial attachment of the frozen funds of the Libyan Investment Authority and the Libyan Foreign Investment Company in Euroclear Bank without following the extant procedures for exemption under the relevant resolutions (see paras. 124–125)	✓		Belgium
Judicial attachment and transfer of the Libyan Investment Authority’s frozen funds relating to the Fortis settlement to the Central Office for Seizure and Confiscation, without following the extant procedures under the relevant resolutions (see paras. 126–127)	✓		
Debit of recharged negative interest, initially charged by Euroclear Bank, from the Libyan Investment Authority’s frozen assets for November 2020 to March 2024 without providing notification to the Committee	✓ ✓	✓ ✓	Luxembourg HSBC Bank
Deduction of custody fees from the Libyan Investment Authority’s frozen funds for the period from the third quarter of 2019 to December 2023, without providing notification to the Committee and in excess of the amount admissible for the routine holding or maintenance of frozen funds	✓ ✓	✓ ✓	Bahrain Bank ABC
Active asset management by investing and reinvesting frozen funds of the Libyan Investment Authority and the Libyan Foreign Investment Company in time deposits, going beyond the permissible routine holding or maintenance of frozen funds	✓ ✓		Bahrain Bank ABC
Deduction of management fees from the Libyan Foreign Investment Company’s frozen funds for the period from 2011 to 2023, without notification to the Committee and in excess of the amount admissible for the routine holding or maintenance of frozen funds	✓ ✓	✓ ✓	United Kingdom British Arab Commercial Bank
Active asset management by investing and reinvesting the Libyan Investment Authority’s frozen funds in time deposits, going beyond the	✓ ✓		United Kingdom

<i>Reason</i>	<i>Non-compliance with paragraph 19 or 21 of resolution 1970 (2011)<sup>a</sup></i>	<i>Non-compliance with paragraph 14 of resolution 2701 (2023)</i>	<i>Country or entity</i>
permissible routine holding or maintenance of frozen funds			British Arab Commercial Bank
Charging of fees for safe custody, management and administration to the Libyan Foreign Investment Company's frozen funds without providing notification to the Committee	✓	✓	Germany and United Kingdom
	✓	✓	DWS Frankfurt, HSBC Bank and Credit Suisse (now UBS)
Active asset management by investing and reinvesting the Libyan Investment Authority's frozen funds in time deposits, going beyond the permissible routine holding or maintenance of frozen funds	✓		Libya <sup>b</sup>
	✓		Central Bank of Libya
Deduction of commission amounts from the Libyan Investment Authority's frozen funds, without providing notification to the Committee	✓	✓	Libya <sup>b</sup>
	✓	✓	Central Bank of Libya
No segregation and freezing of the Libyan Investment Authority's funds received via the Central Bank of Libya and invested outside Libya, at the Libyan Foreign Bank's end	✓		Libya <sup>b</sup>
	✓		Libyan Foreign Bank
Active asset management by investing and reinvesting the Libyan Investment Authority's funds received via the Central Bank of Libya into multiple financial instruments, going beyond the permissible routine holding or maintenance of frozen funds	✓		Libya <sup>b</sup>
	✓		Libyan Foreign Bank
Active asset management by investing and reinvesting the Libyan Investment Authority's frozen funds in time deposits, going beyond the permissible routine holding or maintenance of frozen funds	✓		United Kingdom
	✓		Bank ABC
As above	✓		France
	✓		Banque BIA
As above	✓		Saudi Arabia
	✓		Arab Petroleum Investments Corporation
As above	✓		United Arab Emirates
	✓		First Abu Dhabi Bank
As above	✓		Tunisia
	✓		North Africa International Bank
Active asset management by investing and reinvesting the Libyan Africa Investment	✓		United Kingdom



<i>Reason</i>	<i>Non-compliance with paragraph 19 or 21 of resolution 1970 (2011)<sup>a</sup></i>	<i>Non-compliance with paragraph 14 of resolution 2701 (2023)</i>	<i>Country or entity</i>
Portfolio's frozen funds during the period 2011 through 2023, going beyond the permissible routine holding or maintenance of frozen funds, by issuing licenses to FM Capital Partners <sup>c</sup>	✓		Libyan Africa Investment Portfolio and FM Capital Partners
Significant erosion of frozen funds, as management fees far exceeded gains from active asset management		✓	United Kingdom
		✓	Libyan Africa Investment Portfolio and FM Capital Partners

<sup>a</sup> As applicable.

<sup>b</sup> A detailed analysis on the grounds for responsibility can be found in annex 67.

<sup>c</sup> The Member State notified the Committee and there was no negative decision by the Committee.

## **B. Governance and transformation strategy**

### **1. Non-compliance with international standards**

118. The Panel found that the Libyan Investment Authority remained unable to provide accurate consolidated financial statements for the years 2020 onwards in accordance with international standards, as called for in the preamble of resolution 2701 (2023). The Panel determined that the Authority was not in full compliance with the Santiago Principles for sovereign wealth funds,<sup>80</sup> which had potential implications for overall governance, transparency and accountability in managing the Authority's frozen assets (see annex 69). Overall, these circumstances hindered the Panel's comprehensive analysis of the asset freeze implementation and the investment plans.

### **2. Discrepancies in agreed-upon procedures**

119. The Panel considers that the findings of the March 2023 report by Ernst & Young on agreed-upon procedures with regard to the Libyan Investment Authority's assets in accordance with the International Standard on Related Services 4400 indicated real risks concerning the Authority's asset management. These related in particular to significant irregularities and discrepancies in the Authority's management, accounting and transparency with regard to assets totalling \$4.513 billion (2019) and \$3.473 billion (2018) that the report found (see annex 70).

### **3. Conflict of interest**

120. The Panel further found that the Libyan Investment Authority did not comply with Santiago Principle 13, implemented through Libyan Audit Bureau Circular No. (7) of 2018, forbidding a chair or member of the Authority's board of directors from serving on its subsidiaries' boards. Some Libyan Investment Authority subsidiaries shared identical board members with the Authority, leading to conflicts of interest (see annex 71).

### **4. Depletion of frozen assets**

121. The Panel identified an instance in which the securities in one of the portfolios, chosen for investment and managed by the Libyan Investment Authority, eventually

<sup>80</sup> [www.ifswf.org/sites/default/files/santiagoprinciples\\_0\\_0.pdf](http://www.ifswf.org/sites/default/files/santiagoprinciples_0_0.pdf).

led to the liquidation of funds and depletion of frozen assets by 45 per cent, from \$3.180 billion to \$1.747 billion, which remain unrealized as receivables (see annex 72).

122. The frozen portfolio of the Libyan Africa Investment Portfolio, actively managed by FM Capital Partners London, gained only \$3.258 million over 13 years (2011–2023), while FM Capital Partners was paid \$178.884 million in management fees. This has significantly eroded the frozen assets by \$175.626 million, as opposed to preserving them for the Libyan people (see annex 68).

#### **5. Limited visibility of the Libyan Investment Authority and limited control over its frozen assets**

123. Some of the Libyan Investment Authority’s custodian banks and asset managers have not submitted regular reports on the frozen funds held with them to the Authority and/or are not paying receivables and accruals on the funds. The Panel found that, in some instances, interest income, cash held with third parties and dividends are not being transferred to custodian accounts due to the asset freeze. Some asset managers requested licences for transfers, which the Authority found difficult to obtain from relevant Member States. These practices have limited the Authority’s visibility and control over its frozen funds. The Panel considers that Member States should advise financial institutions to credit interest and other income to frozen funds, in accordance with paragraph 20 of resolution [1970 \(2011\)](#) (see annex 73 and recommendation 5).

### **C. Legal issues**

#### **1. Euroclear case**

124. The Panel identified key judicial developments in the Euroclear case with potential implications for the Libyan Investment Authority’s frozen assets. First, the Global Sustainable Development Trust’s attempt to settle its damages in the case against the State of Libya, adjudicated by Belgian courts, based on a 2008 agreement between the parties in dispute, directly from the Authority’s assets frozen in Belgium has generated a risk of erosion. In 2021, Belgium justified this claim by submitting a notification under paragraph 21 of resolution [1970 \(2011\)](#), which was not acceded to by the Committee on the grounds that the Authority was not party to the dispute and had not agreed to unfreezing its assets for settlement.<sup>81</sup> Second, the judicial attachment of the assets of the Authority and the Libyan Foreign Investment Company that were already frozen under United Nations sanctions, ordered by Belgian judicial authorities on 23 October 2017 in separate national proceedings, was taken without following the extant procedures for exemption under the relevant resolutions. Thus, it constitutes a violation of the asset freeze by Belgium.

125. On 30 January 2024, the Belgian Court of First Instance lifted the protective attachment of 23 October 2017 on frozen assets of the Libyan Investment Authority and the Libyan Foreign Investment Company at Euroclear Bank. The exception to this release comprised assets amounting to €2.837 billion related to interest, dividends and coupons from frozen assets transferred to Bank ABC before the attachment, due to separate ongoing national proceedings. On 5 March 2024, the court annulled arrest warrants against the Authority’s Chair, Ali Mahmoud Hassan Mohammed, issued on 21 December 2021. A timeline of the Euroclear case can be found in annex 74.

#### **2. Fortis settlement case**

126. In September 2022, a Belgian investigative judge issued an order on €2.977 million owed to the Libyan Investment Authority under the Fortis settlement,

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<sup>81</sup> [S/2021/498](#).

attaching and transferring the frozen funds to the Central Office for Seizure and Confiscation of Belgium.<sup>82</sup> This measure resulted in the diversion of the Authority's frozen funds to the Office without the extant procedures under the relevant resolutions being followed. Thus, it amounts to a violation of the asset freeze by Belgium.

127. The Court, by the above-mentioned 30 January 2024 order, lifted the attachment on assets of the Libyan Investment Authority relating to the Fortis settlement. Some €2.977 million, along with interest in the amount of €110,226.32, remained with the Central Office for Seizure and Confiscation as of October 2024. A timeline of the Fortis settlement case can be found in annex 75.

### 3. Mohsen Derregia case

128. In 2023, the Chair of the Libyan Investment Authority, Ali Mahmoud, again<sup>83</sup> appealed the reinstatement of Mohsen Derregia as Chair, arguing the decision was invalid due to subsequent resolutions of the Board of Trustees, including the 2020 extension of his term. On 4 March 2024, the Tripoli Court of Appeal rejected the appeal, stating, among other things, that all issues had been addressed in the original ruling. Nevertheless, the ruling remained unimplemented, and Ali Mahmoud continues to be the Chair of the Libyan Investment Authority.

## D. Frozen assets of the Libyan Investment Authority

129. The Panel analysis of data, provided by the Libyan Investment Authority and other relevant entities, shows that the Authority's frozen assets have grown by 11.93 per cent since the imposition of the asset freeze, contrary to its claim of asset depletion due to the freeze (see annex 76).

## E. Investment plan of the Libyan Investment Authority

130. Throughout the reporting period, the Libyan Investment Authority increased its cooperation with the Panel and offered consistent availability to provide most of the requested information. These engagements were characterized by open and transparent communication, both in person and online. Owing to these regular engagements, the Panel was able to gather primary data relevant for its assessment of the Authority's investment plan under paragraph 15 of resolution [2701 \(2023\)](#) (see annex 77).

### 1. Overall assessment by the Panel

131. The Authority's investment plan lacks transparency, accuracy and comprehensiveness due to the absence of the latest audited consolidated financial statements (see para. 118), together with a clear risk management policy and asset allocation guidelines for the implementation of the plan without real risks of misuse and misappropriation.

132. In particular, the Authority's investment plan duplicates certain amounts across different impacts, resulting in inaccuracies and inconsistencies in the amounts of assets, and exaggerated potential opportunity losses. After excluding the duplications and net receivables, the actual cash reserve comes to \$5.979 billion, as opposed to \$9.757 billion as presented in the investment plan. The data that the Panel found insufficiently credible, primarily due to data duplications and inconsistencies, have

<sup>82</sup> The Central Office for Seizure and Confiscation is the Asset Recovery Office and the Asset Management Office in criminal matters.

<sup>83</sup> [S/2023/673](#), para. 134.

not been considered by the Panel when evaluating the investment plan and forming the related recommendations (see annex 78).

133. Notwithstanding these serious shortcomings, the Panel analysed the “six impacts” presented in the plan, assessing their veracity, scope, rationale and feasibility, as well as potential risks of misuse and misappropriation of the Authority’s frozen assets, to offer recommendations under paragraph 15 of resolution [2701 \(2023\)](#) (see recommendations 7–11).

## **2. First impact (part A)**

### **(a) Negative interest rate**

134. The Panel found that the Libyan Investment Authority’s reasoning for transferring cash reserves from Euroclear Bank to Bank ABC due to the imposition of a negative interest rate by Euroclear Bank on the Authority’s frozen cash reserves in multiple currencies (United States dollars, pounds sterling, Swiss francs, euros and Norwegian kroner) in Bank ABC’s Euroclear accounts is no longer tenable. The negative interest rates on cash reserves were never applicable for United States dollars and pounds sterling, and were done away with for Norwegian kroner, euros and Swiss francs by their central banks in June, July and September 2022, respectively. The Panel established that negative interest charges on the Authority’s Euroclear cash balances ceased by October 2022 (see annex 79).

### **(b) Imposition and deduction of negative interest charges on the Libyan Investment Authority’s frozen funds**

135. The Panel determined that Euroclear Bank applied negative interest charges on Bank ABC’s frozen accounts with the Libyan Investment Authority as beneficiary, being a part of Bank ABC’s overall portfolio at Euroclear Bank. This finding is based on consistent evidence showing that the negative interest charges deducted from Bank ABC’s free cash account were directly attributable to the frozen cash reserves of the Authority held at Euroclear Bank.

136. In response to the Panel’s enquiries, Euroclear Bank stated that it did not impose negative interest charges on the Libyan Investment Authority’s segregated frozen accounts under Bank ABC custodianship at Euroclear Bank but rather deducted them from Bank ABC’s free cash accounts. The Panel determined that Bank ABC attributed these charges to the Authority’s frozen cash balances at Euroclear Bank and sought reimbursement from the Authority. The deduction of such charges by Euroclear Bank from Bank ABC’s free account was merely a bookkeeping arrangement.

137. No depletion of the Libyan Investment Authority’s frozen assets had yet occurred because the Authority still needed to pay the negative interest charges. In the Panel’s assessment, these liabilities due to negative interest charges, once paid by the Authority, would erode the Authority’s assets (see annex 80).

### **(c) No concrete investment strategy**

138. The Panel found that: (a) the Libyan Investment Authority’s proposal lacks a clear investment strategy for how transferring its frozen cash reserves from Euroclear Bank to Bank ABC would aid in their preservation; and (b) opportunity losses claimed by the Authority are unrealistic and overstated due to the application of high United States dollar deposit rates for all currencies for the period 2017–2023 (see annex 81).

139. Following a series of enquiries by the Panel, the Libyan Investment Authority communicated a variety of investment options for cash reserves that had not been contained in the initial investment plan: (a) a changed position on the main objective behind the requested transfer to consolidate cash reserves at Bank ABC;

(b) investment in time deposits at Bank ABC; or (c) investment in any financial institution to generate income.

**(d) Potential risk indicators**

140. The Panel identified the following risk indicators of misuse and misappropriation with the transfer of the Libyan Investment Authority's cash reserves at Euroclear Bank to Bank ABC: (a) depletion of the cash reserves previously transferred from Euroclear Bank to Bank ABC (2012–2017) from \$1.6 billion to \$1.3 billion, due to high management fees and other expenses and transfers; (b) non-compliance with the asset freeze by Bank ABC and its principal shareholder, the Central Bank of Libya; and (c) Bank ABC's lower credit ratings, with one indicating elevated default risk (see annex 82).

141. The risk indicators concerning the Libyan Investment Authority's frozen assets at Bank ABC identified by the Panel are consistent with those highlighted by the Libyan Audit Bureau in its 2022 report, which included value erosion from high management fees, bank statement reconciliation gaps and weak data validation.

**3. First impact (part B)**

142. The Libyan Investment Authority's investment plan does not mention any erosion of this cash reserve held in Euroclear Bank due to negative interest charges. Upon the Panel's inquiry, the Authority stated that custodian HSBC Bank Luxembourg had recently informed it of \$12.73 million in negative interest charges by Euroclear Bank on this cash reserve from 2017 to August 2022. Due to the asset freeze, Euroclear Bank deducted these charges from the HSBC free omnibus account, which HSBC subsequently charged to the Authority by debiting its frozen account with HSBC Bank.

143. The Panel assessed this matter under the fourth impact, where the entire amount of \$1.11 billion is also presented in the investment plan.

**4. Second impact**

144. The Panel found that the Libyan Investment Authority's application of a 5.05 per cent United States dollar coupon rate for all bonds was inaccurate, as bonds differed in currency, region, characteristics and issuers, resulting in an inflated opportunity loss projection. The Panel also found significant differences between the bonds in the Authority's simulated portfolio and those held before the asset freeze, contradicting the Authority's claim of reinvestment in bonds with the same characteristics (see annex 83).

145. Furthermore, reinvestment of this matured bond portfolio under HSBC custodianship might no longer be feasible, as HSBC Bank has provided notification of its intent to end its global relationship with the Libyan Investment Authority, including the custodianship of this portfolio.

146. The Panel assessed this matter under the fourth impact, where the entire amount of \$945.6 million in cash reserves is also presented in the investment plan.

**5. Third impact**

**(a) Overall equity portfolio performance**

147. The Libyan Investment Authority claimed an 8 per cent decrease in its equity portfolio under Bank ABC, from \$8.5 billion to \$7.8 billion as at 30 September 2023, citing its inability to actively manage the portfolio. However, the Panel analysis shows: (a) an increase of 17.74 per cent and 35.50 per cent in portfolio market value

as at 30 September 2023 and 30 June 2024, respectively, since the asset freeze; (b) a significant decline of 21.76 per cent in the portfolio before the asset freeze; and (c) over 50 per cent growth in equities in five major currencies, representing 93.2 per cent of the portfolio as at 30 June 2024 (see table 7 and annex 84).

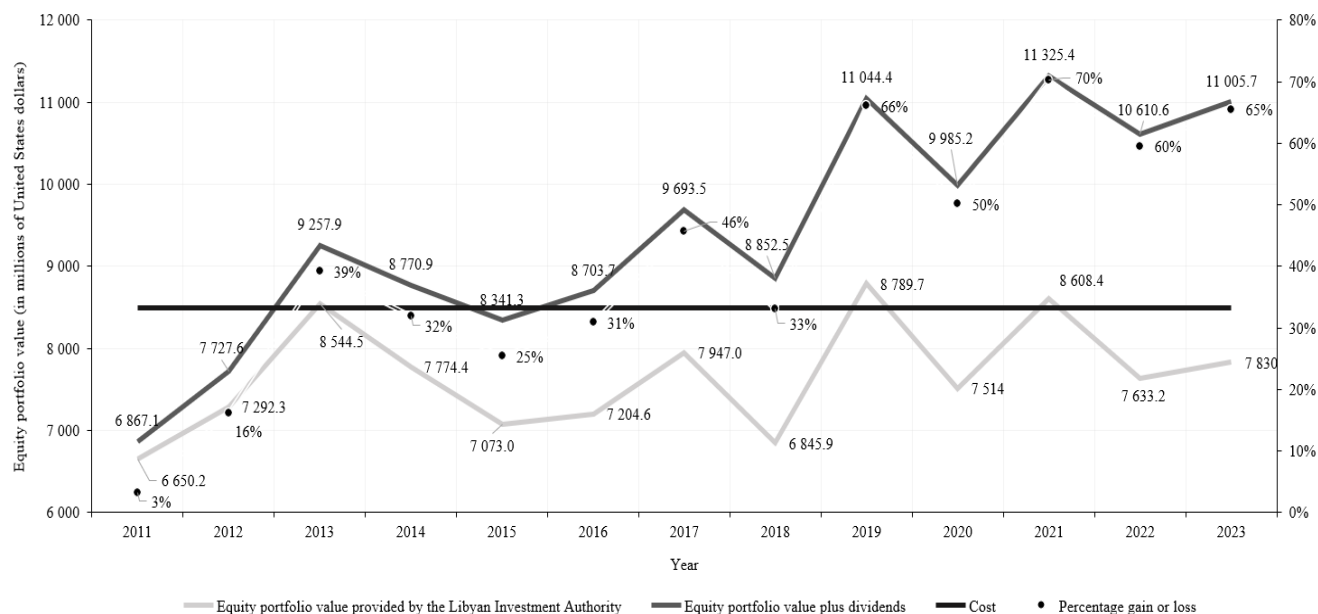
Table 7  
**Equity portfolio performance of the Libyan Investment Authority**

(Billions of United States dollars)

Original cost	Market value (2011)	Market value (30 September 2023)	Market value (29 February 2024)	Market value (30 June 2024)	Percentage gain/loss in market value in 2011 compared with original cost	Percentage gain/loss in market value in September 2023 compared with market value in 2011	Percentage gain/loss in market value in February 2024 compared with market value in 2011	Percentage gain/loss in market value in June 2024 compared with market value in 2011
8.500	6.650	7.830	8.723	9.011	(21.76)	17.74	31.17	35.50

148. When dividends accrued on Libyan Investment Authority equities from March 2011 to September 2023, amounting to \$3.176 billion, are added, the overall portfolio grew by 65.50 per cent as at 30 September 2023 since the asset freeze. Compared with its original value, the portfolio's value including dividends had risen by 29.48 per cent as at 30 September 2023 (see figure VIII).

Figure VIII  
**Performance of the equity portfolio of the Libyan Investment Authority**



Note: figure created by the Panel of Experts.

### (b) Performance of specific equities

149. The Libyan Investment Authority's investment plan shows that 54 of 96 equities (comprising 62.60 per cent of the portfolio's value) are experiencing substantial growth. The Panel's analysis of the remaining 42 equities, stated by the Authority to be incurring losses, indicated that: (a) nearly 50 per cent of these equities have grown when dividends are included; (b) losses in some equities are overstated, as major declines occurred before the asset freeze; and (c) two thirds of these equities have

shown significant growth in several months to a year, providing no justification for their sale or replacement now (see annex 85).

**(c) Potential risks**

150. The Panel identified risks associated with active portfolio management of equities. In any given portfolio, not all equities will always increase in value; some will go up while others will go down based on a host of factors and market risks, including commodity prices, interest rates, exchange rates, inflation, geopolitical events and defaults. Additional risks relate to the Libyan Investment Authority's weak governance, conflicts of interest and poor control over assets, compounded by the lack of a risk management policy and asset allocation guidelines (see paras. 118–123).

**6. Fourth impact**

151. The Panel identified inconsistencies in data presented under the fourth impact: (a) duplication of \$1.110 billion presented under the first impact and \$945 million under the second impact; and (b) different values for three items in different sections. Accordingly, the net cash under this impact is \$3.551 billion, and not \$5.274 billion as claimed by the Libyan Investment Authority (see annex 86).

152. This investment portfolio is comprised of eight separate custody accounts under the custodianship of HSBC Bank Luxembourg. Four of these accounts are now managed directly by the Libyan Investment Authority and the other four accounts are managed by external investment managers. The Panel's analysis of the performance of these eight accounts indicated that two of the four accounts managed by the Authority showed substantial depletion of funds, including liquidation of funds in one case, while another account had negligible gains. The other four accounts, managed by external investment managers, showed considerable gains (see annex 87).

153. Based on this analysis, the Panel identified several risk indicators of misuse and misappropriation, including: (a) the lack of management of four accounts by external investment managers; (b) the absence of HSBC Bank as an asset manager based on its notice to end its global relationship with the Libyan Investment Authority; (c) the absence of BNY Mellon as an asset manager due to its termination of its portfolio agreement in 2016; and (d) risks associated with discretionary portfolio management.

**7. Fifth impact**

154. The Panel determined that, following the asset freeze, Bank ABC and HSBC Bank continued charging the pre-asset freeze custody and management fees, causing erosion of the frozen funds. The two banks should have only charged fees for the routine holding or maintenance of frozen funds, in accordance with paragraph 19 (a) of resolution 1970 (2011) (see annex 88).

**8. Sixth impact**

155. The Libyan Investment Authority has received permission to engage with an alternative custodian bank. The Authority's selection of a new custodian is still in process.

**F. Reinvestment plan of the Libyan Foreign Investment Company**

156. The Libyan Investment Authority clarified that the Libyan Foreign Investment Company's reinvestment plan pertains exclusively to the Long-Term Investment Portfolio, stating that the Portfolio operates independently of the Company. The Panel considers that the reinvestment plan submitted by the Company, for some of its assets

showing them as belonging to the Portfolio, should not be considered independent of the Company.

157. The Panel could not completely assess the Long-Term Investment Portfolio's reinvestment plan data due to: (a) identified data inconsistencies, which had a bearing on the credibility and veracity of the plan; (b) lack of the latest accurate, audited financial statements from the Libyan Foreign Investment Company in accordance with international standards; (c) registration of all the financial accounts under the Company in financial institutions, not under the Portfolio (see annex 89); and (d) the Portfolio being an integral part of the Company, with all assets still under the Company (see annex 90 and recommendation 12).

## **VII. Implementation of the asset freeze on designated individuals**

### **A. Mutassim Qadhafi (LYi.014)**

158. Regarding Mutassim Qadhafi's frozen funds held in the name of Capital Resources Limited Malta, the Panel determined that there was a violation of the asset freeze in the case of the Maltese court's 28 June 2022 order restituting the frozen funds to Libya, taken in the absence of exceptions or exemption for such measure in the relevant resolutions; and an instance of non-compliance with the asset freeze in the case of the Bank of Valletta's deduction of high balance fees from the frozen funds without notifying the Committee, as required under paragraph 19 of resolution [1970 \(2011\)](#) (see annex 91).

### **B. Abd Al-Rahman Salim Ibrahim Al-Milad (LYi.026)**

159. The Panel determined that Abd Al-Rahman Salim Ibrahim Al-Milad (aka Al-Bija) was killed on 1 September 2024 in Zawiyah. Libya, the country of nationality and residence, is yet to communicate the death certificate to the Panel.

## **VIII. Recommendations**

The Panel recommends:

### **To the Security Council:**

Recommendation 1. To include an additional designation criterion: providing support for armed groups or criminal networks through illicit exploitation of diesel in Libya and illicit export of diesel from Libya [see para. 97].

### **To the Committee:**

Recommendation 2. To update Implementation Assistance Notice No. 2 by determining that the use of military means of transportation in situations of national humanitarian emergencies solely for the delivery of humanitarian relief is in compliance with the arms embargo [see para. 62].

Recommendation 3. To update Implementation Assistance Notice No. 6 with guidance to Member States on the exclusion of negative interest charges on the frozen funds to protect them from erosion [see paras. 117 and 135].



- Recommendation 4. To remind Member States of their notification requirements applicable to accessing, and the payment of any fees and charges or expenses from, the frozen funds [see para. 117].
- Recommendation 5. To remind Member States to advise financial institutions within their national jurisdictions to credit interest and other income to frozen funds of designated entities pursuant to paragraph 20 of resolution 1970 (2011) [see para. 123].
- Recommendation 6. To consider the information provided separately by the Panel during this mandate on individuals meeting the designation criteria, as contained in the relevant Security Council resolutions.

**To the Committee pursuant to paragraph 15 of Security Council resolution 2701 (2023):**

- Recommendation 7. To consider allowing the Libyan Investment Authority's frozen cash reserves to be invested:
- (a) In low-risk time deposits with appropriate financial institutions selected by the Authority, in the case of cash reserves currently at Euroclear Bank (first impact), without moving them out of the current jurisdiction and under the condition that cash reserves and interest accrued thereon shall remain frozen, in consultation with Libya and after notification by the relevant Member State(s) to the Committee, and in the absence of a negative decision by the Committee within 10 working days of such notification. Each reinvestment thereafter should be subject to the same notification procedure [see paras. 134–141];
- (b) In fixed-income instruments in cases of cash reserves with investment fund managers (fourth impact) under the condition that funds and income accrued thereon shall remain frozen, in consultation with Libya, and with a notification by the relevant Member State(s) to, and prior approval by, the Committee. Each reinvestment of cash reserves with investment fund managers should be evaluated on a case-by-case basis, taking into account specific circumstances prevailing at the time, and should be subject to the same notification procedure [see paras. 151–153].
- Recommendation 8. To request from a Member State or Member States in which invested or reinvested cash reserves under the measures are present to report to the Committee on the status of those cash reserves in their implementation reports submitted pursuant to subsequent resolutions.
- Recommendation 9. To consider not allowing the transfer of the Libyan Investment Authority's frozen cash reserves from Euroclear accounts to the Bank ABC account [see paras. 140–141].
- Recommendation 10. To consider not allowing active portfolio management or trading transactions for the equities and securities within the Libyan Investment Authority's equity portfolio [see paras. 147–150].

- Recommendation 11. To consider not granting general permission for reinvestment of the accrued cash through the same investment fund managers [see paras. 151–153].
- Recommendation 12. To consider not allowing reinvestment of the frozen funds as presented in the Libyan Foreign Investment Company’s reinvestment plan [see paras. 156–157].

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

1. By resolution 1970 (2011), the Council expressed grave concern at the situation in Libya, condemned the violence and use of force against civilians and deplored the gross and systematic violation of human rights. Within that context, the Council imposed specific measures on Libya, under Chapter VII of the Charter of the United Nations, including the arms embargo, which relates to arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, in addition to the provision of armed mercenary personnel. The arms embargo covers both arms entering and leaving Libya. The Council also imposed travel ban and asset freeze measures, and listed individuals as subject to one or both measures, in the resolution. Furthermore, the Council decided that the travel ban and the asset freeze were to apply to the individuals and entities designated by the Committee established pursuant to resolution 1970 (2011) concerning Libya involved in or complicit in ordering, controlling or otherwise directing the commission of serious human rights abuses against persons in Libya.
2. By resolution 1973 (2011), the Council strengthened the enforcement of the arms embargo and expanded the scope of the asset freeze to include the exercise of vigilance when doing business with Libyan entities, if States had information that provided reasonable grounds to believe that such business could contribute to violence and use of force against civilians. Additional individuals subject to the travel ban and asset freeze were listed in the resolution, in addition to five entities subject to the freeze. The Council decided that both measures were to apply also to individuals and entities determined to have violated the provisions of the previous resolution, in particular the provisions concerning the arms embargo. The resolution also included the authorization to protect civilians and civilian populated areas under threat of attack in Libya. In addition, it included a no-fly zone in the airspace of Libya and a ban on flights of Libyan aircraft.
3. On 24 June 2011, the Committee designated two additional individuals and one additional entity subject to the targeted measures. By resolution 2009 (2011), the Council introduced additional exceptions to the arms embargo and removed two listed entities subject to the asset freeze, while allowing the four remaining listed entities to be subjected to a partial asset freeze. It also lifted the ban on flights of Libyan aircraft.
4. By resolution 2016 (2011)), the Council terminated the authorization related to the protection of civilians and the no-fly zone. On 16 December 2011, the Committee removed the names of two entities previously subject to the asset freeze.
5. In resolution 2040 (2012), the Council directed the Committee, in consultation with the Libyan authorities, to review continuously the remaining measures with regard to the two listed entities – the Libyan Investment Authority and the Libyan Africa Investment Portfolio – and decided that the Committee was, in consultation with the Libyan authorities, to lift the designation of those entities as soon as practical.
6. In resolution 2095 (2013), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.
7. By resolution 2144 (2014), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.
8. By resolution 2146 (2014), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.
9. By resolution 2174 (2014), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability of security of Libya or obstructing the completion of the political transition. The resolution strengthened the arms embargo, by requiring prior approval of the Committee for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya intended for security or disarmament assistance to the Libyan government, with the exception of non-lethal military equipment intended solely for the Libyan government. The Council also renewed its call upon Member States to undertake inspections related to the arms embargo, and required them to report on such inspections.
10. By resolution 2213 (2015), the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil from Libya until 31 March 2016. The resolution further elaborated the designation criteria listed in resolution 2174 (2014).

11. By resolution 2214 (2015), the Council called on the 1970 Committee on Libya to consider expeditiously arms embargo exemption requests by the Libyan government for the use by its official armed forces to combat specific terrorist groups named in that resolution.
12. By resolution 2259 (2015), the Council confirmed that individuals and entities providing support for acts that threaten the peace, stability or security of Libya or that obstruct or undermine the successful completion of the political transition must be held accountable, and recalled the travel ban and asset freeze in this regard.
13. By resolution 2278 (2016) the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil, while calling on the Libyan Government of National Accord (GNA) to improve oversight and control over its oil sector, financial institutions and security forces.
14. By resolution 2292 (2016), the Council authorized, for a period of twelve months, inspections on the high seas off the coast of Libya, of vessels that are believed to be carrying arms or related materiel to or from Libya, in violation of the arms embargo.
15. By resolution 2357 (2017), the Council extended the authorizations set out in resolution 2292 (2016) for a further 12 months.
16. By resolution 2362 (2017), the Council extended until 15 November 2018 the authorizations provided by and the measures imposed by resolution 2146 (2014), in relation to attempts to illicitly export crude oil from Libya. These measures were also applied with respect to vessels loading, transporting, or discharging petroleum, including crude oil and refined petroleum products, illicitly exported or attempted to be exported from Libya.
17. By resolution 2420 (2018), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolution 2357 (2017), for a further 12 months from the date of adoption of the resolution.
18. By resolution 2441 (2018), the Council extended until 15 February 2020 the authorizations provided by and the measures imposed by resolution 2362 (2017), in relation to attempts to illicitly export crude oil from Libya.
19. By resolution 2473 (2019), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017) and 2420 (2018), for a further 12 months from the date of adoption of the resolution.
20. By resolution 2509 (2020), the Council extended until 30 April 2021 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017) and 2441 (2018), and modified the designation period in paragraph 11 of resolution 2146 (2014) to be one year, and requested the Panel to report any information relating to the illicit export from or illicit import to Libya of petroleum, including crude oil and refined petroleum products.
21. By resolution 2526 (2020), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), and 2473 (2019), for a further 12 months from the date of adoption of the resolution.
22. By resolution 2571 (2021), the Council extended until 30 July 2022 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017), 2441 (2018) and 2509 (2020), in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya.
23. By resolution 2578 (2021), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), and 2526 (2020) for a further 12 months from the date of adoption of the resolution.
24. By resolution 2635 (2022), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020) and 2578 (2021) for a further 12 months from the date of adoption of the resolution.
25. By resolution 2644 (2022), the Council extended until 30 October 2023 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2362 (2017), 2441 (2018), 2509 (2020) and 2571 (2021) in relation to attempts to illicitly export petroleum, including crude oil and refined petroleum products, from Libya.
26. By resolution 2684 (2023), the Council further extended the authorizations, as set out in resolution 2292 (2016) and extended by resolutions 2357 (2017), 2420 (2018), 2473 (2019), 2526 (2020), 2578 (2021) and 2635 (2022) for a further 12 months from the date of adoption of the resolution.

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27. By resolution 2733 (2024), the Council further extended the authorizations and elaborated the obligations of Member States as well as the approval procedures before the Committee in relation to certain modes of disposal of seized items.

28. By resolution 2701 (2023), the Council further extended until 1 February 2025 the authorizations and the measures in resolution 2146 (2014), as amended by paragraph 2 of resolutions 2441 (2018) and 2509 (2020); affirmed the Security Council's readiness to consider changes, when appropriate, to the asset freeze at the request of the Government of Libya, including allowing the LIA, which is under a specific asset freeze measure, to reinvest frozen liquid assets for the purpose of preserving their value and benefiting the Libyan people at a later stage.

29. To date the Committee has published seven implementation assistance notices, which are available on the Committee's website.<sup>84</sup>

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<sup>84</sup> <http://www.un.org/sc/committees/1970/notices.shtml>.

## Annex 2 Abbreviations and acronyms

<b>ADB</b>	Asian Development Bank
<b>AFRICOM</b>	U.S. Africa Command
<b>AGM</b>	Air to Ground Missile
<b>AGO</b>	Attorney General's Office
<b>AIS</b>	Automatic Identification System
<b>a.k.a.</b>	Also known as
<b>AMO</b>	Asset Management Office
<b>AOC</b>	Air Operating Certificate
<b>APC</b>	Armoured Personnel Carrier
<b>APICORP</b>	Arab Petroleum Investments Corporation
<b>AQIM</b>	Al-Qaida in the Islamic Maghreb
<b>ARO</b>	Asset Recovery Office
<b>ATGW</b>	Anti-Tank Guided Weapon
<b>AUD</b>	Australian Dollar
<b>AUP</b>	Agreed Upon Procedures
<b>BACB</b>	British Arab Commercial Bank
<b>BCP</b>	Border Crossing Post
<b>BIT</b>	Bilateral Investment Treaty
<b>BoV</b>	Bank of Valetta
<b>bp</b>	Basis point
<b>CAD</b>	Canadian Dollar
<b>CAR</b>	Central African Republic
<b>CBL</b>	Central Bank of Libya
<b>CHF</b>	Swiss Franc
<b>ChVK</b>	Russian language abbreviation for private military enterprise
<b>Committee</b>	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
<b>CS</b>	Confidential Source
<b>CSD</b>	Central Securities Depository
<b>CTF</b>	Counter Terrorism Force
<b>DACOT</b>	Deterrence Apparatus for Combating Crime and Terrorism
<b>DCIM</b>	Directorate for Combating Illegal Migration
<b>DCTEO</b>	Department of Counter-Terrorism and Extremist Organisation
<b>DKK</b>	Danish Krone
<b>DOB</b>	Date of Birth
<b>DWT</b>	Dead Weight Tonnes
<b>ECB</b>	European Central Bank
<b>EIB</b>	European Investment Bank
<b>EOD</b>	Explosive Ordnance Disposal
<b>EU</b>	European Union
<b>EUBAM</b>	EU Border Assistance Mission in Libya
<b>EUC</b>	End-user Certificate
<b>EUNAVFOR MED IRINI</b>	European Union Naval Force Mediterranean Operation Irini
<b>EUR</b>	Euro
<b>Eurojust</b>	European Union Agency for Criminal Justice Cooperation
<b>FACT</b>	Front pour l'Alternance et la Concorde au Tchad
<b>FAB</b>	First Abu Dhabi Bank
<b>FFR</b>	Free Flight Rocket
<b>FGA</b>	Fighter Ground Attack



<b>Fifth Impact</b>	Incurring substantial management and custodian fees without corresponding administrative and technical services by the custodians, due to the imposition of the sanctions
<b>First Impact (Part A)</b>	Exception for a license to transfer LIA's frozen cash amounting to USD 2.428 billion held at Euroclear Bank Belgium to LIA's account at Bank ABC Bahrain
<b>First Impact (Part B)</b>	Exception for a license for investment managers to reinvest the LIA's frozen funds of USD 1.110 billion held at Euroclear Bank
<b>FMCP</b>	FM Capital Partners
<b>Fourth Impact</b>	Permission for investment fund managers, in accordance with the exceptions outlined in the asset freeze regime, to reinvest cash resulting from maturity of securities invested for the benefit of LIA under the terms of the agreements concluded with such investment funds
<b>FPB</b>	Fast Patrol Boat
<b>FSA</b>	Facility Security Agency
<b>FZC</b>	Free Zone Company
<b>FZE</b>	Free Zone Enterprise
<b>GATA</b>	Global Anti-Terrorism Assistance
<b>GBP</b>	Great Britain Pound
<b>GECOL</b>	General Electricity Company of Libya
<b>GIS</b>	Geographical Information System
<b>GNA</b>	Government of National Accord
<b>GNU</b>	Government of National Unity
<b>GNU-AF</b>	Government of National Unity Affiliated Forces
<b>GNS</b>	Government of National Stability
<b>GSDT</b>	Global Sustainable Development Trust
<b>HAF</b>	Haftar Affiliated Forces
<b>HCS</b>	High Council of State
<b>HET</b>	Heavy Equipment Transporter
<b>HKD</b>	Hong Kong Dollar
<b>HoR</b>	House of Representatives
<b>IAFV</b>	Infantry Armoured Fighting Vehicle
<b>IAN</b>	Implementation Assistance Notice
<b>IBRD</b>	International Bank for Reconstruction and Development
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICITAP</b>	International Criminal Investigative Training Assistance Program
<b>ICMP</b>	International Commission on Missing Persons
<b>ICSID</b>	International Centre for Settlement of Investment Dispute
<b>IFC</b>	International Finance Corporation
<b>IFRS</b>	International Financial Reporting Standards
<b>IHL</b>	International Humanitarian Law
<b>IHRL</b>	International Human Rights Law
<b>IMO</b>	International Maritime Organization
<b>ISA</b>	Internal Security Agency
<b>ISIL</b>	Islamic State in Iraq and the Levant
<b>ISR</b>	Intelligence, Surveillance and Reconnaissance
<b>ISRE</b>	International Standards on Review Engagements
<b>ISRS</b>	International Standards on Related Services
<b>ITS</b>	Irish Training Solutions
<b>JMC</b>	Joint Military Commission
<b>JMF</b>	Joint Military Force
<b>JNIM</b>	Jama'a Nusrat ul-Islam wa al-Muslimin
<b>JOR</b>	Joint Operations Room for the defense of the Western and South-Western region

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<b>JPY</b>	Japanese Yen
<b>JSR</b>	Joint Security Room
<b>KDB</b>	Korea Development Bank
<b>Km</b>	Kilometre(s)
<b>LAA</b>	Libyan Air Ambulance
<b>LAAD</b>	Limiting Aircraft Data Displayed
<b>LAAF</b>	Libyan Arab armed forces
<b>LAB</b>	Libyan Audit Bureau
<b>LAFICO</b>	Libyan Foreign Investment Company
<b>LAIP</b>	Libyan Africa Investment Portfolio
<b>LARMO</b>	Libyan Asset Recovery and Management Office
<b>LC</b>	Letter of Credit
<b>LCG</b>	Libyan Coast Guard
<b>LCGPS</b>	Libyan Coast Guard and Port Security
<b>LCTC</b>	Libyan Counter-Terrorism Centre
<b>LFB</b>	Libyan Foreign Bank
<b>LGB</b>	Laser Guided Bombs
<b>LGP</b>	Laser Guided Projectiles
<b>LIA</b>	Libyan Investment Authority
<b>LIS</b>	Libyan Intelligence Service
<b>LLC</b>	Limited Liability Company
<b>LRIT</b>	Long-Range Identification and Tracking system
<b>LTP</b>	Long-Term Investment Portfolio
<b>LYD</b>	Libyan Dinar
<b>m</b>	Metre(s)
<b>MBT</b>	Main Battle Tank
<b>MDSS</b>	Milites Dei Security Services (Pty) Ltd
<b>MLRS</b>	Multiple Launch Rocket System
<b>MMSI</b>	Maritime Mobile Service Identity
<b>MOD</b>	Minister of Defence
<b>MOI</b>	Ministry of Interior
<b>MRAP</b>	Mine Resistant Armoured Protected
<b>MSN</b>	Manufacturer's Serial Number
<b>MT</b>	Motor Tanker
<b>MV</b>	Motor Vessel
<b>NAIB</b>	North Africa International Bank
<b>nm</b>	Nautical Miles
<b>NOC</b>	National Oil Corporation
<b>NOK</b>	Norwegian Krone
<b>NZD</b>	New Zealand Dollar
<b>OCSC</b>	Organe Central pour la Saisie et la Confiscation
<b>OFSI</b>	Office of Financial Sanctions Implementation
<b>OHCHR</b>	Office of the UN High Commissioner for Human Rights
<b>OTR</b>	Opportunity to Reply
<b>PC</b>	Presidential Council
<b>PMC</b>	Private Military Company
<b>RHIB</b>	Rigid Hulled Inflatable Boats
<b>RSF</b>	Rapid Support Forces
<b>SAF</b>	Sudanese Armed Forces
<b>Second Impact</b>	Exception for a license allowing bond issuers contracted with prior to the asset freeze resolutions to reinvest in bonds with the same bond characteristics
<b>SEK</b>	Swedish Krona
<b>Sixth Impact</b>	Permission to engage with an alternative custodian bank and execute the exit process from HSBC Bank

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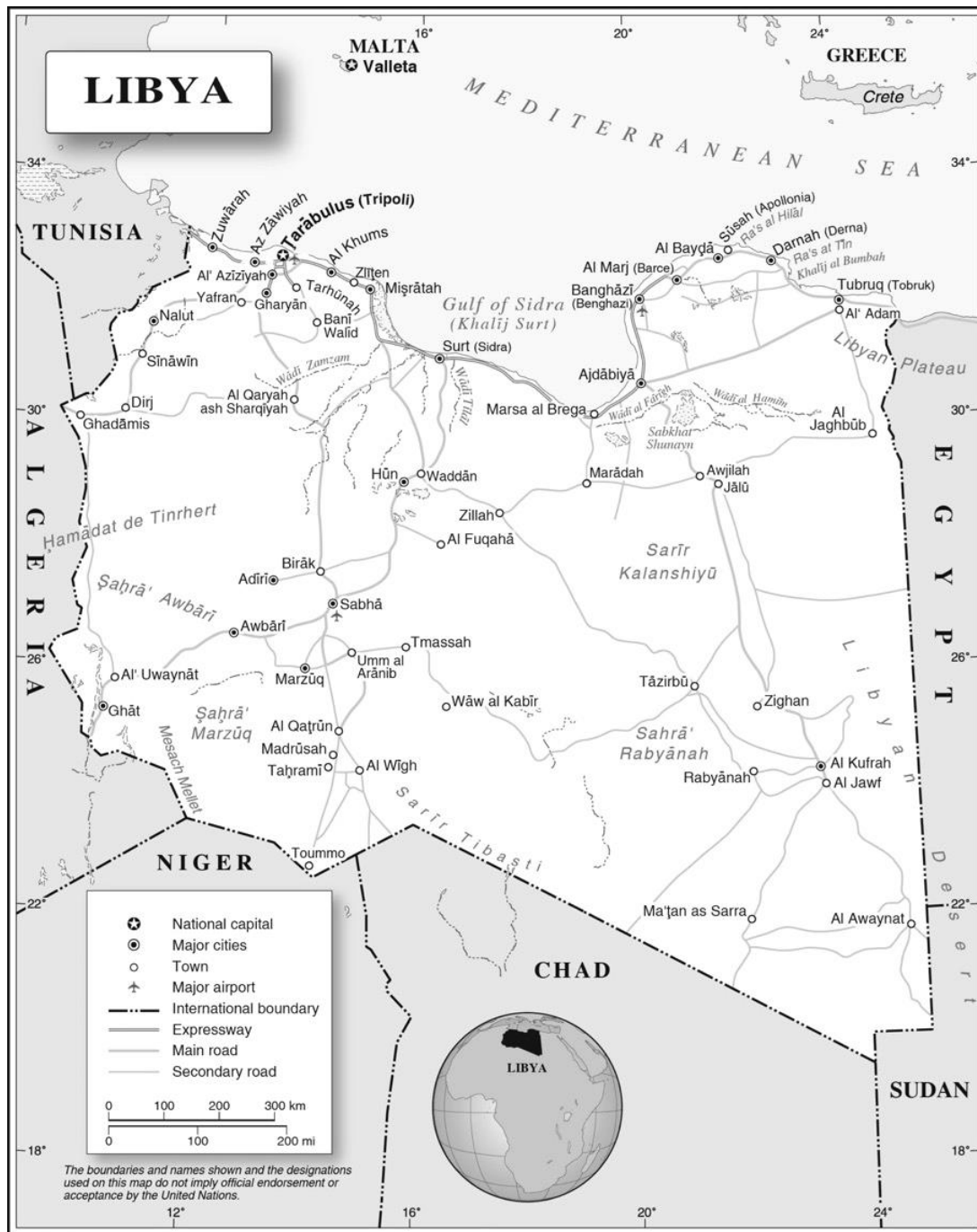
<b>SLA</b>	Sudan Liberation Army
<b>SSA</b>	Stability Support Apparatus
<b>SSM</b>	Smart Micro Munition
<b>STS</b>	Ship-to-Ship
<b>TBZ</b>	Tariq Bin Ziyad (brigade)
<b>TCG</b>	Transverse Centre of Gravity
<b>TDOA</b>	Time Difference of Arrival
<b>Third Impact</b>	License to the custodian bank (Bank ABC), allowing it to execute trading transactions for the equities and securities within the portfolio covered by the agreement established with the custodian bank prior to 2011
<b>TRY</b>	Turkish Lira
<b>UAE</b>	United Arab Emirates
<b>UAV</b>	Uncrewed Aerial Vehicle
<b>UCAV</b>	Uncrewed Combat Aerial Vehicles
<b>UID</b>	Unidentified
<b>UN</b>	United Nations
<b>UN OCHA</b>	United Nations Office for the Coordination of Humanitarian Affairs
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>UNSC</b>	United Nations Security Council
<b>UNSMIL</b>	United Nations Support Mission in Libya
<b>USD</b>	United States Dollars
<b>UTC</b>	Universal Time Coordinated
<b>VTC</b>	Video Tele-Conference

### **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. 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 had no opportunity to review the edited version of the Report in English language, nor its translations into the other five United Nations official languages.
9. The Panel's methodology in relation to its investigations concerning IHL, IHRL and human rights abuses, is provided in appendix C.
10. The Panel's methodology in relation to its investigations concerning vessels and aircraft in the context of the arms embargo is contained in appendix D.

Appendix A to Annex 3: UN GIS place name identification

Figure 3.A.1  
UN GIS place names Libya



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

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity<sup>85</sup> in a Panel’s report could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/materiel in support. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the ‘opportunity to reply’.
2. The Panel’s methodology on the opportunity to reply is as follows:
  - (a) Providing an individual with an ‘opportunity to reply’ should be the norm;
  - (b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:
    - (i) Result in the individual moving assets if they get warning of a possible recommendation for designation;
    - (ii) Restrict further access of the Panel to vital sources;
    - (iii) Endanger Panel sources or Panel members;
    - (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or
    - (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.
3. If the circumstances set forth in 2 (b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.
4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.
5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.
6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.
7. The individual, on the other hand, in making their determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representative or his/her government) to communicate on his/her behalf on subsequent interactions with the Panel.

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<sup>85</sup> Hereinafter just the term individual will be used to reflect both.

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

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

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

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

- (i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;
- (ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;
- (iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
- (iv) Medical documentation and, where applicable, death certificates;
- (v) Documentation issued by prison authorities;
- (vi) Interviews with medical personnel who treated the victim, wherever possible;
- (vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;
- (viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;
- (ix) Statements issued by the party to the conflict responsible for the incident; and/or
- (x) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.

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

- (i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;
- (ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;
- (iii) Documentation relevant to verify information obtained;
- (iv) Statements issued by the party to the conflict responsible for the incident; and/or
- (v) Open-source information to identify other corroborative or contradictory information regarding the Panel's findings.

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

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



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

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

## Appendix D to Annex 3: Use of maritime and air delivery profile indicators

1. In the context of the arms embargo, the Panel uses maritime and air delivery profile indicators<sup>86</sup> to assist in determining the likelihood of violations and occurrences, and thus determine the focus of Panel investigations. These indicators of suspicious activities and documentation, when considered collectively, indicate that a vessel or aircraft is likely to be carrying illicit cargo (see tables 3.D.1 and 3.D.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 3.D.1

### Maritime non-compliance profile indicators

#	Type	Indicator	Remarks
1	Visibility	Automatic Identification System (AIS) <sup>a</sup>	<ul style="list-style-type: none"> <li>“Dark activity” periods.</li> <li>AIS “spoofing”.</li> </ul>
2	Route(s)	Destination Ports	<ul style="list-style-type: none"> <li>The ports of Gabes and Algiers are often inaccurately declared.</li> <li>Unusual routing from past voyages.</li> </ul>
3	Ownership	Frequent change of vessel’s owners	<ul style="list-style-type: none"> <li>Lack of corporate on-line presence.</li> </ul>
4	Operators	Frequent change of vessel’s operators	<ul style="list-style-type: none"> <li>Lack of corporate on-line presence.</li> </ul>
5	Vessel Name	Frequent change of vessel’s name	
6	Vessel Tonnage	Tonnage Range	<ul style="list-style-type: none"> <li>Comparison to historical tonnage of vessels known to be non-compliant.</li> </ul>
7	Vessel Draught	Change of Draught	<ul style="list-style-type: none"> <li>Comparison of draught at loading and discharge.</li> <li>No registered draught change despite confirmed loading activities.</li> </ul>
8	Commercial Relationships	Linkages	<ul style="list-style-type: none"> <li>Links between owners / operators / agents.</li> </ul>
8	Commercial Activity	Uneconomic behaviour	<ul style="list-style-type: none"> <li>Low utilization profile.</li> <li>Uneconomic routes</li> </ul>
9	Flag of Registry	Flags of convenience and multiple flag changes	<ul style="list-style-type: none"> <li>Includes Flag refusal to allow inspections when requested.</li> </ul>
10	Documentation	Accuracy	<ul style="list-style-type: none"> <li>Transparency in information registered via AIS and/or supplied to Panel.</li> <li>Accuracy of completion.</li> </ul>
11	Cargo Shielding	Container layout on weather deck	<ul style="list-style-type: none"> <li>Containers are used to line the edge of the weather deck to shield the remainder of the deck from external view.</li> </ul>
		Container layout on port dock	<ul style="list-style-type: none"> <li>Containers or fences are used to shield offloading sites at ports from external view.</li> <li>Access control to avoid footage created by bystanders</li> </ul>
		Security measures at port	
12	Cargo Analysis	Volumetric and mass analysis	<ul style="list-style-type: none"> <li>Do reported weight and packaging match declaration on documentation?</li> </ul>
13	Sanctions Listings	Sanctions designated or reported vessel	<ul style="list-style-type: none"> <li>Previous reports by other UN Panels and Monitoring Groups.</li> <li>Sanctions notices by subscription-based resources.</li> </ul>

<sup>a</sup> Or Long-Range Identification and Tracking system (LRIT).

<sup>86</sup> First developed for use in S/2021/229.

Table 3.D.2

**Profile indicators of airbridge and air delivery**

#	Activity	Details	Remarks
1	Flight volume	The number of unscheduled flights on a previously little used route	<ul style="list-style-type: none"> <li>For example, a significant number of flights over a short period indicates a centrally organized supply chain.</li> </ul>
2	Flight timings	Most flights are planned so that the cargo aircraft are unloaded during darkness	<ul style="list-style-type: none"> <li>Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.</li> </ul>
3	Flight routing	The flights often take off from a civilian airport, then land at a military airbase before departing on a flight track directly towards Libya	<ul style="list-style-type: none"> <li>Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist.</li> <li>Indicative of the loading of military related equipment.</li> </ul>
4	Flight safety	Signals from the aircraft ADS-B <sup>a</sup> transponders are not visible on open-source ADS-B monitoring shortly after entering Egyptian airspace	<ul style="list-style-type: none"> <li>Airline captains sometimes “go dark” when approaching Libyan airspace as a countermeasure against being targeted by air defence systems, but usually not for the majority of the flight.</li> <li>Deliberately switched off due to the covert nature of these flights.</li> <li>Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).</li> </ul>
5	Flight safety	Signals from the aircraft ADS-B transponders are switched to MLAT (multi-lateration) mode <sup>87</sup> for the whole flight	<ul style="list-style-type: none"> <li>MLAT mode only transmits aircraft code, heading, altitude and speed but NOT current location.</li> </ul>
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights	<ul style="list-style-type: none"> <li>Airlines have utilised a “blocking” service provided by some of the open-source ADS-B monitoring providers.</li> <li>A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.</li> </ul>
7	Flight availability	Scheduled or non-scheduled route	<ul style="list-style-type: none"> <li>Ticket unavailability from the air operator for passenger aircraft flights suggests movement of military personnel. For example: Cham Wings flights from Syria to Benghazi.</li> </ul>
8	Aircraft documentation	The use of fake Air Operating Certificates (AOC)	<ul style="list-style-type: none"> <li>The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.</li> </ul>

<sup>87</sup> 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
9	Flight documentation	The submission of incomplete or inaccurate Cargo Manifests and Air Waybills  The lack of detailed flight documentation submitted	<ul style="list-style-type: none"> <li>▪ Fake consignees listed.</li> <li>▪ Fake consignors listed.</li> <li>▪ Used to disguise the true nature of the actual cargo.</li> <li>▪ Customs value listed as zero.</li> <li>▪ Failure to supply, for example: 1) Flight Plan; 2) Aircraft Technical Logbook; 3) Journey Flight Log; 4) Weight and Balance Report; 5) Take-off and Landing Balance; and 6) General Declaration.</li> </ul>
10	Air operator transparency	Limited, inaccurate or no information provided to requests for information	<ul style="list-style-type: none"> <li>▪ Indicative of covert or illicit activity.</li> </ul>
11	Air operator web presence	Lack of corporate website or very limited contact information on website	<ul style="list-style-type: none"> <li>▪ A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.</li> </ul>
12	Cargo agency web presence	Lack of corporate website	<ul style="list-style-type: none"> <li>▪ A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.</li> </ul>
13	Air operator's relationships	Corporate links	<ul style="list-style-type: none"> <li>▪ Change of ownership or operating conditions for aircraft between linked companies.</li> </ul>
14	Sanctions Listings	Current or previous listings of owner, operator, or aircraft	<ul style="list-style-type: none"> <li>▪ Previous reports by other UN Panels and Monitoring Groups.</li> <li>▪ Sanctions notices by subscription databases.</li> </ul>

## Annex 4 Member States, organisations and institutions consulted

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

Table 4.1  
Member States, organizations and institutions consulted <sup>a b c</sup>

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Austria	Ministry of Foreign Affairs	UNODC <sup>d</sup>	
Algeria <sup>c</sup>	Permanent Mission		
Bahrain	Permanent Mission <sup>d</sup>		Central Bank of Bahrain <sup>d</sup> Bank ABC <sup>d</sup>
Belgium	Ministry of Foreign Affairs, General Administration of Treasury Permanent Mission		Euroclear Bank OCSC <sup>d</sup>
Brazil <sup>c</sup>	Permanent Mission		
Cameroon	Permanent Mission		
China <sup>a</sup>	Permanent Mission		
Egypt	Permanent Mission	Libyan Ministry of Foreign Affairs	LIA
France <sup>a</sup>	Ministry of Interior Permanent Mission		
Greece <sup>c</sup>	Ministries of Foreign Affairs, and Migration and Asylum, Hellenic Coast Guard		
Germany			NGOs
Italy	Ministry of Foreign Affairs, Interior, Defence Permanent Mission		EUNAVFOR MED Op IRINI
Japan	Permanent Mission		
Lebanon	Permanent Mission		

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Libya	Ministries of Foreign Affairs, Defence, Interior, Justice, Oil and Gas, Economy and Trade, and Finance (customs) Presidential Council	Dutch Embassy French Embassy German Embassy Italian Embassy Russian Embassy Spanish Embassy Turkish Embassy United Kingdom Embassy UNSMIL EU Delegation EUBAM	LAB CBL LIA Libyan Foreign Bank LARMO NOC Brega Petroleum Marketing Company Office of the Attorney General Administrative Control Authority Internal Security Agency SSA 444 Brigade DCIM PFG Supreme Judicial Council Counter-terrorism Force Libyan Intelligence Service LAAF <sup>e</sup>
Luxemburg	Ministries of Foreign Affairs and Finance <sup>d</sup> Permanent Mission <sup>d</sup>		HSBC Bank <sup>d</sup>
Malta <sup>c</sup>	Ministries of Foreign Affairs, Interior and Finance (customs) Permanent Mission		Malta Financial Services Authority Central Bank of Malta Malta Business Registry
Netherlands	Ministry of Foreign Affairs Permanent Mission <sup>d</sup>	Eurojust Europol	ICMP
Marshall Islands	Permanent Mission <sup>d</sup>		
Niger	Permanent Mission		
Oman	Permanent Mission <sup>d</sup>		
Russian Federation <sup>a</sup>	Permanent Mission		
South Africa	Permanent Mission <sup>d</sup>		
Slovenia <sup>b</sup>	Permanent Mission		
Spain	Ministry of Interior <sup>d</sup> Permanent Mission <sup>d</sup>		
Switzerland <sup>b</sup>	Permanent Mission	OHCHR Special Rapporteur <sup>f</sup>	

<i>Country/ Location</i>	<i>Government</i>	<i>Representative or International Organization</i>	<i>Institution / NGO</i>
Tunisia	Ministries of Foreign Affairs, Interior, and Defence Permanent Mission	Russian Embassy to Libya Swiss Embassy United States Embassy EUBAM	LIA
Türkiye	Permanent Mission		
United Arab Emirates	Permanent Mission		
United Kingdom <sup>a</sup>	Ministry of Foreign Affairs <sup>d</sup> Treasury <sup>d</sup> Permanent Mission		OFSI <sup>d</sup> BACB <sup>d</sup> HSBC Bank <sup>d</sup> Credit Suisse (UBS) <sup>d</sup>
USA <sup>a</sup>	State Department and Treasury <sup>d</sup> Mission to the UN	INTERPOL	
Yemen	Permanent Mission <sup>d</sup>		

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

<sup>b</sup> Countries indicated ‘b’ are elected members of the Security Council (2024).

<sup>c</sup> Countries indicated ‘c’ are elected members of the Security Council (2025).

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

<sup>e</sup> Outside of Libya.

<sup>f</sup> Sexual Violence in Conflict.

## Annex 5 Summary of Panel correspondence (2644 (2022) and 2701 (2023)) mandates<sup>88</sup>

Table 5.1  
Correspondence with Member States (2644 (2022) Mandate)  
(13 July 2023 to 15 November 2023) <sup>a</sup>

<i>Member State / country</i>	<i># letters sent by the Panel</i>	<i># replies from Member State</i>	<i># awaiting reply from Member State</i>
France	2	0	2
Georgia	2	2	0
Greece	1	1	0
Indonesia	1	1	0
Italy	1	1	0
Jordan	1	0	1
Kyrgyzstan	2	2	0
Libya	4	2	2
Malaysia	1	0	1
Moldova	1	1	0
South Africa	1	0	1
Türkiye	2	1	1
United Arab Emirates	1	0	1
Unites States of America	2	0	2
<b>Total</b>	<b>22</b>	<b>11</b>	<b>11</b>

<sup>a</sup> 13 July 2023 being the last date that letters were included in annex 5 to S/2023/673 and 15 November 2023 being the end of the resolution 2644 (2022) mandate.

Table 5.2  
Correspondence with Member States (2701 (2023) Mandate)  
(16 November 2023 to 31 October 2024) <sup>a</sup>

<i>Member State / country</i>	<i># letters sent by the Panel</i>	<i># replies from Member State <sup>b</sup></i>	<i># awaiting reply from Member State</i>
Algeria	1	1	0
Austria	1	1	0
Bahrain	1	1	0
Bangladesh	1	0	1
Belgium	5	5	0

<sup>88</sup> Excluding updates to the Committee, letters to the Chair, visit/visa requests or other letters to Member States that do not require a response.



<i>Member State / country</i>	<i># letters sent by the Panel</i>	<i># replies from Member State <sup>b</sup></i>	<i># awaiting reply from Member State</i>
Cameroon	1	0	1
Canada	1	0	1
China	1	1	0
Croatia	1	1	0
Cyprus	1	1	0
Egypt	2	1	1
France	1	0	1
Germany	3	1	2
Ghana	1	0	1
Greece	2	0	2
Iran	1	0	1
Ireland	1	0	1
Italy	6	1	5
Japan	2	1	1
Jordan	4	0	4
Kuwait	1	0	1
Kyrgyzstan	1	1	0
Lebanon	1	0	1
Libya	25	11	14
Luxembourg	3	3	0
Malta	2	1	0
Morocco	1	0	1
Netherlands	4	1	3
Norway	1	0	1
Niger	1	0	1
Oman	1	0	1
Qatar	2	0	2
Romania	1	1	0
Russian Federation	5	5	0
Saudi Arabia	1	0	1
South Africa	1	1	0
Spain	5	1	4
Sudan	1	0	1
Sweden	1	0	1
Switzerland	2	2	0
Tunisia	3	0	3

<i>Member State / country</i>	<i># letters sent by the Panel</i>	<i># replies from Member State <sup>b</sup></i>	<i># awaiting reply from Member State</i>
Türkiye	15	5	10
United Arab Emirates	3	0	3
United Kingdom	3	3	0
United States	5	0	5
<b>Total</b>	<b>126</b>	<b>50</b>	<b>75</b>

<sup>a</sup> 16 November 2023 being the commencement of the resolution 2701 (2023) mandate and 31 October 2024 being the last date for which replies were requested, including one additional week grace period, and could be included in the final draft of the report.

<sup>b</sup> Includes all letters sent with a requested reply date by 24 October 2024.

Table 5.3

**Correspondence with regional organizations and other entities (2701 (2023) Mandate) <sup>a</sup>**  
**(16 November 2023 to 12 May 2024)<sup>b</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel <sup>c</sup></i>	<i># replies</i>	<i># awaiting reply</i>
European Union	1	1	0
Eurocontrol	1	0	1
Libyan Arab armed forces (LAAF)	6	6	0
<b>Total</b>	<b>8</b>	<b>7</b>	<b>1</b>

<sup>a</sup> There was no correspondence in this category between 13 July 2023, being the last date that letters were included in annex 5 to S/2023/673, and 15 November 2023, being the end of the resolution 2644 (2022) mandate.

<sup>b</sup> 16 November 2023 being the commencement of the resolution 2701 (2023) mandate and 31 October 2024 being the last date for which replies were requested, including one additional week grace period, and could be included in the final draft of the report.

<sup>c</sup> Includes all letters sent with a requested reply date by 24 October 2024.

Table 5.4

**Correspondence with commercial companies 2644 (2022) Mandate)**  
**(13 July 2023 to 15 November 2023)<sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent by the Panel</i>	<i># replies</i>	<i># awaiting reply</i>
Holman Fenwick Willan (MEA) LLP	1	0	1
Squire Patton Boggs (MEA) LLP	1	0	1
<b>Total</b>	<b>2</b>	<b>0</b>	<b>2</b>

<sup>a</sup> 13 July 2023 being the last date that letters were included in annex 5 to S/2023/673 and 15 November 2023 being the end of the resolution 2644 (2022) mandate.

Table 5.5  
**Correspondence with commercial companies (2701 (2023) Mandate)**  
**(16 November 2023 to 12 May 2024) <sup>a</sup>**

<i>Organization or entity</i>	<i># letters sent</i>		
	<i>by the Panel</i>	<i># replies <sup>b</sup></i>	<i># awaiting reply</i>
Akkon Maritime Transport and Trade A.S.	1	1	0
Alrakab Company for Importing Cars and Spare Parts	1	0	1
AM General	1	1	0
Amentum Services Inc.	1	1	0
Arab Banking Corporation B.S.C.	2	2	0
Asha Co FZE (2020 Volume)	1	0	1
ASIS Boats LLC	1	1	0
Bank ABC	3	3	0
BBC Chartering GmbH	1	0	1
BMC Otomotiv Sanayi ve Ticaret A.Ş.	1	0	1
Damen Shipyards Group	1	0	1
Danube Shipping Co	1	0	1
Darkmax Tekstil Kuyumculuk Koz San Ve Dis Tic Ltd Sti	1	0	1
Double Action Defence	1	1	0
Drago Boats SA	1	0	1
EDT Hangar Services	1	1	0
Elifly International S.r.l.	2	2	0
Flightradar24	2	2	0
Gamo Outdoor SLU	1	0	1
General Electricity Company (GECOL)	1	0	1
Giannis G. Markogiannis & Associates	1	1	0
Grandweld Shipyards	1	0	1
Harmony Jets	2	2	0
INKAS Vehicles LLC	1	0	1
Kalogerogiannis & Vernicos Law	2	1	1
Libyan Air Ambulance Corporation	1	1	0
Lidya Marine Survey Technical Consultancy	1	0	1
Minerva Marine Inc.	1	0	1
Shield Armored Vehicles (SAV)	1	0	1
Solstad Offshore ASA	1	0	1
Squire Patton Boggs (MEA) LLP	1	1	0
STREIT Group	1	0	1
TAG Middle East FZC	1	1	0
Varamar Shipping DMCC	1	1	0

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<i>Organization or entity</i>	<i># letters sent</i>		
	<i>by the Panel</i>	<i># replies<sup>b</sup></i>	<i># awaiting reply</i>
Vectory Aviation Havaclick Co.	1	1	0
World Management Services SA	1	0	1
<b>Total</b>	<b>43</b>	<b>24</b>	<b>19</b>

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<sup>a</sup> 16 November 2023 being the commencement of the resolution 2701 (2023) mandate and 31 October 2024 being the last date for which replies were requested, including one additional week grace period, and could be included in the final draft of the report.

<sup>b</sup> Includes all letters sent with a requested reply date by 24 October 2024.

## Annex 6 Unity and integrity of Central Bank of Libya

### A. Reunification of CBL<sup>89</sup>

1. As of June 2024, the CBL<sup>90</sup> informed the Panel of recent steps taken toward reunification, including: a) unification of payment and accounting systems, b) issuance of national currency through a joint committee comprising nine members from each side, c) establishment of a joint monetary policy committee, d) unification of statistics departments and the financial information units, e) unified oversight over banks headed by a director appointed from Tripoli with deputy from the east in coordination the Deputy Governor, and f) streamlining the clearing and settlement system, thus making available sufficient liquidity into bank branches.<sup>91</sup>

2. A high committee for financial stability, headed by the Governor and comprising the Deputy Governor, was established for reviewing macro-economic indicators, monetary evaluation, money supply, exchange rate, and inflation. In addition, a unified monetary policy committee was set up at the micro-level.

3. The CBL further informed the Panel that all necessary measures for implementation in place, and reunification progressed well at a technical perspective. However, the lack of a unified government and separate budgets remained significant challenges from the political perspective.

#### 1. Unification advancements

4. The Panel considers that the reunification process made progress in terms of financing arrangements between the CBL and its eastern branch, as well as monetary policy decisions, especially regarding currency printing and supply.<sup>92</sup> This also included the withdrawal of 50-dinar notes to stop the circulation of unauthorised bank notes to curb the increasing circulation of counterfeit 50-dinar notes.<sup>93</sup>

5. The reunification has enhanced coordination in monetary policy, banking liquidity, and oversight, making the banking sector more organised and efficient. 90% of the banks' reports were approved within 4-5 months after the close of the financial year. Currency issuance, forex management, and letters of credit (LC) issuance have been centralised and streamlined. The CBL has enforced stricter requirements on issuing letters of credit,<sup>94</sup> reduced the forex purchase limit for individuals to USD 4000 per annum, and imposed a 27% tax on all forex purchases, which has been reduced to 20% as of 6 October 2024.<sup>95</sup>

6. Panel meetings with two commercial banks indicated that the ongoing CBL unification efforts have significantly improved banking transactions as follows:

- a) Smooth fund transfers from eastern branches of commercial banks to the main account in Tripoli.

<sup>89</sup> Resolution 2509 (2020).

<sup>90</sup> Unlike most countries, where central banks focus on monetary policy, the CBL also deals with fiscal policy and its implementation.

<sup>91</sup> Meetings with CBL, 26 February, 6 May (VTC), 3 June 2024 and 4 June 2024, Tripoli.

<sup>92</sup> As part of the broad agreement on the process of reunification, the stock of 50 LYD notes was frozen and the CBL accepted the m at par with the CBL-issued original 50-dinar notes: <https://www.imf.org/en/Publications/CR/Issues/2024/07/11/Libya-2024-Article-IV-Consultation-Press-Release-Staff-Report-and-Statement-by-the-551681>, 11 July 2024.

<sup>93</sup> Multiple variants of the 50-dinar banknotes circulated: one issued by the Central Bank in Tripoli, another by the Central Bank in Benghazi, and two types of counterfeits of undisclosed origins - one of superior and the other of inferior quality. On 19 April 2024, the CBL announced the commencement of the withdrawal of 50-dinar currency notes - both legal and counterfeit, effective from 21 April 2024. Citizens were required to deposit these notes in banks by 29 August 2024. However, due to shortage of 10 and 20 LYD notes, Banks continued allowing recirculation of 50 LYD notes to avoid any hardship to people. On 27 September 2024, the CBL extended the validity of 50-dinar notes until 31 December 2024.

<sup>94</sup> There are three categories of LCs: (a) industrial (e.g., raw materials, input and capital goods) – 10 million USD (limit per LC), (b) commercial (e.g., consumer goods, foodstuff) – 5 million USD (limit per LC), (c) services - 5 million USD (limit per LC).

<sup>95</sup> Decree No. 15 of 2024 issued by the House of Representatives on the recommendation of the Governor of the CBL. This new tax on foreign exchange has stabilised the forex situation and reduced the difference between official exchange rate and the market exchange rate, but it has led to: a) increase in prices of imported goods, b) decrease in number of LCs, and c) rise in black market operations to avoid official documentation and controls. On 6 October 2024, the HoR issued Resolution No. 68/2024, reducing the surcharge on the exchange rate from 27% to 20% for all transactions.

- b) Enhanced efficiency in LCs issuance and forex operations.
- c) Improved payment system with real-time gross settlement (RTGS) between eastern and western branches.
- d) Efficient transactions between the east and west with the recent implementation of new payment systems (NPS).

## 2. Persisting challenges

7. The Panel assessed that several lingering issues still challenged the complete reunification, including: a) integration of the payment and settlement system; b) consolidation of balance sheets, c) harmonisation of accounting procedures; d) presentation of a unified budget, in particular chapter three allocations relating to development, to avoid unsupervised procyclical spending;<sup>96</sup> e) consolidation of the organisational structure, including incongruencies in incentives of employees; and f) division between the two governments with competing priorities and demands for expenditure, as well as different policies and accounting structures. Moreover, the CBL lacked an approved budget for itself, depriving management and control authorities of an important tool for evaluating internal financial and administrative performance.

## 3. CBL leadership dispute

8. While efforts to unify the CBL were progressing well at the technical level, the Presidency Council's decision of 18 August 2024 to dismiss Governor Sadiq El Kabir, coupled with the House of Representatives (HoR) rejection of the dismissal and the Benghazi-based east government order to halt oil production, deepened political divisions, upending the CBL's unification process, as well as financial and economic systems for a while.<sup>97</sup> The possibility of eventually having a unified budget for Libya also got disrupted.<sup>98</sup>

9. Through UNSMIL mediated talks to resolve the CBL leadership issue, delegates from the High Council of State (HCS) and the HoR signed an agreement on 26 September 2024. The agreement represented an important compromise whereby Naji Mohamed Issa Belqasem<sup>99</sup> became Governor and Marai al-Barassi regained his position of Deputy Governor. As per the agreement, the new Governor, in consultation with the HoR, shall nominate members to the Board of Directors who are of high integrity and possess expertise in law, finance, banking, and economic affairs.<sup>100</sup>

10. On 30 September, the HoR unanimously approved the 26 September 2024 agreement, appointing Naji Mohamed Issa Belqasem as Governor and Maree al-Barassi as Deputy Governor, thus resolving the CBL leadership issue. This decision was also endorsed by the HCS. On 21 October 2024, the HoR Presidency appointed six members to the CBL Board of Directors. Though now resolved, the crisis underscores Libya's vulnerability due to internal power struggles and the lack of unified governance structures.

<sup>96</sup> One of the concerns is the source of funding for the execution of several development projects in the eastern region, without any budgetary allocation by the CBL. According to the CBL over 5 billion LYD, printed in the east, are funding these projects. This influx of funds has increased demand for foreign currency, raising further concerns about financial transparency and market stability.

<sup>97</sup> PC Decision No. 19/2024, issued by Mohamed al-Mnefi, appointed Mohamed al-Shukri as acting CBL Governor, with Decision No. 20/2024 restructuring the Board of Governors. The PC based these decisions on HoR's 2018 vote (Decision No. 03/2018) to replace El Kabir with al-Shukri, which was then rejected by the HoR and the HCS. On Al-Shukri's refusal to take over the position for want of consensus among the PC, HoR and HCS, the PC designated Abdelfattah Abdel Ghaffar, the PC appointed acting deputy Governor, as in-charge Governor.

<sup>98</sup> In the absence of an approved budget, spending is set at one twelfth of the annual spending specified in the most recently approved budget (2019), but allocations have been routinely adjusted using measures with little or no oversight. In July 2024, the HoR approved a unified budget worth 179 billion Libyan Dinars (LYD), formalising a 50/50 distribution of financial resources between the Tripoli-based Government of National Unity (GNU) and eastern-based Government of National Stability (GNS), which could not be implemented.

<sup>99</sup> He was the CBL's director for banking and monetary control.

<sup>100</sup> CBL is governed by Libyan Bank law no. 1 of 2005. The Board of Directors, responsible for overseeing the management of the CBL, is composed of the Governor serving as Chairman, the Deputy Governor as Vice-Chairman, and additional members. However, the Board was comprised of Governor and Deputy Governor only until October 2024. Its annual consolidated report has also not been published since 2014.

## B. Armed groups at the heart of the CBL dispute

11. In January 2024, the CBL Governor refused to implement the budget presented by GNU. The CBL agreed only to disburse salaries and declined to draw from foreign currency reserves.<sup>101</sup> A lack of transparency regarding the GNU budget has been a persistent source of tension in recent years, and political crises between the CBL and the Tripoli-based government are not new. Since 2011, conflicts over the issuance of LCs and the state budget have generated significant political crises. However, the current situation represents a notable shift in this dynamic and goes beyond the GNU's inability to exert control over the institution.

12. Throughout its investigations, the Panel engaged with stakeholders, including members of governmental institutions, armed groups, and the international community. All noted a marked increase in the involvement of armed groups at the highest levels, with these groups even dominating political discussions on financial matters. A proposed tax on currency exchange was met with strong opposition from armed groups, particularly leaders of the Stability Support Apparatus (SSA), who directed their criticism at the then CBL Governor Sadiq El Kabir. DACOT positioned itself in support of the then CBL governor, not out of genuine alignment with the CBL's position, but as a strategy to undermine SSA's influence on financial matters and preserve its direct access to the CBL.<sup>102</sup>

13. The circumstances surrounding the appointment of Naji Mohamed Issa Belqasem as the new CBL governor indicated the ambition of armed groups to impose a complete control over the CBL operations. The involvement of armed groups on both sides has not only escalated tensions but also led to minor clashes, turning a political crisis into a security concern. Sadiq El Kabir was perceived by the main Tripoli-based armed group leaders as facilitating access to oil revenues for the Libyan Arab armed forces (LAAF) by allocating part of the national budget and letters of credit to the eastern government. This perception was fuelled by the alleged support of the CBL for the Libya Reconstruction and Development Fund, headed by Belqasem Haftar, son of Khalifa Haftar.<sup>103</sup> Sadiq El Kabir's stance on controlling oil revenues was also seen as an attempt to exert more control over revenue management, which directly threatened the interests of armed groups.

14. DACOT, which has been in charge of providing security to the CBL headquarters since 2020, had a vested interest in protecting Sadiq El Kabir's position. This arrangement gave DACOT a key role among actors in western Libya and a public image as "the protector of Libya's financial stability," allowing El Kabir some independence from both armed groups and the government. However, tensions in Tripoli, particularly between DACOT and other Tripoli-based armed groups, weakened DACOT's ability to maintain its position towards the CBL. In February 2023, DACOT was forced to share the protection of the CBL headquarters with the Facility Security Agency (FSA), led by Osama Tleish.

15. Osama Tleish, one of the main lieutenants of Abdelghani Al-Kikli, shares a similar status to Lotfi Al Harrari (paragraph 43 of the Report) within Al-Kikli's network. The FSA has existed since the Gaddafi government and is tasked with securing strategic state structures but was an empty shell since 2011. With Kikli's support, Tleish became the commander of the FSA and was given the resources to use FSA mandate to develop the group. As most strategic buildings in Tripoli were already secured by other forces or armed groups, the FSA began securing contracts similar to those of a private security company, particularly with Libyan private banks, despite being a governmental agency.<sup>104</sup> The FSA is now in control of the private security sector in Tripoli and the group has been able to establish itself as an important actor among the Tripoli-based armed groups, and to play a certain role in the CBL crisis.

16. Tensions between SSA and DACOT over the CBL crisis increased the risk of armed confrontation at the CBL headquarters. However, DACOT's isolation among Tripoli-based armed groups forced Abdelraouf Kara to reconsider his stance and allowed the ousting of Sadiq El Kabir to pacify his relationships with other armed groups and protecting his interests. DACOT remains present around the CBL headquarters, but Osama Tleish is now the main interlocutor for security, though DACOT still controls the entire area.

<sup>101</sup> Confidential sources, Libyan officials.

<sup>102</sup> Confidential Sources, members of armed groups.

<sup>103</sup> Confidential sources, armed groups.

<sup>104</sup> Confidential sources, Libyan officials.

## Annex 7 Link between Mohamed Al-Mashay and Abdelghani Al-Kikli

Figure 7.1

Letter confirming Mohamed Omar Hassan Al-Mashay as acting Chairman of Al-Ahly SC, 25 July 2024.



Source: Confidential.



Figure 7.2  
Event of the Al-Ahly SC in Abu Slim Tripoli <sup>a</sup>



Source: Confidential.

<sup>a</sup> In an event organised by Al-Ahly SC, Abdelghani Al-Kikli (1) sits next to Mohamed Omar Hassan Al- Mashay (2).

## Annex 8 Letter of Appointment of the GECOL board of executives

Figure 8.1

Letter appointing Mohamed Omar Hassan Al- Mashay as Chairman of GECOL's board, 21 July 2022



Source: CS (Libyan official).

## Annex 9 Opportunity to reply Abdelghani Al-Kikli

1. On 30 September 2024, the Panel offered Abdelghani Al-Kikli an opportunity to reply to its preliminary findings on his relationship with Mohamed Omar Hassan Al-Mashay. Abdelghani Al-Kikli responded through his focal point in WhatsApp exchanged with the Panel:

مرحباً  
السيد عبدالغني يبلغكم تحياته وأبلغني الرد على المزاعم التي ذكرتموها.  
ويفيدكم بأن هذه الملاحظات عارية عن الصحة وهناك شركة عالمية تقوم بالتدقيق على حساباتهم وليس لنا علاقة بما يدور داخل الشركة وليس لنا علاقة بقرار تكليفه ولا نعلم أن شركة الكهرباء لا تخضع للمؤسسات والجهات الرقابية في فحص ومتابعة حساباتها.

Figure 9.1

List of international auditing companies enclosed with Al-Kikli's response



“Greetings,

Mr. Abdelghani extends his regards and has asked me to convey his response to the allegations you raised. He categorically states that these claims are unfounded. An international firm audits their accounts, and we have no involvement in the internal operations of the company or in the decision to appoint him. Additionally, we are unaware of GECOL not being subject to oversight by relevant institutions and regulatory authorities in reviewing and monitoring its accounts.”

2. The Panel found the response from Abdelghani Al-Kikli lacking details and credibility to contradict the Panel's findings.

## Annex 10 Appointment of Saddam Haftar as Chief of Staff of LAAF land forces

Figure 10.1

Letter of appointment signed by Khalifa Haftar, 16 May 2024



Source: Confidential.

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## **Annex 11 LAAF internal conflict at the Chadian Border**

1. On 31 August and 1 September 2024, clashes were reported between LAAF units near the Libya-Chad border. Contrary to official LAAF statements, the violence stemmed from internal conflicts over control of a checkpoint along a route used for gold trafficking from the Kalanga mountain area. 77th company, operating under 128th brigade and controlled by Saddam Haftar, seized the position previously held by 129th brigade. The latter falls under the command and control of Khalid Haftar's 106th Brigade.
2. This incident underscores the ongoing volatility in the command and control of LAAF units stationed in southern Libya, largely driven by local tribal dynamics that continue to influence the region's security landscape. 129th brigade, based in Kufra, is primarily composed of Tubu fighters, while 77th company consists almost entirely of Sudanese fighters. The incident also highlights Saddam Haftar's intent to secure unchallenged control over key positions in the south, crucial for border control.

## Annex 12 Implications of the armed conflict in Sudan

1. LAAF has interfered in the conflict in Sudan by facilitating and allowing the logistical support destined to the parties to the conflict, the Rapid Support Forces (RSF) and the Sudanese Armed Forces (SAF), to pass through Libyan territory where the presence of armed groups affiliated with both sides was permitted. Sudanese fighters from these groups, who were previously involved with HAF and are now engaged in the Sudanese conflict, still maintain forces in the south of Libya. After the outbreak of armed clashes in Sudan in mid-2023, these Sudanese armed groups began withdrawing into Sudan to support the warring parties but continued to move back and forth to and from Libya.
2. The ability of both SAF and RSF to collect supplies and receive logistical support through Libyan territory was facilitated by the presence of these Sudanese armed groups in Libya and their connections with LAAF. Additionally, the LAAF took no action to obstruct the movement of these groups. For example, the Sudan Liberation Army (SLA/A-MM), an armed group led by Arko Minni Minawi, and affiliated with SAF, was able to attempt a recruitment campaign among the Zaghawa tribe in Chad, enlisting new members to join their ranks in Libya before heading to fight in Sudan.<sup>105</sup>
3. RSF remained the primary beneficiary of support originating from Libya, as it benefited more from a) trainings, including artillery trainings in Brak Al-Shati provided by HAF forces; and b) well-established supply air bridges and land routes. The Panel identified two primary supply routes to RSF .
4. RSF also received support from 77th company, commanded by Mohamed Mazoughi. 77th company is a LAAF unit operating mainly in South East-Libya under the umbrella of 128th brigade. Mazoughi served as the focal point for the RSF regarding logistical support. RSF elements collected these supplies from 77th company in Maateen Al Sarrah, before transferring them into Sudan via Zurug. When presented with an opportunity to reply, a LAAF official denied any involvement of LAAF in the Sudanese conflict and the existence of the 77th company within the LAAF structure.
5. Around 22 June 2024, violent clashes occurred between SLM/A-MM and defectors from the Revolutionary Awakening Council (splinter group led by Bakhit Ajab Al-Dor), loyal to RSF, inside Libyan territory, as both groups maintained their presence in Libya. Minawi forces suffered heavy losses and were forced to withdraw further into Libya.<sup>106</sup>
6. As the armed conflict in Sudan intensified in northern Darfur in late June 2024 and spilled into Libyan territory, LAAF started to disrupt the identified logistical supply routes, including by seizing the materiel.<sup>107</sup> The increased cross-border movements of fighters and civilians, including the growing influx of migrants and asylum seekers from Sudan, has been perceived as a security threat that LAAF attempted to mitigate through tight management of the Libyan Sudanese border.

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<sup>105</sup> CS (Sudanese armed groups).

<sup>106</sup> CS (Libyan and Sudanese armed groups).

<sup>107</sup> Brigade 128 seized on 21 July 2024 a large stock of weapons and ammunitions that were destined to Sudan. (CS – Libyan and Sudanese armed groups).

## Annex 13 Counterterrorism

Table 13.1

### List of Libyan entities working on counterterrorism

<i>Name of the entity</i>	<i>Affiliation</i>	<i>Leader</i>
Libyan Arab armed forces	N/A	Khalifa Haftar
Libyan Intelligence Agency (LIS) / General Intelligence Service (GIS)	GNU	Hussein Al-Aaeb
Support and Stability Apparatus	PC	Abdelghani Al Kikli
DACOT	PC	Abderraouf Kara
Internal Security Agency (ISA), both branches	Western branch: Office of the Prime Minister Eastern branch: LAAF	Western branch: Lotfi Al-Harari Eastern branch: Osama Al-Darsi
444 brigade	MoD	General Mahmoud Hamza
Libyan Counter-Terrorism Centre (LCTC)	PC	Major General Mohamed B Saleh
Counter-Terrorism Force (CTF)	MoD	General Mohamed Ezzein
Reserve force of the CTF	MoD	Mukhtar Al-Jahawi
Department of Counterterrorism and Extremist Organisations (DCTEO)	Office of the Prime Minister	N/A
Department for Counter-Terrorism	MoI	Colonel Abderrazek Al Makhzoum
Agency for Combating Financial Crimes, Money Laundering, and Terrorism Financing	Office of the Prime Minister	Major General Jamal Omar Al- Mazoghi

Table 13.2

**Locations of reported activities of listed terrorist groups and counter-terrorism operations conducted in Libya**

<i>listed terrorist groups</i>	<i>Locations of reported activities</i>	<i>Locations of counter-terrorism operations</i>
<b><i>Islamic State in Iraq and the Levant-Libya (QDe.165)</i></b>	<ul style="list-style-type: none"> <li>▪ Tripoli (Tripolitania)</li> <li>▪ Murzuk (Fezzan region),</li> <li>▪ Qatrun (Fezzan region)</li> <li>▪ Ghadwa (Fezzan region)</li> <li>▪ Acacus Mountains (Sahara- Fezzan)</li> <li>▪ Salvador Triangle (located in the tri-border area between Libya, Algeria and Niger)</li> <li>▪ Umm Al-Aranib (Fezzan)</li> <li>▪ Harouj Mountain (Central Libya)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Tripoli (Tripolitania)</li> <li>▪ Murzuk (Fezzan region),</li> <li>▪ Qatrun (Fezzan region)</li> <li>▪ Ghadwa (Fezzan region)</li> <li>▪ Salvador Triangle (located in the tri-border area between Libya, Algeria and Niger)</li> <li>▪ Umm Al-Aranib (Fezzan)</li> </ul>
<b><i>Organization of Al-Qaida in the Islamic Maghreb (QDe.014)</i></b>	<ul style="list-style-type: none"> <li>▪ Ubari (Fezzan)</li> <li>▪ Ghat (Fezzan)</li> <li>▪ Acacus Mountains (Sahara- Fezzan)</li> <li>▪ Owainat Mountain (Cyrenaica, Libya-Egyptian-Sudanese tri-border area)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ubari (Fezzan)</li> <li>▪ Ghat (Fezzan)</li> </ul>

Table 13.3

**Sources of revenue of terrorist groups operating in Libya**

<i>Activities</i>	<i>Comments</i>
Trafficking of illicit goods	Mostly locally brewed alcohol, food and medication.
Drug trafficking	Overall, terrorist groups facilitate the movement of traffickers along the routes they control. This facilitation is extended for financial gains and is brokered through tribal connections.
Trafficking of arms and related materiel	<ul style="list-style-type: none"> <li>• Cases in which the Panel identified a direct implication of terrorist groups in the trafficking of arms and related materiel are mostly small scale and opportunistic.</li> </ul>
Facilitation of human trafficking	<ul style="list-style-type: none"> <li>• The Panel identified a well-established transnational network of gold smuggling run by Malian Tuaregs and supported by Nigeriens and Libyans, which revenues participate in financing AQIM-affiliated sleeping cells.</li> </ul>
Gold smuggling	
Reselling foreign currency on the black market	Foreign currency, specifically USD, is purchased and resold in the black market by ISIL-Libya affiliated cells.
Online scams	These scams involve made-up companies that gather money for alleged charities.



## Annex 14 Recruitment of Libyan fighters in Sudan

1. The intensification of the conflict in Sudan gave ISIL-Libya and its affiliates an opportunity to expand their manpower and operational capacity. Sudanese recruiters linked to ISIL-Libya continued to operate in southern Libya, including in the areas of Acacus Mountains, Khuruj, Murzuk, and Ubari. They were also present at the border with Libya.<sup>108</sup> These individuals used social media platforms, encrypted messaging apps, and face-to-face interactions as recruitment communication channels. The recruitment cells led by Sudanese individuals were instructed by high profile terrorists, like Abu Mahawi, to seamlessly integrate into the Libyan communities, ensuring a discreet presence. Maintaining a low profile is part of the overall strategy of ISIL-Libya, to grow and gain local support.<sup>109</sup>
2. They recruited Libyan and foreign fighters (including Chadian, Egyptian, Malian, Nigerian, Nigerien, Senegalese, and Sudanese) to join Sudanese ISIL-affiliated cells. Although the number of involved Libyan fighters was limited, they are active within those cells.<sup>110</sup>
3. Terrorist groups affiliated with ISIL-Libya have diversified the profile of recruits to also include vulnerable individuals, such as victims of human trafficking, with no prior fighting experience. Among the leading recruitment operators were nationals of Somalia and Sudan. Abu Mahawi, a Sudanese national affiliated with ISIL-Libya and now based in south-west Libya, has been particularly prominent in the recruitment activities while operating between Libya and West Darfur. The Panel also identified that Libyan individuals have been involved in the recruitment activities and have strong connections to various migrant smuggling networks operating between Sudan and Libya.<sup>111</sup>

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<sup>108</sup> CS (local sources).

<sup>109</sup> CS (including Libyan officials).

<sup>110</sup> CS (official and local Libya sources).

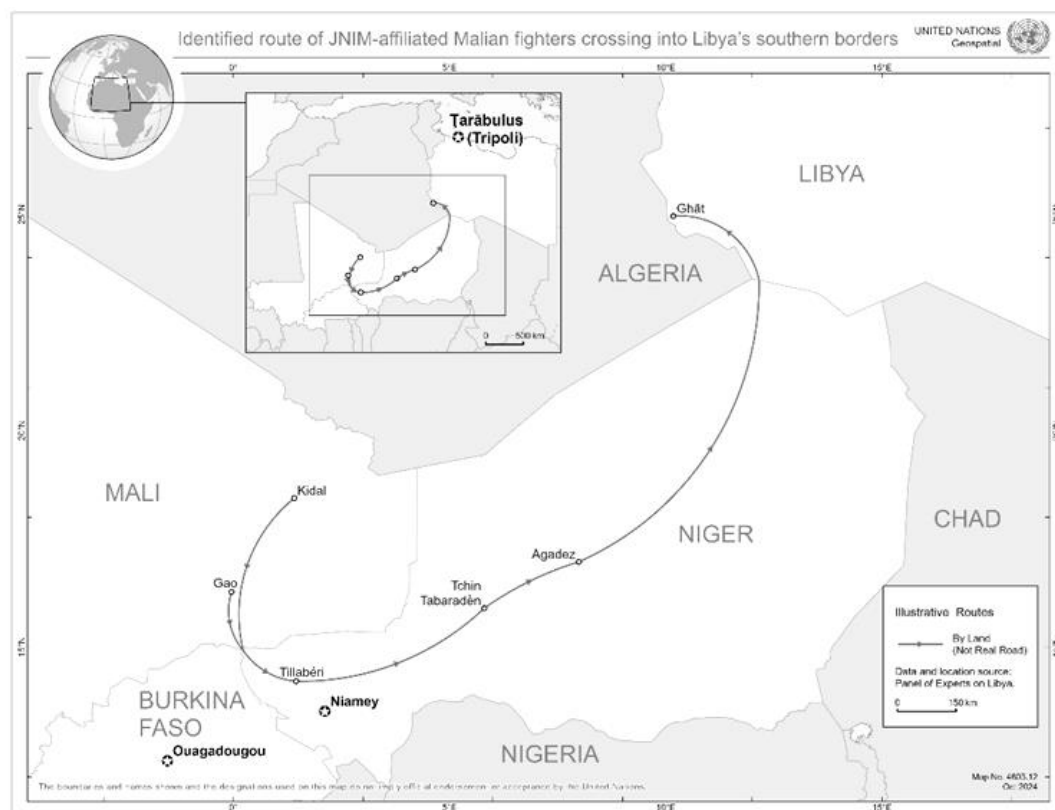
<sup>111</sup> CS (Including Libyan officials).

## Annex 15 Increase in Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM, QDe.159) affiliated fighters' movements and trafficking facilitated by tribal connections between Tuaregs

1. The Panel identified that *Jama'a Nusrat ul-Islam wa al-Muslimin* (JNIM, QDe.159)-affiliated Malian fighters intensified their crossings into Libya via its southern borders since December 2023<sup>112</sup>, with temporary stays in Ghat. This surge happened following the capture of Kidal – a stronghold of Tuareg opposition – by the Forces Armées Maliennes (FAMA) and their foreign allies in November 2023. Following this development, large groups of Malian Tuaregs crossed into Libya, through Niger, and were infiltrated by terrorist fighters affiliated with JNIM.<sup>113</sup>
2. These fighters leveraged tribal and matrimonial connections among Tuareg communities in Mali, Niger and Libya to facilitate their cross-border movements and engage in regional illicit gold trade. The gold is primarily sourced from mines in northern Mali and then smuggled through Niger. A portion of the revenues generated from these trafficking activities was used to finance dormant cells of Al-Qaida in the Islamic Maghreb (AQIM, QDe.014) in Libya. These smuggling and trafficking networks are led by individuals with direct ties to AQIM, who use terrorist fighters to facilitate the cross-border movement of gold.<sup>114</sup>
3. The Panel identified that the route used by JNIM affiliated Malian fighters to enter Libya (figure 15.1) is the same used for other cross-border illicit activities between Mali, Niger and Libya, including arms and drug trafficking.

Figure 15.1

### Identified route of JNIM-affiliated Malian fighters crossing into Libya's southern borders



<sup>112</sup> This increase was established following the capture in November 2023, by Forces Armées Maliennes (FAMA) and their foreign allies of Kidal, which was considered as the Tuareg opposition's stronghold. Following this development, large groups of Mali and Tuaregs crossed into Libya, through Niger, and were infiltrated by terrorist fighters affiliated with JNIM.

<sup>113</sup> CS (local sources, Libyan official sources).

<sup>114</sup> CS (local sources and Malian armed groups).

## Annex 16 Ras El-Jdir border crisis

Table 16.1  
Ras El-Jdir border crisis timeline

<i>Date</i>	<i>Events</i>
29 Oct 2023	Prime Minister of the Government of National Unity (GNU) Abdelhamid Dbeibah issued a decision forming a “Joint Operations Room for the defence of the Western and South-Western region” (JOR) that included seven brigades, eight battalions and twelve security and military agencies, to deter the groups responsible for the aggressions in Gharyan. Abdelsalam Zobi was appointed head of the JOR. <sup>115</sup>
15 Nov 2023	Acting Minister of Interior, Imad Trabelsi appointed Abdelsalam Zobi, as the head of another related force, tasked with securing and protecting the Libyan western borders with Tunisia. <sup>116</sup>
16 Nov 2023	Acting Minister of Interior, Imad Trabelsi, appointed Khairi Chengarou as head of the force controlling the Ras El-Jdir border crossing, in replacement of Abdelsalam Al Amrani. <sup>117</sup>
17 Nov 2023	Municipal Councils from Zuwara and Nafusa Mountains region held an emergency meeting in Zuwara, after which a state of emergency was declared, calling for general mobilization of all military battalions and companies affiliated with it. <sup>118</sup>
18 Nov 2023	President of Presidential Council (PC), Mohamed al-Menfi, in his capacity as the Supreme Commander of the Libyan Army, issued an order to all military units not to carry out any movement towards the west, unless granted permission, regardless of any consideration. <sup>119</sup>
19 Nov 2023	Municipal Council of Zuwara published a statement on the recent military movements and nominations in Ras El-Jdir, describing the Government of National Unity decisions as a “de facto policy and territorial hegemony on the Amazigh regions, that could lead to civil war”. The president of the Amazigh Supreme Council-Libya, Abdelhadi Barqiq, demanded the immediate dissolution and withdrawal of the JOR, arguing that the Amazigh community was not consulted in the decision-making process nor in the implementation. <sup>120</sup>
19 Nov 2023	JOR announced their withdrawal and retreat in Ziltan, following the orders of the PC, as declared by their spokesperson Moaz Al Manfoukh, who refuted any intention to target the Amazigh. <sup>121</sup>
18 Mar 2024 (morning)	Acting Minister of Interior Imad Trabelsi ordered law enforcement elements under his leadership (Law Enforcement Directorate) to go to the Ras El-Jdir border post to support the security forces in “the fight against smuggling”. <sup>122</sup>
18 Mar 2024 (evening)	Armed elements of the Zuwara Military Council entered by force the Ras El-Jdir border crossing and exchanged fire with Minister of Interior elements positioned there. <sup>123</sup>
18 Mar 2024	Tunisian authorities closed the border post in the evening “for security reasons”. <sup>124</sup>
18 Mar 2024	The acting Minister of Interior issued a communique about the decision to close Ras El-Jdir border crossing, due to attacks from “outlawed armed groups”, involved in smuggling activities. <sup>125</sup>
19 Mar 2024	Acting Minister of Interior Trabelsi declared that Ras El-Jdir border crossing would remain closed and only be reopened under the control of legitimate government forces. <sup>126</sup>
21 Mar 2024	Municipal Council of Zuwara called upon Presidential Council, GNU and HCS to intervene and stop all initiatives and decisions taken by acting Minister of Interior Trabelsi, to avoid any armed escalation. <sup>127</sup>
21 Mar 2024 24	Acting Minister of Interior Trabelsi gave instructions for the withdrawal of all Ministry of Interior personnel from the Ras El-Jdir border crossing. <sup>128</sup>
23 Mar 2024	Prime Minister Dbeibah created, in his capacity as Minister of Defence, a “Joint Military Force” to be deployed in Ras El-Jdir and take control of the area. <sup>129</sup>

<sup>115</sup> <https://twitter.com/libyapress2010/status/1780964413417070935?s=48>, 18 April 2024.

<sup>116</sup> <https://bit.ly/3QznqMC>, 16 November 2023.

<sup>117</sup> <https://lana.gov.ly/post.php?lang=ar&id=294353>, 16 November 2023.

<sup>118</sup> <https://twitter.com/ObservatoryLY/status/1725679181105946924/photo/1>, 18 November 2023.

<sup>119</sup> <https://bit.ly/4dlhCQK>, 20 November 2023.

<sup>120</sup> <https://www.libyaakhbar.com/libya-news/2270666.html>, 19 November 2023.

<sup>121</sup> <https://bit.ly/4dsA3TA>, 19 November 2023.

<sup>122</sup> <https://alwasat.ly/news/libya/433000>, 18 March 2024.

<sup>123</sup> <https://bit.ly/3yg36cR>, 18 March 2024.

<sup>124</sup> <https://bit.ly/3UxLTDg>, 19 March 2024.

<sup>125</sup> <https://x.com/alsaa24/status/1769868325528481853?s=48>, 18 March 2024.

<sup>126</sup> <https://alwasat.ly/news/libya/433098>, 19 March 2024.

<sup>127</sup> <https://twitter.com/arraedlplus/status/1770623343680426059?s=48>, 21 March 2024.

<sup>128</sup> <https://twitter.com/laamnetwork/status/1770640853939146753?s=48>, 21 March 2024.

<sup>129</sup> <https://bit.ly/3JQCdyO>, 25 March 2024.

23 Mar 2024	Salah Al-Namroush, Deputy Chief of Staff, formed a Joint Military Force from several brigades in the western region to support Ministry of Interior agencies in performing their security duties in the Ras El-Jdir region. <sup>130</sup>
24 Mar 2024	President of the Amazigh Supreme Council-Libya, El Hadi Barqiq, declared that “the border is still closed and there are no signs of a settlement of the issue. In case the Government forces enter Ras El-Jdir border crossing without previous discussions with tribal forces, this would lead to war”. Barqiq confirmed that an agreement had been reached between the Zuwara Military Council and the Chief of Staff <sup>131</sup> to form a Joint Force to secure the border crossing, warning that “any intervention by military forces that are not within the concluded agreement will lead to negative results.” <sup>132</sup>
27 Mar 2024	Prime Minister Dbeibah met with the deputy chief of staff, Salah al Namroush, to discuss the action of the Joint Military Force deployed to “protect” the Ras El-Jdir border crossing. During the meeting, Dbeibah underlined the need to “divert political and tribal tensions from the border” and to “follow up the work of the military force” for the protection of the border crossing. Speaking to the television station “Libya al Ahrar”, Al Namroush stated that the mission of the force - made up of seven brigades of Libyan infantry - “is to ensure security at the crossing, while avoiding political or tribal tensions”. <sup>133</sup>
27 Mar 2024	166 defense and surveillance battalion (commanded by Al Hissan), 51 brigade (commanded by Al Bakara) and 111 brigade (commanded by Zewbi) were deployed in Ras El-Jdir area. <sup>134</sup>
27 Mar 2024	A Joint Security Room (JSR - under Ministry of Interior), led by Abdelhakim Khaitouni was deployed in Ras El-Jdir and stationed in Al Assah. JSF held its first meeting in Al Assah to discuss the securing of the Ras El-Jdir area and the support to all security forces deployed between Sabratha and the Tunisian borders. <sup>135</sup>
29 Mar 2024	A meeting was held in Zuwara between members of the PC Musa Al Koni and Abdellah Al Lafi, the Chief of Staff Mohammed Haddad and civilian and military notables from Zuwara, to contain the situation in Ras El-Jdir by assigning the Chief of staff and its affiliated forces to extend security at the Ras El-Jdir border crossing. <sup>136</sup>
31 Mar 2024	Trabelsi made a declaration about JSR heading on 1 April to Ras El-Jdir border crossing to take control of it, and that any opposition would trigger a strong response from the Ministry of Defence Joint Military Force. <sup>137</sup>
31 Mar 2024	During a meeting held in Al Assah, the JSR members confirmed they will head to Ras El-Jdir border post on 1 April 2024, but to assess the situation on the ground and the extent of material damage, then report on the way forward in reopening the border crossing point, in coordination with the Chief of Staff of the Libyan Army. <sup>138</sup>
31 Mar 2024	Protests by Tunisian merchants erupted in Ben Guerdane, Tunisia, demanding the reopening of the Ras El-Jdir border crossing. The president of the Tunisian Observatory for Human Rights, stated in a press release that merchants burnt tires in Ben Guerdane, prompting intervention by Tunisian authorities to disperse the crowds. <sup>139</sup>
01 Apr 2024	Elements and vehicles of 444 brigade reportedly headed to Ras El-Jdir to secure the area and take part in the ongoing operation, led by the MoD forces to secure the border, fight smuggling and trafficking. <sup>140</sup>
01 Apr 2024	Al Namroush called upon JSR to withdraw from Al Assah where its forces were stationed. <sup>141</sup>
02 Apr 2024	The JSR denied the withdrawal of its members from the Ras El-Jdir border with Tunisia after footage <sup>142</sup> was circulated on social media showing vehicles, rumoured to be part of the Room’s convoy, leaving the border crossing. <sup>143</sup>

<sup>130</sup> <https://www.facebook.com/100063478239416/posts/926433619482571/?mibextid=rS40aB7S9Ucbxw6v>, 27 March 2024.

<sup>131</sup> <https://bit.ly/3Ux40t2>, 29 March 2024.

<sup>132</sup> <https://bit.ly/3WsaGva>, 25 March 2024.

<sup>133</sup> <https://lana.gov.ly/post.php?lang=ar&id=304623>, 27 March 2024.

<sup>134</sup> <https://bit.ly/3WvwdmB>, 27 March 2024.

<sup>135</sup> <https://twitter.com/hakomitna/status/1773357990252319097?s=48>, 28 March 2024.

<sup>136</sup> [https://twitter.com/abaadnews\\_ly/status/1774095488587104292?s=48](https://twitter.com/abaadnews_ly/status/1774095488587104292?s=48), 30 March 2024.

<sup>137</sup> <https://twitter.com/observatoryly/status/1774623590429901121?s=48>, 01 April 2024 and <https://twitter.com/MinisterofInteriorgovly/status/1774602713872892113?s=48>, 01 April 2024.

<sup>138</sup> [https://twitter.com/zawaya\\_ly/status/1774632769517187115?s=48](https://twitter.com/zawaya_ly/status/1774632769517187115?s=48), 01 April 2024 and

<https://twitter.com/alwaqielibya/status/1774896883791507802?s=48>, 01 April 2024.

<sup>139</sup> <https://bit.ly/4b0APFQ>, 01 April 2024 and

<https://twitter.com/laamnetwork/status/1774527086041928156?s=48>, 31 March 2024.

<sup>140</sup> [https://twitter.com/lpc\\_ly/status/1774643003119870367?s=48](https://twitter.com/lpc_ly/status/1774643003119870367?s=48), 01 April 2024.

<sup>141</sup> [https://twitter.com/abaadnews\\_ly/status/1774936027339055613?s=48](https://twitter.com/abaadnews_ly/status/1774936027339055613?s=48), 01 April 2024.

<sup>142</sup> [https://twitter.com/address\\_libya/status/1774947864139182538?s=48](https://twitter.com/address_libya/status/1774947864139182538?s=48), 01 April 2024.

<sup>143</sup> <https://twitter.com/laamnetwork/status/1774971949547925735?s=48>, 02 April 2024.

03 Apr 2024	A statement by the PC media office reported that Chief of Staff Mohammed Haddad provided the Head of the PC / Supreme Commander of the Army, Mohammed Menfi, with a detailed briefing on the status of the Ras El-Jdir border crossing with Tunisia, focusing on security and military aspects. <sup>144</sup>
04 Apr 2024	Khaitouni, head of the JSR, claimed his force took control of Ras El-Jdir border post from MoD joint military force. <sup>145</sup>
04 Apr 2024	President of the Tunisian-Libyan business council warned about consequences of Ras El-Jdir crisis on the regular traffic and trade. <sup>146</sup>
05 Apr 2024	When requested by the Ministry of Interior, forces from the Zuwara Military Council refused to remove the Amazigh flag from the Ras El-Jdir border crossing. <sup>147</sup>
05 Apr 2024	JSR announced that the border crossing would reopen in the following days. <sup>148</sup>
06 Apr 2024	The Directorate for Law Enforcement of JSR announced its supervision on maintenance work of passengers' passages, under the JSR. <sup>149</sup>
06 Apr 2024	Barqiq refuted the declaration made by the Ministry of Interior forces about the reopening of Ras El-Jdir border crossing before Eid Al Fitr. <sup>150</sup>
07 Apr 2024	Abdulmunem Al-Arabi, spokesperson of the Ministry of Interior, declared that only the JSR can decide the reopening of the Ras El-Jdir border crossing, considering the security situation on both sides of the border. <sup>151</sup>
13 Apr 2024	The Directorate for Law Enforcement of JSR was reportedly headed to the Ras El-Jdir border crossing upon instructions of the acting Minister of Interior, Imad Trabelsi <sup>152</sup> to secure the border crossing.
18 Apr 2024	Abdulmunem Al-Arabi, spokesperson of the Ministry of Interior declared that the reopening of the border crossing is subject to the Director of the JSR submitting their report to acting Minister of Interior, Imad Trabelsi, regarding the security situation in Ras El-Jdir. <sup>153</sup>
25 Apr 2024	Following a phone call between the acting Minister of Interior of Libya and his Tunisian counterpart, the Libyan Ministry of Interior issued a press release about the importance of the Ras El-Jdir border crossing and its vital role for both countries, with an agreement to promptly reopen it. <sup>154</sup>
06 May 2024	During a meeting held in Tunisia, the Tunisian President and the Libyan acting Minister of Interior discussed the prospects of joint security cooperation and procedures for reopening the Ras El-Jdir border crossing. <sup>155</sup>
07 May 2024	According to the Libyan Ministry of Interior, the JSR has resumed its operations. The Panel could not verify this claim. On the same day, JSR reportedly met with the Tunisian Border Police to further discuss the prospects of joint security cooperation. <sup>156</sup>
12 Jun 2024	Tunisia and Libya have agreed to partially re-open Ras El-Jdir BCP as of 13 June 2024, following a security agreement reached in Tripoli between officials from both countries.
19 Jun 2024	Ministry of Interior announces the postponement of the BCP reopening to the public. <sup>157</sup>
22 Jun 2024	Armed groups from Zuwara closed the coastal road to Abu Kammash – Ras El-Jedir, in protest against their exclusion by the acting Minister of Interior Trabelsi and to negotiate a deal for the border crossing reopening. <sup>158</sup>
24 Jun 2024	Prime Minister Dbeibah discusses with the representatives from the municipality and notables of Zuwara their conditions for the reopening of the coastal road and of the Ras El-Jdir crossing. <sup>159</sup>
28 Jun 2024	Prime Minister Dbeibah declares the area from Abu Kammash to Ras El-Jdir a military zone under the exclusive control of the GNU. <sup>160</sup>

<sup>144</sup> <https://lana.gov.ly/post.php?lang=ar&id=304941>, 03 April 2024.

<sup>145</sup> <https://twitter.com/ashraforaibi/status/1776015177202229525?s=48>, 04 April 2024 and <https://ar.libyaobserver.ly/article/27575>, 04 April 2024.

<sup>146</sup> <https://bit.ly/4dpZg15>, 04 April 2024.

<sup>147</sup> [https://twitter.com/address\\_libya/status/1776359799032324164?s=48](https://twitter.com/address_libya/status/1776359799032324164?s=48), 05 April 2024.

<sup>148</sup> [https://twitter.com/wady\\_dynar/status/1776356875845460258?s=48](https://twitter.com/wady_dynar/status/1776356875845460258?s=48), 05 April 2024.

<sup>149</sup> [https://twitter.com/zawaya\\_ly/status/1776586905208963186?s=48](https://twitter.com/zawaya_ly/status/1776586905208963186?s=48), 06 April 2024.

<sup>150</sup> <https://bit.ly/3ULb4Un>, 06 April 2024.

<sup>151</sup> [https://twitter.com/abaadnews\\_ly/status/1777102356326367576?s=48](https://twitter.com/abaadnews_ly/status/1777102356326367576?s=48), 07 April 2024.

<sup>152</sup> <https://twitter.com/lspb245941/status/1779494156294828123?s=48>, 14 April 2024.

<sup>153</sup> <https://twitter.com/libyapress2010/status/1780964413417070935?s=48>, 18 April 2024.

<sup>154</sup> <https://bit.ly/3y5UFAV>, 25 April 2024.

<sup>155</sup> <https://tinyurl.com/29thu65w>, 06 May 2024.

<sup>156</sup> <https://tinyurl.com/2s4ybs5f>, 07 May 2024. 07 May 2024.

<sup>157</sup> [https://x.com/wady\\_dynar/status/1803414556363956652?s=48](https://x.com/wady_dynar/status/1803414556363956652?s=48), 19 June 2024.

<sup>158</sup> <https://x.com/shabakaalahrar/status/1805255855354380755?s=12>, 24 June 2024.

<sup>159</sup> <https://x.com/observatoryly/status/1805298341808685338?s=48>, 24 June 2024.

<sup>160</sup> <https://x.com/MouradTeyeb/status/1806746517899801056>, 28 June 2024.

1 Jul 2024	Ministry of Interior announces the official reopening of the Ras El-Jdir BCP. <sup>161</sup>
1 Jul 2024	Khaitouni announced the reopening of Ras El-Jdir crossing from the Libyan and Tunisian sides, and reminds travelers that carrying fuel out of Libya is prohibited. <sup>162</sup>
20 Jul 2024	Clashes between local population and Zuwaran armed groups erupted at the BCP, without any intervention by the GNU Ministry of Interior. <sup>163</sup>
29 Jul 2024	Armed clashes erupted between forces affiliated with the GNU Ministry of Interior and armed groups from Zuwara. <sup>164</sup>
17 Aug 2024	Deployment of armed element of the Zuwara Military Council around Ras El-Jdir.
22 Aug 2024	The Ras El-Jdir border crossing has been blocked due to deployment of Zuwaran armed groups and eruption of clashes with security actors affiliated with the Ministry of Interior, to regain control of the BCP. <sup>165</sup>
26 Aug 2024	The Directorate for Law Enforcement (JSR) announces the cessation of all outbound transit and traffic for undetermined reasons. <sup>166</sup>
27 Aug 2024	The Directorate for Law Enforcement (JSR) announced that the situation is under control and that the transit can resume starting 28 August 2024. <sup>167</sup>
27 Aug 2024	In a press statement, Al-Namroush announces the reopening of the coastal road, between Abu Kamash and Ras El-Jdir crossing. <sup>168</sup>
29 Aug 2024	Armed clashes erupted in Abu Kamash area, west of the Ras El-Jdir crossing, between Al-Namroush forces and the Zuwara armed groups, with injuries and casualties reportedly on both sides. <sup>169</sup>
1 Sep 2024	Local armed groups closed the road between Tripoli and Ras El-Jdir following to the assassination of Mohammed Milad (Bidja). <sup>170</sup>
4 Sep 2024	The National Institute of Business Leaders in Tunisia estimated that the economic losses resulting from the closure of the Ras El-Jdir crossing between Libya and Tunisia for several months amounts to 180 million Tunisian dinars (about 60 million dollars). <sup>171</sup>
8 Oct 2024	The president of the Tunisian Observatory for Human Rights stated that Tunisia has been facing major losses because of the closure of commercial traffic with Libya, between March and October 2024. <sup>172</sup>
14 Oct 2024	The Directorate for Law Enforcement of JSR announced that on Saturday 19 October 2024, the official reopening ceremony of the Ras El-Jdir BCP will take place, and the commercial traffic with Tunisia will resume. Strict rules have been established for the truck drivers wishing to cross through the BCP. <sup>173</sup>

<sup>161</sup> <https://x.com/MouradTeyeb/status/1807797438742220993>, 1 July 2024.

<sup>162</sup> <https://x.com/Laamnetwork/status/1807849287432196280>, 1 July 2024.

<sup>163</sup> <https://x.com/observatoryly/status/1814464670100795822?s=48>, 20 July 2024.

<sup>164</sup> <https://x.com/LibyanNewsAl/status/1817689729049227305>, 29 July 2024.

<sup>165</sup> <https://x.com/MouradTeyeb/status/1826897124971131246>, 23 August 2024.

<sup>166</sup> <https://x.com/TanasuhTV/status/1828151077646024876>, 26 August 2024.

<sup>167</sup> [https://x.com/taha\\_hadeed/status/1828509061773697098](https://x.com/taha_hadeed/status/1828509061773697098), 27 August 2024.

<sup>168</sup> [https://x.com/libyapress\\_2010/status/1828522905568760313](https://x.com/libyapress_2010/status/1828522905568760313), 27 August 2024.

<sup>169</sup> [https://x.com/Al\\_Mutasem\\_Al\\_F/status/1829201092774945207](https://x.com/Al_Mutasem_Al_F/status/1829201092774945207), 29 August 2024.

<sup>170</sup> <https://x.com/AlHadath/status/1830328803916198332>, 1 September 2024.

<sup>171</sup> <https://tinyurl.com/4zx8r7hf>, 4 September 2024.

<sup>172</sup> <https://x.com/arraedlgplus/status/1843721065346044318>, 8 October 2024.

<sup>173</sup> [https://x.com/zawaya\\_ly/status/1845919610920685825](https://x.com/zawaya_ly/status/1845919610920685825), 14 October 2024.

## Annex 17 Security oriented external relations of LAAF towards Niger and Chad, spearheaded by Saddam Haftar

1. Following seven high-level regional visits, including two by Saddam Haftar, LAAF expanded its influence in neighbouring countries, particularly through providing security assistance to Chad and Niger in guarding borders and key land routes between the three countries (paragraph 29 of the Report). This broader strategy not only sought to control Libyan borders, but also enabled Saddam Haftar to leverage regional instability to spearhead security-oriented external relations with neighbouring states.

Table 17.1

### Meetings between Niger and LAAF, and Chad and LAAF.

<i>Date and location</i>	<i>Country</i>	<i>Meeting</i>	<i>Comment</i>
28 December 2023 Benghazi, Libya	Niger	Meeting between the Nigerien Minister of Foreign Affairs and GNS prime minister Hammad. <sup>174</sup>	Migration and border security.
25 February 2024 Benghazi, Libya	Niger	Meeting between Nigerien Prime Minister and GNS Minister of Foreign Affairs. <sup>175</sup>	Economy, trade and development.
June 2024 N'Djamena, Chad	Chad	Meeting between Saddam Haftar and President Mohamed Idriss Déby. <sup>176</sup>	Military and security cooperation, border management.
15 August 2024 Benghazi, Libya	Niger	Meeting between Nigerien Minister of Interior and his Libyan GNS counterpart. <sup>177</sup>	Reactivation of pre-existent security agreement and creation of joint border patrols.
16 August 2024 Benghazi, Libya	Niger	Meeting between LAAF secretary general and Nigerien Minister of Interior. <sup>178</sup>	Border security, movements of LAAF troops in the border area between Niger and Libya.
30 August 2024 N'Djamena, Chad	Chad	Meeting between Hammad (GNS) and President Mohamed Idriss Déby. <sup>179</sup>	Logistical support to Chad, particularly in securing the borders and regional economic agreements.
31 August 2024 Niamey, Niger	Niger	Meeting between Saddam Haftar and General Abdourahmane Tchiani, head of the transitional Government in Niger. <sup>180</sup>	Finalisation of agreements on a joint security and trade project, including border security.

### A. Niger

2. The LAAF has focused on providing security support to Niger in the border area, with the objective of: a) strengthening LAAF troops presence; b) controlling key trade and trafficking routes; and c) establishing a stable trade zone along the shared border.<sup>181</sup> By providing security in these regions, the LAAF aims to facilitate increased cross-border exchanges while asserting control over key supply chains. This strategy not only strengthens LAAF's economic influence but also enhances its role as a dominant security actor in the region, particularly in the context of the ongoing instability in Niger.

### B. Chad

3. LAAF has been actively working to clear Chadian opposition groups and traffickers from the Libyan border regions. Chad has also been cooperating with LAAF in pursuing Chadian opposition groups that maintain rear bases in southern

<sup>174</sup> <https://tinyurl.com/ytek3u4>, 1 February 2024.

<sup>175</sup> <http://www.anp.ne/article/niger-le-premier-ministre-lamine-zeine-s-entretient-avec-le-ministre-libyen-des-affaires>, 25 February 2024.

<sup>176</sup> <https://alakhbar.info/?q=node/54370>, 3 June 2024.

<sup>177</sup> <https://fr.africanews.com/2024/08/22/libye-le-rapprochement-entre-le-niger-et-le-camp-haftar-continue/>, August 2024.

<sup>178</sup> <https://tinyurl.com/53cvzm9n>, 17 August 2024.

<sup>179</sup> <https://libyasecuritymonitor.com/hammad-and-saddam-haftar-address-security-cooperation-in-sahel-tour/>, August 2024.

<sup>180</sup> <https://libyasecuritymonitor.com/hammad-and-saddam-haftar-address-security-cooperation-in-sahel-tour/>, August 2024.

<sup>181</sup> CS (Nigerien official sources).

Libya.<sup>182</sup> In a recent case, during a visit by Chadian Minister of Defence to Niger,<sup>183</sup> a group of Chadian nationals was repatriated to Chad with the assistance of Nigerien authorities. Officially, these individuals were portrayed as members of opposition groups to N'Djamena, returning from southern Libya under the amnesty program led by President Mahamat Idriss Deby.

4. However, the Panel found that these Chadians were apprehended in southern Libya by LAAF forces. They were indeed affiliated with groups opposed to the Chadian government, and their repatriation was facilitated by Niger as part of the implementation of a broader security agreement between Chad and Libya. Amidst ongoing regional instability, the presence of Chadian foreign fighters in Libya continues to impact the security situation in both countries.

### **C. Mali**

5. The newly developed security cooperation between Libya and Mali<sup>184</sup> focuses on tightening Libya's southwestern borders to restrict the movement of fighters coming from northern Mali to the Ghat area in Libya. Although the two countries do not share a direct border, this cooperation is crucial to Malians as Tuareg opposition groups leverage their tribal connections to use Libya as a hideout. Following significant losses by the Malian Armed Forces and their foreign allies in late July 2024, Malian Transitional Authorities sought regional support to disrupt routes used by Tuareg fighters, civilians, and traffickers alike, to limit their movement and logistical support flowing into northern Mali.

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<sup>182</sup> CS (Chadian officials and armed groups).

<sup>183</sup> <https://tinyurl.com/5cc8exmy>, 9 May 2024.

<sup>184</sup> CS (diplomatic sources).



## Annex 18 5+5 Joint Military Commission and creation of a Joint Military Force

1. Despite the announcement from both Chiefs of Staff to commence the formation of the JMF (Joint Military Force) under the auspices of the 5+5 JMC (Joint Military Commission),<sup>185</sup> no concrete steps have been taken to implement that unification process.
2. Chief of Staff Mohammed Al-Haddad informed the Panel about regular exchanges with his counterpart in the east, Chief of Staff Abdel Razek al-Nadori,<sup>186</sup> that resulted in a joint assessment of preliminary operational parameters for the JMF deployment, including the required number of personnel, military equipment, and locations. The two Chiefs of Staff agreed on the purpose of the JMF to entail a) the protection of Libyan borders, b) the confidence building between the western and eastern regions of the country, and c) the unification of military and security institutions. Yet, discussions between both Chiefs of Staff failed to yield an agreement on key parameters.
3. The creation of the JMF did not materialise due to challenges inherent to the security and political situation in the country. Key issues included differing views on the authority delegated to each of the Chiefs of Staff and concerns over the chain of command within the JMF. There also is apprehension on both sides about the potential subordination of experienced personnel with extensive military backgrounds to lower-ranking counterparts, who may lack formal military training. This deadlock is rooted in two main challenges: a) the west's limited capacity to manage a unified force, given the lack of cohesive military institutions and the growing influence of local armed groups, and b) the Haftar family's dominance over LAAF, resulting in a concentration of power which resists integration into a unified military structure.
4. The key stakeholders in Tripoli, including the GNU and the PC, consider that Chief of Staff al-Nadori lacks decision-making powers in the process. Instead, those powers are exclusively held and controlled by the Haftars. This generates unjustified delays and impediments to any potential creation of the JMF and implementation of unification.
5. The LAAF command informed the Panel that the position of the Chief of Staff in Tripoli has not been able to control armed groups that continue to operate outside of his command and control. This position is further formed by the overall perception that western armed groups lack the military competence and professionalism necessary to carry out the JMF tasks.
6. Following its meeting on 25 August 2024 in Sirte, the 5+5 Joint Military Commission (JMC) reaffirmed its commitment to maintaining the October 2020 ceasefire. The JMC emphasised that military reunification falls outside the scope of its mandate and noted that this is the state's executive bodies responsibility. While expressing concerns about the continued presence of mercenaries, the Commission reassured Libyans that the ceasefire remains stable and that all committees tasked with monitoring its implementation are working diligently. The meeting also addressed the broader political situation's impact on national security and the ceasefire agreement.


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<sup>185</sup> Announcement made during the annual African Chiefs of Defence Conference, held in Rome from 27 February 2023 and 2 March 2023.

<sup>186</sup> The Panel sought a meeting with Chief of Staff Abdel Razek al-Nadori. The request is still pending a response.

Figure 18.1

Final statement by the 5+5 Joint Military Commission following its 24-25 August 2024 meeting in Sirte.



اللجنة العسكرية المشتركة  
5+5  
Joint Military Commission  
(JMC)

بيان  
التاريخ: 25-24 أغسطس 2024م

**بيان اللجنة العسكرية المشتركة 5+5 في ختام اجتماعاتها في سرت بتاريخ  
2025/8/25-24م**

في إطار الاجتماعات المستمرة والمعقدة للجنة العسكرية المشتركة 5+5، اجتمعت اللجنة في مقرها في مدينة سرت بتاريخ 2024/8/25-24م وقد نظمت الوضع الأمني وكذلك الوضع السياسي وتأثيره على تنفيذ باقي بنود اتفاق وقف إطلاق النار، وتؤكد على التالي:-

- تطمين الليبيين كافة بثبات وقف إطلاق النار وأن كل التجاذب المشرفة على تنفيذه ومراقبته والتابعة للجنة العسكرية 5+5 تواصل عملها بكل تكافؤ وإخلاص.
- أن كل ما يشاع على أن اللجنة العسكرية المشتركة 5+5 قد تخلت عن دورها هو محض افتراء وعدم فهم وتقدير لنهضة المهمة المكلّفة بها اللجنة وتؤكد على أنها تعمل ضمن إطار محدد يتعلق بوقف إطلاق النار ومراقبة تنفيذه وأنها لم تكلف بتوحيد المؤسسة العسكرية ولا تمتك الصلاحيات الكافية والإمكانيات اللازمة لإخراج المرتزقة والقوات الأجنبية أو تنظيم وضم المجموعات المسلحة وأن ذلك من صلاحيات الأقسام التنفيذية بالدولة.
- تؤكد اللجنة التزامها التام بتفعيل مقرها في سرت والعمل من خلاله وحصر اجتماعاتها في مقرها في سرت بشكل دائم إلى حين انتهاء مهمتها المكلفة بها.
- تدارست اللجنة حالة الانقسام السياسي وتأثيره على تنفيذ باقي بنود وقف إطلاق النار وكذلك على حالة الأمن القومي للدولة بشكل عام وستعلن اللجنة موقفها من ذلك لليبيين في الأيام القليلة القادمة.

صدر في سرت بتاريخ 2024/8/25م

Source: Confidential.

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*Unofficial translation by the Panel of Experts*

### **Statement of the 5+5 Joint Military Committee at the Conclusion of its Meetings in Sirte, 24-25 August 2024**

In the context of its ongoing and regular meetings, the 5+5 Joint Military Committee convened at its headquarters in Sirte on 24-25 August 2024, to discuss the security and political situations and their impact on the implementation of the key provisions of the ceasefire agreement, and it emphasizes the following:

- The Committee reassures all Libyans of the continued stability of the ceasefire. All committees overseeing the implementation and monitoring of the ceasefire, affiliated with the 5+5 Joint Military Committee, remain fully committed and dedicated to their work.
- The Committee strongly refutes rumours that it has abandoned its role. Such claims are baseless and reflect a misunderstanding of the mission entrusted to the Committee, which remains focused on overseeing the ceasefire's implementation. The Committee clarifies that it is not responsible for unifying the military establishment, nor does it have the necessary authority or capacity to expel mercenaries and foreign forces or to organize and integrate armed groups. These tasks fall within the jurisdiction of the state's executive bodies.
- The Committee reaffirms its full commitment to activating its permanent headquarters in Sirte and to holding all future meetings exclusively at this location until the completion of its mission.
- The Committee also examined the current state of political division and its impact on the remaining provisions of the ceasefire, as well as the broader implications for national security. It intends to announce its position on these issues to the Libyan people in the coming days.

Issued in Sirte on 25 August 2024

## Annex 19      **Shifting stance of LAAF towards Chadian fighters**

1.     The Panel previously identified a tacit agreement between Front pour l'Alternance et la Concorde au Tchad (FACT) and HAF (Haftar Affiliated Forces),<sup>187</sup> facilitating HAF's management of relations with Tubu tribes and their control over border areas and roads. However, given the security struggle between FACT and the Chadian government and the risk of eruption of armed clashes between them on Libyan soil,<sup>188</sup> the LAAF general command recalibrated their stance towards FACT so as not to jeopardize its relations with Chad. Figure 19.1 contains a press release by FACT expressing the risk of eruption of armed conflict on Libyan soil.

2.     On 23 August 2023, a few days after Chadian authorities targeted FACT positions in northern Tibesti, close to the Libyan border, the LAAF launched air strikes against FACT positions,<sup>81</sup> followed by the deployment of ground fighting units in Umm al-Aranib.<sup>82</sup> The objective of the LAAF operations was to a) prevent Libya from becoming a rear base for Chadian fighters preparing attacks against their national authorities;<sup>83</sup> and b) prevent the outbreak of armed conflict among Chadians within Libyan borders. The LAAF justified its air strikes based on its assessment that FACT represented a security threat. This was because a) FACT presence in Libya comprised 2,000 fighters and 400 armed vehicles; b) FACT continued exploitation of the war economy in the border area to generate revenues from illegal exploitation of Libyan natural resources, particularly gold and oil; and c) FACT launched incursions against the Chadian transitional government.


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<sup>187</sup> See S/2023/673, paragraph 38.

<sup>188</sup> <https://www.facebook.com/watch/?mibextid=zDhOQc&v=1042893840414618>, 23 August 2023.

Figure 19.1

Press release issued by FACT on 18 August 2023, accusing the Chadian Transitional Authorities of preparing an incursion on Libyan territory



## FRONT POUR L'ALTERNANCE ET LA CONCORDE AU TCHAD(FACT)

18 AUG 2023

Unité-Travail-Justice

**COMMUNIQUE DE PRESSE N° 004/BF/EU/SG/2023**

Le Front pour l'Alternance et la Concorde au Tchad porte à la connaissance de l'opinion nationale et internationale qu'après le survol aérien avant hier de nos positions, la milice de la junte vient de bombarder notre base et nous déplorons trois (3) morts et quatre (4) blessés.

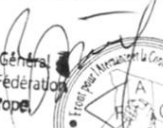
Nous tenons à rappeler que malgré notre bonne volonté pour trouver une solution pacifique à la crise qui mine notre pays, la junte militaire au pouvoir, après avoir échoué dans la gestion de la transition vient de nous déclarer la guerre.


Confortée et rassurée par la communauté internationale dans sa dérive dictatoriale contre la population civile et les forces vives de la nation par son mutisme, la junte prépare aujourd'hui une incursion en territoire libyenne pour attaquer notre base arrière afin de faire taire toute voix discordante.

Eu égard à cela, le FACT rompt le cessez-le-feu unilatéral qu'il a déclaré en avril 2021, et rassure la junte que sa réaction sera foudroyante et sans retenue.

Notre marche vers la liberté est irréversible,  
Peuple tchadien, ta liberté naîtra de ton courage,  
Vive la résistance nationale, Vive le peuple tchadien.

Fait à Tanoua, le 18 août 2023  
Le Secrétaire Général Exécutif  
Mahamat Barh Bechir Kendji  
P/O Le Secrétaire Général du Bureau Fédéral FACT-EUROPE  
AHMAT BRAHIM  
[contact.fact.tchad@gmail.com](mailto:contact.fact.tchad@gmail.com)

  
 Secrétaire Général  
 Bureau de la Fédération  
 FACT Europe



Source: FACT official Facebook page.<sup>189</sup>

<sup>189</sup> <https://www.facebook.com/watch/?mibextid=zDhOQc&v=1042893840414618>, 23 August 2023.

## **Annex 20 Coercive quasi-judicial systems under the effective control of DACOT and ISA-Tripoli**

1. This annex presents evidence of serious violations of international humanitarian law (IHL) and international human rights law (IHRL) against individuals arrested and detained in temporary and permanent places of detention: 1) under the control of DACOT (appendix 20.A); and 2) under the control of ISA-Tripoli (appendix 20.B). The Panel identified that both DACOT and ISA-Tripoli committed identified IHL and IHRL violations through well-developed coercive quasi-judicial systems that the commands of two armed entities created in misuse of the Libyan judicial system (see appendixes 20.A and 20.B).

## Appendix A to Annex 20: Violations of IHL and IHRL committed in places of detention under the control of DACOT

1. The Panel identified eight incidents of unlawful detention, enforced disappearance, torture and other ill-treatment committed against civilians deprived of liberty in coordinated detention operations by members of DACOT and the Judicial Police Operations Department acting under the effective control of the DACOT.<sup>190</sup> These acts were administrated through a coercive quasi-judicial system that the DACOT command has lawlessly enforced to keep detainees outside the protection of Libyan judicial system. This system was composed of:

(a) *DACOT command* – responsible for issuing orders and directives on the execution of arbitrary and unlawful arrests and detentions);

(b) *elements of DACOT units and the Judicial Police Operations Department* under the DACOT command’s effective control – in charge of executing the order to arrest and manage detentions detainees to places of detention;

(c) *individuals working at the Military Attorney General’s office* – responsible of issuing prosecutorial documentation required to justify the arrests and judicial proceedings against the selected detainees; and

(d) *individuals managing DACOT’s temporary and permanent detention facilities*, including the Mitiga detention facility, used for the administration of arbitrary and unlawful detention and associated IHL and IHRL violations. Among DACOT commanders, the Panel identified Osama Najim, commander of the Judicial Police Operations Department and deputy director of the Judicial Police, among the most responsible for the management and coordination of unlawful detentions and associated IHL and IHRL violations that took place under his orders at the Mitiga detention facility.

### *Decision to detain and its enforcement*

2. The eight victims were selected for arbitrary and unlawful arrest in an organised manner based on: a) their social engagements that challenged DACOT’s authority; b) the calculated value that their detention would have for leveraging DACOT’s alliances with other Libyan armed groups, including ISA in Tripoli, Hafedh Al-Azraq in Tarhuna, and elements of LAAF command in Benghazi;<sup>191</sup> and/or c) the coercive impact that their detention and severe mistreatment would have on their immediate communities to obey DACOT’s instructions and not to interfere its interests. DACOT units and the Judicial Police Operations Department enforced DACOT command’s orders to unlawfully deprive of liberty the eight victims.

### *Administration of the decision to detain*

3. Upon their unlawful arrest, among eight victims, three were temporarily held at the Judicial Police Operations Department HQ before being transferred to the Mitiga detention facility. Six witnesses gave accounts consistent with the Panel’s previous reports<sup>192</sup> that identify a systematic pattern of violent acts amounting to unlawful detention, enforced disappearance, torture, cruel, inhuman and/or degrading treatment, committed in the Mitiga detention facility in Tripoli under the effective control of DACOT.<sup>193</sup> The Mitiga detention facility was an integral part of this coercive quasi-judicial system. DACOT restructured this facility for the purpose of inducing the mistreatment. Four former detainees testified being tortured in three distinctive interrogation rooms equipped with means designed solely for the purpose of inflicting acts of torture upon detainees.

4. Detainees were held in continuous incommunicado detention and subjected to other mistreatment methods, often inflicted in combination. These methods included being subjected to regular beatings, prolonged solitary confinement, prolonged stress positions, during which two victims were chained by the wrists or torso on a hoist<sup>194</sup> while being

<sup>190</sup> Panel interviews with former detainees, family members and eyewitnesses (CSIHL-24, 31, 32, 34, 37, 42, 141 and 145). Where a victim was unable to give testimony due to an ongoing detention, the Panel interviewed an immediate family member.

<sup>191</sup> Panel interviews with victims (CSIHL-32 and 37), family members (CSIHL-31, 34 and 42), and eyewitnesses (CSIHL-18, 33 and 43). Known locations of all established detention facilities and other places used for detention of migrants can be found in annex 17.

<sup>192</sup> Articles 7, 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR). See e.g. S/2021/229, para. 35; S/2022/427, para. 39; and annex 21; S/2023/673, paras. 44; and annex 16.

<sup>193</sup> Articles 7 and 9 of the ICCPR.

<sup>194</sup> In their testimonies, detainees referred to this torture method as “*branco*”.

continuously beaten and kicked for hours throughout the days in detention, being threatened with death and torture of detainees' family members; and being exposed to regular brutality perpetrated on fellow inmates. Beatings were administered with plastic tubes on the head and body. Three victims were subjected to torturous interrogations and harsh mistreatment with the purpose of obtaining compliance from, and extracting information about, their immediate family members. In addition, all eight victims were deprived of basic needs, including access to adequate food, hygiene, and sleeping facilities.

5. During their imprisonment in the detention facilities, detainees were severely beaten with various objects, such as rifles, metal bars, baseball bats, metal chains, police batons, and chair legs. The detainees were beaten on all parts of their bodies, and many of them suffered serious injuries. Some prisoners were beaten while undergoing interrogation.

*DACOT's recruitment strategy in misuse of Libyan judicial system*

6. The Panel found that DACOT further misused the Libyan judicial system to recruit fighters from prisons and other detention facilities under its direct or indirect control into the Judicial Police Operations Department that is under DACOT's effective control. Due to its poor reputation among the general public and tensions with other Tripoli-based armed groups, DACOT struggled to recruit fighters and maintain its control over part of the Libyan capital. Under the orders of DACOT's top commander Abdelraouf Kara and in coordination with DACOT's associates at senior positions in the penitentiary system in Tripoli, Najim leveraged his responsibilities as a manager of several prisons within that system to recruit prisoners serving significant sentences, offering them freedom in exchange for joining the Judicial Police Operations Department.<sup>195</sup>

7. Prisoners who agreed to Najim's recruitment offer received a several-week training of basic weapons handling and intervention before being issued uniforms and firearms.<sup>196</sup> These recruits were predominantly deployed to man posts in territories controlled by DACOT, under the pretence of traffic regulation—a responsibility outside the Judicial Police Operations Department's official mandate.<sup>197</sup> The Panel confirmed a specific case involving an individual sentenced to eight years in prison, who was later seen in uniform, armed, and using an armed vehicle.<sup>198</sup> The Panel concluded that DACOT's recruitment methods further undermined State authority and accountability mechanisms.

*DACOT's response to the Panel's findings*

8. DACOT contested the above Panel's findings, presenting four main arguments to demonstrate that it has no responsibility for the identified violations of IHL and IHRL. First, DACOT claimed that it has no responsibility for managing any internal matters of the "Tripoli Reform and Rehabilitation Institution" (i.e., Mitiga detention facility). In this regard, it emphasised the need to distinguish between DACOT and the Judicial Police, which operated under the authority of the Libyan Ministry of Justice and is responsible for the management and internal security of the Mitiga detention facility. DACOT maintained that its mandate has been strictly limited to countering terrorism and organised crime (e.g., drug trafficking, human trafficking, etc.) while only providing external security to the Mitiga detention facility.<sup>199</sup> Second, DACOT pointed out its proactive accountability to relevant State institutions by submitting annual reports on the implementation of its mandate.<sup>200</sup> Third, to improve the compliance with the law, in close cooperation with the Office of the Attorney General, DACOT established an investigation committee mandated to monitor the implementation of procedural safeguards and other human rights standards in cases of arrest and detention under DACOT's responsibility.<sup>201</sup> Fourth, DACOT highlighted its cooperation with Libyan civil society organisations and open communication channels to receive complaints related to its operations.<sup>202</sup>

<sup>195</sup> CSAG (armed group members).

<sup>196</sup> CSAG (armed groups members); access to relevant confidential video material is available upon request.

<sup>197</sup> CSAG (armed groups members).

<sup>198</sup> CSAG (armed group members).

<sup>199</sup> Supporting documentation for this argument included: 1) Decision of the Office of the Attorney General no. 5446-11, dated 30 October 2017 (mandating Special Deterrence Force at the time to provide external security to the Mitiga detention facility); and 2) a research paper "DACOT vision for combating terrorism", dated 2024.

<sup>200</sup> Supporting documentation for this argument included: 1) Letter from the President of the Supreme Judicial Council no. 88, dated 11 January 2024 (confirming the receipt of DACOT statistical report on criminal and security-related cases managed by DACOT for year 2023); and 2) Letter from the Minister of State for Presidential Affairs at the Prime Minister's Office, dated 10 January 2024 (confirming the receipt of DACOT annual report for year 2023).

<sup>201</sup> In support of this argument, although not enclosing it, DACOT referred to the Decision of the Office of the Attorney General no. 2021/160, dated 10 June 2021.

<sup>202</sup> DACOT response of 29 October 2024.



9. The Panel examined extensive testimonial and documentary evidence it has collected since June 2021, which included accounts from fourteen former detainees held at the Mitiga detention facility and five individuals who witnessed violations being committed at that facility. Among these, five former detainees and three eyewitnesses identified Osama Najim as directly responsible for ordering and personally committing acts of torture and other forms of ill-treatment as part of an organisational policy of managing the Mitiga detention facility. The Panel corroborated these testimonies with independent documentary evidence, including medical reports, official judicial decisions, and DACOT internal documentation, as well as with reliable third-party sources that all confirmed both the systematic nature of violations of IHL and IHRL and the responsibility of DACOT personnel for those violations.

## **Appendix B to Annex 20: Violations of international human rights law committed in places of detention under the control of ISA-Tripoli**

1. The Panel identified Lotfi Harari, the Head of ISA-Tripoli (or ISA), as directly responsible for five cases of unlawful arrest and detention, enforced disappearance, cruel, inhuman and degrading treatment committed in temporary detention facilities under the ISA control.<sup>203</sup> These violations were facilitated through a coercive quasi-judicial system that Lotfi Harari, in his capacity as the Head of ISA-Tripoli developed in misuse of Libyan judicial system.<sup>204</sup>

### *Decision to detain and its enforcement*

2. Lotfi Harari personally identified victims for unlawful arrest as a form of intimidation and punishment for the perceived victim's behaviour that conflicted ISA-Tripoli's authority and interests. Based on Harari's orders, ISA elements arrested the five victims on unsubstantiated grounds. Methods of arrests included elements of ISA abducting victims in public spaces or in their homes and transferring them to detention places in buildings under the ISA control. To legitimise the unlawful conduct, ISA deliberately misinterpreted Libyan legislation on permissible grounds for detention with no intention to hold independent and impartial court proceedings. for argued offences under national laws.

### *Administration of the decision to detain*

3. Upon arrest, victims were transferred to unofficial temporary detention facilities under the ISA-Tripoli's direct control where they were detained for up to 72 hours without any review of their detention, and without knowing the crimes for which they were charged. ISA-Tripoli further exploited the legal limit of 72 hours for detention without charges to subject victims to mistreatment and harsh interrogations with the intention to coerce the victims to obey Harari's authority and instructions. ISA-Tripoli violated victims' procedural rights and in particular a) to be informed promptly of the nature and cause of the accusation against him or her, b) to be presumed innocent until proved guilty according to law, c) to have legal assistance, d) the right to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law, and e) to be brought promptly before a judge or other officer authorised by law to exercise judicial power and to trial within a reasonable time or to release.

4. A distinguished pattern of these violations was a systematic use of video recordings of forced confessions on false charges in public to humiliate the victims in violation of their procedural fair trial rights (see also annex 22).<sup>205</sup> Detainees were verbal abused and threatened with death and torture to sign confessions that they did not even see before signing the confessions. The Panel identified that Lotfi Harari directed and personally participated in the mistreatment and harsh interrogations of detainees under coercive circumstances. Following the 72-hour time limit, victims were either transferred to detention facilities under the DACOT's control where they were subjected to serious IHL and IHRL violations (see appendix 20.A) or were released on parole system administrated by the Office of the Attorney General.

### *ISA-Tripoli's response to the Panel's findings*

5. ISA-Tripoli contested the Panel's findings on the responsibility of the Head of ISA-Tripoli for identified violations of IHL and IHRL based on three arguments. First, ISA contended the Panel's findings specifically related to the denial of fair trial rights, arguing that trial proceedings fall outside its mandate. Second, ISA argued that its mandate and work methods are confined by the national legislative framework that guarantees basic human rights and fundamental freedoms under the Libyan Constitution as well as specialised laws such as the Criminal Code and Criminal Procedure Code, which protects procedural and judicial guarantees in cases of arrests and pre-trial detentions. Third, ISA stated that its leadership operated under a collective decision-making process led by professionally trained personnel and that it "cannot be reduced to the management and desires of one person." In that regard, ISA further argued that the "position of the Head of Internal Security Agency is a legal status that is obligated to adhere to the law establishing the service, its tasks and competences." ISA did not provide any supporting documentation to substantiate these claims or to investigate the Panel's findings.<sup>206</sup>

6. Based on extensive testimonial and documentary evidence that it collected since June 2021, the Panel has identified not only a consistent pattern of violations of IHL and IHRL that took place in location under the effective control of ISA in Tripoli over the past four years but also the direct responsibility of the Head of ISA for these violations. Having examined

<sup>203</sup> Common Article 3; articles 7 and 9 of the ICCPR.

<sup>204</sup> Panel interviews with victims and eyewitnesses (CSIHL-08, 21, 142-145)

<sup>205</sup> Article 14 of ICCPR.

<sup>206</sup> ISA response of 25 October 2024.

corroborative evidence gathered from independent sources, the Panel is persuaded by the consistent and credible accounts of former detainees covering different periods of time and describing the same locations and the same conduct of unlawful deprivation of liberty and mistreatment that took place at those location. Specifically on violations of due process rights, in addition to consistent independent accounts of five victims being coerced into confessions, the Panel identified abovementioned violations of IHL and IHRL and in particular violations of fair trial rights based on the analysis of ISA's official communication platforms where ISA has been openly publicising video recordings of confessions of identified victims forced and recorded under mistreatment and intimidation.

## Annex 21 Violations of international humanitarian law and international human rights law committed in the Barghathi case by LAAF units

1. The Panel interviewed seven witnesses and obtained 16 elements of documentary evidence, including forensic reports, death certificates, and burial permits, in regard to alleged violations of IHL and IHRL committed by the LAAF units responsible for the attack against the 204 brigade and its commander Al-Mahdi Al-Barghathi (also former GNA Minister of Defence (2016-2017)) on 6 October 2023 in Al-Salman neighbourhood in Benghazi.<sup>207</sup> These acts amounted to violence to life and person, in particular murder, cruel treatment and/or torture, arbitrary detention, enforced disappearance, and violations of procedural fair trial rights.<sup>208</sup>
2. On 21 October 2024, the Panel received LAAF's response to the Panel's preliminary findings on the Barghathi case. LAAF stated that the incident of 6 October 2023 was LAAF's security operation initially conducted by ISA-Benghazi elements to neutralise terrorist "Al-Salman cell" that Al-Barghathi commanded with the plan to execute a terrorist attack in Benghazi.<sup>209</sup> Upon discovering its positions, ISA-Benghazi was attacked by the 204 brigade, prompting reinforcements from TBZ brigade and 20-20 battalion units. LAAF further stated that the armed clashes between the LAAF and the 204 brigade resulted in death and injuries of involved LAAF elements, and detention of elements of 204 brigade and individuals directly associated with it.
3. The nature and consistency of the evidence that the Panel gathered from independent sources, including authenticated imagery and eyewitnesses accounts, established the factual circumstance of the investigated incident of 6 October 2023 and associated IHL and IHRL violations that rebut the information submitted by LAAF.

### A. The attack of 6 October 2023

4. The attack took place on 6 October 2023, the same day when Al-Barghathi returned to Benghazi after a decade-long rivalry and fighting against the LAAF before the October 2020 ceasefire agreement. Deployed LAAF units, including elements of the TBZ brigade, 20-20 battalion, and HAF-ISA in Benghazi, attacked Al-Barghathi, members of the 204 brigade under his command, and civilians perceived as associated with Al-Barghathi, during the family celebratory gathering at the Barghathi family house (see Figure 21.1). In the attack, LAAF units:
  - a) deprived of liberty 13 members of the 204 brigade and over 35 civilians, including Al-Barghathi's family members and relatives; and
  - b) carried out violent house searches, plundered and destroyed targeted civilian dwellings in Al-Salman neighbourhood, including the Al-Barghathi family house (see Figures 21.3 and 21.4).<sup>210</sup> In addition, the attackers vandalised and sprayed the inside of the Al-Barghathi family house with degrading and abusive language (see Figures 21.5 and 21.6).
5. Women and children were separated from men and held captive in arbitrary detention in the family house for several days under degrading conditions. Thirty-seven male detainees, including Al-Barghathi and his son, were transferred to initially undisclosed locations. Of them, 31 were forcibly disappeared and/or kept in incommunicado detention following the attack. The Panel identified that some members of the 204 brigade and Barghathi's family members were detained in the detention facility under the exclusive control of the TBZ brigade at its HQ military base in Sidi Faraj in Benghazi.<sup>211</sup>

<sup>207</sup> Panel interviews with witnesses (CSIHL-24, 35, 38, 45, 46, 83, and 84).

<sup>208</sup> Common Article 3 of the Geneva Conventions, and articles 4, 5 and 6 of the Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims in Non-International Armed Conflicts (Protocol II); articles 6, 7, 9 and 14 of the ICCPR; UN Human Rights Committee, *General Comment No. 35*, CCPR/C/GC/35, 16 December 2014.

<sup>209</sup> LAAF response of 21 October 2024. LAAF linked this plan to alleged Al-Barghathi's ties with terrorist groups active in Libya and his involvement in the killing of 145 *hors de combat* and civilians that took place at LAAF's Brak Al-Shati military base on 18 May 2017.

<sup>210</sup> Article 4(2)(g) of Additional Protocol II; customary IHL rule 50.

<sup>211</sup> On the detention facility under the TBZ brigade's control, see S/2022/427, paragraphs 41-42; S/2023/673, paragraphs 45-49 and annex 16.

6. Six male detainees, including Al-Barghathi's son, died while in the custody of LAAF.<sup>212</sup> Although the LAAF military attorney general's office issued a death certificate and a burial permit also for Al-Mahdi Al-Barghathi on 13 October 2023, stating that the cause of death was a gunshot injury to the right side of the body, the body of Al-Barghathi has not been disclosed to this date; his fate and whereabouts remain under Panel investigation.

### **B. Mistreatment of dead bodies and family members of the deceased**

7. The six dead bodies were handed over to families in the period between October 2023 and December 2023 in disturbing circumstances. Elements of LAAF initially buried two dead victims in a primary mass grave in an unidentified cemetery without proper burial and registration procedures. Having been pressured by local communities and international humanitarian organisations to disclose the whereabouts of detainees, LAAF excavated the two bodies and handed them over to their families in already active decay state. Family members of the two victims were denied seeing the bodies. They were then forced, under the LAAF armed escort, to directly transfer the bodies to the Kuwayfiah cemetery and bury the deceased without being allowed to perform funeral ceremonies in accordance with Islamic legal rules and customs.

8. Thus, LAAF elements violated their obligations for proper management of dead bodies under international humanitarian law.<sup>213</sup>

### **C. LAAF covert operation**

9. The above unlawful mismanagement of dead bodies of detainees was part of a planned "covert operation" that LAAF started to execute shortly after the attack of 6 October 2023. Namely, several days after the attack and at least as of 13 October 2023, representatives of the LAAF authorities had undertaken coordinated efforts to conceal the reported death of six detainees by constructing a narrative in the public in an attempt to legitimise and legalise the targeting of Al-Mahdi Al-Barghathi and persons associated with him through their mistreatment, and in six cases, arbitrary deprivation of life. These measures included: a) issuing a public statement on 13 October 2023 by the LAAF military attorney general, stating that Al-Barghathi was seriously wounded in the fighting, but was still alive; b) issuing a public statement of 13 October 2023 by the GNS minister of health corroborating the above LAAF military attorney's statement; c) forcing the 204 brigade members to confess to false accusations under counter-terrorism legislation of being part of a terrorist group and planning terrorist attacks to support the LAAF cover-up story that the Al-Barghathi and the 204 brigade members were attacked to pre-empt their plans to carry out terrorists attacks and destabilise the security situation in Benghazi; these practices of forced confessions violated the detainees' procedural fair trial rights;<sup>214</sup> and d) misusing the position of authority by the LAAF command to issue procedurally required documentation such as burial permits to hide the bodies in mass graves under the disguise that official legal and Islamic procedures were followed.

10. In its reply to the Panel's preliminary findings on violations of IHL and IHRL in the Barghathi case, LAAF provided summaries of testimonies of elements of the 204 brigade in relation to the abovementioned alleged terrorist activities attributed to Al-Barghathi and his group.

11. The LAAF's public narrative supported by the LAAF's reply of 21 October 2024 is inconsistent with the Panel's evidence. First, three witnesses gave consistent accounts to the Panel that a) Al-Mahdi and other detainees were deprived of liberty at the Al-Barghathi family house at a peaceful family gathering; and b) Al-Barghathi, his son, and other individuals perceived as or associated with Al-Barghathi were detained alive and without apparent or lethal injuries (see also Figure 21.2).<sup>215</sup> Second, the office of the LAAF military attorney general issued a burial permit for Al-Mahdi Al-Barghathi on the same day, that is, 13 October 2023, when the LAAF representatives, including the military attorney general himself, gave a public statement reassuring the public that Al-Barghathi was alive. Third, members of the 204 brigade were induced to admit to LAAF's accusations while under duress in a coercive environment and at least vulnerable from torture and other ill-treatment. Fourth, the LAAF allegations that the 204th brigade planned to sabotage the LAAF and carry out terrorist attacks in Benghazi appear not credible. Al-Barghathi's return was negotiated and guaranteed by over 20 principles and reputable tribal leaders directly with the LAAF command with intention of "reconciliation".<sup>216</sup>

<sup>212</sup> Access to relevant confidential documentation is available upon request.

<sup>213</sup> Article 8 of Additional Protocol II, customary IHL rule 115.

<sup>214</sup> Article 14 of the ICCPR.

<sup>215</sup> Panel interviews with eyewitnesses (CSIHL-38 and 46).

<sup>216</sup> Al-Barghatha tribe leaders' letters to the LAAF General Command, seeking for "reconciliation with the General Command" and "pardon" of Al-Mahdi Al-Barghathi; access to relevant confidential documentation is available upon request.

12. Based on these discrepancies and the ongoing IHL and human rights law violations against the detained members of the 204 brigade and civilians perceived as or associated with Al-Barghathi, the Panel assesses that LAAF representatives attempted to shift the responsibility for the attack and deaths in their custody despite the LAAF command's guarantees for Al-Barghathi's safe return to Benghazi to local tribal leaders.

Figures 21.1 and 21.2

Excerpts from video imagery showing attack of LAAF units against the 204 brigade



<sup>a</sup> Source CS 35 and 46. LAAF units arriving at Al-Barghathi's family house on 6 October 2023.

<sup>b</sup> Source CS 35 and 46. Al-Mahdi Al-Barghathi captured by LAAF units on 6 October 2023.

<sup>a</sup> [https://www.tiktok.com/@sikhreibish5/video/7319257969839901984?is\\_from\\_webapp=1&web\\_id=7365598549746468384\\_\(verified\)](https://www.tiktok.com/@sikhreibish5/video/7319257969839901984?is_from_webapp=1&web_id=7365598549746468384_(verified)), 7 October 2023.

<sup>b</sup> [https://twitter.com/emad\\_badi/status/1711745301382336526\\_\(verified\)](https://twitter.com/emad_badi/status/1711745301382336526_(verified)), 10 October 2023.

Figures 21.3 and 21.4

**Excerpts from video imagery showing the destruction of the Al-Barghathi family house**

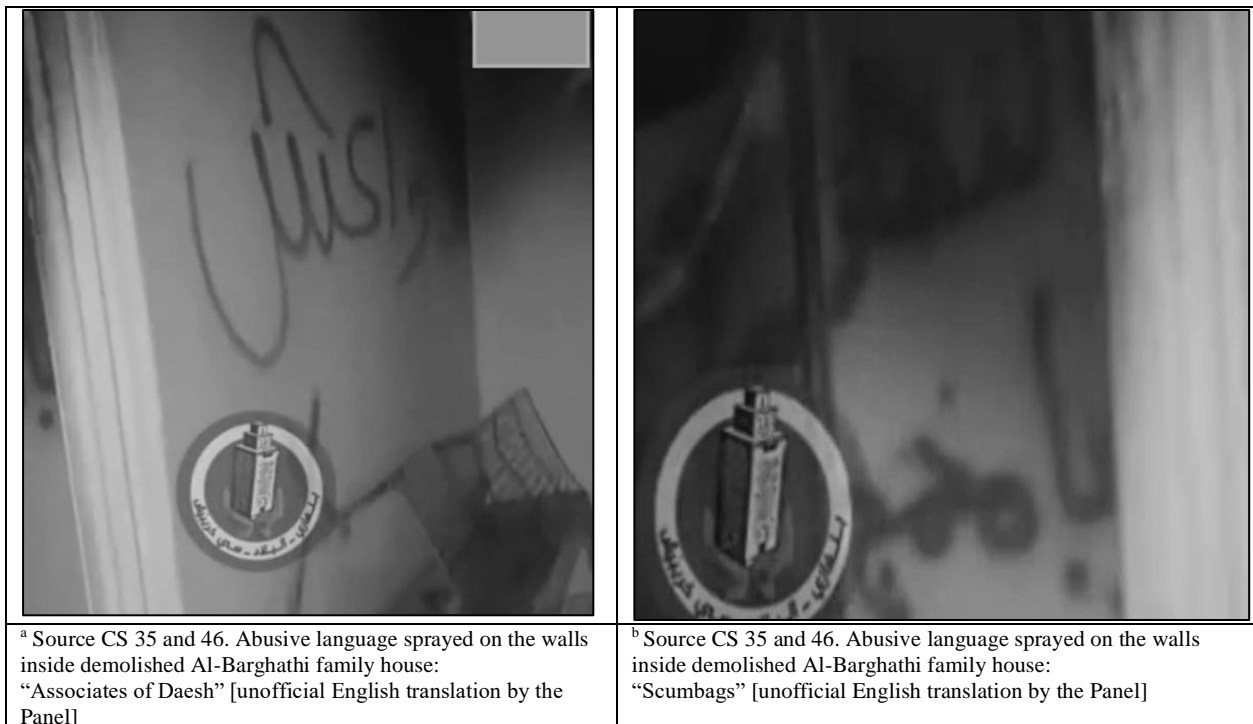


<sup>a</sup> <https://www.tiktok.com/@sikhreibish5/video/7317757572675570977> (verified), 28 December 2023.

<sup>b</sup> <https://www.tiktok.com/@sikhreibish5/video/7317757572675570977> (verified), 28 December 2023

Figures 21.5 and 21.6

**Excerpts from video imagery showing the destruction of the Al-Barghathi family house**



<sup>a</sup> <https://www.tiktok.com/@sikhreibish5/video/7317757572675570977> (verified), 28 December 2023.

<sup>b</sup> <https://www.tiktok.com/@sikhreibish5/video/7317757572675570977> (verified), 28 December 2023

## Annex 22 Retaliatory targeting system against human rights defenders, social activities and journalists

1. The Panel identified five Libyan armed groups as responsible for targeted attacks against ten human rights defenders and social activists, and one journalist, in Benghazi, Sabha and Tripoli – DACOT, including the Judicial Police Operations Department, ISA-Tripoli, ISA-Benghazi and -Sabha, the TBZ brigade, and 20-20 battalion.<sup>217</sup> The targeted individuals were severely denied their freedom of expression, and the right to political participation and association, through violent acts of unlawful deprivation of physical liberty, enforced disappearance, mistreatment, denial of the right to judicial process, harassment, intimidation and direct threats of death and violence to them and their families.<sup>218</sup> The attackers followed an organised pattern of targeting the victims for their public engagements and critical opinion towards the authority and command of Libyan armed groups under whose orders the attackers were acting, as previously reported by the Panel.<sup>219</sup> The purpose of the targeting was to suppress the perceived dissent and to demonstrate complete control and interference in the public life of civilians in the territories under their effective control.
2. The attacks were administrated through a well-developed retaliatory system composed of several phases:
  - a) *phase 1 – surveillance and monitoring* of victims’ public engagements, including on social media platforms,
  - b) *phase 2 – identification and profiling* of victims based on the attackers’ perception that victims’ public engagements posed threats to the authority, political and economic interests of the involved armed groups assessed;
  - c) *phase 3 – organised campaign of intimidations and threats* through online and offline communication means against profiled victims. Elements of ISA-Tripoli, -Benghazi and -Sabha were responsible for implementing phases 1 through 3.
  - d) *phase 4 - physical attacks* against the victims in a form of unlawful detention, enforced disappearance, torture and other ill-treatment. Phase 4 was executed by elements of DACOT, ISA-Tripoli, and in joint operations of ISA-Benghazi, the TBZ brigade, and/or 20-20 battalion;
  - e) *phase 5 – cover up narratives* that the attackers communicated through their public communication platforms. The Panel identified several recurring cover-up tactics that armed groups used in an attempt to conceal their unlawful conduct, including (i) the misuse of national legislation, such as counter-terrorism or anti-cyber laws, to argue legitimate grounds for detention and prosecution of victims; (ii) the public narration of false statements on factual circumstances of the attacks; (iii) denial of responsibility for victims’ whereabouts and fate.
3. In four cases, victims were released from detention under the condition that the victim agreed to the terms of the attackers, including to either a) withdraw from public life, b) publicly endorse the responsible armed group’s leadership, or c) always seek permission from the attackers to participate in public life. Four targeted individuals were forced to flee Libya out of fear that the attackers would repeat or escalate violent acts against them and their family members.
4. Elements of DACOT and ISA-Tripoli subjected six victims to forced confessions to false allegations of “apostasy” and “crimes against public decency and morality”. Video recordings of the confessions were published on these armed groups’ official social media accounts.<sup>220</sup> The confessions were obtained in a coercive environment while victims were under the complete control of DACOT and ISA in Tripoli. These unlawful practices violated: a) victims’ right not to be subjected to inhuman and degrading treatment; and b) victims’ right to judicial process (see also annex 20).<sup>221</sup>
5. In particular, the coercive conditions imposed on the victims during their arbitrary and unlawful detention, in combination with the exposure to public shaming and humiliation by forcing them to falsely admit being associated with conduct that was characterised by the attackers as against the Libyan social and cultural values, amounted to inhuman and degrading treatment. Victims were further deprived of basic judicial guarantees and in particular: a) protection against being

<sup>217</sup> The Panel interviews with CSIHL-05, 07, 21, 24, 29, 31, 33, 42, 141, 143, 144, 145.

<sup>218</sup> Articles 7, 9, 14, 19, 20 and 21 of the ICCPR.

<sup>219</sup> See S/2022/427, paragraph 44; and annex 22; S/2023/673, paragraphs 53-54; and annex 17.

<sup>220</sup> See e.g. <https://www.youtube.com/@isagovly/videos>; [https://www.youtube.com/@rctoc\\_gov/videos](https://www.youtube.com/@rctoc_gov/videos).

<sup>221</sup> Article 7, 9 and 14 of the ICCPR.



forced to incriminate themselves; b) access to legal assistance; c) access to a fair and public hearing before an independent and impartial tribunal established by the law; and d) the opportunity to examine and have examined witnesses in court proceedings against them. Victims and their immediate families were put at risk of retaliation and discrimination and had their privacy and reputation harmed.

## Annex 23 Identified human trafficking and migrant smuggling routes in Libya

1. The Panel identified seventeen international human trafficking and migrant smuggling routes effectively operating in and through Libya since June 2023 (Figure 23.1). Libyan armed actors and criminal networks utilised these routes to operate local illicit economies under their direct control in areas of Al-Kufra, Bani Walid, Benghazi, Tripoli, Tubruq, Zawiyah, and Zuwara.
2. International human trafficking and migrant smuggling networks continued to operate previously reported trafficking and smuggling routes in Libya, with the most active routes originating from Bangladesh, Egypt, Nigeria, Pakistan, Syria, Somalia, and Sudan.<sup>222</sup> The Panel further identified nine new international routes under the control of Libyan armed actors and criminal networks active in the areas of Al-Assa, Al-Kufra, Bani Walid, Benghazi, Ghadames, Musaid, Nalut, Sabratha, Tajoura, Tripoli, Tubruq, Warshafana, Zawiyah, and Zuwara (see Figure 23.1). The routes originated from Lebanon, Cameroon, Egypt, Mali, South Sudan, Sudan, Syria, and Tunisia.<sup>223</sup>
3. In collaboration with Libyan armed groups, the trafficking and smuggling networks have shifted the smuggling patterns along all the 17 routes found in an increased use of areas of Ajdabiya, Al-Kufra, Musaid, Sabratha, Tajoura, Tubruq, and Zuwara as transiting locations; land border crossings with Algeria (Debdeb), Egypt (Sallum) and Tunisia (Ras Al-Jdir, Wazin); and Libyan territorial waters in the proximity of Benghazi, Tubruq and Zuwara, as key entry and exit points to and from Libya to final destinations, predominantly located in Europe. Key parameters of these routes are presented in table 23.1. Identified trafficking networks and Libyan armed actors operating along the routes are detailed in annexes 24 and 25.

### *Domestic human trafficking and migrant smuggling routes*

4. The Panel identified an increase in the use of domestic trafficking and smuggling routes for transferring migrants from Tripoli, Zawiyah and Zuwara to Tubruq from where they were trafficked and smuggled into ports of Greece (see annex 24). Migrants were trafficked and smuggled under extremely dangerous conditions and subjected to human rights abuses along these routes, in particular to mistreatment at military checkpoints, extortion, violent searches, and arbitrary deprivation of liberty.
5. Among the key reasons for this heightened frequency of departures from areas around Tubruq port was the perception that these locations were less violent and offered higher prospects of success compared to western departure points. As previously reported, Libyan armed actors and local trafficking networks along the western coast run their illegal operations on manipulated success rates for migrant journeys across the Mediterranean Sea to European ports.<sup>224</sup> A large number of boats carrying trafficked and smuggled migrants from areas in Sabratha, Tajoura, Warshafana, Zawiyah, and Zuwara were deliberately interdicted and returned to Libya shortly after departure. These practices were committed with the purpose of forcing migrants into a cycle of systematic human rights violations aimed at exploiting them for financial profit and forced labour. In some instances, migrants were coerced into paying for their journey multiple times. In contrast, human trafficking and migrant smuggling patterns in eastern Libya were not dependant on a cycled exploitation but on the quantitative calculation of the number of migrants drawn into the operations. The faster turnaround times in these operations made maritime routes from Tubruq more appealing to local traffickers and smugglers.

### *Regional impact on human trafficking and migrant smuggling activities in Libya*

6. The ongoing armed conflict in Sudan has impacted human trafficking and migrant smuggling dynamics in Libya. Land routes from Sudan passing through neighbouring countries – Algeria, Chad, Egypt, Niger and Tunisia, respectively, into Libya were key pathways for migrants fleeing the conflict along which they were highly vulnerable to exploitation and abuse.
7. Al-Kufra, located near the border crossings from Chad, Egypt and Sudan into Libya, turned into a central hub for recruiting thousands of Sudanese migrants who fled the conflict by local trafficking networks. These networks operated at a lower level of organisation with the primary purpose of recruiting migrants stranded in the city of Al-Kufra, and allocating them to nearby temporary facilities, including warehouses and dwellings on private farms. Some of the networks were led

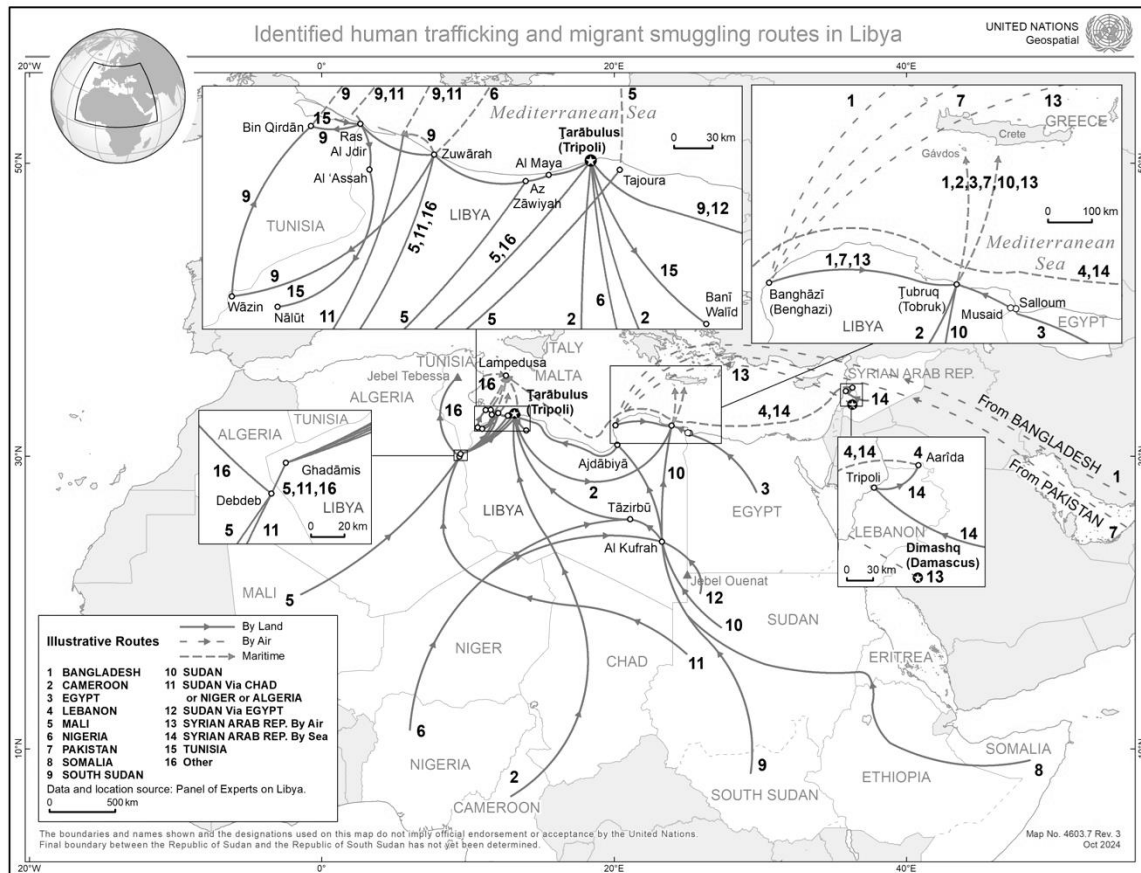
<sup>222</sup> S/2023/673, paragraph 57 and annex 18. The only previously reported international human trafficking and migrant smuggling route that the Panel now identifies as subsiding in activity is the route from Morocco through Libya into Europe.

<sup>223</sup> Panel interviews with CSIHL-19, 20, 26, 27, 30, 47-82, 85-140.

<sup>224</sup> S/2023/673, paragraphs 60-71.

by local LAAF elements in their role of LAAF officers and owners of temporary facilities. From those facilities migrants were transfer to larger trafficking hubs in Ajdabiya, Benghazi, Tripoli and Tubruq controlled by Libyan armed actors running trafficking and smuggling operations in collaboration with well-organised trafficking networks (see annexes 24 and 26).<sup>225</sup>

Figure 23.1  
Identified human trafficking and migrant smuggling routes in Libya



Source: CSIHL-19, 20, 26, 27, 30, 47-82, 85-140.

Table 23.1  
Key parameters of new international and regional human trafficking and migrant smuggling routes with operations centres in Libya<sup>226</sup>

Departure point	Means of transport	Transit countries	Entry points Libya	Transit points Libya and border countries	Exit points Libya
Cameroon	Via land	Chad	Al-Kufra	Sabha, Tripoli, Sabratha, Zawiyah, Tubruq	<ul style="list-style-type: none"> <li>Zuwara/western territorial waters to Italy.</li> <li>Tubruq/eastern territorial waters towards Greece.</li> </ul>
Lebanon (Arida)	Via sea	Direct route to Libya	Territorial waters in the east	Territorial waters in the east of Libya	<ul style="list-style-type: none"> <li>Territorial waters in the east of Libya to Italy.</li> </ul>
Mali (multiple locations)	Via land	Algeria	Debdeb	Ghadames, Sabratha, Tajoura, Zawiyah, Zuwara	<ul style="list-style-type: none"> <li>Sabratha, Zawiyah, Zuwara/western territorial waters to Italy.</li> </ul>

<sup>225</sup> Panel interviews with CSIHL-49, 50, 53, 126-128.

<sup>226</sup> Panel interviews with CSIHL-19, 20, 26, 27, 30, 47-82, 85-140.

<i>Departure point</i>	<i>Means of transport</i>	<i>Transit countries</i>	<i>Entry points Libya</i>	<i>Transit points Libya and border countries</i>	<i>Exit points Libya</i>
South Sudan (multiple locations)	Via land	Sudan	Al-Kufra	Ajdabiya, Benghazi, Tripoli, Tubruq, Zuwara	<ul style="list-style-type: none"> <li>▪ Ras Al-Jdir and Wazin to Tunisia (from Ben Guerdane, Tunisia to Italy);</li> <li>▪ Zuwara/western territorial waters to Italy.</li> </ul>
Sudan (multiple locations)	Via land	Egypt, Niger, Chad	Al-Kufra	Ajdabiya, Benghazi, Tripoli, Tubruq, Zuwara	<ul style="list-style-type: none"> <li>▪ Ras Al-Jdir and Wazin to Tunisia (from Ben Guerdane, Tunisia to Italy);</li> <li>▪ Zuwara/western territorial waters to Italy;</li> <li>▪ Tubruq/eastern territorial waters to Greece.</li> </ul>
Sudan (multiple locations)	Via land	Algeria	Debdeb	Ghadames, Zuwara	<ul style="list-style-type: none"> <li>▪ Ras Al-Jdir and Wazin to Tunisia (from Ben Guerdane, Tunisia to Italy);</li> <li>▪ Zuwara/western territorial waters to Italy.</li> </ul>
Syria (multiple locations)	Via air & sea	Direct air route to Libya; Lebanon	Benghazi (airport and port), territorial waters in the east	Tripoli, Tubruq, Zawiyah, Zuwara; territorial waters in the east	<ul style="list-style-type: none"> <li>▪ Ras Al-Jdir and Wazin to Tunisia (from Ben Guerdane, Tunisia to Italy);</li> <li>▪ Zuwara/western territorial waters to Italy;</li> <li>▪ Tubruq/eastern territorial waters to Greece.</li> </ul>
Tunisia	Via land	Direct route to Libya	Ras El-Jdir, Wazin	Bani Walid, Tripoli, Sabratha, Zawiyah, Zuwara	<ul style="list-style-type: none"> <li>▪ Zawiyah, Zuwara/western territorial waters to Italy.</li> </ul>
Multiple countries (Bangladesh, Egypt, Nigeria, Pakistan, Somalia, Sudan, Syria) <sup>227</sup>	Via air & land	Algeria, Chad, Egypt, Ethiopia, Kuwait, Lebanon, Niger, Sudan, Tunisia, United Arab Emirates	Al-Kufra, Benghazi airport, Ras Al-Jdir, Sallum, Tazirbu	Ajdabiya, Benghazi, Tajoura, Tazirbu, Tripoli, Sabha, Sabratha, Sirte, Warshafana, Zawiyah, Zuwara	<ul style="list-style-type: none"> <li>▪ Debdeb to Algeria (and further through Tebessa, Tunisia, to Ben Guerdane, Tunisia to Italy);</li> <li>▪ Ras Al-Jdir (from Ben Guerdane, Tunisia to Italy);</li> <li>▪ Zuwara/western territorial waters to Italy;</li> <li>▪ Tubruq/eastern territorial waters to Greece.</li> </ul>

<sup>227</sup> S/2023/673, annex 18.

## Annex 24 Al-Habouni and Al-Katani Networks

1. The Panel identified two well-organised human trafficking and smuggling networks responsible for human rights abuses against twenty-four migrants committed through coordinating and facilitating large-scale trafficking operations in areas of Musaid and Tubruq. These networks were consisted of: a) *core* elements belonging to Al-Habouni and Al-Katani families, and b) *auxiliary* elements active in multiple locations in eastern and southern Libya, as well as outside of Libya, including in Egypt. Apart from differences in composition, the two networks were similar in size, capabilities, and trafficking methods.

### A. Modus operandi of Al-Habouni and Al-Katani Networks

#### *Routes and logistics*

2. The two Networks developed highly adoptable methods of trafficking and smuggling migrants through well-functioning routes passing through areas of Benghazi, Musaid and Tubruq to Greece. Primary routes that the Networks controlled and operated were:

a) from the Benina airport in Benghazi through the city of Tubruq to Greece. This route was primarily used for migrants previously trafficked and smuggled from Bangladesh, Syria and Pakistan into Libya via the Benina airport in Benghazi;

b) from the city of Benghazi through the Tubruq area to Greece, in particular in cases of migrants from Sudan;

c) from multiple locations in Egypt through the land border crossing in Sallum, further through Musaid and Tubruq to Greece. The Networks utilised this route for trafficked and smuggled migrants through its elements operational in northern Egypt.

3. The Networks' operational flexibility was supported by a) well-developed infrastructure of temporary facilities consisted of temporary facilities in multiple locations in Musaid and Tubruq, and b) logistical capabilities to promptly transfer migrants between these facilities to final departure points. The facilities in Musaid were larger, capable of holding up to a thousand migrants, and were located in remote desert areas. These sites were used for a prolonged detention of migrants for several months while arrangements for maritime transfers to final destinations were made. Once these arrangements were completed, migrants were separated into smaller groups of several dozen and transferred to smaller facilities, such as apartments and guest houses in the city of Tubruq, where they remained for up to 30 days. From there, migrants were moved to improvised warehouses near the coast, where they stayed a day or two before being loaded onto trafficking and smuggling boats bound for the islands of Crete and Gavdos in Greece.

#### *Communication and coordination*

4. The trafficking and smuggling operations that run along the route from the Benghazi airport to the Tubruq city centre were managed and coordinated through digital communication platforms such as Facebook, WhatsApp, and TikTok. Traffickers and smugglers advertised their services online, with migrants often relying on online reviews from previous experiences. Some of the migrants and smugglers never met in person. For non-Arabic-speaking migrants from Bangladesh and Pakistan, traffickers in some cases provided translated communication via tools such as Google Translate.

#### *Supply chains*

5. The Networks maintained well-organised supply chains of boats and boat operators. Both the Al-Habouni and Al-Katani Networks developed the capacity to consistently supply their operations with vessels, either by internally manufacturing wooden boats or externally purchasing inflatable ones.<sup>228</sup> Due to the poor quality of these vessels and severe overcrowding, the Networks often placed migrants in life-threatening conditions.

<sup>228</sup> The Panel identified a shift in the type of vessels use for Tubruq-based trafficking and smuggling operations from larger fisherman boats to smaller wooden or inflatable boats, S/2023/673, annex 21.

6. The Networks were further able to continuously recruit boat operators from Egypt to run their trafficking and smuggling vessels. These operators, either Egyptian nationals or Sudanese nationals trained in Egypt, were transported to the departure points on the day of disembarkation. They remained in communication with the Networks via mobile devices to send updates on the status of the operation until they confirmed the migrants' arrival to the final destination.

#### *Costs and duration*

7. The trafficking and smuggling fees varied depending on the migrant's nationality and the route taken. Syrian migrants paid on average between USD 3,500 and USD 3,700; Egyptians between USD 3,000 and USD 4,000 [in local currency]; while Sudanese nationals paid between USD 1,700 and USD 2,000. A single trafficking and/or smuggling operation lasted on average between 40 and 60 days, during which period migrants were subjected to serious human rights abuses.

### **B. Human rights abuses**

8. Twenty-four migrants, including four children, trafficked and smuggled by the Networks, were subjected to arbitrary and unlawful deprivation of liberty, torture, cruel, inhuman and degrading treatment, inadequate living conditions and verbal abuse.<sup>229</sup> Material conditions in temporary detention facilities in Musaid were particularly deplorable. Armed elements of the Networks regularly entered the facilities to administer beatings, targeting multiple body parts to ensure discipline among the detainees, in particular when migrants requested basic necessities, such as water and food. Two migrants suffered serious injuries and scars due to the abuse. Migrants were held in warehouses under armed guard, with no freedom of movement. Food was distributed once a day through a window, and potable water was denied. Seven migrants reported being "treated like animals".

### **C. Core Al-Habouni Network**

9. The Panel identified seven elements of core Al-Habouni Network, all connected by kinship: Abad Al-Habouni, Basat Al-Habouni, Faraj Al-Habouni, Hamid Al-Habouni, Mansour Al-Habouni, Nasser Al-Habouni, and Saleh Al-Habouni.<sup>230</sup> Basat, Hamid and Mansour played central roles in managing the network of warehouses and other temporary facilities in areas of Musaid and Tubruq, and were among the most responsible for human rights abuses committed against migrants in these facilities. Mansour was also in charge of boat manufacturing. Abad and Saleh were responsible for maintaining collaboration with local LAAF elements, which enabled the Network to a) swiftly escape security raids targeting their trafficking and smuggling facilities in Musaid; b) facilitate unchecked transfers between multiple locations; and c) organise the unimpeded departures of migrant boats from coastal areas of Tubruq to Greece.

### **D. Core Al-Katani Network**

10. The Panel identified six elements of Al-Katani Network, all connected by kinship: Hussein Abu Khalil, Idris Yusuf Bin Daba, Musa Abu Khalil, Hamedi Al-Katani, Mohammed Al-Dawil, and Hani Al-Nadif.<sup>231</sup> Hussein Abu Khalil was a central figure of the Network, responsible for leading the coordination of trafficking and smuggling operations, and in particular the transfers of migrants from Musaid to Tubruq. Along with Idris Yusuf Bin Daba and Musa Abu Khalil, all three used their positions as LAAF officers to a) facilitate transfers between temporary facilities, b) alert the Network's strongholds about planned security raids, and c) secure locations of departure points, allowing free passage through LAAF-controlled land and maritime zones of responsibility of LAAF in exchange for racket payments.

11. Bin Daba also coordinated operations with elements in Egypt and oversaw the transfer of migrants from the Sallum border crossing to temporary facilities in Musaid. Muhammed Al-Dawil and Hani Al-Nadif had a role of managing temporary facilities and were among the most responsible for human rights abuses together with Hussein Abu Khalil.

### **E. Auxiliary elements of the Networks**

12. The Al-Habouni and Al-Katani Networks had a well-developed network of elements in Egypt responsible for a) recruitment and transfer of migrants from various locations primarily in northern Egypt to Sallum border crossing from where migrants were further trafficked and smuggled into Libya; and b) recruitment and transfer of boat operators from Egypt to departure

<sup>229</sup> Panel interviews with CSIHL 85-88, 97-100, 102, 103, 105, 107, 108, 111-114, 118-121, 138-140.

<sup>230</sup> Panel interviews with CSIHL 106, 108, 111, 138-140.

<sup>231</sup> Panel interviews with CSIHL 102, 105, 107, 115-118, 122-125, 127, 138-140.

points in Libya. Their operations were also supported by elements of the networks operational in Italy, from where they also coordinated recruitments in Egypt, Libya and Syria.

**F. LAAF response to Al-Habouni and Al-Katani Networks**

13. On 21 October 2024, LAAF general command responded to the opportunity offered to members of Al-Habouni and Al-Katani Networks to reply to the Panel's findings.<sup>232</sup> LAAF confirmed that three elements of the Al-Katani Network—Hussein Abu Khalil, Idris Yusuf Bin Daba, and Musa Abu Khalil – were affiliated with LAAF. LAAF took legal and disciplinary measures against these individuals by placing two of them in military detention awaiting court proceedings for their involvement in human trafficking and migrant smuggling activities in Musaid and Tubruq areas. LAAF classified the remaining identified Al-Katani elements as civilians not falling under the LAAF command and control. In these cases, LAAF stated that, in coordination with civilian security services and judicial authorities in the east, opened investigations to find the responsible one. LAAF further referred to a series of concrete security measures it implemented in preventing and punishing human trafficking and migrant smuggling activities in areas under its territorial control, including series of LAAF command's orders and decisions, specialised legislative acts, regular military and security inspections of areas where human trafficking and migrant smuggling networks were known to operate. Information provided by LAAF on some of these measures, such as frequent security raids of temporary facilities of trafficking networks located in Musaid and Tubruq areas, was consistent with the evidence gathered by the Panel.

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<sup>232</sup> LAAF response of 21 October 2024.

## Annex 25 Violations of international human rights law against migrants under the effective control of LAAF units

1. The Panel identified Ali Al Mashai, commander of 20-20 battalion, as a key operative of an international human trafficking and migrant smuggling scheme that Al-Mashai and international trafficking rings have been carrying out in collaboration since at least 2023. Within that scheme, Al-Mashai played a central role in allowing safe passage of migrant boats passing through the territorial waters in the east of Libya in return for being paid USD 500 per person as a “protection racket”.
2. To coordinate and facilitate the trafficking and smuggling activities, Al-Mashai controlled and managed an unofficial detention facility located in the Benghazi port (see Figure 25.1).<sup>233</sup> This detention facility was composed of a large hangar (“Hangar”) used for an unlawful detention of between 650 and 1,000 migrants for extended periods exceeding a year time.<sup>234</sup> Detainees held in there were primarily exploited as forced labour force to perform construction and domestic chores for the LAAF ranks and in particular members of the TBZ brigade in Benghazi.
3. The Panel identified five cases of serious human rights abuses committed against migrants unlawfully detained in the Hangar. The five victims were among around one hundred thirty migrants violently captured by the TBZ maritime units in international waters in 2023 (see paragraph 51 of the main part of the report). Having been unlawfully deprived of liberty at sea, the five victims together with the rest of detained migrants were transferred to the Hangar where they were deliberately kept in unbearable material conditions for eight consecutive days. A female detainee was separated from the other four male detainees and transferred to a smaller facility in the vicinity of the Hangar where she was kept in arbitrary detention with other women and children from the same group of captured migrants. No physical mistreatment of women and children was reported to the Panel.
4. The four male detainees were subjected to acts of torture and other inhuman and degrading treatment that included regular collective beatings with wooden sticks, plastic pipes and rifle stocks, prolonged stress positions, throwing into the sea from port docks and being forced to remain in cold sea water for over eight hours daily, and threats of death to them and their immediate family members. Detainees were further deprived of potable water, food, and adequate toilet facilities. Three detainees with broken limbs and/or open wounds sustained from severe beatings by the TBZ elements during the above capture at sea were denied medical care. To ensure that the four victims were targeted among the rest of detainees, the detaining authorities shaved their head and one of their eyebrows, marking them for mistreatment.
5. Based on consistent and corroborated primary evidence, the Panel found Ali Al-Mashai directly responsible for ordering, directing and personally committing the above acts that amounted to serious human rights abuses, including unlawful detention, torture, inhuman and degrading treatment, against five detainees for the purpose of punishing them as a retaliation for a failed human trafficking and migrant smuggling operation that he coordinated with international criminal networks outside Libya.<sup>235</sup>
6. Under this arrangement, Al-Mashai and the international traffickers had initially agreed that the boat carrying trafficked and smuggled migrants (Group A) would stop by the eastern coast of Libya en route to Italy to pick up around 200 migrants (Group B). The trafficking and smuggling operation for Group B was coordinated by Al-Mashai as he collected the “protection racket” of USD 500 per migrants in group B from a different criminal network that is based in Libya. The elements of the partner international network, however, refused to make the stopover in Libya because the boat carrying group A has already exceeded its passenger capacity limits.
7. In retaliation, Al-Mashai issued key orders and instructions to TBZ personnel that show his direct responsibility for identified human rights abuses, namely:
  - (a) orders and instructions to TBZ personnel operating the TBZ vessel (IMO 9889930) (see Figure 25.2) to
    - (i) arbitrarily deprive of liberty migrants from Group A passing through the Libyan territorial waters near the Benghazi port; (ii) segregate detained women and children from men; and (iii) place detainees in separate detention compartments within the “Hangar”.

<sup>233</sup> See articles 7 and 9 of the ICCPR. Panel interviews with former detainees (CS 19, 20, 26, 27 and 30).

<sup>234</sup> 32°06'18"N, 20°02'36"E.

<sup>235</sup> Articles 7 and 9 of the ICCPR.



(b) orders and instructions to TBZ personnel guarding and operating the Hangar to torture, humiliate and degrade male detainees. As mentioned above, to ensure that male detainees from Group A were targeted with daily mistreatment, the TBZ elements made visible razor marks on their eyebrows to distinguish them from hundreds of other detainees in the “Hangar”.

(c) orders and instructions to TBZ personnel guarding and operating the Hangar to release detainees upon reaching an agreement with elements of an international human trafficking and migrant smuggling network to agree to Al-Mashai’s conditions.

8. The five witnesses gave consistent accounts that TBZ personnel treated Al-Mashai as a person in authority during the entire period of detention of Group A. While most of the time throughout the detention Al-Mashai was issuing the above orders and instructions to TBZ individuals to manage and mistreat detainees, on several occasions Al-Mashai had participated in the beatings of two victims by hitting and kicking them in their head and lower body parts.

9. The Panel findings on Al-Mashai’s power to direct maritime operations and to decide on the management of detainees are further supported by the Panel previous reports on the overall position and functions exercised by Al-Mashai within the LAAF military structures at the relevant time. His ability to insert authority over lower LAAF ranks in the Benghazi port as a location within Al-Mashai’s core zone of responsibility was derived from his superior military position as a) a commander of LAAF special task unit –20-20 battalion headquartered in Benghazi, and b) an influential executive subordinate directly under one of the top commanders of LAAF, general Saddam Haftar.<sup>236</sup>

10. The Panel findings on Al-Mashai’s involvement in human trafficking and migrant smuggling activities and related human rights abuses committed in the present incident are also consistent with the Panel previous findings on:

a) Al-Mashai’s direct culpability for directing and operating human trafficking and migrant smuggling operations in multiple locations in the east of Libya, including in Musaid, and Tubruq;<sup>237</sup> and

b) the lack of credibility of Al-Mashai’s reply to the Panel findings on his involvement and principal role in the above unlawful activities. Al-Mashai denied in a meeting with the Panel any such involvement and contested his role as a commander of any of the LAAF units only six weeks before the present incident of human trafficking and migrant smuggling and related human rights abuses against the five detainees took place.<sup>238</sup>

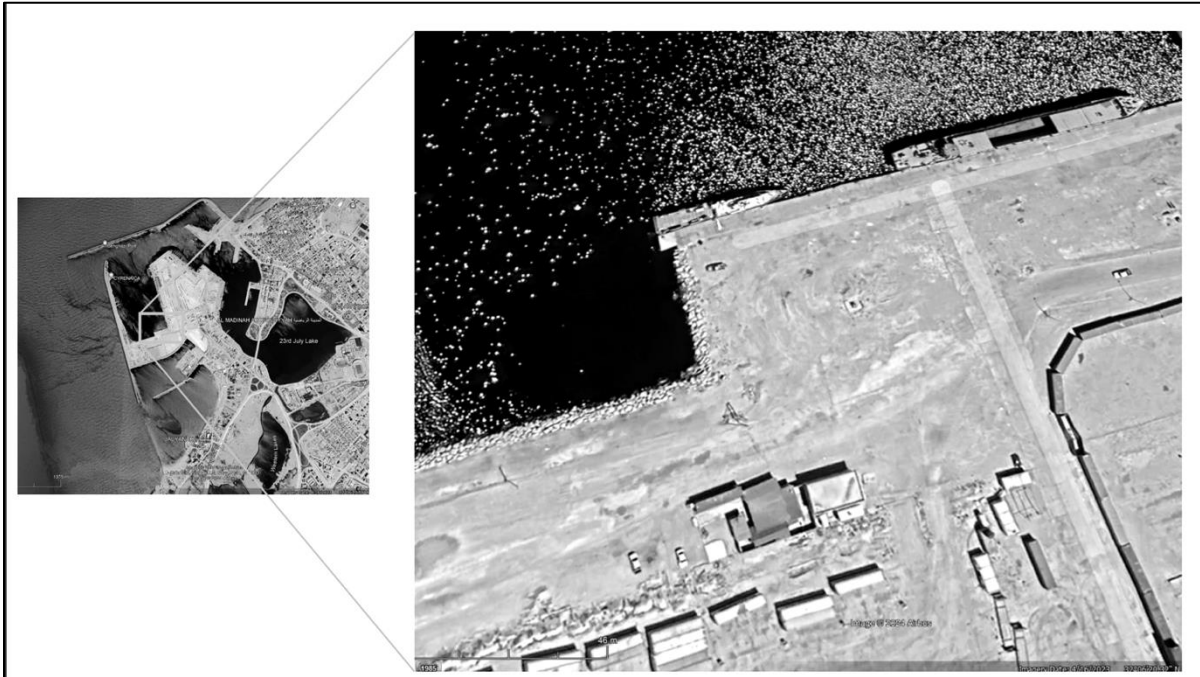
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<sup>236</sup> S/2023/673, para. 21.

<sup>237</sup> S/2023/673, para. 72 and annex 21.

<sup>238</sup> S/2023/673, para. 73 and annex 21.

Figure 25.1  
**Hangar**



Developed by Panel of Experts.

Source: Google Earth.

Figures 25.2

Imagery of the “Tareq Bin Zeyad” vessel (IMO 9889930) under the effective control of the TBZ maritime units involved in acts of arbitrary detention and ill-treatment committed against migrants at sea



Source CS11.

## **Annex 26 Violations of international human rights law in detention facilities for migrants under the control of armed actors in western Libya**

1. The Panel identified further fragmentation of the domestic detention system for migrants and asylum seekers in Libya as official and unofficial detention facilities holding migrants have now been managed and controlled by five distinct detaining authorities at least as of June 2023 (see Figure 26.1). These facilities include:

- (a) The official detention system, composed of 31 detention centres holding approximately 5,200 migrants,<sup>239</sup> under the authority of the Directorate for Combating Illegal Migration (DCIM) (see table 26.1);
- (b) A temporary detention facility under the control of the Libyan Border Guards (see table 26.2);
- (c) Two unofficial detention centres under the oversight of the former DCIM administration, concurrently also serving in the senior management of the Ministry of Interior (see table 26.3);
- (d) An unofficial detention facility in Nalut under the authority of the SSA (see table 26.4); and
- (e) Unofficial detention centres under the control of the expanded Zawiyah Network<sup>240</sup> (see table 26.5).

2. This fragmentation of the domestic detention system for migrants has continued to exacerbate the already poor humanitarian situation of detained migrants and asylum seekers in Libya and their vulnerability to violations of international humanitarian law and international human rights law associated with detention. In addition to previously reported detention facilities for migrants,<sup>241</sup> the Panel identified this trend also in the three newly identified detention facilities in Al Assa, Bir al-Ghanam and Nalut operational since at least June 2023. These facilities were used for a temporary arbitrary detention of migrants deprived of liberty along the trafficking and smuggling routes that pass through the land border crossings with Algeria and Tunisia or that were forcibly expelled from Tunisia into the custody of the Libyan Border Guards. The three facilities were designed to be temporary in nature and for a detention of a limited number of persons in the context of local law enforcement and military detention operations in the said locations. They have inadequate capacities to hold large populations of civilian detainees and in particular vulnerable groups such as children and survivors of serious human rights violations. Migrants detained in these facilities have been held in overcrowded and unsanitary conditions (see Figures 26.1 – 26.3). Further, in the Al Assa and Bir al-Ghanam detention facilities, the detained migrants have been subjected to mistreatment in a form of beatings, deliberate deprivation of potable water, food, and medical care, verbal abuse, and/or extortion.<sup>242</sup>

3. The extorted amounts varied between USD 500 and USD 1000 in local currency. Migrants whose relatives were able to pay the ransom, were released in the vicinity of trafficking and smuggling hubs where they continued to be vulnerable to recurring trafficking and smuggling activities and associated human rights abuses. The Panel further received five independent accounts testifying that migrants who were unable to pay demanded amounts were transferred to DCIM detention centres for migrants in Ain Zara, Tarik Al Matar and Tarik Al Sikka where they were subjected to arbitrary and unlawful detention in harsh material conditions, and vulnerable to mistreatment and forced labour.<sup>243</sup> Although independent humanitarian monitors gained limited access to Al Assa and Bir al-Ghanam detention facilities, those detention visits remained sporadic and ineffective.

4. In the absence of appropriate government protection policies and functional compliance mechanisms at the domestic and regional levels, the ability of multiple armed actors to arbitrarily manage detention operations targeting migrants and asylum seekers in areas of their responsibility has bolstered local illicit economies. These economies are run by Libyan armed groups, criminal networks, and individual government officials in multiple locations across the country, including in

<sup>239</sup> The Panel notes that the exact number of detained migrants and asylum seekers, as well as the number and status of DCIM detention centres fluctuates on a regular basis. As of 2 October 2024.

<sup>240</sup> S/2023/673, paragraphs 60-66.

<sup>241</sup> See e.g. S/2021/229, paragraphs 46-50; S/2022/427, paragraphs 45-55; S/2023/673, paragraphs 57-73.

<sup>242</sup> Articles 7 and 9 of the ICCPR; Panel interviews with CS 15, 36, 49, 53, and 54.

<sup>243</sup> Panel interviews with CS 51, 53, 54, 72 and 75.

areas of Al Assa, Al Kufra, Bani Walid, Benghazi, Bir al-Ghanam, Dabdab, Gadames, Nalut, Ras El Jdir, Sabha, Sabratha, Tajoura, Tripoli, Warshafana, Zawiyah, and Zuwara (paragraph 53 of the Report and annex 23).<sup>244</sup>

Table 26.1  
Location of DCIM detention facilities for migrants as of January 2024

<i>Facility</i>	<i>Operator</i>	<i>Latitude (<sup>0</sup>N)</i>	<i>Longitude (<sup>0</sup>E)</i>	<i>Remarks</i>
Abu Slim	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	Operational
Al Marj	DCIM	32.29559	20.49483	Operational
Al Qubba	DCIM	32.758201	22.241164	Operational
az-Zawiyah Abu Isa	DCIM	32.753059	12.631052	Empty
Baten Al Jabal	DCIM	31.991987	11.339689	Empty
Daraj	DCIM	30.172877	10.455851	Empty
Ghat	DCIM	24.964359	10.16754	Empty
Ganfouda Benghazi	DCIM	32.042797	20.028183	Operational
Gharyan Abu Rashid	DCIM	32.210155	12.976818	Empty
Gharyan al Hamra	DCIM	32.30664	12.989343	Empty
Sabha	DCIM	27.065949	14.430571	Empty
Sabratha	DCIM	32.79193	12.484716	Empty
Shahhat	DCIM	32.808215	21.869684	Operational
Shara az-Zawiyah	DCIM	32.874982	13.191959	Empty
Shati	DCIM	27.53884	13.987545	Empty
Sirte	DCIM	31.204449	16.474697	Empty
Suq al Khamis	DCIM	32.604361	14.342944	Empty
Tajoura	DCIM	32.893565	13.328017	Operational
Talmetha (as-Sahel)	DCIM	32.31056	20.342	Operational
Tariq al-Matar	DCIM	32.785496	13.178856	Operational
Tariq al-Sikka	DCIM	32.877049	13.196427	Operational
Tobruk	DCIM	32.083611	23.976389	Operational
Twesha	DCIM	32.638007	13.106667	Empty
Zintan	DCIM	31.991556	12.515028	Empty
Zliten	DCIM	32.472881	14.57121	Empty
Zwara	DCIM	32.914501	12.093096	Empty

Table 26.2  
Location of a temporary detention facility for migrants under Libyan Border Guards as of January 2024

<i>Facility</i>	<i>Operator</i>	<i>Latitude (<sup>0</sup>N)</i>	<i>Longitude (<sup>0</sup>E)</i>	<i>Remarks</i>
Al-Assa	Libyan Border Guards	32.82268289	11.62951816	Operational

Table 26.3  
Location of detention facilities for migrants under the former DCIM administration as of January 2024

<i>Facility</i>	<i>Operator</i>	<i>Latitude (<sup>0</sup>N)</i>	<i>Longitude (<sup>0</sup>E)</i>	<i>Remarks</i>
Bir al-Ghanam	Former DCIM administration	32.31953044	12.59565592	Operational
Ghot al-Shaal (Al-Mabani)	Former DCIM administration	32.846551	13.097699	Operational

<sup>244</sup> Panel interviews with CS 47-82.

Table 26-4

**Location of a temporary unofficial detention facility for migrants under the SSA as of January 2024**

<i>Facility</i>	<i>Operator</i>	<i>Latitude (<sup>0</sup>N)</i>	<i>Longitude (<sup>0</sup>E)</i>	<i>Remarks</i>
Nalut	SSA	31.86348054	10.98073051	Operational

Table 26.5

**Location of detention facilities for migrants under expanded Zawiyah Network as of January 2024**

<i>Facility</i>	<i>Operator</i>	<i>Latitude (<sup>0</sup>N)</i>	<i>Longitude (<sup>0</sup>E)</i>	<i>Remarks</i>
Al-Maya	Zawiyah Network	32.808367	12.900751	Operational
Al-Nasr	Zawiyah Network	32.771767	12.696328	Operational
Harsha	Zawiyah Network	32.769967	12.649246	Operational

Figure 26.1

**Excerpt from a video imagery showing inadequate material conditions in Al Assa detention facility**



Overcrowding in unsanitary conditions (Oct 2023)

Source CS06 (eyewitness).

Figures 26.2 and 26.3

**Inadequate material conditions in Bir al-Ghanam detention facility**



Inadequacy of toilet facilities (Dec 2023)

Inadequacy of sleeping facilities (Dec 2023)

Source CS36 (former detainee).

## Annex 27 Summary of newly identified arms embargo equipment transfer and training violations and non-compliances

1. Sources for tables 27.1 and 27.2, 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.

Table 27.1  
Summary of equipment transfer violations

Annex	Date identified in Libya or by Panel	End User	Equipment nomenclature	Responsible	Cross-references
During resolution <a href="#">2644 (2022)</a> reporting period (all new identifications)					
Annex 32	8 June 2023	LAAF	<i>Damen Stan 2706</i> fast patrol boat	Volume FZCO	
During resolution <a href="#">2701 (2023)</a> reporting period (all new identifications)					
Annex 32	8 June 2023	LAAF	<i>Damen Stan 2706</i> fast patrol boat	Volume FZCO	
Annex 49	23 Sep 2023	UID	500 hunting rifles	Darkmax Tekstil Nourhan Company	
Annex 53	4 Oct 2023	GNU-AF	<i>Canik TP9</i> Series Pistol	UID	
Annex 31	15 Nov 2023	LAAF	<i>OCEA</i> fast patrol boat 110	LAAF	
Annex 54	20 Nov 2023	GNU-AF	<i>BORA-12</i> sniper rifle	UID	
Annex 55	6 Mar 2024	GNU-AF	SAR 223C Assault Rifle	UID	
Annex 56	14 Mar 2024	GNU-AF	BMC Kirpi II MRAP	UID	
Annex 57	15 Mar 2024	LAAF	TAG BATT UMG Armoured Truck	UID	
Annex 58	18 Mar 2024	HAF	<i>INKAS</i> Titan S 4x4 APC	UID	
Annex 37	31 Mar 2024	GNU-AF	<i>AKINCI</i> UCAV	Türkiye	
Annex 32	5 Apr 2024	LAAF	<i>2020 Volume</i> interceptor boat	2020 Volume Boats / Asha Co FZE	
Annex 59	16 May 2024	LAAF	<i>STREIT</i> Condor SUT MRAP	UID	
Annex 60	16 May 2024	LAAF	<i>STREIT</i> Gladiator MRAP	UID	
Annex 32	10 Sep 2024	LAAF	<i>Rodman 66</i> fast patrol boat	Volume FZCO	

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

<sup>b</sup> International arms sales are virtually always widely reported by the manufacturer in authoritative defence media as it is their major means, other than conflict, of attracting publicity for future sales. Authoritative media includes: Janes Defence Weekly (<https://www.janes.com/defence-news/>); Janes Intara (<https://www.janes.com/intara-interconnected-intelligence/defence-industry/>); Defence Procurement International (<https://www.defenceprocurementinternational.com/magazine/>); Military Systems and Technology (<https://www.militarysystems-tech.com/>); and Army Technology (<https://www.army-technology.com/>). Covert arms transfers go unreported until identified by investigation.



Table 27.2  
**Summary of training violations**

<i>Annex</i>	<i>Date identified</i>	<i>End User</i>	<i>Type of training support</i>	<i>Responsible</i>	<i>Cross-references</i>
During resolution <a href="#">2644 (2022)</a> reporting period (all new identifications)					
Annex 41	19 Dec 2022	GNU-AF	Artillery training	Türkiye	
Annex 41	8 Mar 2023	GNU-AF	Artillery, mortar and ATGM training	Türkiye	
Annex 41	25 Mar 2023	GNU-AF	Sniper and shooting training	Türkiye	
Annex 41	25 Jun 2023	GNU-AF	Military police patrol training	Türkiye	
During resolution <a href="#">2701 (2023)</a> reporting period (all new identifications)					
Annex 61	7 Aug 2023	GNU-AF	Sniper training	Jordan	▪ In Jordan.
Annex 42	19 Oct 2023	GNU-AF	Parachuting training - Erciyes 2023 Exercise	Türkiye	▪ In Türkiye.
Annex 44	19 Apr 2024	GNU-AF	Terminal attack control training - African Lion 2024 Exercise	United States	▪ In Tunisia. ▪ Organised by AFRICOM.
Annex 43	9 May 2024	GNU-AF	Amphibious Training - EFES 2024 Exercise	Türkiye	▪ In Türkiye.
Annex 41	9 May 2024	GNU-AF	Operation tactics and techniques training	Türkiye	
Annex 45	21 May 2024	LAAF	Special Operation Training – Flintlock 2024 Exercise	United States	▪ In Ghana ▪ Organised by AFRICOM.
Annex 41	30 May 2024	GNU-AF	Residential area combat and light weapon trainings	Türkiye	
Annex 41	2 Jun 2024	GNU-AF	Special operation training	Türkiye	
Annex 41	10 Jun 2024	GNU-AF	Light weapons training	Türkiye	
Annex 41	11 Jul 2024	GNU-AF	Light weapons and shooting techniques training	Türkiye	
Annex 48	26 Jul 2024	LAAF	Milites Dei Security Service (MDSS) training	MDSS	▪ In South Africa.
Annex 41	6 Aug 2024	GNU-AF	Special operations and light weapons trainings	Türkiye	
Annex 41	7 Aug 2024	GNU-AF	Special forces training	Türkiye	
Annex 41	29 Aug 2024	GNU-AF	Advanced level light weapons training	Türkiye	

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

## Annex 28 Baseline summary of arms embargo equipment violations (26 Feb 2011 – 25 Oct 2024)

1. Tables 28.1 and 28.2 summarise confirmed arms and military materiel transferred into Libya in violation of paragraph 9 of resolution [1970 \(2011\)](#), as modified by subsequent resolutions.<sup>245</sup> It does not include arms and military materiel transferred to Libya for which exemptions were provided for by the Committee.

Table 28.1

### Confirmed arms and military materiel transferred to Libya (26 Feb 2011 – 25 Oct 2024) (weapon systems and equipment)<sup>246</sup>

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Aircraft (FGA) <sup>247</sup>	IOMAX AT-802i	<a href="#">S/2017/466</a>	UAE	
	Dassault <i>Mirage 2000/9</i>	<a href="#">S/2021/229</a>	UAE	<ul style="list-style-type: none"> <li>Operated from Sidi Barani airbase in Egypt.</li> </ul>
	General Dynamics F-16	<a href="#">S/2021/229</a>	Türkiye <sup>248</sup>	<ul style="list-style-type: none"> <li>Overflight.</li> </ul>
	** MiG-21MF	<a href="#">S/2015/128</a> <a href="#">S/2016/209</a>	Egypt	
	MiG-23ML(D)	<a href="#">S/2022/427</a> <sup>249</sup>	UID <sup>250</sup>	<ul style="list-style-type: none"> <li>Identification from 2017 imagery and unreported by Panel.</li> <li>Other aircraft restored to flight status by cannibalization.<sup>251</sup></li> </ul>
	MiG-29	<a href="#">S/2021/229</a>	Russian Federation	
	Su-24	<a href="#">S/2021/229</a>	Russian Federation	
Aircraft (ISR) <sup>252</sup>	<i>Pilatus PC-6</i>	<a href="#">S/2021/229</a>	Lancaster6	<ul style="list-style-type: none"> <li>Project Opus.</li> </ul>
Aircraft (Rotary Wing)	** AS332L <i>Super Puma</i> Medium Utility	<a href="#">S/2021/229</a>	Lancaster6	<ul style="list-style-type: none"> <li>Project Opus.</li> </ul>
	Mi-8	<a href="#">S/2015/128</a> <a href="#">S/2016/209</a>	Egypt	
	Mi-24	<a href="#">S/2016/209</a>	Sudan	
	Mi-24V	<a href="#">S/2016/209</a>	UID	
	Mi-24P	<a href="#">S/2017/466</a>	UAE	
	SA341 <i>Gazelle</i> Light Utility	<a href="#">S/2021/229</a>	Lancaster6	<ul style="list-style-type: none"> <li>Project Opus.</li> </ul>
	UH-60M <i>Blackhawk</i>	<a href="#">S/2017/466</a>	UAE	
Aircraft (Transport)	Airbus A400B <i>Atlas</i>	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	Antonov AN-12A [#2340806] <sup>253</sup>	<a href="#">S/2022/427</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-12BP [#5342908]	<a href="#">S/2022/427</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-12BP [#5343005]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	Antonov AN-26 [#503]	<a href="#">S/2017/466</a> <a href="#">S/2019/914</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>

<sup>245</sup> This annex updates and clarifies information within the previous original work at

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

<sup>246</sup> Items marked \*\* appeared in the 29 May 2021 7th Anniversary of Operation Dignity parade in Benghazi.

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

<sup>247</sup> Fighter Ground Attack.

<sup>248</sup> On 4 December 2021 the President announced that his country's name would subsequently be referred to as Türkiye. Thus all events in this report post 4 December 2021 will use Türkiye.

<sup>249</sup> <https://medium.com/war-is-boring/it-looks-like-russia-gave-a-fighter-jet-to-libyas-warlord-1a564098b223>, 1 March 2017.

Although the imagery shows the MiG-23 in Libya the Panel does not endorse the supply chain in the article.

<sup>250</sup> UID, in all uses, means unidentified, or low evidential levels, and responsibility has yet to be attributed by the Panel.

<sup>251</sup> <https://www.africanmilitaryblog.com/2019/08/libya-frankenstein-mig-23-flogger-fighter-jet-take-flight>, 3 August 2019.

<sup>252</sup> Intelligence, Surveillance and Reconnaissance.

<sup>253</sup> These are the manufacturer's serial numbers (MSN).

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Antonov AN-32B [#2009]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF.</li> </ul>
	C-17A <i>Globemaster</i>	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	C-130E <i>Hercules</i>	<a href="#">S/2015/128</a> <a href="#">S/2016/209</a>	Sudan	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	C-130E <i>Hercules</i>	<a href="#">S/2021/229</a>	Türkiye	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
	Ilyushin IL-18D [#172001401]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	Ilyushin IL-18D [#187009903]	<a href="#">S/2017/466</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	Ilyushin IL-76TD [#73479367]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	Ilyushin IL-76TD [#1013405167]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	Ilyushin IL-76TD [#1013409282]	<a href="#">S/2021/229</a>	Green Flag Aviation	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	Ilyushin IL-76TD [#1023411378]	<a href="#">S/2021/229</a>	Space Cargo Inc	<ul style="list-style-type: none"> <li>Operating in Libya in direct support of HAF</li> </ul>
	** Ilyushin IL-76TD [5A-ILA]	<a href="#">S/2022/427</a>	UID	
	Ilyushin IL-76TD Various	<a href="#">S/2021/229</a>	Russian Federation	<ul style="list-style-type: none"> <li>For transfer of military materiel into Libya.</li> </ul>
Air Defence (Guns)	** 23mm ZSU-23-2CP	<a href="#">S/2022/427</a>	UID	
	35mm <i>Korkut</i> Cannon	<a href="#">S/2021/229</a>	Türkiye	
Air Defence (Missiles)	MIM-23 <i>Hawk</i>	<a href="#">S/2021/229</a>	Türkiye	
	MIM-104 <i>Patriot</i>	<a href="#">S/2022/427</a> <sup>254</sup>	UAE	
	<i>Pantsir</i> S1	<a href="#">S/2021/229</a>	Russian Federation	<ul style="list-style-type: none"> <li>On KaMAZ platform.</li> </ul>
	<i>Pantsir</i> S1	<a href="#">S/2021/229</a>	UAE	<ul style="list-style-type: none"> <li>On MAN platform.</li> </ul>
Anti-Tank (ATGW) <sup>255</sup>	9K115-2 <i>Metis-M</i>	<a href="#">S/2019/914</a>	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
	9M133 <i>Kornet</i>	<a href="#">S/2019/914</a>	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
	<i>Dehlavieh</i>	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
Armoured Vehicles (APC) <sup>256</sup>	AMN 233114 <i>Tigr-M</i>	<a href="#">S/2022/427</a>	Likely Russian PMC	
	<i>Irigiri</i> 4x4	<a href="#">S/2019/914</a>	UID	<ul style="list-style-type: none"> <li>First seen 2015.</li> </ul>
	Inkas <i>Titan-DS</i> 4x4	<a href="#">S/2021/229</a>	UAE	
	Inkas <i>Titan-S</i> 4x4	New	UID	<ul style="list-style-type: none"> <li>Annex 58</li> </ul>
	Inkas <i>Titan-S</i> 6x6	<a href="#">S/2022/427</a>	UID	
	** KADDB <i>Al Wahsh</i> 4x4	<a href="#">S/2016/209</a>	Jordan	
	KADDB <i>Al Wahsh</i> 4x4	<a href="#">S/2018/812</a>	Jordan	<ul style="list-style-type: none"> <li>"Snake Head" Turret fitted.</li> </ul>
	<i>Katmerciler Kirac</i>	<a href="#">S/2022/427</a>	Türkiye	
	LC79 <i>SH Fighter-2</i> 4x4	S/2023/673	UID	
	Lenco <i>Bearcat G3</i> 4x4	<a href="#">S/2021/229</a>	UID	<ul style="list-style-type: none"> <li>With GNU-AF.</li> </ul>
	Mezcal <i>Tygra</i> 4x4	<a href="#">S/2017/466</a>	UAE	
	MIC VPK <i>Tigr-M</i>	<a href="#">S/2021/229</a>	Russian PMC	

<sup>254</sup> In a single open-source report in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021. A confidential source informed the Panel that the system was only very briefly deployed to Libya and soon withdrawn.

<sup>255</sup> Anti-Tank Guided Weapon.

<sup>256</sup> Armoured Personnel Carriers. Sometimes also referred to as Protected Patrol Vehicles (PPV).

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	** MSPV <i>Panthera T6</i> 4x4	<a href="#">S/2016/209</a> <a href="#">S/2017/466</a> <a href="#">S/2018/812</a> <a href="#">S/2021/229</a>	UAE	▪ From different shipments.
	MSPV <i>Panthera T8</i> 4x4	S/2023/673	UID	
	MSPV <i>Panthera F9</i> 4x4	<a href="#">S/2018/812</a>	UAE	
	** Streit <i>Cobra</i> 4x4	<a href="#">S/2016/209</a>	UAE	▪ Transferred in 2012.
	Streit <i>Cougar</i> 4x4	<a href="#">S/2016/209</a>	UAE	▪ Transferred in 2012.
	** Streit <i>Cougar</i> 4x4	<a href="#">S/2019/914</a>	Jordan	▪ "Snake Head" Turret fitted.
	Streit <i>Spartan</i> 4x4	<a href="#">S/2016/209</a> <a href="#">S/2018/812</a> <a href="#">S/2021/229</a> <a href="#">S/2023/673</a>	UAE	▪ From different shipments.
	TAG BATT APC	<a href="#">S/2022/427</a>	UID	
	TAG BATT UMG Armoured Truck	New	UID	▪ Annex 57
	** TAG <i>Terrier LT-79</i> 4x4	<a href="#">S/2021/229</a>	UAE	
	<i>Tundra</i> Variant	<a href="#">S/2021/229</a>	UID	
Armoured Vehicles (IAFV) <sup>257</sup>	FNSS <i>ACV-15</i>	<a href="#">S/2021/229</a>	Türkiye	
	KADDB <i>Mared</i> 8x8	<a href="#">S/2019/914</a>	Jordan	
	** KADDB <i>Mared</i> 8x8	<a href="#">S/2021/229</a>	Jordan	▪ "Snake Head" Turret fitted.
	Paramount <i>Mbombe</i> 6x6	<a href="#">S/2019/914</a>	UID	▪ With HAF.
	<i>Ratel-60</i>	<a href="#">S/2019/914</a>	UID	▪ With HAF.
Armoured Vehicles (MRAP) <sup>258</sup>	BAe <i>Cayman</i>	<a href="#">S/2016/209</a>	UID	▪ First seen 2012.
	BMC <i>Kirpi</i> 4x4	<a href="#">S/2019/914</a>	Türkiye	
	BMC <i>Kirpi II</i> 4x4	New	UID	▪ Annex 56
	BMC <i>Vuran</i> 4x4	S/2023/673	Türkiye	
	Evro-Polis <i>Valkyrie</i> 4x4	<a href="#">S/2021/229</a>	ChvK Wagner	▪ Based on a Ural-432007 platform. ▪ New attribution.
	NIMR <i>Jais</i> 4x4	<a href="#">S/2016/209</a>	UAE	▪ First seen 2013.
	Streit <i>Condor SUT</i>	New	UID	▪ Annex 59
	Streit <i>Gladiator</i>	New	UID	▪ Annex 60
	Streit <i>Typhoon</i> 4x4	<a href="#">S/2022/427</a>	UID	
Artillery (Towed)	** 122mm M1938 M-30 Howitzer	<a href="#">S/2022/427</a>	UID	▪ This weapon system was NOT reported in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. <sup>259</sup> ▪ Identified with HAF 106 brigade.
	** 155mm G5 Howitzer	<a href="#">S/2021/229</a>	UID	▪ With HAF. <sup>260</sup>
Artillery (Self-Propelled)	155mm <i>Firtina T-155</i>	<a href="#">S/2021/229</a>	Türkiye	
Artillery (MLRS)	** 128mm LSRVM <i>Morava</i>	<a href="#">S/2021/229</a>	UID	▪ Now confirmed from imagery. <sup>261</sup>

<sup>257</sup> Infantry Armoured Fighting Vehicles.

<sup>258</sup> Mine Resistant Armoured Protected.

<sup>259</sup> Pre-2011 Libyan inventory based on that equipment reported in Jane's publications and the IISS Military Balance (<https://www.iiss.org/publications/the-military-balance-plus>).

<sup>260</sup> Also <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

<sup>261</sup> <https://www.oryxspioenkop.com/2022/08/photo-report-haftars-last-parade.html>, 27 August 2022.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	Rocketsan 122mm <i>Sakarya</i> T-122	<a href="#">S/2021/229</a>	Türkiye	
	** 128mm LSRVM <i>Morava</i>	<a href="#">S/2021/229</a>	UID	
	122mm Hybrid Version	<a href="#">S/2022/427</a>	UAE	
Logistic Vehicles	** CFORCE All-Terrain Vehicle	<a href="#">S/2022/427</a>	UID	
	** Jeep Gladiator	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Militarised.</li> </ul>
	KamAZ 6x6 Truck	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Identification from 2018 and unreported by Panel.</li> <li>▪ Also delivered to Libya on <i>MV Fehm Calypso</i> in 2020.<sup>262</sup></li> </ul>
	KamAZ 8x8 Truck	<a href="#">S/2021/229</a>	Russian PMC	<ul style="list-style-type: none"> <li>▪ Identified as the mobility platform for the ChVK Wagner operated Pantsir-1.</li> </ul>
	Militarised Toyota Land Cruiser 79 4x4	<a href="#">S/2022/427</a>	UID	
	** Toyota 6x6 Light Utility Vehicle	<a href="#">S/2022/427</a>	UID	
	UAZ-469 Light Communications Vehicle	<a href="#">S/2022/427</a>	UID	
	Ural-4320 Truck	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ Some identified on deck of <i>MV Fehm Calypso</i> on 25 April 2020 during transit of Bosphorus, but these offloaded in Alexandria according to shipping company.</li> </ul>
	Ural-4320 Truck (Armoured)	<a href="#">S/2022/427</a>	UID	
Mortars (Field)	120mm 120-PM-43 M1943	<a href="#">S/2022/427</a>	UID	
	120mm M-74	<a href="#">S/2022/427</a>	UID	<ul style="list-style-type: none"> <li>▪ With HAF Tariq bin Ziyad brigade.</li> </ul>
Naval Vessels	<i>Apollon</i> rigid-hulled inflatable boats	<a href="#">S/2022/427</a>	LAAF Greek individual	<ul style="list-style-type: none"> <li>▪ Annex 34</li> </ul>
	<i>Corrubia</i> Class patrol boats	<a href="#">S/2019/914</a>	Member State	<ul style="list-style-type: none"> <li>▪ Converted to naval vessels post-delivery.</li> </ul>
	<i>Damen Stan Patrol 1605</i> Class patrol boats	<a href="#">S/2018/812</a>		
	<i>Lambro Olympic D74</i> Fast Patrol Boat	<a href="#">S/2022/427</a>	Libya SSA Greek individuals	<ul style="list-style-type: none"> <li>▪ In use with SSA</li> <li>▪ a.k.a. <i>Javelin</i> Class.</li> </ul>
	<i>MRC-1250</i> rigid-hulled inflatable boats	<a href="#">S/2021/229</a>	Lancaster6	<ul style="list-style-type: none"> <li>▪ Project Opus.</li> </ul>
	<i>OCEA</i> fast patrol boat 110	New	LAAF	<ul style="list-style-type: none"> <li>▪ Annex 31</li> </ul>
	Offshore Patrol Vessel <i>Alkarama</i>	<a href="#">S/2018/812</a> <a href="#">S/2019/914</a>	Universal Satcom Services, UAE	
	Patrol Boat <i>Alqayid Saqar</i>	<a href="#">S/2022/427</a>	Libya SSA	<ul style="list-style-type: none"> <li>▪ Type UID.</li> <li>▪ Classed as military as dual use and subsequently armed.</li> </ul>
	<i>Raidco</i> RPB 20 class patrol boats	<a href="#">S/2019/914</a>	Member State	<ul style="list-style-type: none"> <li>▪ Converted to naval vessels post-delivery.</li> </ul>
Radars and EW	Aselsan <i>Koral</i> Electronic Warfare System	<a href="#">S/2021/229</a>	Türkiye	
	** IRL131 P-18 Early Warning Radar	<a href="#">S/2022/427</a>	UID	
	LEMZ 96L6/E Target Acquisition Radar	<a href="#">S/2021/229</a>	UID	
	Samel-90 Mobile IED Jammer	<a href="#">S/2019/914</a>	UID	
	Aselsan <i>Ihasavar</i> UAV Jammer	S/2023/673	Türkiye	
Small Arms and Light Weapons	5.56mm AK-103 Assault Rifles	<a href="#">S/2022/427</a>	Likely Russian PMC	
	5.56mm JAWS-556 Assault Rifles	<a href="#">S/2022/427</a>	Jordan	

<sup>262</sup> Information from shipping company.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	5.56mm MFR Multi-Functional Rifles	<a href="#">S/2022/427</a>	Türkiye	
	5.56mm MPT 55K Assault Rifles	<a href="#">S/2022/427</a>	Türkiye	
	5.56mm KCR 556 7.5" infantry rifle	S/2023/673	Türkiye	
	5.56 x 45mm SAR 223C Assault Rifles	New	UID	▪ Annex 55
	7.62 x 39mm AK-103-1 Assault Rifles	<a href="#">S/2022/427</a>	UID	
	7.62 x 39mm AR-M9F Assault Rifles	<a href="#">S/2016/209</a>	UAE	
	7.62 x 39mm Type 63-1 Assault Rifle	<a href="#">S/2022/427</a>	UID	
	7.62 x 51mm FN FAL Assault Rifle	<a href="#">S/2013/99</a>	UAE	
	7.62 x 51mm JNG-90 <i>Bora -12</i> Sniper Rifle	<a href="#">S/2022/427</a>	Türkiye	
	7.62mm KNT-76 Sniper Rifle	S/2023/673	Türkiye	
	7.62 x 51mm MPT 76 Assault Rifles	<a href="#">S/2022/427</a>	UID	
	7.62 x 54mmR Type-80 General Purpose Machine Gun <sup>263</sup>	<a href="#">S/2022/427</a>	UID	
	0.308" <i>Accuracy International</i> AW308 Sniper Rifle	S/2023/673	UID	
	0.308" <i>Sako</i> TRG 22 Sniper Rifles	S/2023/673	UID	
	0.338 <i>Orsis</i> T-5000 Sniper Rifle	<a href="#">S/2022/427</a>	UID	▪ Chambered for <i>Lapua</i> rounds.
	0.338 <i>Steyr</i> SSG-08 Sniper Rifle (Variant or Copy)	<a href="#">S/2022/427</a>	Russian PMC	▪ Chambered for <i>Lapua</i> rounds.
	0.50" Barrett M82 Anti Material Rifle	S/2023/673	UID	
	9mm Canik TP9 Series Pistol	New	UID	▪ Annex 53
	9mm Caracal F Pistols	<a href="#">S/2015/128</a>	UAE	
	9mm <i>EKOL</i> P29 Blank Firing Pistols	<a href="#">S/2019/914</a>	UID	
	9mm <i>SUR</i> BRT M9 Blank Firing Pistols	<a href="#">S/2022/427</a>	UID	
	12.7 x 108mm W-85 Heavy Machine Gun	<a href="#">S/2022/427</a>	UID	
	AGS 30mm Grenade Launcher	<a href="#">S/2021/229</a>	Russian PMC	▪ Either AGS-17 or AGS-30 based on ammunition recovered.
	VOG-25 40mm Grenade Launcher	<a href="#">S/2021/229</a>	Russian PMC	▪ Based on ammunition recovered.
	40 x 46mm <i>Akdas</i> AK-40-GL Grenade Launchers	<a href="#">S/2022/427</a>	Türkiye	
	RPG-32 <i>Nashbab</i> Rocket Launcher	<a href="#">S/2019/914</a>	Jordan	
	** SPG-9 73mm Recoilless Rifle	<a href="#">S/2022/427</a>	UID	
	Type-69 85mm Rocket Launcher	<a href="#">S/2022/427</a>	UID	
Tanks (MBT)	M-60 <i>Patton</i> <sup>264</sup>	<a href="#">S/2022/427</a>	Türkiye	
	T-62MV	<a href="#">S/2021/229</a>	Russian PMC	▪ Also see annex 56.
Uncrewed Aerial Vehicles (UAV)	Adcom <i>Yabhon-HMD</i>	<a href="#">S/2019/914</a>	UAE	
	Aeryon <i>Scout Micro</i>	<a href="#">S/2013/99</a>	Zariba Security Corporation	
	Aselsan <i>Serce-2</i> UAV	S/2023/673	Türkiye	
	Chilong CL-11 VTOL	<a href="#">S/2019/914</a>	UID	▪ Dual use system.

<sup>263</sup> [https://twitter.com/r\\_u\\_vid/status/1221227142911905793](https://twitter.com/r_u_vid/status/1221227142911905793), 26 January 2020.

<sup>264</sup> Also <https://twitter.com/MiddleEastWatc1/status/1281616199957323776>, 10 July 2020.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
	** DJI Inspire	<a href="#">S/2022/427</a>	UID	
	Mohajer-2	<a href="#">S/2019/914</a>	UID	
	Orbiter-3	<a href="#">S/2019/914</a>	GNA-AF	▪ Dual use system.
	Orlan-10	<a href="#">S/2019/914</a>	HAF	▪ Possibly from ChVK Wagner.
	Schiebel Camcopter S-100	<a href="#">S/2017/466</a>	UID	▪ With a UID Militia.
	Xiamen Mugin 4450	<a href="#">S/2021/229</a>	UID	▪ Dual use system.
	Zala 421-16E	<a href="#">S/2022/427</a>	UID	▪ With HAF.
UAV (Loitering Munition)	IAI Harpy	<a href="#">S/2021/229</a>	UID	▪ With GNU-AF.
	STM Kargu-2	<a href="#">S/2021/229</a>	Türkiye	
	WB Warmate	<a href="#">S/2021/229</a>	UID	
Uncrewed Aerial Combat Vehicles (UACV)	Bayraktar TB2	<a href="#">S/2019/914</a>	Türkiye	
	Bayraktar AKINCI	New	Türkiye	▪ Annex 37
	TAI Anka	<a href="#">S/2021/229</a>	Türkiye	
	Wing Loong I	<a href="#">S/2017/466</a>	UAE	
	Wing Loong II	<a href="#">S/2019/914</a>	UAE	
Miscellaneous	AN/PEQ-15 Advanced Target Pointer Illuminator Aiming Laser (ATPIAL)	<a href="#">S/2022/427</a>	UID	
	AN/PVS-7 Night Vision Goggles	<a href="#">S/2022/427</a>	UID	
	Aselsan A100 Night Vision Monocular	<a href="#">S/2022/427</a>	Türkiye	
	Aselsan A940 Night Vision Weapon Sights	S/2023/673	Türkiye	
	Aselsan A940 Weapon Sights	S/2023/673	Türkiye	
	Dahua DHI-UAV-D-1000JHV2 Anti Drone Gun	<a href="#">S/2021/229</a>	UID	
	Holographic Weapon Sights (HWS)	<a href="#">S/2022/427</a>	Türkiye	
	Sordin Supreme Pro-X Hearing Protectors	<a href="#">S/2022/427</a>	UID	

Table 28.2

**Confirmed arms and military materiel transferred to Libya (26 Feb 2011 – 25 Oct 2024) (ammunition and explosive ordnance)**

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Air to Ground Missiles (AGM)	BA-7 Blue Arrow	<a href="#">S/2019/914</a>	UAE	
Anti-Tank (ATGM)	FGM-148 Javelin	<a href="#">S/2019/914</a>	Member State	▪ Present under resolution 2214 (2015).
	Rocketsan UMTAS	<a href="#">S/2021/229</a>	Türkiye	
Anti-Tank (Rockets)	M-79 Osa	<a href="#">S/2022/427</a>	UID	
Engineer Stores	ML-8 anti-lift initiators	<a href="#">S/2021/229</a>	Russian PMC	
Free Flight Rockets (FFR)	122mm Rocketsan FFR	<a href="#">S/2022/427</a>	Türkiye UAE	
Grenades	F1 Fragmentation	<a href="#">S/2022/427</a>	ChVK Wagner	
	30mm VOG-17M Grenades	<a href="#">S/2021/229</a>	ChVK Wagner	
	40mm OGi-7MA projected grenades	S/2023/673	UID	
	40mm VOG-25 Grenades	<a href="#">S/2021/229</a>	ChVK Wagner	
	Tanin TBG-7 Thermobaric Grenade	S/2023/673	HAF	

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Panel Report</i>	<i>Responsible</i>	<i>Remarks</i>
Laser Guided Bombs (LGB) or Smart Micro Munition (SMM)	GBU-12 Paveway II	<a href="#">S/2017/466</a>	UAE	
	Rocketsan MAM-C	S/2023/673	Türkiye	
	Rocketsan MAM-L	S/2023/673	Türkiye	
Laser Guided Projectiles (LGP)	155mm GP-1A	<a href="#">S/2017/466</a> <a href="#">S/2018/812</a>	UAE	
	155mm GP-6	<a href="#">S/2019/914</a>	UAE	
	Mines (Anti-personnel)	MON-50	<a href="#">S/2022/427</a>	ChVK Wagner
	MON-90	<a href="#">S/2022/427</a>	ChVK Wagner	
	MON-200	<a href="#">S/2022/427</a>	ChVK Wagner	
	OZM-72	<a href="#">S/2022/427</a>	ChVK Wagner	
	PMN-2	<a href="#">S/2021/229</a>	ChVK Wagner	
	POM-2R	<a href="#">S/2021/229</a>	ChVK Wagner	
Mines (Anti-Tank)	TM-62M	<a href="#">S/2022/427</a>	Russian PMC	
Mortar Bombs	120mm high explosive	<a href="#">S/2021/229</a>	UID	
	120mm M62P8 high explosive	<a href="#">S/2021/229</a>	UAE	
	120mm M62P10 high explosive	<a href="#">S/2022/427</a>	UAE	
Small Arms and Cannon Ammunition	7.62 x 39mm	<a href="#">S/2015/128</a> <a href="#">S/2016/209</a>	Belarus UID	▪ For Ministry of Interior.
	7.62 x 39mm	<a href="#">S/2016/209</a>	Sudan	
	7.62 x 39mm TulAmmo	<a href="#">S/2021/229</a>	Russian PMC	▪ Lot A421/2019.
	7.62 x 51mm M80	<a href="#">S/2016/209</a>	Qatar	
	7.62 x 54Rmm	<a href="#">S/2016/209</a>	UID	▪ Manufactured in 2012.
	12.7 x 108mm	<a href="#">S/2013/99</a> <a href="#">S/2015/128</a>	UAE Belarus	▪ For Ministry of Interior.
	14.5 x 114mm	<a href="#">S/2015/128</a>	Belarus	▪ For Ministry of Interior.
	23 x 115mm	<a href="#">S/2015/128</a>	Belarus	▪ For Ministry of Interior.
	Thermobaric Munitions	KBP RPO-A <i>Shmel</i>	<a href="#">S/2021/229</a>	ChVK Wagner

2. Tables 28.3 and 28.4 summarise arms and military materiel that have been reported in open-sources as new transfers. The Panel is still investigating these alleged transfers as: (a) in some cases the arms and military materiel were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo; and/or (b) the imagery was not of high enough resolution to identify serial numbers or lot/batch numbers to confirm post-2011 manufacture, and thus enable the initiation of tracing requests to identify supply chains. The Panel continues to investigate to find confirmatory information to the appropriate evidential standards.



Table 28.3

**Reported but not yet confirmed arms and military materiel transferred to Libya (26 Feb 2011 –25 Oct 2024) (weapon systems and equipment)** <sup>265</sup>

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Air Defence (Missiles)	S-125 (SA-3)	<ul style="list-style-type: none"> <li>This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>Reports in June 2020 of supply from Ukraine to Türkiye,<sup>266</sup> and then deployed to Al Watiya.<sup>267</sup> No S-125 appear on satellite imagery of Al Watiya at that time, only <i>HAWK MIM</i>.</li> </ul>
Anti-Tank (ATGW)	9M113 <i>Konkurs</i> <sup>268</sup>	<ul style="list-style-type: none"> <li>This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>Also seen with HAF 106 brigade in November 2020 exercise, but resolution of imagery insufficient to identify if post-2011 production.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Armoured Vehicles (APC)	<i>NIMR II</i> <sup>269</sup>	<ul style="list-style-type: none"> <li>This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo. The unit badge on the vehicle dates back to 1970.</li> <li>Supplied under a contract signed in 2009 between Libya and the Bin Jamr Group, UAE.<sup>270</sup></li> <li>The imagery was not sufficient to allow for confirmation of a new transfer to Libya without other confirmatory evidence.</li> </ul>
Armoured Vehicles (IAFV)	BRDM-2	<ul style="list-style-type: none"> <li>This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li><a href="#">S/2016/209</a> reported the transfer of these APC types from Libya to Mali.</li> <li>Ukraine sold 108 BRDM to a UAE customer in 2017.<sup>271</sup></li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Artillery (Towed)	** 122mm D-30 Howitzer <sup>272</sup>	<ul style="list-style-type: none"> <li>This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
	152mm 2A65 Msta-B Howitzer	<ul style="list-style-type: none"> <li>This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>The open-source imagery that initially referred to this weapon was later updated to attribute the gun as a G5 Howitzer.<sup>273</sup></li> <li>The Panel has yet to find any imagery of the weapon system deployed in Libya.</li> </ul>
	155mm Norinco AH4 Gun-Howitzer	<ul style="list-style-type: none"> <li>This weapon system was NOT in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>Procured by UAE in 2019.<sup>274</sup></li> <li>Ammunition for the weapon system reported in <a href="#">S/2017/466</a>, <a href="#">S/2018/812</a> and <a href="#">S/2019/914</a>, but this may be compatible with the 155mm G5 Howitzer known to have been transferred.</li> <li>The Panel has yet to find any imagery of the weapon system proving deployment in Libya.</li> </ul>
Artillery (MLRS)	107mm LSRVM <i>Morava</i>	<ul style="list-style-type: none"> <li>The 128mm version was reported in <a href="#">S/2021/229</a>.</li> <li>Also see table 26.1.</li> </ul>

<sup>265</sup> Listed primarily in <https://www.oryxspioenkop.com/2020/06/types-of-arms-and-equipment-supplied-to.html>, 23 March 2021.

<sup>266</sup> <https://avia-pro.net/news/na-vooruzhenii-livii-poyavilis-ukrainskie-s-125-protiv-rossijskih-mig-29-i-su-24>, 8 July 2020.

<sup>267</sup> [https://www.youtube.com/watch?v=\\_mPg5CTUJHQ](https://www.youtube.com/watch?v=_mPg5CTUJHQ), 12 July 2020.

<sup>268</sup> Reported capture. <https://twitter.com/AnalystMick/status/1249681644933599233>, 13 April 2020.

<sup>269</sup> <https://twitter.com/oded121351/status/966794267585925120>, 22 February 2018.

<sup>270</sup> <http://www.army-guide.com/eng/product.php?prodID=3936&printmode=1>. Accessed 21 January 2022.

<sup>271</sup> <https://defence-blog.com/ukraine-sold-108-brdm-2-armoured-reconnaissance-vehicles-to-uae/>, 1 August 2017.

<sup>272</sup> <https://twitter.com/Oded121351/status/1328016339072638978>, 15 November 2020.

<sup>273</sup> <https://twitter.com/Oded121351/status/1328016339072638978/photo/1>, 15 November 2020; and

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

<sup>274</sup>

[https://www.armyrecognition.com/march\\_2019\\_global\\_defense\\_security\\_army\\_news\\_industry/norinco\\_ah4\\_155\\_mm\\_howitzers\\_for\\_united\\_arab\\_emirates\\_army.html](https://www.armyrecognition.com/march_2019_global_defense_security_army_news_industry/norinco_ah4_155_mm_howitzers_for_united_arab_emirates_army.html), 1 March 2019.

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
	107mm <i>Taka</i>	<ul style="list-style-type: none"> <li>▪ Copy of Chinese Type-63 manufactured in Sudan.</li> <li>▪ The single source imagery cannot confirm the weapon type, nor deployment in Libya.<sup>275</sup></li> </ul>
Logistic Vehicles	Safir Light Utility Vehicle	<ul style="list-style-type: none"> <li>▪ This vehicle was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Mortars (Field)	60mm Type-32	<ul style="list-style-type: none"> <li>▪ Image resolution insufficient for 100% identification.<sup>276</sup></li> </ul>
	82mm 82-BM-37 <sup>277</sup>	<ul style="list-style-type: none"> <li>▪ This weapon system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Mortars (Self-propelled)	120mm <i>Boragh</i> Armoured Mortar Vehicle	<ul style="list-style-type: none"> <li>▪ The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.<sup>278</sup></li> </ul>
Radars and EW	Grozna-S Counter UAV	<ul style="list-style-type: none"> <li>▪ The single source imagery identified is insufficient to allow for confirmation of a new transfer to Libya.<sup>279</sup></li> </ul>
	Grozna-6	<ul style="list-style-type: none"> <li>▪ The single source image is of a Grozna-6 deployed in the UAE,<sup>280</sup> but the Panel has yet to see imagery of the system deployed in Libya.<sup>281</sup></li> </ul>
	Krasuha	<ul style="list-style-type: none"> <li>▪ Single source on 18 May 2020 with no supporting high-resolution imagery to allow for confirmation of type or location in Libya.<sup>282</sup></li> </ul>
Small Arms and Light Weapons	7.62 x 54mmR PKM General Purpose Machine Gun	<ul style="list-style-type: none"> <li>▪ This system was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
Tanks (MBT)	T-55E	<ul style="list-style-type: none"> <li>▪ The T-55 was in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ HAF official social media showed a T-55 variant with the Tariq bin Ziyad brigade in 2020.<sup>283</sup></li> <li>▪ ChvK Wagner personnel also repaired 16 and overhauled 31 T-55 variants in 2019, so possible these are from that work.<sup>284</sup></li> <li>▪ More confirmatory evidence required before post-2011 transfer to Libya can be proven.</li> </ul>
	T-62M	<ul style="list-style-type: none"> <li>▪ T-62 variants were in the inventory of the Libyan Armed Forces prior to the 2011 arms embargo.</li> <li>▪ ChvK Wagner personnel also repaired 4 and overhauled 9 T-62 variants in 2019.<sup>285</sup></li> <li>▪ The imagery was not sufficient to allow for confirmation of a new transfer to Libya.</li> </ul>
UAV	Ababil-2	<ul style="list-style-type: none"> <li>▪ Reported as operated by HAF.</li> <li>▪ Image resolution insufficient for 100% identification of type or location.<sup>286</sup></li> </ul>
	Zagil	<ul style="list-style-type: none"> <li>▪ The Panel has identified a single-source report alleging Sudan supplied this UAV type in 2014.<sup>287</sup> The imagery shows Libyan officers but is insufficient to prove the presence of this UAV type in Libya.</li> <li>▪ No open-source imagery of a "Zagil" UAV could be found to allow for confirmation of UAV type.</li> </ul>

<sup>275</sup> <https://postimg.cc/fkz4Rqhp>, undated. Accessed 23 January 2022.

<sup>276</sup> <https://twitter.com/libyatogether20/status/1378031351132254209>, 2 April 2021.

<sup>277</sup> <https://twitter.com/Oded121351/status/1328012799948312576>, 15 November 2020.

<sup>278</sup> <https://twitter.com/tariqgibrel/status/601900388267208704>, 23 May 2015; and <https://postimg.cc/4K7MjjVH>, undated. Accessed 23 January 2022.

<sup>279</sup> <https://twitter.com/towersight/status/1292885386902069249>, 10 August 2020.

<sup>280</sup> <https://www.menadefense.net/mideast/les-emirats-arabes-unis-se-dotent-de-brouilleurs-bielorusses-groza-6/>, 25 June 2020.

<sup>281</sup> <https://army-tech.net/forum/index.php?threads/الالكترونية-البيلاروسية-الحرب-منظومة-groza-18194-أو-العاصفة>, 25 April 2020.

<sup>282</sup> <https://libya.liveuamap.com/en/2020/18-may-gna-turkish-uav-airstrike-on--electronic-warfare-system>, 20 May 2020.

<sup>283</sup> <https://www.youtube.com/watch?v=LXt5d1iacEk>, 14 November 2020. [14min 29sec].

<sup>284</sup> Table 77.2 to S/2021/229.

<sup>285</sup> Table 77.2 to S/2021/229.

<sup>286</sup> <https://postimg.cc/3dNhpry1>. Accessed 23 January 2022.

<sup>287</sup> <https://m.facebook.com/1445146409065850/photos/a.1445154462398378/1484269561820201/?type=3&source=54>, 9 August 2014.

Table 28.4

**Reported but not confirmed arms and military materiel transferred to Libya (26 Feb 2011 – 25 Oct 2024) (ammunition and explosive ordnance)**

<i>Generic type</i>	<i>Nomenclature / Calibre</i>	<i>Remarks</i>
Artillery	155mm 2K25 Krasnopol laser guided projectile.	<ul style="list-style-type: none"> <li>▪ Reported as being for the 152mm 2A65 Msta-B Howitzer (see table 26.3), so possible calibre error in report.</li> <li>▪ Imagery insufficient to confirm calibre or transfer to Libya.<sup>288</sup></li> <li>▪ The imagery could equally be of a GP1, which is a direct copy.<sup>289</sup> GP1 reported in in <a href="#">S/2017/466</a> and <a href="#">S/2018/812</a>.</li> </ul>
Engineer Stores	Fateh-4 mine clearance line charge	<ul style="list-style-type: none"> <li>▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.<sup>290</sup></li> </ul>
Mines (Anti-personnel)	MON-100	<ul style="list-style-type: none"> <li>▪ The Libyan Mine Action Centre (LibMAC) have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.<sup>291</sup></li> <li>▪ The single source imagery identified is insufficient to allow for confirmation of a transfer to Libya.<sup>292</sup></li> </ul>
Mines (Anti-Tank)	TM-83	<ul style="list-style-type: none"> <li>▪ LibMAC have confirmed that no mines of this type have been reported, identified or rendered safe in Libya to date.<sup>293</sup></li> <li>▪ The single source imagery is insufficient to confirm type or transfer to Libya.<sup>294</sup></li> </ul>

<sup>288</sup> <https://twitter.com/lostweapons/status/1243787785724542976?lang=he>, 28 March 2020.

<sup>289</sup> Confidential source analysis.

<sup>290</sup> [https://vk.com/wall-98555648\\_224885?lang=en](https://vk.com/wall-98555648_224885?lang=en), 10 August 2021.

<sup>291</sup> Email to Panel of 25 January 2022.

<sup>292</sup> [https://www.libyaobserver.ly/news/libyas-interior-ministry-urges-south-tripoli-residents-not-return-home-just-yet?qt-libya\\_weather=1&qt-sidebar\\_tabs=1](https://www.libyaobserver.ly/news/libyas-interior-ministry-urges-south-tripoli-residents-not-return-home-just-yet?qt-libya_weather=1&qt-sidebar_tabs=1), 8 June 2020.

<sup>293</sup> Ibid.

<sup>294</sup> <https://twitter.com/analystmick/status/1125785280626200576>, 7 May 2019.

## Annex 29 Dignity Shield 2024 Military Exercise

1. Between 2 and 6 March 2024, LAAF conducted a military exercise named “Dignity Shield 2024” within the agreed ceasefire zone in the vicinity of Sirte.<sup>295</sup> The Panel identified that nine LAAF units participated in the exercise, with the TBZ, 166, and 128 brigades being the most prominent. Among a wide range of arms and related materiel (Figures 29.1 and 29.5), LAAF used a Pantsir-S1 surface-to-air missile system (Figure 29.4).<sup>296</sup> The LAAF used the exercise to display a) newly acquired materiel, including TAG BATT UMG Armoured trucks (Figure 29.2) and OCEA fast patrol boats (Figure 29.3 and annex 31); and b) overall military capabilities in all three military services – land, naval and air force (Figures 29.1, 29.3 and 29.6), primarily through their official communication platforms.

2. Located at the geographic midpoint of the ceasefire zone<sup>297</sup> and widely publicised,<sup>298</sup> the preparations for the exercise significantly contributed to the tense atmosphere in the western part of the country, sparking rumours of imminent security threats. Tripoli-based armed groups expressed varied views on this exercise. Some condemned the action as a direct breach of the 2020 ceasefire agreement, while others, used to similar operations within their ranks, considered the exercise to be a routine military activity.<sup>299</sup> LAAF expressed to the Panel that, “Dignity Shield 2024” exercise was a routine military activity that was periodically conducted to: a) provide training and skill development for its forces; and b) test its equipment, capabilities, and coordination. Representatives from the diplomatic bodies in Libya, as well as members of the 5+5 Joint Military Commission (JMC), were invited to attend the exercise. The LAAF also extended an invitation to Chief of Staff Mohamed El-Haddad, as it did not consider that this exercise is a provocation toward the west, nor a move that threatens the ceasefire.<sup>300</sup>

<sup>295</sup> 30°48'56.5200"N, 16°52'01.2360"E

<sup>296</sup> Presence in Libya previously reported by the Panel in S/2021/229, paragraphs 78-80 and Annex 23.

<sup>297</sup> As defined by the ceasefire agreement of 23 October 2020.

<sup>298</sup> <https://www.facebook.com/watch/?v=617118039971717>, 7 September 2022;

<https://www.facebook.com/watch/?v=2227074570806445>, 7 September 2022;

<https://www.facebook.com/watch/?mibextid=rS40aB7S9Ucbxw6v&v=1837627750020796>, 14 March 2024.

<sup>299</sup> Confidential source (members of armed groups).

<sup>300</sup> LAAF response of 14 September 2024.

Figure 29.1  
T72 tanks



Figure 29.2  
TAG BATT UMG armoured truck



Figure 29.3  
OCEA fast patrol boat 110



Figure 29.4  
Pantsir-S1 surface-to-air missile system



Figure 29.5  
Mi-35 attack helicopter



Figure 29.6  
Paratroopers



Sources:

1. <https://www.youtube.com/watch?v=7u2DhxfQ6iE>, 14 March 2024.
2. <https://www.facebook.com/General.official.leadership/posts/pfbid0Qvkn4TdMDybVs8V1pcqvMBMMneq6vbJdPz7HHKhLJZUJkWkVCbPWdwovvstPF5yl>, 14 March 2024.
3. <https://www.facebook.com/General.official.leadership/posts/pfbid09Ugoafdo279e8uELv6XZMQuCHx59bSrgHQdd6q3htZkUBFmgK4aWTZZ2GXn8zmJl>, 14 March 2024.
4. <https://www.facebook.com/General.official.leadership/videos/1537284016840832>, 14 March 2024.

## Annex 30 Humanitarian deliveries by naval vessels and military cargo aircraft

1. Paragraph 24 (b) of resolution 2213 (2015) tasks the Panel to “gather, examine and analyse information [...] regarding the implementation of [...] [the arms embargo], in particular incidents of non-compliance”.
2. As per paragraph 9 of resolution 1970 (2011), the arms embargo applies to “direct or indirect supply, sale or transfer to [Libya], from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including [...] military vehicles and equipment [...] and technical assistance [...] related to military activities.” The Panel understands naval vessels and military cargo airplanes to constitute arms and related materiel, by virtue of falling under the category of “military vehicles and equipment”.
3. Pursuant to the above resolutions and in particular the two quoted provisions, the Panel has consistently reported on temporary entries of armed naval vessels and armed military aircraft into Libyan territory, when not falling under any of the exemptions set out in the relevant resolutions nor have been approved by the Committee, as violations of the arms embargo. Since the Panel’s final report submitted pursuant to resolution 2509 (2020), the Panel has equally considered temporary entries of unarmed military cargo airplanes and unarmed naval vessels as subject to the arms embargo.<sup>301</sup> In its final report submitted pursuant to resolution 2571 (2021), the Panel recommended to the Security Council that humanitarian deliveries by naval vessel or military aircraft be made subject to notification to the Committee, to exempt these deliveries from the arms embargo.<sup>302</sup> That recommendation was not adopted. The Committee, in its treatment of exemption requests and notifications, as well as requests for guidance from Member States, has also consistently qualified temporary transfers of arms and related materiel as subject to the arms embargo. In the Panel’s assessment, in general, naval vessels and military aircraft fall under the category of arms and related materiel.
4. In response to the humanitarian emergency caused by Storm Daniel in September 2023 in eastern Libya that resulted in the serious loss of life and livelihoods, several Member States immediately proceeded with humanitarian and disaster relief operations to help affected local communities in need. As part of this emergency response, and due to the urgency of the humanitarian situation, the particularly difficult security and other operational conditions and needs that the extensive flooding had caused, some Member States used naval vessels and military aircraft to deliver humanitarian assistance and disaster relief to the people of Derna and other affected areas in eastern Libya (“Derna humanitarian crisis”).
5. In the absence of extant provisions in the applicable resolutions or implementation assistance notices<sup>303</sup> that would except or exempt humanitarian deliveries by naval vessels and military aircraft that do not fall into the category of non-lethal military vehicles and equipment – both in substance and in relation to their means of delivery – the Panel has consistently applied the same methodology and technical standards used in relation to investigating entries of such naval vessels and military aircraft into Libya, including to the analysis of identified cases of humanitarian relief deliveries by Member States through military means and personnel in the context of the Derna humanitarian crisis.
6. The Panel is cognizant that humanitarian aid in such exceptional circumstances is often rendered through military means of transportation and by military personnel trained and specialised in conducting efficient disaster relief operations in the context of emergency situations such as the Derna humanitarian crisis. Yet, the arms embargo as framed in the extant resolutions would have required Member States to seek an exemption from the Libya Sanctions Committee under paragraph 9 (c) of resolution 1970 (2011) before entering Libya. The Panel is mindful that this procedural requirement in an urgent disaster situation like the aftermath of Storm Daniel seems neither practicable nor proportionate.
7. The Panel has addressed standardised letters with a questionnaire (appendix 30.A) to all Member States that the Panel has identified as having provided humanitarian and disaster relief to eastern Libya in the aftermath of Storm Daniel by means of military aircraft or naval vessels, and/or by provision of such relief through military personnel or using military materiel (appendix 30.B). The purpose of these letters was to establish whether all transfers of arms and related materiel to Libya – including military aircraft and naval vessels, and including temporary transfers – in this context have exclusively

<sup>301</sup> S/2021/229, paras. 76, 81 and 83 and table 4; S/2022/427, paras. 60, 79 to 80 and tables 1 and 3; S/2023/673, para. 81, 90 to 93 and tables 1 and 3.

<sup>302</sup> S/2022/427, para. 132 recommendation 1.

<sup>303</sup> Including Implementation Assistance Notice no 7, dated 4 December 2023 and titled “Guidance to Member States on the application of the humanitarian exemption established by resolution 2664 (2022) to the asset freeze established under resolution 1970 (2011)”, see [https://main.un.org/securitycouncil/sites/default/files/1970\\_ian7\\_e.pdf](https://main.un.org/securitycouncil/sites/default/files/1970_ian7_e.pdf).

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been undertaken with a view to providing humanitarian and disaster relief, and have not been related to any other military activities.

8. The letters should thus clarify the following: a) were military means of transportation used (armed or unarmed); and b) were any military items delivered (lethal or non-lethal). If transfers included armed means of transportation or lethal materiel, the extant provisions in the applicable resolutions do not provide any exceptions.

9. Six Member States, Algeria, Egypt, Germany, Romania, the Russian Federation and Spain responded to the Panel's inquiry. Their responses are detailed in appendix 30.C.

10. As long as a temporal and causal nexus to Storm Daniel make the humanitarian aid delivery credible, and the entries by military cargo aircraft being excepted by virtue of paragraph 9 of resolution [2095 \(2013\)](#), the provision of humanitarian aid by non-lethal military cargo aircraft, do not constitute violations of or non-compliances with the arms embargo on Libya.

11. The naval vessels used by Egypt, Italy, Malta and Türkiye were armed naval vessels, and thus cannot be subsumed under the category of non-lethal military equipment as contained in paragraph 9 of resolution 2095 (2011). The entries of these vessels into Libya therefore amount to non-compliances with paragraph 9 of resolution 1970 (2011), for not having sought prior exemption from the Committee.<sup>304</sup>

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<sup>304</sup> Malta submitted a "notification" to the Committee, but did not seek exemption.

## Appendix A to annex 30 List of Member States that reportedly delivered humanitarian aid to eastern Libya in the aftermath of Storm Daniel

Table 30.A.1

### List of Member States that reportedly delivered humanitarian aid to eastern Libya in the aftermath of Storm Daniel

<i>Member State</i>	<i>Means of transport</i>	<i>Source<sup>a</sup></i>
Algeria	Hercules 7T-WJB	<a href="https://twitter.com/ALandewers/status/1701845775146217638">https://twitter.com/ALandewers/status/1701845775146217638</a>
Bangladesh	Air Force Hercules S3-AGJ	<a href="https://twitter.com/ALandewers/status/1702631280955842945">https://twitter.com/ALandewers/status/1702631280955842945</a>
Egypt	Mistral aircraft carrier Three UID military cargo aircraft Search-and-rescue aircraft	<a href="https://www.sis.gov.eg/Story/185833/Egypt%E2%80%99s-Mistral-aircraft-carrier-arrives-in-Libya-to-help-storm-victims?lang=en-us">https://www.sis.gov.eg/Story/185833/Egypt%E2%80%99s-Mistral-aircraft-carrier-arrives-in-Libya-to-help-storm-victims?lang=en-us</a> <a href="https://libyareview.com/37656/egypt-sends-3-military-planes-with-aid-to-libya/">https://libyareview.com/37656/egypt-sends-3-military-planes-with-aid-to-libya/</a> <a href="https://libyareview.com/37850/egypt-deploys-rescue-aircraft-to-libya/">https://libyareview.com/37850/egypt-deploys-rescue-aircraft-to-libya/</a>
France	Airbus A400M cargo aircraft	<a href="https://lignesdedefense.blogs.ouest-france.fr/archive/2023/09/14/libye-24107.html">https://lignesdedefense.blogs.ouest-france.fr/archive/2023/09/14/libye-24107.html</a> <a href="https://libyaobserver.ly/inbrief/french-relief-plane-arrives-benghazi">https://libyaobserver.ly/inbrief/french-relief-plane-arrives-benghazi</a>
Germany	Two UID Bundeswehr Airbus A400M cargo aircraft	<a href="https://reliefweb.int/report/libya/flooding-libya-thw-relief-supplies-arrive-today">https://reliefweb.int/report/libya/flooding-libya-thw-relief-supplies-arrive-today</a>
Iran	15-2283	<a href="https://fa.alalam.ir/news/6705493/%D8%A5%D9%8A%D8%B1%D8%A7%D9%86-%D8%AA%D8%B1%D8%B3%D9%84-40-%D8%B7%D9%86-%D9%85%D9%86-%D8%A7%D9%84%D9%85%D8%B3%D8%A7%D8%B9%D8%AF%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86%D9%8A%D8%A9">https://fa.alalam.ir/news/6705493/%D8%A5%D9%8A%D8%B1%D8%A7%D9%86-%D8%AA%D8%B1%D8%B3%D9%84-40-%D8%B7%D9%86-%D9%85%D9%86-%D8%A7%D9%84%D9%85%D8%B3%D8%A7%D8%B9%D8%AF%D8%A7%D8%AA-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86%D9%8A%D8%A9</a> - ارسال محموله DB% B0- اقلام-بشردوستانه- امدادی-به-لیبی
Italy	ITS LPD San Giorgio and ITS LPD San Marco MM62189 MM62196 IAM4672 MM62196 IAM4676 MM62214 IAM4667	<a href="https://twitter.com/ALandewers/status/1702209276272341191">https://twitter.com/ALandewers/status/1702209276272341191</a> <a href="https://twitter.com/ALandewers/status/1701993554816426374">https://twitter.com/ALandewers/status/1701993554816426374</a> <a href="https://twitter.com/ALandewers/status/1702277120678907971">https://twitter.com/ALandewers/status/1702277120678907971</a> flightradar24
Jordan	RJAF-360	<a href="https://twitter.com/Gerjon_/status/1702413144222502922">https://twitter.com/Gerjon_/status/1702413144222502922</a>
Kuwait	KAF342 KAF327 KAF3223 KAF3216 KAF327 KAF3224	<a href="https://twitter.com/ALandewers/status/1701993554816426374">https://twitter.com/ALandewers/status/1701993554816426374</a> flightradar24
Malta <sup>b</sup>	Armed Forces vessel OPV P61	<a href="https://www.reuters.com/world/africa/maltese-rescue-team-finds-hundreds-dead-libyan-beach-2023-09-16/">https://www.reuters.com/world/africa/maltese-rescue-team-finds-hundreds-dead-libyan-beach-2023-09-16/</a>
Qatar	AT-MAE A7-AAA A7-MAB A7-MAC A7-MAA A7-MAO	<a href="https://twitter.com/ALandewers/status/1702209504350261328/photo/1">https://twitter.com/ALandewers/status/1702209504350261328/photo/1</a> <a href="https://twitter.com/ALandewers/status/1701845894730039563/photo/2">https://twitter.com/ALandewers/status/1701845894730039563/photo/2</a> <a href="https://twitter.com/ALandewers/status/1701845894730039563">https://twitter.com/ALandewers/status/1701845894730039563</a> flightradar24
Romania	ROF305 ROF323	<a href="https://twitter.com/TheLibyaUpdate/status/1703014896743399782?t=eZ7seKcOJkBWoo07Rhin-A&amp;s=09">https://twitter.com/TheLibyaUpdate/status/1703014896743399782?t=eZ7seKcOJkBWoo07Rhin-A&amp;s=09</a> flightradar24
Russian Federation	RA-85042 RA-85155	Correspondence of 24 April 2024 from the Russian Federation regarding Russian military aircraft using Libyan airfields



<i>Member State</i>	<i>Means of transport</i>	<i>Source</i> <sup>a</sup>
Spain	UID <sup>305</sup>	<a href="https://www.bbc.com/news/world-africa-66805254">https://www.bbc.com/news/world-africa-66805254</a>
Tunisia	Z21122 TUN61 Z21122 TUN62 Z21122 TUN63	<a href="https://twitter.com/ALandewers/status/1701845775146217638">https://twitter.com/ALandewers/status/1701845775146217638</a> <a href="https://twitter.com/ALandewers/status/1701993554816426374/photo/3">https://twitter.com/ALandewers/status/1701993554816426374/photo/3</a> flightradar24
Türkiye	TCG Bayraktar; TCG Sancaktar 21-0118	<a href="https://x.com/TheLibyaUpdate/status/1703006711651381634?s=20">https://x.com/TheLibyaUpdate/status/1703006711651381634?s=20</a> <a href="https://twitter.com/ALandewers/status/1701486540591899108">https://twitter.com/ALandewers/status/1701486540591899108</a>
UAE	1226 1228 1229 1230	<a href="https://www.khaleejtimes.com/uae/look-5-uae-relief-planes-arrive-in-libya-as-part-of-air-bridge">https://www.khaleejtimes.com/uae/look-5-uae-relief-planes-arrive-in-libya-as-part-of-air-bridge</a> <a href="https://uae-voice.net/emirati-search-and-rescue-team-arrived-in-benghazi-libya/">https://uae-voice.net/emirati-search-and-rescue-team-arrived-in-benghazi-libya/</a> <a href="https://x.com/libyanemirates">https://x.com/libyanemirates</a> <a href="https://x.com/ObservatoryLY/status/1705172187521613867/photo/1">https://x.com/ObservatoryLY/status/1705172187521613867/photo/1</a>

<sup>a</sup> General information: UN OCHA, Libya Floods – Storm Daniel, <https://vosocc.unocha.org/Report.aspx?page=Ob8GcM294nmBR4N4ePVicQxxxequalxxxequal>.

<sup>b</sup> Malta notified the Committee by note verbale dated 12 September 2023 of its intention to dispatch its naval vessel on an urgent humanitarian rescue mission to Tubruq.

<sup>305</sup> Military or civilian means of transportation used by Spain to deliver humanitarian aid was unclear to the Panel when it carried out the investigation. In response to the Panel's inquiry, Spain answered that two civilian aircraft from Afriqiyah Airways were used, with aircraft A330 (registration: 5A-ONR) flew on 25 September 2023, and aircraft A-330 (registration: 5A-ONQ) flew on 7 October 2023. The Panel confirmed these two aircraft made flights on those dates respectively from Madrid, Spain to Tripoli, Libya. No contradictory evidence against Spain's statement has been identified.

**Appendix B to Annex 30 Standardised questionnaire to Member States that reportedly delivered humanitarian aid to eastern Libya in the context of the Derna humanitarian crisis**

Standardised questionnaire

on means of transport of humanitarian aid, transfers of arms and related materiel of all types, including military vehicles and equipment, as well provision of technical assistance to eastern Libya in the aftermath of Storm Daniel since 11 September 2023

**Member State:** [please fill in]

**Date of survey completion:** Click or tap to enter a date.

No.	Question	Response
1	<p>Were military cargo plane(s) and/or naval vessel(s) used to deliver humanitarian aid to eastern Libya in the aftermath of Storm Daniel?</p> <p><b>IF YES:</b> please continue to <a href="#">question 2</a>.</p> <p><b>IF NO:</b> please provide registration(s) of civilian cargo plane(s) / name and IMO number of civilian vessel(s)/ identification of any other means, used to transport humanitarian aid to eastern Libya and continue to <a href="#">question 4</a>.</p>	
2	Type(s), registration(s), call sign(s) of military cargo plane(s) used.	
3	Type(s) name and pennant number of naval vessel(s).	
4	Airport(s) / /Port(s) of entry and departure.	
5	Arrival and departure date(s) and time(s).	
6	Type and quantity of disaster relief material / supplies delivered on each delivery.	
7	Where applicable, please provide relevant information if disaster relief or humanitarian assistance was provided by using military equipment or military personnel.	
8	Where applicable, if military vehicles and equipment, as well as military personnel still remain in Libya to date, please provide type, quantity and objectives, as well as the timeline for leaving Libya, if any.	

## Appendix C to annex 30 Responses from Member States that reportedly delivered humanitarian aid to eastern Libya in the context of the Derna humanitarian crisis

Table 30.C.1

### Responses from Member States that reportedly delivered humanitarian aid to eastern Libya in the context of the Derna humanitarian crisis

<i>Member States</i>	<i>Response</i>	<i>Quality of provided information</i>
Algeria	<ul style="list-style-type: none"> <li>▪ Three C-130 and five IL-76 military cargo aircraft transported an unspecified number of firefighters and 162.7 tons of humanitarian aid to Mitiga, Al Abraq and Tobruk airports on 12 September 2023 (seven flights), 13 September 2023 (one flight), 21 September 2023 (one flight), and 30 September 2023 (one flight).</li> <li>▪ No military equipment or personnel were provided as part of the delivery.</li> </ul>	<ul style="list-style-type: none"> <li>▪ complete information with standardised questionnaire returned</li> <li>▪ allowing the Panel to confirm the exception of paragraph 9 of resolution 2095 (2013) applied</li> </ul>
Egypt	<ul style="list-style-type: none"> <li>▪ Three military aircraft transported tens of tons of medical, pharmaceutical supplies, 25 search and rescue teams and the rescue unit of the armed forces, and four search and rescue helicopters to Al-Abraq Air Base carried out search and rescue missions and air evacuation.</li> <li>▪ Mistral helicopter carrier (Gamal Abdel Nasser) transported more than 100 containers of food, relief, medical aid, various engineering equipment, ambulances, electricity generation machines, and water pulling vehicles.</li> <li>▪ Via a land bridge across of Salloum - Musaid - Derna port, an urgent shelter camp with a capacity of 300 tents was established, containing medical, technical, first necessity supplies and needs, and equipped with medical teams and nurses.</li> </ul>	<ul style="list-style-type: none"> <li>▪ partial information on the humanitarian nature of deliveries</li> <li>▪ allowing the Panel to confirm that military transportation means were used</li> </ul>
Germany	<ul style="list-style-type: none"> <li>▪ Two A400M military cargo aircraft transported about 32 tons of humanitarian aid, including tents, field beds, blankets, tent lighting, generators, water filters, etc. to Benghazi airport on 14 September 2023.</li> <li>▪ No military equipment or personnel were provided as part of the delivery.</li> </ul>	<ul style="list-style-type: none"> <li>▪ complete information with standardised questionnaire returned</li> <li>▪ allowing the Panel to confirm that the exception of paragraph 9 of resolution 2095 (2013) applied</li> </ul>
Romania	<ul style="list-style-type: none"> <li>▪ Six Spartan C-130 military cargo aircraft transported mineral water, canned vegetables, tents, beds, mattresses, blankets, sleeping bags, pillows, etc. to Benghazi airport on 16 September, 18 September, 20 September, 26 September and 27 September 2023.</li> <li>▪ No military equipment or personnel were provided as part of the delivery.</li> </ul>	<ul style="list-style-type: none"> <li>▪ complete information with standardised questionnaire returned</li> <li>▪ allowing the Panel to confirm that the exception of paragraph 9 of resolution 2095 (2013) applied</li> </ul>
Russian Federation	<ul style="list-style-type: none"> <li>▪ The Russian Federation is “committed to strict implementation of SC resolutions, including restrictions imposed under them.</li> <li>▪ Issues of humanitarian assistance are not subject to those resolutions and are outside the competency of the Committee.</li> <li>▪ Means of transfer crossing Libyan territory on a temporary basis carrying non-sanctioned items are and should not be covered by any exemptions or otherwise by the sanctions regime”.</li> </ul>	<ul style="list-style-type: none"> <li>▪ incomplete information</li> <li>▪ not allowing the Panel to identify the nature of the flights</li> </ul>
Spain	<ul style="list-style-type: none"> <li>▪ No military cargo plane or naval vessel was used to deliver humanitarian aid.</li> <li>▪ Two civilian aircraft of Afriqiyah Airways delivered protective overalls, masks, gloves, hydroalcoholic gel, medical supplies, etc on 25 September and 6 October 2023.</li> </ul>	<ul style="list-style-type: none"> <li>▪ complete information with standardised questionnaire returned</li> <li>▪ having not used military means of transport, thus falling outside of the scope of the arms embargo</li> </ul>

Table 30.C.2

**Member States yet to respond to the Panel's inquiry and questionnaire**

Bangladesh	France	Iran	Italy
Jordan	Kuwait	Malta	Qatar
Tunisia	Türkiye	UAE	

## Annex 31 Patrol boats seized in Tubruq

### A. Overview

1. In November 2023, two fast patrol boats (FPBs) were seized from a vessel in transit in Tubruq to deliver electrical power generation equipment. The FPBs were destined for Oman for use by the Omani police but were seized by the local customs authorities in Tubruq for alleged smuggling.

### B. OCEA fast patrol boat 110

2. The two OCEA FPBs were, as per cargo documents, of the type 110 MKII and named #3 “Haras-12” (serial no. LS938434) and # 5 “Haras-14” (serial no. LS938674). According to a presentation document for OCEA FPB 110 MKII provided by OCEA, the FPB 110 MKII are 35 metres long, have a top speed of 30 knots, an integrated secure police radio, gyro-stabilized day and night vision and a cooled infrared sensor, a gyro-stabilized remotely controlled 20 mm machine gun, and two light machine gun fixings.

3. OCEA further informed the Panel that for the two FPBs in question, technical data was as follows: the hull construction was designed without ballistic protection or sink-proofing for naval tasks. The installed communications suite is mainly civilian, with the exception of a V/UHF tactical radio type M3SR XT4410A from Rohde & Schwarz. The hull at the fore deck is reinforced and fitted with an Rheinmetall Oerlikon Searanger 20 remote controlled gun station (20 mm autocannon). The rear platform, aft of the wheelhouse, has two gun mountings to accommodate 7.62 mm machine guns.

4. Owing to the reinforced fore deck with fixed autocannon and the two machine gun mounts, the Panel assesses the two FPBs to fall under the category of arms and related materiel, as per paragraph 9 of resolution 1970 (2011). Any transfer to Libya would require prior approval of the Committee; there are no exceptions in the relevant resolutions that would apply.

### C. Timeline of events

5. On 11 October 2023, the shipyard OCEA (France) tasked a freight forwarder (France) with the organization and the customs formalities for the transport of two FPBs to their consignee, the Royal Oman Police in the Sultanate of Oman. The freight forwarder had subcontracted the customs clearance to another company (France) and the transport to the carrier OCEAN 7 Charterings APs (Denmark). The Panel confidentially obtained cargo manifests, bills of lading, customs and loading documents, logs, other cargo documentation, insurance documents, and the end-user certificate for the FPBs. The Sultanate of Oman did not reply to a request for confirmation. Owing to confidentiality, the Panel’s attempts to verify the end-user certificate with France were unsuccessful. The Panel also held several exchanges with the above companies and other relevant interlocutors. From an analysis of all these documents and exchanges, the Panel determined that the consignee of the two FPBs was indeed the Royal Oman Police in Muscat, Sultanate of Oman (OMMCT).

6. On 18 October 2023, the MV *O7 Gaja* (IMO 9273791, flag State: Antigua and Barbuda), time-chartered and operated by OCEAN 7, called at the port of Saint Nazaire, France (FRSNR), where it loaded the two FPBs, two containers with spare parts and tools, and two transport cradles. OCEAN 7 informed OCEA about the planned stop-over in Tubruq en route to Muscat before the FPBs were loaded in Saint Nazaire; OCEA did not object. Loading was completed by 27 October, and the vessel left. The two FPBs were transported prominently on the vessel’s weather deck and were not covered.

7. Before beginning her voyage to Oman, the MV *O7 Gaja* sailed to Vlissingen, the Netherlands (NLVLI), where gas power turbines and associated parts destined for the Tubruq power station were loaded on 29 October 2023. The vessel left Vlissingen on 3 November. The local shipping agent informed Dutch customs that the next port of call of the vessel would be Dubai, United Arab Emirates.

8. On 15 November 2023, the MV *O7 Gaja* entered Tubruq port (LYTOB) to deliver the electrical equipment for the Tubruq power station. Upon arrival, the local agent and local customs officer came on board. The customs officer noted that the pre-arrival notice did not specify that the FPBs had a mounted weapon, and thus FPBs had not been orderly declared as military items. An hour and a half later, military personnel came onboard and investigated the FPBs. Its local agent informed OCEAN 7 that a military representative from the ministry of defence would come on 16 November to inspect the FPBs. Ahead of that inspection, the local authorities requested details of the person in charge in Oman for the FPBs and a copy of the respective bill of lading. OCEAN 7 submitted the bill of lading and the end-user certificate through their local agent on 15 and 16 November, respectively. The vessel’s master also reported that customs officials had taken 36 bottles of alcohol and USD 300 in cash from the vessel’s bonded stores, despite having been declared.

9. On 16 November 2023, unloading operations for the electrical equipment commenced. At noon, the *MV 07 Gaja*'s master was informed by the local customs authorities that the two FPBs would have to be unloaded, owing to misdeclaration. OCEAN 7 instructed the master not to unload the FPNs unless an official document was received from the Libyan authorities. In the evening of the same day, the local agent forwarded to OCEAN 7 a formal letter dated 16 November from the director of the Tubruq customs authority, colonel Abdul Rahim Imran Abdullah, which referred to "instructions issued by the General Command" to unload the FPBs to be "kept under customs guard at the port of Tubruq until the matter is decided". The reason given was that the two FPBs were "special goods (military application)" whose entry into Libya would have required prior approval of the local authorities (appendix 31.A). The discharge request itself had been issued by the commander of the Libyan navy special forces, colonel Altouati Ali Altouati, to the director of the Tubruq customs authority (appendix 31.B).

10. On 17 November 2023, the master of the *MV 07 Gaja* issued a letter of protest and attempted to challenge this decision through the local agent. OCEAN 7 contacted the flag State's registry (Antigua and Barbuda), but they informed that they could not assist. In the evening of the same day, the vessel was ordered to relocate from west pier, outer berth to east pier, outer berth, which lies in the military section of Tubruq port. The Panel corroborated information and confirmed the east pier of Tubruq port as unloading location. Armed military personnel were positioned next to the vessel with a sand-coloured Toyota pick-up truck with a cabin roof hatch with a mounted DShK-type heavy machine gun. The logo on the side of the passenger door identified the vehicle as belonging to the "investigation and arrest faction, Tobruk" of the TBZ brigade, special diving division. The local authorities also confiscated the passport and Seaman's book of the *MV 07 Gaja*'s master.

11. There, on 18 November 2023, the vessel's crew were ordered to unload the two FPBs and associated containers with spare parts, using the *MV 07 Gaja*'s onboard cranes. The crew were advised by military personnel that anyone who did not cooperate would face imprisonment. Owing to weather conditions, the unloading had to be abandoned after the unloading of the first container, and unloading operations could only resume on 20 November.

12. On 20 November 2023, OCEA's insurer was informed by email from the director of the Tubruq customs directorate, colonel Abdullah, that "cargoes in transit are not subjected to any customs restrictions or bans, unless ordered by laws and regulations in force".

13. Nonetheless, the discharge orders were implemented and on 21 November 2023, military personnel ordered the master to hand over the keys for the FPBs, following which the crew was ordered to unload both FPBs. The Panel corroborated information confirming the unloading of the FPBs, which were then driven off, accompanied by a pilot vessel.

14. By 22 November 2023, the ship cradles had been unloaded. The vessel was then ordered to return to the east pier, where it was ordered to unload the second container with spare parts, and only then was allowed to continue unloading the electrical equipment for the Tubruq power station. While the master's passport and Seaman's book were returned, OCEAN 7's local agent was briefly detained.

15. On 26 November 2023, with improving weather conditions, the *MV 07 Gaja* left Tubruq, and the local agent was released from detention.

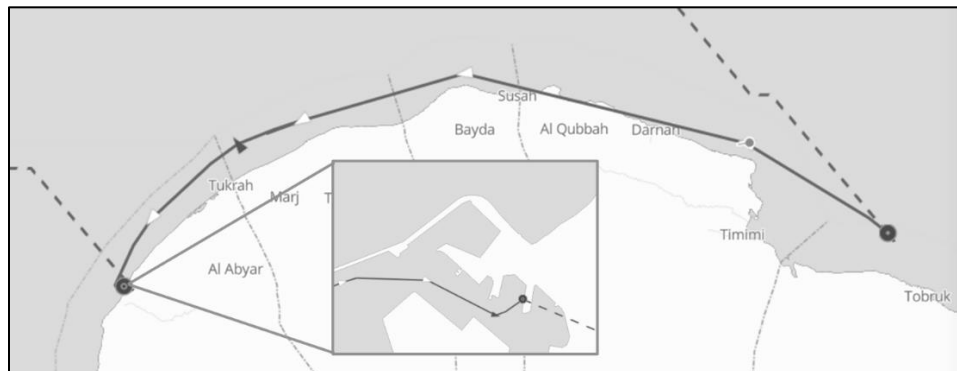
#### **D. Transfer of the FPBs to Benghazi**

16. The local representative of the *MV 07 Gaja*'s protection and indemnity insurance informed OCEAN 7 that the boats were moved to Benghazi in late November 2023. On 9 January 2024, OCEA's insurance agency was informed, through a local agent, that the FPBs would be transferred to Benghazi, upon instructions of the command of the LAAF. By that time, the FPBs had however already been transferred to Benghazi, as laid out in the following.

17. As OCEA uses the same shipyard Maritime Mobile Service Identity (MMSI) number for its vessels in test stage, and since the MMSI numbers of the consignee, the Royal Oman Police, had not yet been assigned to the FPBs, they continued to periodically broadcast OCEA's test MMSI (227056060). While the data was highly erratic due to multiple test vessels using the same MMSI, the Panel was able to isolate the data of the two FPBs in question (source for figures 31.1, 31.2 and 31.4 through 31.12: Windward). The MMSI data showed that both FPBs left Tubruq in the evening of 30 November and arrived in Benghazi in the morning of 1 December 2023, where they docked at Benghazi inner harbour (LYBEN), berth no. 22, where TBZ brigade's naval assets are located. (figure 31.1 and 31.2).

Figure 31.1

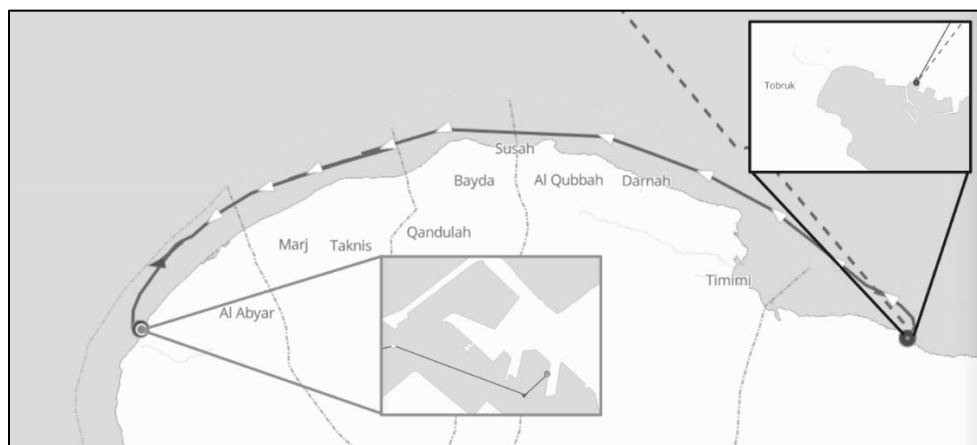
Track 30 November to 1 December 2023 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) (Panel designator: FPB #1)



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 31.2

Track 30 November to 1 December 2023 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) (Panel designator: FPB #2)



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

### E. Use of the FPBs for naval tasks

18. Over the course of the succeeding months, data readings of the two FPBs showed that they were being used for patrols in the eastern Libyan region, from their base at berth no. 22 in Benghazi inner harbour. Figure 31.3 shows the FBS on a satellite image of 11 March 2024. Figures 31.4 through 31.11 show their voyages on a monthly basis.

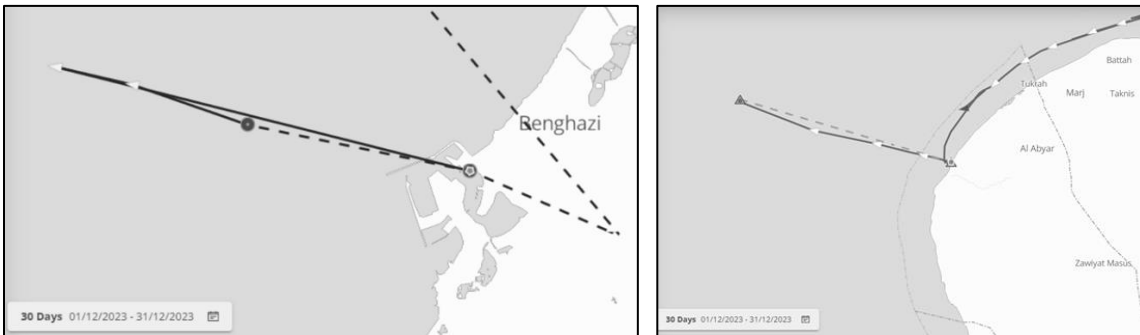
Figure 31.3  
Satellite image of the two OCEA FPB in Benghazi inner harbour, berth no. 22.



Developed by Panel of Experts

Source: Google Earth (11 March 2024) © 2024 Airbus

Figure 31.4  
Track 1 through 31 December 2023 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1.1<sup>306</sup> (left) and FPB #2 (right)]

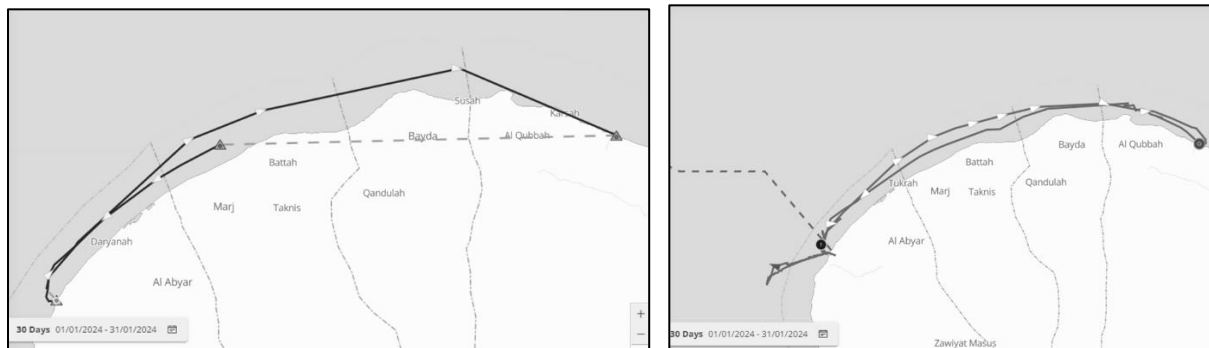


Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

<sup>306</sup> Panel designator FPB #1 signal was assumed by an OCEA test vessel in France; FPB #1.1 started emitting signals in Benghazi at the same time.



Figure 31.5  
**Track 1 through 31 January 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1.1 (left) and FPB #2 (right)]**



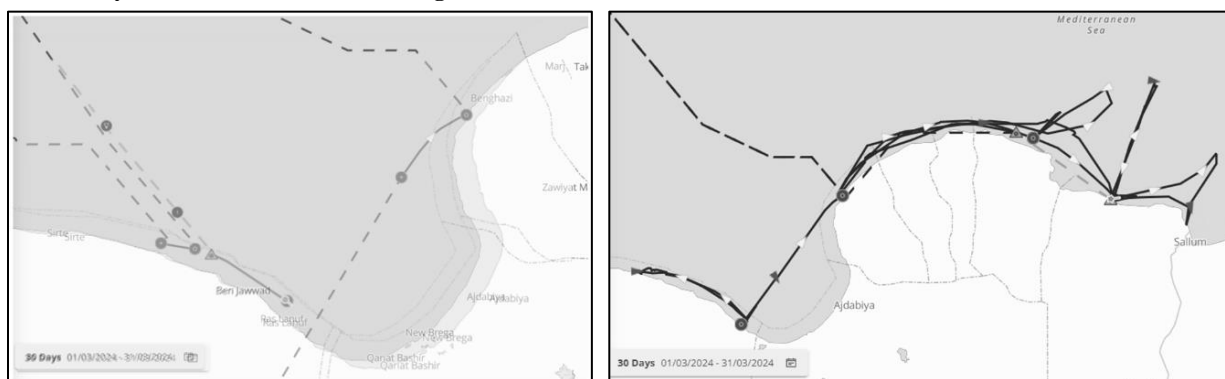
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 31.6  
**Track 1 through 29 February 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1.1 (left) and FPB #2 (right)]**



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

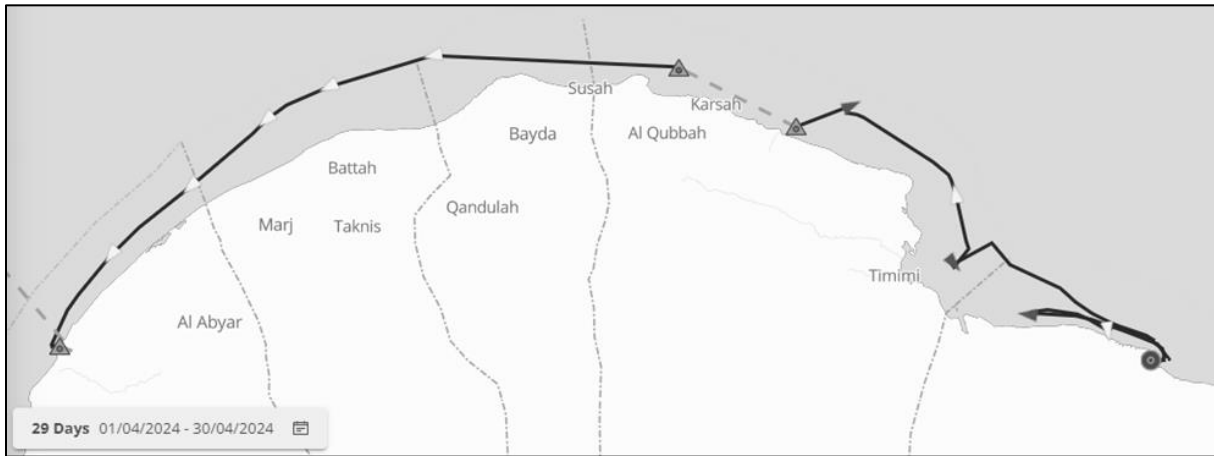
Figure 31.7  
**Track 1 through 31 March 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1.1 (left) and overlay of FPB #2 and FPB #2.1<sup>307</sup> (right)]**



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

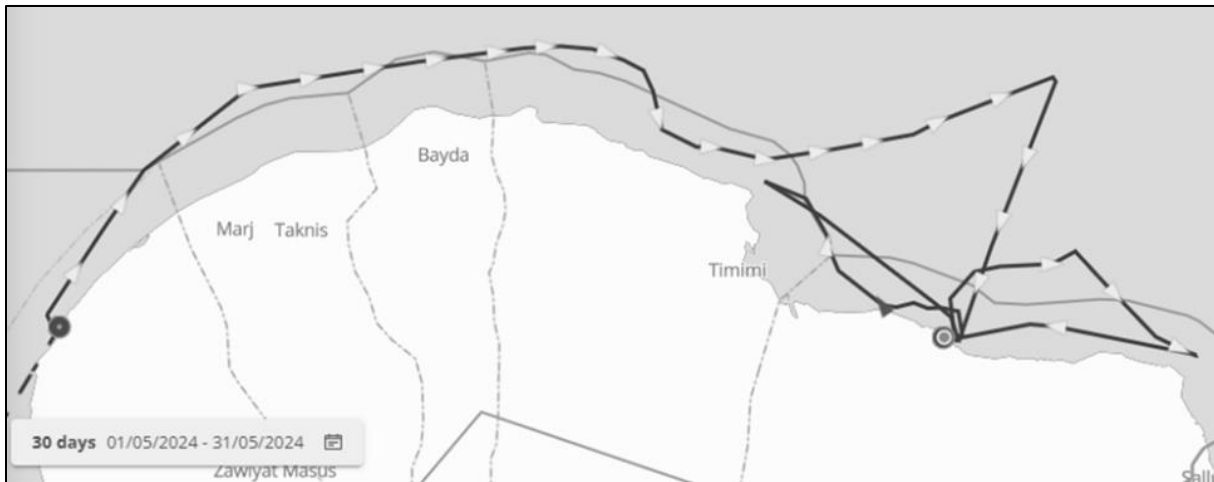
<sup>307</sup> Panel designator FPB #2 signal was assumed by an OCEA test vessel in France; FPB #2.1 started emitting signals in Benghazi at the same time.

Figure 31.8  
Track 1 through 30 April 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1.1 (no more signal from FPB#2 or FPB#2.1)]



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 31.9  
Track 1 through 31 May 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1<sup>308</sup> (no more signal from FPB#1.1)]

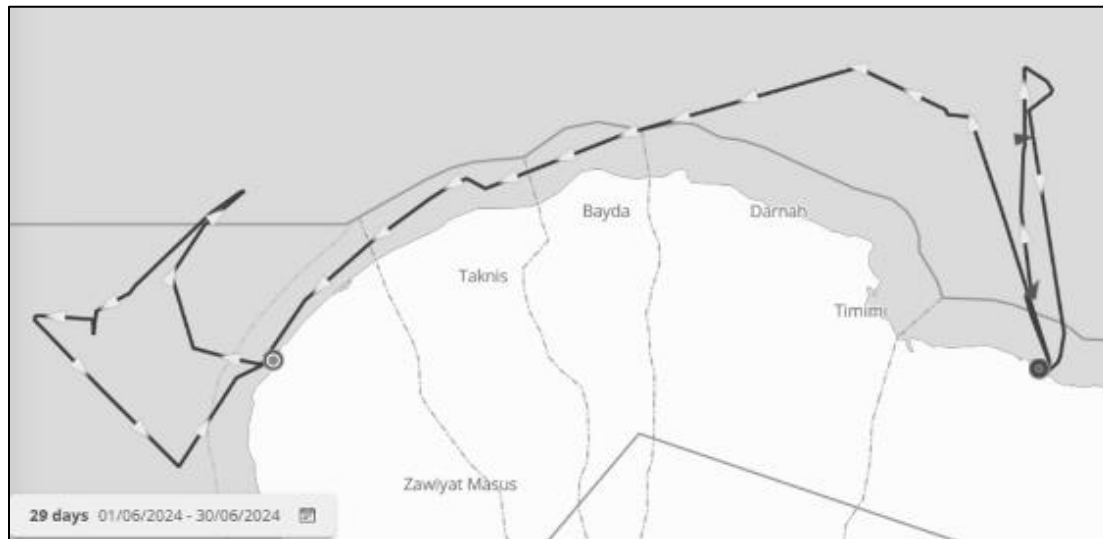


Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

<sup>308</sup> Panel designator FPB #1.1 signal was assumed by an OCEA test vessel in France; FPB #1 started to again emit signals in Benghazi at the same time.

Figure 31.10

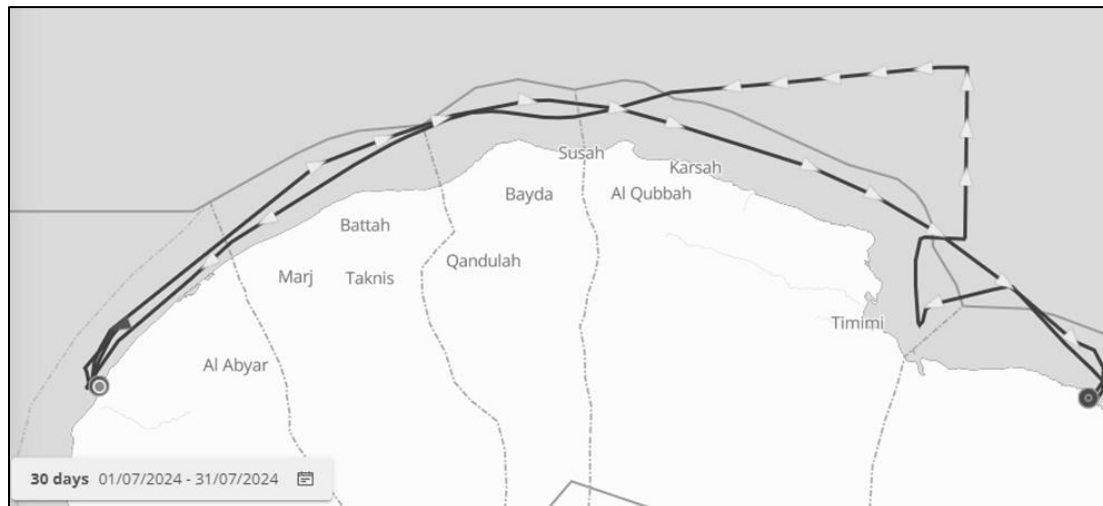
Track 1 through 30 June 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1]



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 31.11

Track 1 through 31 July 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1]



Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

19. In August 2024, a vessel broadcasting “OCEA TEST” (MMSI 227056060) [Panel designator FPB #1] only broadcasted once, on 18 August 2024, from Benghazi inner harbour, berth no. 22.<sup>309</sup>

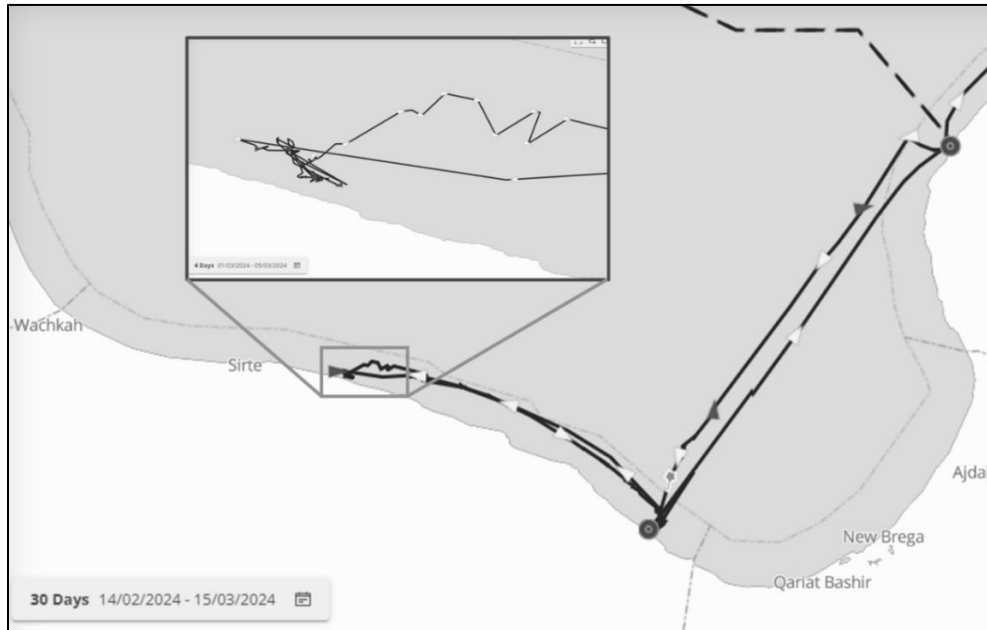
#### F. Special task: participation in “Dignity Shield 2024” exercise

20. The two FPBs were also prominently displayed in the LAAF “Dignity Shield 2024” military exercise on 2 and 3 March 2023. At least one of the two FPBs (Panel designator FPB #1.1) was moved from Benghazi to Ras Lanuf port for that occasion on 18 February and returned to Benghazi on 7 March 2023 (figure 31.12). The other FPB (Panel designator

<sup>309</sup> As of 1 September 2024, the Panel’s subscription to Windward expired, hence no further data was available to the Panel from that date onwards.

FPB #2) also emitted signals in the area around that time (above figure 31.7). During the exercise,<sup>310</sup> Khalifa Haftar and other LAAF leaders watched a presentation of the FPBs as they participated in the naval part of the exercise (figures 31.13 and 31.14).

Figure 31.12  
Track 14 February through 15 March 2024 of a vessel broadcasting “OCEA TEST” (MMSI 227056060); inlay: track 2 through 3 March 2024)



Developed by Panel of Experts.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

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<https://www.facebook.com/General.official.leadership/posts/pfbid0Qo7G66bd3SqDkM5hHbRf9p2XeTqvRCEFX7hbWhjofgCgLng7VuNmRcDgUXPWxBNkl>, 14 March 2024.

Figure 31.13

**Khalifa Haftar and high LAAF representatives watching a visual presentation of the OCEA FPB 110 during the “Dignity Shield 2024” military exercise**



Developed by Panel of Experts.

Sources: <https://www.facebook.com/photo/?fbid=742026768109951&set=pb.100069079034812.-2207520000>;  
<https://www.facebook.com/photo/?fbid=742026731443288&set=pb.100069079034812.-2207520000>; and  
<https://www.facebook.com/photo/?fbid=742026708109957&set=pb.100069079034812.-2207520000>, all dated 14 March 2024.

Figure 31.14

Photographs of the two OCEA FPBs 110 among the photographs published on the post for the “Dignity Shield 2024” military exercise on the official LAAF Facebook page



Developed by Panel of Experts.

Sources: <https://www.facebook.com/photo/?fbid=742025674776727&set=pb.100069079034812.-2207520000>;  
<https://www.facebook.com/photo/?fbid=742026424776652&set=pb.100069079034812.-2207520000>;  
<https://www.facebook.com/photo/?fbid=742026371443324&set=pb.100069079034812.-2207520000>, all dated 14 March 2024.

### G. Further disposition over the FPBs

21. OCEA unsuccessfully attempted to have the FPBs returned. OCEA’s insurer was informed by the local surveyor in Tubruq that legal action would incur significant costs and the outcome was unsure. For a fee of “up to USD 500,000”, direct negotiations with the military authority could be initiated. OCEA did not take up that offer.

22. OCEA also attempted to reach the eastern Libyan military authorities through a Libyan intermediary unrelated to the seizure. In response, they received an email without explanation but with an attachment, that being one of the photographs taken by the Panel and published in its last final report of the vehicles seized by Operation IRINI from the MV *Meerdijk*, which remain under custody in France.<sup>311</sup>

23. In response to a Panel letter dated 26 February 2024, the General Command of the LAAF responded by letter dated on 30 March 2024, that (a) the Coast Guard and Port Security Agency had not been informed about the vessel’s arrival, as required under article 60 of Act No. 10 (2010) (Customs Act);<sup>312</sup> (b) when customs officers boarded the vessel, they “found” two boats of a military nature and mounted with weapons; (c) “upon inspecting the cargo logs and documents on board the vessel, they found that the two boats were not mentioned in the cargo manifest”, contravening article 61 of the Customs Act.; (d) although in transit, “the boats were goods of a special nature and should have been declared for due diligence purposes so that they could be processed in the specific manner set out in the laws in force”; (e) an investigation was opened against the local agent of OCEAN 7 for several customs violations; (f) the aforementioned violations qualify the activity as smuggling, “as is clear from the record and the relevant documents, there were goods on board the vessel whose legal description was not given in the manifest and whose presence had been deliberately concealed”; (g) “the boats were

<sup>311</sup> S/2023/673, Annex 72, Figure 72.A.3.

<sup>312</sup> <https://lawsociety.ly/en/legislation/law-no-10-of-2010-regarding-customs/>, 28 January 2010.

therefore confiscated and a fine was levied on [OCEAN 7's local agent] under articles 60, 61, 203, 204 and 209 of the [Customs] Act and article 2 of its implementing regulation"; and (h) "the two boats were handed over by the Director-General of Customs to the head of the coast guard position under the Benghazi Customs Directorate".

24. In a 21 October 2024 Panel meeting with the Tubruq customs directorate and LAAF representatives, the Panel was informed that a) pre-arrival IMO forms FAL 1 and 7 did not specify the presence of the FPBs onboard, but just declared "general cargo"; b) the FPBs were not mentioned in the cargo manifest given to Tubruq customs authorities; c) the FPBs were considered dangerous goods that should have been declared, even if in transit; d) the intention had been to "hide" the FPBs and since non-declaration, the FPBs were considered as being smuggled, which gave the customs authorities the right to seize them; and e) during the first two months after seizure, one FPB was transferred to Benghazi and one remained in Tubruq, both under custody of the customs authorities.

25. The Tubruq customs directorate further explained that, in general, confiscations can occur when cargo is found aboard a vessel that was not contained in the cargo manifest, including vessels in transit. Once a lack of declaration is determined, the shipping company is asked to explain the discrepancy and issued a fine. If a seizure results, the shipping company has two months from the date of seizure to approach the relevant authorities to secure a release.

26. Referring to the case of the seized FPBs, Tubruq customs authorities stated that the local agent of OCEAN 7 had not approached the authorities, therefore the FPBs were confiscated two months after seizure. Also shared with the Panel in follow-up to the meeting were the confiscation order signed by the director general of the customs authority, dated 18 March 2024 (appendix 31.C), and the cargo manifest submitted to the Tubruq customs authority (appendix 31.D). Regarding that manifest, the explanation was given that the manifest did not contain the appropriate Harmonized System (HS) item code.<sup>313</sup>

27. The Panel duly examined LAAF's response and analysed the information provided therein in conjunction with the evidence the Panel collected and reviewed independently. This included (a) copies of the pre-arrival notices and cargo documentation; and (b) photographic evidence showing that two FPBs were very prominently loaded on the weather deck of the MV *O7 Gaja*, uncovered and taking up almost a quarter of the vessel's total length. The FPBs' high visibility would not have allowed for a concealed smuggling operation. The purpose of IMO form FAL 1 is a brief cargo description along with vessel and voyage details, not a detailed goods declaration. Form FAL 7 serves for the identification of hazardous goods on board, such as explosives, fluids, gases and chemicals; it is not related to military security aspects. The cargo manifest provided by the Tubruq customs authority clearly identified the vessels as patrol boats; so did all cargo documentation that the Panel reviewed. The lack of HS codes on the cargo manifest is normal practice and thus cannot serve as a reason to determine a misdeclaration in an import manifest.<sup>314</sup> In standard customs practice, goods declarations are not given for transit cargo, but only for imported goods. Therefore, the lack of HS codes on the cargo manifest is normal and cannot serve as a reason to determine smuggling. The Panel further took into account the transparency and cooperation of the involved companies with the Panel. Regardless of the legal qualification of the reasons for this seizure, the Panel concludes that the FPBs were unlawfully appropriated for their integration into the naval assets of TBZ brigade. The LAAF was early and significantly involved in the customs procedure and the FPBs were quickly absorbed into the LAAF naval inventory. Both FPBs were transferred within a week after the seizure from Tubruq to Benghazi and were in regular use by TBZ brigade by January 2024 and participated in the "Dignity Shield 2024" military exercise between 2 and 3 March 2024, two weeks before their formal confiscation. The LAAF reactions to OCEA's attempts to have the boats returned, i.e. an offer to negotiate in exchange for payment of a significant sum, instead of issuing an administrative fine for declaration inconsistencies, and the references to the vehicles seized by Operation IRINI also indicate *mala fide* intent.

## H. Assessment under the arms embargo

28. The transfer<sup>315</sup> of the two OCEA FPBs to Libya was a violation of paragraph 9 of resolution 1970 (2011). As responsible for the vessel's navigation and routing, OCEAN 7 should have identified the stopover in Libya as being subject to the arms embargo. However, the Panel established that none of the involved companies, including OCEAN 7, were aware of the applicability of the arms embargo on transit cargo. The Panel therefore finds (a) OCEAN 7 as the charterer of the MV

<sup>313</sup> World Customs Organization Harmonized Commodity Description and Coding System ("Harmonized System").

<sup>314</sup> HS codes are used for classification of goods in good declarations submitted by importers or their agents to Customs, not in cargo declarations, i.e. import manifests filed by carriers. In standard customs practice, goods declarations are not for transit cargo, but only for imported goods.

<sup>315</sup> The violation already occurred the moment the MV *O7 Gaja* entered Libyan territorial waters, and not only later, when the FPBs were unloaded upon instructions by the Libyan authorities. The status of the cargo as "in transit" is irrelevant for the applicability of paragraph 9 of resolution 1970 (2011).

*O7 Gaja* to be in non-compliance with paragraph 9 of resolution 1970 (2011), for not having sought prior approval from the Committee before its vessel entered Libya with the two FPBs<sup>316</sup> and (b) LAAF in violation of paragraph 9 of resolution 1970 (2011) for transfer of the FPBs.

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<sup>316</sup> Paragraph 9 (c) of resolution 1970 (2011) has been consistently applied by the Committee also for temporary transfers of arms and related materiel to Libya.



Appendix A to annex 31: Letter dated 16 November from the director of the Tubruq customs authority addressed to the master of the MV O7 Gaja



مصالح الجمارك  
CUSTOMS DEPARTMENT



دولة ليبيا  
وزارة المالية

التاريخ: 16. 11. 2023

الرقم الإشاري: 2212 / 63

**ربان السفينة GAJN**

بعد التحية

**بالإشارة**؛؛؛ التعليمات الصادرة من القيادة العامة والمنوه عنها في كتاب امر القوات الخاصة البحرية رقم (ق خ ب/ 167) بتاريخ 16 . 11. 2023 الموجه إلينا بشأن شحن السفينة ( GAJA ) المتواجدة حاليا في ميناء طبرق بتاريخ 16 . 11 . 2023 المتمثلة في عدد (2 زوارق دورية سريعة) تقع تحت فئة البضائع ذات طابع الخاص (استخدام عسكري ) الامر الذي يتطلب موافق مسبقه من جهات ذات العلاقة بمجرد دخوله او مرورها دخل المياه الإقليمية الليبية.

**وبناء** على التعليمات والقوانين والتشريعات والاجراءات المعمول بها يتم انزال هذه القوارب والتحفظ عليه تحت الحراسة الجمركية بميناء طبرق البحري لحين الفصل في الموضوع.

«والسلام عليكم»

العقيد  
عبد الرحمن عمران عبدالملك  
مدير مديرية جمارك طبرق



مدير الإدارة العامة للمراجعة والتفتيش  
رئيس مركز جمارك ميناء طبرق البحري  
امر القوات الخاصة البحرية  
الملف الدوري العام

www.customs.gov.ly

☎ 0214917821-24

📍 الهضبة - صلاح الدين - طرابلس - ليبيا - ص.ب. 4373

Source: Confidential. Redacted for privacy reasons.

Translated from Arabic

2402101E

**State of Libya**

**Customs Authority**

**Ministry of Finance**

Ref: *mim ba ta* / 2212 / 63

Date: 16 November 2023

Captain of the vessel *Gaja*  
via [Redacted]  
Sir,

We write with reference to instructions issued by the General Command and brought to our attention by Naval Special Forces Order No. *qa'kha'ba'* 167 dated 16 November 2023 addressed to us regarding the cargo of the ship *Gaja* currently docked in the port of Tubruq on 16 November 2023. That cargo consists of two rapid patrol boats and falls under the category of goods of a special nature (military use) that require prior approval from the competent authorities as soon as they enter or pass through Libyan territorial waters.


Based on directives, laws and procedures in force, these launches are to be unloaded and kept under guard by customs at the Tubruq seaport pending a decision on the matter.

May peace be upon you.

(Signed) Abdulrahim Imran **Abdullah**  
Colonel  
Director of the Tubruq customs directorate

Director of the general audit and inspection administration  
Chief of the Tubruq seaport customs station  
[Redacted]  
Commander of the Naval Special Forces  
Archive

Appendix B to annex 31: Letter dated 16 November from the head of the LAAF naval special forces to the director of the Tubruq customs authority

<p>الموضوع: طلب انزال شحنة التاريخ: 03/1445هـ الموافق: 2023/11/16 الرقم الإشاري: ق.خ.ب/167</p>		<p>القيادة العامة للقوات المسلحة الليبية رئاسة الأركان العامة رئاسة أركان القوات البحرية القوات الخاصة البحرية</p>
<p><b>السيد / مدير مديرية جمارك طبرق</b></p>		
<p>الموضوع/السفينة (GAJA)</p>		
<p>IMO-NO/ 9273791</p>		
<p>العلم / (ANTIGUA - BARBUDA)</p>		
<p>الوكيل الملاحي /</p>		
<p>ميناء الشحن (SAINT - NAZAIRE) فرنسا</p>		
<p>متواجدة بميناء طبرق التجاري على الرصيف رقم: (02)</p>		
<p><b>إشارة .</b> الى التعليمات الصادرة من القيادة العامة بشأن التحقق من شحنة السفينة المذكورة اعلاه والتمثلة في عدد 2 ( زوارق دورية سريعة ) تقع تحت فئة مواد ذات طابع استخدام عسكري ويجب الافصاح عنها من قبل الوكيل الملاحي مسبقا واخذ الاذن من سلطات الاعتبارية بالدولة قبل دخول السفينة الى الميناء عملا بنص المادتين 89-91 من قانون مصلحة الجمارك رقم 10 لسنة 2010 وباعتبار ان ميناء طبرق التجاري يقع حسب التقييم الامني بالمستوى الثاني وفقا لكتاب السيد رئيس مصلحة الموانئ والنقل البحري رقم (956/5/41) الامر الذي يستوجب ضرورة الافصاح عن كل الشحنات ذات الطابع الخاص مسبقا .</p>		

**علية** . وبناءا على التعليمات الصادرة من القيادة العامة والمنقولة اليها من قبل السيد امر غرفة عمليات القوات البرية نطلب من سيادتكم اتخاذ الاجراءات القانونية حيال الواقعة وطلب انزال وتفريغ الشحنة ووضعها تحت الحراسة حتى الفصل في الواقعة حسب الاجراءات القانونية المعمول بها بمصلحة الجمارك وتفتيش السفينة المذكورة لتأكيد عدم وجود اي شحنات مشبوه اخرى على متنها واعلامنا.

**التفضل بالاستلام**

**عقيد بطار**  
**التواتي علي التواتي**  
**امر القوات الخاصة البحرية**



صسورة منسسه السى-  
السيد امر غرفة عمليات القوات البرية التفضل للعلم والاطلاع  
السيد مدير عام ميناء طبرق في الشان التعليم  
مكتب الوحدة للعلم  
ملف العام / لملف

Source: Confidential. Redacted for privacy reasons.

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*Translated from Arabic*

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**Libyan Armed Forces General  
Command  
Office of the Chiefs of Staff  
Chief of Staff of the Navy  
Naval Special Forces**

**Subject: Request to unload cargo  
Date: 3 Jumada I, A.H. 1445  
(16 November 2023)  
Ref.: *kha'* 167b**

To: Director, Customs Directorate, Tubruq  
Subject: Ship GAJA  
IMO 9273791  
Flag: Antigua and Barbuda  
Maritime agent: [REDACTED]  
Port of loading: Saint-Nazaire (France)

Located in Tubruq commercial port at pier: 2

I refer to the instructions issued by the General Command concerning checks on the cargo of the aforementioned ship. The latter consists of two military-use fast patrol boats that belong under the category of military-use materiel. In accordance with articles 89 and 91 of Act No. 10 (2010) (the Customs Act), such materiel should be declared in advance by the maritime agent and authorization should be secured from the authorities before the ship enters port. Moreover, under the terms of memorandum 956/5/41 of the Head of the Ports and Marine Transport Authority, the security classification of the port of Tubruq is category 2, meaning that all cargo of a special nature must be declared in advance.

Pursuant to the instructions issued by the General Command and transmitted to us by the Head of the Land Forces Operations Room, we request that you take the relevant legal measures; order that the cargo be unloaded and emptied; place it under guard until the matter is settled in accordance with the legal procedures applied by the Customs Authority; have the vessel searched to ensure that there is no suspicious cargo on board; and keep us informed.

Best regards,

Commodore Tuwati Ali al-Tuwati  
Head, Naval Special Forces

Copied:  
Head of the Land Forces Operations Room, for information  
Director-General of the commercial port of Tubruq, for information  
Wahdah Security Office, for information  
Correspondence file, for archiving

Appendix C to annex 31: Letter dated 18 March 2024 from the director general of the customs authority addressed to the director of the Tubruq customs authority

مصالح الجمارك  
CUSTOMS DEPARTMENT  
التاريخ: 18-03-2024

دولة ليبيا  
وزارة المالية  
الرقم الإشاري: 23-8.ع.م

**السيد / مدير مديرية جمارك طبرق.**

بعد التحية ..

بالاطلاع علي ملف القضية رقم (1) لسنة 2024م والتي سجلت ضد [REDACTED] بشأن السفينة ( GAJA ) التي تحمل علم [REDACTED] (اتينقوياريودا) بخصوص ضبط عدد (2) زوارق ذات طابع عسكري لم يعلن عنها.

- عليه تتخذ اجراءاتكم بمصادرتها وفقا لقانون الجمارك رقم 10 لسنة 2010م وفقا للمواد (209.204.203.61.60).
- وتسلم الي السيد / رئيس نقطة خفر السواحل التابعة للجمارك بمديرية جمارك بنغازي.
- تفرض غرامة مالية علي الوكالة قدرها (180.000.000 ل.د) مائة وثمانون الف دينار مع تقديم تمهد من الوكالة بعدم تكرار ذلك مستقبلا.

والسلام عليكم

سواء /

**عادل عبدالعاطي العوامي**  
مدير عام مصلحة الجمارك

صورة الي ..  
للملف الدوري الم  
كلمة عقيد الحكوش

+218928889102 +218918889102

مصلحة الجمارك الليبية

Source: Tubruq customs authority. Redacted for privacy reasons.

2419375E

*Translated from Arabic***State of Libya  
Ministry of Finance****Ref.: mim.ayn.jim.83****To: Director of the Tobruk Customs Unit**

Sir,

I have reviewed the file for case No. 1 (2024), which pertains to [REDACTED] and the Antigua and Barbuda-flagged vessel *Gaja*, and I am writing to you with regard to the seizure of two military-type boats that were not declared.

- You are to take measures to confiscate them in accordance with articles 60, 61, 203, 204 and 209 of the Customs Act (No. 10 of 2010).
- They are to be handed over to the Director of the Benghazi Customs Coast Guard Station of the Benghazi Customs Unit.
- The agency will be fined 180,000 Libyan dinars and is required to submit a pledge that it will not repeat the offence. Accept, Sir, the assurances of my highest consideration.

(Signed) Maj. Gen. Adil Abdulati **al-Awami**  
Director of the Customs Department

cc:

Archive

## Appendix D to annex 31:

## Cargo manifest submitted to the Tubruq customs authority

- العلم: اتينقوا وباربودا

قائمة شحن نسخة مترجمة

- الباخرة: "07GAJA" MV

- ميناء التفريغ: مسقط .

- تاريخ الاصدار: 2023.10.23

- ميناء الشحن: سينت نزيير / فرنسا .

رقم البوليصه	الشركة الناقلة	المرسل له	وصف البضاعة	الوزن الكلي كج	الحجم بالمتر المكعب
SNGMCT 001	شركة OCEA فرنسا	الشرطة الملكية العمانية (مقر خفر السواحل) سلطنة عمان	- عدد (2) زوارق دوريات سريعة . 1- الرقم: FPB110-032021-DNVGL.42313	95000 كج	
			2- رقم المحرك 545102787/545102786	95000 كج	
			1- الرقم: FPB110-032021-DNVGL.42315	8632 كج	
SNGMCT 002	شركة OCEA فرنسا	الشرطة الملكية العمانية (مقر خفر السواحل) سلطنة عمان	2- رقم المحرك 545102787/545102786 - عدد (2) حاملة القارب على اليايس . ECMU94450/6 - حاوية 40 قدم Seal No. 1069301 - قم القفل	9391 كج	
			- معدات احتياطية - الوزن 3900 كج CRXU34573/4 - حاوية 20 قدم Seal No. 1069327 - رقم القفل -العبوة: معدات احتياطية - الوزن 2250 كج	6950 كج	
الاجمالي			6 طرود	217973 كج	



محمد رحيل / مترجم قانوني مخلف، الختم والتوقيع على صالحة الترجمة فقط، دون ادنى مسؤولية عن المصدر 2024.01.17 ف.

توقيع



Source: Tubruq customs authority. Redacted for privacy reasons.



2419625E

*Translated from Arabic***DOCUMENT SUMMARY TRANSLATION**

DOC. TYPE:	Arabic translation of a shipping manifest	DOC. DATE:	17 January 2024
SENDER:	[REDACTED]		
ADDR. TO:	n/a		
TOPIC:	Patrol boats		
ATTACHMENT(S):	—		

**SUMMARY OF CONTENT:**

The document is an Arabic-language translation of a shipping manifest issued by [REDACTED] on 23 October 2023. The shipment consists of two patrol boats (bill of lading No. SNGMCT 001), two boat trailers (bill of lading No. SNGMCT 001) and associated spare parts (bill of lading No. SNGMCT 002) destined for the Royal Oman Police Force.

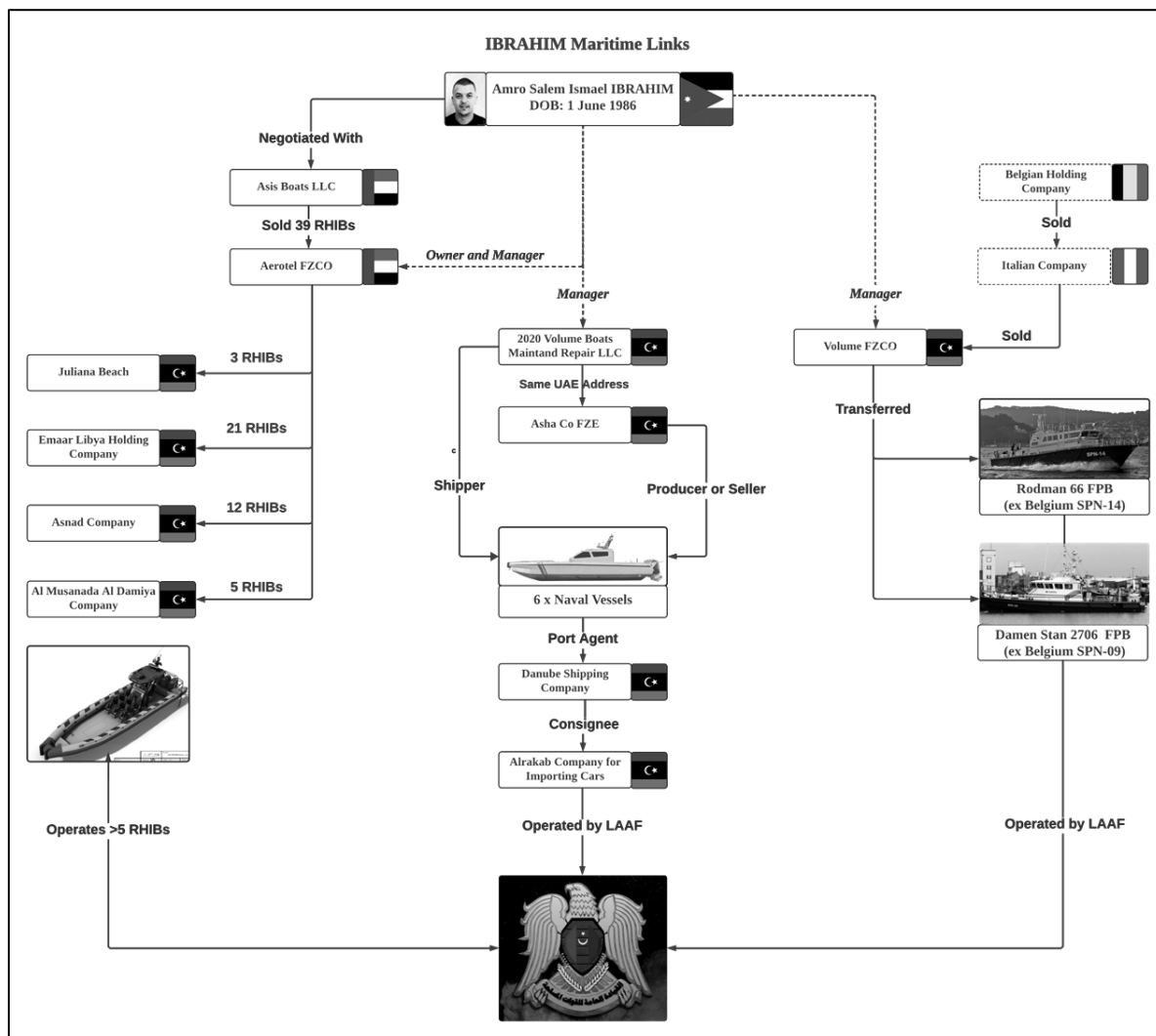
- Port of origin: Saint-Nazaire, France
- Destination port: Muscat, Oman
- Shipper: OCEA, France
- Recipient: Royal Oman Police Force, Muscat
- Vessel name: MV 07GAJA
- Vessel flag: Antigua and Barbuda

## Annex 32 Vessel transfers by Amro Salem Ismael Ibrahim to LAAF

### A. Overview

1. The Panel found that a Jordanian national, Amro Salem Ismael Ibrahim (DOB: 1 June 1986), through three United Arab Emirates (UAE)-based companies owned and/or managed by him, transferred 3 naval-type vessels, 5 dual-use<sup>317</sup> vessels and 41 dual-use rigid-hulled inflatable boats (RHIBs) to Benghazi. The end-user of all naval-type vessels and at least five of the RHIBs, which were militarized post-delivery, was the LAAF. Figure 32.1 presents an overview of Amro Ibrahim’s transfers, which are detailed in the following sections.

Figure 32.1  
Schematic overview of transfers of naval assets to LAAF by Amro Salem Ismael Ibrahim



Developed by Panel of Experts.

<sup>317</sup> S/2022/427, paragraph 61. Note that the term “dual use” used in the report does not equate to the definition of “dual-use goods and technologies” used in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies, or the definition of “dual-use goods” used in the European Union export control regime (Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items).

## **B. Former Belgian patrol boats: Damen Stan 2706 (ex SPN-09) and Rodman 66 (ex SPN-14)**

2. The Panel identified that two former Belgian Police fast patrol boats (FPBs) – a Damen Stan 2706 (ex SPN-09) and a Rodman 66 (ex SPN-14) – had been transferred to Benghazi, Libya between January and March 2023, and integrated into the LAAF naval arsenal.

### *Damen Stan 2706 FPB*

3. When in service with the Belgian Police until 2022, the 26-metres Damen Stan 2706 FPB was identified with hull number “SPN-09” and MMSI 205469000. The producer did not reply to the Panel’s inquiry about the technical specifications of the vessel. The Panel could establish that vessel has (a) an aluminium hull; (b) light armouring of its wheelhouse (NIJ IIIA); and (c) propulsion appropriate for operational speed of 26 knots. The vessel was never outfitted with mounted weapons. In early 2022, the vessel was decommissioned, its police communication technology was removed, and the vessel was returned to the Belgian holding company.<sup>318</sup>

4. The vessel’s automatic identification system (AIS) emitted signals in Belgium and the Netherlands until November 2022. After a four-month period without any AIS signals, a signal was broadcasted from Benghazi port (LYBEN) on 9 March 2023. On 22 March 2023, the AIS signal went again dark about 35 nautical miles east of Derna.<sup>319</sup>

5. The Panel has not yet seen the Damen Stan 2706 FPB in operation with the LAAF but based on the AIS signals it assesses that it has been transferred to Libya. Owing to the type determined by its initial build purpose, its past usage as an FPB and its armouring, the Panel assesses this vessel to have constituted non-lethal military equipment at the time of transfer to Libya.

### *Rodman 66 FPB*

6. When in service with the Belgian Police until 2022, the 20-metres Rodman 66 FPB was identified with hull number “SPN-14”, IMO: 9444314 and MMSI 205387490. It has (a) a glass fibre reinforced plastic (GRP) hull, designed to withstand collisions for naval ramming manoeuvres; (b) four watertight compartments as sink-proofing measure; (c) light armouring of its wheelhouse (NIJ IIIA); (d) propulsion appropriate for operational speed of 26 knots. The vessel was never outfitted with mounted weapons, but designed to undertake police, law enforcement and coast guard tasks.<sup>320</sup> In early 2022, the vessel was decommissioned, its police communication technology was removed, and the vessel was returned to the Belgian holding company.<sup>321</sup>

7. The vessel’s AIS emitted signals in Europe until 21 November 2022, when it made a port call at Rotterdam, the Netherlands (NLRIM), World Gateway Terminal. The next AIS transmission was a port call in Benghazi, Libya (LYBEN) on 25 March 2023.

8. AIS signals show that in June and May 2023, the vessel made sorties from Benghazi within Libyan territorial waters. Following these, no signals were emitted until 22 February 2024, when the vessel sailed to Ras Lanuf harbour (LYRLA), likely to participate in the LAAF “2024 Operation Dignity” military exercises a few days later.<sup>322</sup>

9. Open-source images show that the vessel was (a) was repainted to navy grey in Libya, from its original blue and white livery;<sup>323</sup> (b) was assigned pennant number 612; and (c) outfitted with a bow-mounted machine gun, by misusing the built-in water cannon fixture.<sup>324</sup> The vessel’s participation in a military exercise demonstrates its use as an armed naval vessel (appendix 32.A).

10. Owing to the type determined by its specifications, its past usage as an FPB and its armouring, the Panel assesses this vessel to have constituted non-lethal military equipment at the time of transfer to Libya.

<sup>318</sup> Letters from Belgium, 10 July 2023 and 10 October 2024.

<sup>319</sup> 32°36'52"N, 23°16'5"E.

<sup>320</sup> Panel assessment based on information received from the producer.

<sup>321</sup> Letter from Belgium 10 October 2024.

<sup>322</sup> <https://www.facebook.com/photo.php?fbid=408951168390351&set=pb.100078264120737.-2207520000&type=3>, 18 March 2024.

<sup>323</sup> <https://www.facebook.com/photo.php?fbid=263662346252568&set=pb.100078264120737.-2207520000&type=3>, 21 June 2023.

<sup>324</sup> <https://www.facebook.com/photo.php?fbid=309266291692173&set=pb.100078264120737.-2207520000&type=3>, 17 September 2023.

*Transfer of the two FPBs to Libya*

11. In September 2022, the Belgian holding company sold the vessels to an Italian company, which in the same month sold them on to a company in the UAE, Volume FZCO. In the transaction, the company was represented by Amro Salem Ismael Ibrahim, its owner and manager.<sup>325</sup> Based on the agency of Amro Ibrahim in other transfers of naval assets to Libya, the Panel assesses that Volume FZCO, and Amro Ibrahim as its manager, were responsible for the transfer of the vessels to Libya, in violation of paragraph 9 of resolution 1970 (2011).

12. The Panel also finds Damen Shipyards Group in non-compliance with paragraph 20 of resolution 2701 (2023), for not having provided information to the Panel upon request.

**C. Volume boats naval vessels delivered by MV *BBC Alaska* (IMO: 9453793)**

13. Between 24 and 25 January 2024, six vessels were loaded at Port Rashid, UAE, (AEPRA) onboard the MV *BBC Alaska* (IMO: 9453793), destined for Benghazi, as per the cargo documentation. The six vessels were transported on cradles on the weather deck, wrapped in their entirety in white plastic foil, thereby obfuscating their types, liveries and markings. Also transported on the weather deck were three uncovered yachts (appendix 32, figure 32.B.1)

14. The MV *BBC Alaska* arrived in Benghazi port (LYBEN) in the afternoon of 7 March 2024, where the six vessels were unloaded during the night until the early morning of 8 March 2024 (appendix 32.B, figure 32.B.1). The details of the vessels are in table 32.1.

Table 32.1

**Naval vessels transported aboard the *BBC Alaska***

<i>Type</i>	<i>Weight in tonnes</i>	<i>Hull number</i>	<i>Marking</i>	<i>Colour</i>	
Interceptor boat	5 t	JORPB112022	Coast Guard	Navy grey	
Interceptor boat	10 t	JORPB152022	Coast Guard	Navy grey	15.
Landing craft	12 t	JORLC162022	Coast Guard	Navy grey	16.
Landing craft	3.5 t	JORLC752022	Coast Guard	Navy grey	17.
Multi-purpose vessel	4 t	JORMPV8322022	Police	white	17.
Multi-purpose vessel	4 t	JORMPV8312022	Coast Guard	white	18.

19. The vessels are all made of aluminium. The producer or seller identified by the Panel, Asha Co FZE (paragraphs 19 and 20 of this annex), did not respond to the Panel's inquiry regarding the vessels' technical specifications. The Panel therefore bases its assessment on the built type, weight, designation and external design features. Accordingly, the Panel assesses the 10 tonnes interceptor boat as non-lethal military equipment, whereas the remaining boats are assessed as dual-use vessels, as these also have civilian applications.

20. A 10 March 2024 video on social media,<sup>326</sup> reviewed by the Panel, showed LAAF personnel bearing insignia of 21 infantry brigade, passing by the military section of the port where TBZ has its vessels moored on one of the landing craft, moving in direction Juliana Beach.

*Transfer to Libya*

21. The consignee of the vessels as per the cargo documents was Alrakab Company for Importing Cars and Spare Parts, Benghazi.<sup>327</sup>

<sup>325</sup> Ibrahim is listed as the company's manager in a UAE Government operated company database under Dubai trade licence no. 3219, [https://www.dubaipulse.gov.ae/dataset/336e5800-131d-4fe9-9434-9c2b602a8fb0/resource/cbe84ee4-5a2e-4d3e-a402-719bebf5207a/download/company\\_primary\\_licenses.csv?ref=netra.news](https://www.dubaipulse.gov.ae/dataset/336e5800-131d-4fe9-9434-9c2b602a8fb0/resource/cbe84ee4-5a2e-4d3e-a402-719bebf5207a/download/company_primary_licenses.csv?ref=netra.news).

<sup>326</sup> <https://www.tiktok.com/@sea.air.land/video/73444744415742209286>, 10 March 2024. The TikTok account has since removed all its postings.

<sup>327</sup> Ph1sten Street 22.

22. The shipper of the vessels as per the cargo documents was 2020 Volume Boats Maintenance & Repairing LLC, Dubai, UAE. The Dubai Maritime City business directory<sup>328</sup> provides an email and phone number for the company<sup>329</sup> that Amro Ibrahim uses when representing a different company, the abovementioned Volume FZCO (paragraph 11 of this annex).

23. 2020 Volume Boats Maintenance & Repairing LLC furthermore shares the same address as Asha Co FZE (2020 Volume).<sup>330</sup> On Google Maps, 2020 Volume Boats Maintenance & Repairing LLC is entered as “Asha Co FZE (2020 Volume)”. The photograph shown on the Google Map entry displays a vessel that is very similar in design to the abovementioned interceptor boats. The company’s web presence, which has been taken offline, presents itself as a boat builder of the same type of naval vessels that were transferred to Libya, also referring to “2020 Volume by Asha Co” (appendix 32.B.1, figure 32.B.3).

24. Asha Co FZE is owned by an individual with the same family names as Ibrahim. That individual, also a Jordanian national, transferred a Jordanian trademark to Amro Ibrahim in 2022.<sup>331</sup> In negotiations with another company and contractual documents (below section D), Amro Ibrahim went by the name of Amro Asha. The Panel therefore assesses that 2020 Volume Boats Maintenance & Repairing LLC and Asha Co FZE are both controlled by Amro Ibrahim.

25. The Panel identified the following as responsible for the transfer of the 12 tonnes inceptor boat to Libya, in violation of paragraph 9 of resolution 1970 (2011):

- a) 2020 Volume Boats Maintenance & Repairing LLC as shipper;
- b) Asha Co FZE as producer or seller;
- c) Amro Ibrahim as representative of these two companies;
- d) Alrakab Company for Importing Cars and Spare Parts (Libya) as consignee; and
- e) BBC Chartering GmbH & Co. KG as charterer of the MV *BBC Alaska* (IMO: 9453793).

26. None of the above companies replied to the Panel’s requests for information. The UAE did not respond to the Panel’s request for information regarding the companies, nor did it provide the requested export declarations and end-user certificates, if any. The Panel thus finds the abovementioned companies and the UAE in non-compliance with paragraph 20 of resolution 2701 (2023), for not having provided information to the Panel upon request.

#### D. Asis RHIBs

27. The Panel found that since July 2022, 41 12-metre Asis rigid-hulled inflatable boats (RHIBs) were transferred to Benghazi, including five that arrived in Benghazi aboard the MV *Med Sea Eagle* (IMO 8356443) on 21 July 2024. These transfers took place at the direction of the UAE-based company Aerotel FZCO. The owner and manager of this company is Amro Salem Ismael Ibrahim,<sup>332</sup> who was also the person negotiating with Asis Boats LLC, the UAE-based producer and shipper of the RHIBs, at Aerotel’s behest. Aerotel FZCO purchased the RHIBs from ASIS Boats LLC and requested ASIS to ship them directly to five private companies in Benghazi. Figure 32.C.1 in appendix 32.D shows a rendered model of the RHIBs transferred to Libya.

28. The companies in Benghazi receiving the RHIBs were a) Emaar Libya Holding Company (21); b) Asnaad Company (12); c) Al Musanada Al Damiya Company (5); and d) Juliana Beach (3).

29. Five armed Asis RHIBs participated at the LAAF “Dignity Shield 2024” military exercise (appendix 32.C, Figure 32.C.2). Asis Boats LLC responded to Panel inquiries that (a) these boats were civilian workboats for tour- and transport-based services; (b) were not endurance-enhanced; (c) had no hard points or weapon mounts; and (d) could not easily be converted for military purposes. The company also provided supporting documentation showing that the boats had a GRP hull and its tubes were standard air tubes. Confronted with imagery of armed Asis RHIBs,<sup>333</sup> the company confirmed that these armed RHIBs were indeed part of the 41 RHIBs it had sold to Aerotel FZCO, for onwards export to five private

<sup>328</sup> <https://dmc.prismcloudhosting.com/community/directories/>.

<sup>329</sup> +971567819999, ismail.ibrahim@i-volume.com.

<sup>330</sup> Warehouse 423, Dubai Maritime City, UAE.

<sup>331</sup> [https://www.mit.gov.jo/EBV4.0/Root\\_Storage/AR/EB\\_List\\_Page/778.pdf](https://www.mit.gov.jo/EBV4.0/Root_Storage/AR/EB_List_Page/778.pdf), 16 January 2024, page 327.

<sup>332</sup> Confidential source; Dubai Trade license no. 4261.

<sup>333</sup> [https://www.facebook.com/photo/?fbid=742026584776636&set=pb.100069079034812.-2207520000](https://www.facebook.com/photo/?fbid=742026584776636&set=pb.100069079034812.-2207520000;);

[https://www.facebook.com/photo/?fbid=742026434776651&set=pb.100069079034812.-2207520000](https://www.facebook.com/photo/?fbid=742026434776651&set=pb.100069079034812.-2207520000;);

[https://www.facebook.com/photo/?fbid=742026544776640&set=pb.100069079034812.-2207520000](https://www.facebook.com/photo/?fbid=742026544776640&set=pb.100069079034812.-2207520000;);

<https://www.facebook.com/photo/?fbid=742026634776631&set=pb.100069079034812.-2207520000>, all dated 14 March 2024.

companies in Benghazi. However, Asis Boats LLC held that, judging from the imagery, significant modifications to the navigation and communications suite had been undertaken post-delivery, and significant reinforcement work would have been required to mount the machine gun in a way that it could be operated without danger of structural damage or injury. The company assured the Panel that it would take steps to improve its due diligence with regard to Aerotel FZCO.

30. The documentation available to the Panel allows to assess which companies transferred the five (later) armed RHIBs to the LAAF, or which functioned as front companies for LAAF. Some of the transferred RHIBs were given names, which were also reflected in the cargo documents. Documents relating to the 21 RHIBs sold to Emaar Libya Holding, indicate the boats' names as "Al Karama", with numbers 1 through 21. Documents relating to the three out of the twelve RHIBs sold to Asnad Company indicate the boats' names as "Tareq" and "Tariq", with non-consecutive numbers up to 19. Assuming that the numbers are consecutive, this suggests that at least 19 RHIBs were destined for TBZ and 21 RHIBs for other LAAF units, representing a significant RHIB fleet of 40 boats, some of which that may have been part of earlier shipments. In addition, Asnad Company uses an email address indicating that Amro Ibrahim is also linked to the company.<sup>334</sup>

31. While the Panel assesses that the 41 Asis RHIBs do not fall into the category of non-lethal military materiel, they constitute what the Panel refers to as dual-use vessels. The RHIBs do not have sink-proofing of the tubes, aluminium hull, ballistic protection of the wheelhouse or hard points for weapons mounts. However, the design of Asis workboats, which Asis Boat LLC claimed to have sold to Aerotel FZCO, differs from the RHIBs transferred to Libya.<sup>335</sup> Their design features are identical to what Asis Boats LLC markets as military boats.<sup>336</sup> The 41 RHIBs transferred to Libya have the same colours, seating arrangement, propulsion, seaworthiness, and the capability of being outfitted with mounted weapons, as demonstrated by LAAF. This makes the transfer of such vessels particularly sensitive in the context of an arms embargo.

#### **E. Opportunity to reply**

32. Amro Ibrahim responded to the Panel's opportunity to reply on 22 October 2024, stating that the response was on behalf of three companies: Aerotel FZCO, 2020 Volume Boats Maintenance Repairing LLC, and Asha Co FZE. Therefore, the Panel considers this response only to refer to the transfers to Libya of the "Volume" boats and the Asis RHIBs. The response stated that a) the companies' primary business is marketing and selling civilian boats and other maritime products to customers; b) they have a contract with a local [unnamed] manufacturer in the UAE to produce these boats; c) they transported them to their customers Asnad Company and Emaar Libya Holding in accordance with UAE laws; d) the transferred boats were "exclusively for civil use"; e) the companies had "no control over any alterations or misuses our clients may make to them after delivery"; and f) given the information by the Panel about "misuse of the boats" sold to these customers, they would end their relationship with them immediately.

33. The response does not change the Panel's findings, as laid out in the preceding sections of this annex.

<sup>334</sup> [volume.fzco@iutlook.com](mailto:volume.fzco@iutlook.com).

<sup>335</sup> <https://asisboats.com/military-boats/>.

<sup>336</sup> <https://asisboats.com/work-boats/>.

## Appendix A to annex 32 Rodman 66 FPB

Figure 32.A.1

**Left: Rodman 66 in Belgian Police livery and pennant "SPN-14"; right: LAAF navy livery with pennant "612" and bow-mounted machine gun**



Sources: Left top: <https://www.vesselfinder.com/ship-photos/201124>, 27 July 2016; right top: <https://www.facebook.com/photo/?fbid=742026248110003&set=pb.100069079034812.-2207520000>, 14 March 2024; left bottom: <https://www.vesselfinder.com/ship-photos/503410>, 6 August 2019; right bottom: <https://www.facebook.com/photo.php?fbid=309266291692173&set=pb.100078264120737.-2207520000&type=3>, 17 September 2023.

Figure 32.A.2

**Left: Rodman 66 “SPN-14” after decommissioning; right: LAAF vessel with pennant "612", showing water cannon fixture as mounting base for machine gun**



Sources: Left: Belgian federal authorities;

right: <https://www.facebook.com/photo.php?fbid=309266291692173&set=pb.100078264120737.-2207520000&type=3> , 17 September 2023.



**Appendix B to annex 32 Volume boats transferred by MV *BBC Alaska***

Figure 32.B.1

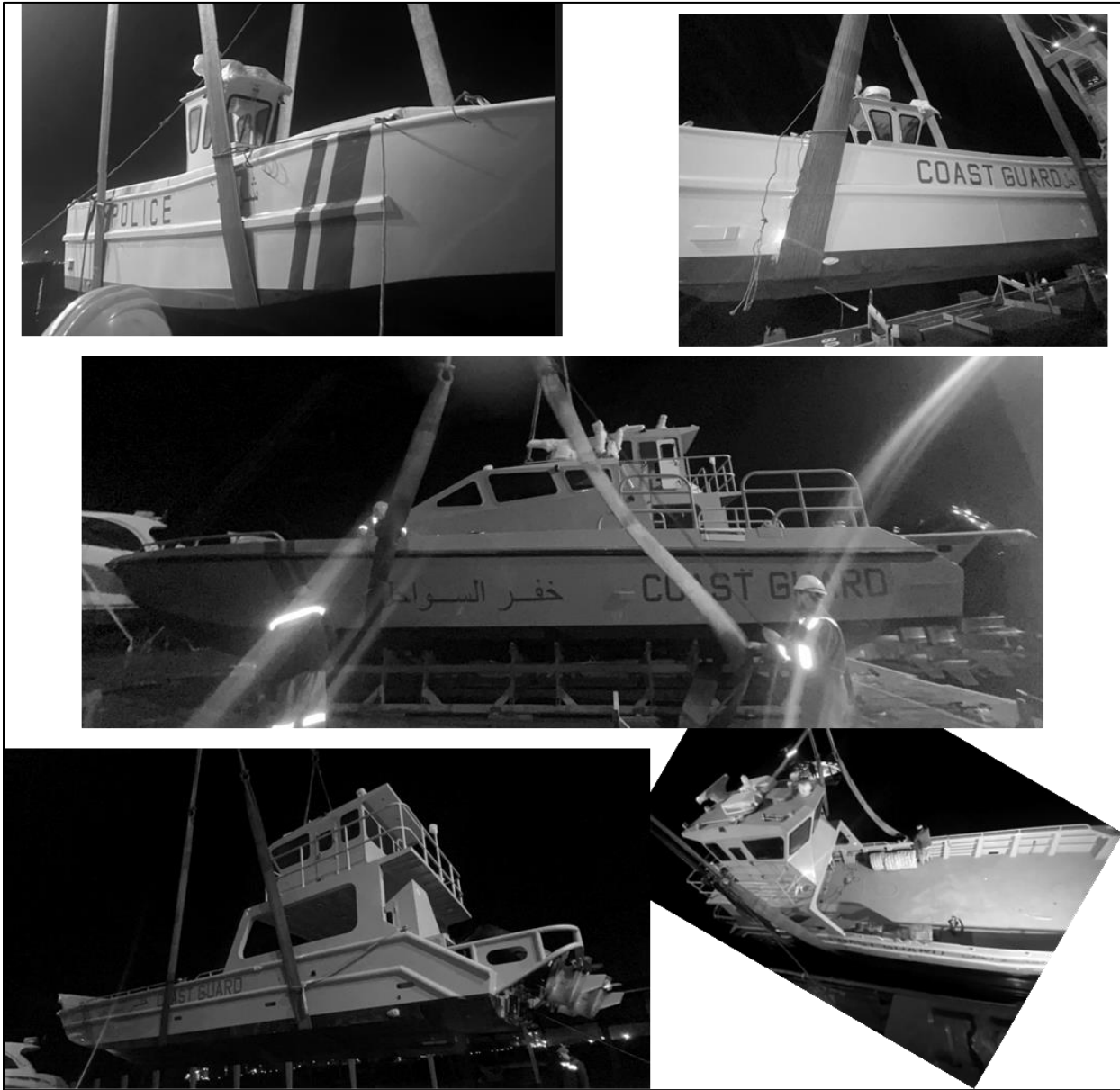
“2020 Volume” vessels transported covered under white foil onboard the *BBC Alaska* (IMO: 9453793) en route to Benghazi



Source: Confidential.

Figure 32.B.2

“2020 Volume” vessels as they were being unloaded from the *BBC Alaska* (IMO: 9453793) in Benghazi during the night of 7 to 8 April 2024. From top left: multi-purpose vessel marked “Police”; landing craft 3.5t marked “Coast Guard”; interceptor boat marked “Coast Guard”; multi-purpose vessel marked “Coast Guard”; and landing craft 12t marked “Coast Guard”



Source: Confidential.

Figure 32.B.3

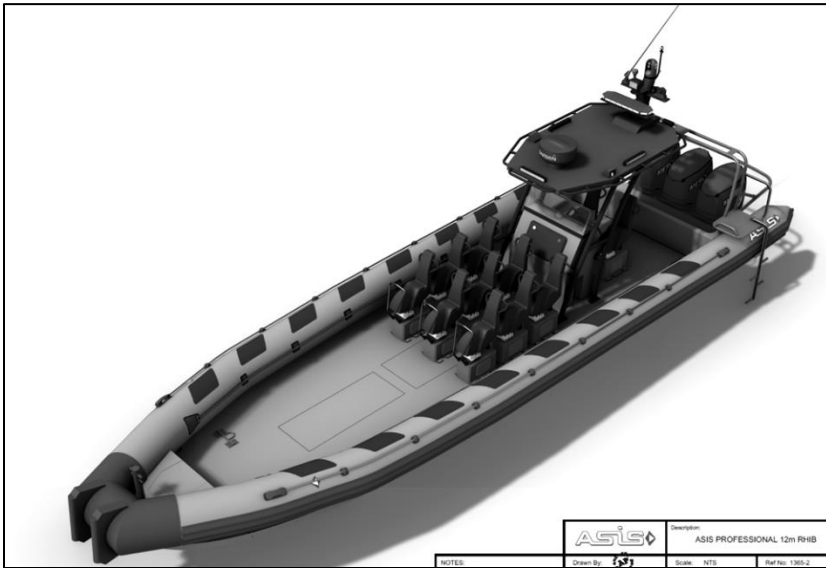
Google Maps entry of Asha Co FZE, containing “2020Volume” in its entry title and showing similarly designed boats as the interceptor boats transported aboard the *BBC Alaska* (IMO: 9453793)

The figure consists of two side-by-side panels. The left panel is a screenshot of a Google Maps entry for 'ASHA CO FZE (2020VOLUME)'. The entry shows a 4.3-star rating from 6 reviews, categorized as 'Boat builders'. The location is 'Warehouse 423 - Dubai Maritime City - Dubai - United Arab Emirates'. Contact information includes the website 'ashaco.ae', phone number '+971 4 551 2020', and address '7798+C3 Dubai - United Arab Emirates'. The right panel is a screenshot of the company's website. The top section features a header image of a boat and the text 'Better yet, see us in person!' followed by 'We love our customers, so feel free to visit during normal business hours.' Below this is the company name '2020VOLUME' and contact details: 'ASHA CO FZE - Dubai - United Arab Emirates', 'Land Line: +971 4 551 2020', 'Mobile Number: +971 52 414 2020', and 'info@ashaco.ae'. A 'Drop us a line!' button is present. The bottom section is titled 'Boats Building' and lists 'Cost Guards Boats/ Patrol Boats' with sub-points for 'Steel Shipbuilding' and 'Aluminum Shipbuilding'. A descriptive paragraph states: 'Designing and construction of your Boat and their systems. This includes at a minimum a hull, with propulsion, mechanical, navigation, safety and other systems as a craft requires'.

Sources: Left: <https://maps.app.goo.gl/fKxPP6d9mYhpJ3nS7>; right: <http://ashaco.ae/>, accessed on 2 July 2024 (since taken offline).

### Appendix C to Annex 32 Asis RHIBs

Figure 32.C.1  
Asis RHIB model as rendered for Aerotel FZCO



Source: Asis Boats LLC.

Figure 32.C.2  
Post-transfer armed Asis RHIBs at LAAF “Dignity Shield 2024” military exercise



Sources: <https://www.facebook.com/photo/?fbid=742026584776636&set=pb.100069079034812.-2207520000>;  
<https://www.facebook.com/photo/?fbid=742026434776651&set=pb.100069079034812.-2207520000>;  
<https://www.facebook.com/photo/?fbid=742026544776640&set=pb.100069079034812.-2207520000>, all dated 14 March 2024.

## Annex 33 Update on the supply of vessels to the LCG

### A. Background

1. This annex contains updates to the Panel's letter to the Committee dated 1 September 2023 on the transfer of Corrubia-class vessels to Libya.
2. By note verbale dated 11 August 2023, Italy informed the Committee about the transfers to Libya of two Corrubia-class vessels on 23 June and three 300-class vessels on 3 August, "for the use of the Libyan Coast Guard and Port Security (LCGPS)", and, according to Italy, "fall[ing] under the scope of paragraph 10 of resolution 2095 (2013)", by virtue of "not [being] equipped with either fixed weapons or military equipment of any kind". At that time, the Panel had already assessed that the 300-class vessel, a purpose-built search-and-rescue vessel, was not subject to the arms embargo.<sup>337</sup> That assessment had been based on detailed technical specifications received from Italy upon the Panel's request.
3. As stated in the abovementioned Panel letter of 1 September 2023, in Annex 33 to S/2019/914, the Panel reported on previous transfers by Italy of two Corrubia-class vessels to the Libyan Coast Guard (LCG) in 2018. The Panel reported that "[t]he 'Corrubia' Class Patrol Boat is a 27m monohull designed as a multiple role tactical platform, and normally has a standard weapon fit of a 30mm / 82 calibre Breda-Mausser Cannon, 1 x 12.7mm medium machine gun and 2 x 7.62mm medium machine guns. The Panel received details of the demilitarization of these vessels prior to transfer from [Italy], and [Italy's] rationale that the transfer fell under the auspices of paragraph 10 of resolution 2095 (2013)".

### B. Corrubia-class fast patrol boat

4. Consistent with the Panel's methodology, the Panel wrote to Italy on 31 August 2023 to request technical details regarding any demilitarization of the two Corrubia-class vessels, to ensure that these two vessels indeed fall under the category of non-lethal military equipment or are to be classified as civilian vessel. In that connection, the Panel referred to Annex 32 to S/2019/914, in which the Panel established the baseline for its assessment of whether a vessel is to be considered naval or civilian.
5. By letter dated 9 May 2024, Italy responded to the Panel's letter, providing detailed documentation regarding the demilitarization of the two vessels, which had previously been operated by the Guardia di Finanza as "G.108 Conversano" and "G.113 Partipilio". Based on a review of the technical information provided by Italy, the Panel assesses these vessels, following their demilitarization, to fall into the category of non-lethal military materiel, which aligns with Italy's understanding, given that Italy invoked the exception of paragraph 10 of resolution 2095 (2013) in its submission to the Committee.

### C. LCGPS as synonym of LCG

6. In the abovementioned letter, the Panel also requested clarification from Italy regarding the recipient of the vessels, which Italy indicated as the Libyan Coast Guard and Port Security (LCGPS). Italy responded that this was a frequently and officially used term for the LCG, also in use by the European Union.
7. The Panel recalls that in the 27 May 2017 briefing on the forces under the control of the Libyan government, Libya notified specific sectors of the Libyan Coast Guard (LCG) as such forces, namely the Central Sector (LCG Misrata), Tripoli Sector (Tripoli naval base), and Western Sector (LCG Zawiyah).<sup>338</sup>
8. The Panel independently established that while commonly referred to as LCG, the entity's original name is LCGPS.<sup>339</sup> The Panel therefore concurs with Italy's view that LCGPS is a synonym for the LCG, which is a notified entity.

<sup>337</sup> S/2023/673, paragraph 79.

<sup>338</sup> See also S/2023/673, Annex 24.

<sup>339</sup> See, for example, the law establishing the entity <https://lawsociety.ly/legislation/القرار-رقم-372-لسنة-1996-م-بإنشاء-جهاز-حرس-السوا>, 28 December 1996; see also the Ministry of Defence's Facebook page, <https://www.facebook.com/share/p/tYcyS8mqqtBiRVWb>, 5 July 2023.

9. On 24 June 2023, videos<sup>340</sup> posted on social media showed two Corrubia-class vessels arriving in a port, reportedly Abu Sitta naval base in Tripoli, with the new designations “Murzuq” (662) and “Houn” (664).<sup>341</sup> While the videos by camera angle and quality do not allow for geolocating with confidence, one of the videos shows two individuals on the quay wearing uniforms in the colours of the Libyan Coast Guard and Libyan Navy, respectively, and voices speaking Arabic with Libyan accent. One of the vessels appears to have “Libyan Coast Guard” written on its starboard hull. No weapons or weapon fits are recognizable in the videos. Given that Italy indicated in its submission to the Committee that the Corrubia-class vessels were delivered on 23 June 2023, the temporal proximity of the publication of the video and the circumstantial indicators described above led the Panel to conclude that the videos are authentic (Figures 33.1 to 33.4). In August 2023, one of the two vessels was reported to have aided in the lifting of submerged vessels in Khoms harbour;<sup>342</sup> the Panel confirmed this activity by geolocation.<sup>343</sup>

#### D. Panel assessment

10. The Panel is therefore satisfied that the LCG is the actual end-user of the two Corrubia-class vessels, and assesses that the transfer by Italy of the two vessels to Libya thus falls under the exception of paragraph 10 of resolution 2095 (2013).

Figures 33.1 to 33.4

#### Stills from open-source videos showing two Corrubia-class vessels arrive in Libya



Source: <https://twitter.com/rgowans/status/1672621080664584192>, 24 June 2023; <https://twitter.com/i/status/1672623552158154752>, 24 June 2023.

<sup>340</sup> <https://twitter.com/rgowans/status/1672621080664584192>, 24 June 2023; <https://twitter.com/i/status/1672623552158154752>, 24 June 2023.

<sup>341</sup> <https://twitter.com/rgowans/status/1672634605495635968>, 24 June 2023.

<sup>342</sup> <https://twitter.com/Oded121351/status/1688784787173957632/photo/1>, 8 August 2023; for geolocation only: <https://twitter.com/MTailamun/status/1655529446646882305/photo/1>, 8 May 2023.

<sup>343</sup> 32°41'3.46"N, 14°14'30.57"E.

## Annex 34 Updates on previous cases of maritime transfers

### A. Lambro Olympic D74

1. The Panel previously reported on a Lambro Olympic D74 (Javelin 74) fast patrol boat in use by the GNU-affiliated Stability Support Apparatus (SSA) maritime units based in Zawiyah.<sup>344</sup> The Panel provided an opportunity to reply (OTR) to the individuals the Panel identified as responsible for the transfer to Libya, which took place between 12 and 19 January 2022. None of the identified individuals responded to the Panel's OTR.

2. The Panel in reference to table 1 and annex 28 of S/2022/427 and in particular annex 26 of S/2023/673, found the following individuals responsible for the transfer to Libya of the Lambro Olympic (Javelin D74) naval vessel to Libya, in violation of paragraph 9 of resolution 1970 (2011):

- a) Nikolaos Lardis, Greek national, DOB: 4 Feb 1963, passport no. AT2027138;
- b) Giorgi Phophkatze, Georgian national, DOB: 9 Feb 1990, passport no. 20AHSH34; and
- c) Georgios Boumpouras, Greek national, DOB: 21 Jun 1983, passport no. AT1233882.

### B. Apollon RHIBs to LAAF

3. The Panel previously reported on "Apollon" naval-type rigid-hulled inflatable boats (RHIBs) in use by a LAAF maritime unit.<sup>345</sup> The Panel had identified the individual responsible in its last report,<sup>346</sup> but had not published his name, as he had not had the OTR at the time, as per the Panel's methodology. The name of the individual is Costas Charalampopoulos, a Greek national (DOB: 15 Aug 1959). The Panel attempted to offer him this opportunity through (a) the Greek authorities and (b) through the Greek company Double Action Defense, which the Panel assessed that he had represented, and which had displayed RHIBs with identical design features as the Apollon RHIBs in use by LAAF.

4. The Greek authorities informed the Panel that they had not been able to locate Charalampopoulos to share the Panel's OTR, and that criminal proceedings against him were proceeding before a Greek court.<sup>347</sup>

5. On 20 February 2024, Double Action Defense responded to the Panel's letter dated 26 January 2024, by which the Panel sought information regarding the RHIBs and to present the OTR to Costas Charalampopoulos. The company's chairperson informed that (a) the company had no relation to any transfer of RHIBs to Libya; (b) the company was neither constructing nor selling boats; (c) confirmed the Panel's assessment that the RHIBs displayed on its web presence were identical to those in use by LAAF; (d) the promotion of RHIBs on its web presence was owed to a cooperation with Costas Charalampopoulos, which did not materialize; (e) the cooperation with Costas Charalampopoulos lasted from 2018 through June 2022; (f) Costas Charalampopoulos was operating another business simultaneously, of which the company had no details; and (g) the images in the company's website depicting Costas Charalampopoulos signing agreements had only been used as a marketing strategy, given his business acumen, and preceded his cooperation with the company and depicted activities with other companies, the identities of which however could not be shared because of "trade secrets".<sup>348</sup> The Panel finds that the engagement of Double Action Defense lacks credibility.

6. The transfer of the Apollon RHIBs took place in or around June 2020, during a time which Costas Charalampopoulos had a "cooperation" with the Double Action Defense, and six months after Double Action Defense had started advertising the RHIBs on its web presence. The company was therefore at least a facilitator for the sale of RHIBs.

7. The Panel established that Double Action Defense indeed did not produce the RHIBs. The Panel identified another Greek company, Drago Boats SA,<sup>349</sup> as the producer. The company did not respond to the Panel's letter dated 5 September 2024.

8. The Panel believes that Costas Charalampopoulos not only cooperated with Double Action Defense, but has directed all operations of the company, and that all board members are only front persons. Costas Charalampopoulos has close family links to all members of the board and has previous experience and contacts in the arms industry, which none of the board

<sup>344</sup> S/2022/427, paragraph 68 and S/2023/673, paragraph 84 and annex 26, section A.

<sup>345</sup> S/2022/427, paragraph 68 and S/2023/673, paragraph 84 and annex 26, section B.

<sup>346</sup> S/2023/673, annex 26, paragraph 8 and appendix 26.B.

<sup>347</sup> Note verbale from Greece, 4 December 2023.

<sup>348</sup> The company has since removed all images showing Costas Charalampopoulos from its website.

<sup>349</sup> 5 Lavriou Avenue, 19400, Koropi, Greece.

members have. The chairperson and one other board member are his parents-in-law, another is his wife, and the remaining is his wife's son from her first marriage. In a July 2022 media interview, that is one month after the claimed termination of cooperation, his wife stated that he is the head of the couple's company.<sup>350</sup> She was also the one who dispatched the chairperson's reply to the Panel.

9. Costas Charalampopulous did not reply to the Panel's OTR. In reference to paragraph 68, table 1 and annex 28 of S/2022/427 and in particular annex 26 of S/2023/673, the Panel finds (a) Costas Charalampopulous responsible for the transfer of at least four naval-type RHIBs and a handgun to Libya, in violation of paragraph 9 of resolution 1970 (2011); and (b) Drago Boats SA (Greece) in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023) for not providing the requested information to the Panel.

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<sup>350</sup> <https://directus.gr/soviri-peripeteia-gia-ellina-sti-roumania-ekklisi-tis-syzygou-tou-monitor-vinteo>, 14 July 2022.



## Annex 35 Naval vessels in al-Khoms port

1. The Panel previously reported on the presence of Turkish naval vessels in military section of Al-Khoms port (LYKHM).<sup>351</sup> The Panel reviewed statements of the Turkish Ministry of Defence and confidential satellite imagery taken on different dates during this reporting period and identified that since July 2023, (a) ten Gabya-class vessels, (b) six Barbaros-class vessels, and (c) one Ada-class (MILGEM) vessel operated by the Turkish Navy visited Al-Khoms port (LYKHM) (table 35.1). These findings are based on confidential and non-confidential satellite imagery. An example of non-confidential imagery is contained in figure 35.1.

2. The Panel wrote to Türkiye on 13 March 2024 regarding a report that the TCG *Kinaliada* had been carrying out “logistics integration activities at Al-Khoms port within the scope of the Turkish Naval Task Group”, posted on 13 November 2023 on an official social media channel of the Turkish Ministry of Defence.<sup>352</sup> Türkiye replied by letter dated 8 May 2024, stating that TCG *Kinaliada* had visited Al-Khoms port “in November 2023 to avoid harsh weather and rough sea conditions”. Türkiye further informed that “no cargo/material transfer was made”. No exact date of the visit was provided, hence the Panel was unable to verify the Turkish claim about the adverse sea state at the time. The reference to the specific nature of the activities in the abovementioned official media report, however, suggests that the visit of the TCG *Kinaliada* was planned. In any case, the relevant Council resolutions do not foresee exceptions for derogations from the arms embargo in emergency situations, thus, in the Panel’s view, that visit to Al-Khoms port constituted at least non-compliance with paragraph 9 of resolution 1970 (2011).

3. No response was received to the Panel’s letters dated 24 April and 3 October 2024 regarding the remaining vessels contained in table 22.1. In the Panel’s view, the entry of these vessels are violations of paragraph 9 of resolution 1970 (2011).

Table 35.1

### Turkish naval vessels identified at Al-Khoms port

<i>Date</i>	<i>Naval vessel</i>	<i>Source</i>
4 July 2023	Gabya-class frigate	▪ Confidential satellite imagery of 4 July 2023 shows a Gabya-class frigate berthed at the military section of Al-Khoms port (32°41'19.38"N, 14°14'47.46"E)
24 October 2023	Gabya-class frigate	▪ Confidential satellite imagery of 24 October 2023 shows a Gabya-class frigate berthed at the military section of Al-Khoms port (32°41'19.38"N, 14°14'47.46"E)
First half of November 2023	TGC <i>Kinaliada</i> (F-514), Ada-class (MILGEM) anti-submarine warfare corvette	▪ Türkiye confirmed that TGC <i>Kinaliada</i> entered Al-Khoms port in November 2023, claiming adverse weather conditions
27 November 2023	Two (2) Gabya-class frigates	▪ Confidential satellite imagery of 27 November 2023 shows two Gabya-class frigates berthed at the military section of Al-Khoms port (32°41'19.38"N, 14°14'47.46"E and 32°41'11.38"N, 14°14'40.55"E)
19 December 2023	Gabya-class frigate and Barbaros-class frigate	▪ Confidential satellite imagery of 29 December 2023 shows a Barbaros-class and a Gabya-class frigate berthed at the military section of Al-Khoms port (32°41'19.38"N, 14°14'47.46"E and 32°41'11.38"N, 14°14'40.55"E)
8 January 2024	Two (2) Gabya-class frigates	▪ Confidential satellite imagery of 8 January 2024 shows two Gabya-class frigates berthed at the military section of Al-Khoms port (32°41'19.38"N, 14°14'47.46"E and 32°41'11.38"N, 14°14'40.55"E)
27 February 2024	Barbaros-class frigate	▪ Confidential satellite imagery of 27 February 2024 shows a Barbaros-class frigate berthed at the military section of Al-Khoms port (32°41'17.48"N, 14°14'45.76"E)
18 April 2024	Barbaros-class frigate	▪ Confidential satellite imagery of 18 April 2024 shows a Barbaros-class frigate berthed at the military section of Al-Khoms port (32°41'16.15"N, 14°14'44.43"E)

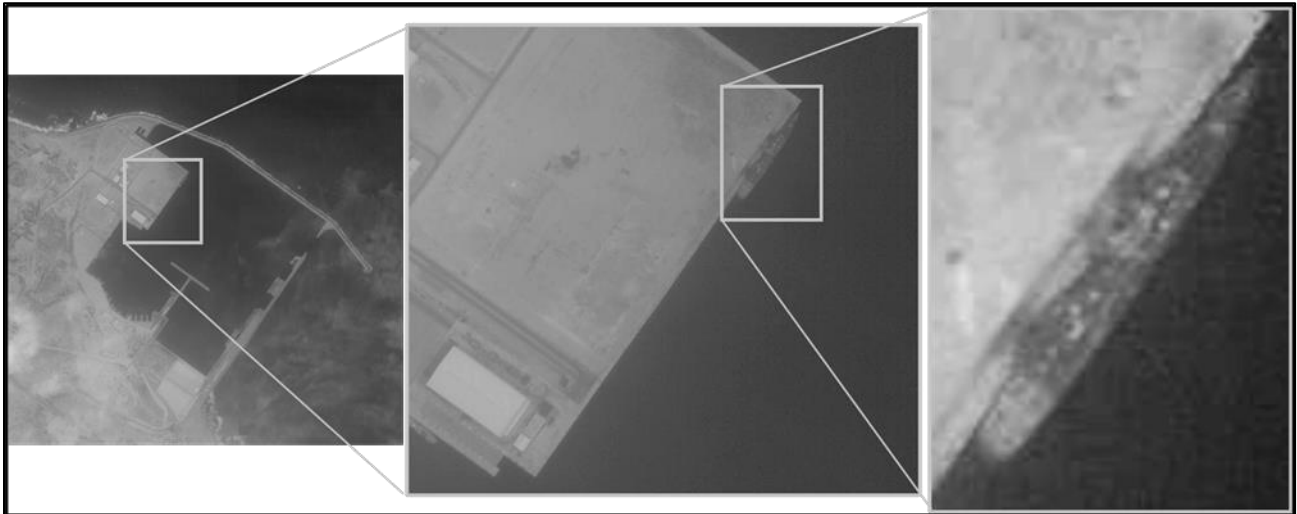
<sup>351</sup> S/2023/673, paragraph 81, table 1 and Annex 29.

<sup>352</sup> <https://x.com/tcsavunma/status/1723992622841094511?s=20>, 13 November 2023; <https://www.facebook.com/tcsavunma/posts/pfbid02APWfBwsBN3xiPF6pPQY44We2rSnS32baTHhJk5wSHpVLPXgMnZJxPRSkGSeGX4obl>, 16 November 2023, social media accounts as provided at <https://www.msb.gov.tr/>.

<i>Date</i>	<i>Naval vessel</i>	<i>Source</i>
9 May 2024	Gabya-class frigate	▪ Gabya-class frigate berthed at the military section of Al-Khoms port (32.68837° N, 14.24647° E), see figure 35.1
12 June 2024	Gabya-class frigate	▪ Gabya-class frigate berthed at the military section of Al-Khoms port (32.68837° N, 14.24647° E)
1 July 2024	Barbaros-class frigate	▪ Barbaros-class frigate berthed at the military section of Al-Khoms port (32.68770° N, 14.24573° E)
11 August 2024 and 25 August 2024	Barbaros-class frigate	▪ Barbaros-class frigate berthed at the military section of Al-Khoms port (32.68770° N, 14.24573° E); open-source imagery shows vessel berthed, <sup>353</sup> see annex B
25 August 2024	Barbaros-class frigate	▪ Barbaros-class frigate berthed at the military section of Al-Khoms port (32.68770° N, 14.24573° E)
2 September 2024	Gabya-class frigate	Gabya-class frigate berthed at the military section of Al-Khoms port (32.68837° N, 14.24647° E)

Figure 35.1

**Gabya-class frigate berthed at the military section of Al-Khoms port on 9 May 2024.**



Source: Planet Labs, 08:46:19 UTC on 9 May 2024.

<sup>353</sup> <https://x.com/alsaaa24/status/1827637964513407402>, 25 August 2024.

## Annex 36 Naval vessels and deliveries of military materiel in Tubruq port

### A. Overview

1. The Panel has identified that five Russian Federation naval vessels entered Libyan territorial waters on 8, 14, and 21 April, and on 17 June 2024. On the 14 April visit, military equipment was transferred to Libya by one of these vessels.

### B. Gren-class large landing ship, 8 April 2024

2. A confidential satellite image taken at 10:19 UTC on 8 April 2024<sup>354</sup> shows (a) a Gren-class large landing ship sailing towards Tubruq port, about one nautical mile from the port,<sup>355</sup> and (b) in the eastern part of the port (naval base)<sup>356</sup> eleven empty heavy equipment transporters (HETs).

### C. Ropucha-class and Gren-class large landing ships, 14 April 2024

3. Satellite imagery taken at 7:22 UTC on 14 April 2024 shows (a) at inner berth no. 02 on the west pier (commercial part of the port):<sup>357</sup> a Ropucha-class large landing ship docked, and (b) in the eastern part of the port (naval base):<sup>358</sup> twelve HETs (image resolution insufficient to determine if empty or loaded) (appendix 36.A, figure 36.A.1)

4. Two satellite images taken at 8:52 UTC and 9:17 UTC, respectively, on the same day, show a Gren-class large landing ship docked at the same location, berth no. 02 on the west pier (commercial part of the port). Both images also show in the eastern part of the port (naval base),<sup>359</sup> three HETs loaded with military trucks and small trailers, and nine empty HETs. The 9:17 UTC image shows on the pier, facing in a northern direction, five military trucks, three of which are towing small trailers (appendix 36.A, figures 36.A.2 and 36.A.3).

5. The Panel further analysed two open-source videos published on 14 April and 17 April 2024,<sup>360</sup> respectively, showing video footage and a still image of a line-up of seven military trucks, three of them towing small trailers. Two of these trailers appear to be covered weaponry. The Panel geolocated that video footage and still image to the abovementioned west pier of Tubruq port, with the vehicles being lined up facing in a northern direction (appendix 36.A, figures 36.A.4 and 36.A.5).

6. The 14 April video also contains a still image of what the Panel identified as the bow of a Gren-class vessel with open cargo doors, flying the jack of the Russian Navy, and unloading a military truck (appendix 36.A, figure 36.A.6).

7. The 17 April video also contains a still image of what the Panel identified as a Ropucha-class vessel, which the Panel geolocated to the Tubruq port entry, as seen from a northern direction (appendix 36.A, figure 36.A.7).

### D. Ropucha-class large landing ship, 21 April 2024

8. Two satellite images taken in the morning of 21 April 2024 show a Ropucha-class large landing ship first approaching Tubruq port<sup>361</sup> at 6:54 UTC and then docked at inner berth no. 02 on the west pier (commercial part of the port)<sup>362</sup> at 15:50 UTC. Satellite imagery also shows the arrival and change in the number of HETs in the eastern part of the port (naval base)<sup>363</sup> (appendix 36.B).

<sup>354</sup> WorldView02, 2024-04-08 10:19 AM UTC ©2024 Maxar, USG Plus. Image on record with the Panel. Publication was not possible for contractual reasons.

<sup>355</sup> 32.06517° N, 24.00346° E

<sup>356</sup> 32.07623° N, 23.98587° E.

<sup>357</sup> 32.07509° N, 23.97922° E.

<sup>358</sup> 32.07623° N, 23.98587° E.

<sup>359</sup> 32.07623° N, 23.98587° E.

<sup>360</sup> <https://twitter.com/fawaselmedia/status/1779532119053586496>, 14 April 2024;

<https://twitter.com/fawaselmedia/status/1780351332802609605>, 17 April 2024.

<sup>361</sup> 32.08438° N, 24.04998° E.

<sup>362</sup> 32.07509° N, 23.97922° E.

<sup>363</sup> 32.07623° N, 23.98587° E.

### E. Slava-class missile cruiser and Udaloy-class frigate, 17 June 2024

9. On 17 June 2024, the social media account of the navy command of the Libyan Arab armed forces informed about the visit of two Russian Federation naval vessels, the Slava-class missile cruiser *Varyag* and the Udaloy-class frigate *Marshal Shaposhnikov*, to Tubruq naval base a day earlier.<sup>364</sup> Several images were published by the same and other open sources that showed a Slava-class missile cruiser docking and being moored at the eastern quay of Tubruq port (naval base).<sup>365</sup> Low-resolution satellite imagery shows a vessel the size of a Slava-class missile cruiser moored at the same location on 17 June 2024. Based on time, location and corroborating open-source imagery, the Panel assesses that a Slava-class missile cruiser visited Tubruq port on 17 June 2024 (appendix 36.C). In a response to the Panel, the LAAF confirmed that both vessels had arrived on 16 June 2024 for a three-day visit (see also below paragraph 12).

### F. Responses to Panel inquiries and assessment

10. In response to the Panel's two letters regarding the abovementioned vessel visits,<sup>366</sup> the Russian Federation stated that it "observes international restrictions regarding Libya. The movements of such vessels do not fall within the 'prohibited field' of the Council sanctions resolutions. Military vessels from other countries are also known to visit Libya."<sup>367</sup>

11. In response to the Panel's letter inquiring about the visits of Russian Federation naval vessels on 8, 14 and 21 April and 16 June 2024, and concurrent presence of HETs in the naval base on 8, 14 and 21 April,<sup>368</sup> the LAAF stated that (a) Russian naval vessels had visited Tubruq "as part of an official coordinated visit to strengthen ties"; (b) while such a visit had occurred on 16 June 2024, no visits had occurred on 8, 14 or 21 April 2024; (c) visits "of some Russian naval vessels were in the framework of the prospects of cooperation between the two countries, in addition to other issues of joint work, which results in holding 'technical' meetings [...] to review the maintenance needs of [pre-existing] Russian weapons and equipment" the LAAF has in its stock; and (d) no military equipment had been delivered by Russian naval vessels. Apart from the confirmation that visits took place on 16 June 2024, the Panel found that the LAAF response was inconsistent with its evidence showing that visits took place on 8, 14 and 21 April 2024, and that on 14 April 2024 military equipment was transferred.

12. Regarding the military trucks with small trailers shown in the 14 April open-source video (Annex 36.A, figure 36.A.4) the LAAF stated that "these trucks were leaving the Tubruq naval base, not the port, and they were carrying some military supplies [...], two very small fuel tanks and two small cannons [...] which were already present at the base and were transported as part of a normal routine [...]". The Panel finds this statement inconsistent with the Panel's finding that the location shown on that video was inner berth no. 02 on west pier of the commercial part of Tubruq port, not the naval base, and that these trucks had been unloaded by the Gren-class vessel berthed at that pier at the time (Annex 36.A, figures 36.A.3 through 36.A.6).<sup>369</sup>

13. Regarding the visits of the Slava-class missile cruiser *Varyag* and the Udaloy-class frigate *Marshal Shaposhnikov*, to Tubruq naval base, the LAAF stated that the vessels had made a three-day working visit, starting on 16 June 2024, to "confirm the relations of cooperation and coordination between the Libyan and Russian navies in the fields of training, maintenance, providing technical and logistical support, exchanging expertise and information and cooperating in the field of maritime security".

14. In the Panel's view, and consistent with its methodology and past practice, the visits to Tubruq port by (a) Gren-class vessels on 8 and 14 April 2024; (b) Ropucha-class vessels on 14 and 21 April 2024; and (c) a Slava-class and a Udaloy-class vessel on 16 June 2024, as well as (d) the transfer to Libya of military trucks by the Gren-class vessel on 14 April 2024 are violations of paragraph 9 of resolution 1970 (2011).

<sup>364</sup> [https://www.facebook.com/story.php?story\\_fbid=462091869742947&id=100078264120737](https://www.facebook.com/story.php?story_fbid=462091869742947&id=100078264120737), 17 June 2024.

<sup>365</sup> 32.07385° N, 23.98460° E.

<sup>366</sup> Panel letters of 26 April 2024 and 3 October 2024.

<sup>367</sup> Response of the Russian Federation dated 17 October 2024.

<sup>368</sup> Panel letter of 3 October 2024 and LAAF response of 21 October 2024.

<sup>369</sup> 32.07509° N, 23.97922° E.

### Appendix A to Annex 36: Ropucha-class and Gren-class large landing ships, 14 April 2024

Figure 36.A.1.

Ropucha-class vessel at inner berth no. 02, west pier, Tubruq port at 7:22 UTC on 14 April 2024; twelve HETs in the eastern part of the port (naval base)



Developed by Panel of Experts.

Source: Planet Labs, Sky Sat Collect, 7:22 :59 UTC, 14 April 2024.

Figure 36.A.2

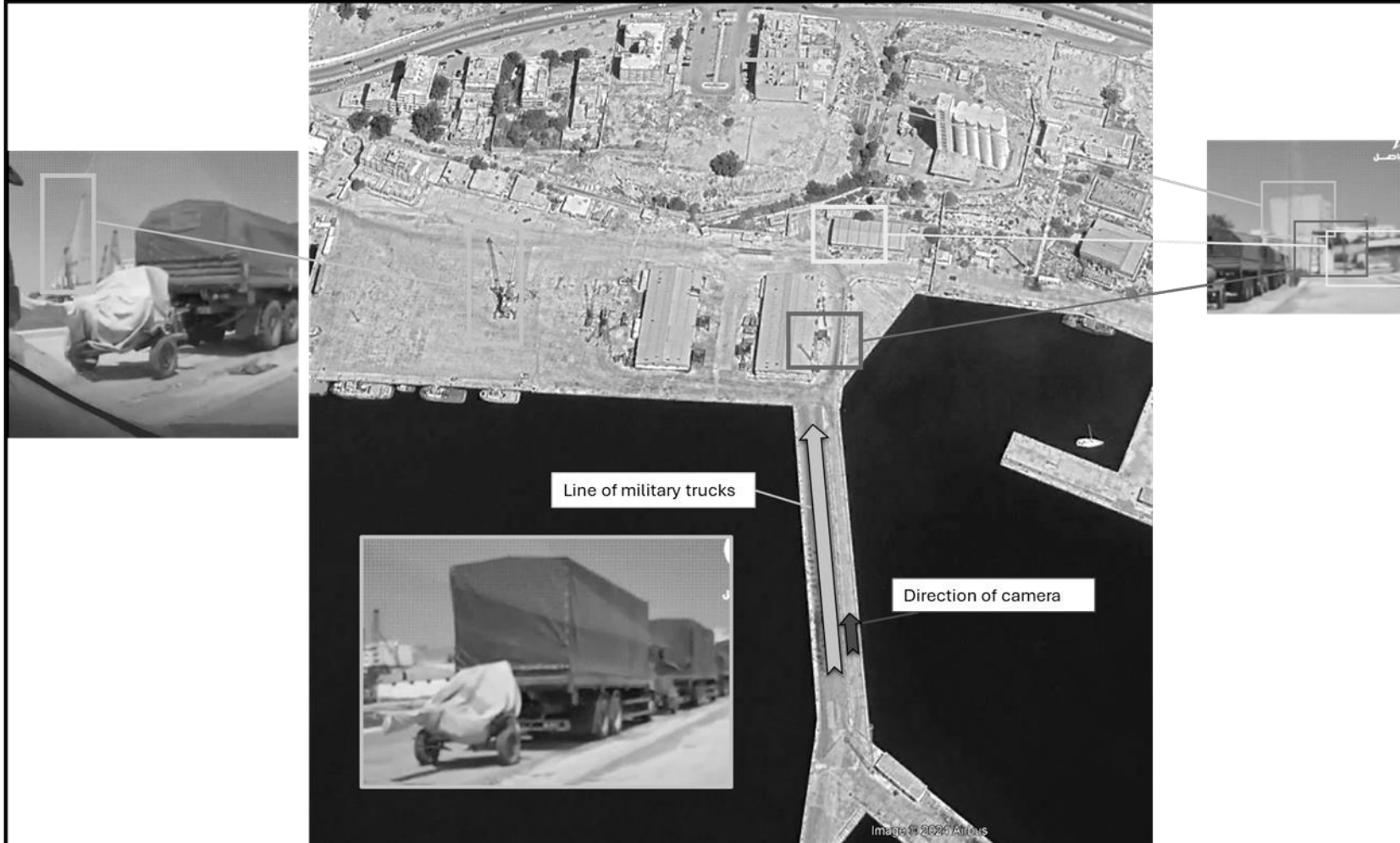
Gren-class vessel at inner berth no. 2, west pier; twelve heavy equipment transporters (HETs), three of which loaded with military trucks with small trailers, in the eastern part of Tubruq port (naval base) at 08:52 UTC on 14 April 2024



Figure 36.A.3. Gren-class vessel at inner berth no. 02, west pier; five military trucks on pier facing northwards, three of which are towing small trailers



Figure 36.A.4.  
Geolocation of open-source video published on 14 April 2024

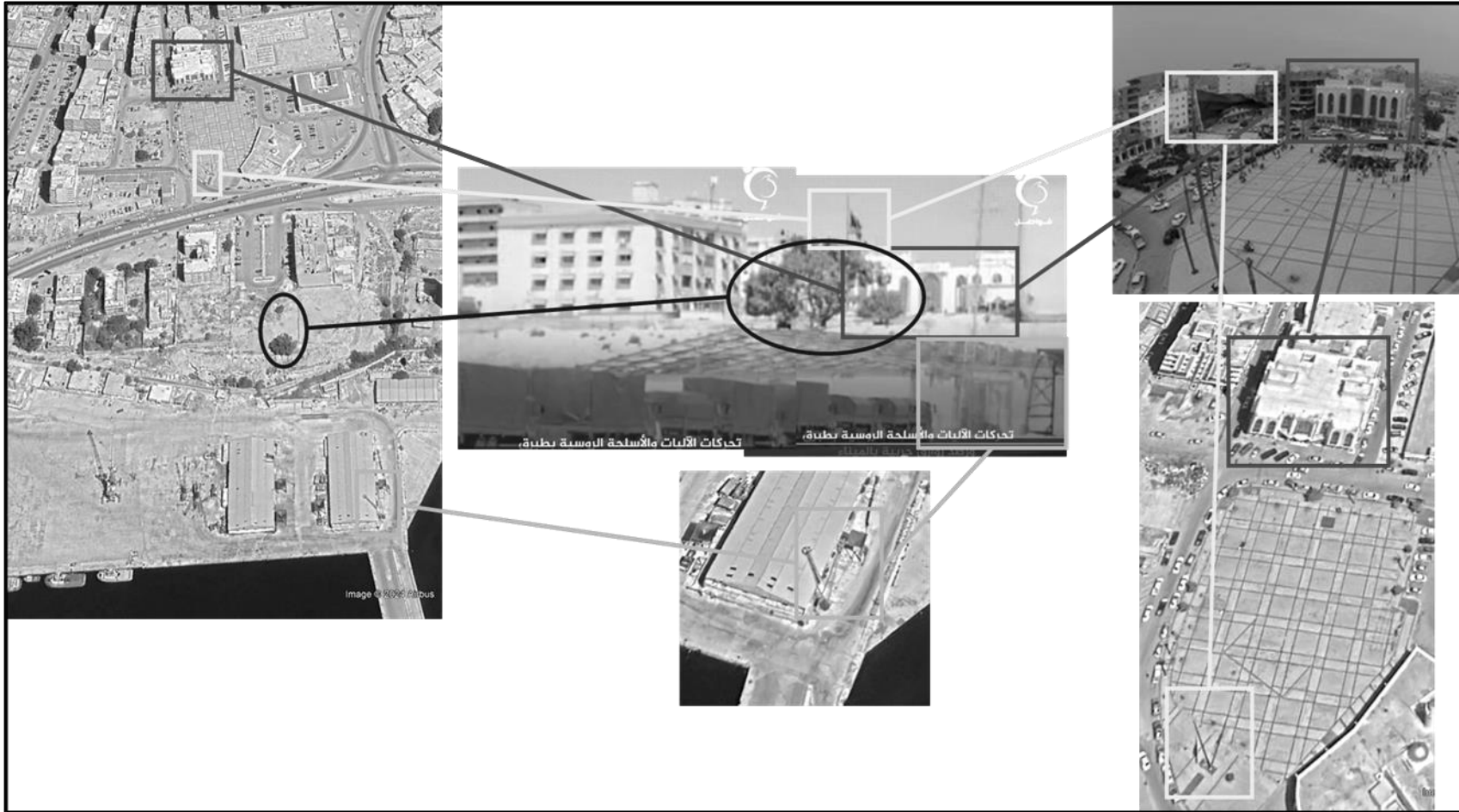


Developed by Panel of Experts.

Sources: 1) Google Earth, 17 April 2023; 2) <https://twitter.com/fawaselmedia/status/1779532119053586496>, 14 April 2024.



Figure 36.A.5  
Geolocation of open-source video published on 17 April 2024

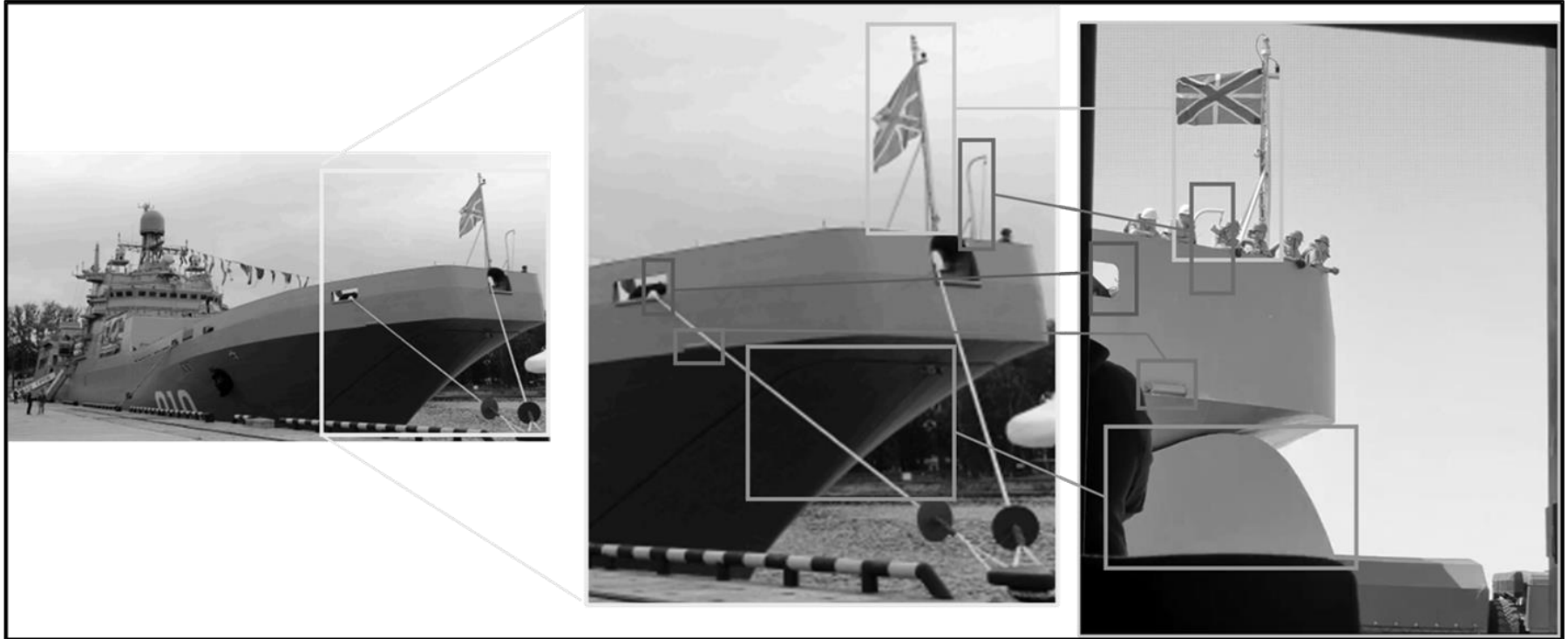


Developed by Panel of Experts

Sources: 1) Google Earth, 17 April 2023; 2) <https://twitter.com/fawaselmedia/status/1780351332802609605>, 17 April 2024; 3) <https://maps.app.goo.gl/G4fsdyJpZUji6XJi7>, June 2017.

Figure 36.A.6

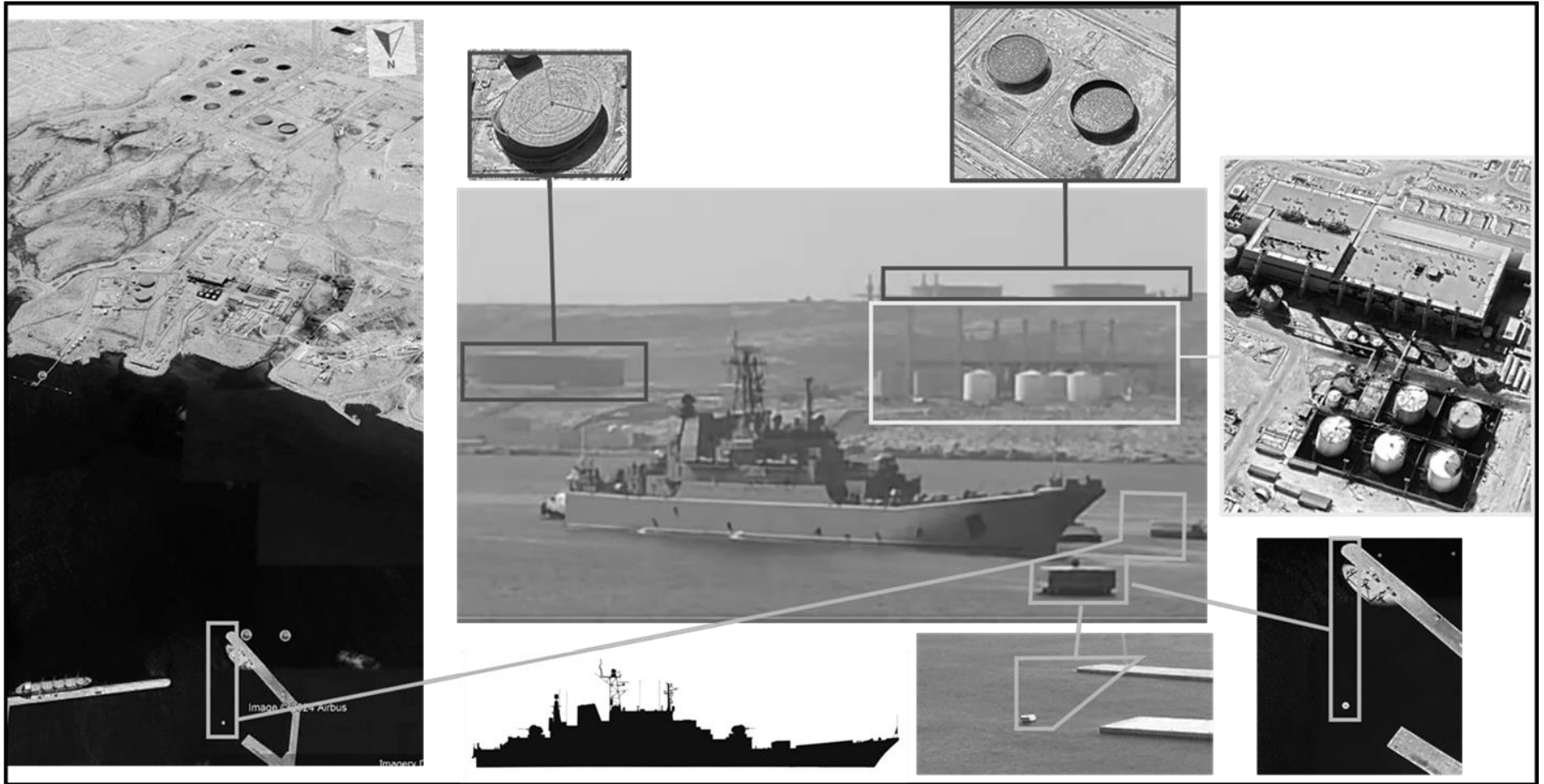
First and second from left: Comparison image of a of Gren-class vessel; right: video still contained in 14 April 2024 open source video, geolocated to Tubruq port (figure 36.A.1), showing the bow of Gren-class vessel flying the Russian Navy jack and unloading a military truck



Developed by Panel of Experts.

Sources: 1) [https://eng.mil.ru/en/news\\_page/country/more.htm?id=12477120@egNews](https://eng.mil.ru/en/news_page/country/more.htm?id=12477120@egNews), 25 August 2023; 2) <https://twitter.com/fawaselmedia/status/1779532119053586496>, 14 April 2024.

Figure 36.A.7  
Video still (centre) of 14 April 2024 open source video, showing a Ropucha-class vessel entering Tubruq port



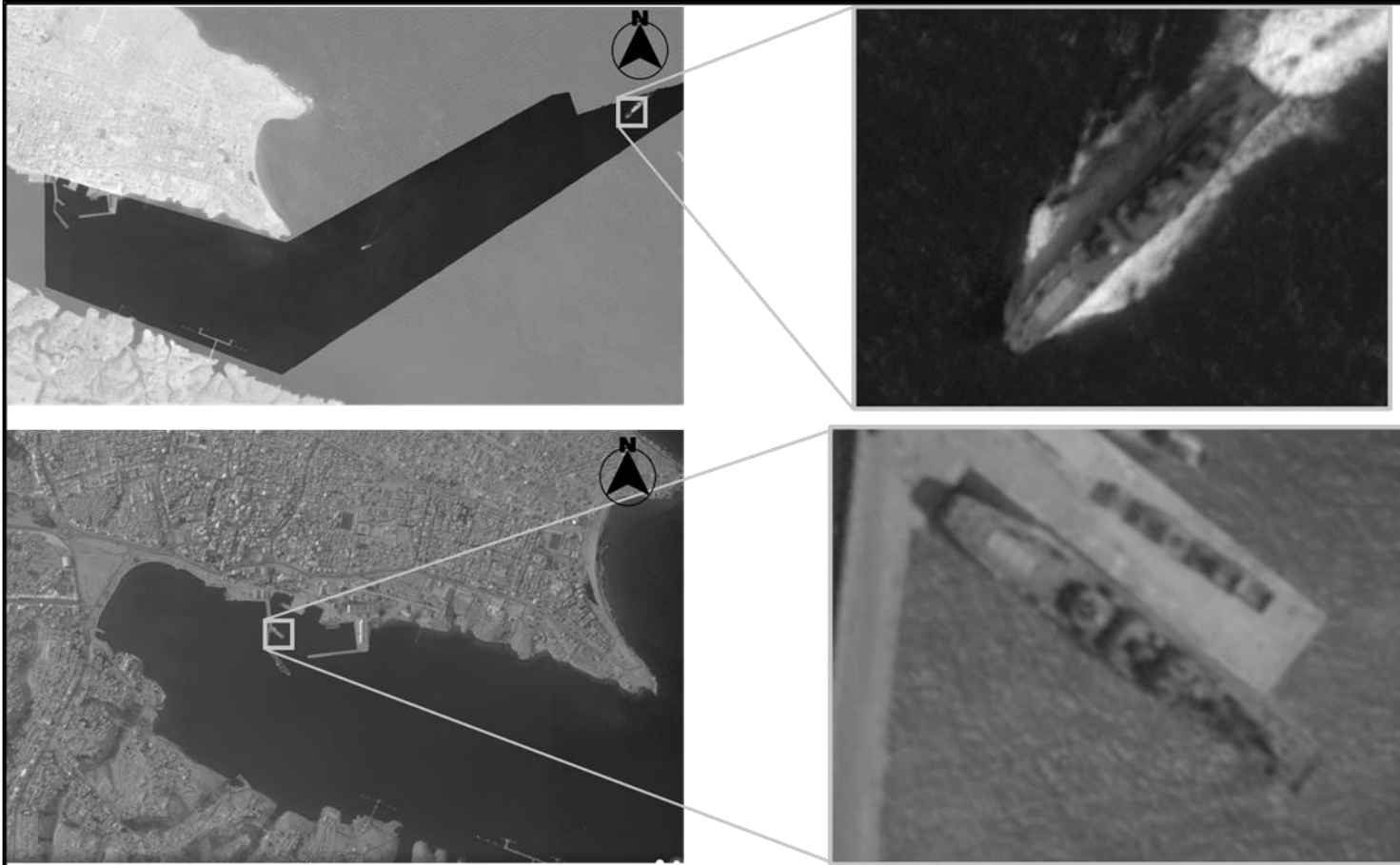
Developed by Panel of Experts

Sources: 1) Google Earth, 15 March 2024; 2) <https://twitter.com/fawaselmedia/status/1780351332802609605>, 17 April 2024; 3) <https://libyaobserver.ly/inbrief/45-million-tramadol-pills-seized-tobruk-port>, 28 February 2016; 4) Janes Defence.

### Appendix B to Annex 36: Ropucha-class large landing ship, 21 April 2024

Figure 36.B.1

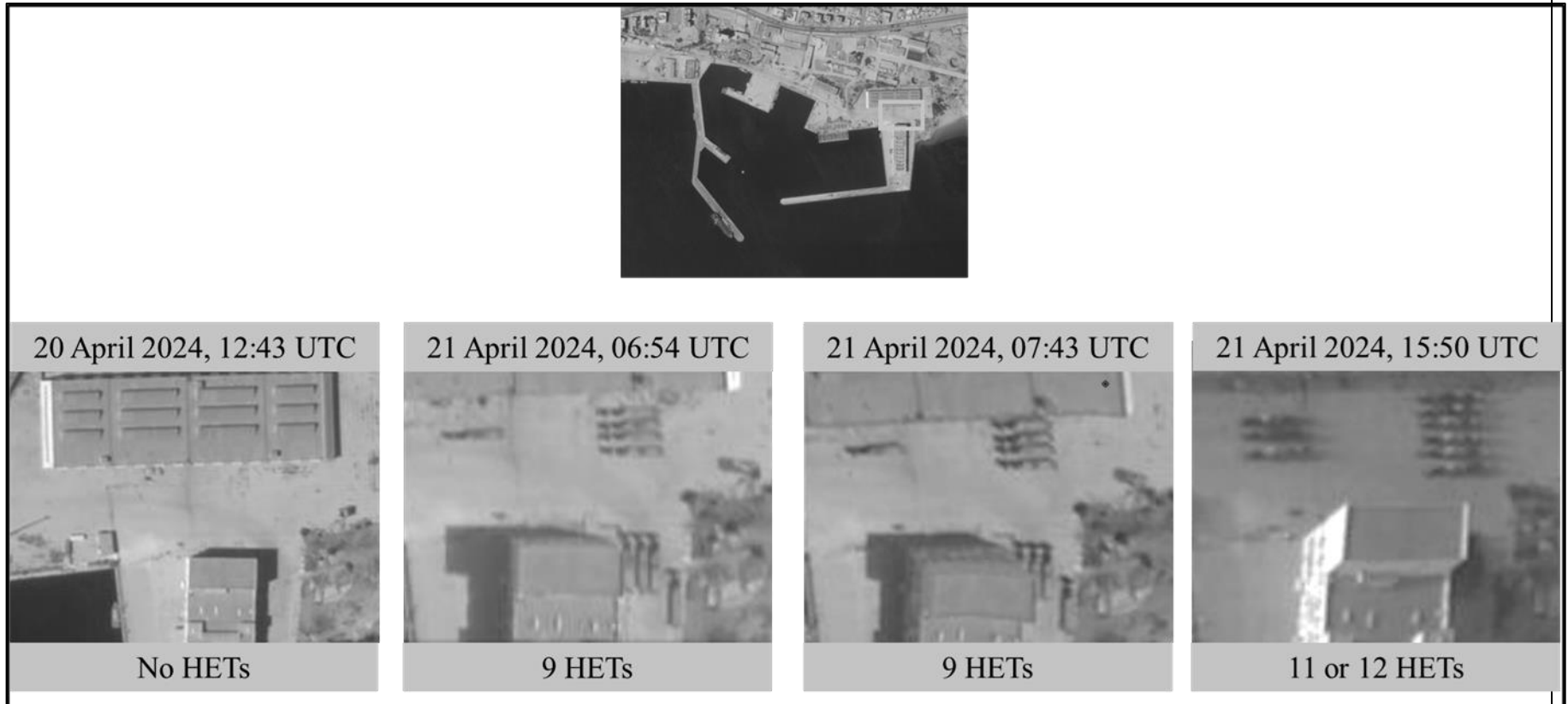
Ropucha-class large landing ship first approaching (top) and then berthed (bottom) at inner berth no. 02, west pier of Tubruq port, 21 April 2024



Sources: Planet Labs, 06:54:43 UTC (top) and 7:43:12 UTC (bottom) on 21 April 2024.

Figure 36.B.2

Satellite imagery showing a changing number of heavy equipment transporters (HETs) in the easter part of the port (naval base) between 20 and 21 April 2024 (no satellite coverage on subsequent days owing to cloud cover)



Sources: Planet Labs, 12:43:16 UTC on 20 April 2024 (top and bottom first image); 06:54:43 UTC on 21 April 2024 (bottom second image); 07:43:12 UTC on 21 April 2024 (bottom third image); 15:50:03 UTC on 21 April 2024 (bottom fourth image).

## Appendix C to Annex 36: Slava-class missile cruiser, 17 June 2024

Figure 36.C.1

Slava-class missile cruiser docking and moored at Tubruq naval base



Sources: Planet Labs, 07:23:33 UTC on 21 April 2024 (top left and top middle); <https://www.facebook.com/photo?fbid=437249925899072&set=pcb.437250072565724>, 17 June 2024 (top right); <https://www.facebook.com/photo?fbid=437249895899075&set=pcb.437250072565724>, 17 June 2024 (bottom left); <https://www.facebook.com/photo.php?fbid=462174313068036&set=pb.100078264120737.-2207520000&type=3>, 17 June 2024 (bottom right).

## Annex 37 Bayraktar Akinci Uncrewed Combat Aerial Vehicles

1. On 25 October 2022, Prime Minister and Minister of Defence of Libya Abdulhamid Dbeibha signed an agreement with the Turkish Defence Minister, General (retired) Hulusi Akar, for the procurement of Akinci Uncrewed Combat Aerial Vehicles (UCAV)<sup>370</sup> in Istanbul, Türkiye.

2. The Panel identified the presence of an Akinci UCAV in a satellite imagery showing an uncrewed arial vehicle at Misrata airbase,<sup>371</sup> Libya on 31 March 2024. In the imagery, an uncrewed arial vehicle (UAV) with about 20-metre wingspan and 12.2-metre length, was identical to characteristics of Akinci UCAV.<sup>372</sup> The UAV was parked on an apron outside of a new hangar connected by a taxiway. Coincidentally, the construction of the hangar and the connecting taxiway was completed in mid-March 2024 (Figures 37.1-37.7). The size of the hangar (103 meters long and 51 meters wide), is capable of accommodating approximately five Akinci UCAVs.

3. The delivery of Akinci UCAV to Libya has been further proved by the presence of the type in a video clip on Chief of General Staff of Türkiye's visit to Libya from 14 to 16 July 2024.<sup>373</sup> In the video, an Akinci UCAV with Libyan flag tail marking and serial number S50 was seen during the Chief of General Staff's inspection tour (Figure 37.8), possibly in the new hangar at Misrata Airport.<sup>374</sup> The Libyan flag on the tail of the Akinci UCAV indicates the drone has entered service in Libya. Coincidentally, a UAV identical to the characteristics of Akinci UCAV was present at the same location as described in paragraph 2 of this annex, at Misrata airbase on 15 July 2024 (Figure 37.9).

Table 37.1

### Timeline of events in relation to Akinci UCAV

<i>Time</i>	<i>Event</i>
25 October 2022	signing of agreement on the procurement of Akinci UCAV
late March 2023	starting of the construction of a new hangar at Misrata airbase
mid-March 2024	completion of the construction of a new hangar and connecting taxiway
31 March 2024	Akinci UCAV's presence being evidenced by satellite imagery
15 July 2024	Akinci UCAV present during Turkish Chief of General Staff's visit to Libya

4. The Panel requested further information on the agreement for the procurement of Akinci Uncrewed Combat Aerial Vehicles (UCAV) from Türkiye and Libya on 24 March 2023 and 22 April 2024, and from Türkiye on 3 September 2024. No response was received.

5. Transfer of Akinci UCAV to Libya is a violation of paragraph 9 of resolution 1970 (2011) by Türkiye.

<sup>370</sup> <https://libyaalahrar.net/libya-buys-bayraktar-akinci-drones-from-turkey-in-new-military-agreements/>, 26 October 2022; and <https://www.military.africa/2022/10/libya-eyes-turkish-akinci-bayraktar-tb2-drones-signs-military-cooperation-agreement/>, 31 October 2022.

<sup>371</sup> 32°18'40.43"N, 15°4'1.09"E.

<sup>372</sup> <https://baykartech.com/en/uav/bayraktar-akinci/> and Jane's Defence, both accessed on 17 April 2024.

<sup>373</sup> <https://x.com/TSKGnkur/status/1812827604816151007> at 1:33, 15 July 2024.

<sup>374</sup> <https://www.youtube.com/watch?v=Bry-YdzeXzg>, 15 July 2024. The Chief of General Staff visited Tripoli and Misrata and Turkish naval vessel TCG KEMALREİS during his visit to Libya. See also <https://x.com/TSKGnkur/status/1812827604816151007>, 15 July 2024.

Figure 37.1  
Satellite imagery showing the hangar site before construction started on 30 March 2023



Figure 37.2  
Satellite imagery showing the start of construction of the hangar on 31 March 2023



Figure 37.3  
Satellite imagery showing progress of construction of the hangar on 2 May 2023



Figure 37.4  
Satellite imagery showing progress of construction of the hangar on 11 December 2023



Figure 37.5  
Satellite imagery showing progress of the taxiway connecting the hangar on 1 March 2024



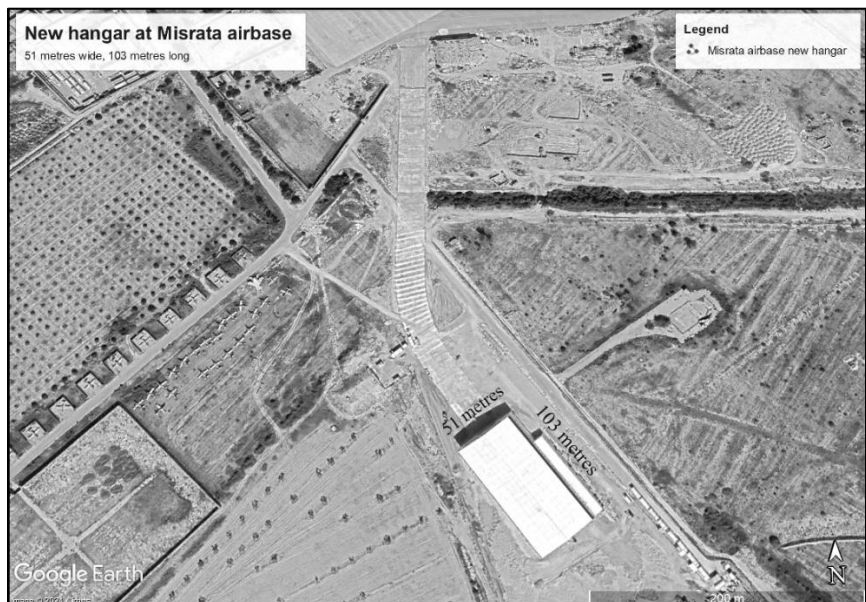
Figure 37.6  
Satellite imagery showing the completion of the taxiway connecting the hangar on 18 March 2024



Source: Planet Lab.



Figure 37.7  
**The dimensions of the new hangar at Misrata airbase capable of accommodating Akinci UCAVs**



Developed by Panel of Experts.

Map data: Google Earth, ©2024 Airbus, New hangar at Misrata airbase.

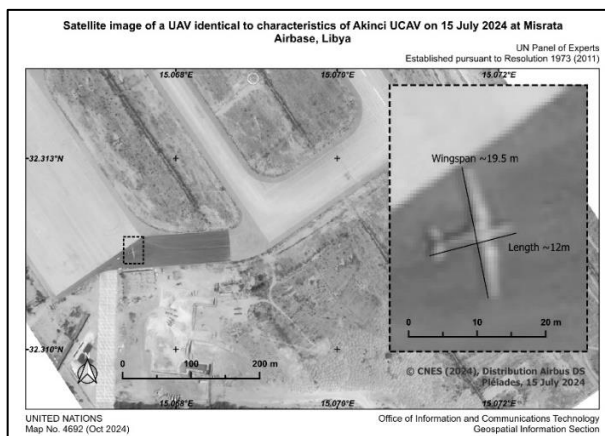
Imagery Date: 9 March 2024.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 37.8  
**Photo of an Akinci UCAV with Libyan flag tail marking**



Figure 37.9  
**A UAV identical to the characteristics of Akinci UCAV on 15 July 2024 at Misrata airbase**



Sources:

1. <https://x.com/TSKGnkur/status/1812827604816151007> at 1:33, 15 July 2024.
2. <https://www.youtube.com/watch?v=Bry-YdzeXzg>, 15 July 2024.
3. UN GIS.

## Annex 38 Military flights

1. Paragraph 9 of resolution 1970 (2011) contains three elements for application of the arms embargo: supply, sale, and transfer to Libya. “Supply” and “sale” indicate some form of change of possession, ownership or control. “Transfer”, on the other hand, is a more open concept, and, by definition, can also refer to a change in location without a change of possession, ownership, or control.<sup>375</sup> This interpretation is also reflected by past Panel practice. The Panel has consistently reported on temporary entries of military materiel, including on military overflights and military cargo flights into Libyan territory.
2. The Panel identified that military aircraft from Member States continued to use Libyan airfields. Such flights are exemplified in appendix A to this annex. Exclusive of military cargo flights for Derna humanitarian crisis relief,<sup>376</sup> the Panel requested clarification as for the purpose of these flights from five identified Member States. Information from the responses is limited. Türkiye responded that the flights were for the logistics needs of the Turkish military advisors in Libya to provide trainings to the Libyan armed forces. United Kingdom stated the flights were compliant with resolution 1970 (2011).<sup>377</sup> France, Italy and the United States have not replied.
3. Military cargo aircraft, as non-lethal military equipment, when used for exclusively delivering humanitarian aid, fall under the exception of the arms embargo by virtue of paragraph 9 of resolution [2095 \(2013\)](#). For the military flights conducted by the five Member States, the application of paragraph 9 of resolution 2095 (2013) could be established, neither by the irrelevance in the response from Türkiye or the insufficient information from the United Kingdom, nor by the unavailability of information owing to the non-responsiveness of France, Italy and the United States. Thus, the Panel found these five Member States constituted violation of paragraph 9 of resolution 1970 (2011). The Panel also found France, Italy and the United States were non-compliant with paragraphs 19 and 20 of resolution 1970 (2011).

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<sup>375</sup> <https://www.merriam-webster.com/dictionary/transfer>.

<sup>376</sup> Annex 30.

<sup>377</sup> The UK informed the Panel on 11 April and 19 June 2024 of four military flights it had made with the same explanation.

## Appendix A to Annex 38 Sample military flights by identified Member States using Libyan airfields

Figure 38.A.1

### Sample military flights conducted by France

<i>Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>	<i>ATD<sup>378</sup> (UTC)<sup>379</sup></i>	<i>Status</i>
FR-APF	13 Jan 2023	Solenzara	Benghazi	Unknown	Unknown
FR-APM	1 Feb 2023	Solenzara	Benghazi	Unknown	Unknown
FR-APH	6 May 2023	Solenzara	Benghazi	Unknown	Unknown
FR-APB	2 Jul 2023	Montpellier	Benghazi	Unknown	Unknown

Figure 38.A.2

### Sample military flights conducted by Italy

<i>Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>	<i>ATD (UTC)</i>	<i>Status (UTC)</i>
MM62181	16 Nov 2023	Pisa	Misrata	10:15	Landed 13:21
MM62181	28 Nov 2023	Pisa	Misrata	15:05	Landed 17:30
MM62181	20 Dec 2023	Pisa	Tripoli	8:45	Landed 11:01
MM62191	29 Nov 2023	Pisa	Misrata	10:34	Unknown
MM62191	18 Feb 2024	Pisa	Benghazi	9:36	Landed 12:19
MM62195	16 Dec 2023	Pisa	Misrata	9:34	Landed 12:08
MM62195	28 Dec 2023	Pisa	Misrata	9:58	Landed 12:37
MM62195	11 Jan 2024	Pisa	Misrata	10:27	Landed 12:56
MM62178	25 Jan 2024	Pisa	Misrata	10:10	Landed 12:22
MM62178	14 Feb 2024	Pisa	Misrata	10:20	Unknown
MM62194	18 Jan 2024	Pisa	Misrata	10:03	Landed 12:26
MM62189	07 Mar 2024	Pisa	Misrata	9:54	Landed 12:11
MM62214	23 Nov 2023	Pisa	Tripoli	9:14	Landed 11:14

<sup>378</sup> Actual time of departure.

<sup>379</sup> Coordinated universal time.

Figure 38.A.3

**Sample military flights conducted by Türkiye**

<i>Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>	<i>ATD (UTC)</i>	<i>Status (UTC)</i>
18-0094	7 Aug 2023	Isparta	Al Watiya	11:21	Unknown
17-0080	7 Aug 2023	Isparta	Al Watiya	7:24	Unknown
17-0080	5 Sep 2023	Ankara	Tripoli	6:57	Unknown
17-0080	06 Dec 2023	Ankara	Al Watiya	6:57	Unknown
17-0080	17 Jan 2024	Istanbul	Misrata	15:01	Landed 18:07
17-0080	24 Jan 2024	Ankara	Al Watiya	7:38	Landed 10:47
17-0080	07 Feb 2024	Ankara	Al Watiya	9:07	Unknown
63-13188	07 Aug 2023	Isparta	Misrata	7:33	Landed 12:41
18-0093	17 Jan 2024	Ankara	Misrata	6:47	Landed 10:22
18-0093	18 Jan 2024	Istanbul	Tripoli	13:37	Landed 16:50
18-0093	20 Jan 2024	Ankara	Al Watiya	4:43	Landed 8:57
17-0078	08 Nov 2023	Ankara	Al Watiya	6:38	Unknown
15-0051	19 Apr 2023	Ankara	Al Watiya	6:27	Landed 10:01
15-0051	10 Jan 2024	Ankara	Al Watiya	7:05	Unknown
15-0051	19 Jan 2024	Istanbul	Tripoli	13:52	Landed 17:08
15-0051	20 Jan 2024	Istanbul	Tripoli	13:37	Landed 16:46
15-0051	07 Feb 2024	Ankara	Al Watiya	6:47	Unknown

Figure 38.A.4

**Sample military flights conducted by the United Kingdom**

<i>Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>	<i>ATD (UTC)</i>	<i>Status (UTC)</i>
ZZ175	18 Nov 2023	Brize Norton	Misrata	7:51	Landed at 13:05
ZZ175 <sup>380</sup>	22 Apr 2024	Brize Norton	Misrata	9:53	Landed 14:32
ZM401	23 Apr 2024	Brize Norton	Misrata	11:02	Landed 15:43
ZM408	20 May 2024	Oxford	Benghazi (presume)	7:39	Unknown

Figure 38.A.5

**Sample military flights conducted by the United States**

<i>Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>	<i>ATD (UTC)</i>	<i>Status (UTC)</i>
15-3086	29 Nov 2023	Stuttgart	Benghazi	12:50	Landed 16:45
15-3086	12 Dec 2023	Stuttgart	Misrata	10:00	Landed 14:28

Source:Flightradar24.com

<sup>380</sup> Flight information for 22 April and 23 April, 20 May 2024 were provided by the United Kingdom.

## Annex 39 Sapsan Airlines Update

### A. Background

1. In Annex 55 of Panel report [S/2021/229](#), the Panel reported on the various air routes being used to provide an airbridge from the UAE in support of Haftar Affiliated Forces. The Panel also reported in Annex 96 of [S/2022/427](#) and Annex 61 of [S/2023/673](#) on the activities of Kyrgyzstan registered operator Sapsan Airline LLC operating on these routes. Two IL-76TD aircraft, EX-76005 and EX-76008 operated by Sapsan Airline LLC (Sapsan), as identified by the Panel, made flights on the route on 28 July 2023. EX-76008 also flew on the route on 29 and 31 July, and 1 August 2023.<sup>381</sup>

### B. Irregularities with Sapsan's flights

2. In response to the Panel's request, Kyrgyzstan confirmed<sup>382</sup> that EX-76005 and EX-76008 made flights from Abu Dhabi, UAE to Benghazi, Libya on 28 July 2023. Kyrgyzstan also provided the registration documents of the two aircraft and their air waybills and manifests of the flights on 28 July 2023. The Panel identified irregularities of flights by the two aircraft:

a) Use of two aircraft on the same day from the same origin to the same destination for almost the same declared cargo with the same consigner and consignee by the same air operator, with respective cargo gross weight less than half of an IL-76TD maximum payload.<sup>383</sup> It is contrary to normal business behaviour (see Figure 39.1).

b) Lack of contact details of the consigners and consignees on the air waybills. This has been seen on previous air delivery violations/non-compliance cases by the Panel (see Appendix A to this annex).<sup>384</sup>

c) Flight data of the two aircraft on commercial flight monitoring platform Flightradar24.com, has been blocked, a deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.

Table 39.1  
Comparison between flights of EX-76005 and EX-76008 on 28 July 2023

	EX-76005	EX-76008
Air operator	Sapsan Airline LLC	Sapsan Airline LLC
Consigner	Khalifa bin Zayed al Nahyan Foundation	Khalifa bin Zayed al Nahyan foundation
Consignee	AHL Alkaram Waljoud Humanitarian and Charity Foundation	AHL Alkaram Waljoud Humanitarian and Charity Foundation
From	Abu Dhabi, UAE	Abu Dhabi, UAE
To	Benghazi, Libya	Benghazi, Libya
Cargo	Food Stuff, Water, Tent Items	Food Stuff, Water, Tent Items, Medical Items
Cargo Gross Weight	21 tons	17 tons

Source: air waybills provided by Sapsan.

3. The activities and profile of these two aircraft meet five of the Panel's air delivery profile indicators that when considered collectively indicate that an aircraft is carrying illicit cargo: (a) incomplete or inaccurate Cargo Manifests and Air Waybills; (b) limited contact information on website; (c) airlines have utilised a blocking service provided by some of

<sup>381</sup> Flightradar24.com, and HEX Code.

<sup>382</sup> Kyrgyzstan's letter of 5 September 2023.

<sup>383</sup> According to Jane's Defense Equipment and Technology and other international aviation industry resources, maximum payload of the IL-76TD transport aircraft ranges between 45 to 48 tons. The declared total cargo gross weight of the two aircraft is 38 tons.

<sup>384</sup> S/2023/673, Appendix B to Annex 63.

the open-source ADS-B monitoring providers; and (d) previously reported owner, operator, or aircraft;<sup>385</sup> (e) the random nature of the flights.

### **C. Concealment of flights to Libya**

4. In response<sup>386</sup> to the Panel's inquiry, Kyrgyzstan stated that no flights were performed by aircraft EX-76008 to or from Libya on 29 and 31 July, or on 1 August 2023 based on information provided by Sapsan. However, this is contradictory to evidence obtained by the Panel that shows flight tracks from UAE to Libya by an aircraft using the allocated HEX Code (6010F6) for this aircraft on those dates (appendix B to this annex). On 20 September 2023, the Panel requested Kyrgyzstan for clarification on Panel's findings that aircraft EX-76008 made flights to or from Libya on 29 and 31 July and 1 August 2023.

5. The Panel has further identified from open-source flight tracking platforms that aircraft EX-76005 made flights to Benghazi, Libya on 6 December 2023, 4 April, 23 June and 16 July 2024 from locations in the Persian Gulf area to Benghazi, Libya (appendix C to this annex). Panel requested Kyrgyzstan for further information of these flights.

6. Kyrgyzstan responded on 2 September 2024 by stating again that aircraft EX-76008 did not perform any flight on 29 or 31 July, or 1 August 2023, and based on information provided by Sapsan, aircraft EX-76005 did not make any flights on 6 December 2023, 4 April, 23 June or 16 July 2024.

7. Provided Kyrgyzstan's investigation result was contradictory to Panel's findings, the Panel requested flight tracking platform Flightradar24.com for confirmation of the flights made by aircraft EX-76005 on 6 December 2023, 4 April, 23 June and 16 July and 27 July 2024 from locations in the Persian Gulf area to Benghazi, Libya. Flightradar24.com confirmed Panel's findings.<sup>387</sup>

### **D. Flight data blocking**

8. Data on the flight tracking platform Flightradar24.com available to public shows that, among the 114 flight records of EX-76005 in the past calendar year,<sup>388</sup> only 19 flights with complete flight data including departure and arrival airports and time, etc are available to the public. 83% of flight data has incomplete data or no data at all. For aircraft EX-76008, 95% of flight data is not available or incomplete.<sup>389</sup> The flights identified by the Panel may only be a part of total flights that the aircraft EX-76005 and EX-76008 made to Libya.

9. In response to Panel's request, Flightradar24.com confirmed on 6 April 2024 that the flight data of the two aircraft were blocked because they participated the Limiting Aircraft Data Displayed (LADD) program of the US Federal Aviation Administration (FAA).

10. The Panel finds Sapsan Airlines is in violation of paragraph 9 of resolution 1970 (2011).

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<sup>385</sup> S/2022/427, Annex 96.

<sup>386</sup> Reference: paragraph 1 and 2 of this annex.

<sup>387</sup> Flightradar24.com's response on 9 September 2024.

<sup>388</sup> 21 September 2023 to 13 September 2024.


<sup>389</sup> Of all the 107 flights aircraft EX-76008 made from 16 September 2023 to 13 September 2024, only five flights have complete data available.

Appendix A to annex 39: Panel analysis of Air Waybill for Flight KBG4941 (EX-76005 28 July 2023)

12

KGB AUH 00002034		KGB-00002034	
Shipper's Name and Address KHALIFA BIN ZAYED AL KHAYAT FOUNDATION ABU DHABI, UNITED ARAB EMIRATES		Shipper's Account Number	
Consignee's Name and Address AHL ALKARAM WALJOUD HUMANITARIAN AND CHARITY ASSOCIATION, BENGHAZI, LIBYA		Consignee's Account Number	
Issuing Carrier's Agent Name and City BS		Accounting Information FREIGHT PREPAID	
Agent's IATA Code		Account No.	
Airport of Departure (Addr. of First Carrier) and Requested Routing ABU DHABI, UAE		Reference Number	
To BEN		By First Carrier Routings and Destination	
Airport of Destination BENGHAZI, LIBYA		Requested Flight/Date KGB4941 28/07/2023	
Currency AED		Declared Value for Carriage NCR	
Amount of Insurance NIL		Declared Value for Customs NVR	
Handling Information ///PLS INFM CNEE UPON ARRVL///			
No. of Pieces 22		Gross Weight 21000.0	
Rate Class N		Chargeable Weight 21000.0	
Rate AS AGREED		Total AS AGREED	
Nature and Quantity of Goods TENT ITEMS, FOOD STUFF, WATER			
Prepaid AS AGREED		Weight Charge AS AGREED	
Valuation Charge		Collect AS AGREED	
Tax		Other Charges AS AGREED	
Total Other Charges Due Agent AS AGREED		Total Other Charges Due Carrier AS	
Total Prepaid AS AGREED		Total Collect	
Currency Conversion Rates		CC Charge in Dest. Country 26/07/2023	
For Carrier's Use only at Destination		Charges at Destination Total Collect	

Original 3 (For Shipper)



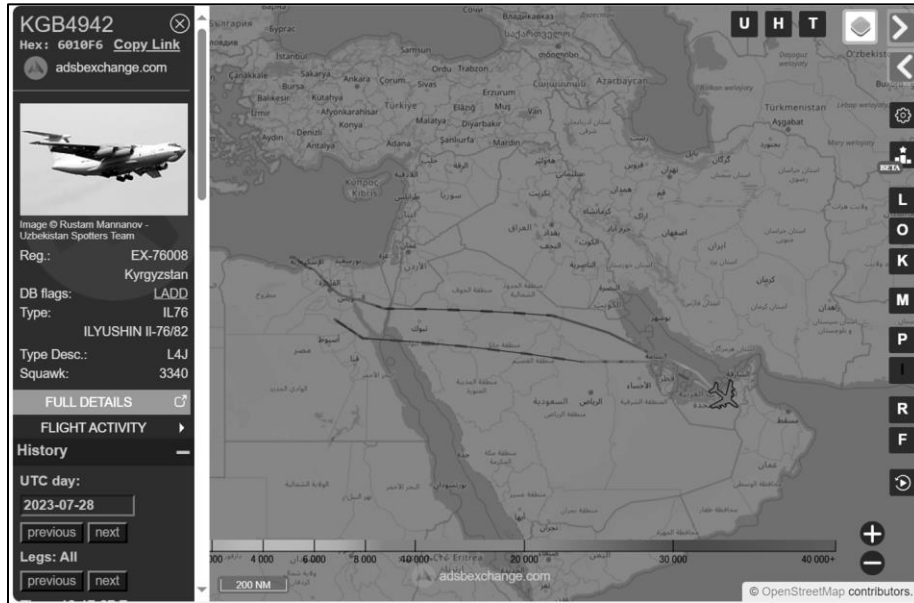
No contact details.

Developed by UN Panel of Experts.

Source: Sapsan Airline LLC.

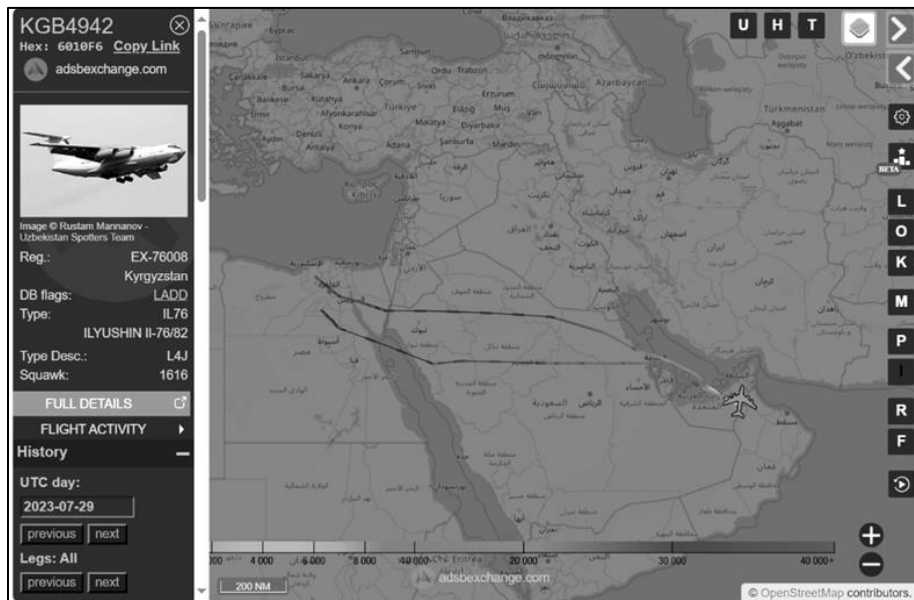
Appendix B to annex 39: EX-76008 (HEX 6010F6) flight data

Figure 39.B.1  
 EX-76008 (HEX 6010F6) flight on 28 July 2023, included to show similarity of recorded flight tracks on the dates no flights reported that follow at Figure 32.2 to Figure 32.4.



Source: <https://globe.adsbexchange.com/?icao=6010f6&lat=29.345&lon=39.369&zoom=4.6&showTrace=2023-07-28>.  
 Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

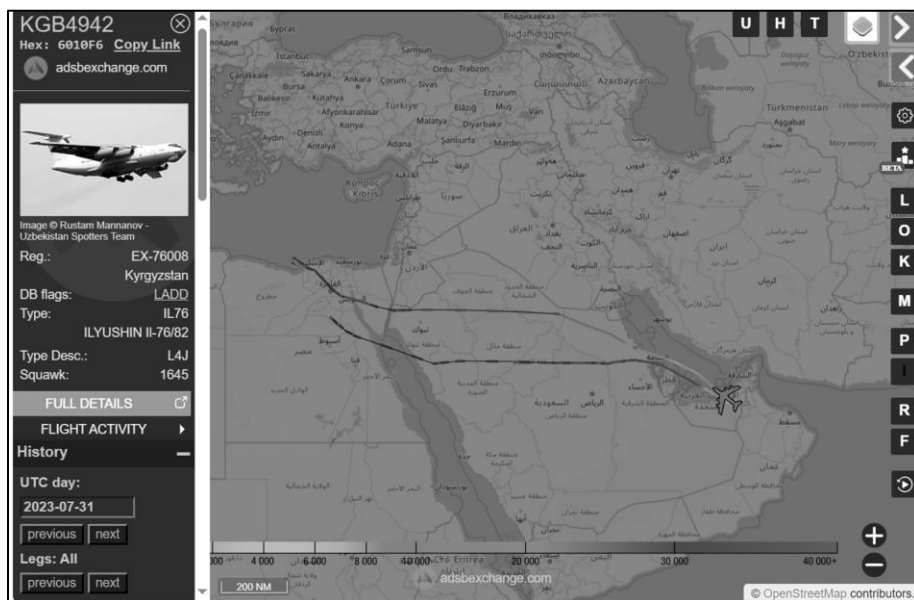
Figure 39.B 2  
 EX-76008 (HEX 6010F6) flight on 29 July 2023



Source: <https://globe.adsbexchange.com/?icao=6010f6&lat=29.345&lon=39.369&zoom=4.6&showTrace=2023-07-29>.  
 Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

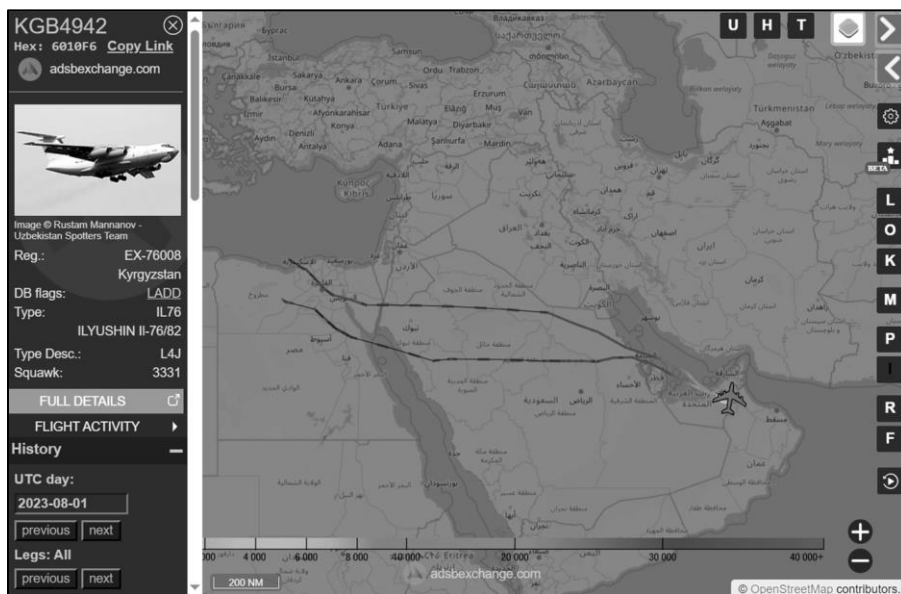


Figure 39.B.3  
EX-76008 (HEX 6010F6) flight on 31 July 2023



Source: <https://globe.adsbexchange.com/?icao=6010f6&lat=29.345&lon=39.369&zoom=4.6&showTrace=2023-07-31>.  
 Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 39.B.4  
EX-76008 (HEX 6010F6) flight on 1 August 2023

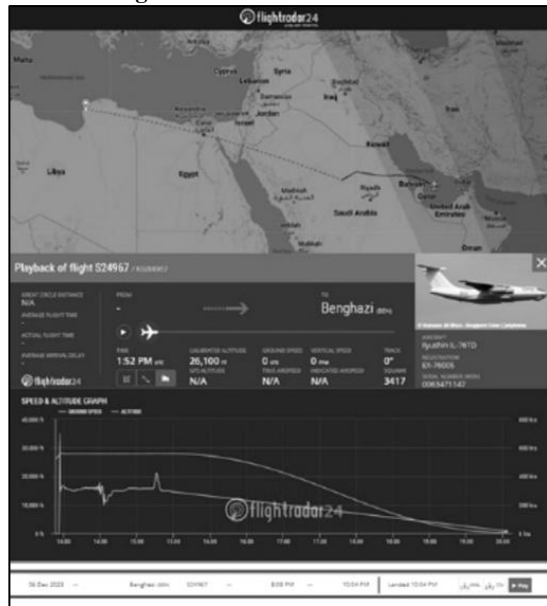


Source: <https://globe.adsbexchange.com/?icao=6010f6&lat=29.345&lon=39.369&zoom=4.6&showTrace=2023-08-01>.  
 Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Appendix C to annex 39

EX-76005 Flights to Benghazi

Figure 39.C.5  
EX-76005 flight on 6 December 2023



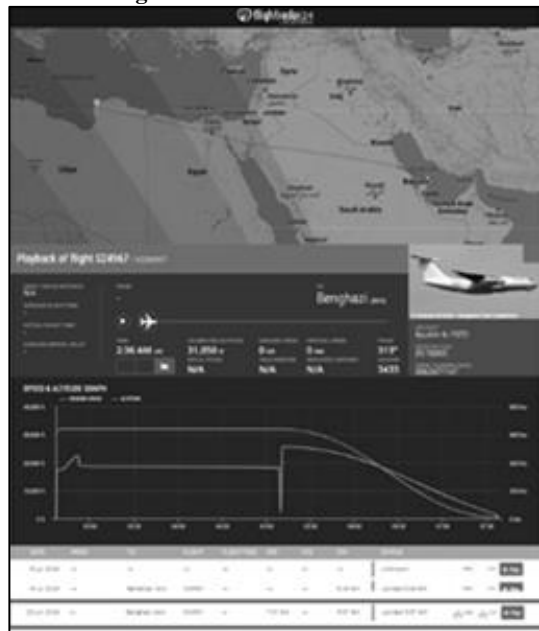
Source: Flightradar24.com, accessed on 13 September 2024.  
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 39.C.6  
EX-76005 flight on 4 April 2024



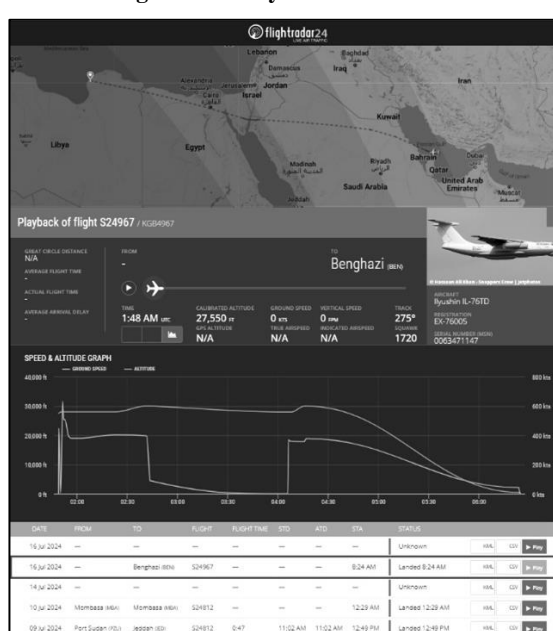
Source: Flightradar24.com, accessed on 13 September 2024.  
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 39.C.7  
EX-76005 flight on 23 June 2024



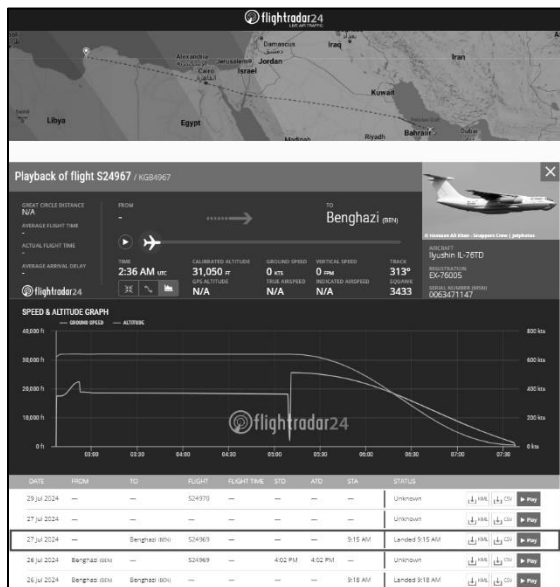
Source: Flightradar24.com, accessed on 13 September 2024.  
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 39.C.8  
EX-76005 flight on 16 July 2024



Source: Flightradar24.com, accessed on 13 September 2024.  
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 39.C.9  
EX-76005 flight on 27 July 2024



Source: Flightradar24.com, accessed on 13 September 2024.  
Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

## Annex 40 Elifly's Flight Service to Khalifa Haftar

1. The Panel has identified the presence of an Aerospatiale AS350B2 Ecureuil helicopter (Registration I-ALWE) of an Italian company, Elifly International S.r.l. (Elifly) in the military exercise “*Dignity Shield 2024*” held by LAAF between 2 and 6 March 2024 in the vicinity of Sirte, Libya.<sup>390</sup>

2. Elifly responded to the Panel’s inquiries<sup>391</sup> on 29 April 2024 that a) the helicopter was chartered by a Turkish aviation company, on behalf of Libyan Air Ambulance Corporation (LAA) to provide “*aerial support with doctor on board*” for a public event; b) during the on-site inspection between 17:15-18:00 on 5 March, there was “*no military or paramilitary equipment on the site of the event*”; c) between 9:05 to 10:48 on 6 March 2024, shortly before the helicopter carried out its task at Sirte Airport, Khalifa Haftar arrived and declared to take the helicopter to the event; and d) the pilot decided not to object the decision in the circumstance of “*the presence of an armed escort*”, and flew to the exercise site. Elifly confirmed on 26 June 2024 that Khalifa Haftar, Saddam Haftar, both in military uniforms, and the general manager of LAA were on board of the helicopter to the exercise site on 6 March 2024.

3. In response to the Panel’s inquiries, the Turkish aviation company stated on 8 August 2024 that as a facilitator, it commissioned Elifly on behalf of LAA for flight service from 5 to 7 March 2024 in Sirte, Libya. LAA confirmed to the Panel on 19 August 2024 that it contacted the Turkish aviation company because of its own limited capacity for the readiness of any medical emergency. The Turkish aviation company then outsourced the flight service to Elifly.

4. The Panel found due diligence was not exercised by Elifly. Satellite imagery suggests that on 5 March 2024 when the on-site inspection was carried out, military elements such as trenches and an observation facility connecting to the helicopter landing area were already in place. Provision of flight service for HAAF during its military exercise “*Dignity Shield 2024*” on 6 March 2024 in Sirte, Libya, as a type of assistance related to military activities, is a violation of paragraph 9 of resolution 1970 (2011) by Elifly.

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<sup>390</sup>[https://www.facebook.com/General.official.leadership/posts/pfbid02CyaQB9SbTFu5pS3NixuR5zQT47RHPUj7UR38sbC8xEx7FWXkM4wiQDSyqSPbxJ1MI\\_14](https://www.facebook.com/General.official.leadership/posts/pfbid02CyaQB9SbTFu5pS3NixuR5zQT47RHPUj7UR38sbC8xEx7FWXkM4wiQDSyqSPbxJ1MI_14) March 2024, and also <https://www.facebook.com/watch/?v=1537284016840832>, 14 March 2024.

<sup>391</sup> Panel letter of 2 April 2024.

## Appendix A to annex 40 Presence of Elifly's Helicopter in *Dignity Shield 2024* military exercise

Figure 40.A.1

Presence of the AS350B2 Ecureuil helicopter (Registration I-ALWE) in *Dignity Shield 2024* military exercise



Source: <https://fb.watch/r1ZJKrtWN/>, 14 March 2024.

Figure 40.A.2

**Khalifa Haftar onboard the helicopter (I-ALWE) during the military exercise**



Source:

<https://www.facebook.com/photo/?fbid=742022521443709&set=pcb.742029164776378>, 14 March 2024.

Figure 40.A.3

**Khalifa Haftar with the helicopter (I-ALWE) during the military exercise**



Source:

<https://www.facebook.com/photo?fbid=742022298110398&set=pcb.742029164776378>, 14 March 2024.

Appendix B to annex 40 Satellite imagery of the exercise site during the on-site inspection tour on 5 March 2024



Developed by Panel of Experts.

Sources:

1. Planet Labs;
2. <https://www.youtube.com/watch?v=7u2DhxfQ6iE&t=353s>, 15 March 2024.

## Annex 41 Military trainings conducted by Türkiye in Libya

1. The Panel identified that Türkiye provided 12 military trainings to Libyan armed actors in Tripoli and Misrata during the Panel's current and previous mandates (table 1). In response to the Panel's inquiry, Türkiye stated that: 1) the trainings were conducted "in accordance with the requests received from the official Libyan Authorities, based on the legitimate Memoranda of Understanding, signed and implemented in line with international law"; and 2) this legal framework of the ongoing military cooperation between Türkiye and Libya was structured by the two Memoranda of Understanding on military cooperation between Türkiye and Libya.<sup>392</sup>

2. The Panel has consistently reported on such trainings, as violations of arms embargo because these trainings constitute a provision of "training and other assistance related to military activities" and do not fall under the exception of paragraph 9 of resolution 2095 (2013).<sup>393</sup> Thus, the provision of these trainings constitutes violations of paragraph 9 of resolution 1970 (2011) by Türkiye.

Table 1  
Military trainings conducted by Türkiye in Libya

<i>Date identified</i>	<i>Type of training support</i>	<i>Place</i>	<i>End User</i>
19 Dec 2022	Artillery training	Misrata	GNU-AF
8 Mar 2023	Artillery, mortar and ATGM training	Misrata	GNU-AF
25 Mar 2023	Sniper and shooting training	Misrata	GNU-AF
25 Jun 2023	Military police patrol training	Misrata	GNU-AF
9 May 2024	Operation tactics and techniques training	Tripoli	GNU-AF
30 May 2024	Residential area combat and light weapon trainings	Tripoli	GNU-AF
2 Jun 2024	Special operation training	Misrata	GNU-AF
10 Jun 2024	Light weapons training	Tripoli	GNU-AF
11 Jul 2024	Light weapons and shooting techniques training	Tripoli	GNU-AF
6 Aug 2024	Special operations and light weapons trainings	Tripoli	GNU-AF
7 Aug 2024	Special forces training	Tripoli	GNU-AF
29 Aug 2024	Advanced level light weapons training	Tripoli	GNU-AF

<sup>392</sup> Memorandum of Understanding between the Government of the Republic of Türkiye and the Government of Libya on Military Education Cooperation signed in Ankara on 4 April 2012, and Memorandum of Understanding between the Government of the Republic of Türkiye and the Government of the State of Libya on Security and Military Cooperation signed in Istanbul on 27 November 2019.

<sup>393</sup> Paragraph 76 and 77 of S/2022/427\_ and paragraph 87 of S/2023/673\_

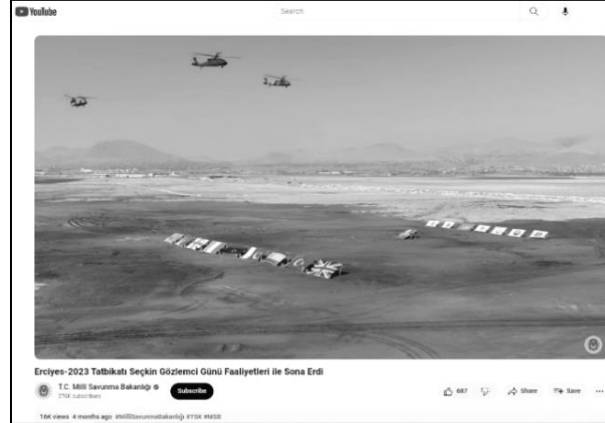
## Annex 42 Parachuting training – Erciyes 2023 Exercise

### Parachuting training - Erciyes 2023 Exercise (GNU-AF) (19 October 2023)

The Panel identified GNU armed forces participated in the Erciyes 2023 military exercise on 19 October 2023 in Kayseri, Türkiye. At least two members from the GNU-AF participated in the parachuting trainings under the framework of the exercise.

In response to the Panel's inquiry, Türkiye stated military cooperation with Libya was instructed by the two Memoranda of Understanding on military cooperation of 2012 and 2019, and the participation of Libyan Armed Forces in the exercise "was carried out on legitimate grounds and in accordance with all relevant resolutions by the UN Security Council".<sup>394</sup> No specific information was provided to support their position on the compliance with the applicable Security Council resolutions.

The Panel has consistently reported on such trainings, including those delivered outside Libya, as violations of arms embargo because these trainings constitute a supply of training and other assistance related to military activities. Thus, the provision of the parachuting training under the framework of Erciyes 2023 military exercise constitutes violation of paragraph 9 of resolution 1970 (2011) by Türkiye.



Developed by Panel of Experts.

Sources:

1. <https://x.com/tcsavunma/status/1714702332896665845?s=20>, 19 October 2023;
2. [https://www.youtube.com/watch?v=2XAFEK\\_V5y4](https://www.youtube.com/watch?v=2XAFEK_V5y4), 19 October 2023;
3. <https://www.youtube.com/watch?v=8I3TCUDxuA8>, 19 October 2023; social media accounts as provided at <https://www.msb.gov.tr/>.

<sup>394</sup> Letter from Türkiye, 8 May 2024



## Annex 43 Amphibious Training – EFES 2024 Exercise

### Amphibious Training - EFES 2024 Exercise (GNU-AF) (9 -15 May 2024)

The Panel identified that GNU-AF participated in the EFES 2024 military exercise from 25 April to 30 May 2024 in Izmir and Doğanbey, Türkiye. Under the framework of the exercise, GNU-AF personnel received amphibious trainings from 9 to 15 May 2024.

The Panel requested further information from Türkiye and Libya on 6 June 2024. No response was received.

The Panel has consistently reported on such trainings, including those delivered outside Libya, as violations of arms embargo because these trainings constitute a supply of training and other assistance related to military activities. Thus, the provision of the amphibious training under the framework of EFES 2024 military exercise constitutes violation of paragraph 9 of resolution 1970 (2011) by Türkiye.



Developed by Panel of Experts.

Source:

1. <https://www.msb.gov.tr/Basin-ve-Yayin/Aciklamalar/9596658fcc814844b5564e0be84de61e>, 2 May 2024.
2. <https://www.facebook.com/tcsavunma/posts/pfbid0dCVGEtb1ZTcxAye9twrZ4HfDy1DsewhkEjuwu3Sh2n6qh1oqUCWxnn1Y9hE1Vg7xl>, 15 May 2024.

## Annex 44 Terminal attack control training - African Lion 2024 Exercise

### Terminal attack control training - African Lion 2024 Exercise (GNU-AF) (19 April-10 May 2024)

The Panel identified that Libya was among the participating countries in the joint military exercise *African Lion 2024* conducted by U.S. Army Africa Command (AFRICOM) and took place from 19 April to 10 May 2024 in Tunisia.<sup>395</sup> The Panel has further identified that, in the framework of the exercise, U.S. Marines from the 3rd Air Naval Gunfire Liaison Company conducted training on joint terminal attack control for, among others, GNU-AF personnel, on 2 May 2024 in Ben Ghilouf, Tunisia.

The Panel requested further information from Libya, Tunisia and the United States of America on 24 June 2024. No response was received.

The Panel has consistently reported on such trainings, including those delivered outside Libya, as violations of arms embargo because these trainings constitute a supply of training and other assistance related to military activities. Thus, the provision of the joint terminal attack control training under the framework of African Lion 2024 military exercise constitutes violation of paragraph 9 of resolution 1970 (2011) by the United States.

Developed by Panel of Experts.

Sources:

1. [https://www.army.mil/article/275814/opening\\_ceremony\\_of\\_exercise\\_african\\_lion\\_2024\\_in\\_tunisia\\_emphasizes\\_partnership](https://www.army.mil/article/275814/opening_ceremony_of_exercise_african_lion_2024_in_tunisia_emphasizes_partnership), 30 April 2024.
2. <https://www.europeafrica.army.mil/What-We-Do/Exercises/African-Lion/videoid/922040/dvpsearch/Libya/dvpcc/false/#DVIDSVideoPlayer55722>, 5 May 2024.

Figure 44.1 Group photo of the training attendants



Figure 44.2 Transcript of the joint terminal attack training

🔍 europeafrica.army.mil/What-We-Do/Exercises/African-Lion/videoid/922040

(07:10) MEDIUM SHOT: U.S. Marine speaks to Tunisian Lt. regarding the exercise

(52:02) CLOSE SHOT: U.S. Marine leads members of Ghanaian Armed Forces through plotting

(56:12) WIDE SHOT: Libyan calls in strike over radio and missile explode in distance

(1:03:05) MEDIUM SHOT: U.S. Marine guides members of the Armed forces from Ghana, Libya, and Tunisia through calling in a strike

(1:07:13) WIDE SHOT: Member of the Tunisian Armed Forces leads briefs U.S. Army Soldiers, U.S. Marines, and members of the Tunisian Armed Forces

(1:12:08) MEDIUM SHOT: U.S. Army Soldiers speak to a member of the Tunisian Armed Forces prior to operation

(1:17:02) MEDIUM SHOT: U.S. Army Soldiers and members of the Tunisian Armed Forces speak prior to the operation.

(1:22:10) WIDE SHOT: U.S. Army Soldiers, U.S. Marines, and members of the Ghanan, Libyan, and Tunisian Armed Forces pose for a photo as helicopters fly toward the group

(1:28:29) MEDIUM SHOT: U.S. Marine Sgt. Jonah Glasson, a joint terminal air controller (JTAC) with the 3rd Air Naval Gunfire Liaison Company, speaks about goals of exercise.

(2:09:25) MEDIUM SHOT: U.S. Marine Hospital Corpsman 1st class Nicholas Munn, A Corpsman with the 3rd Air Naval Gunfire Liaison Company, speaks about why the exercise is important.

<sup>395</sup> The exercise was conducted in four countries – Tunisia, Morocco, Ghana and Senegal, in the period from 19 April until 31 May 2024,

## Annex 45 Special operation training - Flintlock 2024 Exercise

### Special operation training – Flintlock 2024 Exercise (LAAF)

(21 May and 24 May 2024)

The Panel identified that Libyan armed forces participated in Flintlock 2024 military exercise which was organised by the US Africa Command (AFRICOM) from 13 May to 24 May 2024 in Ghana. Within the framework of the exercise, storm battalion of the LAAF participated in the special operation trainings on 21 May 2024 in Daboya, Ghana and 24 May 2024 in Tamale, Ghana.



The Panel requested further information from Ghana and the United State on 12 July 2024 and from LAAF on 23 July 2024. LAAF responded on 22 August 2024 that 1) ten participants from the storm battalion, which was under the Chief of Staff of the Security Units participated in the exercise; 2) the purposes of participation were, among others, to partner with the US and others to conduct training and exercises on countering terrorism, enhance cooperation on several regional security issues, to improve ability to conduct cross-border security operations, to raise the level of operational compatibility and to ensure the coordination, organization and execution of joint operations; and 3) names and ranks of participants were confidential military information, the disclosure of which was a major offence under the Libyan Penal Code.



The Panel has consistently reported on such trainings, including those delivered outside Libya, as violations of arms embargo because these trainings constitute a supply of training and other assistance related to military activities. Thus, the provision of special operation training under the framework of Flintlock 2023 military exercise constitutes a violation of paragraph 9 of resolution 1970 (2011) by the United States.

Developed by Panel of Experts.

Sources:

1. <https://www.dvidshub.net/video/924664/italian-tunisian-and-libyan-armed-forces-practice-vehicle-interdiction-flintlock-24-b-roll>, 21 May 2024.
2. <https://x.com/gharmyofficial/status/1794365648275128798>, 25 May 2024.
3. <https://x.com/Ibnwatanlibya/status/1811072890252468401?t=iUNMoAiv7-u46YDGmoPK1Q&s=19>, 11 July 2024.
4. [https://x.com/aleasima\\_17/status/1809938664312684933?s=19](https://x.com/aleasima_17/status/1809938664312684933?s=19), 7 July 2024.
5. [https://www.facebook.com/permalink.php?story\\_fbid=pfbid037bYhofsoHXGpiey9D1acn3edoeYEuHovvew8hYS2LsZQnC5hUxVMfMZ66VedZYEdl&id=100094140825995](https://www.facebook.com/permalink.php?story_fbid=pfbid037bYhofsoHXGpiey9D1acn3edoeYEuHovvew8hYS2LsZQnC5hUxVMfMZ66VedZYEdl&id=100094140825995), 8 July 2024.
6. [https://www.facebook.com/permalink.php?story\\_fbid=pfbid02qGax56vuZ8u64mY6vKVpLVb9kejAd3V1HfYvQKvQQQzXrHTPx3MKmCeH2rScLxcSl&id=100094140825995](https://www.facebook.com/permalink.php?story_fbid=pfbid02qGax56vuZ8u64mY6vKVpLVb9kejAd3V1HfYvQKvQQQzXrHTPx3MKmCeH2rScLxcSl&id=100094140825995), 8 July 2024.

## Annex 46 Irish Training Solutions

1. The Panel has found Irish Training Solutions (ITS), an Irish private company specialised in military and security training,<sup>396</sup> was reported by open sources<sup>397</sup> to provide military trainings and military equipment for personal protection, including helmets, body armour, and other gear and uniforms for Haftar affiliated forces in Libya since early 2023. Investigations on the company have been launched by two Member States.

2. The Panel identified that Harmony Jets, a Maltese charter flight service provider, provided transportation services to the ITS trainers to enter Libya.<sup>398</sup> Five aircraft of Harmony Jets' fleet carried out 47 chartered flights from August 2023 to September 2024 to Benghazi, Libya, mostly from European cities (table 46.1). In the context of the Panel's investigation on establishing the purposes of these transfers of ITS trainers to Libya, the company stated<sup>399</sup> to the Panel that a) it had carried out flights to Libya; b) no flight was sold to ITS staff; c) passengers had not identified themselves as belonging to ITS; and d) it had not transported "weapons or dangerous goods" to Libya. The company declined to provide information regarding personal protection equipment or passenger manifests quoting privacy laws as an obstacle for the latter. The Panel finds Harmony Jets in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023).

3. The Panel requested further information from Ireland on 22 April 2024. Ireland has not replied. The Panel's investigation into this incident continues.

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<sup>396</sup> <https://its.training/>, accessed on 11 September 2024.

<sup>397</sup> <https://www.irishtimes.com/ireland/2024/04/03/irishmen-training-army-of-libyan-strongman-khalifa-haftar-in-apparent-breach-of-un-embargo/>, 3 April 2024, and <https://www.irishtimes.com/ireland/2024/04/06/blurred-military-lines-when-defence-forces-soldiers-cross-over-into-the-world-of-private-contractors/>, 6 April 2024.

<sup>398</sup> Confidential source.

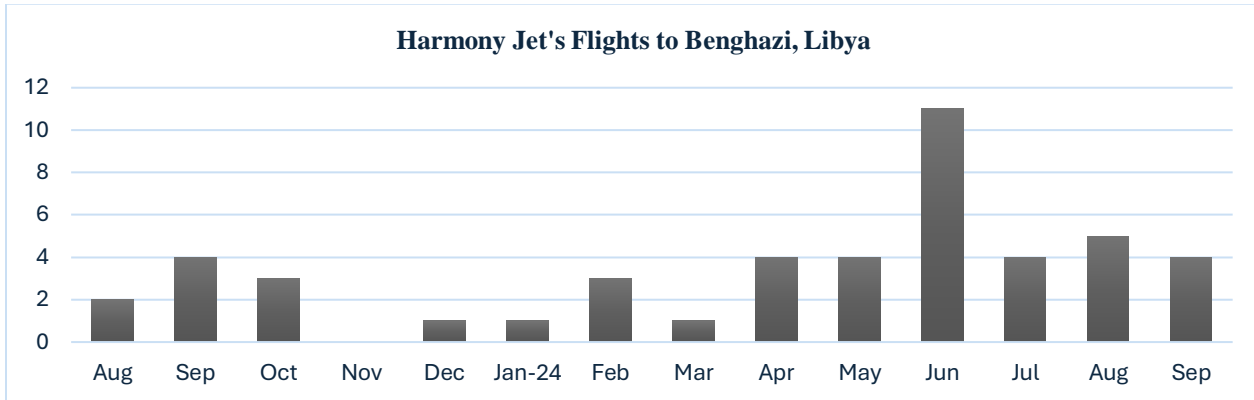
<sup>399</sup> Responses from Harmony Jets, 10 July and 5 August 2024.

Table 46.1

**Harmony Jets' flights to Benghazi, Libya from August 2023 to September 2024**

<i>Aircraft Registration</i>	<i>Date</i>	<i>From</i>	<i>To</i>
<b>9H-CLD</b>	6 April 2024	Lyon (LYN)	Benghazi (BEN)
	22 Oct 2023	Barcelona (BCN)	Benghazi (BEN)
	19 Oct 2023	Constanta (CND)	Benghazi (BEN)
	11 Oct 2023	Valencia (VLC)	Benghazi (BEN)
	21 Sep 2023	Brussels (BRU)	Benghazi (BEN)
	5 Sep 2023	Cagliari (CAG)	Benghazi (BEN)
	4 Sep 2023	Valencia (VLC)	Benghazi (BEN)
	2 Sep 2023	Tripoli (MJI)	Benghazi (BEN)
	31 Aug 2023	Malta (MLA)	Benghazi (BEN)
	25 Aug 2023	Palma de Mallorca (PMI)	Benghazi (BEN)
<b>9H-SSG</b>	19 Sep 2024	Malta (MLA)	Benghazi (BEN)
	15 Jun 2024	Zagreb (ZAG)	Benghazi (BEN)
	14 Jun 2024 (two flights)	Zagreb (ZAG)	Benghazi (BEN)
	13 May 2024	Amman (ADJ)	Benghazi (BEN)
	15 Apr 2024	Antalya (AYT)	Benghazi (BEN)
	3 Apr 2024	Lyon (LYN)	Benghazi (BEN)
	8 Feb 2024	Lyon (LYN)	Benghazi (BEN)
	5 Feb 2024	Lyon (LYN)	Benghazi (BEN)
<b>9H-GRS</b>	12 Sep 2024	Jeddah (JED)	Benghazi (BEN)
	3 Sep 2024	Budapest (BUD)	Benghazi (BEN)
	1 Sep 2024	Kalamata (KLX)	Benghazi (BEN)
	4 Aug 2024	Madrid (MAD)	Benghazi (BEN)
	26 Jul 2024	Dubai (DWC)	Benghazi (BEN)
	23 Jul 2024	El Alamein (DBB)	Benghazi (BEN)
	14 Jul 2024	Istanbul (ISL)	Benghazi (BEN)
	19 Jun 2024	Malta (MLA)	Benghazi (BEN)
	10 May 2024	Dubai (DWC)	Benghazi (BEN)
	06 May 2024	Malta (MLA)	Benghazi (BEN)
	2 Apr 2024	Malta (MLA)	Benghazi (BEN)
	14 Mar 2024	Doha (DIA)	Benghazi (BEN)
	<b>9H-DFS</b>	18 Aug 2024	El Alamein (DBB)
8 Aug 2024		Rome (CIA)	Benghazi (BEN)
2 Aug 2024		Abu Dhabi (AUH)	Benghazi (BEN)
23 Jul 2024		Amman (ADJ)	Benghazi (BEN)
26 Jun 2024		Ponta Delgada (PDL)	Benghazi (BEN)
22 Jun 2024		Lyon (LYN)	Benghazi (BEN)
8 Jun 2024		Lyon (LYN)	Benghazi (BEN)
6 Jun 2024		Barcelona (BCN)	Benghazi (BEN)
5 Jun 2024		Milan (MXP)	Benghazi (BEN)
30 May 2024		Unknown	Benghazi (BEN)
27 May 2024		Lyon (LYN)	Benghazi (BEN)
20 Dec 2023		Lyon (LYN)	Benghazi (BEN)
<b>9H-HMJ</b>		2 Aug 2024	Lyon (LYN)
	21 Jun 2024	Paris (LBG)	Benghazi (BEN)
	14 Feb 2024	Lyon (LYN)	Benghazi (BEN)
	28 Jan 2024	Unknown	Benghazi (BEN)

Figure 46.1  
Harmony Jet's flights to Benghazi, Libya from August to September 2024



Developed by the Panel of experts.

Source:  
Flightradar24.com.

## Annex 47 Amentum Services Incorporated

1. The Panel investigated the provision of alleged military trainings by Amentum Services Incorporated, a US based company, to Libyan armed groups, including 444th brigade, 111th brigade and 166th brigade in Tripoli,<sup>400</sup> and the deployment of its elements in multiple locations in Libya.<sup>401</sup> Founded in 2020, Amentum is security service provider for both government and commercial customers. It provides, among others, training across military and security areas.<sup>402</sup> Amentum confirmed to the Panel that it provided trainings to “potential Libyan security actors” outside of Libya pursuant to two contracts with the United States government, the Global Anti-Terrorism Assistance (GATA) contract awarded by the U.S. Department of State, and the International Criminal Investigative Training Assistance Program (ICITAP) contract awarded by the U.S. Department of Justice. Amentum further stated that other than these, Amentum had “no record of performing any work in Libya or involving Libyan security actors”.<sup>403</sup> The Panel requested further information from Libya and the United States. Libya responded by denying “the existence of Amentum [in Libya] or dealing with it”.<sup>404</sup> A reply from the United States is pending.

2. Contrary to Amentum’s claim, the Panel identified that Amentum provided training to Libyan armed actors at Mitiga airbase in early 2024 (paragraph 38 of the Report). The Panel was unable to establish the nature of those trainings required for the assessment of compliance with paragraph 9 of resolution 1970 (2011).

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<sup>400</sup> <https://www.rfi.fr/fr/afrique/20240317-libye-une-soci%C3%A9t%C3%A9-s%C3%A9curitaire-am%C3%A9ricaine-forme-des-groupes-arm%C3%A9s-pour-leur-int%C3%A9gration-dans-l-arm%C3%A9e>, 17 March 2024.

<sup>401</sup> <https://x.com/tvlibyatoday/status/1790174294200221970>, 14 May 2024.

<sup>402</sup> Jane’s Defense.

<sup>403</sup> Letter from Amentum, 17 September 2024.

<sup>404</sup> Letter from Libya, 25 October 2024.

## Annex 48    Milites Dei Security Services Training

1. The Panel identified that 95 elements affiliated with TBZ brigade received military training in South Africa. They entered South Africa bearing students' visas and were trained by Milites Dei Security Services (Pty) Ltd (MDSS), a South African private company. Describing itself as specialising in "military style" security training,<sup>405</sup> MDSS was found conducting the training in an uncredited camp<sup>406</sup> where the 95 Libyan Nationals were arrested by South African police for entering illegally to receive military training.<sup>407</sup>
2. In response to the Panel's inquiry, South Africa cooperatively engaged with the Panel and provided detailed information. South Africa confirmed the 95 Libyan nationals obtained their visas in the South African High Commission in Tunis through misrepresentation of being students, yet it was ascertained their real intentions was to train in a later uncovered military style security training camp. They entered South Africa in four batches from 21 April to 1 May with an average number of 24 personnel each batch via four different airlines through Johannesburg, South Africa.
3. The Panel further found that out of those 95 Libyan national, passports of 55 of them were newly issued in 2024. The use of different airline for each batch of the Libyan nationals travelling to South Africa. This modus operandi indicates the intention to conceal the nature of their activities. The Panel also identified the uncredited camp<sup>408</sup> was about seven km away to the north of MDSS office in White River in Mpumalanga, South Africa. In the woods, the camp accommodates a 100-metre shooting range, trenches, physical training facilities and 12 tents (each about ten metres long and five metres wide). The design and infrastructure of the camp support its military style.
4. The Panel found the MDSS is responsible for violating paragraph 9 of resolution 1970 (2011). The Panel's investigation into this incident continues.

<sup>405</sup> <https://security.militesdei.com/>, accessed on 1 October 2024.

<sup>406</sup> [https://www.psirra.co.za/dmdocuments/Media\\_Room/PSiRA%20PRESS%20BRIEFING-%20TRAINING%20OF%20LIBYAN%20NATIONALS%20AT%20A%20FARM%20IN%20MPUMALANGA.pdf](https://www.psirra.co.za/dmdocuments/Media_Room/PSiRA%20PRESS%20BRIEFING-%20TRAINING%20OF%20LIBYAN%20NATIONALS%20AT%20A%20FARM%20IN%20MPUMALANGA.pdf), 7 August 2024.

<sup>407</sup> <https://x.com/AthlendaM/status/1816762407361917399>, 26 July 2024.

<sup>408</sup> 25°08'44.9520"S, 31°04'47.0352"E.



Figure 48.1  
Nonaccredited training camp of MDSS



Developed by Panel of Experts

Map data: Google Earth, ©2024 Airbus, Nonaccredited training camp.

Imagery Date: 7 May 2024.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Sources:

1. <https://www.sowetanlive.co.za/news/south-africa/2024-07-26-police-uncover-suspected-secret-military-training-camp-in-mpumalanga/>, 26 July 2024.
2. <https://www.citizen.co.za/mpumalanga-news/news-headlines/local-news/2024/07/28/more-revealed-about-alleged-secret-military-training-camp-outside-white-river/>, 28 July 2024.
3. <https://www.protectionweb.co.za/featured/white-river-military-training-camp-was-illegal-psira/>, 7 August 2024.

## Annex 49 Seizures by Libyan authorities in Al-Khoms port

### A. Air rifles

1. On 25 September 2023, the Libyan Customs Authority reported the seizure of 820 air hunting rifles and associated ammunition to Al-Khoms the cargo.<sup>409</sup> The Panel identified from the photographs contained in the authority's press release<sup>410</sup> that the rifles and ammunition were air-powered rifles produced by GAMO Precision Airguns, but could not identify the type and model. The Panel considers air-powered rifles to generally not fall under the arms embargo. However, certain factors such as design, muzzle energy, calibre and intended end-use (such as for sniper training) may determine the applicability of the arms embargo.

2. The Panel identified the Spanish company Gamo Outdoor SLU as the producer and shipper of the rifles, which were declared as "sport goods" on the bill of lading. The container with the rifles had arrived in Al-Khoms port (LYKHM) on 14 September 2023 onboard the MV *Maersk Valletta* (IMO 9833369), and had been loaded in Barcelona, Spain, on 13 August 2023. The Panel wrote to the company on 23 July 2024, but no reply was received. The Panel finds Gamo Outdoor SLU in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023) for not having provided information to the Panel upon request.

### B. Hunting rifles

3. Libyan customs authorities also seized 500 hunting rifles that had arrived on 23 September 2023 in Al-Khoms port, concealed within furniture and mis-declared as textiles and shoes, onboard the MV *RMS Team* (IMO 9282170).<sup>411</sup> The container with the rifles had been loaded on 17 September 2023 at Ambarli Marport (TRAMB), Türkiye.

4. The Panel identified the Turkish company Darkmax Tekstil Kuyumculuk Koz San Ve Dis Tic Ltd Sti<sup>412</sup> as the shipper and the Libyan company Nourhan Company to Import Clothes and Leather Goods<sup>413</sup> as the consignee.

5. Neither company replied to the Panel's letters dated 6 August 2024. The Panel finds both companies in violation of paragraph 9 of resolution 1970 (2011) and in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023).

<sup>409</sup> Letter from Libya, 26 January 2024.

<sup>410</sup> <https://customs.ly/ضبط-حاوية-بها-عدد-820-بندقية-صيد-و-عدد-430-صند> (accessed on 30 September 2023, no longer available).

<sup>411</sup> Letter from Libya, 26 January 2024; <https://libyaupdate.com/turkish-arms-smuggling-attempt-thwarted-at-libyas-khoms-port/>, 14 October 2023; <https://alwasat.ly/news/libya/415625>, 14 October 2023.

<sup>412</sup> Kemalpaşa Mah. Fevziye Cad. No: 8/B Fatih, İstanbul, Türkiye.

<sup>413</sup> Hay Al Andalus, 7 Villas, P.O. Box : 91943, Tripoli.

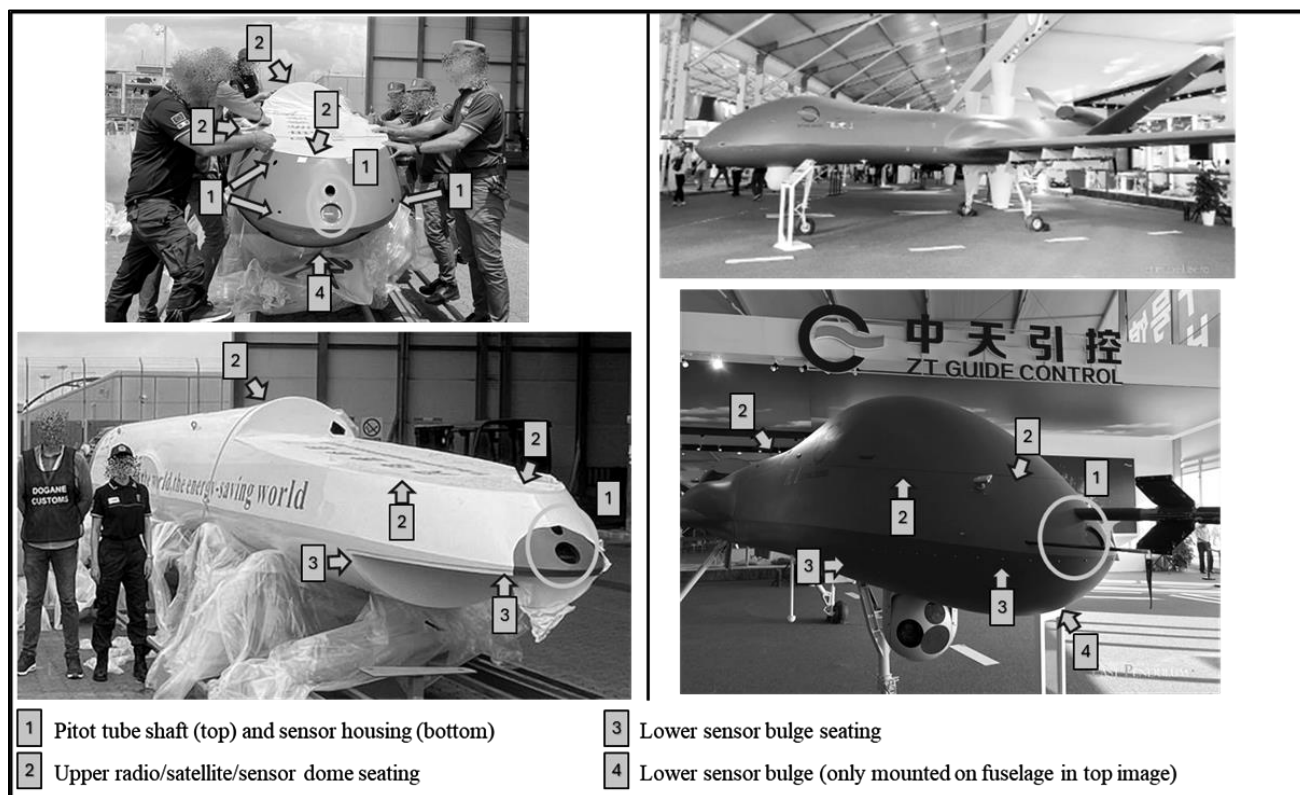
## Annex 50 Seizure by Italy

1. The Panel made a preliminary assessment by analysing the open-source images of the seizure published by the Italian authorities (figure 50.1). The shown components have design characteristics consistent with the fuselage design of the Fei Long-1 (Flying Dragon-1, FL-1), produced by Zhong Tian Guide Control Technology Company (ZT Guide). The FL-1 is a multirole, medium-altitude long-endurance UAV with payloads for civilian or military applications.<sup>414</sup>

2. Figure 50.2 shows that the UAV components were concealed as wind power generation equipment.

Figure 50.1

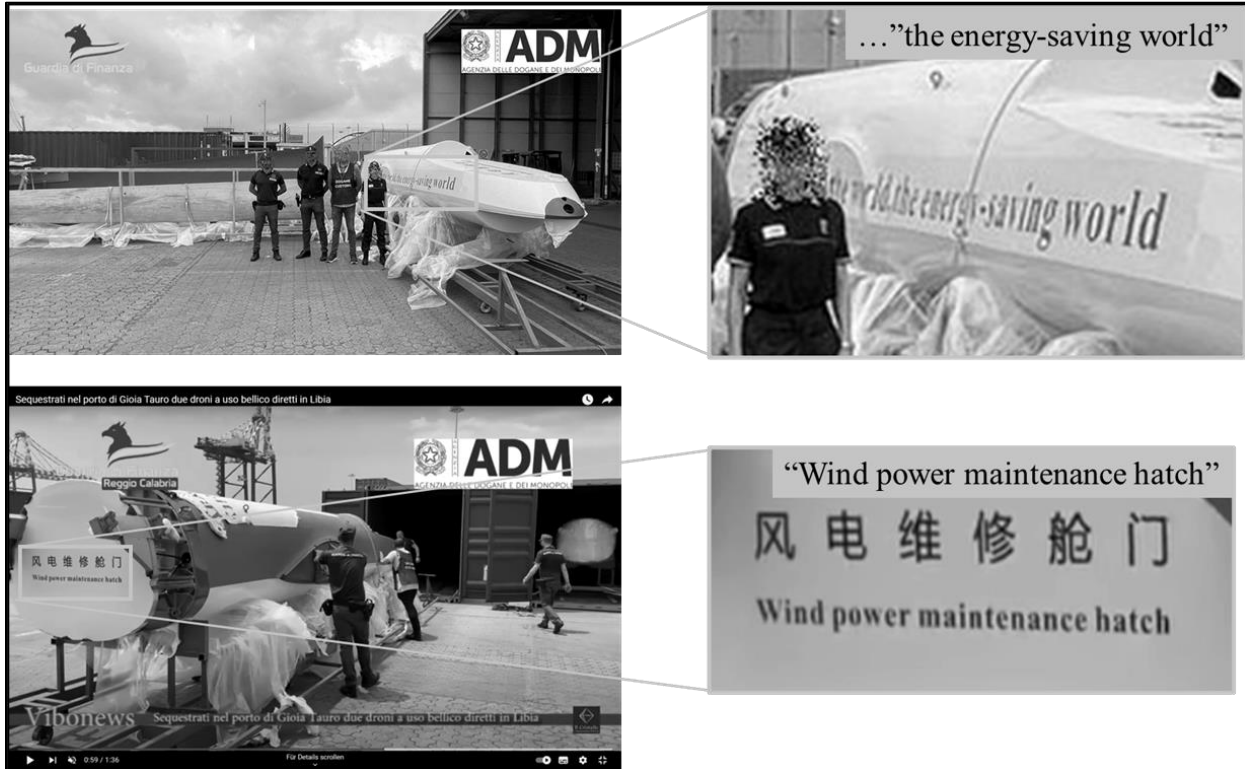
Visual comparison of seized UAV fuselage (left) and ZT Guide FL-1 (right)



Sources: Left: <https://www.gdf.gov.it/it/gdf-comunica/notizie-ed-eventi/comunicati-stampa/anno-2024/luglio/traffico-di-armi>, 2 July 2024; right top: <https://www.militarydrones.org.cn/fei-long-1-uav-china-price-manufacturer-p00126p1.html>, undated; right bottom: <https://www.sinodefenceforum.com/t/chinese-uav-ucav-development.3526/page-335>, 28 July 2019.

<sup>414</sup> Jane's Defence.

Figure 50.2:  
References to wind power on the plastic wrapping of the UAV fuselage



Sources: <https://www.gdf.gov.it/gdf-comunica/notizie-ed-eventi/comunicati-stampa/anno-2024/luglio/traffico-di-armi>, 2 July 2024;  
[https://www.youtube.com/watch?v=Y\\_DNnc12Mto](https://www.youtube.com/watch?v=Y_DNnc12Mto), at 0:58min, 3 July 2024.

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**Annex 51    ‘Opus’ PMC update**

1. In response to the Panel’s request for an update on the payments for the maintenance and hangar fees for the Thrush 550 LASA T-Bird aircraft,<sup>415</sup> Cyprus confirmed on 4 October 2024 that: a) no more payment had been made for the hangarage and/or maintenance since June 2023; b) the registration (YU-TSH) of the aircraft had been written off upon request from the aircraft’s owner, Lancaster 6 DMCC; and c) no aviation activities, such as movements, maintenance or flight test had been conducted since June 2023. These factors suggest that the aircraft has not been prepared for operation for the time being.

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<sup>415</sup> S/2023/673, paragraphs 97 and 98.

## Annex 52 Update on materiel seized from MV *Victory RoRo* (IMO 7800112)

### A. Background

1. The Panel previously reported on the 18 July 2022 seizure of 107 vehicles by EUNAVFOR Operation IRINI from the MV *Victory RoRo* (IMO 7800112) during a voyage from Aqabah, Jordan, to Benghazi.<sup>416</sup> At the time, the Panel had identified one up-armouring company that had produced 13 of the armoured vehicles on board.<sup>417</sup>

### B. Updates

2. The Panel identified an additional up-armouring company, that produced two<sup>418</sup> of the vehicles, the Jordan-based Shield Armored Vehicles (SAV).<sup>419</sup> One, a sand-coloured dual cab armoured Toyota Land Cruiser 79 with gun ports, had an armouring certificate onboard, issued by that company (Figure 52.1).<sup>420</sup> The other, a sand-coloured single cab Toyota Land Cruiser 79, had an armoured gunner cabin with 360 degrees turret and blast shield mounted on its flatbed, with design features identical to the turrets marketed by Shield Armored Vehicles. The vehicle also had a sticker of Mothanna Farhan (aka Muthana Farhan) for Cars Company,<sup>421</sup> which lists the same phone number as Shield Armored Vehicles (SAV) (Figure 52.2). The Panel believes that both companies are linked or under the same management. The company did not respond to the Panel's inquiry dated 12 July 2024.

3. The Panel also identified the shipper and (intended) consignee of the vehicles. The shipper was the Jordan-based Al Hadr Company for Storage and General Trade,<sup>422</sup> the consignee in Benghazi was Alwakeel Aljadded for Import & Export of Cars Company. Jordan did not reply to a request for company information.

4. The Panel finds Shield Armored Vehicles (SAV) and Jordan in non-compliance with paragraphs 19 and 20 of resolution 2701 (2023), for not providing information to the Panel upon request.

5. Figure 52.3 contains an updated supply chain graph of the Toyota vehicles seized from the MV *Victory RoRo* (IMO 7800112).

<sup>416</sup> S/2023/673, paragraphs 103 to 105 and annex 71.

<sup>417</sup> Jordan VIP Armouring Industry Company, see S/2023/673, annex 71, paragraph 11.

<sup>418</sup> VIN: JTFLU71J5MB042859.

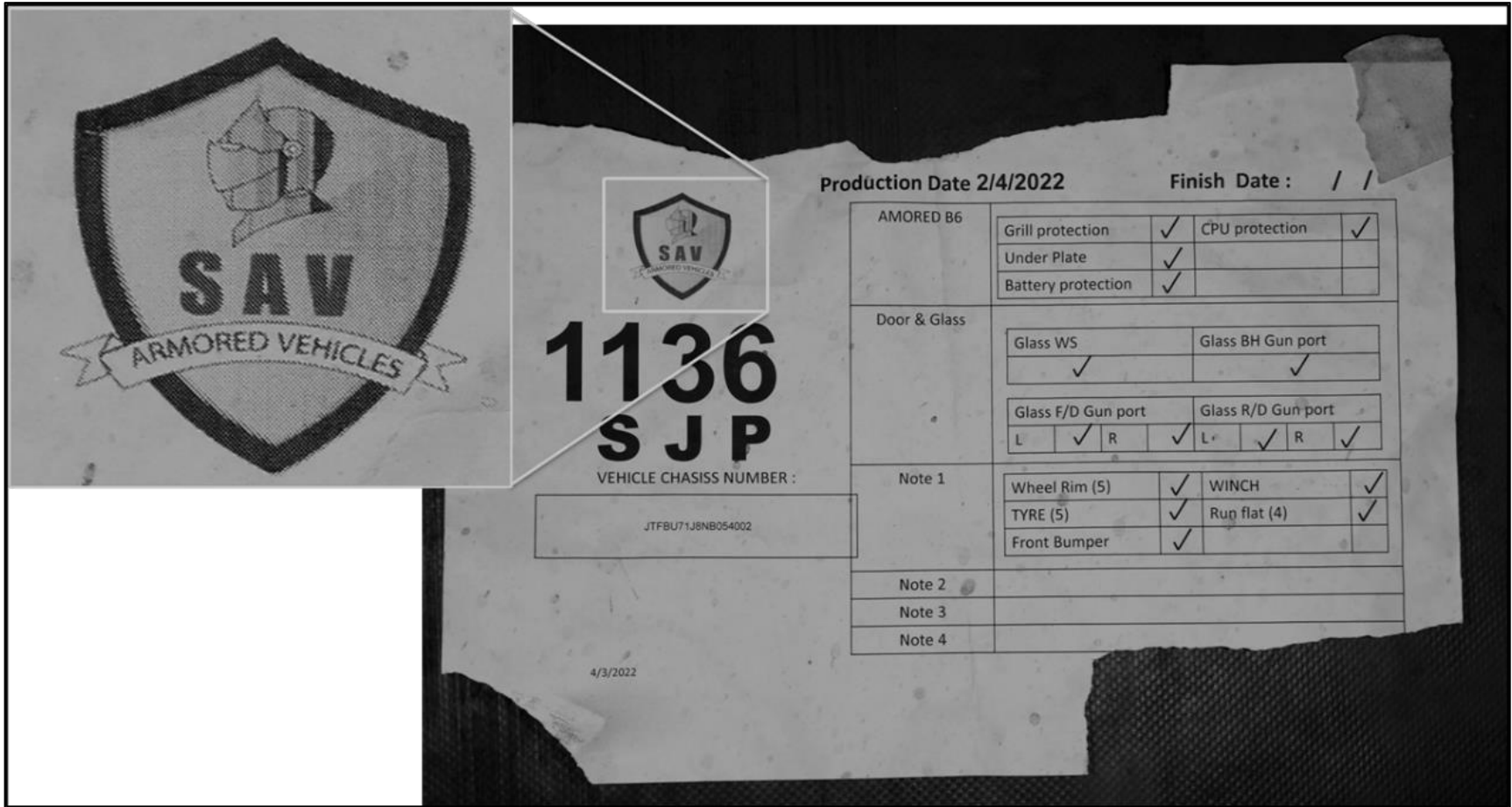
<sup>419</sup> Aqaba Business Park, 77110 Aqaba, Jordan.

<sup>420</sup> VIN: JTFBU71J8NB054002.

<sup>421</sup> معرض مثنى فرحان لتجارة السيارات.

<sup>422</sup> شركة الحضر للتخزين و التجارة العامة عقبة.

Figure 52.1  
Document with Shield Armored Vehicles (SAV) logo found in vehicle with VIN JTFBU71J8NB054002



Source: Confidential.

Figure 52.2

Left: Up-armoured Toyota Land Cruiser 79 SC and single crew compartment with turret and sticker of Mothanna Farhan company, seized from MV Victory Roro; Right: Up-armoured Toyota Land Cruiser 79 DC with extended crew compartment with turret marketed by SAV with identical design features of the turret (top right); Mothanna Farhan Cars Trading<sup>423</sup> showroom with identical phone numbers as on sticker on vehicle seized from MV Victory Roro and SAV (bottom right)



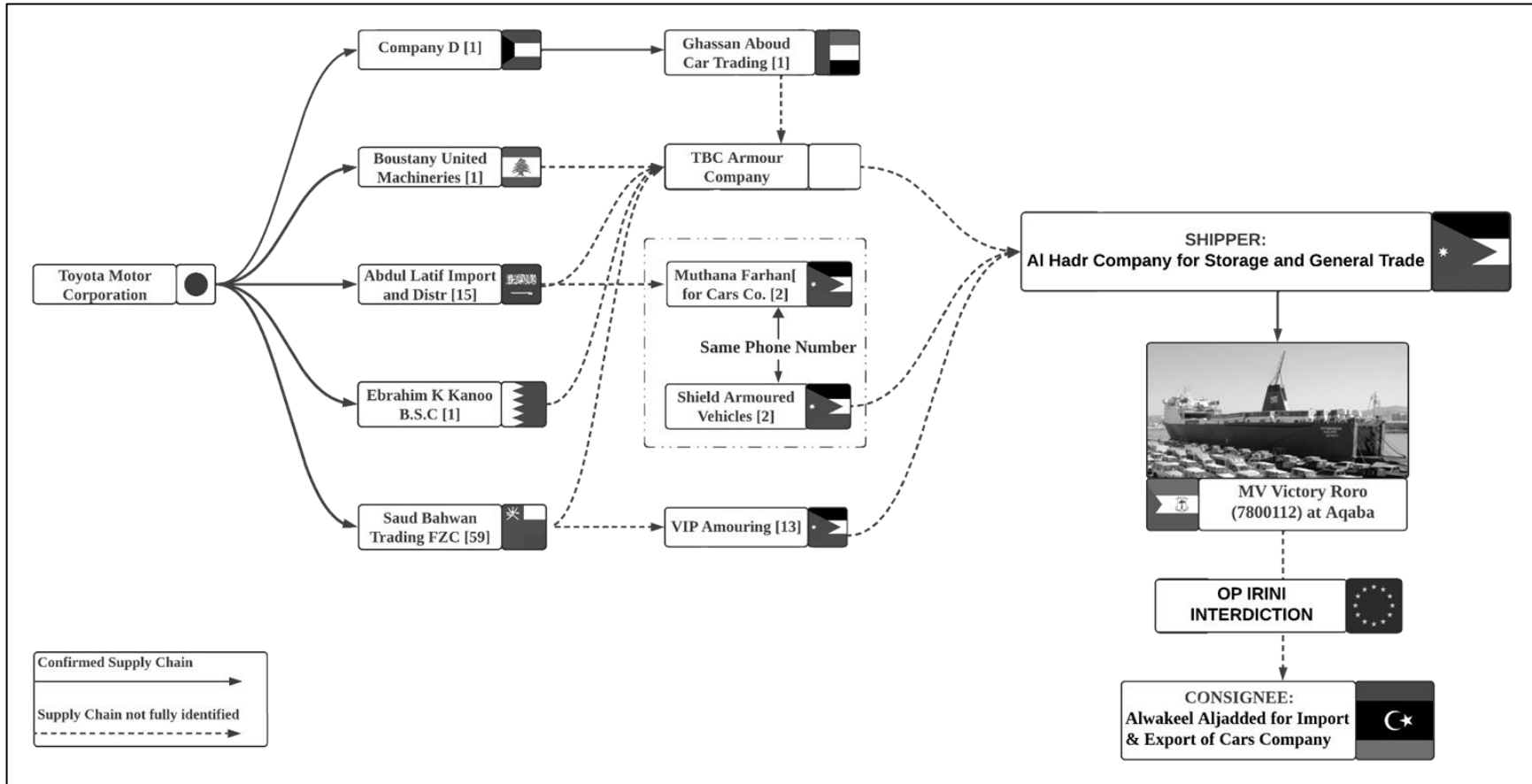
Developed by Panel of Experts.

Sources: <https://www.shieldarmoredvehicles.com/vehicle/single/tlc-79-series-with-troop-carrier>; <https://www.shieldarmoredvehicles.com/about>; <https://www.facebook.com/photo/?fbid=870585915083484&set=a.572440294898049>.

<sup>423</sup> Also spelled Muthana Farhan on the company's Facebook presence, on which the company also posted images of SAV vehicles, see, for example, <https://www.facebook.com/photo.php?fbid=573897188085693&set=pb.100063962498768.-2207520000&type=3>, 27 January 2023.



Figure 52.3  
Updated graph of results of supply chain tracing for civilian base versions and up-arming of the seized Toyota vehicles



Developed by Panel of Experts.

## Annex 53 Canik TP9 Pistol

### **Canik TP9 Pistol (GNU-AF) (4 October 2023)**

The Panel has identified from the official social media account of Security Operations Specialized Training Centre of the General Administration for Security Operations, Ministry of Interior of Libya, the use by Government of National Unity Armed Forces (GNU-AF) of weapons virtually identical to the Canik TP9 Series Pistols at the Centre.<sup>424</sup> Canik TP9 pistols are manufactured by the Canik Superior Firearms company, with headquarters in Istanbul and factory in Tekkeköy, Türkiye.

These are the first sightings of this weapon type in Libya. The Panel requested further information from Türkiye on the transfer of the weapon on 18 October 2023. No reply was received.

Transfer of this pistol type to Libya is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

#### Sources:

1. [https://www.facebook.com/permalink.php?story\\_fbid=pfbid0vZcfCRbi2xprLFvQD4pEXLAvZ14EjU4Fr1BvFKjvHQQa2cas9Ns5gBbHsc7DfCTU1&id=100077311147392](https://www.facebook.com/permalink.php?story_fbid=pfbid0vZcfCRbi2xprLFvQD4pEXLAvZ14EjU4Fr1BvFKjvHQQa2cas9Ns5gBbHsc7DfCTU1&id=100077311147392), 26 September 2023.
2. [https://www.canikarms.com/en/products\\_s/6](https://www.canikarms.com/en/products_s/6), accessed on 5 October 2024.

<sup>424</sup> Geolocated by the Panel to geocoordinates of 32°52'37.02"N, 13°23'20.29"E.

## Annex 54 BORA-12 Sniper Rifle

### **BORA-12 Sniper Rifle (GNU-AF) (20 November 2023)**

The Panel has identified from the official social media account the Security Operations Specialized Training Centre of the General Administration for Security Operations, Ministry of Interior of Libya the presence of BORA-12 (MKE JNG-90) sniper rifle<sup>425</sup> at its Eagle's Nest Training Centre<sup>426</sup> with serial numbers.

The serial numbers on the rifles read “MKE JMK BORA-12 7.62x51 T0624-19 AC 00016” and “MKE JMK BORA-12 7.62x51 T0624-19 AC 00034”. JMK BORA-12 is the marketing designation for export market of JNG-90, made by Makina ve Kimya Endüstrisi A.Ş (MKE), with headquarters in Ankara and factory in Kirikkale, Türkiye.

On 21 March 2024, in light of new information on the serial numbers on the rifles, the Panel requested further information from Türkiye and Libya on the transfer of the weapon. No response was received.

The Panel concluded that the transfer of this weapon type to Libya was a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

#### Sources:

1. <https://www.facebook.com/profile.php?id=100077311147392>, accessed on 14 March 2024.
2. <https://www.facebook.com/100077311147392/videos/1052767212711011> (2:47), 20 November 2023.
3. <https://www.facebook.com/100077311147392/videos/1052767212711011> (1:43), 20 November 2023.
4. Jane's Defense Equipment and Technology, accessed on 2 April 2024.

<sup>425</sup> MKE JNG-90 sniper rifle has been reported by the Panel as in annex 68 of S/2022/427, in which Türkiye stated that it had not sold, transferred or exported such weapons to Libya.

<sup>426</sup> Geolocated by the Panel to geocoordinates of 32°40'08.83"N, 14°04'08.25"E.

**Annex 55 SAR 223C Assault Rifle****SAR 223C Assault Rifle  
(GNU-AF)  
(6 March 2024)**

The Panel has identified from a post published on the official social media account of the Counter Terrorism and Extremist Organization, Libya, the presence of rifles with characteristics of SAR 223C assault rifle, made by a Türkiye-based company Sarsilmaz Silah Sanayi, and introduced to market in May 2013.

These are the first sightings of this weapon type in Libya. Among the investigative steps that the Panel undertook to find responsibility for the transfer of this weapon to Libya, the Panel requested information from Türkiye on 19 July 2024. The response was not received. The Panel's investigation continues.

Transfer of this assault rifle type to Libya is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

**Sources:**

1. <https://www.facebook.com/CTEO.gov/posts/pfbid027ok935DN1dynEhGJuangydWKSxGtd2LHsLZVUVsGpH2gqYYNMvNkajuj1QrnpTo9l>, 6 March 2024.
2. <https://www.sarsilmaz.com/en/product/sar-223c>, accessed on 8 July 2024.
3. <https://www.yeniakit.com.tr/haber/bomba-atabilen-piyade-tufegi-2849.html>, accessed on 8 July 2024.

## Annex 56 BMC Kirpi II MRAP

### ***BMC Kirpi II MRAP*** **(GNU-AF)** **(20 December 2023)**

The Panel has identified from posts of the official social media accounts of 444 brigade and the Chief of General Staff of the Libyan Army, the presence of BMC Kirpi II mine resistant ambush protected (MRAP) during *Hurricane II* military exercise, which was held on 20 December 2023 in Bi'r Dufan area, Libya. Kirpi II MRAP is manufactured by a Türkiye-based company BMC Otomotiv Sanayi ve Ticaret A.Ş (BMC).

This is the first sighting of this type of armoured vehicles in Libya. The Panel requested further information from BMC on 19 July 2024. No response was received.

The Panel assesses that this type of vehicle is a military equipment. Thus, transfer of this vehicle type to Libya is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

#### Sources:

1. <https://www.facebook.com/photo/?fbid=673953678252658&set=pcb.673953738252652>, 22 December 2023.
2. <https://www.facebook.com/The.presidency.of.the.General.Staff.To.Libyan.Army/posts/pfbid02rdHvGQvMk1GXd3suSafk4h6kJ2GJDbGxzgjJerstx89oXbpK8QunZbuF5Rck418sl>, 22 December 2023.
3. [https://www.bmc.com.tr/en/defense-industry/kirpi/technical?tab=kirpi\\_ii\\_4x4](https://www.bmc.com.tr/en/defense-industry/kirpi/technical?tab=kirpi_ii_4x4), accessed on 22 September 2024.

## Annex 57 TAG BATT UMG Armoured Truck

### ***TAG BATT UMG Armoured Truck*** **(LAAF)** **(14 March 2024)**

The Panel has identified from LAAF's official social media account the presence of TAG BATT UMG Truck during its military exercise "Dignity Shield 2024". TAG BATT UMG Truck is manufactured by a United Arab Emirates-based company TAG Middle East FZC.

This is the first sighting of this armoured vehicle in Libya.<sup>427</sup> The Panel requested further information from TAG Middle East FZC, United Arab Emirates on 22 March and 19 July 2024. TAG responded on 5 June and 12 August 2024, by confirming that it had obtained all necessary pre-approvals and documents from relevant authorities of the UAE and Libya prior to any shipments. It further stated that TAG's vehicles had neither exterior cameras nor attachment points for cameras. As suggested by the level of craftsmanship of the camera attachment point to the vehicle present during the exercise, there is a high possibility that the camera and its attachment point are post-factory work.

Regardless of possible post-factory modifications, TAG BATT UMG Truck by its nature is a military type of vehicle. Thus, transfer of this vehicle type to LAAF is a violation of paragraph 9 of resolution 1970 (2011).

Developed by Panel of Experts.

#### Sources:

1. <https://www.facebook.com/photo.php?fbid=742036868108941&set=pb.100069079034812.-2207520000&type=3>, 14 March 2024.
2. <https://www.facebook.com/General.official.leadership/videos/1537284016840832>, 14 March 2024.
3. <https://www.armoredcars.com/vehicles/batt-umg-truck/>, accessed on 7 September 2024.



<sup>427</sup> For a different type of this vehicle, see paragraphs 106 to 110 and annex 72 of S/2023/673.

## Annex 58 INKAS Titan S 4x4 APC

**INKAS Titan S 4x4 APC**  
**(CID in Benghazi)**  
**(18 March 2024)**

The Panel has identified from a post of the official social media account of the HAF criminal investigation department (CID), under authority of the GNS ministry of the interior, in Benghazi the presence of INKAS Titan S 4x4 armoured personnel carriers (APC). The Titan S 4x4 APC is manufactured by United Arab Emirates-based Inkas Vehicles LLC.

These are the first sightings of this type of armoured vehicles in Libya. The Panel requested information from Inkas Vehicles LLC on 27 March 2024. No response was received.

The Panel assesses this vehicle to be military equipment. Thus, transfer of this vehicle type to HAF is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

Map data: Google Earth, ©2024 Airbus, Geolocation of INKAS Titan S 4x4 APC convoy.

Imagery Date: 12 March 2024.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

**Sources:**

1. <https://www.facebook.com/cidbenghazi/posts/pfbid02cpB6jeyD3vyaoXMWfuFsTiVpjR4rtvBXPm1BHLH8VszWrMGWxS2hQBRZPL4B9LzHI>, 18 March 2024.
2. 32°06'55"N 20°07'51" E, and video at 0:19 of <https://www.facebook.com/cidbenghazi/videos/971974437588484>, 21 March 2024.
3. <https://inkas.ae/inkas-titan-s/>, accessed on 22 September 2024.

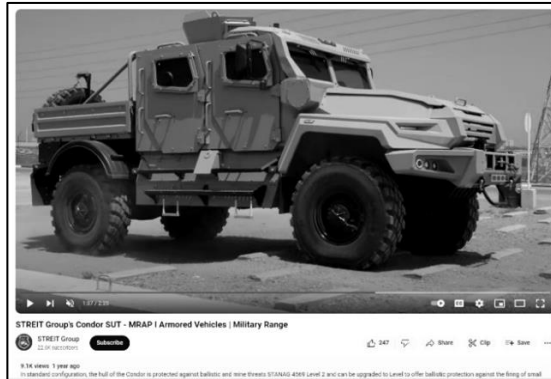
## Annex 59     STREIT Condor SUT MRAP

### ***STREIT Condor SUT MRAP*** **(LAAF)** **(16 May 2024)**

The Panel has identified from a post of the official social media account of the Libyan Arab armed forces the presence of STREIT Condor SUT MRAP in its military parade on 16 May 2024. Condor SUT MRAP is manufactured by a United Arab of Emirates-based company STREIT Group.

These are the first sightings of this type of armoured vehicles in Libya. The Panel requested information from STREIT Group on 30 May 2024. No response was received.

The Panel assesses this vehicle to be military equipment. Thus, transfer of this vehicle type to Libya is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

#### Sources:

1. <https://www.facebook.com/General.official.leadership/posts/pfbid036UHWSdzLxEZPrArUKw53qgYbN7gmX2GQ4FqmhnCD1gTo895eT6JMUMqAc1CizV8NI>, 17 May 2024.
2. <https://www.youtube.com/watch?v=8sXDyCptb28> at 1:37, accessed on 19 May 2024.



**Annex 60    STREIT Gladiator MRAP*****STREIT Gladiator MRAP***  
**(LAAF)**  
**(16 May 2024)**

The Panel has identified from a post of the official social media account of the Libyan Arab armed forces the presence of STREIT Gladiator MRAP in its military parade on 16 May 2024. Gladiator MRAP is manufactured by a United Arab of Emirates-based company STREIT Group.

These are the first sighting of this type of armoured vehicles in Libya. The Panel requested further information from STREIT Group on 30 May 2024. No response was received.

The Panel assesses that this type of vehicle is a military equipment. Thus transfer of this vehicle type to Libya is a violation of paragraph 9 of resolution 1970 (2011).



Developed by Panel of Experts.

**Sources:**

1. <https://www.facebook.com/General.official.leadership/posts/pfbid036UHWSdzLxEZPrArUKw53qgYbN7gmX2GQ4FqmhnCD1gTo895eT6JMUMqAc1CizV8NI>, 17 May 2024.
2. <https://x.com/STREITGroupOFL/status/1305728323906134024/photo/1>, 15 September 2020.
3. <https://www.armored-cars.com/military-vehicles/gladiator-mrap/>, accessed on 19 May 2024.

## Annex 61 Sniper Training

**Sniper Training**  
**(GNU AF)**  
**(7 August 2023)**

The Panel identified that the Royal Jordanian Armed Forces (RJAF) provided sniper training for GNU Stability Support Apparatus (SSA) on 7 August 2023 in Jordan. The training was an eight-week program carried out in the International Police Training Centre (IPTC) of the Public Security Directorate of Jordan in cooperation of Jordanian Al-Sakhra Company for Security Services and Consultancy. The training programmes were concluded in early August 2023.

The Panel requested further information from Jordan and Libya on 14 August 2023. Libya replied by stating that the training was conducted by Jordan-based Al-Sakhra company and claimed that the training did not violate paragraphs 9 and 10 of resolution 2095 (2013).

The Panel has consistently reported on such training, including those delivered outside Libya, as violations of arms embargo because these trainings constitute a supply of training and other assistance related to military activities and do not fall under the exception of paragraph 9 of resolution 2095 (2013). Thus, the provision of sniper training for GNU-AF constitutes violation of paragraph 9 of resolution 1970 (2011) by Jordan.



Developed by Panel of Experts.

Source:

[https://www.facebook.com/SSA.Gov.ly/posts/pfbid02EyKT433LpgcZ3ffiyBJu7gdwU4zuq6QSqjp5k1DU48ss6jkc3HLRm7KCsAmT2DLml?locale=ar\\_AR](https://www.facebook.com/SSA.Gov.ly/posts/pfbid02EyKT433LpgcZ3ffiyBJu7gdwU4zuq6QSqjp5k1DU48ss6jkc3HLRm7KCsAmT2DLml?locale=ar_AR), 7 August 2023.

## Annex 62 Illicit exports of diesel from Benghazi old harbour

### A. Overview

1. This annex provides an update to Annex 74 of S/2023/673, which describes the background to illicit exports of petroleum from Benghazi old harbour. The Panel assesses that tanker vessels continued to load petroleum, more specifically diesel fuel, in that location to illicitly export it from Libya. Benghazi old harbour remains a commercial harbour outside of the control of the National Oil Corporation (NOC), the only entity in Libya authorized to export refined product. Around 70 per cent of all diesel in Libya is imported, and the NOC confirmed to the Panel that it never exports diesel.

2. Appendix 62.A provides an updated list of tanker vessels identified by the Panel in that location. The Panel identified unique visits only. Unless the Panel assessed that a vessel left and returned, continuing presence in Benghazi old harbour over longer periods is only reflected with the date of the first sighting.

### B. Tanker vessels illicitly exporting diesel from Benghazi: evolving patterns

3. The Panel identified that since late March 2022, at least 185 visits were undertaken by 48 tanker vessels. Four Cameroon-flagged tankers accounted for 49 visits alone. All four are part of the Cenevezoz network (annex 65).

4. The number of uniquely identified tankers doubled since the last report. The frequency of visits also increased significantly: over the reporting period, there were an average of 9 unique visits per month, compared to 3.6 in the previous reporting period. The most used flag State remained Cameroon (12 vessels), followed by Panama (7 vessels), Comoros (5 vessels) and Tanzania (4 vessels).

5. The average size of tanker vessels visiting Benghazi increased since the last reporting period, from an average of 5,700 deadweight tonnes (DWT) to 9,970 DWT. While the majority of the tankers remained in the extra small (under 10,000 DWT) to small (10,000 to 24,999 DWT) product tanker categories, four vessels fell in the intermediate and medium range categories (25,000 to 44,999 DWT). The largest vessels, the MT *MD Miranda* (IMO 9198290) and MT *Nobel* (IMO 9105114) both have draughts of 12 metres. This by far exceeds the limitations of Benghazi old harbour (9 to 10 metres water depth), but the vessel still entered to dock at quay no. 3 at the north-eastern part of Benghazi old harbour (example satellite imagery at figure 62.1). This means that such large vessels are likely not loaded to full capacity in the harbour and require additional ship-to-ship loading off-port.

6. The increasing sizes of the tanker vessels also have a bearing on the duration of stay. Fuel trucks were still used to load the ships in the harbour, which a time-consuming process.<sup>428</sup> This means that larger vessels sometimes spend several weeks in the harbour until they are loaded. A new method, however, has been to load larger ships directly through concealed pipes from the maritime oil terminal (Benghazi Oil Berth No. 1),<sup>429</sup> where the deliveries of fuel for the Benghazi oil depot arrive (figure 62.2). To add additional storage capacity, some tankers have been used as a buffer storage for the diesel coming from the maritime connector, functioning as local bunkering vessels.

7. While some vessels used to have their automated identification systems (AIS) enabled intermittently,<sup>430</sup> vessels now consistently disconnect them around 100 nautical miles north-north-west of Benghazi and only reconnect once the smuggling operations are over (see annex 65 on the MT *Mardi* (IMO 8853673) as a representative example). The Panel has also observed at least two cases of AIS “spoofing”, where AIS devices are being manipulated to appear to be broadcasting from fake locations.

8. Most smuggling vessels no longer delivered their cargo to other Member States directly but bunkered the loaded diesel in international waters in the triangle between Hurds Bank, south-eastern Crete and Benghazi. Among these, Hurds Bank was the most prominently used by the vessels. It is a shallow area with water depths below 100 metres, north-east-east of Malta, outside of Maltese territorial waters. It extends for about 1,600 square kilometres around 35.89127° N, 14.94955° E (figure 62.3). Since mid-2023, some of the vessels have travelled east as far as Egypt, using the exit channel of the Suez Canal off Port Said to transfer their cargo to larger vessels that subsequently travel through the canal.

<sup>428</sup> S/2023/673, annex 74. Paragraph 7.

<sup>429</sup> 32.11821° N, 20.04880° E.

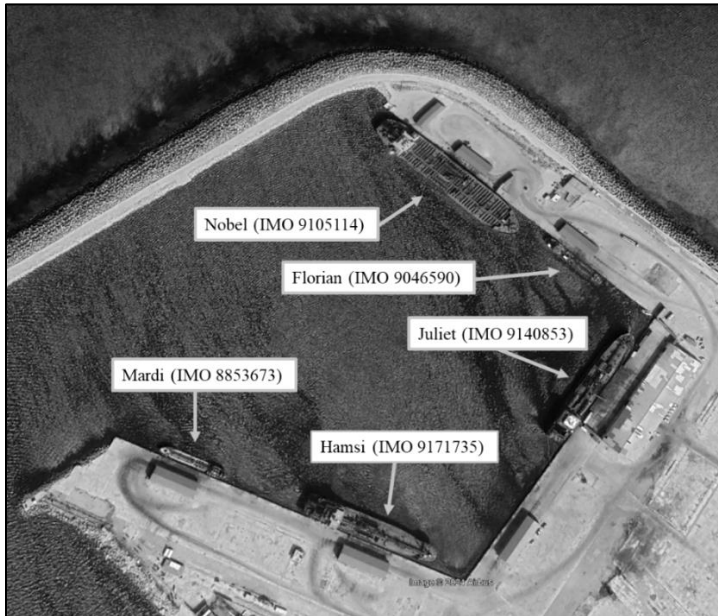
<sup>430</sup> S/2023/673, annex 74, paragraph 6.

Appendix A to Annex 62

Tanker vessels identified in Benghazi old harbour since March 2022

Figure 62.A.1

Satellite image showing tanker vessels in Benghazi old harbour on 11 March 2024



Developed by Panel of Experts.

Source: Google Earth, 11 March 2024 © 2024 Airbus.

Figure 62.A.2

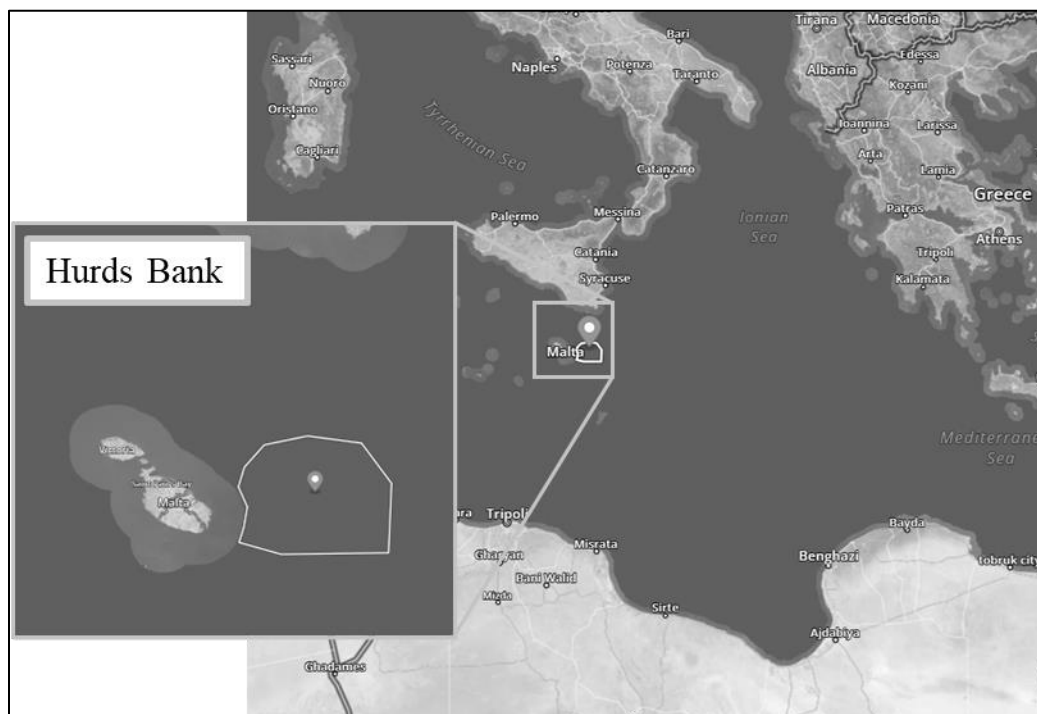
Benghazi old harbour schematic view



Developed by Panel of Experts.

Source: Planet Labs, 13:00 UTC on 24 July 2024.

Figure 62.A.3  
Hurds Bank



Developed by Panel of Experts.

Source: Planet Labs, Mapbox, OpenStreetMap.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Table 62.A.1

**Tanker vessels identified by the Panel in Benghazi old harbour since March 2022 (as of 15 October 2024)**

<i>Visit</i>	<i>Date observed</i>	<i>Name of vessel</i>	<i>Visit no.</i>	<i>IMO number</i>	<i>DWT</i>	<i>Flag State</i>
1	28-Mar-2022	Victory	1	7128227	2,007	Cameroon
2	13-Apr-2022	Maya 1	1	9046758	1,200	Cameroon
3	14-Apr-2022	Queen Majeda	1	9117806	2,547	Palau/Libya
4	22-Apr-2022	Aqua Marine	1	9179488	3,522	Türkiye
5	1-May-2022	Queen Majeda	2	9117806	2,547	Cameroon
6	8-May-2022	TSM Dubhe	1	9249594	19,924	Tuvalu
7	26-May-2022	TSM Dubhe	2	9249594	19,924	Tuvalu
8	8-Jun-2022	Victory	2	7128227	2,007	Cameroon
9	18-Jul-2022	Roschem-2	1	8862935	2,754	Russian Federation
10	16-Aug-2022	Queen Majeda	3	9117806	2,547	Cameroon
11	20-Aug-2022	Karima (later Beauty Queen)	1	9133393	3,710	Russian Federation
12	1-Sep-2022	Angelo 1	1	7946942	566	Cameroon
13	4-Sep-2022	Queen Majeda	4	9117806	2,547	Cameroon
14	9-Sep-2022	Sophia/Chios	1	7113375	3,184	Comoros
15	12-Sep-2022	Anna/Rina	1	9118159	4,972	Comoros
16	12-Sep-2022	Sea Fortune	1	9427275	13,023	Marshall Islands
17	13-Sep-2022	Uni Trader	1	9175169	6,623	Panama
18	19-Sep-2022	Efe	1	9558763	7,623	Vanuatu
19	4-Oct-2022	Beauty Queen (ex Karima)	2	9133393	3,710	Russian Federation
20	4-Oct-2022	Sea Fortune	2	9427275	13,023	Marshall Islands
21	3-Nov-2022	Roschem-2	2	8862935	2,754	Russian Federation
22	10-Nov-2022	Sidra (later Rowad A)	1	9057551	1,950	Tanzania

<i>Visit</i>	<i>Date observed</i>	<i>Name of vessel</i>	<i>Visit no.</i>	<i>IMO number</i>	<i>DWT</i>	<i>Flag State</i>
23	11-Nov-2022	Princess Noria	1	9196448	12,181	Panama
24	12-Nov-2022	Istra	1	9632088	4,500	Russian Federation
25	16-Nov-2022	Uni Trader	2	9175169	6,623	Panama
26	29-Nov-2022	Ses 1	1	9119464	2,684	Panama
27	6-Dec-2022	Istra	2	9632088	4,500	Russian Federation
28	18-Dec-2022	Ses 1	2	9119464	2,684	Panama
29	1-Jan-2023	Beauty Queen (ex Karima)	3	9133393	3,710	Cameroon
30	22-Jan-2023	Ses 1	3	9119464	2,684	Panama
31	31-Jan-2023	Almuntazah	1	8860834	4,056	Cameroon
32	31-Jan-2023	Kavkaz (later Tony)	1	8884476	3,742	Guinea-Bissau
33	31-Jan-2023	Jessica (later Juliet)	1	9140853	9,385	Comoros
34	8-Mar-2023	Tony (ex Kavkaz)	2	8884476	3,742	Guinea-Bissau
35	19-Mar-2023	Marisa N	1	8004090	1,714	Cameroon
36	27-Mar-2023	Marisa N	2	8004090	1,714	Cameroon
37	27-Mar-2023	Anna/Rina	2	9118159	4,972	Comoros
38	15-Apr-2023	Alma Marine	1	9438250	9,057	Barbados
39	27-Apr-2023	Marisa N	3	8004090	1,714	Cameroon
40	4-May-2023	Alisa	1	9113135	11,980	Comoros
41	17-May-2023	Saeed 5	1	8821759	7,030	Tanzania
42	27-May-2023	Juliet (ex Jessica)	1	9140853	9,359	Comoros
43	27-May-2023	Istra	3	9632088	4,500	Russian Federation
44	14-Jun-2023	Piero A	1	9010955	2,698	Palau
45	29-Jun-2023	Marisa N	4	8004090	1,714	Cameroon
46	29-Jun-2023	Alma Marine	2	9438250	9,057	Barbados
47	4-Jul-2023	Marisa N	5	8004090	1,714	Cameroon
48	4-Jul-2023	Saeed 5	2	8821759	7,030	Tanzania
49	1-Aug-2023	Marisa N	6	8004090	1,714	Cameroon
50	1-Aug-2023	Almuntazah	2	8860834	4,056	Cameroon
51	1-Aug-2023	Alisa	2	9113135	11,980	Comoros
52	1-Aug-2023	Alma Marine	3	9438250	9,057	Barbados
53	14-Aug-2023	Aristo	1	6501355	1,055	Cameroon
54	31-Aug-2023	Eliana	1	9327310	5,794	Malta
55	3-Sep-2023	Aristo	2	6501355	1,055	Cameroon
56	3-Sep-2023	Marisa N	7	8004090	1,714	Cameroon
57	3-Sep-2023	Sidra (later Rowad A)	3	9057551	1,950	Tanzania
58	3-Sep-2023	Anna/Rina	3	9118159	4,972	Comoros
59	3-Sep-2023	Ses 5	4	9119464	2,684	Panama
60	3-Sep-2023	Beauty Queen (ex Karima)	4	9133393	3,710	Cameroon
61	3-Sep-2023	Uni Trader	3	9175169	6,623	Panama
62	3-Sep-2023	Alma Marine	4	9438250	9,057	Barbados
63	24-Sep-2023	Blue Castor	1	6403424	n/a <sup>431</sup>	Albania
64	24-Sep-2023	Sophia/Chios	2	7113375	3,184	Comoros
65	24-Sep-2023	Marisa N	8	8004090	1,714	Cameroon
66	24-Sep-2023	Mardi	1	8853673	1,056	Cameroon
67	24-Sep-2023	Tony (ex Kavkaz)	3	8884476	3,742	Guinea-Bissau
68	24-Sep-2023	Alisa	3	9113135	11,980	Comoros
69	24-Sep-2023	Jessica (later Juliet)	2	9140853	9,385	Comoros
70	24-Sep-2023	Mistral	1	9177674	6,711	Tanzania
71	24-Sep-2023	MD Miranda	1	9198290	46,408	Tanzania
72	24-Sep-2023	Blue Chem	1	9519614	7,003	Panama
73	29-Sep-2023	New Spirit	1	9337872	8,499	Malta
74	22-Oct-2023	Mardi	2	8853673	1,056	Cameroon

<sup>431</sup> Pollution control vessel.

<i>Visit</i>	<i>Date observed</i>	<i>Name of vessel</i>	<i>Visit no.</i>	<i>IMO number</i>	<i>DWT</i>	<i>Flag State</i>
75	27-Oct-2023	Sophia/Chios	3	7113375	3,184	Comoros
76	27-Oct-2023	Marisa N	9	8004090	1,714	Cameroon
77	27-Oct-2023	Saeed 5	3	8821759	7,030	Tanzania
78	27-Oct-2023	Mardi	2	8853673	1,056	Cameroon
79	27-Oct-2023	Almuntazah	3	8860834	4,056	Cameroon
80	27-Oct-2023	Nobel	1	9105114	46,144	Cameroon
81	27-Oct-2023	Bharat	1	9253595	40,128	Panama
82	30-Oct-2023	Sidra (later Rowad A)	2	9057551	1,950	Tanzania
83	28-Nov-2023	Marisa N	10	8004090	1,714	Cameroon
84	28-Nov-2023	Mardi	3	8853673	1,056	Cameroon
85	28-Nov-2023	Aris 1	1	9035371	12,776	Panama
86	28-Nov-2023	Rowad A	4	9057551	1,894	Tanzania
87	28-Nov-2023	Nobel	2	9105114	46,144	Cameroon
88	28-Nov-2023	Alisa	4	9113135	11,980	Comoros
89	2-Dec-2023	Princess Halima	1	9179347	30,031	Barbados
90	6-Dec-2023	Alisa	5	9113135	11,980	Comoros
91	6-Dec-2023	Juliet (ex Jessica)	2	9140853	9,359	Comoros
92	6-Dec-2023	Mistral	2	9177674	6,711	Tanzania
93	6-Dec-2023	Delonix	1	9298387	12,776	Liberia
94	6-Dec-2023	Alma Marine	5	9438250	9,057	Barbados
95	20-Dec-2023	Rowad A (ex-Sidra)	5	9057551	1,894	Tanzania
96	20-Dec-2023	Alisa	6	9113135	11,980	Comoros
97	20-Dec-2023	Juliet (ex Jessica)	3	9140853	9,359	Comoros
98	20-Dec-2023	Alma Marine	6	9438250	9,057	Barbados
99	4-Jan-2024	Nobel	3	9105114	46,144	Cameroon
100	4-Jan-2024	Angelo 2 (ex Karima/Beauty Queen)	5	9133393	4,282	Cameroon
101	4-Jan-2024	Mistral	3	9177674	6,711	Tanzania
102	12-Jan-2024	Tony (ex Kavkaz)	4	8884476	3,742	Guinea-Bissau
103	12-Jan-2024	Nobel	4	9105114	46,144	Cameroon
104	12-Jan-2024	Mistral	4	9177674	6,711	Tanzania
105	25-Jan-2024	Mardi	4	8853673	1,056	Cameroon
106	25-Jan-2024	Aris 1	2	9035371	12,776	Panama
107	25-Jan-2024	Nobel	5	9105114	46,144	Cameroon
108	25-Jan-2024	Angelo 2 (ex Karima/Beauty Queen)	6	9133393	4,282	Cameroon
109	25-Jan-2024	Alma Marine	7	9438250	9,057	Barbados
110	8-Feb-2024	Almuntazah	4	8860834	4,056	Cameroon
111	8-Feb-2024	Nobel	6	9105114	46,144	Cameroon
112	8-Feb-2024	Ses 4	5	9119464	2,684	Panama
113	8-Feb-2024	Angelo 2 (ex Karima/Beauty Queen)	7	9133393	4,282	Cameroon
114	27-Feb-2024	Marisa N	11	8004090	1,714	Cameroon
115	27-Feb-2024	Florian	3	9046590	1,139	St Kitts & Nevis
116	27-Feb-2024	Kauthar/Sal Sabil	1	9166156	15,748	Palau
117	27-Feb-2024	Delonix	2	9298387	12,776	Liberia
118	3-Mar-2024	Rowad A (ex-Sidra)	6	9057551	1,894	Tanzania
119	3-Mar-2024	Nobel	7	9105114	46,144	Cameroon
120	3-Mar-2024	Angelo 2 (ex Karima/Beauty Queen)	8	9133393	4,282	Cameroon
121	11-Mar-2024	Mardi	5	8853673	1,056	Cameroon
122	11-Mar-2024	Florian	1	9046590	1,139	St Kitts & Nevis
123	11-Mar-2024	Nobel	8	9105114	46,144	Cameroon
124	11-Mar-2024	Juliet (ex Jessica)	4	9140853	9,359	Comoros
125	11-Mar-2024	Hamsi	1	9171735	8,941	Liberia
126	28-Mar-2024	Angelo 1	2	7946942	566	Cameroon
127	28-Mar-2024	Mardi	9	8853673	1,056	Cameroon
128	28-Mar-2024	Almuntazah	5	8860834	4,056	Cameroon
129	28-Mar-2024	Tony (ex Kavkaz)	5	8884476	3,742	Guinea-Bissau

<i>Visit</i>	<i>Date observed</i>	<i>Name of vessel</i>	<i>Visit no.</i>	<i>IMO number</i>	<i>DWT</i>	<i>Flag State</i>
130	28-Mar-2024	Florian	2	9046590	1,139	St Kitts & Nevis
131	28-Mar-2024	Nobel	9	9105114	46,144	Cameroon
132	28-Mar-2024	Victoria	1	9107708	6,491	Cameroon
133	28-Mar-2024	Judy	1	9157052	4,998	Tanzania
135	28-Mar-2024	Hamsi	2	9171735	8,941	Liberia
136	9-Apr-2024	Angelo 1	3	7946942	566	Cameroon
137	9-Apr-2024	Marisa N	12	8004090	1,714	Cameroon
138	17-Apr-2024	Chios	4	7113375	3,184	Comoros
139	17-Apr-2024	Malek (ex Sidra/Rowad A)	7	9057551	1,894	Tanzania
140	17-Apr-2024	Alisa	7	9113135	11,980	Comoros
141	21-Apr-2024	Angelo 2 (ex Karima/Beauty Queen)	9	9133393	4,282	Cameroon
142	21-Apr-2024	Sal Sabil (ex Kauthar)	2	9166156	15,748	Comoros
143	28-Apr-2024	Alma Marine	8	9438250	9,057	Barbados
144	6-May-2024	Chios	5	7113375	3,184	Comoros
145	6-May-2024	Angelo 1	4	7946942	566	Cameroon
146	6-May-2024	Florian	3	9046590	1,139	Saint Kitts and Nevis
147	6-May-2024	Alisa	8	9113135	11,980	Comoros
148	6-May-2024	Pearl 1	1	9166948	8,697	Saint Kitts and Nevis
149	13-May-2024	Juliet (ex Jessica)	5	9140853	9,359	Comoros
150	20-May-2024	Marisa N	13	8004090	1,714	Cameroon
151	20-May-2024	Avax	1	9058713	1,241	Cameroon
152	20-May-2024	Nobel	10	9105114	46,144	Cameroon
153	20-May-2024	Princess Halima	2	9179347	30,031	Barbados
154	27-May-2024	Malek (ex Siidra/Rowad A)	8	9057551	1,894	Tanzania
155	5-Jun-2024	Abacus	1	7427659	3,153	Cameroon
156	5-Jun-2024	Angelo 1	5	7946942	566	Cameroon
157	12-Jun-2024	Avax	2	9058713	1,241	Cameroon
158	26-Jun-2024	Oris Sofi	1	8920282	6,519	Panama
159	30-Jun-2024	Hamsi	3	9171735	8,941	Liberia
160	8-Jul-2024	Victoria	2	9107708	6,491	Cameroon
161	8-Jul-2024	Judy	2	9157052	4,998	Tanzania
162	11-Jul-2024	Almuntazah	6	8860834	4,056	Cameroon
163	11-Jul-2024	Angelo 2 (ex Karima/Beauty Queen)	10	9133393	4,282	Cameroon
164	13-Jul-2024	Angelo 1	6	7946942	566	Cameroon
165	19-Jul-2024	Mardi	10	8853673	1,056	Cameroon
166	19-Jul-2024	Sal Sabil (ex Kauthar)	3	9166156	15,748	Comoros
167	31-Jul-2024	Angelo 1	7	7946942	566	Cameroon
168	31-Jul-2024	Marisa N	14	8004090	1,714	Cameroon
169	31-Jul-2024	Nobel	11	9105114	46,144	Cameroon
170	6-Aug-2024	Abacus	2	7427659	3,153	Cameroon
171	12-Aug-2024	Hamsi	4	9171735	8,941	Liberia
172	21-Aug-2024	Angelo 1	8	7946942	566	Cameroon
173	21-Aug-2024	Mardi	11	8853673	1,056	Cameroon
174	21-Aug-2024	Florian	4	9046590	1,139	Saint Kitts and Nevis
175	21-Aug-2024	Avax	3	9058713	1,241	Cameroon
176	25-Aug-2024	Victoria	3	9107708	6,491	Cameroon
177	10-Sep-2024	Victoria	4	9107708	6,491	Cameroon
178	19-Sep-2024	Mardi	12	8853673	1,056	Cameroon
179	21-Sep-2024	Burraq	1	8914829	14,972	Comoros
180	21-Sep-2024	Alisa	9	9113135	11,980	Comoros
181	21-Sep-2024	Angelo 2 (ex Karima/Beauty Queen)	11	9133393	4,282	Cameroon
182	23-Sep-2024	Marisa N	15	8004090	1,714	Cameroon
183	2-Oct-2024	Abacus	3	7427659	3,153	Cameroon
184	2-Oct-2024	Pearl 1	2	9166948	8,697	Saint Kitts and Nevis
185	13-Oct-2024	Angelo 1	9	7946942	566	Cameroon



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## Annex 63 Fake documentation and international tenders

### A. Fake Sirte Oil Company document

1. The Panel obtained a bill of lading for a shipment of diesel from Benghazi to another Member State. The letterhead of the bill of lading indicated “Sirte Oil Company, Port of Benghazi”. The NOC confirmed to the Panel that the document is fake, and that Sirte Oil Company does not ship from Benghazi (figure 63.1).

### B. Tenders


2. The Panel established that international tenders were used to advertise diesel exports from Benghazi. One example is a message relating to a tender the Panel obtained on 1 July 2023, issued by SILC LLC (Japan),<sup>432</sup> for the export of 15,000 metric tonnes of diesel (En590/50Ppm) from Benghazi, for delivery to Mersin, Türkiye (figure 63.2). The Panel corroborated the veracity of the tender with one of the companies that had received the tender but chose not to act on it.

3. The Panel wrote to the company’s director, Manna El Saeid Farag, on 25 April 2023. No response was received, despite the Japanese authorities’ encouragement for him to engage with the Panel in September 2024.

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<sup>432</sup> 1-6-61 Gakuenhigashimachi, Nishi-ku, Kobe, Hyogo, 651-2102, Japan.

Figure 63.1  
Fake bill of lading purporting to be of Sirte Oil Company



دولة ليبيا  
**SIRTE OIL COMPANY**  
For Production, Manufacturing of Oil & Gas  
PORT OF BENGHAZI, LIBYA

DIESEL OIL  
**BILL OF LADING**

طبق الأصل  
**ORIGINAL**

SHIPPED IN APPARENT GOOD ORDER AND CONDITION BY NATIONAL OIL CORPORATION  
ON BOARD THE [REDACTED] M.T: [REDACTED]

WHEREOF [REDACTED] IS MASTER, AT THE PORT OF BENGHAZI SEAPORT.

	LITERS	Metric Tons -AIR
GROSS :	[REDACTED]	[REDACTED]
NET : AT 15 DEG C	[REDACTED]	[REDACTED]

TO BE DELIVERED AT THE PORT OF : [REDACTED]

OR SO NEAR THERETO AS THE VESSEL CANSAFELY,GET,ALWAYS AFLOAT, UNTO  
TO THE ORDER OF ABNAA SINAI FOR GENERAL TRADING AND CONSTRUCTION

OR ORDER OF PAYMENT OF FREIGHT AT THE RATE OF

"CLEAN ON BOARD" FREIGHT PAYABLE AS PER CHARTERPARTY.

THIS SHIPMENT IS CARRIED UNDER AND PURSUANT TO THE TERMS OF THE  
CONTRACT/CHARTER

BETWEEN: \_\_\_\_\_

AND: \_\_\_\_\_

AS CHARTER, AND ALL THE TERMS WHAT SO EVER OF THE CONTRACT/ CHARTER  
EXCEPT THE RATE AND PAYMENT OF FREIGHT SPECIFIED THEREIN APPLY TO AND  
GOVERN THE RIEGHTS OF THE PARTIES CONCERNED IN THIS SHIPMENT

IN WITNESS WHERE OF THE MASTER HAS SIGNED \_\_\_\_\_ **3 ORIGINALS & 5 COPIES**

BILL OF LOADING OF THIS TONER AND DATE, ONE OF WHICH BEING ACCOMPLISHED,  
THE OTHERS WILL BE VOID.

CHARTER PARTY DATE [REDACTED] [REDACTED]

[REDACTED]

Source: Confidential.

Redactions for privacy reasons.

Figure 63.2

**Communication on tender for diesel export from Benghazi issued by SILC LLC**

Dear All

Good day

Pls send your best fit rate and performing vsl as below :

Details of the deal :

Account name :

FOB Benghazi Libya

Total quantity is 15,000 MT over 2 voyages

Qty / cargo 8000 MT of en590 50ppm

Type of tanker oil tanker/ oil chemical tanker

Dwt between 10,000 and 12,500 MT

POL Benghazi Libya

Loading time 2 million liters per day by trucks = 4 days

POD Mersin, Turkey

Discharging time 4 days

Target rate 30 USD / MT

Comm. 1.25 % TTI Here

Laycan 1-9 Jan. 2023

Payment terms

Source: Confidential.

**Annex 64    Seizure by Italy of MT *Aristo* (IMO: 6501355)**

1. The Panel established that on 19 November 2023, Italy seized a vessel in the context of fuel smuggling, the MT *Aristo* (IMO 6501355), which was transshipping over one million litres of diesel to the offshore support vessel MV *Normand Maximus* (IMO 9744518) without customs documentation, within Italian territorial waters.
2. While both vessels were broadcasting automated identification system (AIS) signals, no ship-to-ship (STS) loading was recorded. The Panel identified the most likely time for the STS loading to have taken place at a time period between 21:00 and 23:40 UTC in the evening of 18 November 2023, about 11 nautical miles off Licata (AG), Italy (figure 64.1).<sup>433</sup>
3. The analysis of the movement patterns of the MT *Aristo* indicates a high probability that the vessel loaded her cargo in Benghazi. The vessel had disconnected her AIS as she was approaching Libya on 12 October 2023 about 120 nautical miles north of Benghazi,<sup>434</sup> and reconnected only a month later, on 14 November 2023, about 103 nautical miles north of Benghazi,<sup>435</sup> just 17 nautical miles from the location where the vessel's signal disappeared more than a month earlier (figure 64.2). This is consistent with the movement patterns observed by the Panel for most vessels illicitly exporting petroleum from Benghazi. Confidential satellite imagery shows a vessel that is likely the MT *Aristo* in Benghazi old harbour on 11 November 2023. Confidential satellite imagery showed the MT *Aristo* there on 14 and 20 August and on 3 and 9 September 2023 (annex 62).
4. The vessel, by name of *Filiatra*, was under Greek Flag and owned by Leventakis Shipping Company until 12 January 2023, when it was sold to the Marshall Islands-registered MedGreen Shipping and Trading SA. In April 2023, the vessel broadcasted for the first time under its flag, Cameroon, and new name, *Aristo*.
5. On 26 August 2024, the Panel sent requests for information to Italy and to the operator and manager of the MV *Normand Maximus*, Solstad Offshore ASA (Norway). Neither responded.
6. The Panel has established that MT *Aristo* is linked to the Cenevezoz network (annex 65).

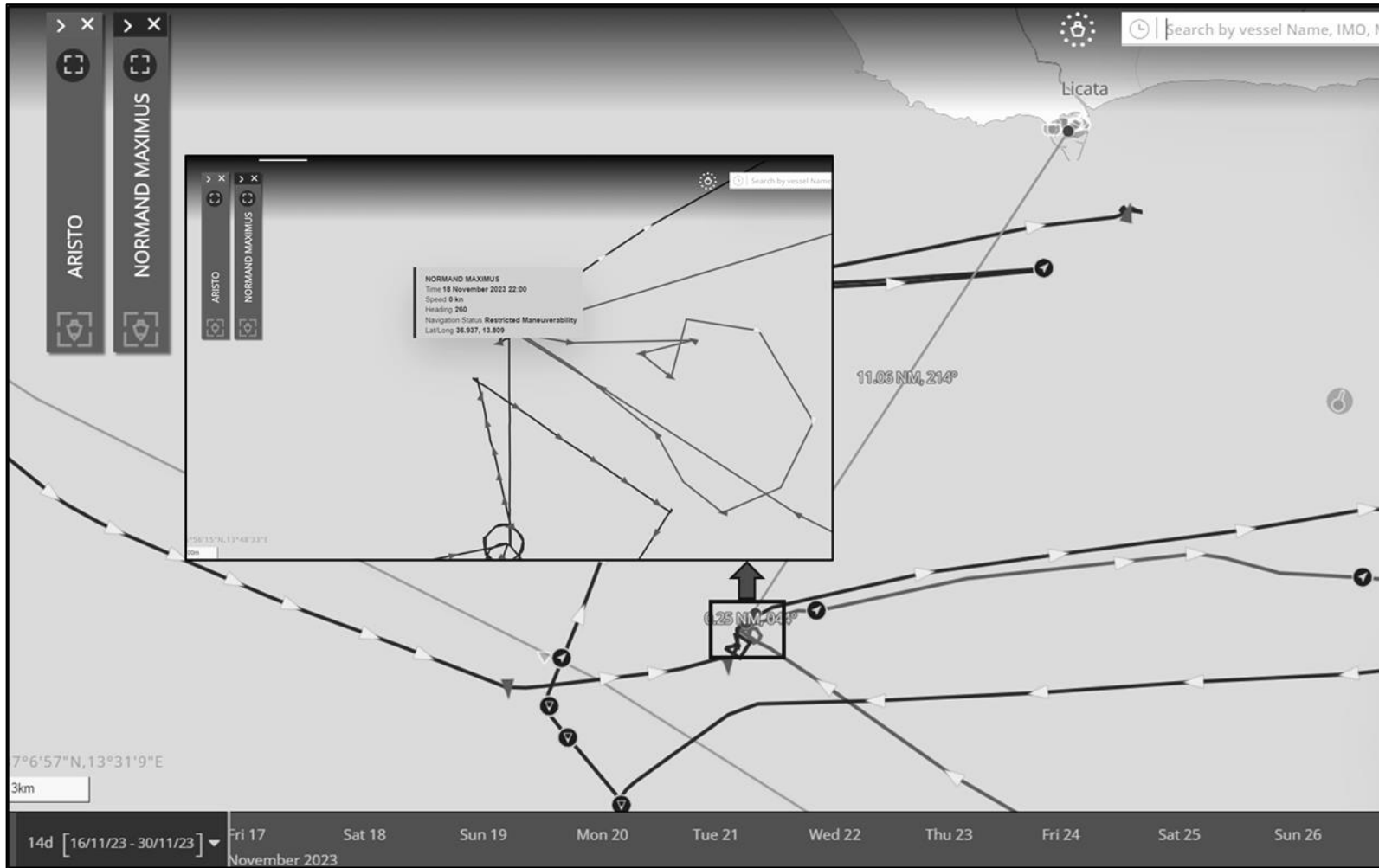
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<sup>433</sup> 36°56'12"N, 13°48'35"E.

<sup>434</sup> 34°0'23"N, 19°18'14"E.

<sup>435</sup> 33°48'50"N, 19°34'51"E.

Figure 64.1  
Likely location of STS loading from MT *Aristo* (IMO 6501355) to MV *Normand Maximus* (IMO 9744518) in Italian territorial waters

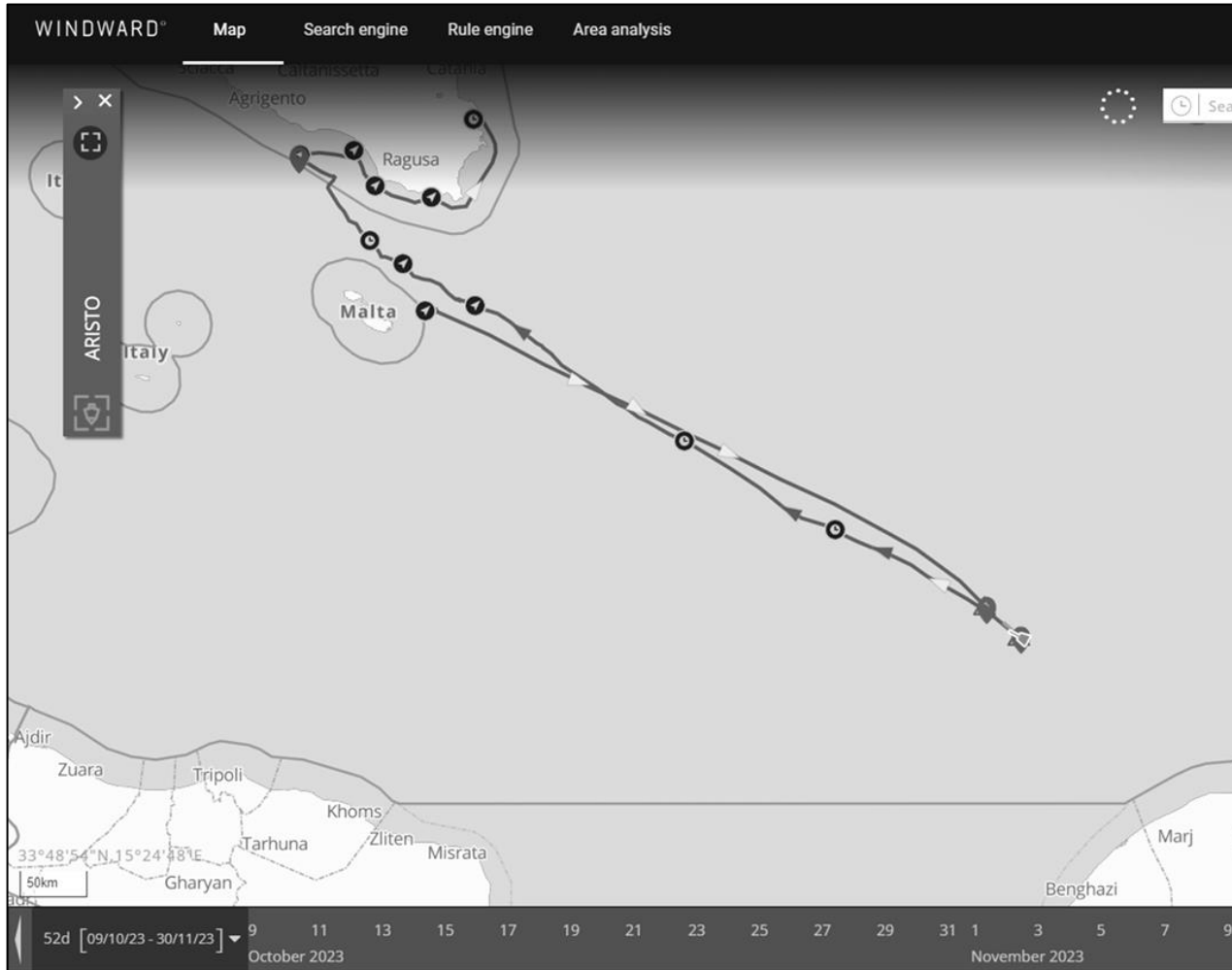


Developed by Panel of Experts.

Source: Windward.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Figure 64.2  
Voyages of MT *Aristo* (IMO 6501355) between 9 October and 30 November 2023



Source: Windward.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

## Annex 65 MT *Mardi* (IMO 8853673) and network of Aleksandros Cenevezoz

### A. Overview

1. One of the vessels investigated for illicit exports of petroleum from Libya was the MT *Mardi* (IMO 8853673). The Panel identified 14 visits by the vessel to Benghazi to load and subsequently illicitly export gasoil, most likely diesel. The case of the MT *Mardi* is exemplary for vessels that engage in these activities, as it represents the overall trend among these vessels the Panel observed in terms of movement profile, deliberate “dark” periods, and ownership and operatorship structure, namely obfuscation through several layers of front companies. The vast majority of tankers active out of Benghazi is owned by single-fleet letterbox companies that are registered in countries other than the country from which they conduct business.

2. The Panel established that MT *Mardi* is part of a network of eleven identified vessels, all of which have undertaken illicit exports from Benghazi over the past two years (with varying time periods of activity) (annex 62). The network is linked through a Greek/Turkish dual national, Aleksandros Cenevezoz (DOB: 18 July 1961).

### B. Movements and activities of MT *Mardi*

3. The movement profile of MT *Mardi* (IMO 8853673) stands out in several ways. First, its last registered port call was at Tuzla Nesa Gemi Shipyard, Türkiye, on 4 January 2023, at a time when the vessel was being renamed from MT *Densa Demet* to MT *Mardi* and reflagged to the flag of Cameroon. Most of January 2023 she spent in the shipyard, from where she departed on 28 January 2023. Since then and until the time of writing, the vessel has not registered a port call, with the exception of two instances in November 2023 when she approached Augusta port, Italy, where she remained at anchor without entering the port. Such a long period without a port call is highly unusual for a product tanker, even more so for a tanker engaging in bunkering.

4. Second, since February 2023 the vessel has almost exclusively operated between, on the one side, Hurds Bank,<sup>436</sup> the Malta Channel separating Malta and Sicily, and the Strait of Sicily, separating Sicily from the Italian mainland and, on the other hand, an area north-west of Benghazi, where the vessel’s automated identification system (AIS) was routinely deactivated (see more details below and figure 65.1). Both Hurds Bank and the Strait of Sicily are known locations favourable for ship-to-ship loading (STS), owing to their locations outside territorial waters of Member States that provide shallow waters and calm seas with wind protection.

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<sup>436</sup> Hurds Bank is a shallow area with water depths below 100 metres, north-east-east of Malta, outside of Maltese territorial waters. It extends for about 1,600 square kilometres around 35.89127° N, 14.94955° E. See also annex 62.

Figure 65.1  
 Movement profile of MT *Mardi* (IMO 8853673) from 1 January 2023 to 30 September 2024



Source: S&P Maritime Intelligence Risk Suite.

Disclaimer: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

5. Third, since February 2023 the vessel has not recorded a single draft change, despite having recorded several ship-to-ship transfers. While reporting draft changes plays a bigger role for maritime safety when entering ports and canals (none of which were reported by the vessel), usually larger STS loading operations are also associated with draft changes. No draft change over a period of 20 months, while a vessel is actively engaged in commerce, is highly unusual.

6. Fourth, the Panel has identified that since February 2023, MT *Mardi* (IMO 8853673) had regular gaps in its automatic identification system (AIS), for two weeks on average at a time, almost on a monthly basis (see table 65.1). Each of these “dark” periods started while the vessel was heading in the direction of Benghazi (figure 65.2) and ended while the vessel was sailing in a direction away from Benghazi, around 135 nautical miles (nm) off Benghazi port. The 14 recorded disappearances and reappearances of the vessel’s AIS signal all occurred in two zones, both no more than 53 nm in diameter, with an average distance of 11 to 12 nm between each instance. The centres<sup>437</sup> of two zones were only 8 nm apart and in almost equal distance from Benghazi port (disappearance centre: 133 nm, reappearance centre: 136 nm). This regularity and preciseness of AIS signal loss and recovery exclude the possibility of technical errors and demonstrate that the AIS was deliberately deactivated to obscure the vessel’s movements.

7. The Panel has reviewed confidential satellite imagery identifying MT *Mardi* during at least nine dark AIS periods in Benghazi old harbour. The Panel assesses that given the vessel’s movement patterns and obfuscation methods, the vessel sailed to Benghazi old harbour at least 15 times since February 2023, during AIS dark periods (table 65.1).

<sup>437</sup> The centres of these zones were at 34.3350, 19.5141 for the disappearance of the AIS signal and 34.2397, 19.6570 for the reappearance.



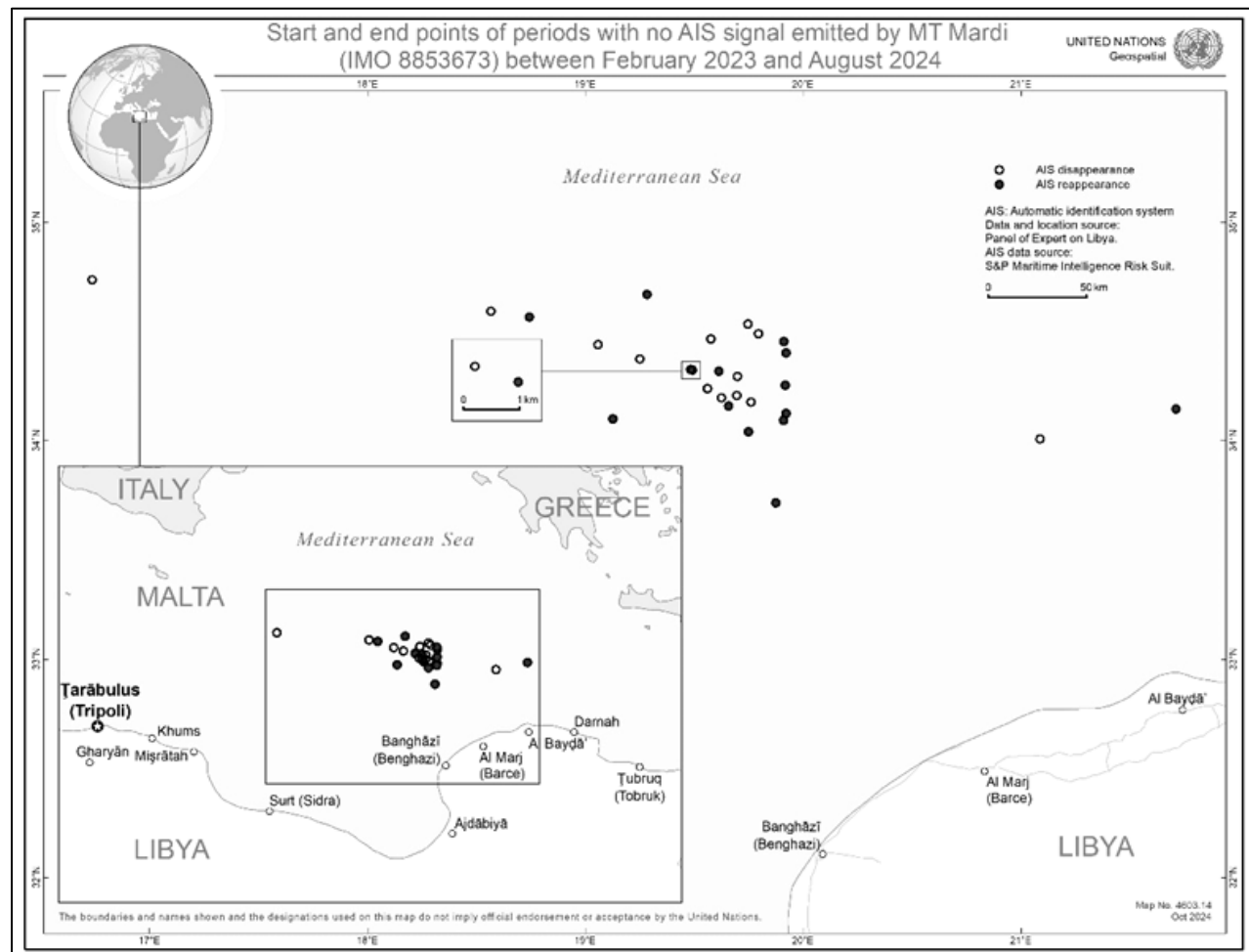
Table 65.1

**AIS gaps of MT *Mardi* (IMO 8853673) between 1 January 2023 to 30 September 2024 and confirmed port calls in Benghazi old harbour**

<i>Dark activity start</i>	<i>at Latitude, Longitude</i>	<i>Dark activity end</i>	<i>at Latitude, Longitude</i>	<i>Dark period in days</i>	<i>Confirmed in Benghazi old harbour</i>
3 Feb 2023	34.008333, 21.088333	16 Feb 2023	34.318333, 19.613333	13	N/A
18 Mar 2023	34.593333, 18.566667	6 Apr 2023	34.041667, 19.75	19	N/A
22 May 2023	34.295, 19.698333	1 Jun 2023	34.401667, 19.921667	10	25, 26, 29 May 2023
17 Jul 2023	34.490165, 19.795175	28 Jul 2023	34.455, 19.911667	11	23 July 2023
20 Aug 2023	34.534355, 19.746418	31 Aug 2023	34.669933, 19.283685	11	N/A
18 Sep 2023	34.466667, 19.576667	8 Oct 2023	34.566667, 18.743333	20	24 Sep 2023, 3 Oct 2023
18 Oct 2023	34.439645, 19.059255	29 Oct 2023	34.158333, 19.658333	11	22, 27 Oct 2023
21 Nov 2023	34.196667, 19.625	6 Dec 2023	34.125, 19.921667	15	28 Nov 2023, 2 Dec 2023
30 Dec 2023	34.207332, 19.695903	26 Jan 2024	34.093333, 19.91	27	25 Jan 2024
11 Feb 2024	34.375, 19.251667	21 Feb 2024	34.25469, 19.918453	10	N/A
7 Mar 2024	34.326389, 19.484444	16 Mar 2024	34.323889, 19.491389	9	11 Mar 2024
24 Mar 2024	34.736667, 16.736667	26 Apr 2024	34.14625, 21.71181	33	28 Mar 2024 2, 14 Apr 2024
17 Jul 2024	34.176765, 19.760905	3 Aug 2024	33.715388, 19.875295	15	19, 29, 31 Jul 2024 2 Aug 2024
9 Aug 2024	34.239235, 19.560763	24 Aug 2024	34.099625, 19.126625	15	21 Aug 2024
8 Sep 2024	34.49197, 18.92040	ongoing	ongoing	44+	19-28 Sep 2024 2, 7, 9, 13 Oct 2024

Sources: S&amp;P Maritime Intelligence Risk Suite, confidential satellite imagery.

Figure 65.2  
 Start and end points of periods without AIS signal of MT *Mardi*, February to August 2023



Source for data; S&P Maritime Intelligence Risk Suite.

### C. Ship-to-ship transfers

8. The AIS data for MT *Mardi* recorded 23 STS loading operations since February 2023.<sup>438</sup> None of these resulted in a reported draft change. One STS loading operation (29 July 2023) was reported to the Panel by EUNAVFOR MED Operation IRINI, which had observed the operation. When Operation IRINI assets hailed the MT *Mardi* on 31 August 2023, its master reported that the vessel had been at sea since 29 January 2023 since they left the dry dock at Tuzla, Türkiye. He explained the vessel's non-transmission of AIS data since 20 August 2023 as "technical difficulties". Based on the above analysis, the Panel assesses that neither information is correct: the vessel had made port calls to Benghazi old harbour and had deliberately deactivated its AIS.

9. Out of the 23 STS operations on record, 14 corresponded in terms of timing and movements to periods following MT *Mardi*'s assessed loading activities in Benghazi old harbour. The Panel assesses that these transfers in all likelihood involved petroleum illicitly exported from Benghazi (table 65.2).

<sup>438</sup> S&P Maritime Intelligence Risk Suite.

Table 65.2

**STS operations by MT *Mardi* (IMO 8853673) between 1 January 2023 to 30 September 2024 likely involving petroleum illicitly exported from Libya**

<i>Date of STS operation</i>	<i>Partner vessel in STS operation</i>	<i>Vessel type</i>	<i>Vicinity</i>	<i>at Latitude, Longitude</i>	<i>STS type by AIS</i>
29 Jul 2023	MV Napa (IMO 9426037)	Bulk carrier	Central Med. Sea	34.698333, 18.733056	Not reported
4 Aug 2023	MV Golden Orient (ex Xin Run) (IMO 9137636)	Bulk carrier	Hurds Bank	35.94162, 14.91359	Bunkering
16 Aug 2023	MV Vera Rose (IMO 9114696)	General cargo ship	Hurds Bank	35.93194, 14.98721	Bunkering
16 Aug 2023	MV Grace-A (IMO 8403337)	General cargo ship	Malta Channel	36.75160, 13.75800	Bunkering
11 Oct 2023	MV Bos Principle (IMO 9720744)	Platform Supply Ship	Malta Channel	36.8932, 13.75129	Supply
11 Oct 2023	MV Go Supporter (IMO 9483059)	Platform Supply Ship	Malta Channel	36.89836, 13.80420	Supply
11 Oct 2023	MV Nordic (IMO 9663001)	General cargo ship	Malta Channel	36.87649, 13.7798	Bunkering
11 Oct 2023	MV Bos Principle (IMO 9720744)	Platform Supply Ship	Malta Channel	36.8932, 13.75129	Supply
19 Nov 2023	MV Bos Principle (IMO 9720744)	Platform Supply Ship	Malta Channel	36.83379, 13.78816	Supply
24 Feb 2024	Sheng An Yang (IMO 9343302)	Bulk carrier	Hurds Bank	35.95528, 14.91057	Bunkering
24 Feb 2024	MV Napa (IMO 9426037)	Bulk carrier	Hurds Bank	35.94725, 14.92126	Bunkering
3 Mar 2024	MT Ankara (IMO 9253777)	Chemical/ Products Tanker	Hurds Bank	35.94069, 14.90474	Bunkering
18 Mar 2024	MT Jazz (ex Beks T Rex) (IMO 9337327)	Chemical/ Products Tanker	Hurds Bank	35.95923, 14.90243	Bunkering
25 Aug 2024	MT Abacus (IMO 7427659)	Products tanker	Hurds Bank	35.86583, 15.07717	Bunkering

Source: S&P Maritime Intelligence Risk Suite.

**D. MT *Mardi* ownership**

10. In January 2023, Atlantida Shipping Ltd was registered at the International Maritime Organization as owner, manager and operator of MT *Mardi* (IMO 8853673).<sup>439</sup> The company was registered in the Marshall Islands on 20 September 2022 under company number 116250, with a sole Greek individual being director, sole officer and sole shareholder. A Greek law firm was registered as billing agent for the registry. On 30 August 2024, the Marshall Islands corporate registry dissolved the company, which had outstanding maintenance charges.

11. While the company was registered in the Marshall Islands, at registration with the International Maritime Organization (IMO), an address in Mumbai, India, was provided.<sup>440</sup> The Panel established that while several companies are registered at that address, no company by the name of Atlantida Shipping Ltd. is either located at that address or registered in India for import or export. The same address, however, is also used by three other companies, which are directly or indirectly related to four additional vessels also under Panel investigation for illicit exports of petroleum from Libya (table 65.3).<sup>441</sup>

12. To establish initial contact on 30 August 2024 the Panel wrote an email to the address given for the company at IMO

<sup>439</sup> S&P Maritime Intelligence Risk Suite and IMO Global Integrated Shipping Information System.

<sup>440</sup> 1102, Senapati Bapat Marg, Elphinstone Road (W), Mumbai, 400013, India. Source: S&P Maritime.

<sup>441</sup> Dorian Shipmanagement Inc (MT *Angelo 2* (IMO 913393)); Greenoil Trading SA (MT *Maya 1* (IMO 9046758) and MT *Florian* (IMO 9046590)); Nazar Maritime SA (MT *Avax* (IMO 9058713)).

registration.<sup>442</sup> On 11 September, the Panel received an email from a Greek law office, that claimed to “act on behalf of MT *Mardi* (IMO 8853673)”. According to their clients, the vessel had been operating “in strict compliance with all relevant national and international regulations”, and that there had been “no indication of any breach”. In a subsequent exchange, the Panel was unable to establish who the law office’s “clients” were that had tasked it to respond to the Panel.

13. On 30 September 2024, the Panel sent an email with a precursory overview of the allegations to the private email address of Atlantida Shipping’s Greek director and sole shareholder. He replied on 2 October 2024, without referring to the initial email to his company a month earlier, nor to any exchange with the Greek law office, supposedly acting on behalf of his company. In response to the Panel’s request for information, he stated that (a) the vessel was bareboat chartered immediately after purchase to an Indian national; (b) that the bareboat charter contract relieved Atlantida Shipping from all liability; (c) the communication with the charterer had been “challenging”; (d) the latter had informed Atlantida Shipping that MT *Mardi* had approached Benghazi in 2023; (e) the port calls had been made to provision the crew and to conduct “non-costly” repairs owing to the vessel’s age; and (f) Atlantida Shipping was not aware of any illegal activities, and even if so, the company would bear no responsibility. The Panel encouraged him to provide relevant documentation and informed him that it would send an opportunity to reply to the law office, as well as his and the company email addresses. That email remained unanswered.

14. The Panel finds the explanations provided not convincing. Neither the director, nor the law office, replied to the Panel’s opportunity to reply, dated 4 October 2024. The explanation of MT *Mardi*’s visits in 2023 to Benghazi is not supported by its movement profile and durations of stay in Benghazi. The vessel continued visiting Benghazi in 2024, with increased frequency. The Panel reached the alleged Indian bareboat charterer for an initial exchange. He did however not react to the opportunity to reply, dated 8 October 2024.

15. The Panel assesses that neither the Greek director and sole shareholder of Atlantida Shipping, nor the Indian bareboat charterer, have actual control over the activities of the vessel. The Panel identified that MT *Mardi* was linked to ten other vessels, all having been active in illicitly exporting diesel from Benghazi, linked by one Greek individual, who the Panel believes to be wielding operational control over these vessels.

## E. Cenevezoz network

16. The telephone number<sup>443</sup> for Atlantida Shipping Ltd. provided at IMO registration is that of Greek/Turkish dual national Aleksandros Cenevezoz (DOB: 18 July 1961) of Capello Maritime S.A.,<sup>444</sup> a Greek company registered in Liberia. Cenevezoz is also deputy registrar of Orion G.E.S.L., which describes itself as the “exclusive registrar’s office for the privatized open registry of Equatorial Guinea”,<sup>445</sup> and holds a registration manager function at IMSA Guyana, a company describing itself as ship registry for Guyana.<sup>446</sup>

17. The email address for Atlantida Shipping Ltd. provided at IMO registration was info@worldmanagement.services. Aleksandros Cenevezoz is the director, secretary and sole shareholder of a Marshall Islands-registered company named World Management S.A., which provided the same email address at IMO registration, but an address in Türkiye.

18. That address in Türkiye<sup>447</sup> is the same as the one given for another Marshall Islands-registered company, Sarisa Shipping S.A.. That company owns, operates and manages another vessel under Panel investigation for illicit exports of petroleum from Libya, the MT *Alma Marine* (IMO 9438250). The corporate records for that company show that Aleksandros Cenevezoz paid the registration and maintenance fees for that company.

19. The Panel found that Cenevezoz is linked to another eight companies in which he is either a) owner, manager and operator; b) owner; or c) holds prior roles in ownership and management of vessels the Panel has found to have undertaken illicit exports of petroleum from Benghazi (table 65.3 in conjunction with annex 62). Cenevezoz’s links to these companies are established through a) full ownership and operational control; b) identical addresses or contact details; and/or c)

<sup>442</sup> info@worldmanagement.services.

<sup>443</sup> +905465460136.

<sup>444</sup> <http://orion-reg.org/p/deputy-registrar>.

<sup>445</sup> <http://orion-reg.org/p/about-orion>.

<sup>446</sup> <https://www.imsag.org/>; <https://www.imsag.org/registration-manager.php>.

<sup>447</sup> Kat 4, Demir Plaza, Feragat Sokak, Ruzgarlibahce Mah, 3, Beykoz, Istanbul, Türkiye.

payments made for the incorporation and/or maintenance in the Marshall Islands company registry. The Panel assesses that some of the directors and shareholders in these companies are either front men or fictitious names.

20. The Panel has further identified links of Cenevezoz with the vessels MT *Aristo* (IMO 6501355), MT *Abacus* (IMO 7427659) and MT *Angelo 1* (IMO 7946942), all of which have also illicitly exported diesel from Benghazi (annexes 62 and 64).

21. Together, the vessels linked to Alexandros Cenevezoz have undertaken 66 visits to Benghazi, having illicitly exported at least around 450,000 metric tonnes of diesel from Libya (table 65.4). The Panel identified that Aleksandros Cenevezoz is at the forefront of an international criminal network illicitly exporting petroleum from Libya (figure 65.3). The core leaders of that network are linked to senior elements of armed groups in Libya, who have facilitated the illegal exports from territories under their control in Benghazi and Zawiyah to foreign markets through Cenevezoz.

Table 65.3

**Marshall Islands-registered companies that are actual or past owners, operators and/or managers of vessels engaged in illicit exports of petroleum from Libya and linked to Aleksandros Cenevezoz**

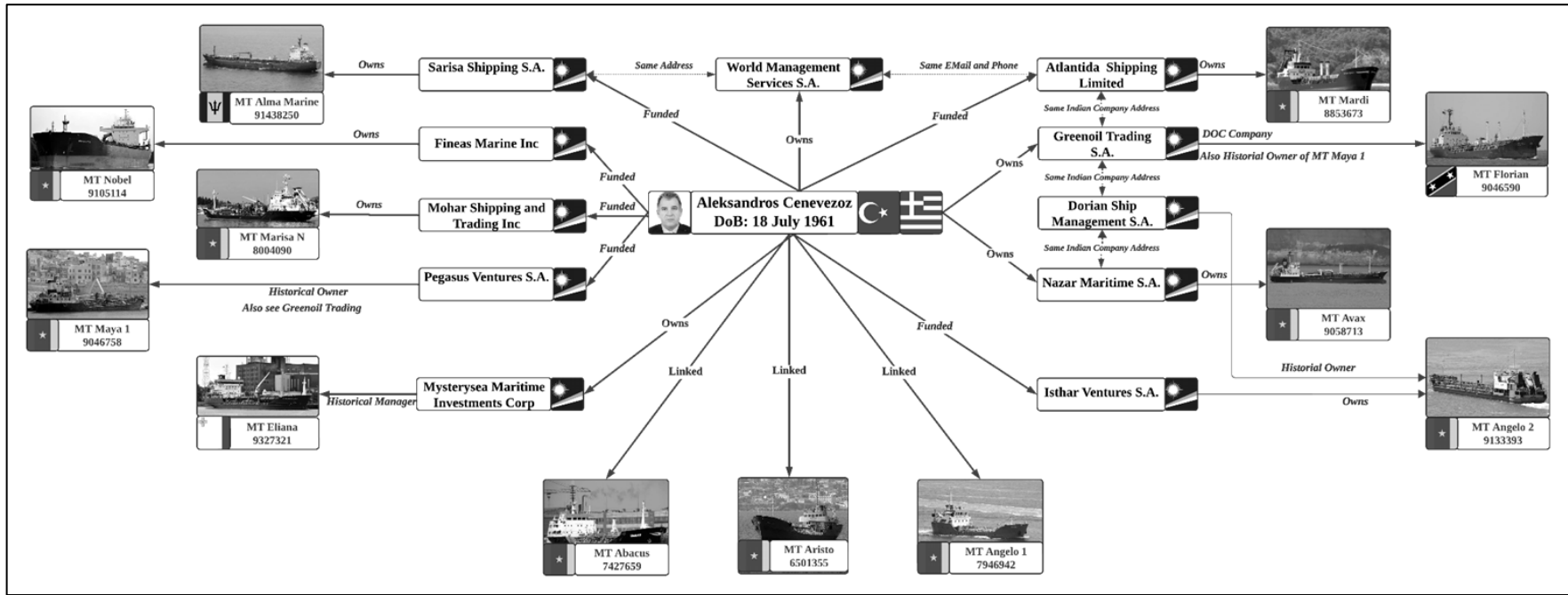
<i>Company</i>	<i>Vessel</i>	<i>Company role for vessel</i>	<i>Link to Aleksandros Cenevezoz</i>
Atlantida Shipping Ltd	MT <i>Mardi</i> (IMO 8853673)	Owner, operator, manager	Same email address as World Management SA; Same phone number provided as publicly linked to Aleksandros Cenevezoz on websites of private shipping registries
Dorian Shipmanagement Inc	MT <i>Angelo 2</i> (IMO 913393)	Past owner	Same company address as Atlantida Shipping Ltd.
Greenoil Trading SA	MT <i>Maya 1</i> (IMO 9046758); MT <i>Florian</i> (IMO 9046590)	Past owner  DOC company	Director, sole officer and sole shareholder  Same company address as Atlantida Shipping Ltd.
Nazar Maritime SA	MT <i>Avax</i> (IMO 9058713)	Owner	Director, sole officer and sole shareholder;  Same company address as Atlantida Shipping Ltd.; Involvement in company registration
Fineas Marine Inc	MT <i>Nobel</i> (IMO 9105114)	Owner, operator, manager	Payment of company registration and maintenance fees
Isthar Ventures Company	MT <i>Angelo 2</i> (IMO 913393);	Owner, operator, manager	Payment of company registration and maintenance fees
Mohar Shipping & Trading Inc	MT <i>Marisa N</i> (IMO 8004090)	Owner, operator, manager	Payment of company maintenance fees
Sarisa Shipping S.A..	MT <i>Alma Marine</i> (IMO 9438250)	Owner	Payment of company registration and maintenance fees
Mysterysea Maritime Investments Corporation	MT <i>Eliana</i> (IMO 9327310)	Past manager	Director, secretary and 66,6% shareholder
Pegasus Ventures SA	MT <i>Maya 1</i> (IMO 9046758)	Past manager	Involvement in company registration and/or maintenance

Table 65.4

**Vessels identified as linked with the Cenevezoz network**

<i>Vessel</i>	<i>IMO</i>	<i>Flag State</i>	<i>Diesel exported from Benghazi since March 2022 in MT</i>
Nobel	9105114	Cameroon	285,498
Alma Marine	9438250	Barbados	59,388
Angelo 2	9133393	Cameroon	41,357
Marisa N	8004090	Comoros	25,710
Mardi	8853673	Cameroon	13,199
Abacus	7427659	Cameroon	9,026
Eliana	9327310	Malta	6,153
Florian	9046590	St Kitts & Nevis	3,936
Avax	9058713	Cameroon	2,797
Angelo 1	7946942	Cameroon	2,547
Aristo	6501355	Cameroon	1,055
Maya 1	9046758	Cameroon	600
<b>Total</b>			<b>451,267</b>

Figure 65.3  
Cenevezoz network



Developed by Panel of Experts.

## **Annex 66 Fuel smuggling route to CAR**

1. Overland fuel trafficking activities have expanded considerably, with Libyan fuel becoming a catalyst for regional brokers who establish connections not only at immediate borders but also in countries further abroad, including the Central African Republic. The Panel identified activities of a Chadian businessman from an Ould Suleiman tribe who used his connections in Sabha to secure the influx of trucks transporting barrels of fuel.
2. Fuel is collected in Sabha and transported through a route passing through Umm al-Aranib, Qatrun, and Al-Wigh before reaching the Chadian border and ultimately reaching Mao, Chad. The southern route in Libya is primarily under the control of the LAAF's 128th brigade, which imposes fees on the trafficked fuel. The journey from Sabha to Mao typically takes around two months. After Mao, the smuggling route extends to the Central African Republic, with the convoy passing through Cameroon before arriving in Bangui. In collaboration with the Panel of Experts on the Central African Republic, the Panel has confirmed that the trucks were successfully reaching Bangui. This smuggling activity has been active since at least October 2023.
3. The proliferation of such trafficking routes and the involvement of regional brokers suggest a significant economic and security challenge. The activities not only destabilise local economies in southern Libya with regular fuel shortages but also potentially fund or support other illicit activities across the region.



## Annex 67 Non-compliance with the asset freeze

1. The exemptions for access to, and release of, any fund from frozen assets for the stipulated purposes are outlined in paragraphs 19 and 21 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011), read with Implementation Assistance Notice (IAN) #5.<sup>448</sup> Member States are required *inter alia* to follow the extant procedures laid down in these resolutions, including notification to the Committee of their intention to authorise access to the frozen funds prior to accessing and releasing the frozen funds for the specified purposes only. Charging of any expenses, fees, or charges on, or in relation to, the frozen assets without a notification to the Committee, and, where required, absence of a negative decision or approval of the Committee, would amount to non-compliance with the foregoing resolutions.

3. The Panel's investigations revealed a trend of recurring instances of non-compliance with the asset freeze by nine Member States and fifteen entities, as follows:

- a) non-compliance by Member States in notifying the Committee about authorising access to frozen funds; and
- b) varied approaches adopted by Member States and financial institutions - some allow active management and reinvestment of frozen assets, while others do not.

3. These non-compliances have led to the erosion of LIA's frozen assets, which runs counter to paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), aimed at preserving the frozen assets for the benefit of the Libyan people. The following are cases of non-compliance identified by the Panel.

### A. Exemption for charging negative interests

4. The Panel identified inconsistent practices by Member States in notifying the Committee with regard to charging of negative interests on the frozen assets of LIA and LAFICO as per the requirements of the applicable resolutions. Luxembourg notified the Committee to access LIA's frozen funds in the HSBC Bank Luxembourg for the payment of negative interests applied by the HSBC Bank Luxembourg. Belgium has not made any such notification regarding the negative interests applied by the Euroclear Bank SA/NV Belgium on the frozen funds of LIA and LAFICO in the Euroclear Bank on accounts of the Bank ABC Bahrain and the HSBC Bank Luxembourg.

#### *Charging of negative interests on the frozen assets of LIA and LAFICO by the Euroclear Bank*

5. Belgium informed that in line with the standard processes in the Euroclear Bank, fees, expenses, and disbursements (e.g., negative debit interests) were debited by the Euroclear Bank from the cash accounts of its direct participants, namely the Bank ABC Bahrain and the HSBC Bank Luxembourg,<sup>449</sup> who have several accounts in the Euroclear Bank to support their activities.<sup>450</sup> No authorisation for unfreezing of LIA's frozen accounts in Euroclear Bank for the release of amounts was issued by Belgian authorities.<sup>451</sup>

6. In response to Panel's enquiries, the Euroclear Bank stated they were not debiting any charge, including negative interests, from segregated frozen accounts opened by participants in the securities settlement system operated by the Euroclear Bank, except where they would have a permission issued by a competent authority. Fees and charges, as per the terms and conditions governing use of the Euroclear Bank, were invoiced to participants and debited from accounts that are not subject to freeze measures. The accounts on which the invoicing at the Euroclear Bank takes place depended on the choices made by the concerned participant. The Euroclear Bank also stated that they did not have any relationship with the underlying clients of participants, even if they might know the identity of those underlying clients depending on the level of account segregation decided by the participants.<sup>452</sup>

<sup>448</sup> [https://main.un.org/securitycouncil/sites/default/files/1970\\_ian5.pdf](https://main.un.org/securitycouncil/sites/default/files/1970_ian5.pdf).

<sup>449</sup> LIA and LAFICO have entered into custodian agreements with the Bank ABC Bahrain and the HSBC Bank Luxembourg, who in turn have respectively entered into sub-custodian agreements with the Euroclear Bank.

<sup>450</sup> Bank ABC and HSBC Bank accounts in Euroclear include the accounts holding the frozen funds of LIA and LAFICO.

<sup>451</sup> Belgium responses of 3 May and 3 July 2024, and Panel meetings with Belgian Ministry of Foreign Affairs and General Administration of the Treasury, 11 June 2024, Brussels.

<sup>452</sup> Panel meeting with the Euroclear Bank (Brussels, 12 June 2024), online meeting (8 October 2024), and Belgium letter of 15 October 2024.

7. The Panel ascertained that the overall portfolios of the Bank ABC and the HSBC Bank included the segregated frozen accounts with underlying beneficiaries as LIA and LAFICO. Per the unity of accounts principle,<sup>453</sup> negative interest rates were applied to these frozen accounts of the Bank ABC and the HSBC Bank in the Euroclear Bank with underlying beneficiaries as LIA and LAFICO. This finding is based on consistent evidence showing that the negative interests deducted by the Euroclear Bank from the free omnibus cash accounts of the Bank ABC and the HSBC Bank, were directly attributable to two and four frozen accounts of LIA and LAFICO, respectively, holding cash reserves in various currencies, under the Bank ABC custodianship, as well as five frozen accounts of LIA, holding cash reserves in various currencies, under the HSBC Bank custodianship in the Euroclear Bank.

8. The Euroclear Bank had, thus, applied negative interests on the frozen funds of LIA and LAFICO held in the frozen accounts of the Bank ABC and the HSBC in the Euroclear Bank. These negative interests, along with other fees, expenses, and disbursements, were deducted by the Euroclear Bank from the free omnibus accounts of the Bank ABC and the HSBC Bank at the Euroclear Bank, while being fully aware of the frozen status of LIA and LAFICO funds held in accounts of the Bank ABC and the HSBC Bank.

9. The Bank ABC in turn had asked LIA and LAFICO to authorise the reimbursement of negative interests, by showing the amount as liabilities from LIA and LAFICO. These liabilities once paid would cause erosion of the assets of LIA and LAFICO. As regards the HSBC Bank, it had already recharged negative interests to LIA by debiting LIA's account with the HSBC Bank.

10. The Panel also found that prior to the Belgium Court's judicial attachment of the frozen funds of LIA and LAFICO in October 2017, the Euroclear Bank directly deducted negative interests and other charges from the Bank ABC's unblocked mirror accounts with LIA and LAFICO as beneficiaries,<sup>454</sup> in which interests and other earnings were transferred. Post-judicial attachment, they started deducting such negative interests from the omnibus free account of the Bank ABC and the HSBC Bank at the Euroclear, when interests and other accruals were also frozen pursuant to IAN#6.<sup>455</sup> This new arrangement of deducting negative interests from the Bank ABC's free account, post-judicial attachment, was a bookkeeping arrangement by the Euroclear Bank.

11. Thus, negative interests applied by the Euroclear Bank to the frozen funds of LIA<sup>456</sup> and LAFICO<sup>457</sup>, without following the extant procedures in the relevant resolutions, even if charged from other accounts of the participant custodian banks, namely the Bank ABC and the HSBC Bank, would amount to non-compliance with the asset freeze.

12. The Panel thus determined that the Euroclear Bank had applied negative interests on the frozen assets of LIA and LAFICO without a determination, notification to the Committee, and authorisation by Belgium as stipulated in the foregoing resolutions. This caused potential erosion of the frozen assets, contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), aimed at preserving the frozen assets for the benefit of Libyan people. Both Belgium and the Euroclear Bank are in non-compliance with the assets freeze in this case.

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<sup>453</sup> As per the unity of accounts principle, all the cash accounts of a participant at the Euroclear Bank are part of one single and indivisible current account: Euroclear Terms and Conditions governing use of Euroclear (November 2023) # 16 (a).

<sup>454</sup> Euroclear Bank had opened dedicated 'mirror accounts' corresponding to the blocked/frozen accounts of LIA and LAFICO to distinguish between assets that remain blocked/frozen and those assets (such as income payments, dividends, and interest) that in their view were unblocked/unfrozen prior to the Belgium Court's judicial attachment and the issuance of Implementation Assistance Notice (IAN)#6. Payments generated from the blocked/frozen securities, as well as interest accrued on blocked/frozen cash balances after the authorised release date, were initially credited to the existing blocked/frozen account. Following verification by the Euroclear Bank's compliance unit, these funds were then transferred to the corresponding unblocked mirror account for further use and transfer.

<sup>455</sup> ABC letter of 29 July 2024, and Panel meeting with LIA, 4 June 2024, Tripoli.

<sup>456</sup> Negative interests, totally amounting to USD 33.110 million approximately, were charged by the Euroclear on LIA's Euroclear cash balances in USD, GBP, NOK, EUR and CHF until April 2022, February 2022, February 2022, September 2022, and October 2022, respectively.

<sup>457</sup> Negative interests, totally amounting to USD 35 million approximately, were charged by the Euroclear on LAFICO's Euroclear cash balances in AUD, CHF, EUR, GBP, JPY, NOK, SEK, and USD until June 2022, October 2022, September 2022, February 2022, June 2024, February 2022, July 2022, and April 2022, respectively.

*Debit of the recharged negative interests from LIA's frozen funds by the HSBC Bank*

13. The Panel found that the HSBC Bank Luxembourg has recharged the negative interests, initially charged by the Euroclear Bank, to LIA, by debiting LIA's frozen USD account with the HSBC Bank. It had deducted negative interests amounting to USD 12.257 million during the period from November 2020 to March 2024.

14. The HSBC Bank stated that such debits from LIA's frozen accounts were permitted under a license issued to them by Her Majesty Treasury (HMT), the United Kingdom. They also notified the Ministry of Finance, Luxembourg about this from time to time.

15. The Panel considers that each debit from the frozen assets is required to be notified by the relevant Member State (s) to the Committee prior to accessing the frozen assets under the relevant provisions of the resolutions. The Panel determined that the HSBC Bank had debited LIA's frozen account without any notification to the Committee through the relevant Member State (i.e. Luxembourg). This also caused potential erosion of the frozen assets, contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), aimed at preserving the frozen assets for the benefit of Libyan people. Thus, both Luxembourg and the HSBC Bank Luxembourg were in non-compliance with the assets freeze.

**B. Exemption for charging custody and management fees**

*Bank ABC custodian for LIA's frozen funds*

16. The Bank ABC Bahrain, as a custodian, is managing LIA's frozen portfolio under a Non-Discretionary Portfolio Management Agreement and Custody Agreement of 7 July 2008 with the LIA. The Panel found that the Bank ABC had been deducting custody and management fees from LIA's frozen funds on a quarterly basis, at the pre-asset freeze fees rate @0.1% per annum of the average market value of LIA's total portfolio under the abovementioned agreements.

17. The abovementioned agreements of 7 July 2008 stipulated a range of custodial and other services by the Bank ABC to LIA, including active portfolio management, and sale and purchase of securities. However, paragraph 19 (a) of resolution 1970 (2011), exempts payment of necessary fees or service charges for only "routine holding or maintenance of frozen funds" from the asset freeze.

18. In view of the foregoing, the Panel assessed that the scope of the services stipulated in the abovementioned agreements was much wider than "routine holding or maintenance of frozen funds". However, the Bank ABC continued to charge fees @0.1% of the total market value of LIA's portfolio per annum, agreed prior to the asset freeze for all the custodial and other services, which were not provided post-asset freeze. The Bank ABC had not adjusted the fees rate since 2008. Post-asset freeze, the Bank ABC had thus not limited the fees rate to "routine holding or maintenance of frozen funds" only, despite the fact that LIA's portfolio could not be serviced as a typical portfolio. In response to Panel's inquiries, the Bank ABC did not provide the amount of fees and charges, out of the total amount charged @0.1% of the total market value of LIA's frozen portfolio, which are specifically attributable to routine holding or maintenance.

19. Bank ABC's view is that all the services that it currently provides to LIA in respect of LIA custody assets are routine holding and maintenance services. However, the Panel found that charging pre-asset freeze custody fees by the Bank ABC @0.1% of the total market value of LIA's portfolio, which was applicable for all the services outlined in the abovementioned agreements, was outside the scope of the exemptions defined under paragraph 19 (a) of resolution 1970 (2011), and thus constitutes non-compliance with the asset freeze. In addition, charging of fees at the pre-asset freeze, is causing erosion of the frozen assets, contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), aimed at preserving the frozen assets for the benefit of the Libyan people.

20. Furthermore, paragraph 19 (a) of resolution 1970 (2011) requires the relevant Member State i.e. Bahrain to notify the Committee of the intention to authorise access to the frozen funds for payment, *inter alia*, of fees or service charges for routine holding or maintenance of frozen funds. Bahrain had, however, made only one notification in September 2019 under paragraph 19 (a) of resolution 1970 (2011) for discharge of custody fees amounting to USD 7,741,359.06 to the Bank ABC for Q4 of 2018 and Q1 & Q2 of 2019. Since then, no further notifications had been submitted in this regard. However, the Bank ABC had been debiting custody fees on a quarterly basis from LIA's frozen assets, without following the extant procedure in paragraph 19(a) of resolution 1970 (2011).

21. The Bank ABC claimed that, as per their understanding, through the September 2019 notification to the Committee they have a general approval from the Committee for quarterly deduction of custody fees, going beyond the amount of USD

7,741,359.06 for Q4 of 2018 and Q1 & Q2 of 2019. However, having reviewed the documentation relating to Bahrain notification of September 2019, the Panel found this notification and the corresponding Committee's no objection specifically applied only to the custody fees of USD 7,741,359.06 for Q4 of 2018 and Q1 & Q2 of 2019.

22. The Panel determined that each of the instances of quarterly deduction of custody and management fees from LIA's frozen funds from Q3 of 2019 to December 2023, totally amounting to USD 50,911,867.83,<sup>458</sup> was without any notification to the Committee, and in excess of the amount admissible for "routine holding or maintenance of frozen funds", in terms of paragraph 19(a) of resolution 1970 (2011) read with IAN #5. This constitutes non-compliance with the asset freeze by the Bank ABC Bahrain, and Bahrain.

*BACB custodian for LAFICO's frozen funds*

23. The Panel found that British Arab Commercial Bank (BACB) London, a custodian of the LAFICO, had been charging management fees @0.05% per annum on the portfolio's total market value and deducting it from LAFICO's frozen funds on a monthly basis under a Custody Agreement of July 2003.

24. In response to the Panel inquiries, the United Kingdom provided information regarding LAFICO's frozen funds with the BACB, and the licences issued to them. The BACB justified the charging of management fees under the license issued by the United Kingdom.

25. The Panel, however, determined that the BACB had deducted management fees for the period from 2011 to 2023, totally amounting to USD 3,072,686.25 without any notification to the Committee by the relevant Member State (i.e. the United Kingdom). In addition, as management fees @0.05% per annum was for a range of custodial and non-discretionary management services, including receipt and delivery of securities (i.e. settlement of sales, purchase and redemptions), such deducted charges exceed the amount admissible for "routine holding or maintenance of frozen funds", in terms of paragraph 19(a) of resolution 1970 (2011) read with IAN #5. This constitutes non-compliance with the asset freeze by the BACB and the United Kingdom.

*External fund managers for LAFICO's frozen assets*

26. The Panel found that 19.2% of LAFICO's total assets, amounting to USD 2.1 billion were managed by external fund managers, namely the DWS Frankfurt (37%), the HSBC Bank United Kingdom (33%), and the Credit Suisse (now UBS) United Kingdom (30%) under respective discretionary portfolio management agreements.

27. The Credit Suisse had not been carrying out active trading (viz. buying and selling of equities) in relation to LAFICO's frozen funds since December 2017. The HSBC Bank also stopped providing discretionary wealth management services to LAFICO's frozen funds since December 2018.

28. In response to the Panel's inquiries, the United Kingdom provided information relating to LAFICO's frozen funds with the Credit Suisse (now UBS) and the HSBC Bank, and the licenses issued to them. The Credit Suisse (now UBS) and the HSBC Bank justified charging of custody fees under the respective licenses issued by the United Kingdom.

29. Germany did not respond to the Panel's enquiries for information on LAFICO's frozen funds and the charging of safe custody fees by the DWS Frankfurt.

30. The Panel determined that DWS Frankfurt, HSBC Bank United Kingdom, and Credit Suisse (now UBS) United Kingdom levied safe custody/management/admin fees @0.20% per annum of the total market value of LAFICO's frozen assets under their custodian safe keeping. DWS Frankfurt and Credit Suisse (now UBS) United Kingdom directly deducted such fees from LAFICO's USD cash balances held with respective banks for varying periods since 2017. The HSBC Bank through HSBC Securities Services started levying custody fees on LAFICO's frozen assets since 1 February 2021 under its Custody Agreement with LAFICO effective from 1 July 2018. Though custody fees have been invoiced to LAFICO, they have not yet been debited from LAFICO's frozen accounts.

31. In the Panel's assessment, charging of safe custody fees from LAFICO's frozen funds by the DWS Frankfurt (Germany), the HSBC Bank United Kingdom, and the Credit Suisse (now UBS) United Kingdom without any notification to the Committee by the relevant Member States, in terms of paragraph 19(a) of resolution 1970 (2011) read with IAN #5,

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<sup>458</sup> Bank ABC Custody Fees for Q1 and Q2 2024, amounting to USD 6,693,118.04 have been demanded from LIA, however, not yet paid/deducted.

constitute non-compliance with the asset freeze by the DWS Frankfurt (Germany), the HSBC Bank United Kingdom, and the Credit Suisse (now UBS) United Kingdom, as well as respective Members States viz. Germany and the United Kingdom.

### **C. Active asset management by investing/reinvesting frozen funds**

#### *LIA's funds with Central Bank of Libya*

32. The Central Bank of Libya (CBL) was managing a large sum of LIA's liquid assets (cash), totalling USD 19.685 billion as of 30 June 2024, under an investment management agency agreement of 19 November 2008. These funds had been invested outside Libya in several international banks, including via the Libyan Foreign Bank (LFB), in short-term time deposits at a fixed interest rate determined at the beginning of each contract, subject to the limits set out by LIA for the agreed list of banks. Interests earned on these deposits was credited to LIA's account with the CBL. On maturity, these funds along with accrued interests were regularly rolled over and reinvested in time deposits. According to the CBL, the principal amount and the interests are frozen in accordance with the Security Council resolutions.

33. The Panel considers that active asset management activities, including investment/reinvestment in time deposits neither falls under the auspices of "routine holding or maintenance of frozen funds" nor fulfils the other conditions outlined in paragraph 19 (a) of resolution 1970 (2011).

34. The Panel thus determined that the CBL had been actively managing LIA's frozen funds by regularly rolling over and reinvesting them in time deposits in various international banks, the assets freeze notwithstanding, also reported previously.<sup>459</sup> Managing the frozen funds actively, going beyond the permissible "routine holding or maintenance of frozen funds", constitutes non-compliance with the asset freeze by the CBL and Libya, being the relevant Member State in regard to the CBL.

#### *LIA's funds with Libyan Foreign Bank*

35. Of LIA's USD 19.685 billion with the CBL as of 30 June 2024, USD 2.353 billion was invested with the Libyan Foreign Bank (LFB), which had further invested it in various international banks outside Libya. According to the CBL, this amount with the LFB, being a part of LIA's total funds with the CBL, is also frozen.

36. The LFB stated that all the funds invested with it, including LIA's funds, were held in a pool of funds, which were invested and rolled over into multiple financial instruments in various financial institutions to achieve the specified returns for their clients. They did not disclose any further details citing Banking Secrecy Law. The LFB could not confirm the exact amount and location(s) of LIA's funds held with them via the CBL, nor could they confirm its frozen status.<sup>460</sup>

37. The Panel determined that as of 30 June 2024, the USD 2.353 billion of LIA's funds invested by the CBL through the LFB in various financial institutions outside Libya, was not segregated and frozen at the LFB's end nor at the ends of those institutions in which they finally invested/reinvested. The LFB had been regularly rolling over and further investing/reinvesting these LIA's funds into multiple financial instruments, going beyond the permissible "routine holding or maintenance of frozen funds" stipulated in paragraph 19 (a) of resolution 1970 (2011). This amounts to non-compliance with the asset freeze by the LFB and Libya, being the relevant Member State in regard to the LFB.

#### *Frozen funds of LIA and LAFICO with Bank ABC Bahrain*

38. The Panel found that as of 29 February 2024, the Bank ABC Bahrain was actively managing frozen funds of LIA and LAFICO amounting to USD 1.82 billion and USD 1.13 billion, respectively, by regularly reinvesting them in short-term time deposits. These cash reserves had accrued on account of interests, dividends, and coupons payments, as well as proceeds of corporate actions, where applicable. According to the Bank ABC, regular investments in time deposits had been carried out at the instructions of LIA and e LAFICO, and these funds and interests accruing thereon were frozen in accounts of LIA and LAFICO in the Bank ABC.

39. The Panel found that every roll-over activity for reinvestment of the frozen funds of LIA and LAFICO in time deposits by the Bank ABC amounts to active management of frozen assets. The active asset management of these frozen funds by the Bank ABC goes beyond the permissible activities for "routine holding or maintenance of frozen funds" stipulated in paragraph 19 (a) of resolution 1970 (2011). This constitutes non-compliance with the asset freeze by the Bank ABC and Bahrain.

<sup>459</sup> S/2018/812, paragraph 195.

<sup>460</sup> Panel meeting with LFB, 3 June 2024, Tripoli.

*LIA's direct time deposits of frozen funds with various banks*

40. The Panel found that LIA had been directly investing/reinvesting its frozen funds in time deposits directly in various banks outside Libya. As of 29 February 2024, the banks that were actively managing the frozen funds indicated against them in time deposits are presented in table 67.1.

Table 67.1

**Banks actively managing LIA's frozen assets<sup>a</sup>**

<i>Bank</i>	<i>Amount (million USD)</i>
BACB, United Kingdom	259.660
Banq BIA, France	110.643
Arab Petroleum Investments Corporation (APICORP), Saudi Arabia	91.958
Bank ABC, United Kingdom	90.886
First Abu Dhabi Bank (FAB), United Arab Emirates	57.930
North Africa International Bank (NAIB), Tunisia	7.669

<sup>a</sup> Listed in descending order of the amount being managed.

41. The United Kingdom informed that they had issued licenses to the Bank ABC United Kingdom and BACB United Kingdom to move funds between current accounts and term deposit accounts held in the name of LIA/LAFICO and roll over deposits held in their name, and enter into certain foreign exchange and derivative transactions. The Panel considers that the exemptions provided for in paragraph 19 (a) refer to, *inter alia*, fees or service charges for “routine holding or maintenance of frozen funds”, and that this clause does not cover active asset management or investment/reinvestment of frozen funds, including in term/time deposits, which is a distinct activity involving discretionary management with associated risks, even if income from such activity is also frozen.

42. France did not provide relevant information with regard to the Panel's inquiries. Saudi Arabia, United Arab Emirates, and Tunisia did not respond to the Panel's inquiries.

43. The Panel determined that the investment/reinvestment of the frozen funds in time deposits constitutes non-compliance with the asset freeze by the forementioned banks and respective Members States.

**D. Deduction of commission from the LIA's frozen funds by CBL**

44. The Panel found that the CBL had been regularly charging a commission @ 1/32% of the interest amount, accruing on LIA's frozen funds under an investment management agency agreement of November 2008. According to the CBL, this commission was for active management of LIA's frozen assets with the CBL by investing/reinvesting them in time deposits with various international banks outside Libya. The CBL had been deducting the commission amount directly from the interest amount at the time of maturity of each time deposit, before rolling over the deposits. As of 30 June 2024, the CBL had charged a sum of USD 98.406 million (1/32 x total interest accrued USD 3.149 billion) as commission from the interest accrued on the LIA's frozen funds since the asset freeze in 2011. The CBL had already deducted an amount of USD 67.707 million from the interest income as of 30 June 2024.

45. As per the IAN #6, interests, other earnings, or payments on LIA frozen assets arising after 16 September 2011 are also frozen.<sup>461</sup> Accordingly, each deduction from the interests accrued on LIA's frozen funds was required to be notified to the Committee prior to accessing such frozen funds.

46. The Panel determined that the CBL had recurrently deducted the commission amounts from LIA's frozen funds, without any notification to the Committee as per the applicable provisions for exemptions stipulated in paragraph 19 or paragraph 21 of resolution 1970 (2011). This amounts to non-compliance with the asset freeze by the CBL and Libya, being the relevant Member State in regard to the CBL.

<sup>461</sup> [https://main.un.org/securitycouncil/sites/default/files/ian\\_6\\_e.pdf](https://main.un.org/securitycouncil/sites/default/files/ian_6_e.pdf)

**Annex 68 Active portfolio management of LAIP's frozen assets by FMCP  
[CONFIDENTIAL]**

## Annex 69 LIA's non-compliances with international standards

1. Proper accounting, reporting, and auditing as per the Santiago Principles and other international standards, are key elements for asset management of a sovereign wealth fund. The unavailability of accurate consolidated financial statements for the year 2020 onwards and audit thereof has serious implications on LIA's ability to effectively manage its investments.
2. LIA provided the Panel with updates on the progress of its transformation strategy aligned with the Santiago Principles,<sup>462</sup> implemented through Libyan Law No. (13)<sup>463</sup> of 2010.<sup>464</sup> While acknowledging LIA's stated preparation and audit of financial statements, the Panel found that LIA remains unable to provide accurate consolidated financial statements for the years 2020 onwards in accordance with international standards, as called for in the preamble of resolution 2701 (2023).
3. The Panel further found that LIA has not been in full compliance with international standards, implemented through Libyan Law (13) of 2010, which have potential implications on the overall governance, transparency, accountability and conflict of interest in the management of the frozen assets by LIA (table 69.1).

Table 69.1  
Summary of LIA's non-compliances with international standards

<i>Santiago Principles</i>	<i>Libyan Law No. (13) of 2010</i>	<i>Non-compliances</i>
Principle 11	Articles 7.11, 9, 11.7, 11.21, and 22	<ul style="list-style-type: none"> <li>▪ Annual reports accompanying financial statements for the period 2021 through 2023 have not been prepared, approved, issued and published in accordance with international standards and in a timely fashion (i.e. within a period of three months from the expiry of the financial year).</li> <li>▪ The last published annual report is for 2019, which is also not in accordance with the International Financial Reporting Standards (IFRS), in particular Standards 7, 10 and 12,<sup>465</sup> as well as the International Accounting Standards (IAS), especially IAS 1.<sup>466</sup></li> <li>▪ Consolidated financial statement for 2020, stated to be prepared, but not yet audited, and is not yet made available and published.</li> </ul>
Principle 12	Articles 19 and 20	<ul style="list-style-type: none"> <li>▪ No audit of financial statements has been carried out since 2008.<sup>467</sup></li> <li>▪ Agreed Upon Procedures (AUP) conducted by EY on some of LIA's assets for 2018 and 2019 do not constitute an audit in accordance with International Standards on Auditing (ISA).<sup>468</sup></li> </ul>
Principle 18	Article 5 (1)	<ul style="list-style-type: none"> <li>▪ Investment strategy, policy and guidelines, as well as accounting policy are not available.<sup>469</sup></li> </ul>

<sup>462</sup> [https://www.ifswf.org/sites/default/files/santiagoprinciples\\_0\\_0.pdf](https://www.ifswf.org/sites/default/files/santiagoprinciples_0_0.pdf).

<sup>463</sup> <https://lia.ly/wp-content/uploads/2021/08/LAW-13-Lia.pdf>.

<sup>464</sup> Panel meeting with LIA, 3 March 2024, Tripoli; LIA letters to Committee, 4 March 2024, and Panel, 31 March 2024; and LIA workshop, 26 August 2024, Cairo.

<sup>465</sup> <https://www.ifrs.org/issued-standards/list-of-standards/>.

<sup>466</sup> <https://www.ifrs.org/issued-standards/list-of-standards/>: IAS1 sets out the overall framework for presenting general purpose financial statements, including guidelines for their structure and the minimum content.

<sup>467</sup> Meetings with LIA (Tunis, 11 February 2024; Tripoli, 3 March 2024; VTC, 27 March 2024; and Cairo, 26 August 2024).

<sup>468</sup> <https://www.iaasb.org/standards-pronouncements>.

<sup>469</sup> Only an investment policy statement is available: <https://lia.ly/en/our-investment-platform/>.



**Annex 70 Irregularities and discrepancies in the assets of LIA, LAFICO, LTP and LAIP  
[CONFIDENTIAL]**

## Annex 71 Libyan Investment Authority and its subsidiaries – conflict of interest

1. The Panel found that LIA is in non-compliance with Santiago Principle 13, implemented through Libyan Audit Bureau Circular No. (7) of 2018, regarding conflict of interest in the appointments of boards of the public companies. As per this circular, a chair or member of a board of directors of LIA cannot serve as a chair or member of the board of directors of its subsidiary company. LIA has also issued a code of conduct for the Board of Directors to ensure professionalism and to address potential conflict of interest.<sup>470</sup>

2. The Panel identified conflicts of interest in the functioning of LIA and its subsidiaries, as directors of LIA also served on the boards of its subsidiaries, receiving additional substantial emoluments/remuneration from subsidiaries. These subsidiaries derived their revenue majorly from LIA, indicating a financial reliance on LIA, thus having potential bearing on arms-length decision-making. Such arrangements lack transparency and pose risks of misuse and misappropriation to LIA's overall asset management.

### *LIA Advisory Services (UK) Limited*

3. LIA directors have appointed themselves to the Board of LIA Advisory Services (UK) Limited. The composition of the Board is exactly the same as that of LIA. As per the confirmation statement of 19 September 2023, LIA holds 100% of the shares of LIA Advisory Services (UK) Limited.

4. As per the financial statements for the year 2021, filed on 23 August 2023, the director's fees amount to GBP 144,000 out of the total wages and salaries of GBP 156,000, as shown in note 12. More than 92% of the total wages and salaries of LIA Advisory Services (UK) Limited were paid back to LIA's directors.

5. Furthermore, the 2022 Annual Report, filed on 16 May 2024 (due on 30 September 2023), reveals that the directors of LIA Advisory Services (UK) Limited are identical to those of the LIA. Note 11 shows that these five directors received remuneration of GBP 175,000, accounting for 95% of the total wages and salaries of GBP 185,000. In addition, note 11.1 reveals that during 2022, LIA Advisory Services (UK) Limited had only five employees - all of whom were LIA directors, with no other employee.<sup>471</sup>

### *LIA Advisory (Malta) Limited*

6. The annual return of LIA Advisory (Malta) Limited for the period ending 18 December 2023, filed on 3 January 2024, lists the same five directors, who are the directors of LIA.

7. The 2022 financial statements for LIA Advisory (Malta) Limited, filed in August 2024, further confirms the same set of five directors as of LIA. The company's total revenue was EUR 989,771, all from LIA as per Note 17, with administrative expenses amounting to EUR 706,107. Per note 10, Directors' emoluments were EUR 100,007.

8. Likewise, the 2020 financial statements for LIA Advisory (Malta) Limited, filed in November 2022, shows a revenue of EUR 304,124 — all of this from LIA as per Note 16. Administrative expenses totalled EUR 270,619, with EUR 72,000 paid to directors as per Note 9.<sup>472</sup>

9. In short, LIA Advisory (Malta) Limited has exclusively billed to LIA, and then distributed a part of the income to LIA's directors.

<sup>470</sup> <https://lia.ly/letepaq/uploads/2021/08/Board-code-of-conduct.pdf>, July 2020.

<sup>471</sup> <https://find-and-update.company-information.service.gov.uk/company/06962288/filing-history>.

<sup>472</sup> [https://register.mbr.mt/app/query/get\\_company\\_details?auto\\_load=true&uuid=bff8a301-c2e7-5af8-bbf9-034f2a2998a7](https://register.mbr.mt/app/query/get_company_details?auto_load=true&uuid=bff8a301-c2e7-5af8-bbf9-034f2a2998a7).

**Annex 72    Depletion of LIA's frozen assets [CONFIDENTIAL]**

## Annex 73 LIA's limited visibility and control over its frozen assets

1. Some of LIA's custodians and asset managers have not submitted regular reports on the frozen funds held with them to LIA and/or not paying receivables and accruals on the funds. LIA raised a concern that interest income, cash held with third parties, and dividends are not being transferred to custodian accounts due to the asset freeze. Some asset managers requested for licenses for transfers, which LIA found difficult to obtain from the relevant Member States. These practices have limited LIA's visibility and control over its frozen funds. As of July 2023, USD 2.188 billion remain unrealised receivables.

2. The specific exception provided for in paragraph 20 of resolution 1970 (2011) allows the addition by Member States of interests or other earnings or payments to the frozen accounts, but such interests or other earnings or payments remain frozen. This was also clarified by Implementation Assistance Notice # 6.<sup>473</sup> Therefore, interests, dividends and coupons on frozen funds should be transferred and added to the frozen funds and be frozen by the relevant financial institutions. However, this is not universally the case, the possible reason being the following wording of paragraph 20 of resolution 1970 (2011):

*“Decides also that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts ... provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen”*

3. The word “may” could be interpreted differently by Member States and financial institutions to avoid transferring and adding interest and other income on frozen funds. This is leading to varied practices among financial institutions when it comes to transferring/adding such income on frozen funds.

4. The Panel considers that the asset freeze does not restrict the addition of income to frozen funds, including credit of accruals and receivables. Member States should be encouraged to ask financial institutions to credit interests and other income to frozen funds in line with aforementioned provisions of the resolution and Implementation Assistance Notice # 6. Where required, Members States should consider issuing such licenses promptly.

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<sup>473</sup> [https://main.un.org/securitycouncil/sites/default/files/ian\\_6\\_e.pdf](https://main.un.org/securitycouncil/sites/default/files/ian_6_e.pdf).

## Annex 74 Timeline of the Euroclear case

Table 74.1  
Timeline of the Euroclear case

<i>Date/Month/Year</i>	<i>Events</i>
8 Jul 2008	<ul style="list-style-type: none"> <li>The Global Sustainable Development Trust (hereinafter referred to as “GSDT”), a Belgian non-profit organisation run by Prince Laurent of Belgium, signed a contract of EUR 70 million with the Libyan Ministry of Agriculture and Marine for afforestation of the Libyan coastline over a 15-year period.</li> </ul>
14 Apr 2010	<ul style="list-style-type: none"> <li>The 2008 contract was terminated.</li> </ul>
26 Feb 2011	<ul style="list-style-type: none"> <li>United Nations Security Council (UNSC) sanctions measures concerning Libya.</li> </ul>
17 Mar 2011	<ul style="list-style-type: none"> <li>UNSC sanctions measures concerning the asset freeze of Libyan Investment Authority (LIA) (LYe.001) a.k.a. Libyan Arab Foreign Investment Company (LAFICO) and Libyan Africa Investment Portfolio (LAIP) (LYe.002).</li> </ul>
31 May 2011	<ul style="list-style-type: none"> <li>The GSDT went into liquidation.</li> </ul>
23 Aug 2011	<ul style="list-style-type: none"> <li>The GSDT filed a lawsuit against the State of Libya (the then Libyan Arab Jamahiriya) before the Court of First Instance in Brussels to claim damages for the termination of the 2008 contract.</li> </ul>
7 Sep 2011	<ul style="list-style-type: none"> <li>Belgium confirmed the freezing of designated entities assets in Belgium for a total amount of EUR 14 billion.</li> </ul>
28 Sep 2011	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels ordered the State of Libya to pay a provisional amount of EUR 17 million to the GSDT.</li> </ul>
17 Sept 2012	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels ordered the State of Libya to pay an additional amount of EUR 21 million to the GSDT.</li> </ul>
Jun - Sep 2013	<ul style="list-style-type: none"> <li>The State of Libya filed a complaint to the Belgian judgments before Belgian courts, claiming that they had never received the process of these judgments and emphasising that Libya had paid EUR 281,000 to the GSDT as a compensation for the 2008 contract termination. The Court of First Instance found the complaint of Libya inadmissible.</li> </ul>
20 Nov 2014	<ul style="list-style-type: none"> <li>The Court of Appeal in Brussels rejected the appeal by the State of Libya against the Court of First Instance order of September 2013.</li> </ul>
Nov 2014	<ul style="list-style-type: none"> <li>The GSDT claimed that LIA’s frozen assets at the Euroclear bank in Brussels could be used to execute the decision of the Brussels Court of First Instance. The initial damage reward of EUR 17 million had risen to approximately EUR 50 million due to interests and legal costs.</li> </ul>
Sep 2011- Dec 2017	<ul style="list-style-type: none"> <li>Interests and dividends accruing on the frozen funds of LIA and LAFICO at the Euroclear bank, amounting to EUR 2 billion were transferred to the Bank ABC in non-compliance with the asset freeze.</li> </ul>
2 Mar 2015	<ul style="list-style-type: none"> <li>The State of Libya initiated proceedings against GSDT before the Court of First Instance in Brussels to prove that Libya had paid for the work carried out by the GSDT under the 2008 contract. The Court did not decide on the matter to this date. Later in 2015, Attorney General of Libya requested its counterpart in Belgium to conduct an expanded investigation into Prince Laurent’s attempt to defraud the State of Libya by misleading the Belgian courts by withholding the 2008 contract termination documents.</li> </ul>
10 Sep 2015	<ul style="list-style-type: none"> <li>The GSDT made a complaint against LIA for money laundering to responsible Belgian authorities.</li> </ul>
6 Jan 2016	<ul style="list-style-type: none"> <li>The Belgian Crown Prosecution Service, led by Judge Michel Claise, initiated criminal judicial inquiry against LIA, LAFICO, Euroclear, Bank ABC, and HSBC focusing on the origin and destination of the frozen funds, and the associated interests.</li> </ul>
23 Oct 2017	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels ordered protective attachment (seizure) of the assets of LIA and LAFICO at the Euroclear bank.</li> </ul>
24 Jan 2019	<ul style="list-style-type: none"> <li>Prince Laurent requested the Belgium Government to initiate the implementation of the two judgements of September 2011 and September 2012 by accessing LIA’s assets at the Euroclear bank.</li> </ul>
24 Apr 2020	<ul style="list-style-type: none"> <li>The Euroclear bank opposed the October 2017 seizure, citing Belgian law of 1999, granting immunity from seizure of assets to prevent risks in international clearing system. The Brussels Indictment Chamber deemed the seizure of Libyan funds in Euroclear lawful.</li> </ul>

<i>Date/Month/Year</i>	<i>Events</i>
2 Feb 2021	<ul style="list-style-type: none"> <li>Belgium government submitted a notification to the Committee to authorise the unfreezing of funds belonging to LIA a.k.a. LAFICO for the benefit of GSDT, in connection with a contract entered into between the GSDT and the State of Libya.</li> </ul>
4 Feb 2021	<ul style="list-style-type: none"> <li>LIA objected to the Belgium Government's request concerning the release of frozen funds of LIA for the benefit of the GSDT, as it is an independent sovereign fund and not a party to the contract between the GSDT and the State of Libya.</li> </ul>
12 Feb 2021	<ul style="list-style-type: none"> <li>The Committee determined that Belgium notification invoking the unfreezing of assets in connection with the GSDT contractual dispute did not meet the conditions stipulated in paragraph 21 of resolution 1970 (2011) on the basis that (1) LIA has not entered into a contract with the GSDT, and (2) the legal ownership of the assets still vests with LIA and LIA has not agreed to the unfreezing of the funds.</li> </ul>
4 Mar 2021	<ul style="list-style-type: none"> <li>LIA and LAFICO requested the investigating judge of the Court of First Instance in Brussels to lift the seizure on their assets held at the Euroclear bank.</li> </ul>
19 Mar 2021	<ul style="list-style-type: none"> <li>The investigating judge of the Court of First Instance in Brussels rejected LIA and LAFICO requests for lifting of the seizure on their assets held at Euroclear.</li> </ul>
Sep - Oct 2021	<ul style="list-style-type: none"> <li>In the context of the criminal proceedings, LIA Chairman, Ali Mahmoud Hassan Mohammed, was summoned to appear before the court in Belgium. A questionnaire from the Federal Judicial Police in Brussels was also sent to him. He did not accede to that request, claiming that Libyan domestic law prevented him from testifying.</li> </ul>
21 Dec 2021	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels issued international and European arrest warrants for LIA Chairman, Ali Mahmoud Hassan Mohammed. Thereafter, the Attorney General of Libya met with his Belgian counterpart in Brussels in an attempt to resolve this issue.</li> </ul>
6 Jan 2022	<ul style="list-style-type: none"> <li>Belgian authorities circulated a Diffusion to Interpol in relation to LIA Chairman, Ali Mahmoud Hassan Mohammed.</li> </ul>
Oct 2022	<ul style="list-style-type: none"> <li>Belgian authorities sent a rogatory commission letter to their Libyan counterparts enabling LIA Chairman, Ali Mahmoud Hassan Mohammed to respond through the Libyan Attorney General.</li> </ul>
16 Jan 2023	<ul style="list-style-type: none"> <li>LIA Chairman, Ali Mahmoud Hassan Mohammed submitted an official reply to the investigative judge of the Court of First Instance in Brussels, and argued for lifting the arrest warrant.</li> </ul>
21 Feb 2023	<ul style="list-style-type: none"> <li>The Brussels Chamber of Indictment denied LIA Chairman, Ali Mahmoud Hassan Mohammed's request to cancel the arrest warrant against him.</li> </ul>
14 April 2023	<ul style="list-style-type: none"> <li>LIA notified the Ministry of Foreign Affairs of Belgium requesting negotiations to reach an amicable resolution of the dispute in accordance with Article 12(1) of the 2004 bilateral investment treaty (BIT) between Libya, and Belgium and Luxembourg, failing which, upon the expiration of the six-month negotiation period, starting on the date of service of this notice, LIA would submit its claim to international arbitration under the ICSID Facility Rules pursuant to Article 12(3) of the said Agreement.</li> </ul>
2 May 2023	<ul style="list-style-type: none"> <li>Interpol dismissed the request of the Belgian authorities to circulate an arrest warrant against LIA Chairman, Ali Mahmoud Hassan Mohammed. It decided that the data concerning Ali Mahmoud Hassan Mohammed are not compliant with Interpol's rules applicable to the processing of personal data, and that they shall be deleted from Interpol's files.</li> </ul>
7 Jul 2023	<ul style="list-style-type: none"> <li>The Belgian Court of Appeal rejected the appeal filed by LIA and LAFICO to lift the seizure on its assets at Euroclear.</li> </ul>
11 Dec 2023	<ul style="list-style-type: none"> <li>LIA initiated the second phase of international arbitration proceedings by submitting a request to International Centre for Settlement of Investment Disputes (ICSID) in respect of its dispute with Belgium over frozen Libyan assets, by invoking the 2004 BIT between Libya, and Belgium and Luxembourg as the basis for consent to arbitration.</li> </ul>
30 Jan 2024	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels lifted the protective attachment levied against the Euroclear bank on 23 October 2017, releasing assets of LIA and LAFICO, except for an amount of EUR 2.837 billion related to interest, dividends, and coupons from frozen assets transferred to Bank ABC before the attachment.</li> </ul>
5 Mar 2024	<ul style="list-style-type: none"> <li>The Court of First Instance in Brussels ordered to annul both the international and European arrest warrants against LIA Chairman, Ali Mahmoud Hassan Mohammed, issued on 21 December 2021.</li> </ul>
8 Mar 2024	<ul style="list-style-type: none"> <li>Arbitration team is constituted to arbitrate the case Libyan Investment Authority v. Kingdom of Belgium (ICSID Case No. ARB(AF)/23/3).</li> </ul>
3 May 2024	<ul style="list-style-type: none"> <li>The Tribunal held its first session via videoconference to discuss the procedural issues that would govern the arbitration proceedings according to ICSID rules.</li> </ul>

<i>Date/Month/Year</i>	<i>Events</i>
13 May 2024	▪ The Claimant i.e. LIA files a submission regarding its representation.
29 May 2024	▪ The Respondent files observations on the representation of the Claimant.
30 May 2024	▪ The Tribunal issues Procedural Order No. 1 concerning procedural matters.
28 Jun 2024	▪ The Tribunal issued Procedural Order No. 2 on the representation of the claimant.
16 Aug 2024	▪ The Claimant files a memorial on the merits.
30 Sep 2024	▪ The Respondent files a request to address the objections to jurisdiction as a preliminary question pursuant to ICSID Additional Facilities Rule 52.
30 Oct 2024	▪ The Respondent files a request to address the objections to jurisdiction as a preliminary question pursuant to ICSID Additional Facilities Rule 54.

Sources: Belgium letter to the Panel of 9 May 2018; LIA letter to the Committee of 9 October 2023; LIA letter to the Panel of 19 February 2024; Panel meeting with LIA, 4 June 2024, Tripoli; S/RES/1970 (2011); S/RES/1973 (2011); S/RES/2009 (2011); S/2018/812, paragraph 198; S/2021/498; <https://www.lalibre.be/dernieres-depeches/belga/la-saisie-des-15-milliards-libyens-chez-euroclear-est-legale-5ea4141e9978e21833d3a8f5>; [https://icsid.worldbank.org/cases/case-database/case-detail?CaseNo=ARB\(AF\)/23/3](https://icsid.worldbank.org/cases/case-database/case-detail?CaseNo=ARB(AF)/23/3); and CS (Libyan Officials).

## Annex 75 Timeline of the Fortis case

Table 75.1

### Timeline of the Fortis case

<i>Date/Month/Year</i>	<i>Events</i>
13 Apr 2018	<ul style="list-style-type: none"> <li>The Fortis Settlement agreed on behalf of all investors, including Libyan Investment Authority (LIA), who bought and/or held Ageas SA/NV (f/k/a Fortis) shares at any time between the relevant Class Period i.e. 28 February 2007 – 14 October 2008.</li> </ul>
13 Jul 2018	<ul style="list-style-type: none"> <li>The Amsterdam Court of Appeals officially declared the Fortis settlement entered into between Ageas, Stichting FORsettlement and the claimant organizations (i.e. Vereniging van Effectenbezitters, Deminor, Stichting Investor Claims Against Fortis (SICAF) and Stichting FortisEffect) binding.</li> </ul>
30 Mar 2020	<ul style="list-style-type: none"> <li>Computershare Investor Services PLC (hereinafter referred to as “Computershare”), the Claims Administrator of the Fortis settlement informed the LIA that it had determined, in accordance with the Amended and Restated Settlement Agreement for the Fortis settlement, that LIA’s holdings of Fortis shares resulted in a provisional claim amount of EUR 3,671,950.00 and that LIA was eligible for an Early Distribution Amount of EUR 2,570,365.00 (i.e. 70% of the provisional claim amount). It further specified that the payment of the Early Distribution Amount would be made to the Dutch Consignment Office and would remain frozen until Finance Authorities of Belgium and the Netherlands determine that the conditions had been met for releasing the funds in terms of European Regulation 2016/44.</li> </ul>
9 Apr 2020	<ul style="list-style-type: none"> <li>LIA sought clarification from Computershare regarding the fund transfer to Dutch Consignment Office, and requested to transfer the funds to a LIA’s frozen bank account, which in their view was permissible under the sanctions regime.</li> </ul>
30 May 2020	<ul style="list-style-type: none"> <li>LIA requested Computershare to provide a copy of the correspondence with the Dutch authorities for clarity on legal basis for transfer of the Fortis settlement funds to Dutch Consignment Office.</li> </ul>
2 Jun 2020	<ul style="list-style-type: none"> <li>Computershare insisted that the sanctions prevented them from making the payment to LIA, including to a LIA’s frozen account.</li> </ul>
23 Sep 2020	<ul style="list-style-type: none"> <li>LIA wrote to the independent chairman of FORsettlement (i.e. the foundation in charge of the settlement) stating that the sanctions regime would allow FORsettlement and Computershare to transfer the funds into a frozen bank account of LIA.</li> </ul> <p>The independent chairman of FORsettlement responded that the prevailing sanctions would not allow making payment to LIA; however, FORsettlement and Computershare would make payment to LIA, if authorisations from the Dutch and Belgian authorities are obtained by LIA.</p>
1 & 23 Feb 2021	<ul style="list-style-type: none"> <li>The independent chairman of FORsettlement again confirmed to follow the authorisation by the Dutch authorities. He also stated that they should be able to make the payment directly to LIA’s blocked account at Unicredit subject to the authorities’ approval.</li> </ul>
24 Mar 2021	<ul style="list-style-type: none"> <li>LIA obtained the authorisations from the Dutch, Belgian and German Ministries of Finance to transfer the funds into a frozen bank account at UniCredit in Germany.</li> </ul>
14 May 2021	<ul style="list-style-type: none"> <li>Computershare revised the settlement amount due to the LIA upward to EUR 2,611,200.45.</li> </ul>
24 Sep 2021	<ul style="list-style-type: none"> <li>Computershare indicated that the bank accounts holding the claimed funds/settlement amount include a Computershare account in the United Kingdom, and informed LIA that it cannot transfer the funds due to: a) United Kingdom authorities’ inability to accept Dutch authorities’ approval as a result of Brexit, and b) payments made out of the accounts held by FORsettlement in Belgium must stay within Belgium per the Belgian authorities.</li> </ul>
25 Oct 2021	<ul style="list-style-type: none"> <li>The independent chairman of FORsettlement cited LIA’s “association with terrorism” as a reason for payment difficulties, and advised LIA to obtain all necessary approvals for a payment to be made either from a bank account held by Computershare in the United Kingdom or from a bank account held by FORsettlement in Belgium.</li> <li>LIA responded by clarifying that the allegation was baseless, inappropriate, and unacceptable. It further explained that the asset freeze imposed upon LIA was not punitive, instead it was a protective measure aimed exclusively at safeguarding the assets for the benefit of future Libyan generations during this transitional period.</li> </ul>
22 Dec 2021	<ul style="list-style-type: none"> <li>LIA sought confirmation from UK’s national competent authority - Office of Financial Sanctions Implementation (OFSI) that no licence was required for transfer of Fortis Settlement funds to LIA under the UK Regulations.</li> </ul>



<i>Date/Month/Year</i>	<i>Events</i>
21 Jan 2022	<ul style="list-style-type: none"> <li>▪ The OFSI replied that no licence was required for the above transfer of funds to LIA, with the understanding that the prohibitions in The Libya (Sanctions) (EU Exit) Regulations 2020 are not engaged by the payment.</li> </ul>
4 February 2022	<ul style="list-style-type: none"> <li>▪ LIA conveyed the above OFSI's reply to Computershare.</li> </ul>
31 Mar 2022	<ul style="list-style-type: none"> <li>▪ Computershare responded to LIA that it would still not be able to transfer the funds, after having considered OFSI confirmation in consultation with its banking provider.</li> </ul>
14 Jul 2022	<ul style="list-style-type: none"> <li>▪ Computershare further notified LIA that due to lack of any solution, the payment of LIA's settlement amount would be made to Dutch Consignment Office.</li> </ul>
6 Sept 2022	<ul style="list-style-type: none"> <li>▪ The investigative judge of the Belgian Court of First Instance, Michel Claise, issued an attachment order for all the amount owed by Ageas SA/NV (f/k/a Fortis) to LIA, directing the Belgian federal judicial police to carry out the protective attachment and notify Ageas and LIA within 48 hours.</li> </ul>
7 Sept 2022	<ul style="list-style-type: none"> <li>▪ LIA wrote again to Computershare when the transfer to the Dutch Consignment Office was expected to occur, but no response was received.</li> </ul>
30 Nov 2022	<ul style="list-style-type: none"> <li>▪ EUR 2,977,377.72 owed to LIA under the Fortis settlement was transferred to the Belgian OCSC (Organe Central pour la Saisie et la Confiscation), the officially designated Belgian Asset Recovery Office (ARO) and Asset Management Office (AMO) in criminal matters, pursuant to Belgian investigative Judge's attachment order of September 2022.</li> </ul>
12 Dec 2022	<ul style="list-style-type: none"> <li>▪ LIA sent formal letter before action for the purposes of the English Civil Procedure Rules to Computershare regarding the transfer of LIA's settlement amount, which are being held by Computershare without any reason/authority.</li> </ul>
15 Dec 2022	<ul style="list-style-type: none"> <li>▪ Computershare informed LIA that the Belgian federal judicial police, acting upon the instructions of the Belgian investigative judge Michel Claise, served Ageas SA/NV, (f/k/a Fortis), an attachment order in respect of the sums owed to LIA under the Fortis settlement. This order blocked the payment to LIA and determined the transfer of the amount of EUR 2,977,377.72 to the OCSC, the Belgian criminal consignment office. This payment constitutes good and valid discharge of any and all obligations that may have been owed to LIA pursuant to the Settlement Agreement. LIA claimed that it was not notified of this attachment order.</li> </ul>
13 Jan 2023	<ul style="list-style-type: none"> <li>▪ LIA responded to Computershare seeking further clarifications on various issues, including the reason for delay in payment of the settlement amount to LIA prior to the attachment order and the discrepancy in the settlement amount.</li> </ul>
30 Jan 2024	<ul style="list-style-type: none"> <li>▪ The Court of First Instance in Brussels lifted the protective attachment levied against the Euroclear bank on 23 October 2017, releasing assets of LIA and LAFICO, including the Fortis settlement amount, except for an amount of EUR 2.837 billion related to interest, dividends, and coupons from frozen assets transferred to Bank ABC before the attachment.</li> </ul>
Oct 2024	<ul style="list-style-type: none"> <li>▪ Principal amount of EUR 2.977 million along with an interest amount of EUR 110,226.32 remained with OCSC.</li> </ul>

Sources: LIA letter to the Panel of 19 February 2024; Belgium letter to the Panel of 15 October 2024; <https://www.forsettlement.com/>; <https://www.issgovernance.com/europes-largest-court-approved-securities-case-settlement-ageas-f-k-a-fortis-settlement-finally-secured-at-e1-3-billion/>; and CS (Libyan officials).

**Annex 76 LIA's assets portfolio performance [CONFIDENTIAL]**

## Annex 77 Cooperation between the Panel and LIA under the 2701 (2023) mandate

1. Throughout this mandate, LIA increased its cooperation with the Panel and offered consistent availability to provide most of the requested information. These engagements were characterised by open and transparent communication both in person and online (table 76.1).
2. Owing to these regular engagements, the Panel was able to gather primary data relevant for its assessment of LIA's investment plan under paragraph 15 of resolution 2701 (2023).

Table 77.1

### Panel's engagements with LIA

<i>Engagement</i>	<i>Number</i>
Meetings	3
Online meeting	1
Workshop	1
Panel letters	6
LIA submissions/responses	7
Panel e-mails	13
LIA e-mails	17

## Annex 78 Data inconsistencies in LIA's investment plan

1. LIA's investment plan,<sup>474</sup> having six impacts, is stated to cover frozen funds approximately USD 17.587 billion, including cash reserves of USD 9.757 billion. However, the Libyan Audit Bureau's 2022 report lists USD 39 billion in frozen assets out of LIA's total assets of USD 71.354 billion, including USD 24 billion in frozen cash and cash deposits.<sup>475</sup> The Panel finds that a significant portion of the frozen funds is excluded from the plan, indicating presentation of a few assets for investment in a selective and inconsistent manner.

2. The Panel's analysis indicated that LIA's investment plan duplicates certain amounts across different impacts, resulting in inaccuracies and inconsistencies in amounts of assets, and exaggerated potential opportunity losses (table 78.1).

Table 78.1

### Data inconsistencies and duplications

<i>Impact</i>	<i>Uninvested cash reserves</i>	<i>Reason for accrual</i>	<i>Data inconsistencies</i>
First Impact	USD 1.110 billion	Matured securities	<ul style="list-style-type: none"> <li>▪ Full amount is included in Fourth Impact.</li> </ul>
Second Impact	USD 945 million	Matured bonds	<ul style="list-style-type: none"> <li>▪ Full amount is included in Fourth Impact.</li> <li>▪ Amount of USD 262.178 million is also included in First Impact (USD 1.110 billion).</li> </ul>
Fourth Impact	USD 5.274 billion	Matured securities	<ul style="list-style-type: none"> <li>▪ Amount of USD 1.110 billion is included in First Impact.</li> <li>▪ Amount of 945 million is included in Second Impact.</li> <li>▪ Amount of USD 1.723 billion is net cash receivables - not yet realised by LIA.</li> </ul>

3. After excluding the duplications and net receivables, the actual cash amount comes to USD 5.979 billion as opposed to USD 9.757 billion presented in the investment plan.

<sup>474</sup> LIA letter to the Committee, 15 January 2024; Meeting with LIA (Tripoli, 3 March 2024).

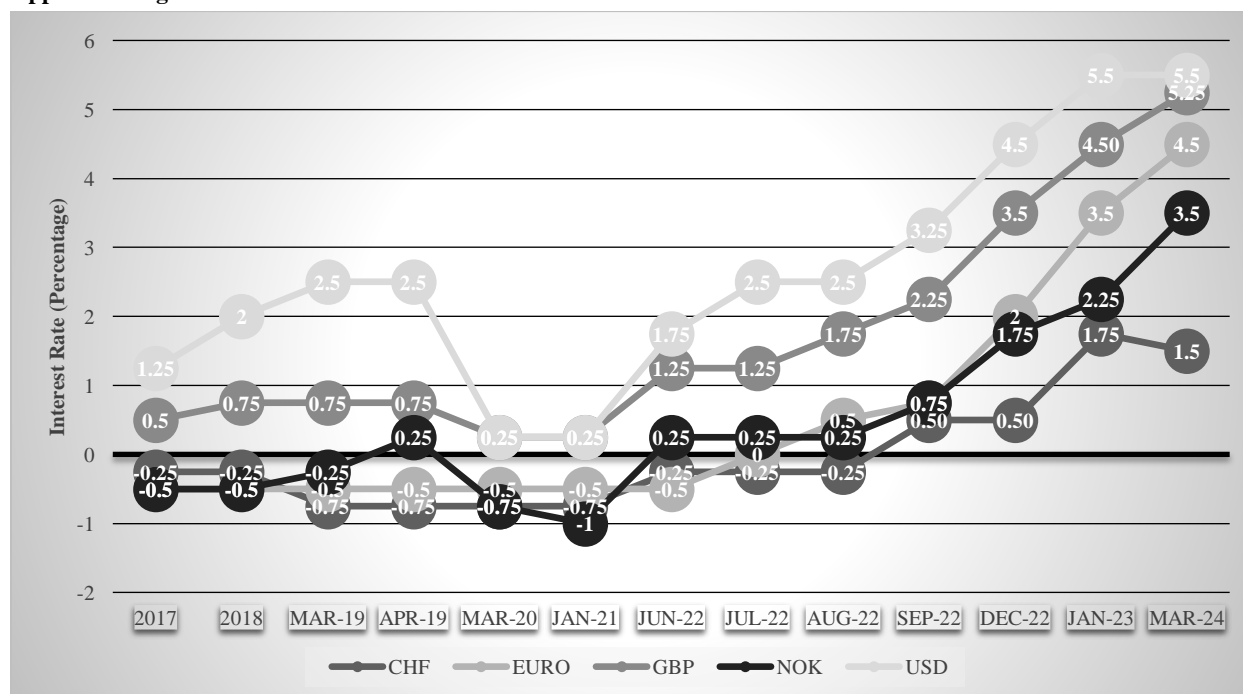
<sup>475</sup> <https://www.audit.gov.ly/ar/download/report2022/>, published on 25 October 2023.

## Annex 79 Negative interest rates - central bank monetary policies

- Under First Impact of its investment plan, LIA claimed that negative interest rates imposed by the Euroclear Bank led to the depletion of the frozen funds to the tune of USD 33.110 million during the period from 2017 to October 2023. The Panel previously addressed the issue of negative interest rates on the frozen assets in S/2021/229<sup>476</sup> and S/2022/427,<sup>477</sup> considering it a national fiscal policy matter for Member States to decide its applicability to assets frozen under United Nations sanctions.
- LIA stated that the Euroclear Bank imposed negative interests on its cash reserves in five currencies, namely Euro (EUR), Swiss Franc (CHF), Norwegian Krone (NOK), Great Britain Pound (GBP) and United States Dollar (USD).<sup>478</sup>
- The Panel found that the European Central Bank (ECB) raised the interest rate from -0.50% to 0% on 27 July 2022.<sup>479</sup> Swiss National Bank moved away from the negative interest rate to a positive interest rate of 0.50% on 23 September 2022.<sup>480</sup> Norges Bank also ended negative interest rate on 24 June 2022, raising the interest rate to 0.25%.<sup>481</sup>
- The interest rates for the above five currencies as per respective central bank monetary policies since 2017 are depicted in figure 79.1.

Figure 79.1

### Applicable Negative Interest Rates



Developed by Panel of Experts.

<sup>476</sup> Paras. 159-160.

<sup>477</sup> Paras. 123-125.

<sup>478</sup> Short-term Investment Plan to Maintain the Value of Assets (November 2023), page 8.

<sup>479</sup> <https://www.ecb.europa.eu/press/pr/activities/mopo/html/index.en.html> and

[https://www.ecb.europa.eu/stats/policy\\_and\\_exchange\\_rates/key\\_ecb\\_interest\\_rates/html/index.en.html](https://www.ecb.europa.eu/stats/policy_and_exchange_rates/key_ecb_interest_rates/html/index.en.html).

<sup>480</sup> [https://www.snb.ch/en/publications/communication/press-releases/2022/pre\\_20220922](https://www.snb.ch/en/publications/communication/press-releases/2022/pre_20220922) and

<https://data.snb.ch/en/topics/ziredev/chart/zimomach>.

<sup>481</sup> <https://www.norges-bank.no/en/topics/Monetary-policy/Meetings/Monetary-policy-meetings/2022/june-2022/> and <https://app.norges-bank.no/query/#/en/interest?interesttype=KPR&frequency=B&startdate=2016-04-01&stopdate=2024-04-03>.

5. As figure 79.1 shows, negative interest rates on frozen assets were never applicable for USD and GBP, and were done away with for NOK, EUR, and CHF, by respective central banks, in June 2022, July 2022, September 2022, respectively.
6. The Panel found that Euroclear Bank charged negative interests on LIA's cash balances in USD, GBP, NOK, EUR and CHF until April 2022, February 2022, February 2022, September 2022, and October 2022, respectively. LIA confirmed the same. Therefore, the depletion of cash reserves due to negative interest rates is no longer an issue since October 2022. Accordingly, LIA's proposal to transfer its frozen cash reserves from Euroclear Bank accounts to its account at Bank ABC has no valid rationale now.
7. In addition to cash reserves in five currencies, LIA cash reserves in the Euroclear Bank with the investment managers under custodian HSBC Bank Luxembourg amounting to \$1.11 billion have additional five currencies, namely Australian Dollar (AUD), Danish Krone (DKK), Japanese Yen (JPY), New Zealand Dollar (NZD) and Swedish Krona (SEK). The Panel found that AUD and NZD never faced negative interest rates, and for other three currencies, their central banks, namely Danske Bank, Sveriges Riksbank, and Bank of Japan, ended negative interest rate on 1 October 2022,<sup>482</sup> 19 December 2019,<sup>483</sup> and 19 March 2024,<sup>484</sup> respectively.
8. The Panel noted in the case of negative interest charges, Euroclear Bank's rates were typically higher than the rates notified by respective central banks. As a result, even if a market rate for a currency was zero or slightly above zero, Euroclear Bank had imposed negative interest rate exceeding the prevailing market rate.
9. In response to the Panel's inquiries, Luxembourg informed that negative interest rates are the result of a monetary policy decided at the central bank level.<sup>485</sup> The Panel, however, finds that HSBC Bank Luxembourg has charged negative interest on LIA's USD cash reserves, when there had been no negative interest rate policy by the Federal Reserve. In addition, it also charged negative interest rates on LIA's cash reserves in SEK, NOK, EUR, and JPY even after the negative interest rates on these currencies ended on 19 December 2019, 24 June 2022, 27 July 2022, and 19 March 2024, respectively.
10. Furthermore, the Panel found that the Euroclear Bank previously applied credit (positive) interest rates on the frozen cash balances of LIA and LAFICO in segregated Bank ABC accounts at the Euroclear Bank. However, while they unilaterally continued with negative interest charges, the Euroclear Bank stopped applying credit (positive) interest on LIA's frozen Euroclear cash balances in CAD, EUR, GBP, NOK and USD since May 2015, September 2012, July 2016, July 2016, and November 2015, respectively. Likewise, Euroclear Bank had not applied any credit (positive) interest on LAFICO's frozen Euroclear cash balances in respect of AUD, CAD, EUR, GBP, JPY, NOK, NZD, SEK, and USD since July 2016, July 2016, September 2012, July 2016, June 2012, May 2016, July 2016, September 2012, November 2015. This changed practice by the Euroclear Bank prevented any gains on the cash reserves of LIA and LAFICO in various currencies at the Euroclear Bank even when positive interest rates were notified on those currencies by respective central banks, especially since 2022.
11. In view of the above, the Panel reiterates its previous assessment that negative interest rates on the frozen assets are questionable in the exceptional situation of funds that are subject to an asset freeze measure. The Panel's current assessment is that the Member States concerned should advise financial institutions not to apply negative interest rates to the frozen assets, especially when respective central banks had no applicable negative interest rate or have already ended it, because such charges cause erosion of the frozen assets, contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), intended to preserve the frozen assets for the benefit of the Libyan people.

<sup>482</sup> <https://danskebank.com/news-and-insights/news-archive/press-releases/2022/pr09092022>.

<sup>483</sup> <https://www.riksbank.se/globalassets/media/nyheter--pressmeddelanden/pressmeddelanden/2019/press-release-19-dec-2019-repo-rate-raised-to-zero-per-cent.pdf>.

<sup>484</sup> [https://www.boj.or.jp/en/mopo/mpmdeci/mpr\\_2024/k240319a.pdf](https://www.boj.or.jp/en/mopo/mpmdeci/mpr_2024/k240319a.pdf).

<sup>485</sup> Luxembourg letter to the Panel of 26 April 2024.

## Annex 80 Imposition and deduction of negative interest on LIA's frozen funds

1. According to the Euroclear Bank, it had not charged negative interests from the frozen Euroclear accounts of the Bank ABC with underlying beneficiary as LIA. Instead, as per their standard processes, the Euroclear deducted various fees and charges, including negative interests, from other (free) cash accounts of the Bank ABC at the Euroclear Bank. All fees and charges, as per the respective agreements and terms and conditions governing use of Euroclear, were applied to the overall portfolio of two participant banks (viz. the Bank ABC and the HSBC Bank), which included respective segregated frozen accounts with underlying beneficiaries as LIA and LAFICO.
2. The Euroclear Bank clarified that, being a Central Securities Depository (CSD), it primarily provided securities settlement and ancillary services to its participants, in line with the EU legislation. The Euroclear Bank held a limited banking license that allowed it to offer banking services directly related to its activities as CSD. The Euroclear Bank did not have the regulatory permissions to offer traditional banking services such as mortgage loans, term deposits or other savings products. As a CSD, the Euroclear Bank discouraged participants from keeping cash balances in the securities settlement system it operates beyond what was needed for their settlement activity.<sup>486</sup>
3. The Panel found that the Euroclear Bank deducted negative interests from Bank ABC's non-custodial (free) accounts; however, such charges were attributable to LIA's frozen Euroclear cash balances. The Bank ABC had in turn demanded the reimbursement of these negative interests from LIA on a quarterly basis under Non-Discretionary Portfolio Management Agreement and Custody Agreement of 7 July 2008.
4. LIA confirmed that the Euroclear Bank deducted negative interests from the Bank ABC's free account, not from LIA's frozen reserves. However, these negative interests amounting to USD 33.110 million had become a liability on LIA's accounts with the Bank ABC.
5. The Panel determined that the overall portfolio of the Bank ABC included its segregated frozen accounts with underlying beneficiaries as LIA. Following the unity of accounts principle, it is apparent that negative interests were applied to frozen accounts of the Bank ABC with underlying beneficiaries as LIA. The Euroclear Bank, thus, charged negative interests on LIA's frozen funds held in the accounts of the Bank ABC at the Euroclear. These negative interests were deducted by the Euroclear Bank from the free accounts of Bank ABC at the Euroclear, while being fully aware of the frozen status of LIA's funds in accounts of the Bank ABC under the UN sanctions.
6. This finding is based on consistent evidence showing that the negative interests deducted from Bank ABC's free cash account were directly attributable to the two frozen accounts holding LIA's cash reserves in various currencies under the Bank ABC custodianship at the Euroclear Bank.
7. The Panel also found that prior to Belgium Court's judicial attachment in October 2017, the Euroclear Bank deducted negative interests and other charges directly from the Bank ABC's unblocked mirror accounts with LIA as beneficiary, in which interests and other earnings were transferred. Afterwards, they started to deduct such negative interests from the main account of the Bank ABC at the Euroclear Bank, when interests and other accruals were also frozen pursuant to Implementation Assistance Notice#6.<sup>487</sup> This was merely a bookkeeping arrangement by the Euroclear Bank, as all the cash accounts of a participant (in this case the Bank ABC) at the Euroclear Bank are part of one single and indivisible current account.<sup>488</sup>
8. The Panel noted that the negative interests were never reflected in LIA's financial records, as they were deducted by Euroclear Bank from the account of the Bank ABC.<sup>489</sup> The Panel thus determined that there had been no actual loss/depletion of LIA's frozen assets as yet due to negative interests. However, negative interests charged by the Euroclear to the Bank ABC had in turn been shown by the Bank ABC as liabilities from LIA. In Panel's assessment these liabilities had arisen due to negative interests applied by the Euroclear on LIA's frozen cash balances in the Euroclear Bank under Bank ABC custodianship, and this would cause erosion of LIA's frozen assets once these liabilities are paid by LIA.

<sup>486</sup> Panel meeting with the Euroclear Bank (Brussels, 12 June 2024), online meeting (8 October 2024), and Belgium letter to the Panel of 15 October 2024.

<sup>487</sup> Panel meeting with LIA, 4 June 2024, Tripoli.

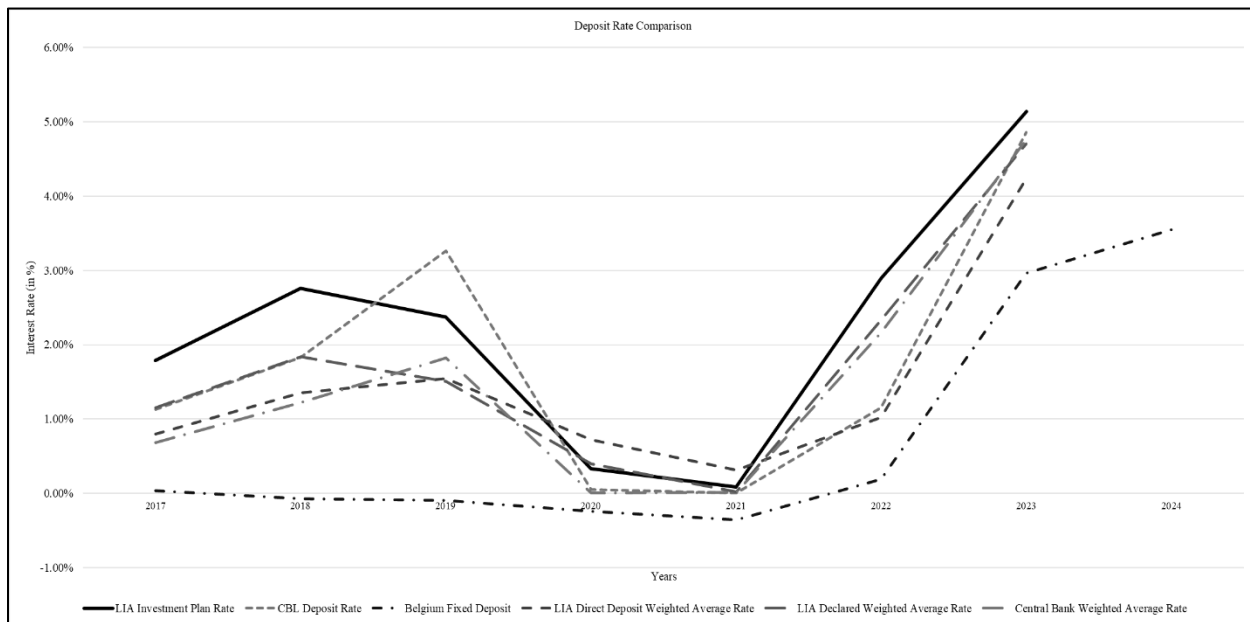
<sup>488</sup> As per the unity of accounts principle, all the cash accounts of a participant at the Euroclear are part of one single and indivisible current account: Euroclear Terms and Conditions governing use of Euroclear (November 2023) # 16 (a).

<sup>489</sup> <https://www.audit.gov.ly/ar/download/report2022/>, published on 25 October 2023.

## Annex 81 Potential opportunity loss claimed by LIA

1. LIA claimed an opportunity loss from not reinvesting cash held at the Euroclear Bank, by applying the USD deposit rate across all currencies in the cash reserve for the period from 2017 to 2023. The Panel analysis indicates that deposit rates for different currencies are set out by respective central banks, which are different than that the USD deposit rate, and are broadly consistent across locations for a given currency.
2. The Panel found that LIA’s claimed USD time deposit rates for calculating opportunity loss are largely higher than actual rates for the given basket of currencies as per respective central banks, CBL, and other sources. LIA itself has chosen the basket of currencies, not only USD, for investments in various financial instruments. Thus, LIA’s calculation for opportunity loss is unrealistic and overstated (figure 81.1).

Figure 81.1  
Comparative analysis of deposit rates



Developed by Panel of Experts.



## Annex 82 Potential risks with transfer of LIA’s cash reserves to Bank ABC

1. The Panel identified risks of misuse and misappropriation with the transfer of LIA’s cash reserves at the Euroclear to the Bank ABC, as outlined below.

### *LIA’s past cash transfers to Bank ABC*

2. The Panel found that prior to the issuance of the Implementation Assistance Notice#6,<sup>490</sup> USD 1.6 billion of LIA’s cash reserves, accrued on account of dividends, coupons and interests, were transferred from the Euroclear Bank to LIA’s account at the Bank ABC during the period from 24 October 2012 to 17 October 2017. These cash reserves had been used for investment in short-term time deposits (84%) by the Bank ABC amounting to USD 1.3 billion, funding of LIA’s operational expenditures (10%), and ABC management fees (6%). USD 146 million were transferred to other LIA accounts at British Arab Commercial Bank (BACB), London and North Africa International Bank (NAIB), Tunis, while USD 9 million were transferred to third parties.

3. The Bank ABC charged and debited custody fees from these LIA’s frozen funds, totally amounting to USD 50,911,867.83 from Q3 of 2019 to December 2023 without any notification to the Committee, and in excess of the amount admissible for “routine holding or maintenance of frozen funds” under paragraph 19 (a) of resolution 1970 (2011).

4. The Panel determined that LIA’s cash reserves at Bank ABC had gone down by 18.75% from USD 1.6 billion to USD 1.3 billion. Thus, the transfer of LIA’s funds from the Euroclear to the Bank ABC in the past, as detailed in the foregoing paragraphs, led to the depletion of LIA’s frozen funds, as opposed to its preservation. Moreover, the Panel found that the Bank ABC has been in non-compliance with the asset freeze (paragraph 117 and table 6).<sup>491</sup>

### *Management of Bank ABC*

5. The Bank ABC’s principal shareholder is the Central Bank of Libya (CBL), holding 59.368% of shares.<sup>492</sup> The former CBL Governor Saddek Omar El Kaber serves as the Chairman of Bank ABC.<sup>493</sup> Notably, the CBL is separately managing USD 19 billion of the LIA’s frozen funds in term deposits. The Panel identified risks to LIA’s frozen funds under the Bank ABC’s management structure due to: a) CBL’s active management of LIA’s frozen assets and deduction of commission from the frozen funds in non-compliance with the asset freeze (paragraph 117), and b) CBL’s unification and governance issues (paragraph 115).

### *Credit rating of Bank ABC Bahrain*

6. The Panel found that according to the independent global rating agencies, the credits ratings of the Bank ABC is low, with one credit rating indicating elevated vulnerability to default risk for the Bank ABC (table 81.1).

Table 82.1  
Credit ratings of Belgium Treasury and Bank ABC

Rating Agency	Bank ABC <sup>494</sup>
Fitch	BB+/B (June 2024) Speculative /Highly speculative (Elevated vulnerability to default risk/ Presence of material default risk)
S&P	BBB-/A-3 (June 2024) Investment Grade (Adequate capacity to meet it)

<sup>490</sup> [https://main.un.org/securitycouncil/sites/default/files/ian\\_6\\_e.pdf](https://main.un.org/securitycouncil/sites/default/files/ian_6_e.pdf).

<sup>491</sup> Asset freeze is commonly defined in the financial legislation and administrative instructions of many Member States as “preventing any move, transfer, alteration or use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management.”

<sup>492</sup> <https://www.bank-abc.com/en/ShareholderRelations/investor-relation>.

<sup>493</sup> <https://www.bank-abc.com/en/AboutABC/Management/board-of-directors>.

<sup>494</sup> <https://www.bank-abc.com/en/ShareholderRelations/ratings>.

	financial commitments)
Moody's	N/A

7. The above risks to LIA's frozen assets at Bank ABC identified by the Panel are consistent with the risks highlighted by the Libyan Audit Bureau in its 2022 report, as follows.

*Risk of erosion of LIA's assets managed by Bank ABC*

8. As of 31 December 2022, LIA's assets managed by ABC Bank totaled USD 11.618 billion, according to the 2022 Libyan Audit Bureau Report. This report identified several risks regarding LIA's frozen assets at ABC Bank, as summarised below:<sup>495</sup>

- a) **Value erosion:** These assets have lost significant value over time, primarily due to the management fee, amounting to USD 122.300 million between 2009 and 31 December 2022.
- b) **Reconciliation violations:** Terms and conditions for preparing the bank reconciliation statement (BRS), a control procedure to match cash balances on balance sheets with bank statements, have been violated.
- c) **Failure in reconciliation preparation:** BRS has not been prepared for all bank accounts, including LIA's accounts at UniCredit Group and Union Bank.
- d) **Unaddressed discrepancies:** There have been unaddressed discrepancies in BRS since 2020. For example, according to Bank ABC London's BRS for September 2022, GBP 80.019 million was added to the balance sheets but not reflected in the bank account.
- e) **Data verification weakness:** Weak data verification and validation tools resulted in duplicate entries. For instance, the debtor's account was deducted twice by USD 1.746 million, while LIA's account in the Bank ABC was credited twice with the same amount.
- f) **Cost discrepancies:** There are inconsistencies in the cost of fixed contributions on balance sheets.

<sup>495</sup> <https://www.audit.gov.ly/ar/download/report2022/>, published on 25 October 2023.

**Annex 83 LIA's bond portfolio: past portfolio vs simulated portfolio [CONFIDENTIAL]**

**Annex 84 LIA's overall equity performance analysis [CONFIDENTIAL]**

**Annex 85    Analysis of loss making equities presented by LIA [CONFIDENTIAL]**

## Annex 86 Data inconsistencies in Fourth Impact of LIA's investment plan

1. Under Fourth Impact, LIA presented a cash reserve of USD 5.274 billion, accruing from maturity of securities. This amount includes USD 1.110 billion from First Impact and USD 945 million from Second Impact, as well as net cash receivables of USD 1.723 billion. Thus, the net cash reserve under this Impact is USD 3.551 billion only, against LIA's claim of USD 5.274 billion.

2. In addition, the Panel found several inconsistencies in data presented under this Impact, in terms of the same item having different values at different sections, as outlined in table 85.1.

Table 86.1

### Data inconsistencies in Fourth Impact

<i>Subject/Heading</i>	<i>Data inconsistencies in Fourth Impact (with slide/page number of the investment plan)</i>
Total net cash and receivables	<ul style="list-style-type: none"> <li>▪ Net cash totals to USD 6.841 billion, instead of USD 5.274 billion (slide/page 34)</li> <li>▪ Receivables totals to USD 2.787 billion, instead of USD 2.188 billion (slides/pages 34 and 37)</li> </ul>
Net cash of Portfolio – Libyan Investment Authority	<ul style="list-style-type: none"> <li>▪ USD 4.069 billion (USD 2.502 billion + USD 1.567 billion) (slides/pages 34)</li> <li>▪ USD 2.502 billion (slides/pages 39)</li> <li>▪ USD 2.502 billion – not an algebraic summation of columns 1, 2 and 3 (slide/page 34)</li> </ul>
Receivable of Portfolio – Libyan Investment Authority	<ul style="list-style-type: none"> <li>▪ USD 2.502 billion (USD 934.958 million + USD 1.567 billion) (slides/pages 34 and 37)</li> <li>▪ USD 1.903 billion (slide/page 39)</li> </ul>

**Annex 87    LIA securities portfolio performance [CONFIDENTIAL]**

## Annex 88 Custody and management fees charged by Bank ABC and HSBC Bank

1. Under Fifth Impact, LIA stated that it has incurred substantial custody and management fees, without receiving administrative and technical services from respective custodian banks, namely the Bank ABC Bahrain and the HSBC Bank Luxembourg. Notwithstanding the restrictions imposed on permissible services for LIA's frozen funds due to the asset freeze, both custodian banks continued to deduct fees at pre-asset freeze rates.
2. The applicable agreements between LIA and the Bank ABC Bahrain, namely, Non-Discretionary Portfolio Management Agreement and Custody Agreement of 7 July 2008, stipulate a range of custody and management services by the Bank ABC to LIA, including custodial services, asset management services, sale, and purchase of securities. Similarly, the Custody Agreement between LIA and the HSBC Bank Luxembourg of 26 November 2007 amended on 12 May 2009, sets out a range of services by the HSBC Bank to LIA, including services in relation to sale, purchase, exchange, transfer and delivery (i.e. settlement of sales and purchases of securities) of securities transactions, as well as cash management (viz. purchase and sale of foreign currencies). These services go far beyond the scope of the exemptions defined under paragraph 19 (a) of resolution 1970 (2011), viz. "routine holding or maintenance of frozen funds".
3. In response to Panel's enquiries, the Bank ABC stated that LIA's frozen portfolio cannot be serviced as a typical portfolio, and it is not providing services like management of equity portfolio and fixed income portfolio. They are providing only routine holding and maintenance (i.e., custody) services to LIA. The HSBC Bank informed that currently they are providing custody services, i.e., safekeeping of assets, pricing, reporting and corporate actions services only. Moreover, in its notice of closure of LIA's global relationship with the HSBC Bank of 6 June 2023, the HSBC Bank has stated that they are providing only custody with limited execution services, including holding and safeguarding of the existing assets. The Bank ABC and the HSBC Bank did not provide the breakup of the amount of fees and charges, which are specifically attributable to routine holding or maintenance of LIA's frozen funds.
4. The Panel determined that, after the asset freeze, not all the services outlined in LIA's agreements with the custodians, namely the Bank ABC and the HSBC Bank are being provided. Moreover, the Bank ABC and the HSBC Bank could charge fees limited to "routine holding or maintenance of frozen funds", after following the extant procedure stipulated in paragraph 19 (a) of resolution 1970 (2011).
5. The Panel assessed that charging of custody and management fees at the pre-asset freeze rate of 0.1% by the Bank ABC and the rates specified in Appendix 1 to the HSBC custody agreement, as amended in 2009, by the HSBC Bank, which were applicable for a host of the services as specified in respective agreements, on the entire average market value of LIA's portfolio, is not permissible under the relevant resolution. Only the amount of custody and management fees attributable to "routine holding or maintenance of frozen funds" is exempted from the asset freeze under paragraph 19 (a) of resolution 1970 (2011).
6. Fees charged by the Bank ABC and the HSBC Bank have remained unchanged since the asset freeze. HSBC Bank's fees were last revised in 2009, while Bank ABC's fees have remained the same since inception.
7. LIA did not renegotiate the terms of the agreement and custody and management fees, limiting the fee rate to "routine holding or maintenance of frozen funds" only, under paragraph 19 (a) of resolution 1970 (2011).
8. The Custody Agreement between LIA and the HSBC Bank Luxembourg of 26 November 2007, as amended on 12 May 2009 stipulates provisions for revision of custodian fees – "*the fees are usually subject to review after six months and annually from implementation thereafter*". LIA has apparently not carried out this review with the HSBC since 2009, and the HSBC Bank continued to charge custodian fees at pre-asset freeze rate, instead of limiting the fee rate to "routine holding or maintenance of frozen funds".
9. In view of the above, the Panel determined that both custodians the Bank ABC and the HSBC Bank, however, continued charging custody and management fees at the rates that were applicable prior to the asset freeze. Aside from non-compliance to the asset freeze, deduction of such fees and charges by the Bank ABC and the HSBC Bank at a pre-asset freeze rates on LIA's frozen portfolio, are causing erosion of LIA's frozen funds. This is contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), aimed at preserving the frozen assets for the benefit of the Libyan people.



**Annex 89    Data inconsistencies in LAFICO (LTP)'s reinvestment plan [CONFIDENTIAL]**

## Annex 90 LTP's independent status and segregation of its assets

1. LIA's submission for the reinvestment plan of some of the LAFICO's frozen assets by segregating and assigning them to LTP as a separate corporate entity, on its own, is not backed by the facts on record. The most recent information in relation to assets with relevant financial institutions, namely the Bank ABC, the Euroclear Bank, the BACB UK, the HSBC UK, and the Credit Suisse (now UBS) UK, shows that these financial institutions do not hold any assets in the name of LTP. All the frozen assets have been cumulatively reported under the name of LAFICO in these financial institutions since the assets freeze.
2. LIA claimed that of the cash reserves of USD 4.6 billion of the LAFICO (LTP) for which reinvestment has been sought for, USD 3.5 billion and USD 1.1 billion are under the custodianship of the Bank ABC and the BACB, respectively. However, the Panel found that the no frozen funds with the Bank ABC and the BACB are segregated in the name of LAFICO (LTP) nor has the ownership of any of LAFICO's frozen funds been changed to LTP. Both Banks do not have any legal relationship or custody agreement with LTP, nor do they hold any account for LTP. These two banks have entered into custody agreements with LAFICO only, and all funds remain under the name of LAFICO as a legal entity.
3. Given the above prevailing situation, the Panel reiterates its previous findings that the assets managed through LTP were, and remain, legally in the name of LAFICO.<sup>496</sup> As there has not been any material change in the situation, the Panel reaffirms that LTP, having no independent legal status prior to the asset freeze, continues to be a part of LAFICO, which remains the sole legal owner of the funds.
4. Moreover, according to Asset Transfer agreement of 2020, LAFICO assets at Bank ABC, Amman and Al-Etihad Amman, Jordan were to be transferred to LTP. However, Jordan by its letter of 22 February 2021 reported that the Bank ABC Amman did not deal with LTP, which did not have any bank account there. Jordan had also informed that LTP's regional office account in Etihad Bank was not under any asset freeze.
5. The Panel thus determined that: a) LTP continues to be an integral part of LAFICO, and all its assets are under LAFICO, and b) LAFICO's assets have not been segregated and transferred to LTP in the relevant financial institutions.
6. LIA is thus obfuscating the legal ownership of LTP assets, rendering them susceptible to potential misuse and misappropriation. Allowing LTP to reinvest assets independent of LAFICO may entail considerable risks to LAFICO's frozen funds.

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<sup>496</sup> S/2021/229, para. 146-150, annex 90; and S/2019/914, annex 71.

## Annex 91 Mutassim Qadhafi's frozen funds

1. Regarding the frozen assets of Mutassim Qadhafi (LYi.014), held in the name of Capital Resources Limited Malta, the Panel determined a violation of the asset freeze in the case of Maltese Court's 28 June 2022 order restituting the frozen funds to Libya, taken in absence of exceptions or exemption for such measure in the relevant resolutions; and a non-compliance with the asset freeze in the case of Bank of Valletta (BoV)'s deduction of high balance fees from the frozen funds without notifying the Committee, as required by paragraph 19 of resolution 1970 (2011).

### *Judicial process concerning the frozen funds in Capital Resources Malta*

2. The Panel found certain judicial proceedings, which have implications on Mutassim Qadhafi's frozen assets. Approximately USD 100 million of Mutassim Qadhafi's funds held in the name of Capital Resources Limited Malta are lying frozen in Bank of Valletta, Malta. At the request of the Attorney General of Libya, on 28 June 2022 the Maltese Court of First Instance ordered the restitution of these funds, held on behalf of Mutassim Gaddafi in Malta, to the State of Libya, as they were deemed illicitly obtained and did not belong to Mutassim Gaddafi. In July 2022, Safia Farkash Al-Barassi (LYi.019) appealed the above decision, claiming herself as Mutassim Gaddafi's heir. The appeal is still pending.

3. The Panel considers that notwithstanding the stated desire of resolution paragraph 18 of 1970 (2011) and paragraph 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023) to restore frozen assets to the Libyan people, assets belonging to designated individuals should remain frozen at this juncture in accordance with the asset freeze measures. The order of the Maltese Court of First Instance, in respect of a designated individual's assets already frozen under the UN sanctions, taken in absence of exceptions or exemption for such measure in the relevant resolutions, would cause erosion of the frozen assets. It would thus constitute a violation of the assets freeze by Malta.

### *Deduction of high balance fees by Bank of Valletta from the frozen funds of Mutassim Qadhafi held in the name of Capital Resources Limited Malta*

4. BoV Malta had deducted high balance fees and charges from the frozen funds of Mutassim Qadhafi held in the name of Capital Resources Limited Malta, totalling EUR 533,549.49 between October 2020 and August 2022.

5. The Panel determined that such deductions by BoV was without any notification to, or authorisation from, the Committee in terms of the extant provisions for exemptions stipulated in paragraph 19 of resolution 1970 (2011). This deduction had also caused erosion of the frozen funds, contrary to the provisions of paragraphs 18 of resolution 1970 (2011) and 20 of resolution 1973 (2011), reiterated in subsequent resolutions, including paragraph 14 of resolution 2701 (2023), intended to preserve the frozen assets for the benefit of Libyan people. This amounts to non-compliance with the asset freeze by BoV and Malta.