United Nations S/2021/229

Security Council

Distr.: General
8 March 2021

Original: English

Letter dated 8 March 2021 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 Security Council resolution 1973 (2011) has the honour to transmit herewith, in accordance with paragraph 12 of resolution 2509 (2020), the final report on its work.

The report was provided to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya on 18 February 2021 and was considered by the Committee on 5 March 2021.

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.

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Final report of the Panel of Experts on Libya established pursuant to Security Council resolution 1973 (2011)

Summary

The military conflict triggered by the attack on Tripoli by armed groups affiliated with Khalifa Haftar on 4 April 2019 dominated the first half of 2020. Throughout and beyond the armed confrontation, Haftar Affiliated Forces (HAF) and the Government of National Accord continued to receive increasing support from State and non-State actors. In January 2020, HAF took control of critical oil terminals and fields, leading to a de facto oil blockade. The Government of National Accord regained control of the western coast in April 2020, pushed HAF away from the environs of Tripoli by early in June 2020 and shifted the battle lines to the central region of Sirte and Jufrah by July 2020. Throughout August and into October 2020, ceasefire negotiations between both parties' military commanders were held under the auspices of the United Nations Support Mission in Libya (UNSMIL). Simultaneously, an agreement to temporarily freeze oil revenue facilitated an end to the oil blockade by HAF and the gradual lifting of an order of force majeure on the oil facilities by the National Oil Corporation. On 23 October 2020, UNSMIL announced the terms of a ceasefire agreement that the Libyan parties had signed, although their commitment to its implementation remains questionable. On 7 November 2020, UNSMIL launched a political negotiation track, known as the Libyan Political Dialogue Forum.

Throughout its mandate, the Panel of Experts on Libya has identified multiple acts that threatened the peace, stability or security of Libya, and increased attacks against State institutions and installations. Civilians in Libya, including migrants and asylum seekers, continue to endure widespread international humanitarian law and international human rights law violations and human rights abuses. Designated terrorist groups remained active in Libya, albeit with diminished activities. Their acts of violence continue to have a disruptive effect on the stability and security of the country.

The arms embargo remains totally ineffective. For those Member States directly supporting the parties to the conflict, the violations are extensive, blatant and with complete disregard for the sanctions measures. Their control of the entire supply chain complicates detection, disruption or interdiction. These two factors make any implementation of the arms embargo more difficult.

Eastern authorities have continued their efforts to illicitly export crude oil and to import aviation fuel. The impact of the coronavirus disease (COVID-19) outbreak in global demand and bunker prices has brought illicit exports of refined petroleum products by sea to a temporary halt. Fuel continues to be smuggled overland, although at a small scale.

Evidence points to a persistent lack of transparency in beneficial and legal ownership, financial dealings and control of investment within the designated entities. One case of non-compliance with the assets freeze has been identified. The activities of subsidiaries require monitoring. The impact of sanctions was not accurately projected by the Libyan Investment Authority. Various issues regarding access to frozen funds and a lack of a uniform approach to the freezing of assets require resolution.

Implementation of the assets freeze and travel ban measures with regard to designated individuals remains ineffective.

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I. Background

A. Introduction

1. The present report, provided to the Security Council Committee pursuant to paragraph 12 of resolution 2509 (2020), covers the period from the submission of the Panel of Experts' previous report (S/2019/914) on 25 October 2019 until 24 January 2021.[1] It includes updates on ongoing investigations detailed therein. An overview of the evolution of the sanctions regime concerning Libya can be found in annex 1 to the report.[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 (see S/2006/997). The Panel has maintained the highest achievable standard of proof, even though travel to Libya and other destinations was restricted owing to the coronavirus disease (COVID-19) pandemic.

3. The Panel relied on corroborated evidence and adhered to its standards in respect of the opportunity to reply.[3] The Panel has maintained transparency, objectivity, impartiality and independence in its investigations.

B. Cooperation with stakeholders and institutions

4. A list of Member States, organizations and individuals consulted can be found in annex 4. Panel correspondence records can be found in annex 5. The Panel maintained contact with the Committee, Member States and other interlocutors, including other Panels of Experts, through electronic platforms. The Panel also submitted 13 updates to the Committee on issues of significance.

5. The Panel benefited from regular exchanges with the United Nations Support Mission in Libya (UNSMIL). The European Union military operation in the Mediterranean (operation IRINI) also supported the Panel, specifically its investigations into non-compliance of the arms embargo by both parties to the conflict and on the illicit importation and exportation of petroleum products.

6. The Panel travelled to Libya in late November 2020 and acknowledges the travel difficulties caused by to COVID-19 restrictions. However, the Panel's travel to Libya remains crucial to its mission and should be given priority by Member States and supporting United Nations bodies.

7. The Libyan National Army (LNA) focal point has not responded to any correspondence from the Panel, notwithstanding his participation in a videoconference on 8 May 2020. On 20 July 2020, the focal point informed the Panel that he was being replaced with a new liaison committee. No contact information has been provided and attempts to contact LNA officials to address the issue have not been successful.

[1] All hyperlinks accessed on 31 January 2021.

[2] The annexes are being circulated in the language of submission only and without formal editing. Owing to the word limits on reports of monitoring mechanisms, the Panel has provided further details relating to a number of investigations in the annexes. A table of abbreviations and acronyms can be found in annex 2.

[3] Further information on methodology and the opportunity to reply can be found in annex 3.

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

A. Libyan armed group dynamics

8. The Panel noted the increased consolidation of various armed groups or their leaders under the direct authority of the Presidency Council. The continued infiltration by armed groups in State institutions, in particular by the Nawasi Brigade, Ghenewa and the Special Deterrence Force, unduly legitimizes these groups and fosters competition within the security structure (see annex 6).

9. A common modus operandi of armed groups is to use recordings as blackmail to obtain coveted government positions, which give them access to power and money.

10. According to confidential sources, in late November 2020, Tripoli Revolutionary Brigade leader Haitham Tajouri attempted to return to Tripoli from the United Arab Emirates via Tunisia but was blocked by the Tunisian authorities. On 11 December 2020, social media reported Tajouri's presence in Libya.[4] He has since met other militia leaders and members, including designated individual Mohamed Al Amin Al-Arabi Kashlaf (LYi.025) and Nawasi Brigade affiliate Muhammad Abu Dara', in Zawiyah. These developments signal a further realignment of armed groups, which is intended to undermine the Ministry of Interior (see annex 6).

11. On 10 November 2020, lawyer Hanan al-Baraasi was shot to death in broad daylight while driving her car in a major street in Benghazi. An outspoken critic of Khalifa Haftar, al-Baraasi had posted multiple live videos a day prior to her killing, in which she criticized the financial corruption of LNA and promised to share evidence implicating Haftar's son, Saddam.[5] One and a half years after the unsolved kidnapping of parliamentarian Siham Sergewa, the assassination of al-Baraasi is another illustration of violent silencing of a female public figure.

B. International terrorist groups and individuals

12. The Government of National Accord Affiliated Forces (GNA-AF) and the Hafter Affiliated Forces (HAF) have disrupted terrorist cells and arrested high-profile individuals. Arrestees include the leader of Islamic State in Iraq and the Levant-Libya (QDe.165), Abu Abdallah Al-Libi, and the leader of the Organization of Al-Qaida in the Islamic Maghreb (QDe.014), Hassan Al-Washi. Such arrests contributed to the decrease in terrorist attacks in the third quarter of 2020 (see annex 7).

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

13. The threat from Islamic State in Iraq and the Levant-Libya (QDe.165) remains moderate, owing in part to the arrest of its leadership. Its members are mainly in the southern desert cities of Taraghin, Awbari and Ghadduwah. They transit the southern borders of Libya with Chad, the Niger and the Sudan in small groups. Their activities are financed primarily by engaging in oil and drugs smuggling. The group continues to maintain sleeper cells in the coastal cities of Sabratah and Tripoli. Bani Walid remains a safe haven for all terrorist groups, including Islamic State in Iraq and the Levant-Libya (QDe.165).

[4] See https://twitter.com/emad_badi/status/1337469823404679172, 11 December 2020.
[5] See www.facebook.com/100055605323049/videos/153680939828749/, 10 November 2020.

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

14. The Organization of Al-Qaida in the Islamic Maghreb (QDe.014) is dormant in Libya, although cells still exist in, for example, Sabratah. On 28 November 2020, the 116th Tarek Ibn Ziyad battalion of HAF[6] arrested seven members of an Organization of Al-Qaida in the Islamic Maghreb cell in Awbari.

3. Case of Mohamed Bahrun (Al Far)

15. An arrest warrant issued on 17 October 2017 by the Office of the Libyan Attorney General, under case No.131, is extant for a Libyan national named Mohammed Bahrun (also known as Al Far). The Office suspects him of belonging to Islamic State in Iraq and the Levant-Libya (QDe.165) in Sabratah. The arrest warrant notwithstanding, Mr. Bahrun continues as commander of the "Isnad Force" under Zawiyah General Security Directorate of GNA-AF. Imagery of Bahrun posted in open source media show him mistreating and humiliating HAF Brigadier General Mohamed Al-Jagm, whose plane was downed by GNA-AF on 7 December 2020 (see annex 8).

C. Foreign armed groups and fighters

16. Chadian and Sudanese armed groups remain active in Libya and have taken part in the conflict. Many Sudanese fighters were deployed to the frontlines of the Tripoli campaign of HAF to fill defensive and security tasks. A significant presence of Syrian fighters on both sides is further exacerbating insecurity within Libya.

1. Chadian opposition groups

17. The Conseil du commandment militaire pour le salut de la République declared its neutrality on 26 June 2020 and is now located primarily in the border area of Chad and Libya. It has lost its large-scale operational capacity after suffering splits and desertion within its ranks.

18. The Front pour l'alternance et la concorde au Tchad, led by Mahdi Ali Mahamat, has been expanding its presence from Jufrah to Sabha, Tamanhint and Birak in the south of Libya. From these bases, they deploy to protect HAF military installations and some oil installations.

2. Sudanese groups and impact of the Juba Agreement for Peace in the Sudan

19. The transitional Government of the Sudan and a coalition of armed groups called the Sudanese Revolutionary Front, composed of at least 12 Sudanese opposition groups, signed the Juba Agreement for Peace in the Sudan,[7] which, among other arrangements, grants amnesty to opposition group members and stipulates the inclusion of their leaders in the political process. The Agreement triggered the movement of many Sudanese armed group members from Libya. The Sudan Liberation Army-Minni Minawi has moved at least 40 vehicles to Darfur. Similarly, dozens of Justice and Equality Movement vehicles have left Libyan territory for

[6] These include the armed group previously referred to as Khalifa Haftar's Libyan National Army (which is now being restyled as the Libyan Arab Armed Forces), and domestic and foreign armed groups. The Panel uses "Haftar Affiliated Forces" (HAF) to cover 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", in order 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.

[7] Original full text available at https://constitutionnet.org/sites/default/files/2020-10/2020.10.03%20-%20Juba%20peace%20agreement%20%28Arabic%29%20%28signed%29.pdf, 9 November 2020.

Darfur via northern Chad. The group of Musa Hilal and the Sudan Liberation Army-Abdul Wahid led in Libya by Yusif Ahmed Yusif (Karjakola) have not signed the Agreement and maintain elements in Libya.

3. Sudanese Rapid Support Forces in Libya

20. In paragraphs 24 and 25 of S/2019/914, the Panel identified the presence of the Rapid Support Forces in Libya. The Panel has now established that the Rapid Support Forces deployed approximately 700 fighters to Jufrah from 25 July to 17 September 2019, but they saw no combat.[8] On their return, the fighters were instructed to remain silent about their deployment. Since then, there have been media reports on a leaked document that suggests a more recent Rapid Support Forces presence in Libya. The Panel can discount these reports as inaccurate or fabricated.

21. Annex 9 contains detailed information on Chadian and Sudanese groups.

4. Case of the Black Shield Security Services company

22. The Panel has established that the United Arab Emirates-based company Black Shield Security Services recruited 611 Sudanese nationals through two Sudan-based client companies named "Al Ameera external recruitment office" and "Amanda office" under false pretences. They received military training in Al-Ghayathi camp,[9] United Arab Emirates, under the supervision of Emirati officers. On 22 January 2020, a batch of 276 Sudanese recruits were transported to Libya, unbeknownst to them, where they were tasked by the 302nd battalion of HAF to protect oil installations in Ra's Lanuf. They never deployed to the field. Following their protests, they were withdrawn from Libya after six days (see annex 10).

5. Syrian fighters

23. Syrian fighters have been active in Libya since late December 2019. Their numbers have fluctuated from 4,000 at the beginning of the period to a maximum of 13,000, depending on conflict and regional dynamics and the availability of funding. At least 4,000 Syrian fighters operate under the command of GNA-AF, including 250 minors. The Panel has established that the Government of National Accord-affiliated Syrians train in Libyan camps (see annex 11). HAF-affiliated Syrians operate alongside ChVK Wagner (see para. 94 below).[10]

D. Acts that may lead to or result in the misappropriation of Libyan State funds

24. Since its establishment in 2015, the Military Investment Authority of LNA has engaged in the illegal export of scrap metal; the illegal sale of fuel (see para. 127 below); the sale of fishing licences and visas to foreign nationals; and the confiscation of public companies, agricultural farms, cattle ranches, hotels and beach resorts. The Military Investment Authority has gradually extended its reach to bring in sizeable revenue for HAF, giving them the wherewithal to support military activities and for the financial benefit of the senior leadership (see annex 12).

[8] Confidential sources with detailed knowledge of the deployment.

[9] 23°51'01.6"N 52°48'03.9"E.

[10] ChVK is the Russian acronym for "private military company". The Wagner organization will be referred to as ChVK Wagner throughout the report.

E. Acts that obstruct or undermine the successful completion of the political transition in Libya

25. During the initial round of the United Nations-facilitated Libyan Political Dialogue Forum held in early November 2020, the Panel established that at least three participants were offered bribes to vote for a specific candidate as Prime Minister. The Forum participants involved in the incident were categorical in their rejection of the bribes. The issue garnered considerable media attention at that point in time. The office of the Libyan Attorney General also received complaints from members of the Forum and civil society groups on the matter. The Panel does not envisage any further reporting on the issue. More details on that particular case are provided in confidential annex 13.

F. Attacks against any air, land or seaport in Libya

26. As reported in paragraphs 40 to 42 of S/2019/914, Tripoli Mitiga airport, the only operating international airport in the capital, remained a strategic target for HAF during the Tripoli campaign. Multiple attacks[11] resulted in injured civilians and damaged infrastructure, and affected humanitarian activities. On 22 January 2020, a HAF spokesperson announced[12] a no-fly zone over the airport, given that it was used for launching Turkish unmanned combat aerial vehicles and receiving Syrian fighters. On 12 February 2020, HAF confirmed that the prohibition applied to UNSMIL flying into Mitiga.[13]

G. Attacks against State institutions or installations in Libya

27. Pressure on the National Oil Corporation from armed groups continued. From 18 to 20 January 2020, HAF threatened to use force to take control of National Oil Corporation oil terminals and fields (see para. 107 below). On 25 July 2020, foreign fighters entered the Zillah and Sabah oil fields.

28. On 23 November 2020, an armed group attempted to enter National Oil Corporation headquarters in Tripoli. On 6 December 2020, Mustafa Al-Weheishy of the General Intelligence Service called senior employees at the Brega Petroleum Marketing Company asking for sensitive information. The Brega Company refused to relay the information because the General Intelligence Service had no legal authority over the company, and the National Oil Corporation reported the incident to the Office of the Libyan Attorney General. On 14 December 2020, a group from the Nawasi Brigade went to the Company, summoned three senior employees to meet with the General Intelligence Service and demanded to know the home address of a senior company official. The incident is yet another example of the blurred lines between armed groups and State institutions (see para. 8 above).

[11] See https://twitter.com/UNSMILibya/status/1221503029746307072, 26 January 2020; https://twitter.com/UNSMILibya/status/1232986061250408449, 27 February 2020; www.dw.com/ar/قصف-جوي-يستهدف-مطار-معيتيقة-الدولي-طرابلس-للمرة-الثالثة/ (1 July 2020, URL no longer active); and Reuters, “Tripoli airport shelling hits fuel tanks, passenger plane-ministry”, 9 May 2020.

[12] See www.facebook.com/watch/?v=661293197945718, 22 January 2020.

[13] See www.facebook.com/LNAspox/videos/517072922269763/, 12 February 2020. Flights have since resumed.

29. The Great Man-Made River administration reported at least four attacks on water supplies, including attacks on 6 April, 9 May, 13 July and 9 August 2020,[14] which denied water to Tripoli, Tarhunah and other cities in the west of Libya.

30. The General Electricity Company of Libya reported at least four attacks by armed groups[15] on its staff at the Ruwais, Khums and Zawiyah power stations. There were dozens of incidents of theft of electric cables and power transmission components throughout 2020 in the west and south of Libya. The perpetrators of those attacks have not been identified, notwithstanding repeated calls for the Libyan authorities to investigate.

31. The frequent attacks on the water supply and electricity infrastructure highlight the vulnerability of State installations and the hardship endured by the civilian population.[16]

H. Acts that violate applicable international human rights law or international humanitarian law, or that constitute human rights abuses

32. Both parties to the conflict have committed acts that violate the applicable legal framework set out in paragraph 11 (a) of resolution 2213 (2015) and reaffirmed in subsequent resolutions.

33. Civilian casualties increased owing to the escalation in hostilities during the first half of 2020 and are attributable mainly to ground fighting, explosive remnants of war, targeted killings and air strikes,[17] the first two being the leading causes of death in the second quarter of 2020.

1. Forced displacement of civilian population

34. The Panel established that Sharif Marghani from HAF Sa'iqah had forced civilians to leave their homes in Benghazi.[18] Victims recounted to the Panel how armed men had stormed their houses, ordering the residents and their children, under the threat of death, to vacate overnight.[19]

2. Arbitrary detention, torture and extrajudicial killings

35. The arbitrary detention and ill-treatment of prisoners continue to take place, including in official detention facilities. As reported in paragraph 40 of S/2018/812,

[14] See www.facebook.com/manmaderiver/posts/2649074425215372, 7 April 2020; www.facebook.com/manmaderiver/posts/2720643431391804, 9 May 2020; www.facebook.com/manmaderiver/posts/2894371374019008, 15 July 2020; and www.facebook.com/manmaderiver/posts/2964414533681358, 9 August 2020.

[15] See www.facebook.com/gecol.org/posts/1535998079921344, 13 November 2020; www.facebook.com/gecol.org/posts/1471447213043098, 2 September 2020: and www.facebook.com/gecol.org/posts/1402027973318356, 13 June 2020.

[16] Attacks against civilian objects, in particular against objects that are indispensable for the survival of civilian population, is prohibited, namely pursuant to article 14 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), 8 June 1977. Available at https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?action=openDocument&documentId=AA0C5BCBAB5C4A85C12563CD002D6D09.

[17] United Nations Support Mission in Libya (UNSMIL), "Civilian casualties report: 1 April–30 June 2020", 29 July 2020.

[18] See https://twitter.com/emad_badi/status/1269673977053667332, 7 June 2020.

[19] The forced displacement of the civilian population in non-international armed conflict is prohibited under article 17 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).

the Panel continued to receive testimonies from former detainees of the Special Deterrence Force, who were held in Mitiga prison. They reported arbitrary detention, torture, confiscation of property and sexual humiliation of detained women by male guards. Khaled Al Hishri (also known as Al Buti) was identified as having a leading role. The Panel requested a meeting with representatives of the Special Deterrence Force in Tripoli, in vain.

Tarhunah

36. As had happened in Sabratah and Surman in mid-April 2020 (see annex 14), the takeover of Tarhunah from HAF by the Government of National Accord early in June was followed by acts of retaliation and looting that the Libyan authorities reportedly attempted to curtail (see annex 15).

37. Since June 2020, mass graves have been discovered in Tarhunah and south of Tripoli. Although combatants are identified[20] among the bodies,[21] most of them appear to be civilians.[22] The Government of National Accord has highlighted these discoveries and linked them to reports of multiple abductions, incidents torture and killings committed in areas held by the "Kaniyat" (see annex 16).

38. The "Kaniyat" has been operating in this region with impunity for several years. It was previously aligned with the Government of National Accord as the 7th Brigade, and since early 2019 as the 9th brigade of HAF. The Panel has established the responsibility of Abdurahem El Shgagi (also known as Al Kani) for several cases of abduction and illegal detention leading to murder. His victims are being identified as exhumations continue and include:

(a) A man kidnapped from his home in Tarhunah on 19 December 2019. He had previously shared a message on social media posted by one of his sons criticizing Kaniyat. He went missing until his family was able to identify his body, which was found in a well by a Tarhunah resident returning home after the Government of National Accord had retaken the city;

(b) On 10 January 2021, the family identified the body of Layla Hrouda among those exhumed from a grave in Tarhunah.[23] On 5 April 2020, Abdurahem El Shgagi had abducted and arbitrarily detained Layla, along with her two sisters, Hawa and Rima.

39. The Panel continues to investigate the abduction of Shaheen Abdallah Mohammed Naaji in late 2018 and cases of mass murder.

3. Human trafficking and migrant smuggling

40. Notwithstanding conflict and movement constraints due to COVID-19, Libya remains a transit and destination country for migrants and asylum seekers. There are widespread occurrences of trafficking, kidnapping for ransom, torture, forced labour, sexual and gender-based violence and killing. Most networks previously identified by the Panel continue to operate through Bani Walid and other hubs (S/2019/914, para. 50).

41. With assistance from Italy, Malta and the European Union, and training by Turkey, the Libyan Coast Guard, operating under the Ministry of Defence, has ramped up its interception activity at sea. The General Administration for Coastal Security of

[20] The European Union provides technical assistance and capacity-building for forensics and DNA analysis to the Libyan authorities for the identification of victims.

[21] Of 106 bodies found in the Tarhunah hospital, 28 have been identified as HAF combatants.

[22] Tim Whewell, "How six brothers - and their lions - terrorized a Libyan town", BBC News, 7 January 2021.

[23] See www.facebook.com/lpc.ly/videos/426675065212063, 10 January 2021.

the Ministry of Interior also stepped up its contribution to hinder migratory movements along the Libyan coast during the second half of 2020.[24]

42. While most of those brought back to Libya end up in facilities rife with human rights abuses, hundreds of them remain unaccounted for.[25] The Head of the Libyan Coast Guard, Colonel Abdallah Toumia, affirmed to the Panel that all persons disembarked were accounted for.[26] Owing to overcrowding in detention centres, the Libyan Coast Guard was "sometimes compelled to let them go". The Head of the Counter-Illegal Migration Directorate, Colonel Mabrouk Abdelhafid, clarified that the Directorate had no permanent presence in the ports.[27] When the Libyan Coast Guard intercepted a boat, it contacted the Directorate, which sent staff to the disembarkation point. He emphasized that the Directorate registered all those who were transferred to detention centres. The Directorate did not provide the Panel with the assignment criteria of migrants to the detention centres. No information was provided on the role of data collection and investigation facilities,[28] which Colonel Abdelhafid said did not fall under the Directorate's authority.

43. Colonel Abdelhafid linked the need for the detention centres to the migratory policy of European Union member States, emphasizing that 99 per cent of the migrants present in detention centres had been intercepted at sea and handed over by the Libyan Coast Guard.[29] While he dismissed the idea of closing all the detention centres, he presented a reorganization policy, which was meant to disrupt smuggling networks and allow for improved control by the Directorate, to the Panel (see annex 18).

44. The Minister of Interior, Fathi Bashagha, acknowledged the challenges posed by the situation in detention centres. He also tied their existence to the pressure exerted by a few European countries to prevent migrants from crossing the Mediterranean (see annex 17 for an overview of policies and agreements). He also emphasized the challenges posed by border management and the need to ensure that humanitarian aid reached migrants.[30]

45. Mr. Bashagha stressed that less than 0.5 per cent of all migrants in Libya were held in detention centres (i.e., an estimated 2,000[31] of 574,146[32] migrants present in Libya, as of November 2020). The vast majority were held in unofficial facilities in degrading living conditions.

46. The Panel pursued its investigations into the Al-Nasr DC in Zawiyah[33] and found that its de facto manager, Osama al-Kuni Ibrahim, had committed several violations of international humanitarian law and international human rights law (see

[24] In 2019, 9,225 migrants were intercepted and returned to Libya against 19,500 attempted departures. In 2020, the ratio was 11,891 interceptions against 28,162 attempts.

[25] International Organization for Migration (IOM), "Migrants missing in Libya a matter of gravest concern, 17 April 2020.

[26] Panel interview of 1 September 2020.

[27] Ibid.

[28] IOM, "Migrants missing in Libya a matter of gravest concern".

[29] A surge in interception on land was noticed recently, Office of the United Nations High Commissioner for Refugees (UNHCR), "UNHCR position on the designations of Libya as a safe third country and as a place of safety for the purpose of disembarkation following rescue at sea", September 2020.

[30] Panel interview of 23 April 2020.

[31] UNHCR, "UNHCR update: Libya", 18 December 2020. A confidential source provides a figure of 572 for migrants detained in detention centres run by the authorities in the east, as of December 2020.

[32] 51 per cent are located in western Libya, 31 per cent in the east and 18 per cent in the south. IOM, "Libya IDP and returnee report: round 33 – September–October 2020", 16 December 2020.

[33] In S/2019/914, the Panel emphasized the link between the Al-Nasr DC and the Zawiyah oil complex, both controlled by the al-Nasr brigade, commanded by Mohammed Al Amin Al-Arabi Kashlaf (LYi.025).

annex 19). Victims recounted acts of kidnapping for ransom, torture, sexual and gender-based violence, forced labour and killing. The centre is still operating, notwithstanding regular statements announcing its closure (see recommendation 4 (a) below).

Mizdah

47. The massacre perpetrated in Mizdah on 27 May 2020 illustrates the situation of migrants. A total of 26 Bangladeshi nationals and 4 individuals from sub-Saharan Africa died, and 11 Bangladeshi nationals were injured.

48. In July 2020, the Panel interviewed nine Bangladeshi survivors who had received medical treatment in Tripoli. They entered Libya through Benina international airport in 2019 and 2020, travelling from Dhaka via the United Arab Emirates and Egypt, with the assistance of a network of intermediaries at every stage. Each of them had paid traffickers in Bangladesh an amount ranging from $5,000 to $8,000. All faced difficulties in finding work in Benghazi owing to the COVID-19 crisis and headed to Tripoli, once again through paid intermediaries. An armed group attacked the convoy en route and took the migrants to Mizdah, where they were held for approximately 10 days in a dark warehouse with dozens of other detained migrants of various nationalities. Every day, a Libyan national accompanied by two sub-Saharan Africans repeatedly entered the warehouse, tortured the detainees and threatened to kill them. Each Bangladeshi survivor was asked to pay $12,000 in exchange for his release. All identified Yusef Mohammed Abd al-Rahman (also known as Yusef Basoor al-Jareed al-Bousayfi) as the Libyan trafficker, referring to him as the boss or the mafia leader, who was subsequently killed by other detainees. As soon as his killing became known, a group of heavily armed men stormed the warehouse, firing indiscriminately at the detainees and subsequently running over bodies with vehicles. Injured victims in the warehouse pretended to be dead until another group came in and rescued them. To date, the fate of the remaining 120 to 150 migrants is unknown.

49. Mizdah was under HAF control when the mass murder was carried out. Currently, the Government of National Accord claims authority over the city and therefore assumes responsibility for the arrest and prosecution of the perpetrators. The Minister of Interior replaced the local director of security at the end of June and issued a statement in which he called upon the Mizdah Security Directorate to arrest the perpetrators (see annex 20). The Attorney General delegated the investigation to the local prosecutor, but no significant progress had been made to date (see recommendation 4 (b) and (c) below).

50. The authorities of Bangladesh announced the arrest of several individuals suspected of organizing or abetting the human trafficking of their nationals to Libya.[34]

4. Attacks using explosive ordnance

51. Eighteen attacks were recorded against schools during the first semester. By the end of November 2020, there had been 32 attacks against health infrastructure, making Libya the country with the fourth highest number of recorded attacks against health facilities and personnel in the world.[35]

52. In the first quarter of 2020, there were at least 11 instances of explosive ordnance detonating directly on medical facilities and staff in areas targeted as part of the HAF

[34] "3 confess to trafficking Bangladeshis to Libya", *Daily Star* (Bangladesh), 21 June 2020: and Bdnews24, "Bangladesh arrests Libyan national on human-trafficking charges", 7 August 2020.

[35] United Nations, Office for the Coordination of Humanitarian Affairs, "November humanitarian bulletin: Libya", 18 December 2020.

Tripoli campaign. For example, Khadra general hospital in Tripoli was hit three times within 72 hours (see annex 21).

53. Attacks resulting in multiple casualties such as the air strikes against the Tripoli military academy on 4 January 2020 and Qasr Bin Ghashir on 3 June 2020 shocked the public and prompted accusations of war crimes from one party to the conflict to the other.

Tripoli military academy

54. On 4 January 2020, an air strike targeted the Tripoli military academy, killing 30[36] academy students and injuring many others (see annex 22). Regardless of the civilian or military status of the military academy's students,[37] the lawfulness of the attack depends on whether they were taking an active part in hostilities. The laws of war prohibit acts of violence against the life and person of those taking no active part in the hostilities, including members of armed forces.[38] The training of military personnel may amount to direct participation in hostilities when carried out with a view to the execution of a specific hostile act.[39] There are no indicators that the officer cadets at the military academy were engaged in any preparatory measures for such a specific act, nor is there any evidence that the military academy was being used as a base for any other military purposes.[40] In view of these two factors, the Panel finds that this attack has almost certainly violated the provisions of international humanitarian law.

Qasr Bin Ghashir

55. At approximately 10 p.m. on 3 June 2020, 17 civilians, including 9 from one family, died and 16 others were injured, either in, or close to, their homes in Qasr Bin Ghashir.[41] The area had seen armed conflict of high intensity between 2 and 4 June 2020, until HAF withdrew. The Panel could not verify the precise time of its departure from the area. Although the Panel has obtained imagery that unquestionably shows that the area was subjected to a high number of explosive attacks, the resolution of the imagery was insufficient to identify the type and origin of the explosive ordnance used.

III. Implementation of the arms embargo

56. The Panel's investigations pursuant to paragraphs 9 to 13 of resolution 1970 (2011), as modified pursuant to subsequent resolutions, identified extensive, blatant and repeated violations of the arms embargo during the reporting period. This has resulted in a totally ineffective arms embargo.

57. In paragraph 19 of its resolution 2213 (2015), the Security Council urged Member States to inspect all cargo to determine whether the State had "reasonable grounds to believe that the cargo contains items […] prohibited by paragraph 9" of resolution 1970 (2011). The Panel considers that the details contained in its letters to the Member States involved, together with extensive open-source media coverage, provides sufficient justification for inspections to take place. The Panel therefore finds Egypt, Jordan, the

[36] See annex 22, appendix A (5 January 2020 statement by GNA Ministry of Health). Other sources mention 26 deaths; see www.youtube.com/watch?v=wWkgzhZuSmg, 27 August 2020.

[37] Individuals under training had military numbers, received pay from the military and would graduate as second lieutenants after three years. They were therefore officer cadets. Those who died were posthumously promoted (see annex 22, appendices B and C).

[38] Common article 3 to the Geneva Conventions of 12 August 1949.

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

[40] Confidential sources.

[41] See https://airwars.org/civilian-casualties/lc413-june-3-2020/, 3 June 2020.

Syrian Arab Republic, Turkey and the United Arab Emirates to be in non-compliance with paragraph 19 of resolution 2213 (2015), in that they did not inspect the cargo of suspicious commercial vessels or aircraft destined for Libya, which originated in or passed through their territory, for which there were reasonable grounds.

A. Investigative challenges

58. Investigation of the supply chains is complicated by the fact that almost all are fully under the control of parties involved in the conflict. Cooperation with Panel investigations is extremely limited and requests for shipping documentation usually go unanswered or result in very limited information being supplied. The Panel notes that Jordan, Turkey and the United Arab Emirates did not provide responses or detailed information in the responses that they sent, to the Panel's enquiries concerning arms trafficking and supply chains. The Panel therefore finds that they were in repeated non-compliance with paragraph 13 of resolution 2509 (2020). Such a limited level of cooperation undermines the ability of the Panel to comprehensively fulfil its mandate to provide the Committee with fully documented conclusions requested by the Security Council.

59. Determining non-compliance and violations, or otherwise, was made more complex owing to the implementation of the measures outlined in paragraph 3 of resolution 2214 (2015) by some Member States, in which the Security Council urged them "to combat by all means, […] threats to international peace and security caused by terrorist acts". This often necessitates the deployment of military assets into or over Libya with the approval of the Government of National Accord. These activities are contrary to the requirements enumerated in paragraph 9 of resolution 1970 (2011), in which the Council decided "that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya […] of arms and related materiel of all types". The Panel considers that, because resolution 1970 (2011) was passed pursuant to Article 41 of Chapter VII of the Charter of the United Nations, it takes precedence over resolution 2214 (2015), in which Member States were urged to act in accordance with the Charter.[42]

B. Impact on conflict dynamics[43]

60. The impact of these repeated violations of the arms embargo can be illustrated clearly by the change in conflict dynamics during the reporting period. At the end of 2019, there was a tactical stalemate on the ground, with HAF controlling access routes into Tripoli. Their fixed-wing fighter ground attack aircraft, rotary-wing attack helicopters (Mi24/35) and unmanned combat aerial vehicle (*Wing Loong* II) (S/2019/914, paras. 103–110, and annexes 45 and 47) provided local air superiority over the majority of the country. The Government of National Accord controlled the urban environments of Tripoli and Misratah. GNA-AF had the capability only for local unmanned combat aerial vehicle strikes by their Turkey-supplied *Bayraktar* TB-2 unmanned combat aerial vehicles, which were vulnerable to ground attack when located at their operating bases at the Tripoli and Misratah airports. When launched, they were easily destroyed in the air by the *Pantsir* S-1 air defence system initially

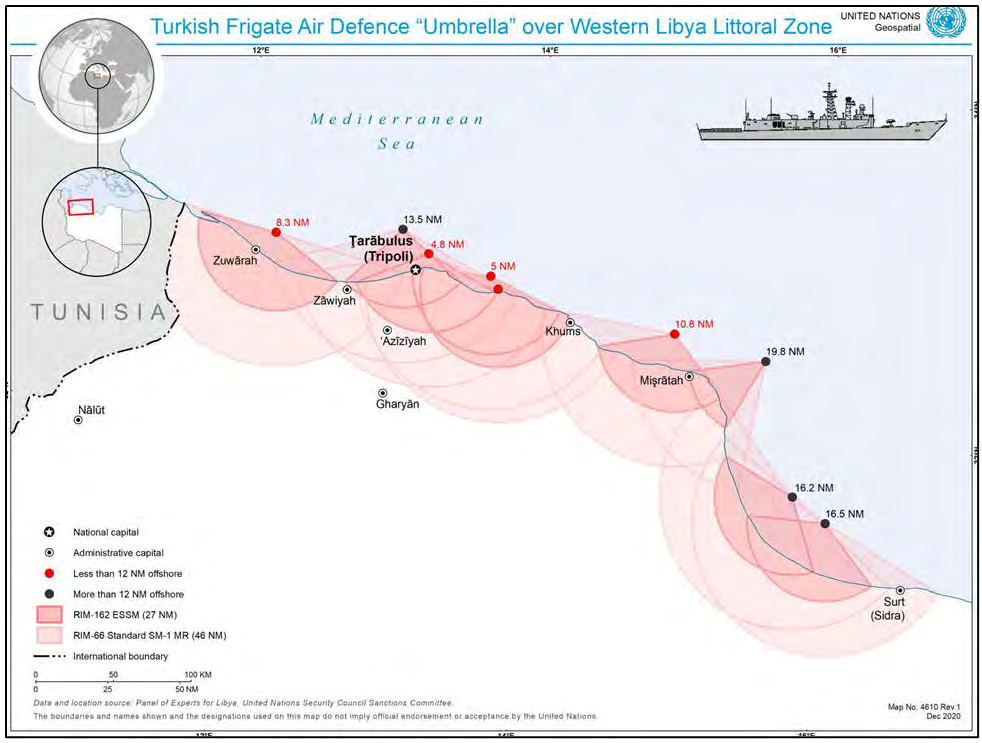
[42] Reported in S/2016/209, para.126, S/2017/416, para. 147, S/2018/812, paras.108–109 and S/2019/914, para. 93.

[43] Developed from: (a) confidential military sources; (b) UNSMIL reporting; (c) Ioannis Sotirios Ioannou and Zenonas Tziarras, *Turning the Tide in Libya: Rival Administrations in a New Round of Conflict*, Policy Brief, No. 01/2020 (Nicosia, Prio Cyprus Centre, 2020); (d) ongoing Panel analysis; (e) Jason Pack and Wolfgan Pusztai, "Turning the tide: how Turkey won the war for Tripoli", Middle East Institute, 10 November 2020; and (f) social media commentary.

supplied to HAF by the United Arab Emirates in 2019 (S/2019/914, para. 96, and annexes 28 and 40) and provided in mid-2020 to Russian private military operatives by the Russian Federation (see annex 23). The HAF tactics of trying to draw GNA-AF units out of position into rural areas, thereby making them vulnerable to more decisive attacks, in general failed. By that stage, military success by HAF appeared to be dependent on a local war of attrition.

61. The signing of a security and military cooperation agreement between the Government of National Accord and Turkey[44] on 27 November 2019 was a strong indicator that Turkey was to increase its military role in Libya. Shortly thereafter, Turkey deployed *Gabya*-class frigates (see annex 24) to provide a medium-range air defence "umbrella" along the western Libyan coastal littoral (see figure I), with MIM-23 Hawk surface-to-air missile systems[45] providing area defence for the airports in Tripoli and Misratah. Those systems were supported by the use of *Korkut* short-range air defence systems (see annex 26) and man-portable air defence systems to protect important locations.

Figure I
Illustration of Turkish air defence "umbrella" along western Libya coastal littoral (in support of the Government of National Accord Affiliated Forces)



62. The local air superiority of HAF was thus effectively negated early in 2020, allowing for an unchallenged build-up of military materiel through western Libyan ports and airports by Turkey in support of GNA-AF. Turkish military advisers deployed, which gave GNA-AF access to the advice of professional military staff, trained in North Atlantic Treaty Organization tactics and with extensive recent military operational experience. Operational planning was professionalized, with phased

[44] Abdullah Bozkurt, "Full text of new Turkey, Libya sweeping security, military cooperation deal revealed", Nordic Monitor. 16 December 2020.

[45] The Panel reported on MIM-23 Hawks defending Jufrah; see S/2019/914, para. 97. See also annex 25.

objectives determined and assets allocated to meet them. This led to more flexibility in the operational deployment of GNA-AF, allowing them to respond to events quicker than HAF, where every military decision had to be cleared at the highest level.

63. On 27 March 2020, the Prime Minister, Faiez Serraj, announced the commencement of Operation PEACE STORM, [46] which moved GNA-AF to the offensive along the coastal littoral. The combination of the *Gabya*-class frigates and *Korkut* short-range air defence systems provided a capability to place a mobile air defence bubble around GNA-AF ground units, which took HAF air assets out of the military equation. The enhanced operational intelligence capability included Turkish-operated signal intelligence and the intelligence, surveillance and reconnaissance provided by *Bayraktar* TB-2 and probably TAI *Anka* S unmanned combat aerial vehicles (see annex 27). This allowed for the development of an asymmetrical war of attrition designed to degrade HAF ground unit capability. The GNA-AF breakout of Tripoli was supported with *Firtina* T155 155mm self-propelled guns (see annex 28) and T-122 *Sakarya* multi-launch rocket systems (see annex 29) firing extended range precision munitions against the mid-twentieth century main battle tanks and heavy artillery used by HAF. Logistics convoys and retreating HAF were subsequently hunted down and remotely engaged by the unmanned combat aerial vehicles or the lethal autonomous weapons systems such as the STM *Kargu*-2 (see annex 30) and other loitering munitions. The lethal autonomous weapons systems were programmed to attack targets without requiring data connectivity between the operator and the munition: in effect, a true "fire, forget and find" capability. The unmanned combat aerial vehicles and the small drone intelligence, surveillance and reconnaissance capability of HAF were neutralized by electronic jamming from the *Koral* electronic warfare system.[47]

64. The concentrated firepower and situational awareness that those new battlefield technologies provided was a significant force multiplier for the ground units of GNA-AF, which slowly degraded the HAF operational capability. The latter's units were neither trained nor motivated to defend against the effective use of this new technology and usually retreated in disarray. Once in retreat, they were subject to continual harassment from the unmanned combat aerial vehicles and lethal autonomous weapons systems, which were proving to be a highly effective combination in defeating the United Arab Emirates-delivered *Pantsir* S-1 surface-to-air missile systems. These suffered significant casualties, even when used in a passive electro-optical role to avoid GNA-AF jamming. With the *Pantsir* S-1 threat negated, HAF units had no real protection from remote air attacks.

65. The introduction by Turkey of advanced military technology into the conflict was a decisive element in the often unseen, and certainly uneven, war of attrition that resulted in the defeat of HAF in western Libya during 2020. Remote air technology, combined with an effective fusion intelligence and intelligence, surveillance and reconnaissance capability, turned the tide for GNA-AF in what had previously been a low-intensity, low-technology conflict in which casualty avoidance and force protection were a priority for both parties to the conflict. The deployment of Mig-29A (see annex 31) and *Sukhoi* Su-24 (see annex 32) FGA aircraft in May 2020, as well as the *Pantsir* S-1 surface-to-air missile systems operated by the Russian private military companies (see para. 94 below), has led to another military stand-off between forces.

[46] Middle East Monitor, "Sarraj announces launch of Operation Peace Storm in response to Haftar attacks", 27 March 2020.

[47] Confidential source.

C. Maritime violations and interdictions

66. The identification of maritime violations at the ports was complicated by three counter-surveillance measures initiated by perpetrators: (a) the suspension of cargo discharges during the daily 90 minutes of daytime commercial satellite coverage, or the limit of its occurrence to the night; (b) the use of container shielding at Libyan ports; and (c) no relaxation of the crackdown on social media that was initiated by both GNA-AF and HAF in 2019.

67. Nevertheless, the Panel developed a set of maritime delivery profile indicators (see annex 33) that assist in determining the likelihood of non-compliance and thus determine the focus of Panel investigations. Multiple indicators are required before a vessel is classified as of interest to the Panel or reported as constituting a violation.

68. The Panel identified five maritime violations, one highly probable violation and two interdictions by the vessels listed in tables 1 and 2 (full details can be found in annex 34 (GNA-AF) and annex 35 (HAF)). The Panel wrote to the Member States of the owners and operators of the vessels listed in those tables and is awaiting responses from several of them.

Table 1
Maritime violations (in support of the Government of National Accord Affiliated Forces)

			Violation				
Name[a]	*IMO No.*	*Flag*	*Confirmed*	*Highly probable*	*Interdiction*	*No. of profile indicators*	*Remarks*
Ana	7369118	Albania Palau		✓	✓	8	• Renamed in March 2020 as MV *Pray* • Displayed false IMO number 7295666 • Interdicted on second voyage • Renamed and reflagged in September 2020 as MV *VAV*
Bana	7920857	Lebanon	✓			10	• Military vehicles
Cirkin	7728699	United Republic of Tanzania and Sao Tome and Principe (false)	✓			9	• Military vehicles • Renamed MV Guzel • Displaying false flag
Single Eagle	8708830	Panama	✓			10	• Air defence systems

Abbreviation: IMO, International Maritime Organization.
[a] Listed alphabetically.

Table 2
Maritime violations (in support of the Hafter Affiliated Forces)

Name[a]	*IMO No.*	*Flag*	*Violation*		*Interdiction*	*Number of profile indicators*	*Remarks*
			Confirmed	*Highly probable*			
Gulf Petroleum 4	9439345	Liberia	✓			5	• Jet A-1 as combat supplies
Royal Diamond 7	9367437	Marshall Islands			✓	5	• Jet A-1 as combat supplies • Cargo seized by European Union military operation in the Mediterranean (operation IRINI)
Sunrise Ace	9338840	Bahamas	✓			2	• 4x4 vehicles for use as "technicals"[b] • The Panel considers this to be technical non-compliance[c]

Abbreviation: IMO, International Maritime Organization.

[a] Listed alphabetically.

[b] A "technical" being a light utility truck subsequently retrofitted with weapons. The Panel would not normally consider the transfer of civilian 4x4 vehicles to be non-compliance, but in this case the sheer scale and destination of the transfer should have raised suspicions.

[c] The company could not reasonably be expected to know at that time that the transfer of those civilian vehicles would constitute non-compliance and should take action to improve its due diligence protocols and procedures.

69. The Panel finds that the owners and/or operators listed in table 3 violated paragraph 9 of resolution 1970 (2011) for the transfer of military materiel to Libya.

Table 3
Maritime confirmed violations (vessels, companies and owners)

Vessel	*Flag*	*Owner*[a]	*Operator*[a]	*Transfer to entity*	*Remarks*
Ana	Albania	Shega Trans S.A. Albania	Shega-Group S.A. Albania	Government of National Accord	• Renamed in March 2020 as MV *Pray*
Bana	Lebanon	Med Wave Shipping S.A., Lebanon	African Mediterranean Lines S.A.L., Lebanon	Government of National Accord	• 1, possibly 3, violations
Cirkin	United Republic of Tanzania	Redline Shipping and Trading Company, Turkey	Avrasya Shipping Co Ltd, Turkey	Government of National Accord	• 2 violations • Vessel escorted by Turkish military surface assets

Vessel	*Flag*	*Owner*[a]	*Operator*[a]	*Transfer to entity*	*Remarks*
Gulf Petroleum 4	Liberia	AA Marine Inc, United Arab Emirates	Gulf Shipping Services FZE, United Arab Emirates	Hafter Affiliated Forces	• Jet A-1 as combat supplies
Single Eagle	Panama	Dytamar Shipping Limited, Liberia	African Mediterranean Lines S.A.L., Lebanon	Government of National Accord	• 1 violation • Ownership and management connected to MV *Bana*
Sunrise Ace	Bahamas	Snowscape Car Carriers S.A, Japan	Mitsui Osk Lines Ltd, Japan	Hafter Affiliated Forces	• 600+ 4x4 for use as "technicals"

[a] Full contact and case details can be found in annexes 34 and 35.

1. Regional response

70. The Security Council, in its resolutions 2473 (2019) and 2526 (2020), extended the authority for the inspection of vessels on the high seas off Libya.[48] Although the mandate of the European Union EUNAVFOR MED operation SOPHIA was extended until 31 March 2020,[49] the operation did not have sufficient naval assets to conduct physical inspections at sea and instead fulfilled mainly training and surveillance roles.

71. On 1 April 2020, operation SOPHIA was replaced by operation IRINI, whose mandate is more focused on providing direct engagement in support of the identification and interdiction of arms transfers. Its mandate runs until 31 March 2021.[50]

72. On 22 May 2020, operation IRINI assisted in a coordinated effort[51] that prevented M/T *Jal Laxmi* (International Maritime Organization (IMO) No. 9213222) from being used by HAF. The HAF was to utilize the vessel as a bunkering tanker in the sea area off Tubruq; this would have constituted an illicit export of refined petroleum products (see para.117 below).

73. On 10 June 2020, three attempts by operation IRINI naval assets to inspect the United Republic of Tanzania-flagged M/V *Cirkin* were impeded by three Turkish escort frigates claiming that the vessel was under their protection. M/V *Cirkin* docked in Misratah on 11 June 2020, where its cargo was unloaded in secrecy with the port "locked down" for all other commercial activities (see appendix D to annex 34).

74. On 10 September 2020, the frigate FGS *Hamburg* (F-220) was tasked by the Operation Commander of operation IRINI to board the M/T *Royal Diamond 7* (IMO No. 9367437). Inspection of the cargo confirmed that it was Jet A-1 aviation fuel destined for Benghazi. The Panel had previously reported[52] that it considered Jet A-1 to be combat supplies and thus military materiel falling under the ambit of paragraph 9 of resolution 1970 (2011), when supplied in quantity to eastern Libya in significant excess of the quantities historically required for civil aviation activities. The tanker and its cargo were detained under the ambit of paragraph 5 resolution 2292 (2016), as reinforced by the Security Council in its resolution 2526 (2020). M/T *Royal Diamond 7* was escorted by operation IRINI naval assets to Agios Georgios, Greece, where the

[48] Authority was first granted in resolution 2292 (2016), paras. 3–4.
[49] European Council decision (CFSP) 2019/1595 of 26 September 2019.
[50] European Council decision (CFSP) 2020/472 of 31 March 2020.
[51] Including member States, the flag State, the vessel and cargo insurers.
[52] In S/2019/914, para. 147, and letters to the Committee dated 23 August 2019 and 24 March 2020.

cargo was formally seized on 25 September 2020 by the Central Port Authority of Lavrio under the ambit of paragraph 9 of resolution 1970 (2011), as modified pursuant to subsequent resolutions.

75. As in the case of M/T *Gulf Petroleum 4* (see para. 130 below),[53] the intended recipients of the aviation fuel were entities directly under the control of HAF, and it is almost certain that the fuel was required to support military activities. Accordingly, the Panel finds that, in such cases, the transfer of Jet A-1 also falls under the ambit of "other assistance, related to military activities", and thus constitutes a violation of paragraph 9 of resolution 1970 (2011).

D. Arms embargo import violations by Member States

76. Arms embargo violations are presented in a chronological tabular basis for ease of reference (see tables 4 to 7). Infographics that provide the details and evidence of the major violations are in the annexes as listed.

Table 4
Arms embargo transfer violations (for Government of National Accord Affiliated Forces)[a]

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
23 October 2019	Transfer of military materiel	Aselsan *Koral* electronic warfare system	Turkey	N/A	• Confidential sources
16 November 2019	Transfer of ammunition	*Dehleyvah* anti-tank guided missile		Annex 36	• Manufactured in the Islamic Republic of Iran[b]
17 January 2020	Transfer of weapons	6 MiM-23 *HAWK* surface-to-air missile systems	Turkey	Annex 25	• Satellite imagery
17 January 2020	Transfer of weapons	12 Aselsan *Korkut* twin 35mm cannon self-propelled air defence systems	Turkey	Annex 26	• By MV *Single Eagle*
27 January 2020	Transfer of ammunition	Roketsan UMTAS anti-tank missile	Turkey	N/A	• Confidential. sources
28 January 2020	Transfer of military materiel	4 *Gabya*-class frigates	Turkey	Annex 24	• Ongoing
21 March 2020	Transfer of military materiel	FNSS *ACV-15* armoured combat vehicle	Turkey	Annex 37	• By MV *Bana*
21 March 2020	Transfer of weapons	*Firtina* T-155 155mm SP Howitzer	Turkey	Annex 28	• By MV *Bana*
6 April 2020	Transfer of military materiel	IAI *Harpy* loitering munition		Annex 38	

[53] Full details can be found in annex 86.

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
19 April 2020	Transfer of military materiel	TAI *Anka* unmanned combat air vehicles	Turkey	Annex 27	• >80 per cent confidence level based on wreckage imagery
21 May 2020 onwards	Transfer of military materiel	C-130E *Hercules* aircraft[c]	Turkey	Annex 39	
23 May 2020	Transfer of military materiel	F-16 C or D FGA[c]	Turkey	N/A	• Confidential sources
27 May 2020	Transfer of military materiel	STM *Kargu*-2 loitering munition	Turkey	Annex 30	
28 June 2020	Transfer of weapons	*Misagh*-2 SAM	Turkey	Annex 40	• Turkey highly probable • Manufactured in the Islamic Republic of Iran
8 July 2020 onwards	Transfer of military materiel	A400B *Atlas* aircraft[c]	Turkey	Annex 39	
18 July 2020	Transfer of weapons	Roketsan T-122 *Sakarya* multi-launch rocket system	Turkey	Annex 29	
9 October 2020	Transfer of ammunition	120mm high explosive mortar bombs		Annex 41	• Lot numbers 04-17 and 01-18; manufactured in Bulgaria
10 October 2020	Training[d]	Diving training in Khums, Libya, for Government of National Accord Affiliated Forces.	Turkey	Annex 42	
13 October 2020	Training	Technical training to the Government of National Accord Affiliated Forces on T155 *Firtina* 155mm Howitzer in Tajura', Libya	Turkey	Annex 43	
14 October 2020	Training	Infantry training for 171 brigade Government of National Accord Affiliated Forces soldiers at the "Libyan Training College" in Isparta, Turkey	Turkey	Annex 44	
20 October 2020	Training	Training for the Libyan Coast Guard by Turkish	Turkey	Annex 45	

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
		advisers and mentors in Khums, Libya			
21 October 2020	Training	Special forces training for the Government of National Accord at the Turkish special forces base	Turkey	Annex 46	
1 November 2020	Transfer of military materiel	Lenco *Bearcat G3* 4x4 armoured personnel carrier		Annex 47	• Possibly captured from the Hafter Affiliated Forces
18 November 2020	Training	Forward observation officer training for the Government of National Accord Affiliated Forces by Turkish advisers and mentors in Khums, Libya	Turkey	Annex 48	
30 November 2020	Training	Aabseil training for the Government of National Accord Affiliated Forces by Turkish advisors and mentors in Tajura', Libya	Turkey	Annex 49	

[a] In this and the three tables that follow, the Panel provides reference details for the companies and equipment in the corresponding annexes.

[b] In this and all other tables that follow, the Panel is not suggesting that the country of manufacture was always involved in the arms embargo non-compliance unless specifically listed under "responsible".

[c] Each flight into Libya of a military aircraft is a violation of the arms embargo.

[d] The Panel does not consider that any of the training provided to the Government of National Accord Affiliated Forces by Turkey falls under the auspices of "security or disarmament assistance" and therefore does not fall under the exemption contained in paragraph 10 of resolution 2095 (2013).

77. On 19 November 2019, imagery was identified on social media of three internal Government of National Accord letters referring to the transfer of funds to Turkey for the procurement of specific needs for the Ministry of Interior. Given that the Turkish armaments group SSTEK[54] is the recipient of the funds, it is almost certain the payments were for military materiel supplied in violation of paragraph 9 of resolution 1970 (2011). The transactions are summarized in table 5 and the related documents can be found in annex 50.[55]

[54] See www.sstek.com.tr/.

[55] Panel letter of 19 December 2019. No response was received.

Table 5
Summary of documents authorizing transfer of Government of National Accord funds to Turkish arms company

Date	*From*	*To*	*Regarding*
2 June 2019	Fathi Bashagha, Minister of Interior	Governor of the Central Bank	Request to transfer 70.4 million euros ($78.79 million)[56] to Turkish arms group SSTEK
17 July 2019	Muhammad Milad Hadid, Comptroller General	Ministry of Interior	Request made on 15 July 2019 from the Minister of Interior to transfer 169.9 million euros ($190.8 million) to Turkish arms group SSTEK
3 November 2019	Fathi Bashagha, Minister of Interior	Governor of the Central Bank	Request to transfer 169 million euros ($188.7 million) to Turkish arms group SSTEK

Table 6
Arms embargo transfer violations (for the Hafter Affiliated Forces)

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
14 May 2018	Training relating to military activities	Hafter Affiliated Forces personnel training at Royal Military College, Jordan	Jordan	Annex 51	• Not previously identified
16 October 2019	Transfer of ammunition	Krusik 120mm M62P8 mortar bomb	United Arab Emirates	Annex 52	• Manufacturer confirmed supply to United Arab Emirates
19 November 2019	Transfer of military materiel	KADDB *Mared* 8x8 infantry armoured fighting vehicle	Jordan	Annex 53	• First sighting with Snakehead turret
11 December 2019	Transfer of military materiel	AOI *Terrier* LT-79 armoured personnel vehicle	Egypt	Annex 54	• Built under licence from the Armored Group, United States of America, in Egypt
22 December 2019	Transfer of military materiel	MSPV *Panthera* T6 armoured personnel carrier	United Arab Emirates	N/A	• Brand-new vehicles • First reported in S/2018/812, annex 29
1 January 2020 onwards	Transfer of military materiel	IL-76 cargo aircraft[a]	Russian Federation	Annex 55	•
4 February 2020	Transfer of military materiel	Inkas *Titan*-DS armoured personnel vehicle	United Arab Emirates	Annex 56	•

[56] Currency converted to dollars on date of transfer request. For example, see www.xe.com/currencytables/?from=LYD&date=2019-06-02.

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
10 February 2020	Transfer of military materiel (from Libya)	Transfer of at least 9 *Wing Loong* II unmanned combat air vehicles from Khadim (HL59) to Uthman airbase (HE27) in Egypt	United Arab Emirates	Annex 57	• Violation for transfer out of Libya to new operational base
26 February 2020	Transfer of military materiel	Streit *Spartan* 4x4 armoured personnel vehicle	United Arab Emirates	N/A	• Brand-new vehicles • Presence in Libya first reported in S/2018/812, annex 29
10 March 2020	Transfer of military materiel	C17A *Globemaster* aircraft[a]	United Arab Emirates	Annex 55	• Confidential source
20 March 2020	Transfer of military materiel	Dahua DHI-UAV-D-1000JHV2 anti-drone gun		Annex 58	• Commercially available
12 April 2020	Training relating to military activities	Pilot training for the Hafter Affiliated Forces on the Mi24D (Mi-25 export version) attack helicopter by 64th Helicopter Brigade of the Syrian Arab Air Force at Marj Ruhayyil/ Blay military airport	Syrian Arab Republic	Annex 59	• 6-month pilot course
18 April 2020	Transfer of ammunition	KBP RPO-A *Shmel* thermobaric munition		Annex 60	• New batch delivered since 2007 delivery
12 May 2020	Transfer of military materiel	Dassault Mirage 2000-9 FGA[a]	United Arab Emirates	Annex 61	• Operating at Al Jufrah (HL69) and Tubruq (HLTQ) airbases
18 May 2020	Transfer of military materiel	MiG-29A fighter ground attack aircraft (>9)[a]	Russian Federation	Annex 31	•
18 May 2020	Transfer of military materiel	*Sukhoi* Su-24 FGA aircraft (>4)[a]	Russian Federation	Annex 32	•
23 May 2020	Transfer of military materiel	Armoured personnel vehicle type to be confirmed	Russian private military company	Annex 62	• ChVK Wagner
26 May 2020	Transfer of military materiel	MIC VPK *Tigr-M*	Russian private military company	Annex 63	• ChVK Wagner
5 June 2020	Transfer of weapons	T-62 MV main battle tank upgrade	Russian private military company	Annex 64	• Russian private military company (to be confirmed)

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
8 June 2020	Transfer of ammunition	Russian Federation-manufactured TulAmmo 7.62x39mm small arms ammunition		N/A	• Found in old Russian private military company fighting positions near Tarhunah • Lot No. A421 manufactured in November 2019
7 July 2020	Transfer of ammunition	ML-8 anti-lift initiator booby trap	Russian private military company	Annex 65	• Russian private military company (to be confirmed)
12 July 2020	Transfer of military materiel	*Pantsir* S-1 air defence system	Russian Federation	Annex 23	• On KaMAZ platform, therefore not a United Arab Emirates system • Operated by a private military company
29 July 2020	Transfer of military materiel	141 4x4 vehicles for the Hafter Affiliated Forces	United Arab Emirates	Annex 66	• Seized in Malta
29 July 2020	Transfer of ammunition	PMN-2 anti-personnel mine	Russian private military company	Annex 67	• Russian private military company (to be confirmed) • Located in former Russian private military company positions
5 August 2020	Transfer of military materiel	LEMZ 96L6/E target acquisition radar for an air defence system		Annex 68	• The launcher system has not yet been identified
16 September 2020	Training relating to military activities	Training of Hafter Affiliated Forces personnel at Royal Military College, Jordan	Jordan	Annex 69	•
21 September 2020	Transfer of military materiel	Armoured vehicles with roof weapons mount very similar to the *Tundra* vehicle manufactured by a United Arab Emirates company		N/A	• Manufacturer consulted denies that it was a *Tundra* but provided no alternative explanation
23 September 2020	Transfer of ammunition	POM-2R anti-personnel mine	Russian private military company	Annex 70	• Lot 583-1-96

Date identified	*Type*	*Equipment/Activity*	*Responsible*	*Annex*	*Remarks*
16 November 2020	Transfer of military materiel	155mm Howitzer gun, very similar to G5		Annex 71	•
16 November 2020	Transfer of military materiel	*Morava* 128mm multi-barrel rocket system (LRSCM)		Annex 72	• Manufactured in Serbia

[a] Each flight into Libya of a military aircraft is a violation of the arms embargo.

Table 7
Arms embargo violations by unidentified suppliers and users

Date identified or of activity	*Type*	*Equipment/Activity*	*Annex*	*Remarks*
6 November 2019	Transfer of military materiel	Xiamen *Mugin* 4450 unmanned aerial vehicle	Annex 73	• Commercially available
14 April 2020	Transfer of weapons	WB *Warmate* loitering munition	Annex 74	•

E. Arms embargo export violation by a Member State

78. On 18 May 2020, HAF withdrew from the Watiyah air base.[57] Among the military materiel captured by GNA-AF was a relatively intact *Pantsir* S-1 system (see figures II and III), which was moved thereafter under the control of an armed group to Zuwarah. After negotiations between the armed group in possession of the *Pantsir* S-1, the Government of National Accord and one Member State, the system was moved from Zuwarah to Mitiga airport in Tripoli and placed under Turkish protection to ensure that it was not "accidently used".

Figure II
***Pantsir* S-1 at *Watiyah* (18 May 2020)**[a]



[a] See https://twitter.com/Oded121351/status/1262343178356736003, 18 May 2020.

[57] Patrick Wintour, "UN-backed Libyan forces take key airbase from rebel general", *The Guardian*, 18 May 2020.

Figure III
***Pantsir* S-1 at *Watiyah* (18 May 2020)**[a]



[a] See https://twitter.com/M1923Y/status/1262334020857270274l, 18 May 2020.

79. The *Pantsir* S-1 was subsequently acquired as part of the United States of America foreign military exploitation programme and subsequently transferred out of Libya.[58]

80. On 1 July 2020, the Panel offered the United States an opportunity to respond, but its response of 21 January 2021 contained no relevant information. The Panel finds that this transfer is a violation of paragraph 10 of resolution 1970 (2011) by the United States for using its flagged aircraft to transfer military materiel from Libya.

F. Air bridges

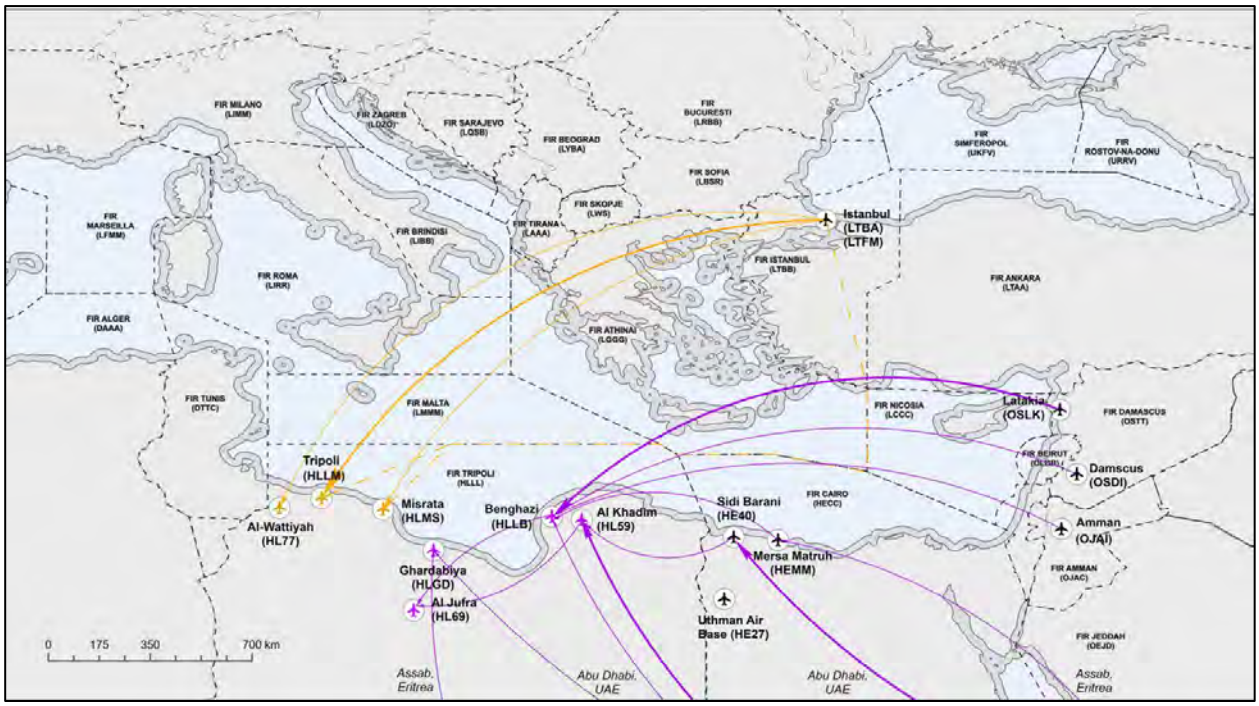
81. The Panel has identified a range of profile indicators of suspicious activities (see annex 75) that, when considered collectively, cogently indicates that centrally planned air bridges are in operation primarily between: (a) the United Arab Emirates and western Egypt/eastern Libya (HAF); (b) the Russian Federation, via the Syrian Arab Republic, to eastern Libya (HAF); and (c) Turkey to western Libya (Government of National Accord) (see figure IV). Full details of the routes, air operators and suspicious flights can be found in annexes 39 and 55.

82. Resupply of HAF and GNA-AF by air was extensive during the reporting period. All flights are non-scheduled or special charter flights that attempt to disguise their routing by not broadcasting on their ADS-B transponders.

83. Air bridge flights to Egyptian airbases form part of the wider supply chain to Libya. The Panel finds that, because this airbridge is "an indirect supply […] of arms and related materiel […] or other assistance" (resolution 1970 (2011), para. 9), the operators of the aircraft forming the air bridge are in violation of that paragraph. Due diligence checks should have established the military nature of the cargos and the intended end user.

[58] Tom Rogan, "US seizes advanced Russian military system in Libya", *Washington Examiner*, 19 June 2020; Samer Al-Atrush, "Libya, How the US and Turkey agreed to share a captured Russian defence system", The Africa Report, 25 February 2021; and (c) two confidential sources.

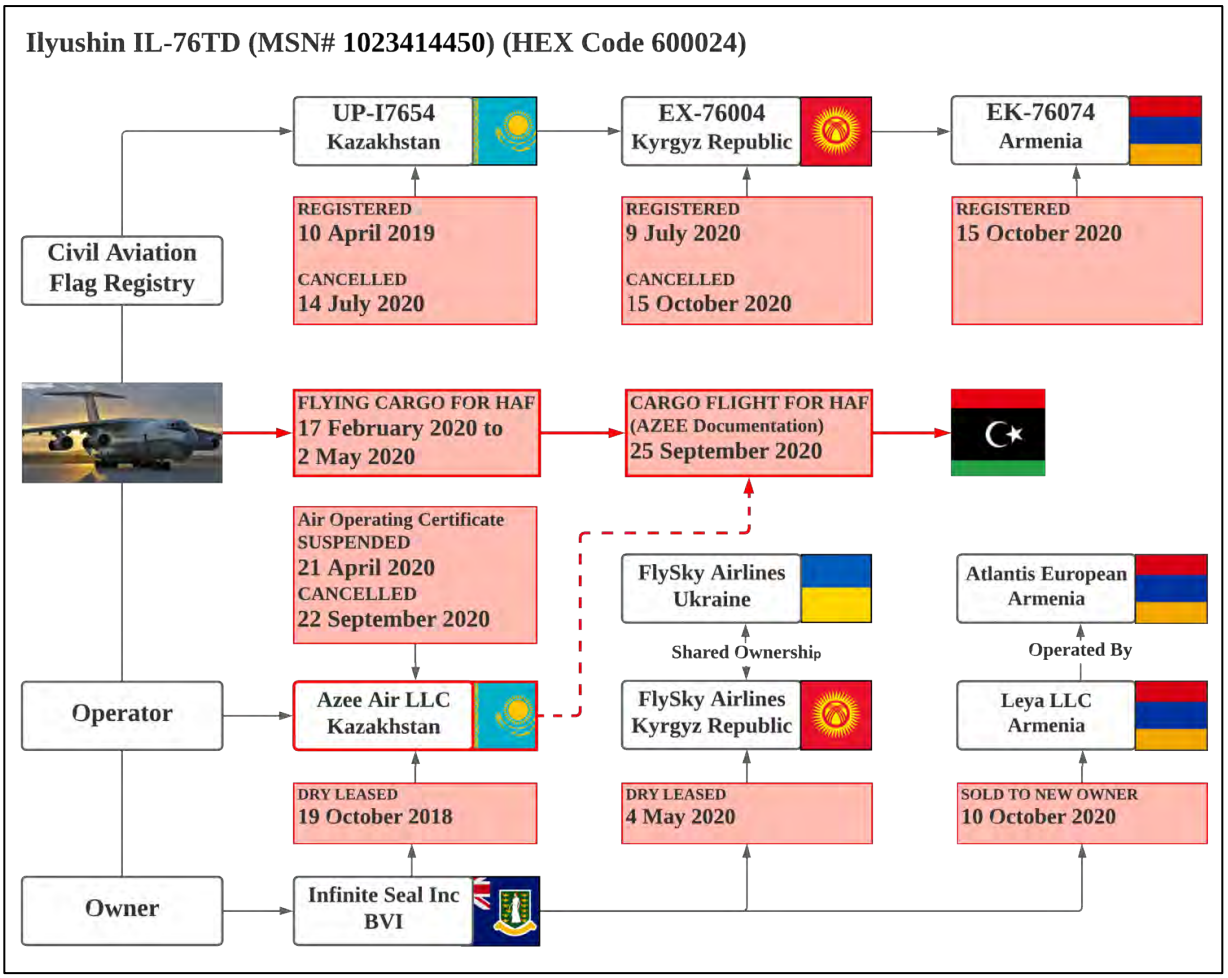
Figure IV
Schematic of arms trafficking air bridges



Note: Map developed by C4ADS, with Panel input.

84. The Panel has observed that the airlines, operators, charterers and agents have the ability to respond to sanctions investigations and sanctions measures to ensure business continuity. They are very agile and can react before the international community is able to respond, and can take the measures necessary to, among others, disguise their activities, transfer the registration of aircraft and change air operators. If an air operating company suspects that it is being too closely investigated by the Panel, it forms a new company in a new jurisdiction and releases the same aircraft from the owner. The owner avoids any potential designation because it "dry" leases the aircraft, that is, the air operating company has the responsibility for providing the crew and arranging all charters. A classic example is that, for the Ilyushin IL-76TD aircraft (No. 1023414450), which had three operators and was registered within three different national aviation registries over an 18-month period (see figure V and documentary analysis in annex 75). In this case, the designation of the air operator for merely the illicit use of this specific aircraft would achieve little, given that the aircraft is not an asset owned by the company that would fall under an assets freeze and could be leased by the owner to a new air operator. The Panel considers that aircraft should be treated similarly as vessels pursuant to paragraphs 19, 22 and 23 of resolution 2270 (2016) and be made subject to compulsory deregistering, landing bans and/or assets freeze measures. This is the only effective way of disrupting air trafficking operations (see recommendation 1).

Figure V
Infographic for Ilyushin IL-76TD (No. 1023414450)



85. In specific circumstances, such as that shown in figure V, both the owner and the air operator could be considered for sanctions measures, given that it is beyond credulity that the owner was unaware of the reasoning for the transfers of air operator and registration authority. It is worth noting that Infinite Seal LLC quickly transferred the dry lease after the suspension of the Azee Air LLC (see appendix D to annex 55) air operating certificate in order to allow the aircraft to continue to fly. The aircraft was subsequently quickly sold after the re-leasing.

G. Private military and security company involvement

1. "Project Opus" private military intervention

86. In June 2019, the Panel identified a well-funded private military company operation, named "Project Opus" (see annex 76), which was designed to provide HAF with armed assault rotary-wing aviation, intelligence surveillance and reconnaissance aircraft, maritime interdiction, cyber, unmanned armed vehicles, and intelligence fusion and targeting capabilities. The Project Opus plan also included a component to kidnap or terminate individuals regarded as high-value targets in Libya. Three United Arab Emirates-based companies were used primarily for the planning, management and finance of the operation: (a) Lancaster 6 DMCC; (b) L-6 FZE; and (c) Opus

Capital Asset Limited FZE. Those companies were controlled and managed by Christiaan Paul Durrant (Australia) and Amanda Kate Perry (United Kingdom of Great Britain and Northern Ireland), with the Ground Team Leader being Stephen John Lodge (South Africa). All three companies and individuals were found by the Panel to have violated paragraph 9 of resolution 1970 (2011), in that they had each violated or assisted in the evasion of the provisions of the arms embargo in Libya.

87. The original plan envisaged the purchase of surplus military helicopters from Jordan, but that plan failed when the Jordanian authorities became aware of elements of the plan and suspended the auction of the aircraft on 18 June 2019. This required the Project Opus team to initiate a contingency plan to rapidly identify and procure new aircraft. These included three medium utility helicopters from a South African company and three light utility helicopters from a United Arab Emirates company. Also purchased within a tight time frame were an Antonov AN-26B from a Bermudian company, a LASA T-Bird light attack aircraft from a Bulgarian company and a Pilatus PC-6 intelligence, surveillance and reconnaissance aircraft from an Austrian company. Those three aircraft were deployed before any payment and normal due diligence could take place, thereby demonstrating that a fourth individual, Erik Dean Prince (United States), who controlled the companies owning the aircraft, had assisted in procurement for the operation. No one else was in a position to arrange the sale of those aircraft within such a short time frame. Further Panel investigations identified that Mr. Prince had made a proposal for the operation to Khalifa Haftar in Cairo on, or about, 14 April 2019. The Panel therefore finds that Mr. Prince also violated paragraph 9 of resolution 1970 (2011), in that, at the very least, he assisted in the evasion of the provisions of the arms embargo in Libya.

88. The rotary-wing assault and maritime interdiction components of the operation were mounted from Amman and Valletta on 25 and 26 June 2019, respectively. The private military operatives were met on arrival in Benghazi by individuals who were already deployed as part of the cyber and fusion and targeting cell components of the operation.

89. The rotary-wing aviation and maritime interdiction component of the plan was aborted on 29 June 2019, when Mr. Lodge took the decision to evacuate a team of 20 private military operatives to Malta using the two special forces specification rigid hulled inflatable boats for the 350 nautical mile voyage from Benghazi to Valletta. During the voyage, one of the inflatable boats had to be abandoned. The decision to evacuate was taken because Khalifa Haftar was unimpressed with the replacement aircraft procured for the operations and made threats against the team management. The fusion and targeting cell was not part in the evacuation.

90. The Pilatus PC-6 intelligence, surveillance and reconnaissance aircraft deployed to Libya on 25 June 2019. The Panel identified that this aircraft was available for intelligence, surveillance and reconnaissance operations in Libya (from Benghazi, Al Jufrah and Birak al-Shati) from at least 26 June 2019 to 24 December 2020. The intelligence, surveillance and reconnaissance capabilities of the aircraft provides HAF with a force multiplier for intelligence, surveillance and reconnaissance and targeting activities.

91. Project Opus private military operatives were deployed to Libya for a second time, in April and May 2020, in order to locate and destroy high-value targets but planned to use military equipment supplied by the United Arab Emirates. The operation was aborted because any kinetic assault operations by rotary-wing assets would be highly vulnerable to interdiction by GNA-AF air defence capability (see para. 62 above). The deployment of rotary-wing assets would have been a suicide mission at that time unless a route through was first cleared by fixed-wing or unmanned combat aerial vehicle assets.

92. The United Arab Emirates, which could provide a significant amount of assistance to the Panel, has yet to respond to any requests for information, and the

responses from Jordan and South Africa contained little of the substantive information requested by the Panel.

2. ChVK Wagner[59]

93. Operational security surrounding the deployment of ChVK Wagner in support of HAF has been effective, with verifiable open source information as to their organization, structure, operational tasks and casualties being limited. Notwithstanding this, the Panel has established from a variety of sources[60] that ChVK Wagner has been present in Libya since October 2018. That initial deployment was to provide technical support for the repair and maintenance of armoured vehicles.

94. By early 2019, the deployment had progressed to provide operational combat support, which grew to an estimated deployment of 800 to 1,200 ChVK Wagner operatives during 2019 and 2020. ChVK Wagner operatives were engaged in more specialized military tasks such as acting as artillery forward observation officers and forward air controllers, providing electronic counter-measures expertise and deploying as sniper teams. Their deployment acted as an effective force multiplier for HAF during 2019 and early in 2020.

95. The Panel noted that flights made by Russian Federation military aircraft peaked in October 2018 and subsequently in January/February 2019, which coincided with the initial reports of the deployment of Wagner ChVK operatives to Libya (see appendix A to annex 55).

96. After the commencement of Operation PEACE STORM by GNA-AF on 23 March 2020, ChVK Wagner units withdrew, along with their HAF allies (see annex 62). The Panel confirmed that ChVK Wagner had withdrawn from Bani Walid on 27 May 2020. On 1 July 2020, ChVK Wagner military operatives were reported to be based at Jufrah (HL69), Birak (BCQ), Qardabiyah (HLGD), Sabha (HLSS), Waddan (HL72) and Shararah oil facility.

97. That withdrawal coincided with the deployment of the MiG-29A (see annex 31), Su-24 (see annex 32) and *Pantsir* S-1 (see para. 65 above). All were operated by ChVK Wagner, whose numbers had increased to approximately 2,000 by that time.[61] Notwithstanding the ceasefire agreement of 25 October 2020, there have been no indications of any withdrawal from Libya by ChVK Wagner.

3. Rossiskie System Bezopasnosti Group

98. The Panel first identified another Russian Federation private military company, Rossiskie System Bezopasnosti Group,[62] present in eastern Libya during 2017 (S/2017/466, annex 43), but this related to a legitimate commercial explosive remnants of war clearance contract to remove mines and explosive remnants of war from an industrial complex near Benghazi.[63] The Group was identified[64] in late 2019 as having provided approximately 15 technicians who either upgraded, maintained or refurbished Russian-manufactured MiG and *Sukhoi* FGA aircraft at Khadim airbase. The team was briefly accommodated at the only hotel in Marj.[65]

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[59] Evidence can be found in annex 77.

[60] Sources: international organization reports; open sources; open source satellite imagery; and multiple confidential sources.

[61] Not including 2,000 Syrian fighters recruited and deployed by ChVK Wagner.

[62] See http://rsb-group.org/. Rossiskie System Bezopasnosti Group is a Moscow-based private military and security consulting company that is registered for work with the United Nations (No. 403872).

[63] Centred on 32°00'23.57"N, 20°07'57.47"E.

[64] Confidential source.

[65] Hotel Marj. A confidential source also informed the Panel that four Russians had stayed in the same hotel from 1 to 7 January 2020.

4. SADAT International Defense Consultancy

99. There have been multiple credible reports[66] that SADAT International Defense Consultancy of Turkey[67] has provided military training to GNA-AF and Syrian fighters, and that SADAT is responsible for the supervision and payment of the estimated 5,000 pro-Government of National Accord Syrian fighters.[68] Although SADAT has denied all private military company activities in Libya[69] the Panel considers that, on the basis of the role of SADAT in training Syrian fighters in Syrian Arab Republic,[70] Member State reporting and the depth and breadth of open source media reporting, on a balance of probability SADAT is engaged in Libya. Such activities fall under the ambit of paragraph 9 of resolution 1970 (2011), given that the provision of military "training" is clearly a violation of the resolution.

5. Other providers

100. The Panel identified two commercial entities that are contracted to provide defence- and security-related consultancy advice to the Government of National Accord. The Panel has looked at confidential documentation that includes the declared consultancy tasks for each entity and is content that their activities are designed to provide advice on the mid- to long-term organization and structure of the Libyan security sector. Such work is complementary to the defence and security sector reform initiatives conducted by the Security Institutions Service of UNSMIL since 2012.[71] The Panel therefore considers this consultancy to fall under the ambits of paragraph 10 of resolution 2095 (2013), in which the Security Council decided that "the provision of any technical assistance, […] when intended solely for security or disarmament assistance to the Libyan government, shall no longer require notification to […] the Committee", and paragraph 8 of resolution 2214 (2015), in which the Council emphasized "the importance of providing support and assistance to the Government of Libya, including by providing it with the necessary security and capacity building assistance".

H. Responses to arms embargo violations

101. Some Member States and regional organizations have taken a range of action in response to non-compliances with the arms embargo by entities based in or registered within their territories (see annex 78).

[66] 1) Suat Cubukcu, "The rise of paramilitary groups in Turkey", Small Wars Journal, 3 March 2018; Ioannou and Tziarras, "Turning the tide in Libya", p. 3; Africa Intelligence, "Turkish military company Sadat turns Erdogan-Sarraj alliance into business opportunity", 8 June 2020; Eren Ersozoglu, "Sadat: the Turkish mercenaries who support Islamist groups", Sofrep, 7 July 2020; Colin Freeman, "Erdogan nurtures elite mercenary force to rival Russia's Wagner Group", *The Telegraph*, 12 September 2020; United States of America, Department of Defense, Office of the Inspector General, *East Africa Counterterrorism Operations: North and West Africa Counterterrorism Operations – Lead Inspector General Report to the United States Congress, 1 April 2020–30 June 2020* (2020), p. 35; two confidential sources and one Member State.

[67] See www.sadat.com.tr.

[68] The Panel has discounted media reports that a specific Libyan security provider had partnered with SADAT on that task.

[69] Letter to Panel dated 29 July 2020.

[70] See www.globalsecurity.org/military/world/europe/tu-sadat.htm.

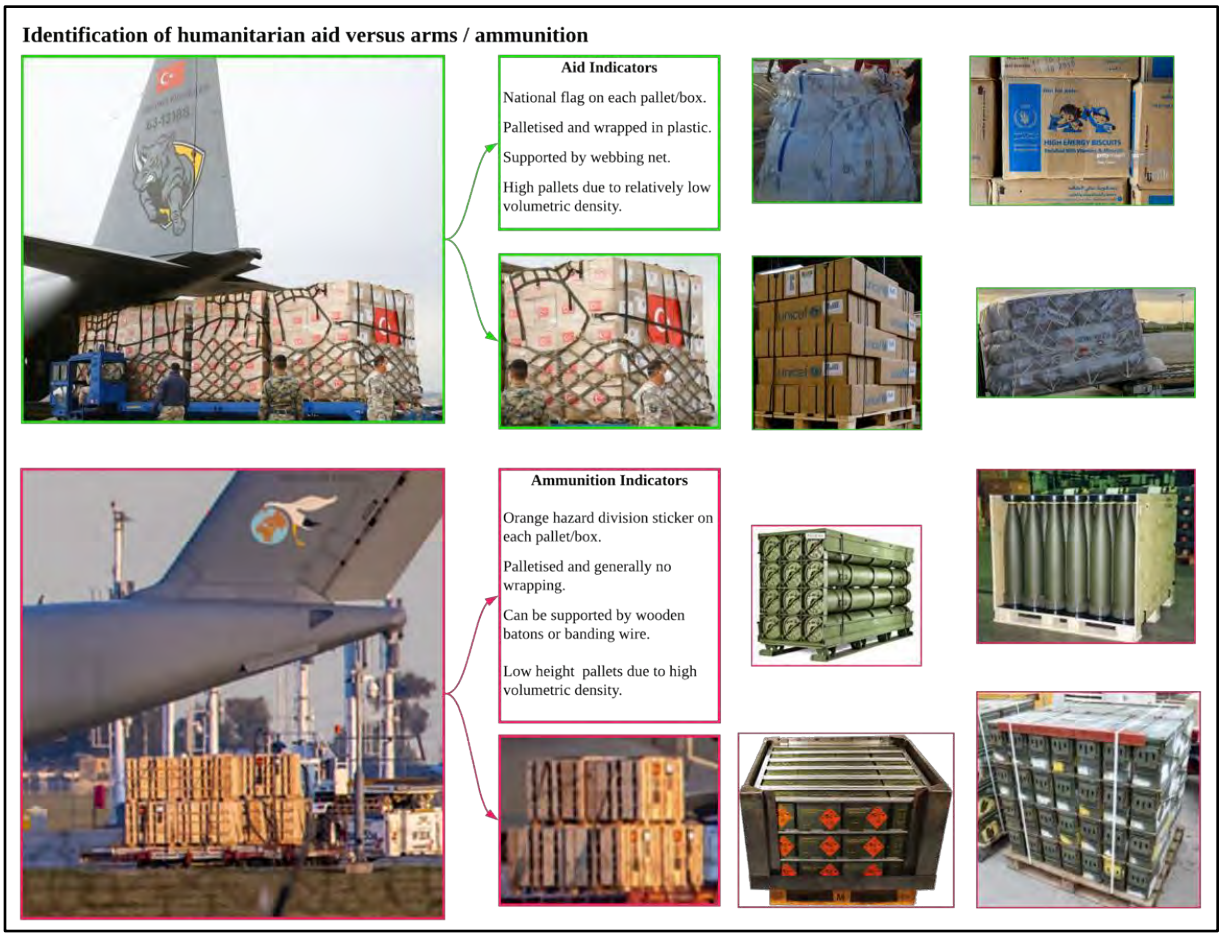
[71] See resolution 2542 (2020), in which the Security Council decided to "help consolidate the governance [and] security […] arrangements of the Government of National Accord" (para. 1 (i)) and "provide support to key Libyan institutions" (para. 1 (vii)).

I. Updates to reported violations

1. Deek Aviation FZE

102. In S/2019/914 (see also annexes 28 and 52), the Panel reported on violations by Deek Aviation FZE[72] of the United Arab Emirates for two Ilyushin Il-76TD (UR-CMP and UR-CRC) that it operated that were destroyed by a Government of National Accord air strike against Jufrah airbase (HL69). On 5 November 2020, the Panel received a letter from one Member State in which it informed the Panel that Deek Aviation FZE had informed its authorities that the cargo was humanitarian aid. No evidence was supplied to support that assertion, and the Panel's finding in 2019 of a violation of paragraph 9 of resolution 1970 (2011) remains extant. The supply of humanitarian aid is often the "cover story" provided to the Panel. Figure VI illustrates why the humanitarian aid claims are often easily rebutted.

Figure VI
Delivery of aid versus ammunition by air



IV. Unity of State institutions

103. This issue was examined in the light of the requirements of paragraph 5 of resolution 2509 (2020).

[72] See www.deek.aero.

A. Central Bank of Libya

104. The Panel notes that the Board of Directors of the Central Bank of Libya met on 16 December 2020, the first meeting to have been held that year. They unanimously agreed to unify the exchange rate at 4.48 Libyan dinars to the dollar (i.e., a 322 per cent devaluation). The Board held a follow-up virtual meeting on 31 December 2020 prior to implementing the devaluation on 3 January 2021. The resumption of the Board meetings and the agreement on the unified exchange rate are two significant steps towards restoring the unity of the institution.

105. The Panel has no further information on the progress of the Central Bank of Libya audit.[73]

B. Libyan Investment Authority

106. After extended litigation, on 25 March 2020, a court in the United Kingdom decided that Ali Mahmoud was the legitimately appointed Chair of the Libyan Investment Authority (LIA). There appears to be no challenge to the authority of the Chair in Tripoli. On 18 November 2020, the LIA Board of Trustees formally renewed Mr. Mahmoud's mandate for three years and appointed two new members from eastern Libya to the LIA Board of Directors, bringing the total number to seven.

C. National Oil Corporation

107. On January 2020, purportedly spontaneous demonstrations in eastern Libya calling for an oil blockade forced the National Oil Corporation to declare a force majeure[74] in the oil and gas export terminals in the east and at the Sharara and Fil oilfields. The distribution of the oil revenue was a central factor behind the blockade. In September and October 2020, the force majeure was gradually lifted, putting an end to eight months without oil exports. The lifting was possible after an agreement to freeze the oil revenue in the National Oil Corporation's account in the Libyan Foreign Bank, where that revenue is deposited (see annex 79).

108. That freeze, endorsed by the Economic Working Group of the International Follow-up Committee on Libya, has been adopted as a temporary measure until a more durable economic arrangement is reached. A total of $2.35 billion in oil revenue now remain frozen. This decision has led the Central Bank of Libya to utilize the already meagre Libyan foreign reserves to provide for budget expenses.

109. The National Oil Corporation supports the continued freezing of oil revenue to ensure uninterrupted oil production. Such action will also permit the National Oil Corporation to exercise oversight of the oil wells, export terminals and related oil facilities. For the same reason, the National Oil Corporation also seconds a proposal, part of the 5+5 Joint Military Commission agenda, to reunify and restructure the petroleum facility guards. This force is de facto divided into an eastern and a western branch.

110. The National Oil Corporation aims to bring the petroleum facility guards fully under its control, with a new name and equipped with modern technology. The members will be expected to be free from political or tribal affiliations. The restructured force will comprise some 2,500 operatives, which is less than 10 per cent

[73] UNSMIL, "The United Nations is pleased to announce the launch of the international financial review of the two branches of the Central Bank of Libya", 27 July 2020.

[74] Force majeure is a contractual clause that frees the National Oil Corporation from its legal obligations to supply oil or gas when faced with circumstances outside its control. It is generally lifted when the circumstances that led to it being imposed are removed.

of the current petroleum facility guards. A pilot project will be launched at Erawan oil field,[75] in the Murzuq basin, south-western Libya.

111. While the Tripoli-based National Oil Corporation, led by Mustafa Sanalla, retains its leading institutional role, it remains concerned by the activities of the Benghazi-based "eastern National Oil Corporation" led by Almabruk Sultan. This parallel entity, with the support of the Al Baida-based non-legitimate government, continues to challenge the authority of Sanalla in order to gain control over the export of Libyan crude oil (see annex 80). The eastern National Oil Corporation has continued its efforts to export crude oil and import refined petroleum products (see paras. 115 and 130 below).

112. The National Oil Corporation is also facing budgetary constraints as result of the lack of funds allocated by the Government of National Accord. These funds are not enough for the increased maintenance needs of the oil facilities that resulted from the lifting of the force majeure and from the COVID-19 crisis. The funding constraints could erode the National Oil Corporation's capacity to sustain increasing oil production levels.

113. The Board of Directors of the Brega Petroleum Marketing Company[76] was restructured on 30 April 2020 and a new Chair, Ibrahim Abubridaa, was appointed (see annex 81). Since then, the parallel "eastern Brega" has ceased most of its illicit activities (S/2019/914, para. 139).

V. Prevention of illicit exports or illicit imports of petroleum

A. Attempts to illicitly export crude oil

114. No vessels have been designated pursuant to paragraph 11 of resolution 2146 (2014).

115. The Panel documented one attempt to export crude oil. An agreement to extend the validity of a purchase and sale contract, as well as a subsequent allocation certificate, were signed on 20 August 2020. No vessels were selected to load the cargo (see annex 82).

116. The Panel also monitored several attempts to illicitly export condensate.[77] At least two attempts were aborted at a later stage. In one case, a vessel was chosen to load the condensate cargo. The operation was aborted after the Libyan authorities had contacted the flag State of the vessel concerned to resolve the issue (see annex 83).

B. Prevention of illicit exports of refined petroleum products

117. The illicit exports of refined petroleum products have decreased substantially compared with previous years. Local dynamics, in conjunction with the impact of the COVID-19 outbreak on the global economy, have brought fuel smuggling by sea to a temporary halt. On the other hand, fuel diversion overland persisted and even increased in some regions, although it continued to be a relatively low-scale activity.

118. The appropriate Libyan institutions remained vigilant and continued their activities to curb fuel smuggling. A new military unit called the "Joint Forces", established with a mandate that includes combating fuel smuggling (see annex 84),

[75] Near Uwaynat, 25°46'31.0"N 10°33'39.5"E.

[76] Brega Petroleum Marketing Company is the subsidiary of the National Oil Corporation responsible for the storage and supply of fuel to the distribution companies in Libya.

[77] Condensate is a mixture of light liquid hydrocarbons typically separated from of a natural gas stream at the point of production.

has conducted several operations against fuel smugglers overland.[78] The Tripoli Security Directorate, affiliated with the Ministry of Interior, arrested Abd Al-Rahman al-Milad (LYi.026) (see para. 176 below), who faces, among others, fuel smuggling charges. The Office of the Libyan Attorney General oversees this and other investigations related to illicit exports of petroleum products.

119. The Brega Petroleum Marketing Company, responsible for the supply of fuel to the four distribution companies,[79] continued to improve the transparency of and oversight of the supply chain. Details of fuel deliveries continue to be available on its website.[80] The list of "trusted" petrol stations is maintained and updated (S/2019/914, para. 157). New best practices resulting in improved governance, including customer verification and market analysis, are enforced.

120. The fuel distribution companies continue to be immersed in internal legal disputes and face efficiency problems. Their historical debt remains unresolved (S/2019/914, paras. 160–162). The Brega Petroleum Marketing Company has opened a negotiation track with the distribution companies. Meanwhile, it ensured fuel availability in western areas by establishing eight permanent petrol stations, with the goal of opening 13 more before the end of 2021.[81]

1. The Zawiyah network

121. The al-Nasr brigade, led by Mohammed Al Amin Al-Arabi Kashlaf (LYi.025), maintains control of the Zawiyah oil complex. Until his detention, Abd Al-Rahman al-Milad (LYi.026) was the de facto head of the Libyan Coast Guard detachment at the oil complex (see also paras. 118 above and 176 below). Small smuggling groups emerged during the second half of 2020, raising tensions with established groups. The Zawiyah network has exerted great efforts to maintain the status quo in the city. It retains its central and prominent role in fuel smuggling (S/2019/914, para. 164).

2. Illicit exports by sea

122. Global demand for marine fuels in 2020 experienced a sharp decline owing to the impact on world trade of the COVID-19 pandemic.[82] The ready availability of bunker fuel means market prices have remained low, including in the bunkering areas near Libya and Malta. The current average price of marine gas oil (0.1 per cent sulphur) in Malta is $453 per metric tonne, compared with $655 in December 2019.[83]

123. This sharp decline of crude oil and bunker fuel prices has also increased the demand for tankers as floating storage units. The floating storage capacity for refined products peaked in mid-May 2020,[84] and demand for tankers continues to be high.[85]

124. The reduction in demand for bunker fuels, high fuel availability, lower bunker prices and the low availability of product tankers have had a negative impact on the

[78] Safa Alharathy, "Joint force arrests alleged ISIS members, fuel smugglers and migrants", Libya Observer, 30 September 2020; and Rabia Golden, "Joint force seizes four fuel smuggling trucks", Libya Observer, 16 August 2020.

[79] Shararah Oil Services, Libya Oil, Rahilah and Turek Saria.

[80] See https://brega.ly/category/sales/ (in Arabic).

[81] Three are currently operating in Misratah, two in Tripoli, one in Gharyan, one in Msallata, and one in Zlitan.

[82] Jack Jordan, "The bunker industry's 2020 fell flat for all the wrong reasons", Ship and Bunker, 7 January 2021.

[83] See www.oilmonster.com/bunker-fuel-prices/malta-mgo-01-price/8/94. 18 December 2020.

[84] Hellenic Shipping News, "Refined oil product temporary floating storage at 65mn barrels", 13 July 2020.

[85] Jack Wittels and Prejula Prem, "Demand to store a glut of diesel at sea is rising fast", Bloomberg, 16 September 2020.

parallel market of refined products, principally marine gas oil (0.1 per cent sulphur), illicitly exported from Libya by sea.

125. Fuel diversion by sea has therefore been almost nil, and no tankers have been added to the sanctions list.

126. The infrastructure of the smuggling networks from Zuwarah and Abu Kammash remains intact and their readiness to conduct illicit exports is undiminished. A resumption of their illicit activities, once global demand for bunker fuel recovers, is to be expected (see recommendation 2 below).

3. The case of M/T *Jal Laxmi*

127. On May 2020, the Panel received information that a product tanker had intended to illicitly export heavy fuel oil and marine gas oil from Tubruq, which, if successful, would have been in non-compliance with resolution 2146 (2014) (see annex 85).

4. Illicit exports by land

128. Refined petroleum products continue to be illicitly exported overland. Although small scale, the activity has increased compared with previous years, in particular in western Libya, where mainly gas oil continues to be diverted from the Zawiyah oil complex, via Jawsh and Nalut, to Tunisia. One litre of gasoline is sold in the parallel markets in Zawiyah area at 0.5 Libyan dinars ($0.11), while in September 2019 it was sold at 0.75 Libyan dinars ($0.17). One litre of gas oil peaked at 2.00 Libyan dinars ($0.45), while in 2019 it remained below 1.00 Libyan dinar ($0.22).[86]

129. In the south and south-east of Libya, many fuel stations continue to be closed or sell fuel at unofficial rates. Fuel supplies can, in general, be found only in parallel markets, where fuel prices vary from 2.4 Libyan dinars ($0.54) in the Kufrah area to 1.75 Libyan dinars ($0.39) in Murzuq. The Subul al-Salam brigade, affiliated with LNA, plays a major role in fuel diversion in the Kufrah area.

C. Illicit import of aviation fuel

130. The Panel followed and reported one instance and one attempt to import aviation fuel to Benghazi, conducted by an entity outside the framework of the Libyan Political Agreement (see para. 75 above and annex 86). The Panel finds that such imports constitute a threat to the integrity of the National Oil Corporation (see recommendation 3).

VI. Implementation of the assets freeze on designated entities

A. Overview

131. The Panel continued its engagement with the two designated entities, the Libyan Investment Authority (LIA) (LYe.001), also known as the Libyan Foreign Investment Company, and the Libyan Africa Investment Portfolio (LAIP) (LYe.002), as well as other interested parties.

[86] On 3 January 2021, the Central Bank of Libya massively devalued its dollar exchange rate from 1.39 Libyan dinars (per dollar) to 4.48 Libyan dinars (per dollar). See also para. 102 (above).

B. Transformation strategy

132. LIA presented its transformation strategy to the Committee on 15 December 2020. Its stated intention is to propose adjustments to the sanctions regime.

133. LIA started its work on the transformation strategy in 2019 and hired Oliver Wyman Limited in 2020 to assist with the development of a strategy in accordance with the Santiago Principles [87] for sovereign wealth funds. The project [88] focused on developing broad investment guidelines, a risk management strategy, a code of conduct for employees and basic capacity-building.

134. LIA received the projects' recommendations and committed itself to beginning to implement them as from January 2021. While this reform is long overdue and a step in the right direction, the Panel considers that LIA overestimates its adherence to the Santiago Principles on account of a transformation plan that is yet to be enacted. The Panel will continue to monitor its actual implementation.

C. Subsidiaries

135. The Panel previously reported on subsidiaries and the application of Implementation Assistance Notice No. 1 in paragraph 221 of S/2018/812 and paragraph 209 of S/2019/914. The Panel commented on the varying approaches of Member States with regard to subsidiaries and recommended the review of Implementation Assistance Notice No. 1 because it conflicted with the relevant provisions of Security Council resolutions.

136. Further factors for considering the application of sanctions to subsidiaries are indicated as follows (supported by a case study):

(a) Most of the assets are not held directly by the parent company but by subsidiaries;

(b) The designated entities have 100 per cent shareholding in most of the important subsidiaries and play a major role in their decision-making and governance;

(c) Without consolidated financial statements for parent companies, there is no visibility of the activities, assets and financial position of the subsidiaries;

(d) Many of the subsidiaries are underperforming and supported financially by the parent company;

(e) There is a lack of clarity concerning the beneficial ownership, legal ownership and the control of investment within the LIA group, for example, the Long-Term Portfolio;

(f) Beneficial ownership and control are significant determining factors for the application of the assets freeze in several jurisdictions.

137. The Panel finds that the activities, income and expenditure of subsidiaries need to be monitored to avoid diminishment or the flight of assets (see annex 87).

1. Case study: transfer of LAP GreenN

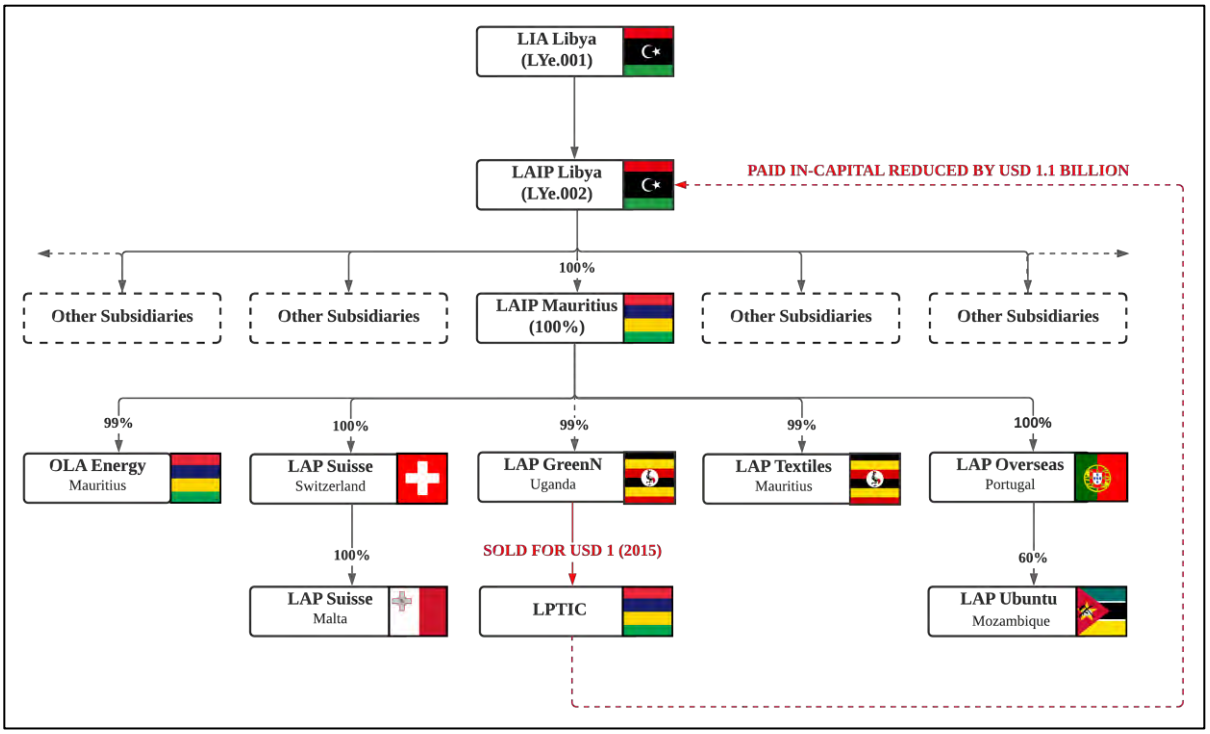
138. In 2015, the Libyan Africa Investment Portfolio (LYe.002) transferred its interest in one subsidiary to another company. (see annex 87 for the full structure of LAIP and its subsidiaries). LAIP Mauritius, set up in 2006 as a holding company, is a

[87] See www.ifswf.org/santiago-principles-landing/santiago-principles.

[88] Prior to the launch of the transformation strategy, a separate United Kingdom-funded project had laid the groundwork for governance reform and adherence to the Santiago Principles.

wholly owned subsidiary of LAIP Libya. LAIP Mauritius, in turn, has five subsidiaries, including LAP GreenN Ltd., Uganda (see figure VII).

Figure VII
Libyan Africa Investment Portfolio relationship to LAP GreenN



139. In 2015, LAIP transferred its shares in LAP GreenN to the Libyan Post, Telecommunication and Information Technology Holding Company for the nominal value of $1. The real value of approximately $1.1 billion is still reflected on the LAIP balance sheet. This cannot be resolved until the LAIP General Assembly passes a resolution to correct this imbalance. The Panel notes that LIA is the sole shareholder and therefore constitutes the LAIP Assembly (see annex 88).

140. A subsidiary is an asset on the balance sheet of the parent company. The freeze of funds and other financial assets includes preventing their use, alteration, movement, transfer or access, unless allowed under specific exemption procedures. The transfer has the effect of dissipating LAIP assets and diminishing their value.

141. The Panel finds that this transfer is in non-compliance with the assets freeze.

2. Palladyne/Upper Brook case

142. Notwithstanding the removal of Dutch company Palladyne International Asset Management as director in 2014, and the subsequent loss of a legal appeal in November 2019 (S/2019/914, paras. 184–192), Palladyne remains the investment manager of all three Cayman Islands incorporated Upper Brook funds, effectively controlling the assets. At no point since 2014 have the Upper Brook funds and the LIA made any effort to replace Palladyne as investment manager.

143. LIA appointed a forensic auditor to determine the location and value of the assets. The audit report was submitted to LIA in September 2020, but it has not been shared with the Panel.[89]

144. LIA has neither visibility of nor control over the assets valued at $700 million on the original investment, of which 98.5 per cent is held in Deutsche Bank (see recommendations 5 and 6 below).

145. This case again highlights the risks associated with the non-visibility of transactions involving subsidiaries and varying interpretations by Germany and the Netherlands (see annex 89).

3. Long-Term Portfolio

146. The Panel reaffirms its position that the assets managed through the Long-Term Portfolio were, and remain, legally in the name of the Libyan Foreign Investment Company (S/2019/914, annex 71). This is reflected in the reports of LIA, custodian banks and financial institutions. In its analysis of the impact of sanctions (para. 152), LIA presented the assets as belonging to the Long-Term Portfolio rather than, more accurately, to the Libyan Foreign Investment Company.

147. The Panel finds that LIA is obfuscating the legal ownership of these assets, rendering them susceptible to misuse. The Panel therefore recommends that the Long-Term Portfolio be added to the list of designated entities (see recommendation 7 below).

148. The former Chair of the Management Committee of the Long-Term Portfolio, Sami Mabrouk, stated that, in June 2013, he had opened a new portfolio in Jordan funded by interest and dividends from frozen Libyan Foreign Investment Company assets. The interest and dividends themselves should have been frozen, and therefore the creation of the new portfolio was in non-compliance with paragraph 20 of resolution 1970 (2011). That situation developed thusly owing to the lack of transparency over the management of the Libyan Foreign Investment Company assets, combined with minimal corporate and individual accountability.

149. The Panel's analysis could have been deeper had the Jordanian authorities responded to the Panel's requests for information.[90] The Panel recommends that all Libyan Foreign Investment Company and Long-Term Portfolio assets in Jordan be immediately frozen (see recommendation 8 below).

150. An analysis of the legal and financial status of the Long-Term Portfolio can be found in annex 90.

4. Review of Implementation Assistance Notice No. 1

151. Considering the contradiction between Implementation Assistance Notice No. 1 and the resolutions, the additional factors outlined above and the lack of uniformity in the application of Implementation Assistance Notice No. 1, the Panel considers that its applicability needs to be reviewed, to avoid a risk in the dissipation of assets. (see recommendation 9 below).

D. Impact of sanctions on frozen funds

152. LIA provided two reports to the Panel, for the period from 2011 to 2019: (a) one prepared by an international consulting firm (consultant report) covering the purported negative effects of the sanctions on LIA; and (b) one done at the Panel's

[89] Letter to the Office of the Libyan Attorney General dated 19 October 2020.
[90] Letters dated 5 September 2019 and 1 June 2020.

request, covering details of all the equities and dividends (overall report). Owing to major inconsistencies between the reports, the Panel analysed them using information from the Bloomberg system as an independent source.

153. It was acknowledged in the consultant report that LIA investment funds had grown from $19.3 billion in December 2017 to $20.1 billion in December 2019.

154. Companies were selected for comparison in the consultant report that had underperformed in the equity market and in which LIA had the most significant amount of investment. It also considered the only share price return and not the total dividends received, which, if included, would significantly increase the total investment return.

155. The Panel examined the performance of the investment in the four LIA equity samples chosen by the consulting firm. When dividends were included, a specific picture emerged, as shown in table 8.

Table 8
Comparison of returns on four equities in the consultant report and the Bloomberg system
(Percentage)

	Location	*Sector*	*Variance (consultant report)*	*Overall return (Bloomberg system)*	*Understatement of return*
BASF	Germany	Chemicals	8.0	67.3	59.3
Bayer	Germany	Pharmaceuticals	27.4	82.2	54.8
General Electric	United States of America	Industrial	(37.7)	(4.4)	33.3
UniCredit	Italy	Bank	(82.4)	(25.6)	56.8

156. The Panel's conclusions regarding the consultant report are as follows:

(a) The fundamental approach of comparing only four equities for each fund across the entire market index was flawed;

(b) Dividends, an important part of overall return, were left out entirely;

(c) The loss presented is purely hypothetical. The quantification of impact presumed that LIA exited the equity investment and reinvested in others. There is no guarantee that the new investment would have performed in accordance with the market, especially given that proper investment guidelines, appropriate internal controls and monitoring were not in place;

(d) The fact that a sizeable part of the equity portfolio consists of long-term strategic assets was overlooked. If these shares are not to be traded, then it is irrelevant to project hypothetical returns as if the money had been invested elsewhere. These holdings include BASF, Eni S.p.A., Finmeccanica (Leonardo), Repsol, Pearson and UniCredit.

157. It was observed in the consultant report that the sanctions had a minimal impact on LAIP investments, given that approximately 96 per cent of the funds (FM Capital and Palladyne International Asset Management) were actively managed between 2011 and 2019. It is understood that two Member States issued licences in 2011 to FM Capital, permitting the company to actively trade/manage assets. Some LIA investment, which was actively traded, was also not considered in the analysis. This again highlights the confusion generated by different interpretations adopted by Member States.

158. In the overall report, equities held in dollars and euros have shown an increase in overall return since 2011. The increase of 61 per cent in dollar-based equity

investment is a respectable performance. The equities held in pound sterling have shown a downward trend (see table 9).

Table 9
Trend in returns in equities

Currency	*2011*	*2019*
Dollar	2.262 billion	3.670 billion
Euro	2.583 billion	3.107 billion
Pound sterling	589 million	356 million

159. The cash-sampling analysis presented in the consultant report shows that the negative interest rates of the European Central Bank and the additional fee imposed by Euroclear do affect LIA funds. LIA has raised this issue on several occasions and was repeatedly advised to engage the relevant national authorities, fiscal policy being the responsibility of each Member State. Neither LIA nor the Government of National Accord have done so. This would better serve their interests instead of raising the issue in forums that have no authority in the matter.

160. The negative interest on cash holdings has been estimated at $23 million. No analysis has been done of the income/earnings accrued for equities and from term deposits, either with the Central Bank of Libya or custodian banks. These continue to accrue interest, which should be balanced against the negative interest above to provide a more accurate overview. Interest and other earnings (S/2018/812, para. 199) were also received from the frozen funds from 2011 until the issue of Implementation Assistance Notice No. 6 in December 2018, which were used to fund day-to-day operations.

161. In conclusion, the issue of the impact of the assets freeze must be viewed in totality. LIA has no investment policy or asset allocation guidelines that would influence any changes in investment approach. There is therefore a clear risk to the frozen assets from any easing of the sanctions.

162. The Panel reiterates its conclusions contained in paragraph 224 of S/2018/812, wherein it held that financial charges were the cost of doing business and could not be termed as losses, and its observations on equities made in paragraph 228 of S/2018/812.

163. The need to use an international consulting firm to provide reports to the Panel, the discrepancies between the consultant report and the overall report, and the inability of LIA to provide audited consolidated accounts are all indicative of an organization that does not have a properly established back office, an appropriate accounting department and adequate financial controls. As with the lack of investment policies, there is a clear risk to the Libyan people’s money from any easing of the sanctions while this situation persists.

E. Access to frozen funds

164. The Panel reviewed the approaches taken by Member States to allow access to funds pursuant to paragraph 19 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011). The Panel also considered the submissions of the designated entities regarding problems in gaining access to the frozen funds.

165. The Panel notes the standard definition[91] of an assets freeze is 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. The Panel also notes that, in paragraph 19 (a) of its resolution 1970 (2011), the Security Council listed a series of minimal derogations that applied to assets, regardless of whether they belonged to an individual or an entity. Apart from paragraph 19 (a), there is no other provision for routine activities to be considered for exemption.

166. The United Kingdom has, in general, interpreted paragraph 19 (a) of resolution 1970 (2011) in a manner consistent with the Panel's interpretation. It agrees that that any general policy in which "trading activity/asset management activity" automatically falls under the definition of a basic expense would be an incorrect interpretation of paragraph 19 (a). The United Kingdom, however, considers it necessary to interpret paragraph 19 (a) by taking into account the purposes of the Libya financial sanctions regime. One of these purposes is to ensure the eventual return of the frozen assets to the Libyan people. On that basis, the United Kingdom considers that, in specific limited circumstances, the definition of basic expense may be interpreted to cover "trading activity/asset management activity". The United Kingdom states that the issuing of such licences does not give the designated entity access to frozen funds, and consequently the intent of the assets freeze is maintained.

167. The Panel's view is that a trading or asset management activity neither falls under the auspices of being a basic expense nor fulfils the other conditions outlined in paragraph 19 (a) of resolution 1970 (2011). An exemption notification cannot be considered if it is not covered under any of the extant provisions found in paragraphs 19, 20 or 21 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011), regardless of whether the designated entity has access to the frozen funds. Any other approach would be inconsistent with the definition and intent of an assets freeze as it currently exists.

168. It was revealed in the consultant report that some LIA and LAIP assets were actively managed, the assets freeze notwithstanding. This underscores the need to review the application of the provisions of paragraph 19 of resolution 1970 (2011), with a view to ensure uniform application. In view of the inconsistent interpretations of said paragraph by some Member States, the Panel recommends that the Committee provide suitable guidance on the scope of the exemptions under paragraph 19 (see recommendation 10 below).

169. The Panel notes that all Member States do not always comply with the requirement of notifying the Committee of their intention to authorize access to frozen funds. In addition, insufficient information made available to the Panel makes it difficult to identify cases of non-compliance. Unless Member State regulatory authorities take a more proactive role in making financial data available to the Panel, recommendations for effective implementation of the sanctions measures will be constrained.

170. The designated entities raised issues regarding their inability to gain access to frozen funds for all their requirements in view of the specific exemption provisions and procedural delays in obtaining licences from Member States.

171. There have been attachments and attempts to attach LIA frozen assets in connection with claims against the Libyan State for pre-2011 contracts (S/2018/812,

[91] As commonly defined in the financial legislation and administrative instructions of many Member States.

para. 198, and S/2019/914, annex 71), including one case in Belgium.[92] These attachments risk the loss of LIA frozen assets.

172. Further details on access to frozen funds can be found in annex 91.

VII. Implementation of the assets freeze and travel ban on designated individuals

A. Update on non-compliance with the travel ban

173. In paragraphs 219 to 221 of S/2019/914, the Panel reported on non-compliance with the travel ban by Abu Zayd Umar Dorda (LYi.006) and Sayyid Mohammed Qadhaf al-Dam (LYi.003). A response to the Panel's requests for an update from Egypt and Libya remains pending.

B. Updates on designated individuals

174. The Panel provides additional identifying information for the following individuals:

LYi.012

Name:	1: Mohammed 2: Muammar 3: Qadhafi
Also known as:	Muhammed Muammar Muhammed Abdul Salam
Passport number:	Oman passport No. 03824969 (date of issue: 4 May 2014)
Identification number:	97183904 (Oman)

LYi.026

Name:	1: Abd 2: Al-Rahman 3: al-Milad 4: n/a
Also known as:	Abdurahman Salem Ibrahim Milad
Date of birth:	27 July 1986
Passport number:	G52FYPRL (date of issue: 8 May 2014; date of expiration: 7 May 2022)

175. The Panel has further confirmed that Aisha Muammar Muhammed Abu Minyar Qadhafi (LYi.009) and Mohammed Muammar Qadhafi (LYi.012) both have Omani citizenship. The Government of Oman provides their housing and basic expenses. Safia Farkash Al-Barassi (LYi.019) has been residing in Egypt since 2015 without any residency documents or financial support from the authorities.

C. Actions taken for the effective implementation of the assets freeze and travel ban measures

176. Progress towards effective implementation of the assets freeze measures has been slow in Libya. While the Office of the Libyan Attorney General took

[92] Louis Colart, "Revirement du gouvernement sur le dossier «libyen» du prince Laurent: déblocage en vue?", Le Soir, 13 January 2021 (in French).

administrative measures to identify the assets of designated individuals, to date, these measures have not resulted in identification, let alone freezing. On 20 May 2020, the Ministry of Interior instructed the Central Bank of Libya to implement the resolutions regarding the designated individuals Mus'ab Mustafa Abu al Qassim Omar (LYi.024), Ahmad Oumar Imhamad al-Fitouri (LYi.023), Mohammed Al Amin Al-Arabi Kashlaf (LYi.025) and Abd Al-Rahman al-Milad (LYi.026). While the Central Bank of Libya acknowledged receipt of the request on 31 May 2020, it remains unclear what administrative action, if any, has been taken.

177. On 14 October 2020, Abd Al-Rahman al-Milad (LYi.026) was arrested by the Tripoli Security Directorate on charges of human trafficking and fuel smuggling and placed under provisional detention. The Panel has not received details of the Libyan investigation into his finances and properties. The circumstances surrounding his arrest in October 2020 illustrate the competing interests within the Government of National Accord security services, to the detriment of law enforcement. The arrest was followed by a backlash from the Military Prosecutor, who requested the transfer of the Libyan Coast Guard commander under his authority.[93] The whereabouts of al-Milad were unknown at the time of drafting of the present report.

178. The Panel has received no information from other Member States on the identification of assets or identifying information of individuals.

179. The lack of complete identifying information in the sanctions list hinders the effective implementation of the measures.

VIII. Recommendations

180. The Panel recommends:

To the Security Council

Recommendation 1. To consider mandating the Committee to designate aircraft and impose the following measures on them: (a) flag deregistration; (b) a landing ban; and (c) an overflight ban. [see para. 84 above]

Recommendation 2. To authorize Member States to inspect, on the high seas off the coast of Libya, vessels bound to or from Libya that they have reasonable grounds to believe are illicitly exporting or attempting to export crude oil or refined petroleum products. [see para. 126]

Recommendation 3. To extend the scope of the measures contained in resolution 2146 (2014) to the illicit import of refined petroleum products [see para. 130]

To the Committee

Recommendation 4. To urge Libya to:

(a) Implement measures to put an end to the arbitrary detention of migrants and asylum seekers [see paras. 42–46];

(b) Effectively investigate, arrest, prosecute and bring to justice the perpetrators of the killings in Mizdah through fair and transparent proceedings that respect the rights of the accused and provide reparation to victims, and share information on the entities or individuals involved [see paras. 47–50];

[93] Letter from the Military Prosecutor dated 13 December 2020.

(c) Investigate the status of the other detainees who were held in the Mizdah warehouse at the time of the killings and share its findings with the Panel [see paras. 47–50].

Recommendation 5. To urge the Libyan Investment Authority (LYe.001) to reassert control over the Upper Brook/Palladyne assets. [see para. 144]

Recommendation 6. To urge relevant Member States to freeze all Upper Brook/Palladyne assets in their jurisdiction. [see paras. 144 and 145]

Recommendation 7. To include the Long-Term Portfolio as an alias of the Libyan Investment Authority (LYe.001). [see para. 147]

Recommendation 8. To urge the relevant Member State to identify, audit and freeze all Libyan Foreign Investment Company and Long-Term Portfolio assets held in its jurisdiction. [see para. 149]

Recommendation 9. To review the applicability of Implementation Assistance Notice No. 1 in view of the contradiction with the resolutions and in the light of the additional information regarding a lack of uniformity in its application and the risk in the dissipation of assets. [see para. 151]

Recommendation 10. To provide guidance on the scope of the exemptions as provided under paragraph 19 of resolution 1970 (2011), in particular to clarify whether the active management of the frozen assets of designated entities is envisaged. [see para. 168]

Recommendation 11. To update the sanctions list with the additional identifying information. [see para. 174]

Recommendation 12. To expeditiously consider the information provided separately by the Panel since 2018 on entities and individuals meeting the designation criteria, as contained in the relevant Security Council resolutions.

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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 assets freeze measures, and listed individuals as subject to one or both measures, in the resolution. Furthermore, the Council decided that the travel ban and the asset freeze were to apply to the individuals and entities designated by the Committee established pursuant to resolution 1970 (2011) concerning Libya involved in or complicit in ordering, controlling or otherwise directing the commission of serious human rights abuses against persons in Libya.

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

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

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

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

6. In resolution 2095 (2013), the Council further eased the arms embargo in relation to Libya concerning non-lethal military equipment.

7. By resolution 2144 (2014), the Council stressed that Member States notifying to the Committee the supply, sale or transfer to Libya of arms and related materiel, including related ammunition and spare parts, should ensure such notifications contain all relevant information, and should not be resold to, transferred to, or made available for use by parties other than the designated end user.

8. By resolution 2146 (2014), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.

9. By resolution 2174 (2014), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability 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 assets freeze in this regard.

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

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

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

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

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

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

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

20. By resolution 2509 (2020), the Council extended until 30 April 2021 the authorizations provided by and the measures imposed by resolution 2362 (2017), in relation to attempts to illicitly export crude oil from Libya.

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

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

[1] http://www.un.org/sc/committees/1970/notices.shtml.

Annex 2 Abbreviations and acronyms

ACA	Administrative Control Authority
ACV	Armoured Combat Vehicle
AFV	Armoured Fighting Vehicle
AGO	Attorney General's Office
AIS	Automatic Identification System
ALOC	Air Line of Communication
AOC	Air Operator Certificate
APC	Armoured Personnel Carrier
APM	Anti-Personnel Mine
APV	Armoured Patrol Vehicle
ASM	Air to Surface Misile
ATC	Air Traffic Control
ATGM	Anti-Tank Guided Missile
ATGW	Anti-Tank Guided Weapon
AQ	Al-Qaida
AQIM	Al-Qaida in the Islamic Maghreb
ARMSCOR	South Africa's Department of Defence acquisition agency
ATGM	Anti-Tank Guided Missile
BCP	Border Checkpoint
CBL	Central Bank of Libya
CCMSR	Conseil du Commandement Militaire pour le Salut de la République
CEO	Chief Executive Office
CIHL	Customary International Humanitarian Law
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
Council	United Nations Security Council
DC	Detention Centre
DCIM	Directorate for Combating Illegal Migration
ECB	European Central Banc
ECBL	Easter Central Bank of Libya
ENOC	Eastern National Oil Corporation
EOD	Explosive Ordnance Disposal
ERA	Explosive Reactive Armour
EU	European Union
EUBAM	European Union Border Assistance Mission EUC End-user certificate
EUNAVFOR	EU Naval Force Mediterranean
EUR	Euro
EUROJUST	EU Judicial Cooperation Unit
FACT	Front pour l'Alternance et la Concorde au Tchad
FAE	Fuel/Air Explosive
FATC	Fusion and Targeting Cell
FGA	Fighter Ground Attack
FIBUA	Fighting in Built Up Areas
FIR	Flight Information Region

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

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

SDF	Special Deterrence Force
SEAD	Suppression of Enemy Air Defence
SGBV	Sexual Gender-Based Violence
SLA	Sudan Liberation Army
SLA/AW	Sudan Liberation Army/Abdul Wahid
SLA/MM	Sudan Liberation Army/Minni Minawi
SRSG	Special Representative of the Secretary-General
TMA	Tripoli Military Academy
TPF	Tripoli Protection Force
TRB	Tripoli Revolutionaries Brigade
UAE	United Arab Emirates
UAV	Unmanned Aerial Vehicle
UCAV	Unmanned Combat Aerial Vehicle
UID	Unidentified
UMTAS	Uzun Menzilli Tanksavar Sistemi
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMAS	UN Mine Action Service
UNSMIL	UN Support Mission in Libya
URL	Unified Resource Locator
US AFRICOM	United States Africa Command
USD	United States Dollars
UTC	Universal Coordinated Time
VBIED	Vehicle Borne IED
VBSS	Vessel Board Search and Seizure
VTC	Video Teleconferencing
WFP	World Food Programme

Annex 3 Methodology

1. The Panel ensured compliance with the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997). Those standards call for reliance on verified, genuine documents and concrete evidence and on-site observations by the experts, including taking photographs, wherever possible. When physical inspection is not possible, the Panel will seek to corroborate information using multiple, independent sources to appropriately meet the highest achievable standard, placing a higher value on statements by principal actors and first-hand witnesses to events.

2. The Panel used satellite imagery of Libya procured by the United Nations from private providers to support investigations, as well as open source imagery. Commercial databases recording maritime and aviation data were referenced. Public statements by officials through their official media channels were accepted as factual unless contrary facts were established. Any mobile phone records from service providers were also accepted as factual. While the Panel wishes to be as transparent as possible, in situations in which identifying sources would have exposed them or others to unacceptable safety risks, the Panel decided not to include identifying information in this document and instead placed the relevant evidence in United Nations secure archives.

3. The Panel reviewed social media, but no information gathered was used as evidence unless it could be corroborated using multiple independent or technical sources, including eyewitnesses, to appropriately meet the highest achievable standard of proof.

4. The spelling of toponyms within Libya often depends on the ethnicity of the source or the quality of transliteration. The Panel has adopted a consistent approach in the present update. All major locations in Libya are spelled or referenced as per the UN Geographical Information System (GIS) map at appendix A.

5. The Panel has placed importance on the rule of consensus among the Panel members and agreed that, if differences and/or reservations arise during the development of reports, it would only adopt the text, conclusions and recommendations by a majority of five out of the six members including the Coordinator. In the event of a recommendation for designation of an individual or a group, such recommendation would be done on the basis of unanimity.

6. The Panel is committed to impartiality in investigating incidents of non-compliance by any party.

7. The Panel is equally committed to the highest degree of fairness and has offered the opportunity to reply to Member States, entities and individuals involved in the majority of incidents that are covered in this update. Their response has been taken into consideration in the Panel's findings. The methodology for this is provided in appendix B.

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

Appendix A to Annex 3: UN GIS place name identification

Figure 3.A.1
UN GIS place names Libya



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

1. Although sanctions are meant to be preventative not punitive, it should be recognized that the mere naming of an individual or entity[2] in a Panel's report, could have adverse effects on the individual. As such, where possible, individuals concerned should be provided with an opportunity to provide their account of events and to provide concrete and specific information/materiel in support. Through this interaction, the individual is given the opportunity to demonstrate that their alleged conduct does not fall within the relevant listing criteria. This is called the 'opportunity to reply'.

2. The Panel's methodology on the opportunity to reply is as follows:

(a) Providing an individual with an 'opportunity to reply' should be the norm;

(b) The Panel may decide not to offer an opportunity of reply if there is credible evidence that it would unduly prejudice its investigations, including if it would:

  (i) Result in the individual moving assets if they get warning of a possible recommendation for designation;

  (ii) Restrict further access of the Panel to vital sources;

  (iii) Endanger Panel sources or Panel members;

  (iv) Adversely and gravely impact humanitarian access for humanitarian actors in the field; or

  (v) For any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances.

3. If the circumstances set forth in 2 (b) do not apply, then the Panel should be able to provide an individual an opportunity to reply.

4. The individual should be able to communicate directly with the Panel to convey their personal determination as to the level and nature of their interaction with the Panel.

5. Interactions between the Panel and the individual should be direct, unless in exceptional circumstances.

6. In no circumstances can third parties, without the knowledge of the individual, determine for the individual its level of interaction with the Panel.

7. The individual, on the other hand, in making their determination of the level and nature of interaction with the Panel, may consult third parties or allow third parties (for example, legal representative or his/her government) to communicate on his/her behalf on subsequent interactions with the Panel.

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

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

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

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

(a) All Panel investigations are initiated based on verifiable information being made available to the Panel, either directly from sources or from media reports.

(b) In carrying out any investigations on the use of explosive ordnance against the civilian population, the Panel will rely on at least three or more of the following sources of information:

  (i) At least two eye-witnesses or victims;

  (ii) At least one individual or organization (either local or international) that has also independently investigated the incident;

  (iii) If there are casualties associated with the incident, and if the casualties are less than ten in number, the Panel obtains copies of death certificates and medical certificates. In incidents relating to mass casualties, the Panel relies on published information from the United Nations and other organizations;

  (iv) Technical evidence, which includes imagery of explosive events such as the impact damage, blast effects, and recovered fragmentation. In all cases, the Panel collects imagery from at least two different and unrelated sources. In the rare cases where the Panel has had to rely on open source imagery, the Panel verifies that imagery by referring it to eyewitnesses or by checking for pixilation distortion;

    a. In relation to air strikes, the Panel often identifies the responsible party through crater analysis or by the identification of components from imagery of fragmentation; and

    b. The Panel also analyses imagery of the ground splatter pattern at the point of impact from mortar, artillery, or free flight rocket fire to identify the direction from which the incoming ordnance originated. This is one indicator to assist in the identification of the perpetrator for ground fire when combined with other source information.

  (v) The utilisation of open source or purchased satellite imagery wherever possible, to identify the exact location of an incident, and to support analysis of the type and extent

of destruction. Such imagery may also assist in the confirmation of timelines of the incident;

(vi) Access to investigation reports and other documentation of local and international organizations that have independently investigated the incident;

(vii) Other documentation that supports the narrative of sources, for example, factory manuals that may prove that the said factory is technically incapable of producing weapons of the type it is alleged to have produced;

(viii) In rare instances where the Panel has doubt as to the veracity of available facts from other sources, local sources are relied on to collect specific and verifiable information from the ground. (For example, if the Panel wished to confirm the presence of an armed group in a particular area);

(ix) Statements issued by or on behalf of a party to the conflict responsible for the incident; and/or

(x) Open source information to identify other corroborative or contradictory information regarding the Panel's findings.

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

(i) The victims, where they are able and willing to speak to the Panel, and where medical and security conditions are conducive to such an interview;

(ii) The relatives of victims and others who had access to the victims while in custody. This is particularly relevant in instances where the victim dies in custody;

(iii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iv) Medical documentation and, where applicable, death certificates;

(v) Documentation issued by prison authorities;

(vi) Interviews with medical personnel who treated the victim, wherever possible;

(vii) Investigation and other documentation from local and international organizations that have independently investigated the incident. The Panel may also seek access to court documents if the detainee is on trial or other documentation that proves or disproves the narrative of the victim;

(viii) Where relevant, the Panel uses local sources to collect specific and verifiable information from the ground, for example, medical certificates;

(ix) Statements issued by the party to the conflict responsible for the incident; and/or

(x) Open source information to identify other corroborative or contradictory information regarding the Panel's findings.

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

(i) Interviews with victims, eyewitnesses, and direct reports where they are able and willing to speak to the Panel, and where conditions are conducive to such an interview;

(ii) Interviews with at least one individual or organization (either local or international) that has also independently investigated the incident;

(iii) Documentation relevant to verify information obtained;

(iv) Statements issued by the party to the conflict responsible for the incident; and/or

(v) Open source information to identify other collaborative or contradictory information regarding the Panel's findings.

(e) The standard of proof is met when the Panel has reasonable grounds to believe that the incidents had occurred as described and, based on multiple corroboratory sources, that the responsibility for the incident lies with the identified perpetrator. The standard of proof is "beyond a reasonable doubt".

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

(g) If a party does not provide the Panel with the information requested, as called upon by paragraph 13 of resolution 2509 (2020), the Panel may consider this for reporting to the Committee.

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

4. The Panel will not divulge any information that may lead to the identification of victims, witnesses, and other particularly vulnerable Panel sources, except: 1) with the specific permission of the sources; and 2) where the Panel is, based on its own assessment, certain that these individuals would not suffer any danger as a result. The Panel stands ready to provide the Council or the Committee, on request, with any additional imagery and documentation to supports the Panel's findings beyond that included in its reports. Appropriate precautions will be taken though to protect the anonymity of its sources.

Annex 4 Member States, organizations and institutions consulted

1. This list excludes certain individuals, organisations or entities with whom the Panel met, in order to maintain the confidentiality of the source(s) and so as not to impede the ongoing investigations of the Panel.

Table 4.1
Member States, organizations, institutions and individuals consulted [a] [b]

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

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

[a] Countries indicated ‘a’ are members of the Security Council (2020).

[b] Countries indicated ‘b’ are members of the Security Council (2021).

[c] Mainly by VTC / electronic platform.

Annex 5 Summary of Panel correspondence [3]

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

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

[a] 25 October being the date that the last report was submitted to the Committee and for which data was then available.
[b] Does not include letters requesting visas or visits.

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

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

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

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

[a] 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.
[b] Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Table 5.3
Correspondence with regional organizations and other entities (2441 (2018) Mandate) (25 October 2019 – 10 February 2020)

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

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

Table 5.4
Correspondence with regional organizations and other entities (2509 (2020) Mandate) (11 February 2020 to 24 February 2021)[a]

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

[a] 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.
[b] Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Table 5.5
Correspondence with commercial companies (2441 (2018) Mandate) (25 October 2019 – 10 February 2020) [a]

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

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

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

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

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

[a] 24 February 2021 being the date that the report was submitted for distribution and for which data was then available.
[b] Includes all letters sent up until 18 January 2021 for which replies were requested before 15 February 2021.

Annex 6 Continued encroachment of armed groups on state institutions

1. The détente among Tripoli's competing armed groups started to unravel after HAF's withdrawal from Libya's west in June 2020. The competition among the armed groups came to a head in August 2020, as peaceful protests erupted in Tripoli, Misrata, and Zawiya over deteriorating living conditions, most notably extended power outages during the summer. The Panel received first-hand accounts and videos showing the firing of live ammunition to disperse a demonstration in Martyrs' Square in downtown Tripoli—an area controlled by the al-Nawasi armed group. There were reports of arbitrary detentions and injuries among protestors that the Panel was unable to independently verify. Some GNA officials[4] denied the involvement of al-Nawasi in responding to the protests, amidst assertions that Haftar had bought the allegiance of some armed groups in Libya's west, and perhaps fanned the flames of the summer protests, to push the Presidency Council to resign.

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

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

(a) On 8 September 2020, the PC appointed armed group leaders Imad Trabelsi (formerly of the Western Joint Security Room) as the deputy head of the General Intelligence Service (decree 595) and Lotfi Harari (formerly of the Ghenewa militia) as the deputy head of the Internal Security Service (decree 596), with both services reporting directly to the PC;

(b) On 11 January 2021, the PC established the Stability Support Service (decree 26), another force under its direct authority; and

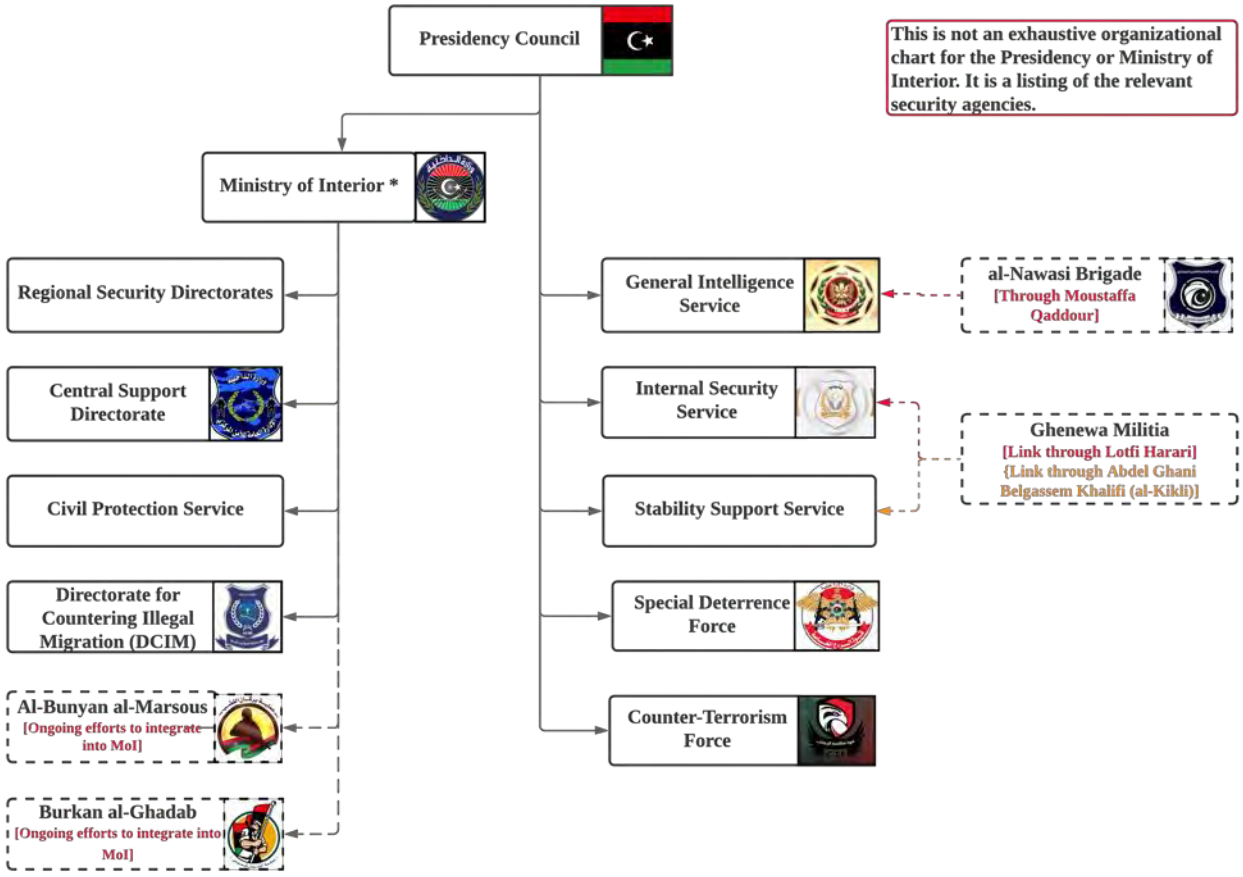
(c) On 17 January 2021, the PC appointed the Ghenewa militia leader Abdel Ghani Belgassem Khalifa as the head of the new service (decree 38).

4. The Panel notes that al-Nawasi Brigade affiliates Al-Tahir Urwah and Mohamed Bu Dara', who were named in S/2019/914, Annex 12, in a reported 2019 attack on the Minister of Finance, have been reportedly appointed as attachés to Libyan posts abroad and presumably receive diplomatic immunity. The Panel has confirmed that Urwah is a Consular Attaché at the Libyan Embassy in Tunis. The Panel learned that Abu Dara' is a police officer, whom the Ministry of

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

Interior suspended and placed on a no-fly list in April 2020 pending the investigation into the assault claim, yet he was reportedly appointed by the Ministry of Foreign Affairs as a health attaché at the Libyan Consulate in Istanbul.

Figure 6.1
A chart showing various security services and armed groups with lines of authority to the Presidency Council and the Ministry of Interior



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

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

Table 7.1
Reported counter-terrorism related events in Libya

Date	*Event*	*Source*
29 Feb 2020	The spokesperson of the LNA's Sebha Joint Security Room announced that a Sudanese doctor identified as Omar Fadl Al Sayed Mohammed Lamine a.k.a. Abu Abdallah was arrested for his affiliation with ISIL-Libya and plan to carry out a terrorist attack.	https://www.addresslibya.co/ar/archives/90268, 1 March 2020.
26 Mar 2020	HAF 128 battalion arrested and interviewed a Syrian fighter in Nakliyyah, named Ibrahim Mohammed Darwish, who claimed to be member of the listed terrorist group Al-Nusrah Front for the People of the Levant (QDe.137) fighting with the GNA-AF.	https://www.facebook.com/aldola.01/videos/503118253718281/, 26 March 2020.
3 Apr 2020	LNA official Twitter account announced that Fathi Al-Rubaie, an alleged terrorist affiliated with ISIL-Libya, was captured with 18 other terrorists in Tripoli.	https://twitter.com/LNA2019M/status/1246132285923045385 (account suspended by Twitter). https://www.albayan.ae/one-world/arabs/2020-04-05-1.3821450, 5 May 2020.
23 Apr 2020	LNA spokesperson Al Mismari declared that LNA forces arrested the Egyptian national Mohammed Mohammed Al Sayyed fighting alongside the GNA in Tripoli. This individual is reportedly linked to Hicham Achmaoui, an Egyptian terrorist affiliated to Al Qaida.	https://alarab.co.uk/-اعد-القبض-على-ل-عضو-خلية-تابعة-لحركة-الوفاق-في-طرابلس-24 April 2020.
28 Apr 2020	The GNA affiliated Special Deterrence Forces (SDF) announced the arrest of a Sudanese national born in Surt named Saeed Kamel Saeed Abdelkarim, an alleged member of Ansar Al Charia Benghazi (QDe.146).	https://www.jana-ly.co/-خلية-تابعة-للوفاق-تن-القبض-على-سوداني-في-سرت/, 28 July 2020.
30 Apr 2020	HAF allegedly arrested an ISIL-Libya fighter, Tarik al-Baroussi (a.k.a. Abu Abdullah), on the Wadi Rabea axis in southern Tripoli.	https://sahafahnet.com/show6858650.html, 1 May 2020.
25 May 2020	LNA's spokesman Al-Mismari announced that HAF arrested in Tripoli an ISIL-Libya member named Muhammad al-Ruwaidani, known as Abu Bakr al-Ruwaidani. He was described as "one of the most dangerous members of the Daesh terrorist organization".	https://middle-east-online.com/en/lna-forces-arrest-commander-tripoli, 25 May 2020.
5 Jul 2020	Misrata's Joint Security Operations Room (JSOR) captured a Syrian ISIL fighter named Omar Dabbous, who entered Libya in 2016 as a refugee from Syria.	https://ar.libyaobserver.ly/article/8879, 6 July 2020.
6 Jul 2020	The GNA's Ministry of Interior declared that Al Zawiyah security forces have detected a terrorist cell belonging to ISIL-Libya. The cell was planning to perpetrate attacks in Libya.	https://www.eanlibya.com/القبض-على-خلية-إرهابية-تابعة-لداعش/, 6 July 2020.
14-15 Sep 2020	HAF undertook an overnight raid on an alleged ISIL-Libya cell in the Abd al-Kafi neighborhood in Sebha. According to HAF officials, the raid resulted in the deaths of three Saudi men, one Egyptian who held Australian identity papers and two Libyans. Two women were also arrested, one Libyan and the other Egyptian.	https://arabic.rt.com/middle_east/1164215-مقتل-عشرات-الدواعش-في-غارة-جوية-لأربع-طائرات-على-مدينة-سبها-جنوبي-ليبيا/, 17 September 2020.

Date	*Event*	*Source*
21 Sep 2020	HAF's spokesperson Al-Mismari claimed the arrest an ISIL-Libya member in the town of Ghadduwah in southern Libya, linked to the previously disrupted 'Abd al-Kafi neighborhood' cell. He revealed that Abu Muad Al Iraqi a.k.a. Abu Abdallah Al Libi leader of ISIL-Libya Africa was among those killed in the aforementioned cell.	https://www.skynewsarabia.com/middle-east/1378499-زعيم-داعش-في-أفريقيا-مقتل-أبو-عبدالله-الليبي-في-غارة-جوية, 25 September 2020
24 Sep 2020	HAF's Khalid Bin Walid Brigade claimed through their official social media, that their commander Youssef Hussein Saleh, survived an assassination attempt allegedly carried out by ISIS-Libya members in the Nassriya district of Sebha.	https://www.facebook.com/permalink.php?story_fbid=1863476763379337&id=112790383693667, 26 September 2020.
30 Sep 2020	The GNA Ministry of Defence's Joint Force captured 5 alleged ISIL-Libya members south of the Libyan town of Al-Jmeel, near the Tunisian border. Those arrested include 2 Libyans, 2 Tunisians, and another African National.	http://alwasat.ly/news/libya/296950, 2 October 2020.
3 Oct 2020	HAF's 116 Infantry Brigade claimed to have arrested a terrorist cell responsible for carrying out kidnappings and murders between the cities of Jufra and Sebha. The cell is composed of 3 Libyans and 7 African nationals.	https://www.facebook.com/108639650637318/posts/193502715484344/, 5 October 2020.
18 Oct 2020	GNA's Counter-Terrorism Force Commander, Major General Mohammed Al-Zein, announced on Libyan television that four ISIL-Libya suspects had been arrested for connections to a terrorist group in two separate operations at Khoms and in the outskirts of Tripoli. These individuals were reportedly planning to carry out attacks in Libya.	https://akhbarlibya24.net/2020/10/18/القبض-على-خلية-إرهابية-قبل-تنفيذها-هجمات-بالخمس-وطرابلس/, 20 October 2020.
28 Nov 2020	HAF's spokesperson Al-Mismari announced that HAF conducted an operation against al-Qaeda in the Islamic Maghreb (AQIM), in Awbari, which resulted in the arrest of Hasan Washi (an ex-JNIM member) one of the leaders of the group and six other individuals.	https://www.facebook.com/القيادة-العامة-للقوات-المسلحة-العربية-الليبية-غرفة-عمليات-الكرامة-116-مشاة-الجيش-الليبي-587393035071266, 10 December 2020.

Table 7.2
Alleged terrorism related events in Libya

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

Date	*Event*	*Source*
2 Jun 2020	ISIL-Libya (QDe.165) claimed a bomb attack against a Shopping Centre belonging to a member of HAF in Um' Al Aranib, south of Sebha.	Ibid.
3 Jun 2020	ISIL-Libya (QDe.165) claimed a rocket attack against HAF forces stationed in Tamenhint base.	Official ISIL weekly publication "Annaba'a n°238, https://s34.f102.casa/pdf/238.pdf, 11 June 2020.
1 Sep 2020	A failed suicide bombing took place at a GNA-aligned checkpoint at the Al-Ghariyan roundabout, near Janzour. There were no casualties	https://arabic.rt.com/middle_east/1149697-بأول-ي-ال-ص-ور-ن-ت-ح-ار-ي-ع-ل-ى-د-ر-ا-ج-ة-ن-ا-ر-ي-ة-ي-ف-ج-ر-ن-ف-س-ه-ق-ر-ب-ب-و-ل-ا-ت-ل-م-ا-ع-ا-ص-م-ة-ل-ل-ا-ع-ي-ي-ة-ط-ا-ب-ل-س/, 3 September 2020.

Annex 8 The case of Mohamed Bahrun

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

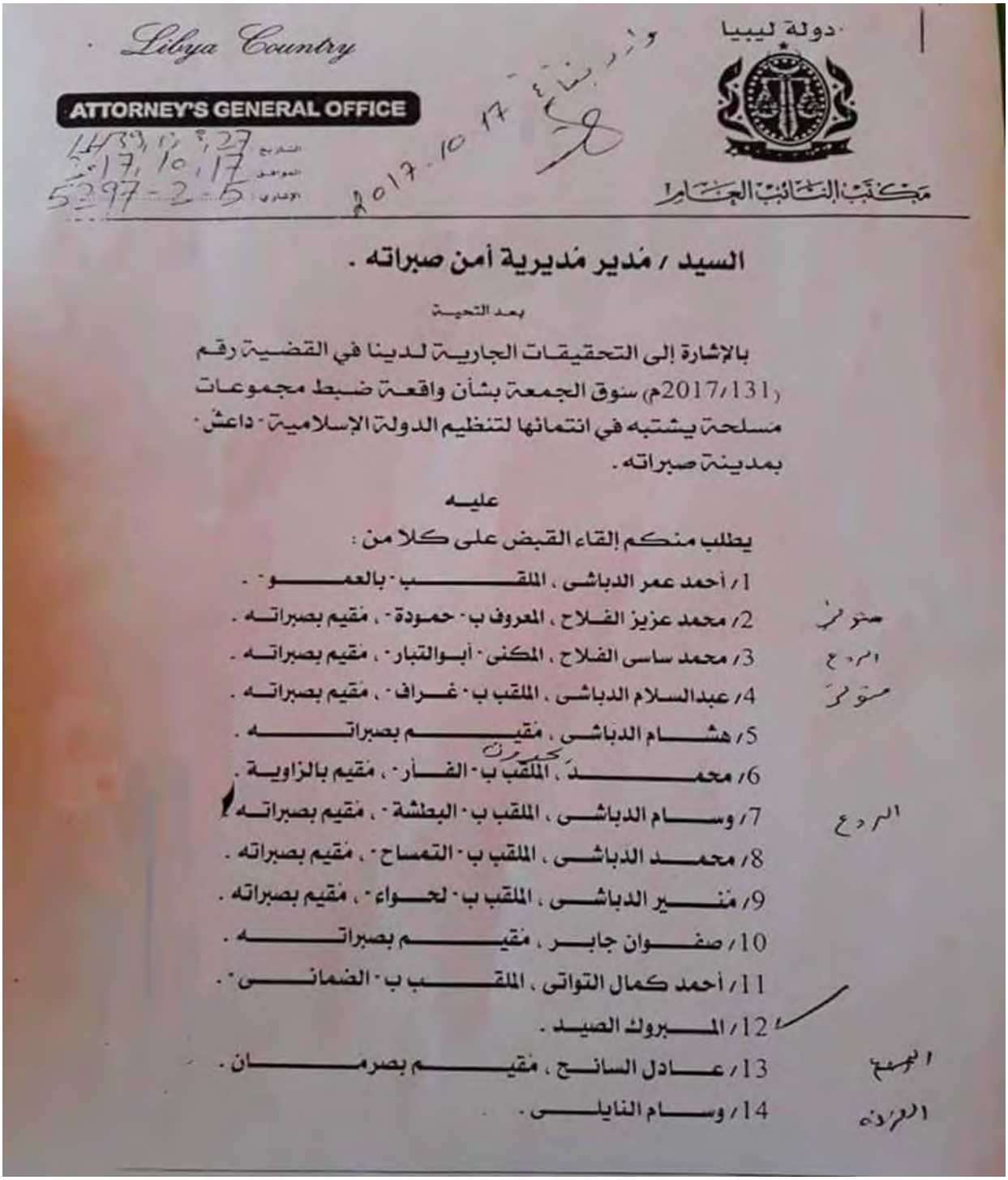
Figure 8.1
Extract from video published by Rada's official Facebook page



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

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

Figure 8.2
Arrest warrant issued by the AGO



Libya Country

دولة ليبيا

ATTORNEY'S GENERAL OFFICE

مكتب النائب العام

2017-10-17

السيد / مدير مديرية أمن صبراته .

بعد التحية

بالإشارة إلى التحقيقات الجارية لدينا في القضية رقم (2017/131م) سوق الجمعة بشأن واقعة ضبط مجموعات مسلحة يشتبه في انتمائها لتنظيم الدولة الإسلامية - داعش - بمدينة صبراته .

عليه

يطلب منكم إلقاء القبض على كلا من :

1/ أحمد عمر الدباشي ، الملقب - بالعمو - .
2/ محمد عزيز الفلاح ، المعروف ب - حمودة - ، مقيم بصبراته .
3/ محمد ساسي الفلاح ، المكنى - أبوالتبار - ، مقيم بصبراته .
4/ عبدالسلام الدباشي ، الملقب ب - غراف - ، مقيم بصبراته .
5/ هشام الدباشي ، مقيم بصبراته .
6/ محمد بحيرون ، الملقب ب - الفار - ، مقيم بالزاوية .
7/ وسام الدباشي ، الملقب ب - البطشة - ، مقيم بصبراته .
8/ محمد الدباشي ، الملقب ب - التمساح - ، مقيم بصبراته .
9/ منير الدباشي ، الملقب ب - لحواء - ، مقيم بصبراته .
10/ صفوان جابر ، مقيم بصبراته .
11/ أحمد كمال التواتي ، الملقب ب - الضماني - .
12/ المبروك الصيد .
13/ عادل السانح ، مقيم بصرمان .
14/ وسام النايلي .

Source : https://www.almasarly.com/2019/12/07/2, /موال-من-جيش-للس يرا عت عدلي وف اق عل تأس ي ع ت عدلي وف اق عل تأس ي ر ال جيش-من-موال/ November 2020

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

a cooperation with the Presidential Guard on the matter. Mohammed Bahrun signed the letter as ‘First Lieutenant’, Head of Al Isnad Force (affiliated to the Security Directorate of Al Zawiyah).

Figure 8.3
Letter addressed by Mohamed Bahrun to the PC



Source: https://www.almasarly.com/2019/12/07/ال-هو-من-المهرب-رئيس-قوة-الإسناد-عدو-يهاجم-الف-اقيت/, 2. November 2020.

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

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

Figure 8.4
Letter from the Director of Al Zawiya security to GNA Minister of Interior



GOVERMENT OF NATIONAL ACCORD
MINISTRY OF INTERIOR
DIRECTORATE SECURITY ZAWIYA

حكومة الوفاق الوطني
وزارة الداخلية
مديرية أمن الزاوية

التاريخ
الموافق

الرقم الاشاري

السيد المحترم // وزير الداخلية

بعد التحية .

ملازم أول// محمد سالم بحرون

المذكور أعلاه ضابط شرطة تابع جهاز المباحث العامة ، ومكلف حاليا بالعمل بمديرية أمن الزاوية ، يتولى حاليا رئاسة الفرقة الأمنية الأولى التابعة لقوة الاسناد الأمني الثالثة ، والتي أوكلت إليها عدة مهام أمنية بموجب قرارنا رقم (337) لسنة2017م وتعمل داخل اختصاص مركز شرطة الزاوية ، وحيث ان المعني أنهم في قضية التهريب والتستر على أحد الافراد التابعين الى تنظيم داعش الارهابي اثناء الحرب التي دارت بمدينة صبراته ، ولما كان المذكوراعلاه احد الثوار بثورة 17 فبراير ، وشارك في عدة جبهات وحروب من ضمنها الحرب التي كانت ضد الدواعش ، وكان ذلك بشهادة ورفقة مجموعة من شباب مدينة الزاوية ، وشباب من كامل مدن المنطقة الغربية ساهموا وشاركوا في تلك الحرب : الأمر الذي يفند تلك التهمة المسندة الى المذكور أعلاه .

ولما كان الامر كذلك ، فإن من أهم قواعد القانون الجنائي ولما لموادة وإجراءاته من خطورة ، تمس الفرد في ذاته وشخصه وحريته ، أن تبنى على أدلة قوية تجيز امكانية التحقيق مع المشتبه به أوضبطه أو حبسه احتياطيا ، فلا يجوز بأي حال من الأحوال ان تبني النيابة العامة أو أية جهة ضبطية اتهامها أو اتخاذ إجراءاتها تجاهه بناء على أسباب وأدلة غير يقينية ، كأن تتخذها بناء على حديث يدور بين الناس ، اوخبر تم تداوله في مواقع التواصل الاجتماعي ، أو بموجب شكوى لا تستند إلى دليل مستساغ يمكن النيابة من اصدار أمر القبض والتحقيق مع المتهم .

بناء عليه ، نحيل اليكم الموضوع ، ونأمل مخاطبة الجهة المختصة لاستكمال الموضوع والتحقق من التهمة المسندة الى المذكور أعلاه ، مع الافادة بان المذكور على استعداد للمثول أمام النيابة العامة او مكتب المحامي العام بالزاوية في حالة وجود ما يفيد اتهامه في اي قضية .

السلام عليكم ورحمة الله وبركاته

العميد//
طي خليفة اللافي
مدير امن الزاوية

Source: https://i1.wp.com/almarsad.co/wp-content/uploads/2019/12/B4BF0AB9-FC53-4C0B-A12B-1B234CC1F2AD.jpeg, 2 November 2020.

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

Figure 8.5
Letter from the GNA Minister of Interior to the Director of Al Zawiya Security



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

دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

2019-12-8 التاريخ 9705/1-6 الرقم

السيد /
مـــــدير أمـــــن الزاويـــــة .

بناءً على ما تناقلته وسائل الإعلام ومنصات التواصل الإجتماعي من ضبط أحد الطيارين التابعين للمدعو حفتر من قبل قوة الإسناد الأولى التابعة إليكم.

عليه نتخذ إجراءاتكم الفورية والعاجلة بفتح تحقيق في إنتهاكات حقوق الإنسان وإستغلال وتوظيف وزارة الداخلية في تلك الأفعال والأعمال المنافية لحقوق الإنسان وطريقة معاملة المحتجزين.

كما يطلب منكم النظر في إعادة تشكيل قوة الإسناد الأولى وترشيح ضباط أكفاء لتولي مهام رئاسة الفرقة بالتنسيق معنا.

للتفضل بالاستلام والتنفيذ

والسلام عليكم .....

فتحي علي باشاغا
وزير الداخلية المفوض

صورة إلى :-
السيد / مدير الإدارة العامة للتفتيش والمتابعة (للمتابعة)
السيد / مدير مكتب حقوق الإنسان (للمتابعة)
لديكم الشؤون الإدارية
(1213) .

Source : https://almarsad.co/2019/12/08/-عاجل-31-داعش-تعرض-ضابط-عاجل-على-وقع-التعذيب-1/, 2 November 2020.

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

6. The Panel finds that the treatment of Brigadier General Aamer Al-Jagm constitutes an IHL violation.[6]

7. Following the letter from the Minister of Interior, further images were published in December 2019,[7] of Mohammed Bahrun, dressed in an official military uniform, in the presence of the detained LNA pilot Brigadier General Aamer Al-Jagm, suggesting that Bahrun explicitly belonged to the GNA Ministry of Interior.

8. The Panel has copies of the following documentary evidence:

a. AGO Travel Ban and Renewal of Arrest Warrant against Mohamed Bahrun, and 40 other individuals, dated 3 July 2019, as they were wanted in relation to investigations concerning the arrest of an ISIL-Libya affiliated individuals in Sabratha;

b. A subpoena issued by the AGO on 20 August 2019, addressed to the Ministry of Interior, asking for Mohamed Bahrun to present himself to the OGA for an interview relating to case n°131 of 2017; and

c. A letter from the Libyan Ministry of Interior to the Director of Al Zawiya Security, dated on 28 August 2019, asking him to make Mohamed Bahrun comply with the subpoena issued by the AGO on 20 August 2019.

9. To date, Mohamed Bahrun has refused to comply with the subpoenas. The arrest warrants issued against him are still valid, and he remains under the implicit protection of the Security Directorate of Al Zawiya, where he commands an armed force (Al Isnad Force).

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

[7] https://pbs.twimg.com/media/ELM15TrXYAM4rhs, 1 November 2020.

Annex 9 Chadian and Sudanese presence in Libya

1. The Chadian armed groups is omni-present in the South of Libya and have become part of the social life. Sources of the Panel have reported that cities like Hun and Murzuq have seen an increasing number of Chadians nationals established in those cities where their armed presence is heavily noticed. On 17 July 2020, the GNA official media[8] reported on the arrival of new batches of Chadian fighters and have been witnessed in the city of Hun.

1. Chad (CCMSR)

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

2. Chad (FACT)

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

3. Sudan

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

5. On 10 August 2020 the GNA reported on a convoy of Sudanese fighters, affiliated to HAF, of at least 70 vehicles passing from the city of Brega on their way to Surt[12]. Sources of the Panel indicated that the Sudanese fighters were used to reinforce and secure the outposts around HAF's

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[8] https://twitter.com/BurkanLy/status/1284057888051216384, 13 December 2020.
[9] https://www.facebook.com/pg/www.CCMSR/posts/., 5 September 2020.
[10] Military Parade of the CCMSR published online. https://www.facebook.com/watch/?v=3998649556843858, 31 August 2020.
[11] Panel interview with Mahmat Ali Mahdi, leader of FACT.
[12] https://twitter.com/BurkanLy/status/1292769503298957313, 27 October 2020.

defensive line of Surt. The Sudanese units within HAF participated actively in the June 2020 Sharara oil blockade.[13]

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

7. At the end of December 2020 a video posted on the internet[14]showed a grouping of GSLF forces of at least 100 vehicles highly likely in the desert of south Libya. Sources of the Panel indicated that at least 200 vehicles belonging to GSLF were spotted moving from Tamassah to Waw, then further out heading south west. This suggests a possible return to Sudan as Taher Hajar, leader of this group is a signatory of the Sudanese peace agreement. The GSLF is one of the main Sudanese groups supporting HAF (see figure 9.1)

Figure 9.1
GSLF vehicle with HAF insignia



4. Sudan (SLA/MM)

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

[13] Communiqué of the NOC: https://noc.ly/index.php/ar/new-2/6029-, 12 June 2020.
[14] GSLF demonstration in Libya https://web.facebook.com/100057021698416/posts/153072283270161/?sfnsn=wa&_rdc=1&_rdr, 30 December 2020.

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

Figure 9.2
SLA beret found by GNA-AF in Abugrein axis after an attack on HAF



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

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

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

6. Sudan (Abdallah Banda[16] Group)

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

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

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

[15] https://web.facebook.com/permalink.php?story_fbid=128082732342695&id=11270477388049, 20 December 2020.
[16] An-ex JEM commander wanted by the ICC.

8. Arrest of Sudanese individuals on their way to Libya

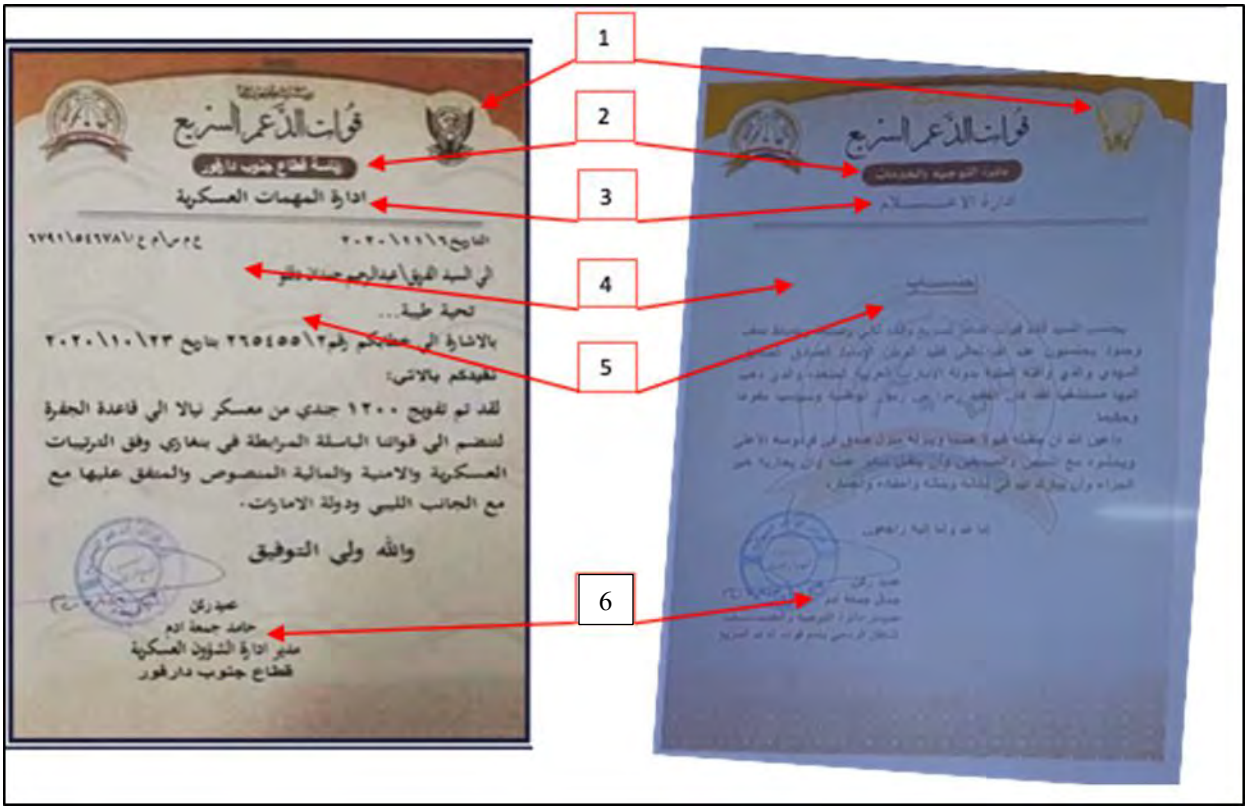
12. On 29 June 2020,[17] 19 July 2020[18] and 4 December 2020,[19] the Sudanese authorities announced the arrest of at least 820 Sudanese nationals who were allegedly going to work as mercenaries in Libya. The Panel was unable to determine whether the Sudanese nationals were migrants, victims of human smugglers or combatants. No response was received from the Sudanese authorities to Panel enquiries related to the process of recruitment, itineraries and facilitators of the transfer of these Sudanese nationals to Libya.

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

13. In early December 2020, open media sources[20] reported that an internal document issued by the RSF informs of "the arrival of 1,200 members of the RSF to Al Jufra base in accordance with the ongoing military and security arrangements with Libya and the UAE". On 3 December 2020, the RSF spokesperson[21] challenged the authenticity of the document and presented evidence as to the fabrication of the document (figure 9.3). On 14 December 2020,[22] the RSF spokesperson claimed that the same forged document was fabricated by an individual based outside Sudan, against whom charges have been brought.

[17] https://www.middleeastmonitor.com/20200629-sudan-arrests-122-mercenaries-heading-for-libya/, 12 December 2020.
[18] https://english.alarabiya.net/en/News/middle-east/2020/07/19/Sudan-forces-arrest-160-mercenaries-en-route-to-Libya, 9 June 2020.
[19] https://libyareview.com/8506/sudan-arrests-fighters-heading-to-libya/, 15 August 2020.
[20] https://www.aljazeera.net/news/politics/2020/12/8/وثيقة-مسربة-تؤكد-إرسال-مرتزقة, Accessed 8 December 2020
[21] https://www.youtube.com/watch?v=EpZHMgnh4BU. Accessed 5 December 2020.
[22] https://youtu.be/PZHtrYlw8NQ, Accessed 5 December 2020

Figure 9.3
Comparison between the real format of an RSF document (Left) and the fabricated one (Right)



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

Source: Confidential.

Annex 10 Background and timeline of the Black Shield case

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

Figure 10.1
Black Shield contract with one of the Sudanese recruits



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وزارة الموارد البشرية
والتوطين

MB198401350AE *MB198401350AE*

عقد عمل غير محدد المدة
Unlimited Term Employment Contract

Contract No. : **MB198401350AE** رقم العقد: **MB198401350AE**

It is on **Monday** corresponding to **02/09/2019** in **Abu Dhabi**, UAE. This Contract has been made by and between:

Establishment Name : **BLACK SHIELD SECURIT SERVICES – SOLE PROPRIETORSHIP L.L.C.**

Establishment No : **1048853** رقم المنشأة **1048853**

Special Number : رقم مميز :

Legal Form : **Individual** الشكل القانوني : فردية

Address Emirate : **Abu Dhabi** العنوان الإمارة : أبو ظبي
District : **ABU DHABI** المنطقة : ابوظبي
Street : **ABU DHABI** الشارع : ابوظبي
Land Line : [redacted] الهاتف الأرضي : [redacted]
Mobile : [redacted] الهاتف المحمول : [redacted]
P.O. Box No. : [redacted] صندوق البريد : [redacted]
Email : [redacted] البريد الالكتروني [redacted]
Fax : [redacted] الفاكس : [redacted]

Represented by **ويمثلها**
Name : [redacted] الاسم : [redacted]
Passport No [redacted] رقم الجواز : [redacted]
Nationality : **EMIRATES** الجنسية : الإمارات
Title : **OWNER** الصفة : مالك

Address Emirate : **Abu Dhabi** العنوان الإمارة : أبو ظبي
District : **ABU DHABI** المنطقة : ابوظبي
Street : **ABU DHABI** الشارع : ابوظبي
Land Line : [redacted] الهاتف الأرضي [redacted]

https://eservices.mol.gov.ae/molforms/JobOfferViewer.aspx?Random=1179836 1/6

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والتوطين

MB198401350AE *MB198401350AE*

Mobile : [redacted] الهاتف المحمول :

P.O. Box [redacted] صندوق البريد :

Email : [redacted] البريد الالكتروني :

Fax : [redacted] الفاكس :

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

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

To hire : في تشغيل:

Mr/Ms : السيد :

Name : [redacted] الاسم :

Nationality : **SUDAN** الجنسية : **السودان**

Passport No [redacted] رقم جواز السفر :

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

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

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

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

تمهيد

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

Preamble

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

البند الأول

يلتزم الطرف الثاني بأن يعمل لدى الطرف الأول بوظيفة / أو بمهنة حارس الأمن ، بدولة الامارات العربية المتحدة في امارة : أبو ظبي

First Article

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

البند الثاني

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

Second Article

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

البند الثالث

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

Third Article

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

البند الرابع

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

Fourth Article

The Second Party's weekly rest shall be1 day(s). The First Party shall determine such day(s) and inform the Second Party thereof at the commencement date of the employment relationship.

البند الخامس

في حال رغبة أحد الطرفين إنهاء هذا العقد ، فإنه يلتزم بتقديم اخطار بالإنهاء للطرف الاخر مصحوباً بمهلة إنذار مدتها (1) قبل التاريخ المحدد للإنهاء ، وتكون هذه المدة متماثلة للطرفين

Fifth Article

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

(البند (السادس

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

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

البدلات

بدل سكن : بالطرف الأول

بدل انتقال : (خمسمائة درهما)500AED

: أية بدلات أخرى

اخرى : **500**

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

Sixth Article

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

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

Allowances:

These allowances should include without limitation:

Housing Allowance: FIRST PARTY

Transport Allowance: AED 500(Five hundred)

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Other Allowances :

other : **500**

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

البند السابع

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

Seventh Article

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

البند الثامن

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

Eighth Article

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

البند التاسع

يُقر الطرف الثاني بأنه إطّلع تفصيلياً على كافة البنود الواردة في مُلحق هذا العقد(سبعة بنود) و عَلِم بكافة ما تضّمنه من أحكام، كما يقر بأن هذا العقد وملحقه مطابق لعرض العمل ومُلحقه ، والذي سبق أن قام بتوقيعه في دولة الاستقدام أو داخل الدولة.

Ninth Article

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

البند العاشر

يُقرُّ الطرفان بأنَّ كافة بنود مُلحق العقد جزءٌ لا يتجزأ منه ، ومُكملة له تماماً ، ويلتزمان بكل ما ورد فيها .

Tenth Article

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

(البند (الحادي عشر

لاتوجد شروط اضافية

Eleventh Article

10/09/2020 Ministry Of Human Resources & Emiratisation - Print Receipt

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البند الثاني عشر

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

Twelfth Article

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

توقيع الطرف الأول
First Part's Signature



[redacted]

This document is signed electronically

توقيع الطرف الثاني
Second Party's Signature

[redacted]

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

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

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

Figure 10.2
Electronic visa granted to one of the recruits



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

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

Figure 10.3
Buses used by the UAE armed forces to move the recruits



Figure 10.4
The Sudanese recruits wearing military uniforms in one of the hangars of Ghayathi camp



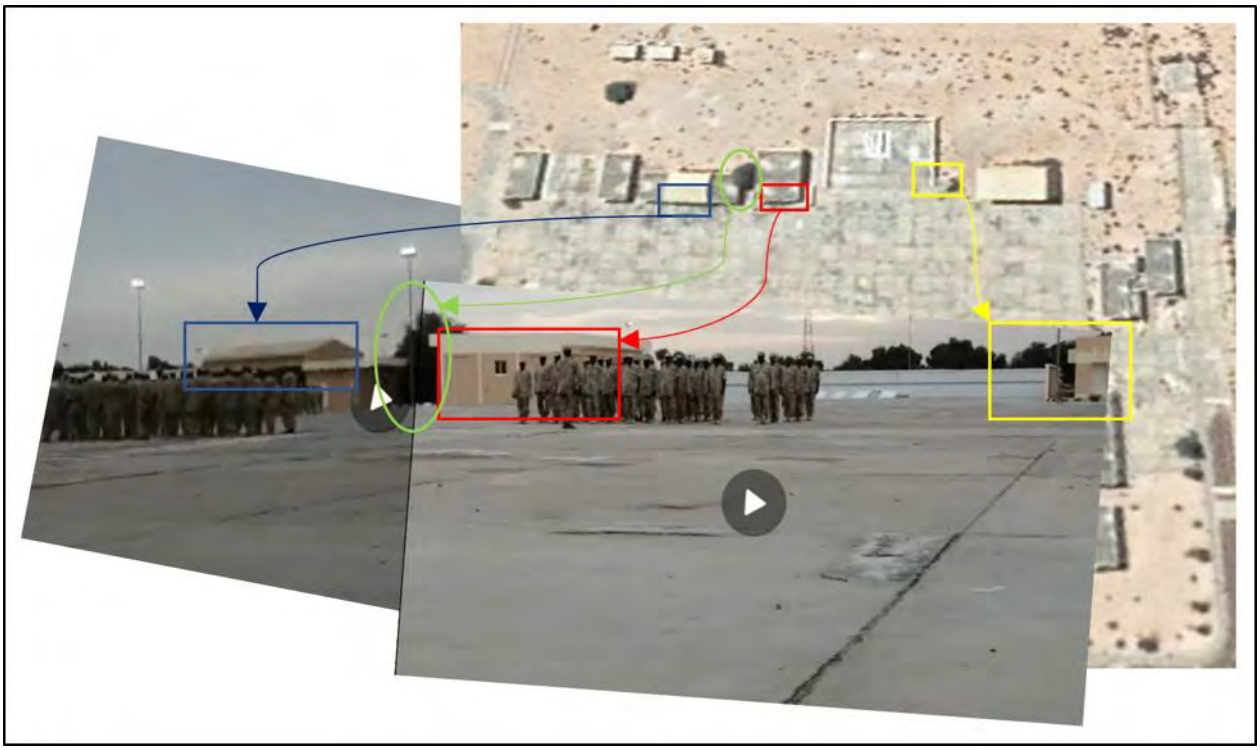
4. The remaining 392 individuals underwent three months of military training inside Ghayathi camp, supervised by a former Sudanese Armed Forces officer and a UAE Armed Forces officer.

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

Figure 10.5
Example of training material



Figure 10.6
Sudanese recruits training in Ghayathi camp (23°51'01.6"N 52°48'03.9"E)[23]



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

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

[23] Confidential sources and Google Earth Pro.

Figure 10.7
Geo-location of the camp near Ras-Lanuf (30°31'23.6"N, 18°28'36.7"E)[24]



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

[24] Confidential sources and Google Earth Pro.

Figure 10.8
Issa Daoud Al-Qabsi



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

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

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

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

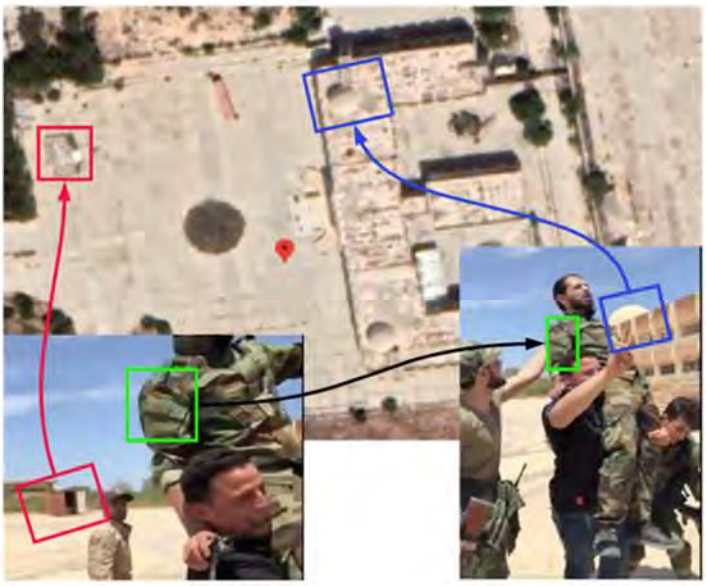
Annex 11 Geolocations of Syrians in Libya (May to August 2020)

24 May 2020

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

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

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



Primary sources

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

Developed by UN Panel of Experts.

May 2020

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

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







Primary sources

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

Developed by UN Panel of Experts.

15 July 2020

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

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

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



Primary sources

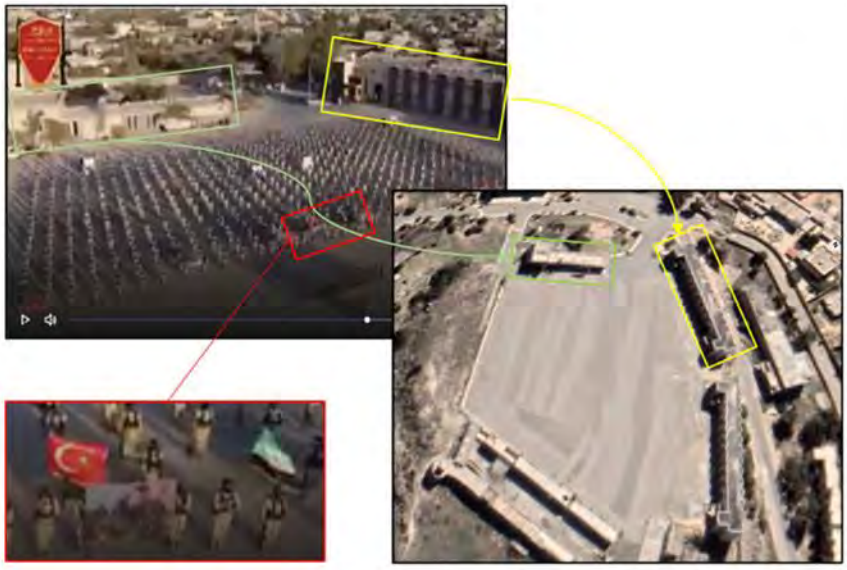
1. https://twitter.com/KhaledDernah3/status/1282821314164731904, 15 July 2020.
2. https://twitter.com/KhaledDernah3/status/1282818942067773440, 15 July 2020.
3. Google Earth Pro - Satellite imagery.

Developed by UN Panel of Experts.

5 August 2020

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

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



Primary sources:

1. https://www.alarabiya.net/ar/north-africa/2020/08/05/التدخل-التركي-شاهد-المرتزقة-في-عرض-بطرابلس-وصور-أردوغان-تملأ-المكان, 10 August 2020.
2. Google Earth Pro – Satellite Imagery.

Developed by UN Panel of Experts

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

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

2. This annex contains documents relating to the Military Investment Authority.

Appendix A to annex 12: Illegal export of scrap metal

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

Figure 12.A.1
Laissez Passer for transport of scrap from Al-Nafura Oilfield to Tobruk 13 September 2018


القيادة العامة للقوات المسلحة
هيئة الاستثمار العسكري

الموضوع : تصريح سفر
رقم الملف : 13
التاريخ : 2018 . 9 . 13

الـــي / أمر غرفة عمليات أجدابيـــا

الي : جميع البوابات ونقاط التفتيش الامنية

....

يســـمح ... للشـــاحنات المـــذكورة بقيـــادة المـــذكورين بالكشـــف المرفـق وعـــددهم (50) يبتـدئ باسـم (احمـد إدريـس) وينتهـي باســـم (عبـــد العظـــيم عبـــد الحميـــد) . والمحملـــة بـــالخردة بـــالتحرك مـــن حقـــل النـــافورة الـــي مدينـــة طـــبرق .

يطلب ممن لهم علاقة تسهيل مهمتهم ،،

عميد / فرج إدريس
مدير الإدارة التجارية بهيئة الاستثمار العسكري

صورة منه الي :
- امـــين عام القيادة العامة / للعـــلم
- مـــفتش عام القوات المـــسلحة / للعـــلم
- مـدير ادارة الاستخبارات العـسكرية / للعلم
- مـــدير إدارة الشرطة العـــسكرية / للعلم
- الملف الدوري العـــام / للحفـــظ

عميد : ف. إدريس ..... أحمد الفاخري .

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

Figure 12.A.2
Official UN translation

Translated from Arabic

Armed Forces General Command
vehicles
Military Investment Authority

Subject: [*illegible*]

File No.: *mim ta'*/13
Date: 13 September 2018

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

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

The persons concerned are asked to facilitate their task.

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

Copy to:

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

Figure 12.A.3
MIA authorization for loading of scrap on to M/V *Al-Nur* in Tobruk (12 June 2018)



الموضوع : هـ.ا.ع.س / 167 / 676
رقم الملف : 12 / 06 / 2018م
التاريخ :

القيادة العامة للقوات المسلحة
هيئة الاستثمار العسكري

إلـــى //
- مدير مديرية امن منفذ ميناء طبرق البحري .
- مديـــــر عـــام ميناء طـبرق البحـــــري .
- رئيس مـــركز جمـــارك ميناء طبرق البحـــري .
- رئيس مـــركز اللبيبـــة للمـــــوانئ .
- مـــدير الشركـــة الليبيـــة للمـــــوانئ .
- امـــــر قاعـــــدة طبرق البحـــــريـــة .

وكالة الاوائل للتوكيلات الملاحية

نامل منكم السماح للوكالة المذكورة اعلاه بإتمام اجراءات دخول وتسفير الباخرة (النـــور) لتحميل شحنة الخردة والتي كميتها (5000)طن .

للاستـــلام ،،،

لـواء طـيار //
محمد المهدي عبدالحفيظ الفاخري
رئيـــس هيئـــة الاستثـــمار العســـكري

رئيس الهيئة
هيئة الاستثمار العسكري

صورة منه الى :
- أمين عـــام القيـــادة العامة – للعلـــم .
- ادارة الاستخبارات العسكرية – للعلـــم .
- المفتش العام للقوات المسلحة للعلـــم .
- مدير إدارة الاستثمار – للمتابعـــــة .
- مدير ادارة الاستخراجات العسكرية / للعلم .
- الملـــف الصـــادر / للحفـــظ .

ع / أ. عبد الحميد ..... أحمد الفاخري

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

Figure 12.A.4
Official UN translation

Translated from Arabic

Armed Forces General Command
Military Investment Authority
Ref. No.: *alif kha' sin* 676/167
12 June 2018
To:

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

Subject: Awa'il shipping contractors

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

Regards,
(*Signed*) Muhammad al-Madani Abdulhafiz **al-Fakhiri**
Major General (Pilot)
Head, Military Investment Authority

cc:

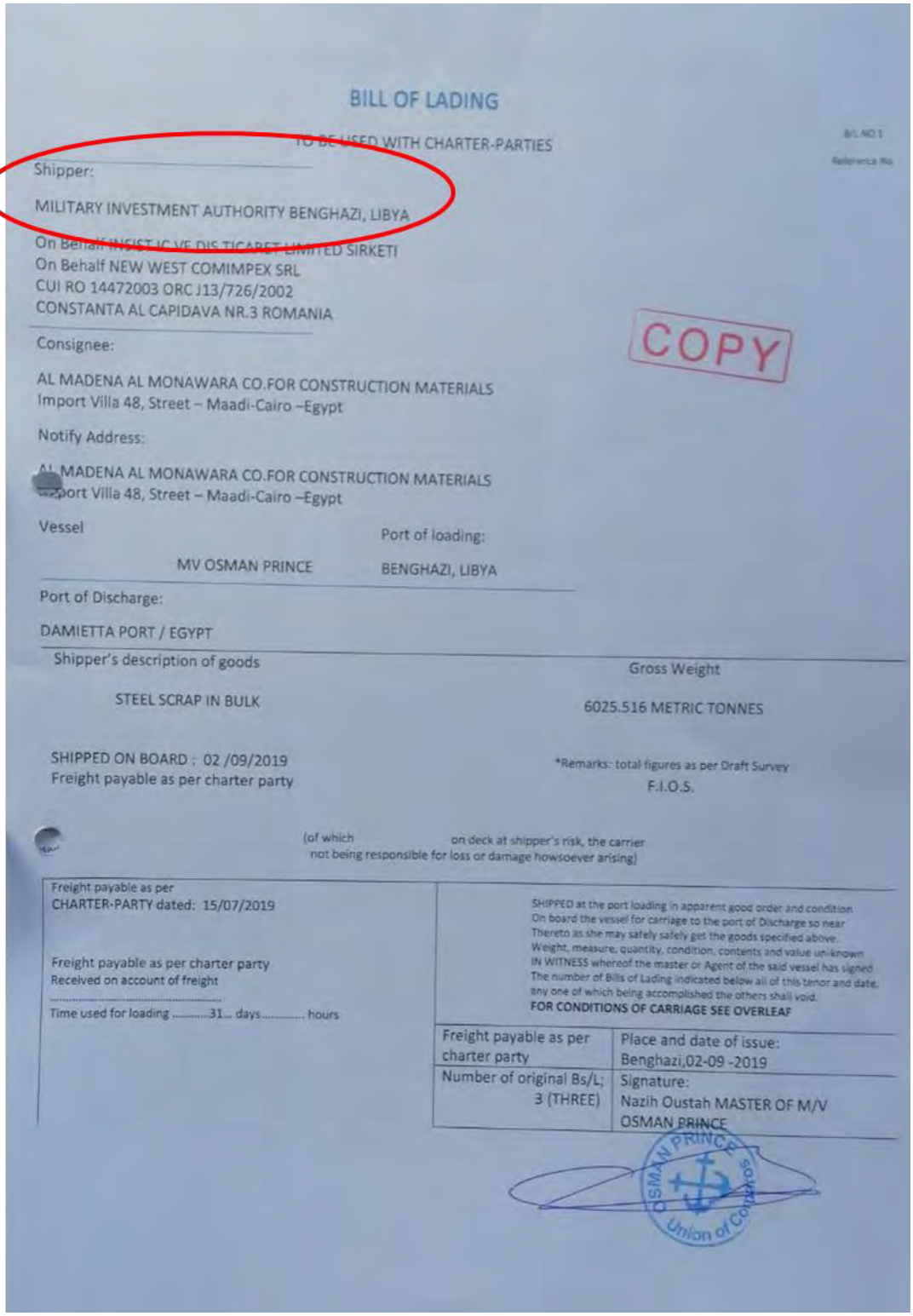
- Secretary-General, General Command, for information
- Department of Military Intelligence, for information
- Inspector-General of the Armed Forces, for information
- Director, Department of Investment, for follow-up
- Department of Military Intelligence, for information
- Archive
- Abdulhamid Ahmad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

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



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

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



BILL OF LADING

TO BE USED WITH CHARTER-PARTIES

B/L NO 1

Reference No.

Shipper:

MILITARY INVESTMENT AUTHORITY BENGHAZI, LIBYA

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

COPY

Consignee:

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

Notify Address:

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

Vessel: MV OSMAN PRINCE

Port of loading: BENGHAZI, LIBYA

Port of Discharge:

DAMIETTA PORT / EGYPT

Shipper's description of goods: STEEL SCRAP IN BULK

Gross Weight: 6025.516 METRIC TONNES

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

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

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

Freight payable as per
CHARTER-PARTY dated: 15/07/2019

Freight payable as per charter party
Received on account of freight

Time used for loading .....31... days..... hours

SHIPPED at the port loading in apparent good order and condition On board the vessel for carriage to the port of Discharge so near Thereto as she may safely safely get the goods specified above. Weight, measure, quantity, condition, contents and value un-known IN WITNESS whereof the master or Agent of the said vessel has signed The number of Bills of Lading indicated below all of this tenor and date, any one of which being accomplished the others shall void.
FOR CONDITIONS OF CARRIAGE SEE OVERLEAF

Freight payable as per charter party	Place and date of issue: Benghazi,02-09 -2019
Number of original Bs/L; 3 (THREE)	Signature: Nazih Oustah MASTER OF M/V OSMAN PRINCE

OSMAN PRINCE Union of Comoros

Source: Confidnetial

Appendix B to annex 12: Illegal visas authority for foreign nationals to enter through the Benina Airport in Benghazi

1. Below is an official letter issued by the LNA's Committee for Organizing and Recruiting Foreign Workers that grants a 90-day, single entry permit to 7 Egyptian workers for arrival into the Benina Airport (Benghazi) via Carthage Airport (Tunis). The LNA has assumed the authority of issuing permits for a fee to foreign nationals to enter through eastern airports, a function that normally fell under the authority of the Ministry of Foreign Affairs.

Figure 12.B.1
Official letter granting foreign nationals permission to enter through Benina aiport



Source: Confidential

Appendix C to annex 12: A list of targeted businesses for confiscation

1. The documents below show a request from the MIA to the Prime Minister of the interim government to transfer a wide range of public projects and businesses[25] in the food, agriculture, hospitality and other economic activities under its authority.

Figure 12.C.1
A 2017 Letter from Khalifa Haftar to the Prime Minister of the interim government demanding the transfer of businesses and projects under the MIA's authority



مكتب القائد العام

القيادة العامة للقوات المسلحة الليبية

رقم الملف م ق ع/3160/167

التاريخ الموافق 2017.12.05م

إلى /

السيد – رئيس مجلس الوزراء بالحكومة الليبية المؤقتة

بعد التحية ..

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

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

- لذا نحيل اليكم عدد (3) كشوفات تحوي عدد (96) مشروع ممن تم حصرهم من قبل اللجنة المكلفة بالخصوص وذلك لاستصدار قرار بضم هذه المشاريع الى هيئة الاستثمار العسكري والاشغال العامة بالقوات المسلحة العربية الليبية .

تفضلوا بقبول فائق التقدير والاحترام

والسلام عليكم ورحمة الله وبركاته

المشير أركان حرب

خليفة أبو القاسم حفتر

القائد العام للقوات المسلحة العربية الليبية

[25] The Panel has been able to identify that at least 30% of these businesses have been taken over by the MIA and continues to investigate the remainder.

كشف بالمشاريع الزراعية والانتاجية والمحميات والمزارع ومحطات تربية الابقار والدواجن والفنادق والقرى السياحية والمنتزهات والاستراحات والشركات والاجهزة والمصانع المراد استصدار قرار بتر جيعها و نقل تبعيتها لهيئة الاستثمار العسكري و الاشغال العامة.

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

32	مزرعة جندوبة الاناجية الاصابعة	
33	مزرعة الحكريمية والمحلات التجارية	
34	المزرعة العسكرية الشيشن	
35	مزرعة الحكتيبة ـ شحات	
36	مزرعة الاسماك راس الهلال	
37	عدد 4 مزارع معمر القذافي اوجلة	
38	الابقار - اجدابيا	
39	تربية الابل - اجدابيا	
40	الابقار - راس الهلال	
41	محطات الأبقار	
42	محطة دواجن اجخرة	
43	محطة دواجن مرتوبة	
44	محطة دواجن أسلنطة	
45	محطة دواجن الرومانية	
46	محطة دواجن غوط السلطان	
47	فندق الواحات - الجفرة	
48	فندق السفينة الزرقاء - طرابلس	
49	فندق تاقرفت - طرابلس	
50	فندق الفضيل. بنغازي	
51	مصيف قرقارش العسكري	
52	مصيف اشبيليا - بنغازي	
53	المصيف العسكري - بنغازي	
54	مصيف الخمس - النقازة	
55	مصيف تلليل	
56	مصيف امعتيقة	
57	مصيف غوط الرمان - تاجوراء	
58	مصيف الشاطئ الذهبي - قرقارش	
59	مصيف سيدي الاندلسي - تاجوراء	
60	مصيف جنزور - طرابلس	
61	قرية الهروج السياحية - تاجوراء	
62	منتزة ودان السياحي - الجفرة	
63	استراحة معمر طلميثة والاراضي المحيطة بها	
64	استراحة الشام - اجدابيا	
65	سوق دورين تينا - البيضاء	
66	سوق دورين - البيضاء	
67	سوق بالعون التجاري بنغازي	

68	السوق الخرساني طرابلس	
69	شركة جرمة للملاحة – بنغازي	
70	شركة شحات للملاحة والنقل البحري	
71	شركة افريقيا للهندسة	
72	الشركة العالمية للإنتاج	
73	الشركة الرومانية للدواجن	
74	شركة الخدمات التعمونية	
75	شركة الجرف القاري	
76	شركة التنمية والتطوير	
77	جهاز الفضيل للإنتاج – بنغازي	
78	جهاز الانتاج – طرابلس	
79	جهاز التحدي	
80	جهاز نهر الحياة	
81	جهاز 5 اكتوبر للإنشاءات	
82	جهاز حفر الابار و انشاء خزانات المياه و السدود	
83	مركز الزحف الاخضر للإعمال الفنية	
84	مركز الالوان للأعمال الفنية	
85	مصنع القطن الطبي ومستلزماته	
86	مصنع الافران – اجدابيا	
87	مصنع الاواني- العجيلات	
88	مصنع الدفايات – الزهراء	
89	مصنع بلاط مصراته	
90	خلاطة اسمنت مصراته	
91	مصنع اعلاف الفلاح	
92	مصنع القولاب – بنغازي	
93	صالة اجواد للمناسبات	
94	مطبعة الشروق ((بيروت)) - لبنان	
95	المطبعة العسكرية - بنغازي	
96	المطبعة العسكرية طرابلس	

لواء طيار //

محمد المدني عبدالحفيظ الفاخري

رئيس هيئة الاستثمار العسكري

و الاشغال العامة

Source: Confidential

Figure 12.C.2
Official translation

Libyan Armed Forces General Command
Office of the General Commander

File No.: Date: 5 December 2017
mim qa ayn / 167 / 3160

To: The Prime Minister of the Libyan Interim Government

Sir,

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

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

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

Accept, Sir, the assurances of my highest consideration.

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

Annexes: Three pages

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

cc:

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

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

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

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

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

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

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

Annex 13 Bribery attempts at the Libyan Political Dialogue Forum

CONFIDENTIAL ANNEX NOT FOR PUBLIC DISSEMINATION

Annex 14 Sabratha and Surman

1. In S/2017/466, annex 17, the Panel reported on the human smuggling networks in the western coastal towns of Sabratha, Surman and Zawiyah, and clashes among those competing criminal networks. Annex 18 of the same report documented their fuel smuggling activities.

2. Subsequently, some of the smuggling leaders identified by the Panel were designated on 7 June 2018, namely: Musa'ab Omar (LYi.024), Ahmed Omar al-Fitouri (LYi.023), Mohammed Kashlaf (LYi.025), and Abd Al-Rahman al-Milad (LYi.026).

3. In April 2019, HAF seized control of the western coastal region as part of the Flood of Dignity military campaign. On 13 April 2020, however, the GNA wrested control of the coastal region from HAF and reasserted its authority over Sabratha and Surman.

4. The Panel received reports of summary executions,[26] acts of retribution including the burning of private homes[27] and desecration of corpses[28] in the first few days of the GNA's retake of the coastal cities. There were also reports of a prison break in Surman, and the subsequent release of 401 prisoners:[29] an unlawful act that threatens peace and security in Libya.

5. During the GNA's operation, the aforementioned designated smugglers became highly visible in the military offensive against HAF-affiliates. On 13 April 2020, an online video[30] showed al-Milad joining the GNA's operation in Sabratha. On 15 April 2020, al-Fitouri followed suit and appeared in an online video[31] in which he declared his cooperation with the GNA and urged Sabratha to come under its control. Multiple photos of Kashlaf circulated online showing him presumably in Sabratha or Surman.

6. The rampant lawlessness that took place around mid-April as part of the GNA's operation on the western coast threatens the return of another cycle of retribution. In addition, the high visibility of the UN-designated smugglers alongside GNA forces, despite an active arrest warrant issued against them by the AGO, raises concerns about the resurgence and expansion of human and fuel smuggling networks on Libya's western coast.

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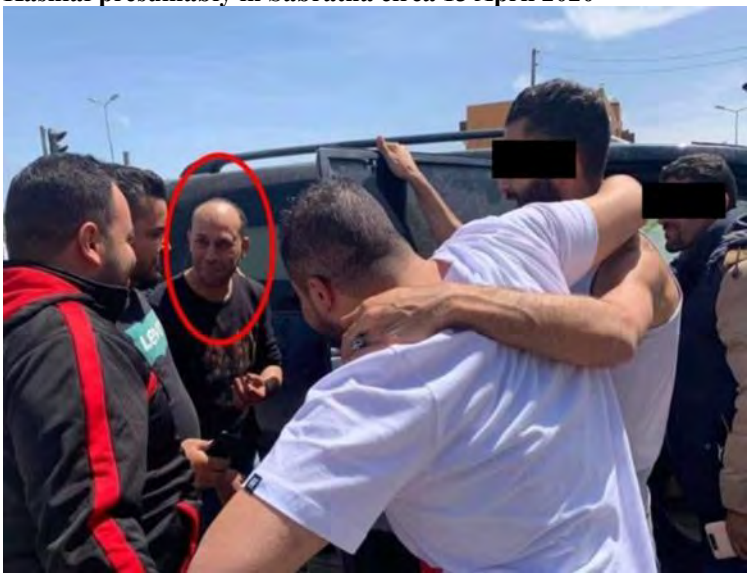
[26] A violation of the right to life protected notably by Article 6(1) of the ICCPR and Article 4(2)(a) of Additional Protocol II to the Geneva Conventions of 12 August 1949 relating to the protection of victims of non-international armed conflicts; extra-judicial executions also amount to war crimes under article 8(2)(c)(iv) of the ICC Statute.
[27] A war crime under Article 8(2)(e)(xii) of the ICC Statute.
[28] Prohibited by Article 8 of Additional Protocol II.
[29] https://www.reuters.com/article/us-libya-security/u-n-concerned-by-alleged-abuses-prison-break-in-west-libyan-towns-idUSKCN21X336, 15 April 2020.
[30] https://twitter.com/LyWitness/status/1250405268208451585, 15 April 2020.
[31] https://twitter.com/LibyaReview/status/1250522602096988161, 15 April 2020.

Image 14.1
Al-Milad (pictured right) appeared in Sabratha alongside Abdelmalak Al-Madani (pictured left) a self-proclaimed spokesperson of the GNA's Volcano of Anger operation



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

Image 14.2
Kashlaf presumably in Sabratha circa 13 April 2020



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

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

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

Figure 15.1
Minister of Interior's statement dated 6 June 2020



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

دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

بيان وزارة الداخلية بحكومة الوفاق الوطني بشأن ضرورة الانضباط الأمني وعدم ارتكاب أية مخالفات للتشريعات النافذة بالمناطق المحررة

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

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

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

الوزير
وزارة الداخلية

فتحي علي باشاغا
وزير الداخلية المفوض

صدر بطرابلس بتاريخ 6 يونيو 2020م

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

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

Figure 16.1
Ministry of Justice's statement dated 10 June 2020



دولة ليبيا
STATE OF LIBYA

وزارة العدل
Ministry of Justice

حكومة الوفاق الوطني
GOVERNMENT OF NATIONAL ACCORD

بيان اللجنة المشتركة لرصد وتوثيق انتهاكات حقوق الإنسان

تابعت اللجنة المشتركة لرصد وتوثيق انتهاكات حقوق الإنسان الإصابات المتزايدة من ضحايا الألغام التي زرعتها الميليشيات المعتدية على العاصمة قبل طردها و التي تم زرعها في مساكن المدنيين ووجد بعضها مموها مع دمى و العاب الأطفال في تجرد صريح من أبسط قيم الأخلاق و الانسانية، و قد بلغت الاحصائيات المبدئية لهذه الاصابات حتى تاريخ الأمس 67 إصابة منها 27 وفاة و 40 إصابة بجروح متفاوتة، و تؤكد اللجنة أنها رصدت ووثقت كل هذه الافعال التي تشكل جرائم خطيرة وفقا للقوانين الوطنية و القانون الدولي الانساني، و تهيب اللجنة بجميع الأخوة النازحين بالتريث في العودة لمنازلهم إلى حين انتهاء السلطات المختصة من تأمين هذه المناطق.

كما تابعت اللجنة عن طريق فرق الرصد التابعة لها استخراج عدد من الجثث من عدد من المقابر الجماعية و الآبار المهجورة بمدينة ترهونة و محيطها بعد تحريرها من ميليشيا الكاني التي كانت تختطف المدينة علاوة على أكثر من 100 جثة وجدت بمستشفى ترهونة العام و تؤكد اللجنة أنها لن تدخر جهدا في سبيل إظهار الحقيقة و كشف المسؤولين عن ارتكاب هذه الفظائع و تقديمهم للعدالة.

اللجنة المشتركة لرصد وتوثيق
انتهاكات حقوق الإنسان

صدر بطرابلس 2020/6/10

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

1. In February 2020, the Libya-Italy memorandum of understanding on migration that provides Italian support to Libyan maritime authorities to intercept boats and return migrants to Libya was renewed for three years. In July 2020, the Italian parliament approved the financial component of the agreement.[32]

2. In March 2020, the EU decided to end an anti-migrant smuggling operation primarily involving only surveillance aircraft, known as Operation SOPHIA, and to deploy naval vessels with the primary task of upholding the UN arms embargo, under the name of Operation IRINI.[33]

3. In June 2020, Libya signed with Malta an agreement *"in the area of combating illegal immigration"* by which Malta committed to finance two coordination centres and to propose, to the European Commission and the Member States of Europe, the increase of financial support to help the Government of the National Accord, namely, in securing the southern borders of Libya and enhancing interception capacities.

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

[33] https://www.operationirini.eu/mission-at-a-glance/

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

1. None of the DCs in the East are under DCIM authority. The staff there continue to receive salaries but the centres are not operating.

2. DCIM is in the of process of reserving the DC situated on Zawiyah street in Tripoli for women, children and the most vulnerable.

3. The Ministry of Interior has closed three of those nominally operating under its authority: Al Khums, Misrata Tajura.

4. The activities of two others are provisionally suspended: Souk el Khamis and Western Zawiya. Their managers are suspected of corruption and are under investigation. The situation of Dahr Al Jabal is under close monitoring.[34]

5. The following centres are operating under the DCIM: Zliten and Abu Salim in Tripoli, Zuwarah, Shohada' Nasr in Zawiya and Brak al Shati in Sebha. Colonel Mabrouk pointed out the situation of Tariq Al Sikka as problematic.

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

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

IHRL

(1) United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air;

(2) United Nations Convention Against Torture, Article 1 which prohibits torture and other cruel, inhuman or degrading treatment or punishment;

(3) International Covenant on Civil and Political Rights (ICCPR), Article 6, which protects the right to life;

(4) ICCPR, Article 7, which prohibits torture and cruel, inhuman or degrading treatment or punishment;

(5) ICPPR, Article 8, which prohibits servitude and forced or compulsory labour;

(6) ICPPR, Article 9, which prohibits arbitrary detention and affirms the right to liberty and security; and

(7) ICPPR, Article 10, which imposes a human treatment and respect for the inherent dignity of the human person.

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

IHL

(1) Common Article 3 to the four Geneva Conventions of 12 August 1949, applicable in the case of an armed conflict not of an international character, which prohibits violence to life and person, in particular murder, mutilation, cruel treatment and torture and outrages upon personal dignity; and

(2) Article 4 of the Protocol Additional to the Geneva Conventions of 12 August 1949[37] (Protocol II), which prohibits violence to health and physical or mental well-being of

[35] Article 1, CAT.
[36] See, for example, the Reports of the High Commissioner for Human Rights on the implementation of Human Rights Council Resolution 7/1, 6 June 2008: 1) A/HRC/8/17, para. 9; 2) A/HRC/12/37, para. 7; 3) A/HRC/17/45, para. 62; and 4) A/HRC/25/21, para. 11.
[37] Relating to the protection of victims of non-international armed conflicts.

persons, any form of corporal punishment, collective punishments, rape, enforced prostitution and any form of indecent assault, slavery and the slave trade in all their forms as well as threats to commit any of the foregoing acts.

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

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

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

Figure 20.1
Statement on Mizdah



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

دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

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

بالإشارة لجريمة قتل المواطن "ي. م. ع. ب. ا" مواليد1990 مقيم بمنطقة مزدة. والمشتبه في متابعته بالإتجار بالبشر. من قبل مهاجرين غير شرعيين أثناء قيامه بعملية تهريبهم.

حيث قام أهالي المجني عليه برد فعل انتقامي على مقتله. بأن قاموا بقتل 26 شخص من الجنسية البنغلادشية و4 أشخاص أفارقة. وإصابة 11 شخص مهاجر إصابات متفاوتة نقلوا على إثرها لمستشفيي الزنتان لتلقي العلاج.

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

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

الوزير
وزارة الداخلية

وزارة الداخلية
حكومة الوفاق الوطني

صادر بطرابلس بتاريخ 28 مايو2020م

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

1. Tripoli's Al-Khadra General Hospital (designated by the Ministry of Health as the capital's main center for treating and isolating COVID-19 patients) was a repeated target of shelling, with recorded attacks on 6, 7, and 9 April 2020 that injured multiple health workers, and severely damaged the hospital building and equipment.

2. The Ministry of Health 9 April 2020 statement on the Al-Khadra General Hospital reported that the hospital was attacked three times within 72 hours. The repeated attacks forced the Ministry of Health to temporarily suspend the hospital operations.

Figure 21.1
Statement on the Al-Khadra General Hospital



دولة ليبيا
حكومة الوفاق الوطني
وزارة الصحة

بيان حول تعليق العمل بمستشفى الخضراء بطرابلس
بعد استهدافه ثلاث مرات خلال اثنتين وسبعين ساعة

في الوقت الذي تدين فيه وزارة الصحة بحكومة الوفاق الوطني وبشدة تكرار استهداف مستشفى الخضراء بوسط العاصمة طرابلس ، للمرة الثالثة خلال اثنتين وسبعين ساعة .

فإن وزارة الصحة تعلن وبكل أسف تعليق العمل بمستشفى الخضراء الذي خصص كأول مرفق صحي لعلاج وعزل مصابي فيروس كورونا في العاصمة طرابلس وليبيا ، وهو المستشفى الذي سجل شفاء أول حالة إصابة بالفيروس في ليبيا .

كما تود وزارة الصحة أن توضح أن القصف الغاشم والمتعمد للمستشفى قد دمر مخزنًا للأدوية وحجرة للعمليات وأقسامًا أخرى ، الأمر الذي دعانا ونحن مضطرين إلى إخلاء المستشفى خصوصًا بعد وقوع إصابات بين الأطقم الطبية العاملة في هذا المرفق .

وأخيرًا . فإن وزارة الصحة تدعو العالم إلى إدانة هذا الفعل الجبان ، فالمستشفيات والمرافق الطبية ليست أهدافا عسكرية ، واستهدافها يرقى إلى جريمة حرب وفق المواثيق والقوانين الدولية .

وتود وزارة الصحة أن تذكر الجميع بأن الاستهداف الذي وقع اليوم الخميس (09ابريل 2020) هو الاستهداف الثامن والعشرين للمستشفيات والمرافق الطبية خلال عام ومنذ بدء الحرب على العاصمة طرابلس ، والتي استشهد على إثرها منذ الرابع من إبريل من العام الماضي 14 طبيبا ومسعفا وأصيب آخرون ، فضلاً عن الدمار الهائل الذي لحق بالبنية التحتية للمرافق الصحية وسيارات الإسعاف .

طرابلس
الخميس: الموافق **09** ابريل **2020**
وزارة الصحة بحكومة الوفاق الوطني

Source: Social Media

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

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

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

Figure 14.A.1
5 January 2020 statement by the GNA Ministry of Health on the airstrike that targeted the Tripoli Military Academy, which killed 30 and wounded 33



وزارة الصحة بحكومة الوفاق الوطني
January 5 ·

#عضو_المجلس الرئاسي #والوكيل_العام يتفقدان جرحى قصف الكلية العسكرية بطرابلس

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

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

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

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

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

Figure 14.B.1
Official translation of a Ministry of Defence report on the explosion of a missile at the Military College., Tripoli

Translated from Arabic

Office of the General Staff

Military Engineering Department

Subject: Technical report

Date: 12 Rajab A.H. 0000

Corresponding to 10 March A.D. 2020

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

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

1. The site was attacked by a drone;

2. The fragments gathered indicate that they are from a Blue Arrow 7 BY-7 guided missile;

3. The technical specifications of the missile are as follows:

   (a) Made in China;

   (b) For use against armoured vehicles and small ground targets;

   (c) Equipped with a semi-automatic laser guidance system;

   (d) The missile had been armed with a large quantity of highly explosive material that could cause significant damage even to armoured targets;

   (e) The committee determined that the surface of the College's square consists of two layers:

   - The first layer is made of reinforced concrete and approximately 25 cm thick;
   - The second layer is made of asphalt and approximately 10 cm thick, according to the maintenance officer of the Military College.

Students (deceased)

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

Students* (injured) (upper-level)

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

#	No.	Rank	Four-part name	Remarks
3.	12698	Upper-level student	[redacted]	[redacted]

Military Engineering Department

Injured students* (freshmen)

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

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

Figure 14.C.1
Press release from the standing committee for humanitarian affairs of the Libyan Army



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

Figure 14.C.2
Official translation of the press release

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

Published on 4 January 2021 at 14:23:00

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

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

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

North of Ajdabiyah (12 July 2020)

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

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

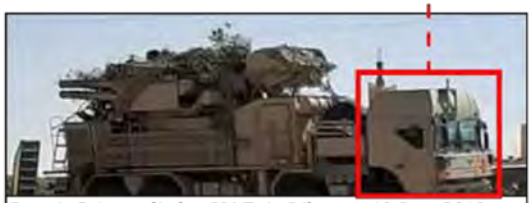
The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011).



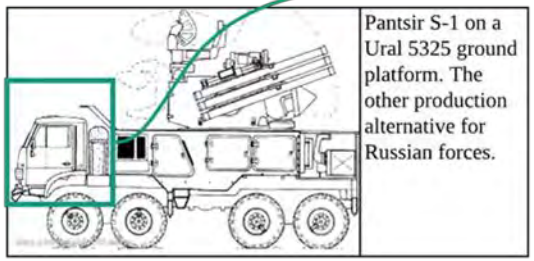
Production Pantsir S-1 on KaMAZ 6560 ground mobility platform. NOTE: Distinct driver cab differences: 1) sloping cab; 2) drivers steps; 3) front bumber; 4) window shapes; etc..



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



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



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

Primary sources

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

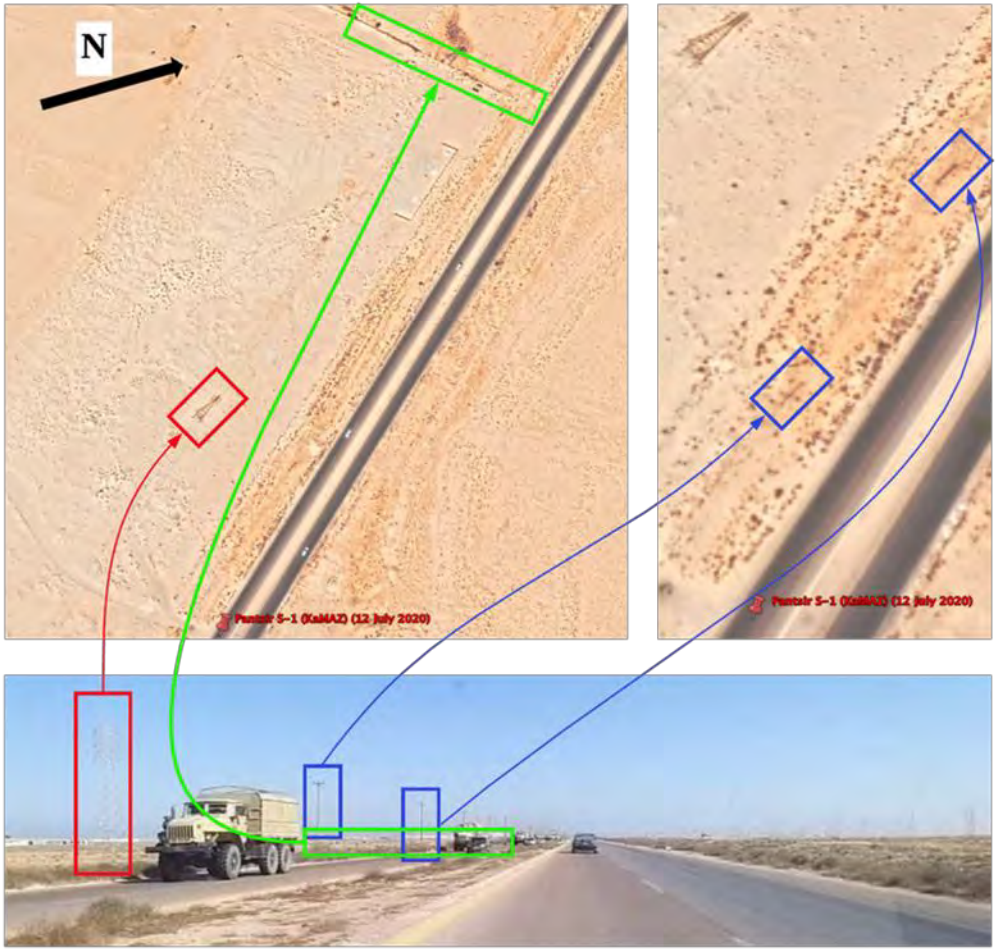
Developed by UN Panel of Experts

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

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

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

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

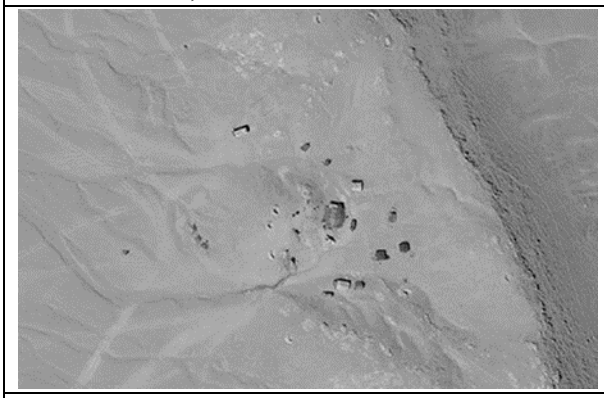
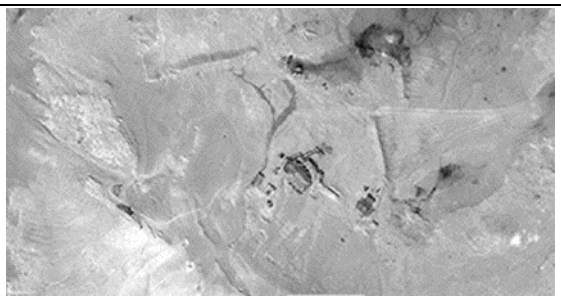


Primary sources

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

Developed by UN Panel of Experts

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

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

Annex 24 Infographics for *Gabya* Class frigates

28 January - 30 June 2020

Location: Libyan Coast

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

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

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

The Panel thus finds that Turkey was in repeated non-compliance with paragraph 9 of resolution1970 (2011) for the *direct (...) transfer (...) of military material* and the *provision (...) of other assistance* to Libya.



Stock Image: *Gabya* Class Frigate (F490 - *Gazientep*)



RIM-162 ESSM SAM

Range to 27 NM





RIM-66E *Standard* SAM

Range to 46 NM



Sources

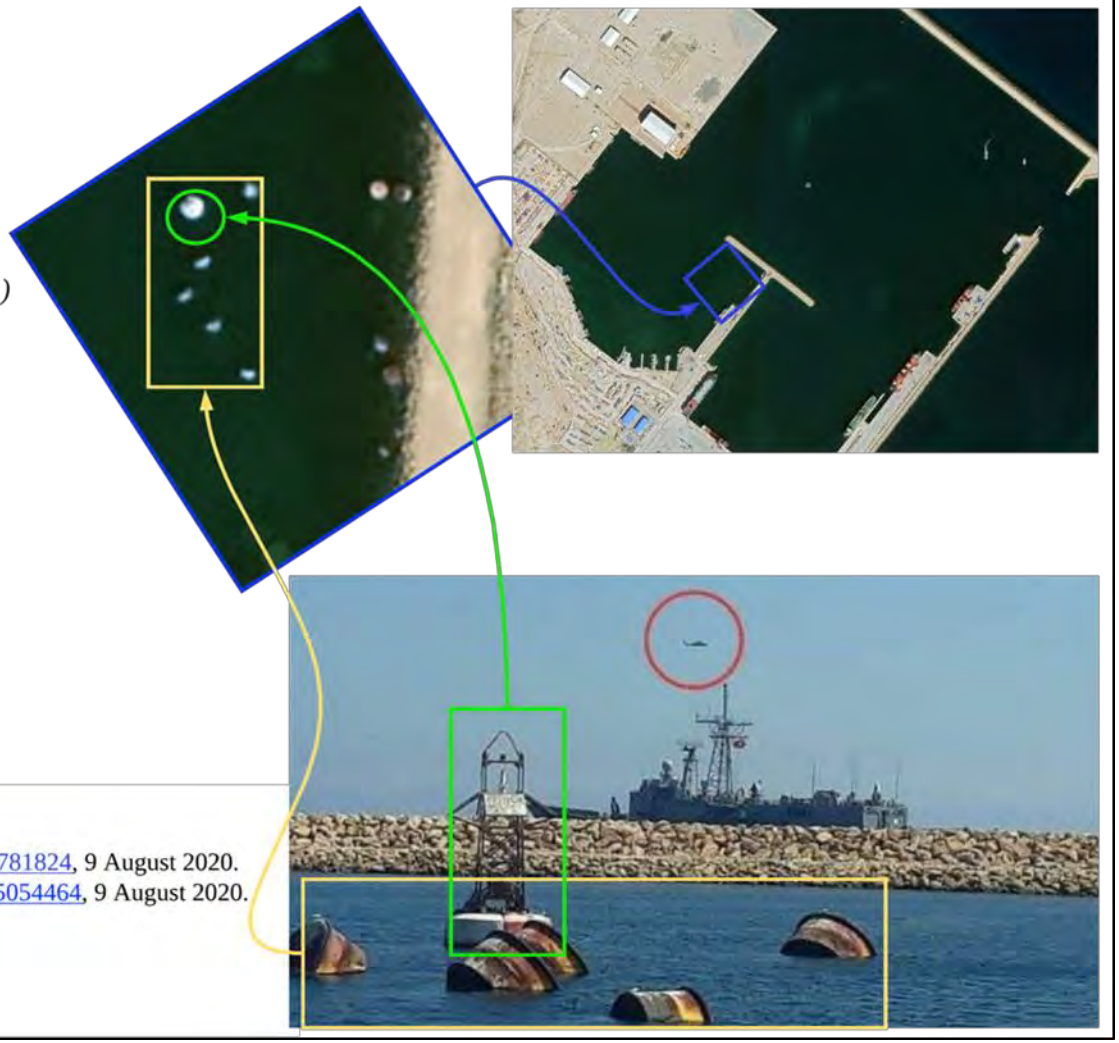
1. https://twitter.com/LibyaPro2/status/1222268972185391104, 28 January 2020.
2. Twitter, osinteditor / Planetscope. 25 - 30 June 2020 (illustrative of coverage).
3. Janes IHS (Subscription).

Developed by UN Panel of Experts.

9 August 2020
(32°40'57"N, 14°14'50"E)

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

This port visit is a violation of paragraph 9 of resolution1970 (2011) for the *direct (...) transfer (...) of military materiel* and the *provision (...) of other assistance* to Libya.



Sources

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

Developed by UN Panel of Experts

Annex 25 Infographic for HAWK MiM-23 air defence system

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

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

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

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



Primary sources

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

Developed by UN Panel of Experts

Annex 26 Infographics for Korkut Twin 35mm Air Defence system

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

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

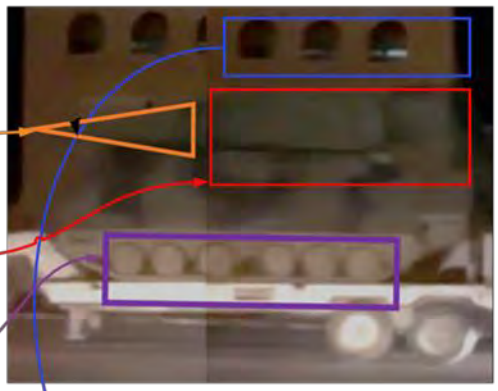
The Korkut KKA Command and Control vehicle integrates three SSA SPAAG into one system.

System Capability:

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

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









Primary sources

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

Developed by UN Panel of Experts

Misrata Airport (25 February 2020)

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

KKA1 32°19'12.79"N, 15°03'14.00"E
SSA1 32°18'33.97"N, 15°04'02.01"E
SSA2 32°18'38.96"N, 15°04'05.70"E
SSA3 32°18'34.96"N, 15°04'13.63"E

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

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

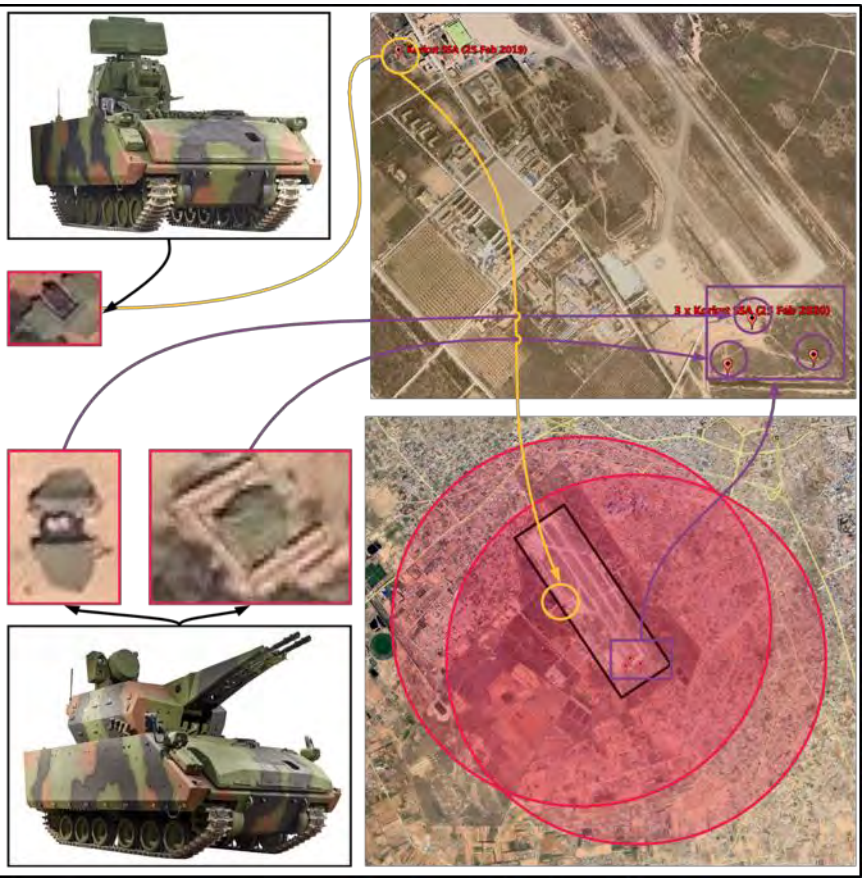
The SSA SPAAG can operate alone or be controlled by the KKA.

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

Primary sources

1. Confidential source.
2. Google Earth Pro.

Developed by UN Panel of Experts.



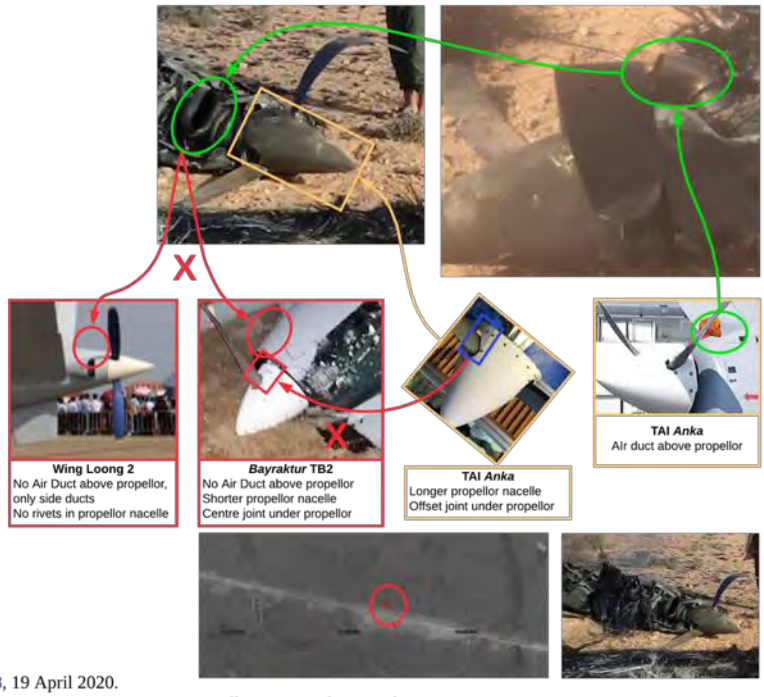
Annex 27 Infographic for TAI Anka UCAV

Abu Grein (19 April 2020)

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

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

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



Primary sources

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

Developed by UN Panel of Experts

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

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

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

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

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

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

Primary sources

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

Developed by UN Panel of Experts



29 October 2014, T-155 Firtina on parade in Istanbul. Turkey.

Annex 29 Infographic for T122 Sakarya MLRS

Rocketsan T-122mm *Sakarya* MLRS
Tripoli (18 July 2020) / Sirte (26 November 2020)

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

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

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

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

Primary sources

1. https://twitter.com/Ozkok_A/status/1284402555552923648, 18 July 2020.
2. https://www.roketsan.com.tr/en/product/t-122-mbrl-multi-barrel-rocket-launcher-mbrl-system/, Accessed 18 July 2020.
3. https://twitter.com/smmlibya/status/1332237579857620994, 27 November 2020.
4. www.ihs.janes.com. (Subscription). 14 October 2019.

Developed by UN Panel of Experts.



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



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

Annex 30 Infographic for STM Kargu-2 loitering munition

Abu Grein (25 May 2020)

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

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

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

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

Primary sources

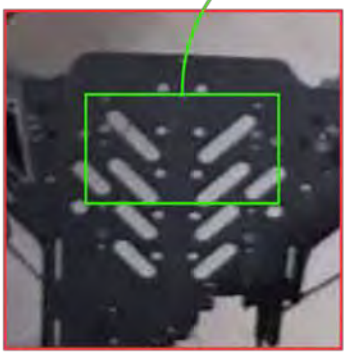
1. Confidential.
2. https://www.stm.com.tr/en/products/kargu. 20 April 2020.
3. www.ihs.janes.com. (Subscription). 25 February 2020.

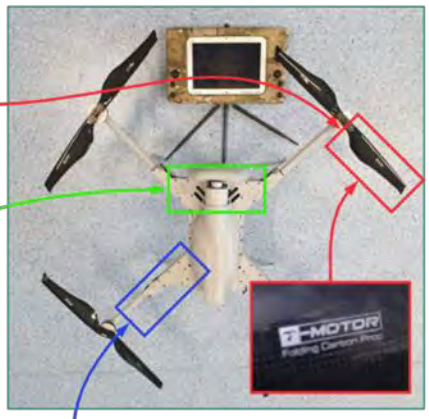
Developed by UN Panel of Experts



STM *Kargu*-2 LM

Profile of carbon fibre blade identical.
Manufacturers plate in identical position.







Annex 31 Infographic for Mig-29A FGA

18 May - 18 June 2020

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

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

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

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

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

Primary sources

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



18 May 2020, 6 x MiG-29 at RFF Khemeimim Airbase, Syria



19 May 2020
Al Jufra Airbase (HL69)



18 June 2020
Al Jufra Airbase (HL69)



Stock Image of Mig-29 in RFF camoufauge

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

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



20 May 2020, MiG-29 with no markings at Khemeimim Airbase, Syria



Mig-29 geo-located to Khemeimim Airbase, at 35°24'32.36"N, 35°56'39.52"E

Developed by UN Panel of Experts

Annex 32 Infographic for Sukhoi SU-24 FGA

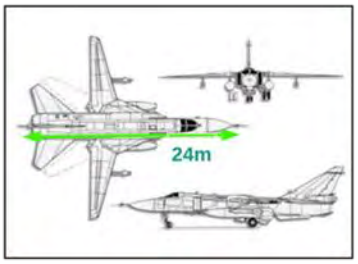
24 May - 18 June 2020

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

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

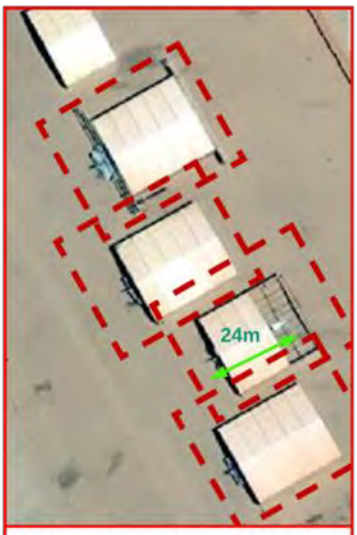
From satellite imagery of 24 May 2020 four SU-24 Fighter Ground Attack (FGA) aircraft were first identified by UNSMIL as being in in new pre-fabricated hangers at Al Khadim airbase (HL59), Libya. Subsequently confirmed by an independent source. These aircraft formed part of the "air package" delivered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

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





24 May 2020, Al Khadim airbase (HL59)



13 June 2020, Al Khadim airbase (HL 59)

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

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



18 June 2020, Jufra airbase (HL69)

Primary sources

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

Developed by UN Panel of Experts.

Annex 33 Maritime non-compliance profile indicators

Table 33.1
Maritime non-compliance profile indicators

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

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

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

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

Table 34.1
Vessels of interest to the Panel (arms trafficking to GNA-AF chronologically)

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

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

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

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

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

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

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

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

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

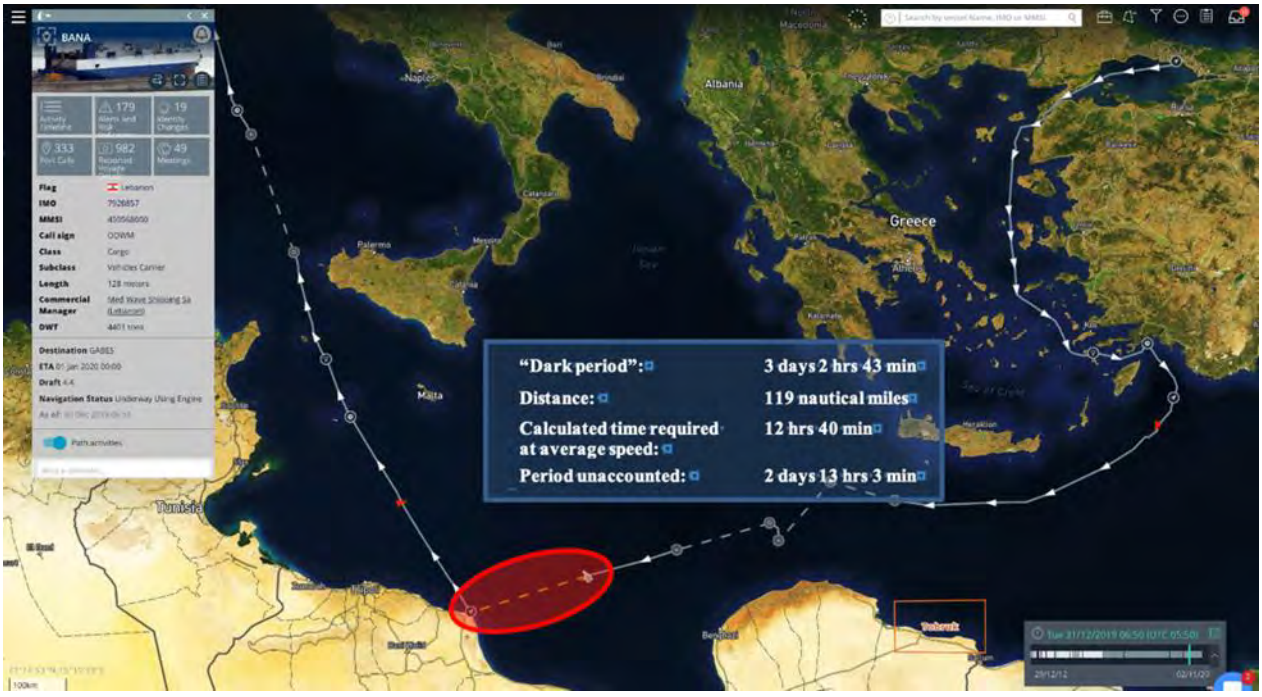
1. At the end of January 2020, the Panel identified the merchant vessel M/V *Bana* (IMO 7920857) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple "dark periods" of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan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

Voyage of Interest 1

2. M/V *Bana* (IMO 7920857) departed Istanbul anchorage area, Turkey, during the early hours on 25 December 2019, with a declared destination port of Gabes, Tunisia. The vessel's Automatic Identification System (AIS) was disconnected at 06:50 hours[38] on 31 December 2019 and was re-connected at 09:35 hours on 3 January 2020, whilst offshore Misrata port, Libya, resulting in a "dark period" of 3 days 2 hours and 43 minutes. There is no evidence of the vessel visiting Gabes, Tunisia.

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

Figure 34.A.1
Route followed by M/V *Bana* (IMO 7920857) in December 2019 / January 2020 with indication of the "dark period"



[38] All indicated hours are in Local Time.

Voyage of Interest 2

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

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

Figure 34.A.2
Route followed by M/V *Bana* (IMO 7920857) in its second voyage of interest in January 2020 with indication of the "dark period"

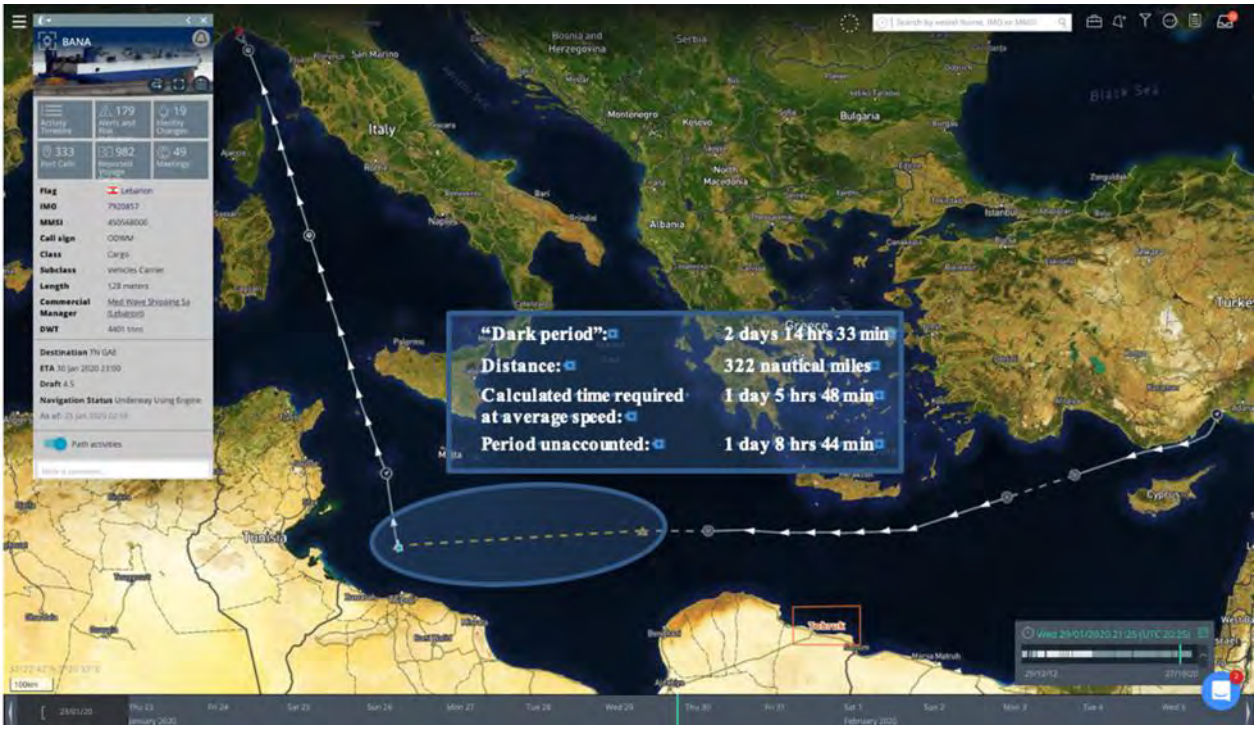
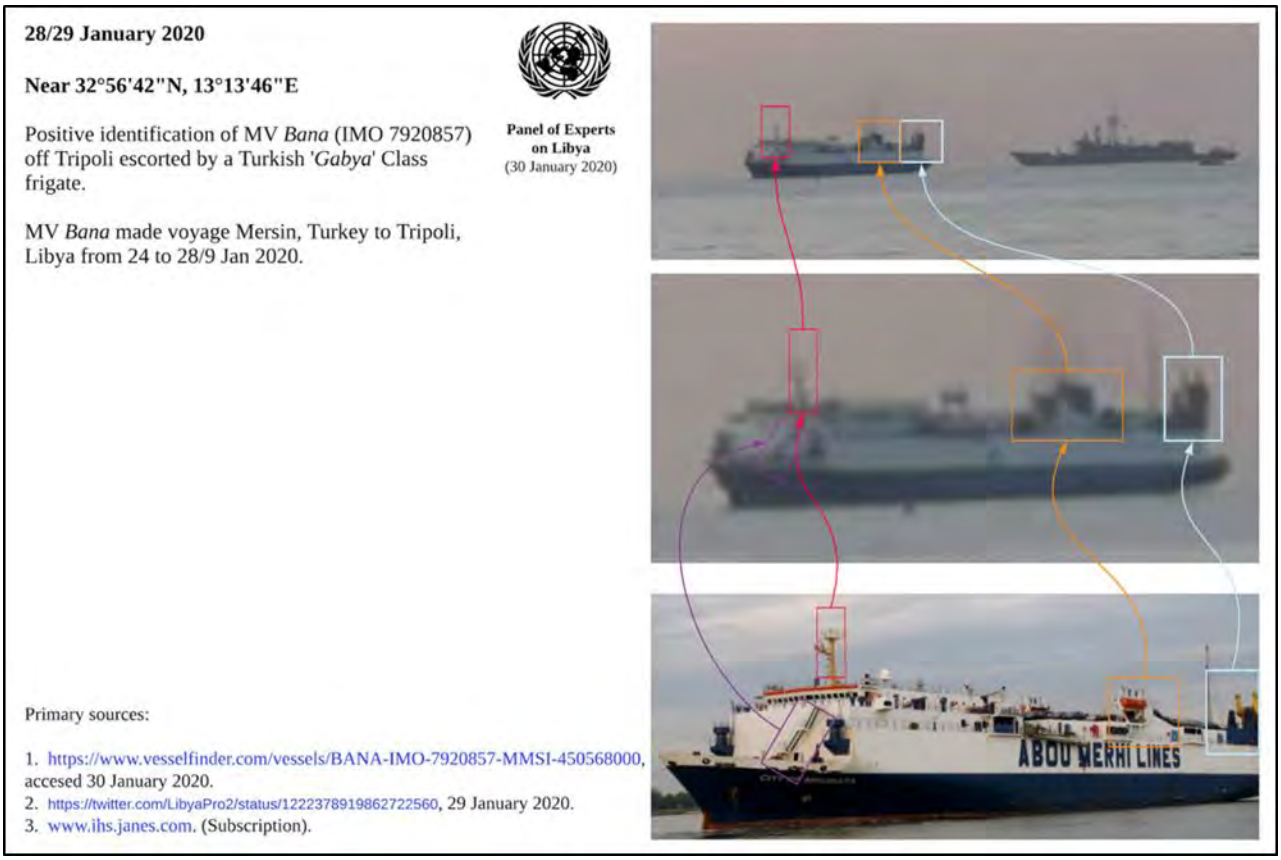
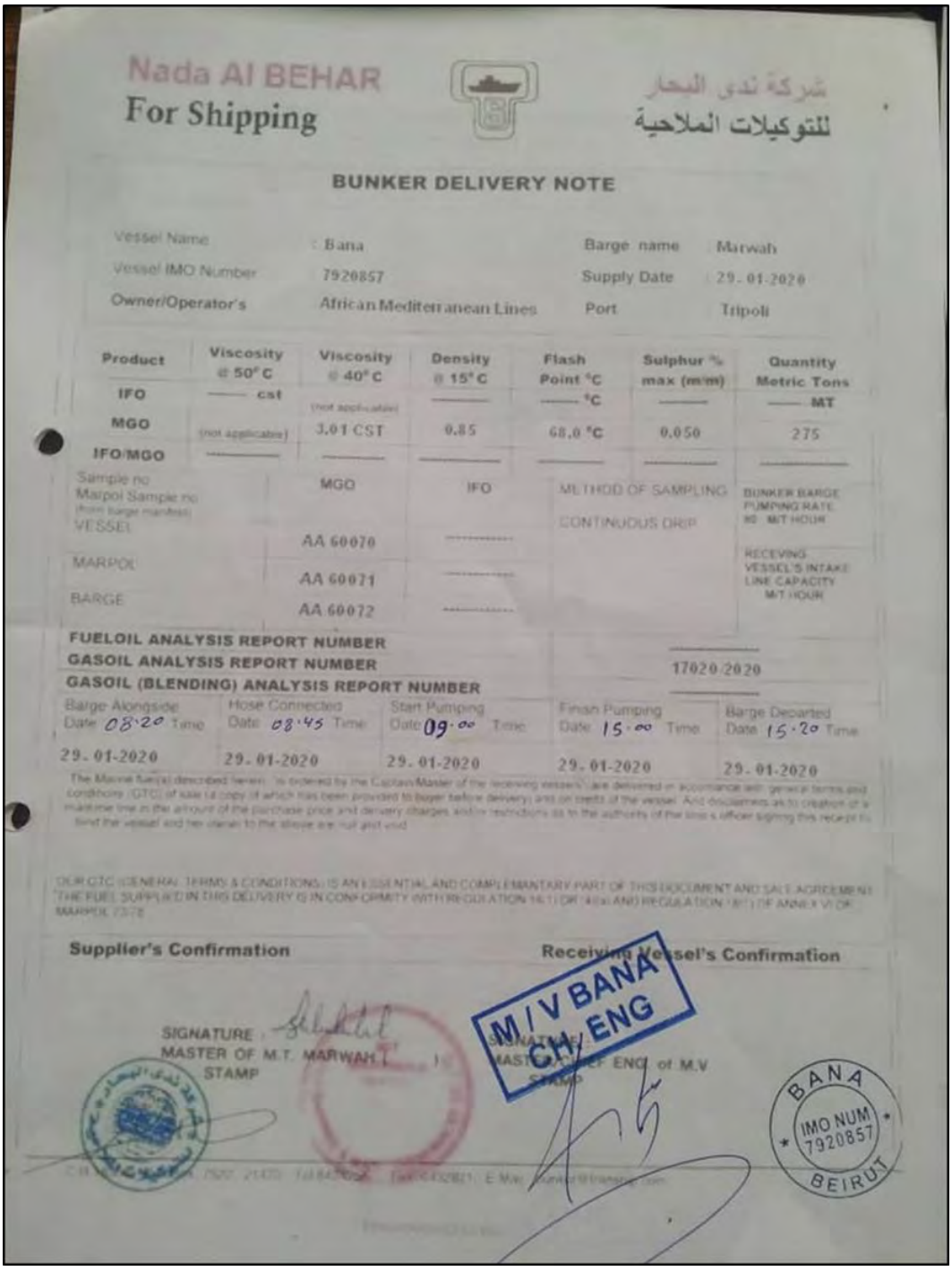


Figure 34.A.3
M/V *Bana* (IMO 7920857) escorted by a 'Gabya' class frigate



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

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



Nada Al BEHAR
For Shipping

شركة ندى البحار
للتوكيلات الملاحية

BUNKER DELIVERY NOTE

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

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

	MGO	IFO	METHOD OF SAMPLING	BUNKER BARGE PUMPING RATE MT/HOUR
Sample no Marpol Sample no (from barge manifest)				
VESSEL	AA 60070	----------	CONTINUOUS DRIP	
MARPOL	AA 60071	----------		RECEIVING VESSEL'S INTAKE LINE CAPACITY MT/HOUR
BARGE	AA 60072	----------		

FUELOIL ANALYSIS REPORT NUMBER
GASOIL ANALYSIS REPORT NUMBER
GASOIL (BLENDING) ANALYSIS REPORT NUMBER 17020/2020

Barge Alongside	Hose Connected	Start Pumping	Finish Pumping	Barge Departed
Date 08:20 Time	Date 08:45 Time	Date 09:00 Time	Date 15:00 Time	Date 15:20 Time
29-01-2020	29-01-2020	29-01-2020	29-01-2020	29-01-2020

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

OUR GTC (GENERAL TERMS & CONDITIONS) IS AN ESSENTIAL AND COMPLEMENTARY PART OF THIS DOCUMENT AND SALE AGREEMENT. THE FUEL SUPPLIED IN THIS DELIVERY IS IN CONFORMITY WITH REGULATION 14(1)(B)(4)(a) AND REGULATION 18(1) OF ANNEX VI OF MARPOL 73/78

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

SIGNATURE :
MASTER OF M.T. MARWAH
STAMP

M/V BANA
CH. ENG

SIGNATURE :
MASTER / CHIEF ENG. of M.V
STAMP

BANA
IMO NUM 7920857
BEIRUT

Source: Confidential.

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

Military materiel trafficked in violation of the arms embargo

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

(a) The stop in the port of Mersin, Turkey, corresponding with the second voyage of interest (22 to 24 January 2020) was not initially included in the navigation plan;

(b) While in Mersin, Turkey, tanks, trucks with rocket launchers and machine guns, all-terrain vehicles and containers marked with stickers indicating ‘explosive’ were loaded on board of the vessel;

(c) Instead of proceeding to Gabes, Tunisia, as planned, the vessel diverted its course towards Tripoli, Libya, while escorted by two Turkish frigates;

(d) On the evening of 28 January 2020, the vessel arrived at Tripoli port, Libya, where the military materiel was unloaded under the control of Libyan and Turkish military personnel;

(e) Ten soldiers from the Turkish army embarked the vessel in Mersin, Libya, and disembarked in Tripoli, Libya;

(f) There were multiple and deliberate disconnections of the AIS to conceal the whereabouts of the vessel at the different stages of the voyage; and

(g) The vessel had conducted previous trips from Turkey to Libya loaded with similar military materiel.

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

Figure 34.A.5
'Firtina' T-155 Howitzer (sand colour) and 'Korkut' SSA Twin 35 mm cannon (green camouflage) on board M/V *Bana* (IMO 7920857)



Figure 34.A.6
M/V *Bana* (IMO 7920857) being escorted by a 'Gabya' class frigate off Tripoli



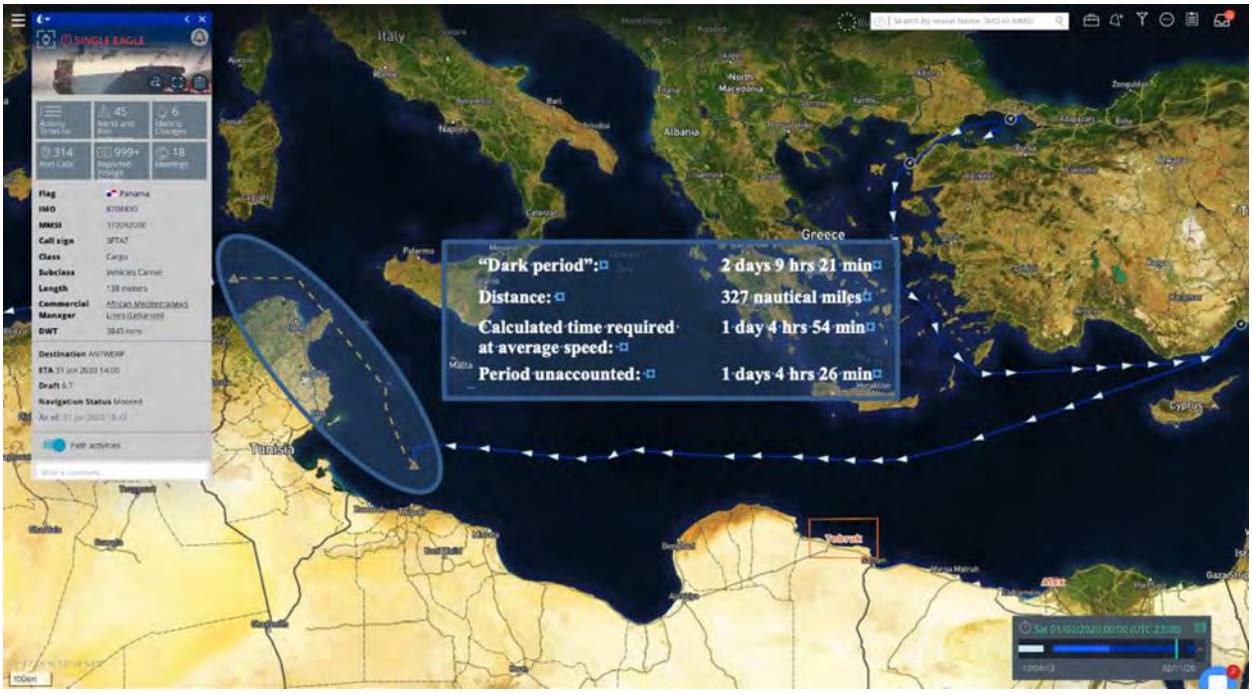
Appendix B to Annex 34: M/V Single Eagle (IMO 8708830)

1. In January 2020, the Panel identified the merchant vessel M/V *Single Eagle* (IMO 8708830) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple "dark periods" of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port.

2. The M/V *Single Eagle* (IMO 8708830) departed Mersin, Turkey, on 12 January 2020, with a declared destination port of Algiers, Algeria. When 53 nautical miles off the Libyan coast the vessel changed course onto a heading of 90 degrees, the most direct track for Tripoli, Libya. The vessel's AIS was disconnected at 08:47 hours on 15 January 2020, soon after the course change, and re-connected at 18:08 hours on 17 January 2020, resulting in a "dark period" of 2 days, 9 hours and 21 minutes.

3. Based on the vessel's average speed until switching off its AIS, the time required to cover the "dark period" distance would be 1 day, 4 hours and 54 minutes. Therefore, a time period of 1 day, 4 hour and 26 minutes was unaccounted for. See figure 34.B.1.

Figure 34.B.1
Route followed by M/V *Single Eagle* (IMO 8708830) in December 2019 / January 2020 with indication of the "dark period"



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

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



Nada Al BEHAR
For Shipping
شركة ندى البحار
للتوكيلات الملاحية

BUNKER DELIVERY NOTE

Vessel Name : Single Eagle
Vessel IMO Number : 8708830
Owner/Operator's : African Mediterranean Lines
Barge name : Marwah
Supply Date : 16-01-2020
Port : Tripoli

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

Sample no. Marpol Sample no. (from barge manifold)	MGO	IFO	METHOD OF SAMPLING: CONTINUOUS DRIP	BUNKER BARGE PUMPING RATE: 80 M/T HOUR
VESSEL	AA 60055			RECEIVING VESSEL'S INTAKE LINE CAPACITY M/T HOUR
MARPOL	AA 60058			
BARGE	AA 60059			

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

Barge Alongside Date	Time	Hose Connected Date	Time	Start Pumping Date	Time	Finish Pumping Date	Time	Barge Departed Date	Time
16-01-2020	04:30	16-01-2020	05:00	16-01-2020	05:30	16-01-2020	10:40	16-01-2020	11:30

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

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

Supplier's Confirmation

SIGNATURE :
MASTER OF M.T MARWAH
STAMP

Receiving Vessel's Confirmation

SIGNATURE :
MASTER / CHIEF ENG. of M.V
STAMP

Source: Confidential.

5. On 16 January 2020, social media reported that M/V *Single Eagle* (IMO 8708830) had made an undeclared, covert port call to Tripoli where it off loaded some cargo and then departed.[39] The

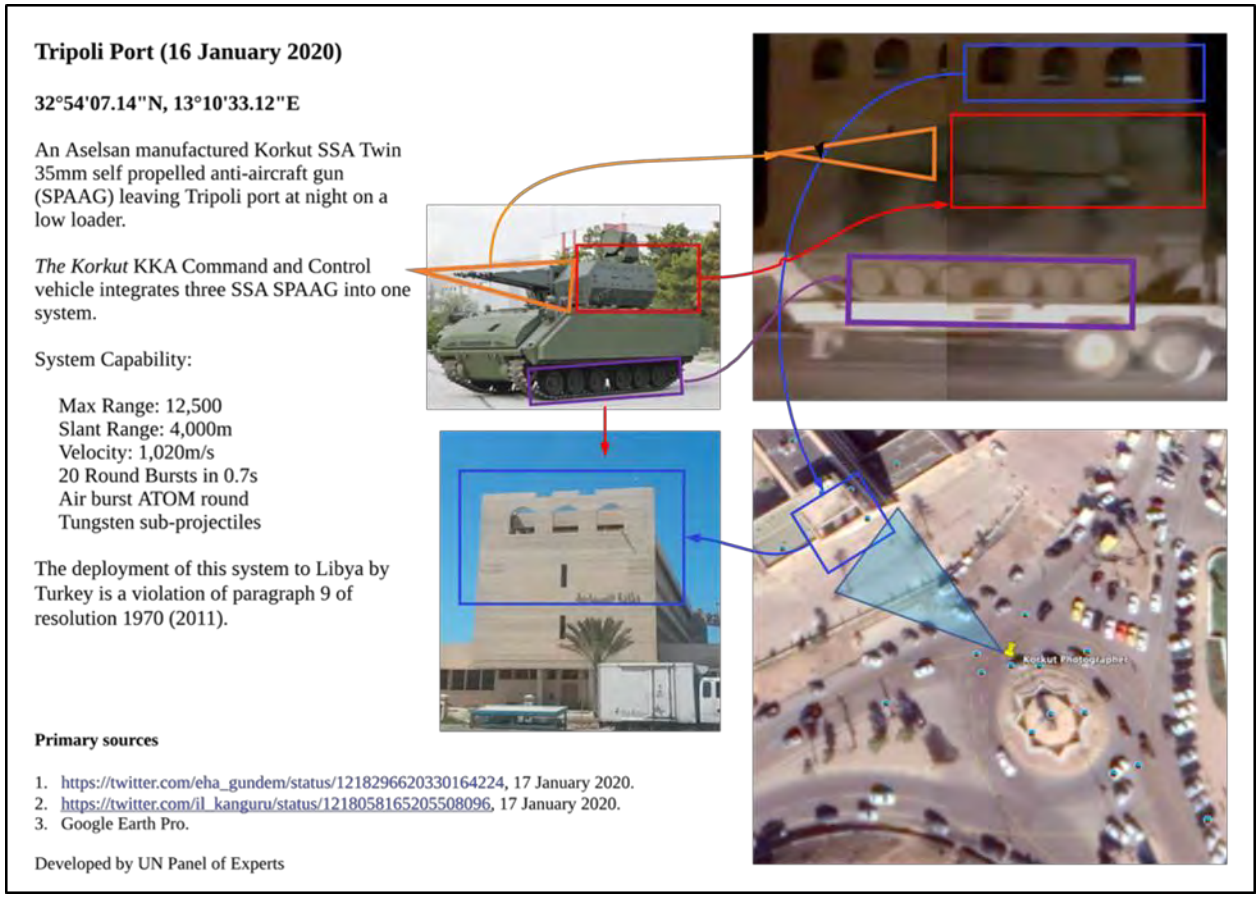
[39] https://twitter.com/Rjaonkey_mhamad/status/1217744456394444800/photo/1, 16 January 2020.

timing of the report is consistent with the approximate period of port call of M/V Single Eagle (IMO 8708830).

6. Social media also recorded the movement from Tripoli port of low loader vehicles of tracked armoured vehicles of a type not seen in Libya before.[40]

7. The Panel has geo-referenced the images to Tripoli port gates, that show a low loader transporting an Aselsan manufactured Korkut SSA Twin 35mm self-propelled anti-aircraft gun from the docks. See figure 34.B.3.

Figure 34.B.3
Korkut SSA Twin 35mm gun leaving Tripoli Port on a low loader



[40] https://twitter.com/MstrMax11/status/1217953086884536326, 16 January 2020.

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

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

2. On 9 February 2020 the M/V Ana (IMO 7369118) departed Mersin, Turkey, central berth 14, at 13:31 hours[41], with a declared destination port of Gabes, Tunisia. The vessel's AIS went dark from 21:44 hours on 12 February 2020. The vessel was identified as being present in the Port of Tripoli, Libya on 18 February 2020, when it was the target of an attack by armed forces affiliated to Khalifa Haftar. See figure 34.C.1.

Figure 34.C.1
M/V Ana (IMO 7369118) present at Tripoli port on 18 February 2020



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

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

[41] All indicated hours are in Local Time.

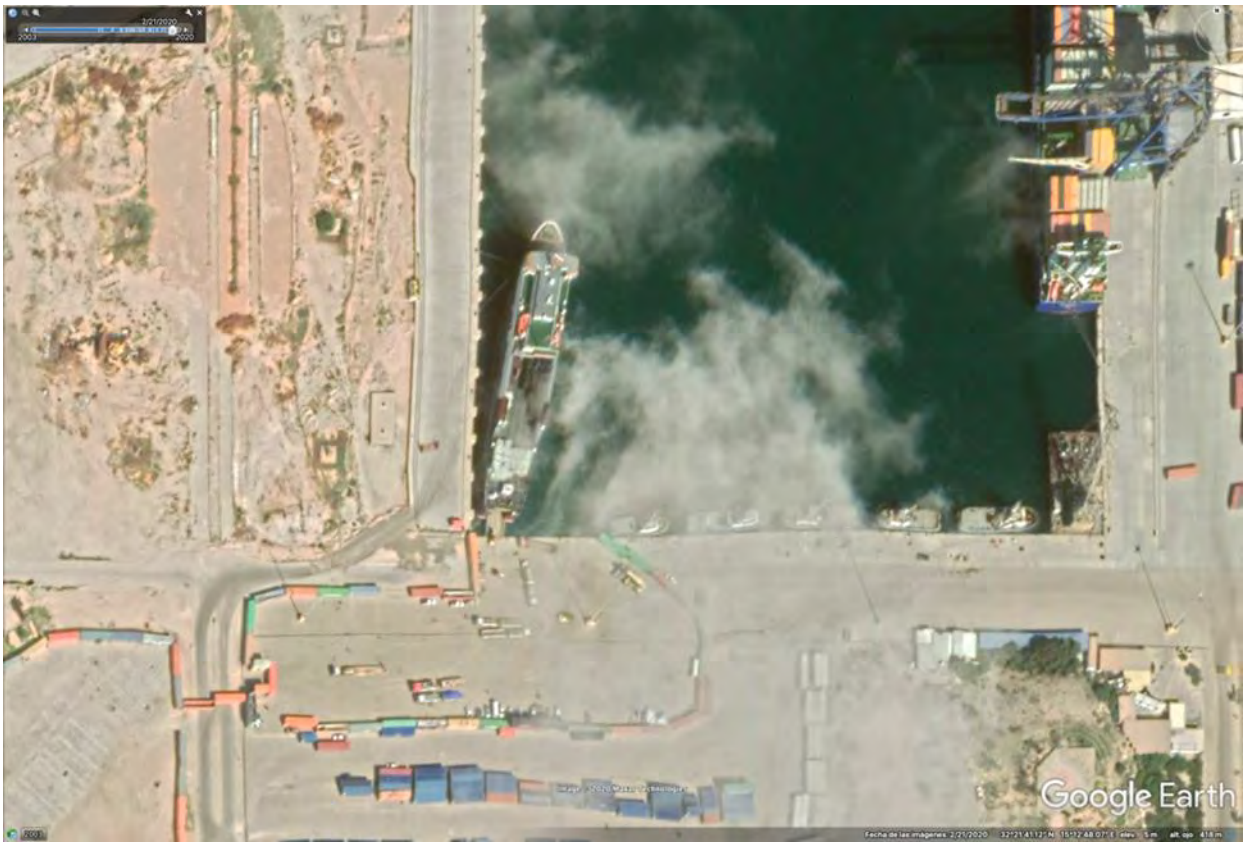
Figure 34.C.2
M/V Ana (IMO 7369118) present at Koper, Slovenia, on 27 December 2019



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

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

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



Source: Maxar Technologies for Google Earth.

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

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

Figure 34.C.4
Route followed by M/V Ana (IMO 7369118) with indication of the "dark period"



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

Figure 34.C.6
View of Haydarpasa port, berth number 10.



Source: Google Street View.

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

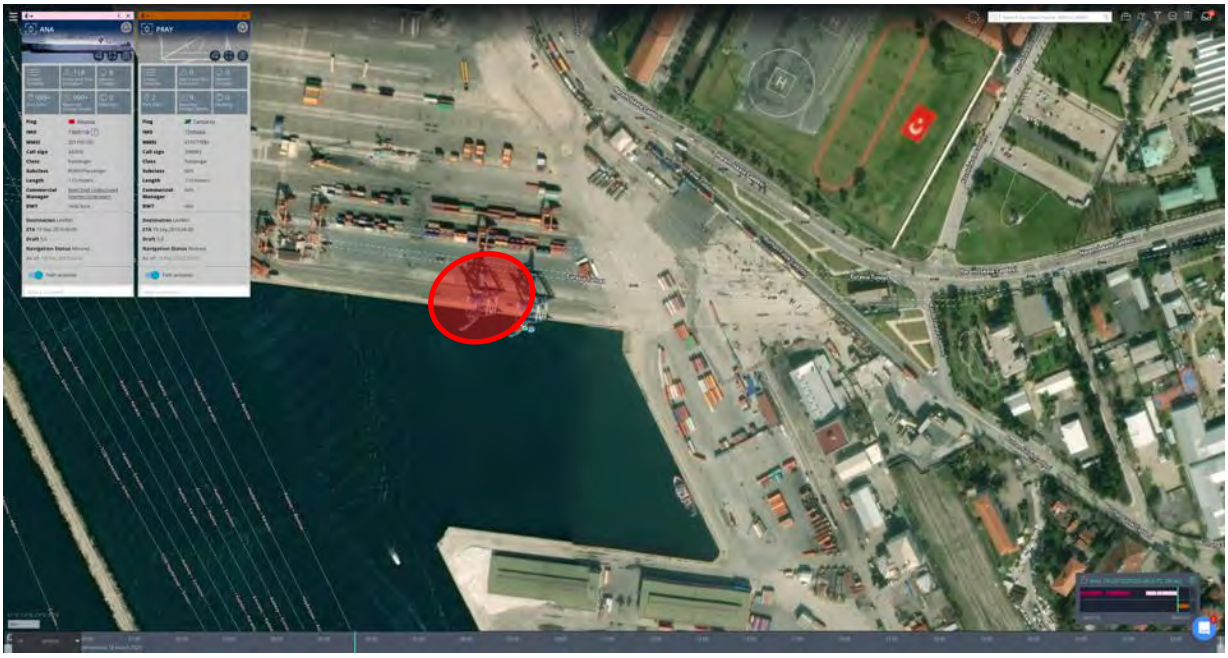
Figure 34.C.7
M/V *Ana* (IMO 7369118) displaying the name “*Pray*”, at Haydarpasa port, berth number 10, on 16 March 2020



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

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

Figure 34.C.8
AIS signals of M/V *Ana* (IMO 7369118) and M/V *Pray* (false IMO 7295666) displayed on the same location within 9 minutes time-lapse, on 18 March 2020



10. Note that:

(a) M/V Ana (IMO 7369118) and M/V Pray (false IMO 7295666) displayed their AIS signals at the exact same location within a 9-minute interval;

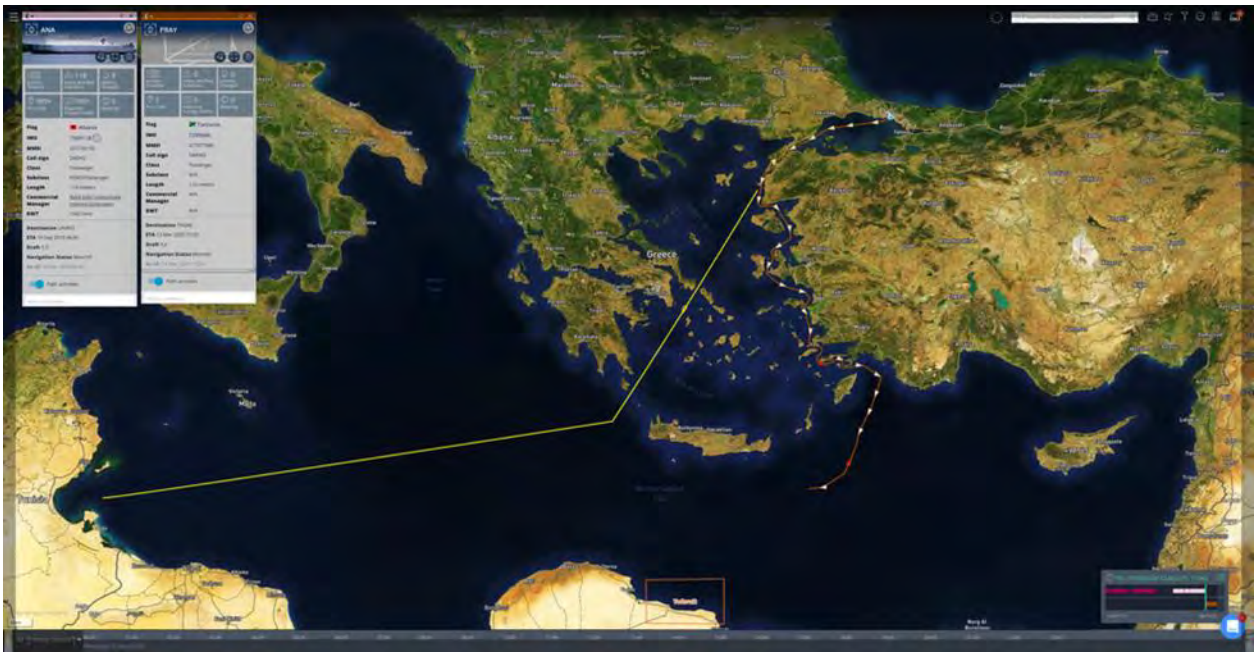
(b) The signal displayed by M/V Pray (false IMO 7295666) indicated a vessel of identical length as M/V Ana (IMO 7369118); and

(c) M/V Ana (IMO 7369118) has not displayed any AIS signal since it was last disconnected.

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

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

Figure 34.C.9
Route followed by M/V *Ana* (IMO 7369118) renamed as M/V Pray, with indication of the usual commercial route



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

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

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

[42] https://almarsad.co/en/2020/03/28/french-navy-intercepts-ship-with-turkish-weapons-heading-for-libya/
[43] https://twitter.com/AegeanHawk/status/1243851532124270592?s=20

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



Source: Maxar Technologies for Google Earth.

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

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

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

[44] https://www.facebook.com/2383067438376999-لواءالحاجصمود/photos/a.2383155261701550/3362817587068641

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

1. In June 2020, the Panel identified merchant vessel M/V *Cirkin* (IMO 7728699) as a vessel of interest to the Panel based on: 1) deviation from its normal routine activity; and 2) multiple "dark periods" of Automatic Identification System (AIS) inactivity when in the vicinity of a Libyan port.

2. On 24 May 2020 the M/V *Cirkin* (IMO 7728699) departed Haydarpasa port, Turkey, berth number 7, at approximately 11.30 hours[45], with a declared destination port of Alexandria, Egypt. At 09:21 hours on 26 May 2020, while heading west 157 nautical miles north of Marsa Matruh, Egypt, the vessel changed its destination to Gabes, Tunisia.

3. The Panel finds this was done to justify not following the shortest and most economical route, but one along the Turkish coast designed to avoid Greek territorial waters. See figure 34.D.1.

Figure 34.D.1
Route followed by M/V *Cirkin* (IMO 7728699) on its first voyage with indication of the usual commercial route



4. Although the vessel's AIS was connected during the whole voyage, its IMO number and home port were no longer displayed on the hull. Its name was changed to "Kin".

5. During its voyage, M/V *Cirkin* (IMO 7728699) was escorted by two Turkish naval vessels.

6. M/V *Cirkin* (IMO 7728699) called at Misrata port, Libya, at 11:26 hours on 28 May 2020. The vessel berthed prior to all other vessels in the port area. Containers were used to conceal the offloading.

[45] All hours are in Local Time unless otherwise indicated.

7. M/V *Cirkin* (IMO 7728699) departed Misrata at 09:16 hours on 29 May 2020. The vessel called at Haydarpasa port, Turkey, berth number 7, at 07:14 hours on 4 June 2020. At 12:57 hours on the same day the vessel moved to berth number 10.

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

Figure 34.D.2
Route followed by M/V *Cirkin* (IMO 7728699) on its second voyage with indication of the usual commercial route



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

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

[46] https://mc.nato.int/missions/operation-sea-guardian.

approach the vessel by navigation manoeuvres including the use of radar emissions from the TMKu fire control radar of Turkish frigate *Orucreis* (F245) and a TMX fire control system.

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

12. The Panel finds that:

(a) The Turkish Navy claims that M/V *Cirkin* (IMO 7728699) transported medical supplies are totally unconvincing; and

(b) M/V *Cirkin* (IMO 7728699), and the Turkish Navy escort frigates *Orucreis* (F245), *Gokceada* (F494) and *Gokoba* (F496), all violated paragraph 9 of resolution 1970 (2011).

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

1. A summary of all non-compliances with paragraph 9 of resolution 1970 (2011) for the maritime delivery or arms and military materiel to HAF is shown in table 35.1 below, whilst infographics with more detail and evidence are in the appendices and in Annex 86.

Table 35.1
Vessels of interest to the Panel (arms trafficking to HAF (chronologically)

Name	*IMO*	*GT*	*Flag registry*	*Vessel owner*	*Commercial manager*	*Date*	*Delivery confirmed / event*	*Remarks*
Sunrise Ace	9338840	58,685	Bahamas	Snowscape Car Carriers S.A.[a] Japan	Mitsui Osk Lines Ltd, [b] Japan	2 Jan 2020	▪ 500+ 4x4 for conversion to "Technicals".	▪ See appendix A ▪ Loaded in Amman, Jordan. ▪ Offloaded in Misrata.
Gulf Petroleum 4	9439345	8,539	Liberia	AA Marine Inc, [c] UAE	Gulf Shipping Services FZE, UAE [c]	13 Mar 2020	▪ 10, 954 tonnes of Jet A-1.	▪ See Annex 86. ▪ Loaded in Sharjah. ▪ Offloaded in Benghazi.
Royal Diamond 7	9367437	8,539	Marshal Islands	Gsh2 Chem-Prod Carrier I As [f] Singapore	Hanjin Overseas Tanker Pte Ltd [g] Singapore	10 Sep 2020	▪ 10,245 tonnes of Jet A-1	▪ See Annex 86. ▪ Offload expected in Benghazi but aborted. ▪ Boarded by Operation IRINI. ▪ Ownership and management fully cooperated with the Panel.

[a] A subsidiary of Mitsui O.S.K. Lines, Shosen Mitsui Building 1-1 Toronomon 2-Chome, Minato-ku, Tokyo 105-8688. (www.mol.co.jp).
[b] Shosen Mitsui Building 1-1 Toronomon 2-Chome, Minato-ku, Tokyo 105-8688
[c] Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, United Arab Emirates. +971 6 740 9982.
[c] Gulf Shipping Services FZC, Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, UAE. Fax: +971 6 740 9982. (gulf.petroleum@hotmail.com).
[d] c/o Ims Hellenic Co. 9, Filellinon Street, 185 36 Piraeus, Greece. +30 210 429 2714. (ims.hellenic@gmail.com).
[e] 9, Filellinon Street, 185 36 Piraeus, Greece. +30 210 429 2714. (ims.hellenic@gmail.com).
[f] 58-00, One Raffles Place, 1, Raffles Place, Singapore 048616. +65 6533 1040
[g] 07-01, PSA Building, 460, Alexandra Road, Singapore 119963. +65 6373 5153. (chem@hanjin.com).

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

1. The M/V *Sunrise Ace* (IMO 9338840) departed Aqaba New Port, terminal number 4, Jordan, at 07:29 hours[47] on 26 December 2019 and called at Benghazi port, Libya, at 21:46 hours on 1 January 2020.

2. The Panel identified that M/V *Sunrise Ace* (IMO 9338840) offloaded over 500 4x4 vehicles suitable for conversion to "technicals". The Panel noted from social media that a large number of 4x4 vehicles were for the use by forces affiliated to Khalifa Haftar. [48] During the offload an individual was heard to say "these are for the Marshall" meaning Haftar. See figure 35.A.1.

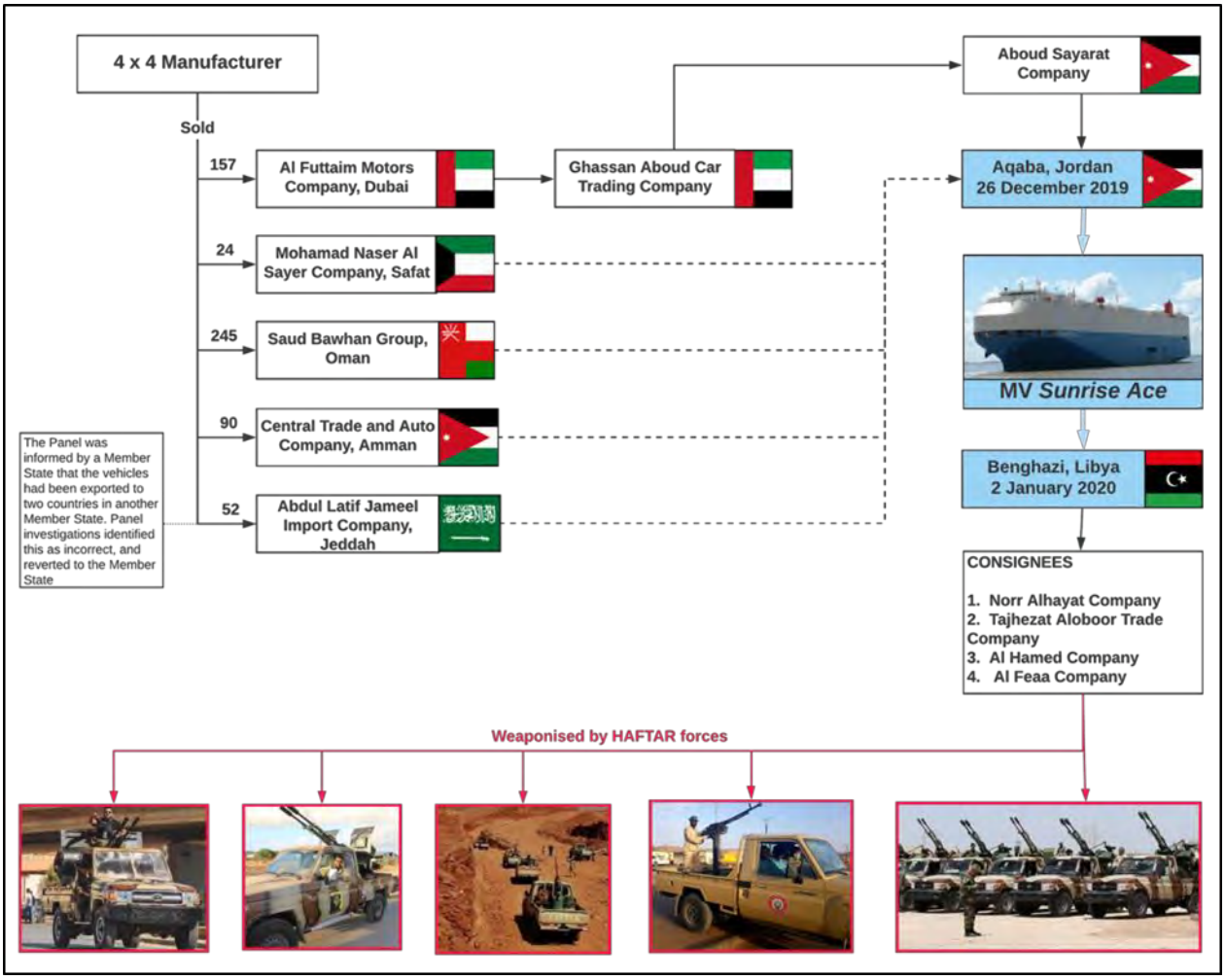
Figure 35.A.1
Footage caption of the vehicles on board M/V *Sunrise Ace* (IMO 9338840).



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

[47] All hours in Local Time.
[48] See video imagery where an individual clearly states " (...) *this is following the orders of the Marshall* (...) *This is 2020 , they are here to support all the fronts* ....". The Marshall being Khalifa Haftar.
https://www.facebook.com/watch/?v=2315215998580109, 2 January 2020. Last accessed January 2021

Figure 35.A.2
Infographic for M/V *Sunrise Ace* (IMO 9338840)



Annex 36 Infographic for Dehleyvah ATGM

16 November 2019

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

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

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



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







Primary sources

1. https://twitter.com/Oded121351/status/1195782673760997379, 16 November 2019.
2. https://m.facebook.com/الجيش-الليبي_سرية-مضاد-ات-الدروع_الحاية-111093587002043/.
3. www.ihs.janes.com. (Subscription). 4 March 2020.
4. Annex 42 to Panel report S/2018/594. *Dehleyvah* ATGM annex.

Developed by UN Panel of Experts

Annex 37 Infographic for FNSS ACV-15

Onboard MV *Bana* (28 January 2020)
32°54'16"N, 13°11'01"E

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

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

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

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





Stock image of FNSS ACV-15
(with differant modular weapon mount)



Primary sources

1. Twitter, @LNA2019M, 30 January 2019.
2. customer.janes.com. (Subscription). 27 January 2020.
3. Confidential source for imagery on board MV Bana.
4. https://twitter.com/Oded121351/status/1241386418481569795. 21 March 2020.
5. https://twitter.com/Oded121351/status/1241642995763552256. 22 March 2020.
6. https://www.facebook.com/watch/?v=2958199914226208. 22 March 2020.

Developed by UN Panel of Experts

Annex 38 Infographic for Harpy loitering munition

Western Libya (6 April 2020)

This is highly probably the remnants of an Israeli Aircraft Industries (IAI) *Harpy* Loitering Munition System. The engine cowl (in red circle) is distinct to the IAI *Harpy* weapon systems and differant to that used in the larger IAI *Harop*.

The *Harpy* has a communication range of 200km, but it is believed it can be programmed to fly to a "loiter area" at greater range. The system has an endurance of 9 hours at 15,000 feet altitude, and contains a 16kg explosive warhead. It is designed to target radar systems in a Suppresion of Enemy Air Defence (SEAD) role, and can operate autonomously when it detects a radar emission in its "loiter area" or be guided by an operator using its electro-optical system within its 200km communication range.

Confirmed to have been supplied to Turkey, it is assessed that this system was transferred in support of the GNA to neutralise the UAE SA-22 *Pantsir* AD system deployed in support of HAF by forcing that system to limit radar emissions.



Primary sources

1. https://twitter.com/RALee85/status/1247194276179689472, 6 April 2020.
2. www.ihs.janes.com. (Subscription). 6 April 2018.
3. www.iai.co.il/p/harop, accessed 7 April 2020.
4. https://uavenginesltd.co.uk/products/ar731-38-bhp/, accessed 7 April 2020.

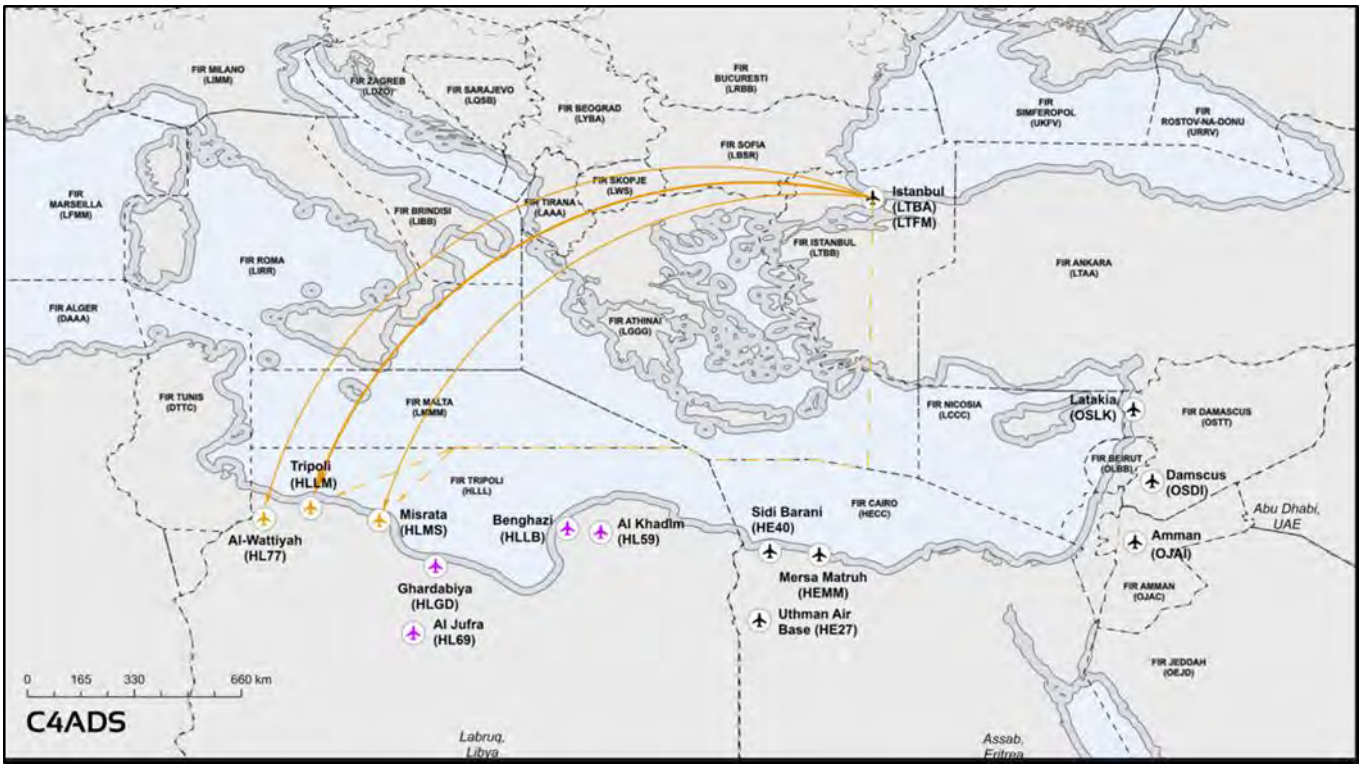
Developed by UN Panel of Experts.

Annex 39 Airbridges in support of the GNA-AF

1. The Panel has used a wide range of sources[49] to identify an increase in covert, non-scheduled and/or charter civilian flights from primarily Turkey to Western Libyan airports controlled by GNA-AF. The Panel has written to the States of the owners and operators of the aircraft listed in the appendices requesting copies of the flight manifests and air waybills for these particular flights.

2. The GNA-AF is almost certainly using civilian commercial airlines to form a major part of its supply chain for military materiel. There are regular flights from Western Libya to Turkey, yet it is almost impossible to book a seat on any of these flights. The Panel has identified the aircraft and operators shown in table X.1.1 as of particular interest. All of these aircraft have routinely used their aircraft registration number rather than a flight callsign when communicating with air traffic control and broadcasting on ADS-B. This is unusual, and a strong indicator that the flight is not for fare paying passengers. Suspicious flights are routine.

Figure 39.1
Overview of GNA-AF airbridges [50]



[49] Flight data for flights shown in all of the annexes is based on data received from a combination of : 1) Confidential sources; 2) www.flightradar24.com; 3) www.radarbox.com; 4) www.italmilradar.com; 5) C4ADS analysis; 6) Twitter @Gerjon_; and 7) Twitter @YorukIsik.
[50] Base map courtesy of C4ADS.

Table 39.1
Libyan registered commercial aircraft of interest to the Panel

A/C #	*A/C type*	*Hex Code*	*Operated by*	*Owned by*	*Remarks*
5A-LAP	A320-214	018078	Libyan Airlines [a]	Operator	▪ Wholly owned by Government of Libya.
5A-LAQ	A320-214	01807A	Libyan Airlines	Operator	▪
5A-LAR	A320-202	01807B	Libyan Airlines	Operator	▪
5A-LAT	A320-202	01807F	Libyan Airlines	Operator	▪
5A-ONA	A320-214	01802E	Afriqiyah Airlines [b]	Operator	▪ Wholly owned by Government of Libya.
5A-ONB	A320-214	01802F	Afriqiyah Airlines	Operator	▪
5A-ONJ	A320-214	018057	Afriqiyah Airlines	Operator	▪ Removed from storage on 19 March 2020.
5A-ONO	A320-214	018070	Afriqiyah Airlines	Operator	▪ Removed from storage on 2 March 2020.
5A-POL			Police Aviation	Government of Libya	▪ Virtually daily flights.
5A-WLB	A319-112	018087	Libyan Wings [c]	DAE Capital [d]	▪
5A-WLC	A319-112	01808F	Libyan Wings	DAE Capital	▪
5A-WLD	A319-112	018090	Libyan Wings	DAE Capital	▪ Removed from storage on 16 March 2020.

[a] www.libyanairlines.aero. Website inaccessible. http://www.libyahavayollari.com.tr/en/iletisim.html. Old website active.
[b] https://www.afriqiyah.aero/en/. Accessed 18 July 2020.
[c] https://libyanwings.ly. Accessed 18 July 2020.
[d] https://dubaiaerospace.com/dae-capital/. Accessed 18 July 2020.

3. The Panel has also identified that Turkey initiated an airbridge to Western Libyan airbases in mid-May 2020 using Turkish Air Force military cargo aircraft. A summary is at appendix A. The Panel finds that Turkey is in non-compliance with paragraph 9 of resolution 1970 (2011) for the transfer of military materiel to Libya.

4. The Panel has also identified that Qatar made at least six flights to Western Libyan airbases between 21 May 2020 to 3 June 2020 using Qatari Air Force military C-17 Globemaster cargo aircraft (A7-MAC and A7-MAO). A summary is at appendix B. The Panel finds that Qatar is in non-compliance with paragraph 9 of resolution 1970 (2011) for the transfer of military materiel to Libya, that materiel at a minimum being the military cargo aircraft.

5. The 5+5 Joint Military Committee ceasefire agreement of 23 October 2020[51] provided challenges to the Panel's monitoring of the air bridges, as empty military cargo aircraft could enter

[51] https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf, 23 October 2020.

Libya to remove military equipment as required by the initial ceasefire agreement to remove foreign fighters in 90 days, which was amended on 3 November 2020 to the *withdrawal of foreign forces from the contact lines*.[52] As such, they would have very similar profile indicators to aircraft suspected of trafficking. Whilst the introduction of such military cargo aircraft into Libya is a violation of the arms embargo, it would clearly be inappropriate of the Panel to report it as such if it were engaged in the removal of military equipment. It would of course be helpful if the Member States involved informed the Committee in advance of such flights to allow the Panel to deconflict them.

[52] https://www.libyaherald.com/2020/11/04/55-joint-military-commission-agrees-permanent-ceasefire-steps-at-ghadames-meeting/, 4 November 2020.

Appendix A to Annex 39: Turkish military aircraft in support of GNA

1. The Panel has identified the Turkish military cargo aircraft shown in table 39.A.1 as of interest to the Panel. The Panel has identified 89 confirmed flights into Libya by Turkish Air Force military cargo aircraft during 21 May to 31 December 2020 (see table 39.A.2 and figures 39.A.2 and 39.A.3). The list is not exhaustive as the Turkish Air Force adopted an indirect route to avoid certain Flight Information Regions (FIR).[53] This route follows the Istanbul / Nicosia FIR boundary and then the Athens / Cairo FIR boundary until reaching the Tripoli FIR, (see yellow dotted line on figure 39.A.1).

Figure 39.A.1
Turkish military aircraft routing to Libya [54]

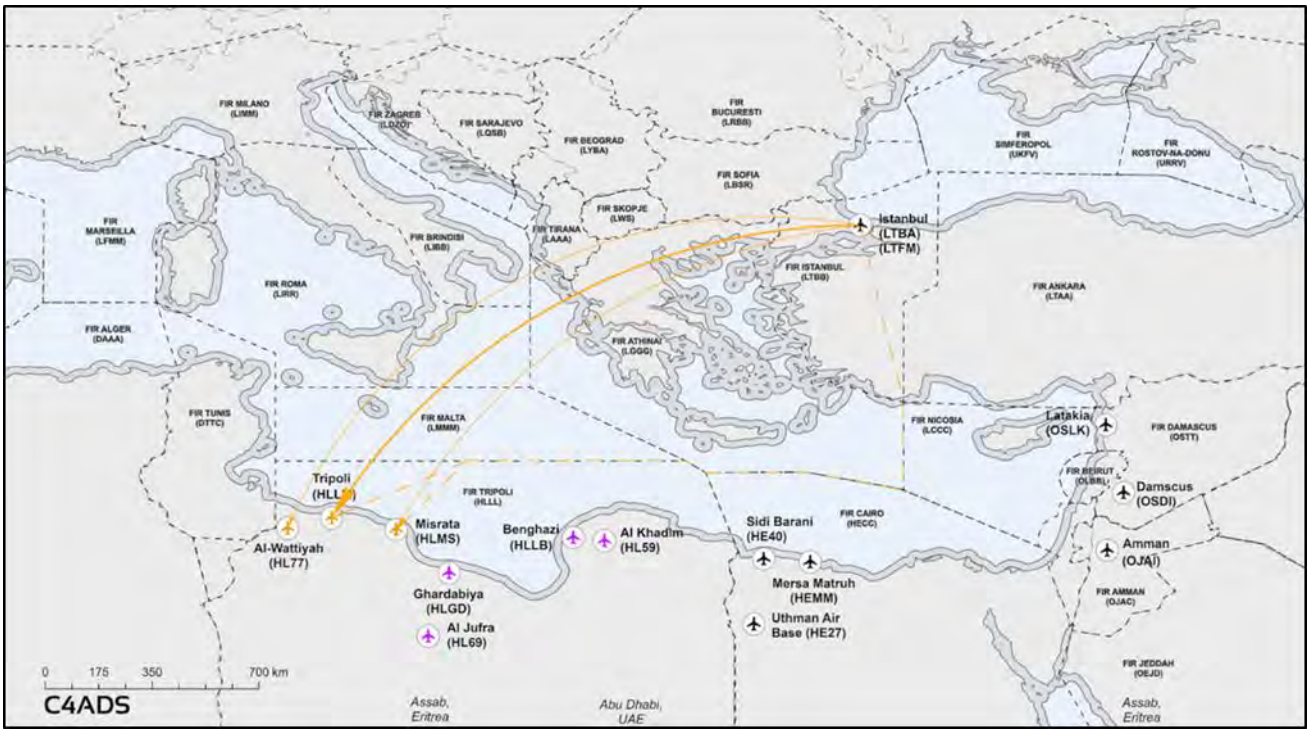


Table 39.A.1
Turkish military aircraft of interest to the Panel

A/C #	*A/C type*	*Mode-S #*	*Unit*	*Remarks*
13-0009	A400M	4B8208	221 *Breeze* Squadron	Based at Kayseri/Erkilat [a]
14-0013	A400M	4B820C	221 *Breeze* Squadron	Based at Kayseri/Erkilat
14-0028	A400M	4B820E	221 *Breeze* Squadron	Based at Kayseri/Erkilat

[53] A Libyan NGO, the Silphium Foundation for Studies and Research, has reported identifying 105 Turkish Air Force flights. https://www.facebook.com/211203056228201/photos/a.211240296224477/691316024883566/?_rdc=1&_rdr, 31 December 2020.
[54] Base map courtesy of C4ADS.

A/C #	*A/C type*	*Mode-S #*	*Unit*	*Remarks*
15-0051	A400M	4B820F	221 *Breeze* Squadron	Based at Kayseri/Erkilat
16-0055	A400M	4B8210	221 *Breeze* Squadron	Based at Kayseri/Erkilat
17-0078	A400M	4B8211	221 *Breeze* Squadron	Based at Kayseri/Erkilat
17-0080	A400M	4B8212	221 *Breeze* Squadron	Based at Kayseri/Erkilat
17-0093	A400M	4B8213	221 *Breeze* Squadron	Based at Kayseri/Erkilat
17-0094	A400M	4B8214	221 *Breeze* Squadron	Based at Kayseri/Erkilat
18-0093	A400M	4B8213	221 *Breeze* Squadron	Based at Kayseri/Erkilat
61-0693	C-130E	4B8220	222 *Flame* Squadron	Based at Kayseri/Erkilat
61-2634	C-130E	4B8221	222 *Flame* Squadron	Based at Kayseri/Erkilat
61-13188	C-130E	4B8225	222 *Flame* Squadron	Based at Kayseri/Erkilat
71-01468	C-130E	4B8228	222 *Flame* Squadron	Based at Kayseri/Erkilat
TBC	C-130E	4B821F	222 *Flame* Squadron	Based at Kayseri/Erkilat
TBC	C-130E	C9D52F	222 *Flame* Squadron	Based at Kayseri/Erkilat

[a] LTAU. Joint Airbase. 38°46'13"N, 35°29'43"E.

Figure 39.A.2
Summary of flights from Turkey by Turkish military aircraft (1 May to 31 December 2020)

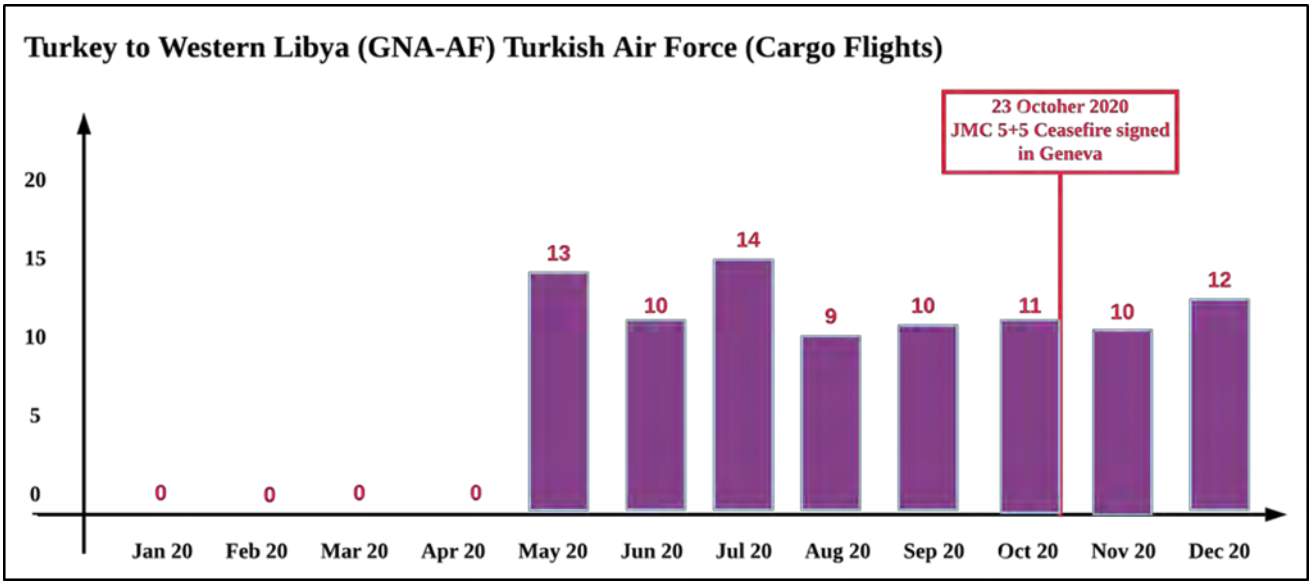


Figure 39.A.3
Summary of maximum cargo (tonnes) from Turkey by Turkish military aircraft (1 May to 31 December 2020)

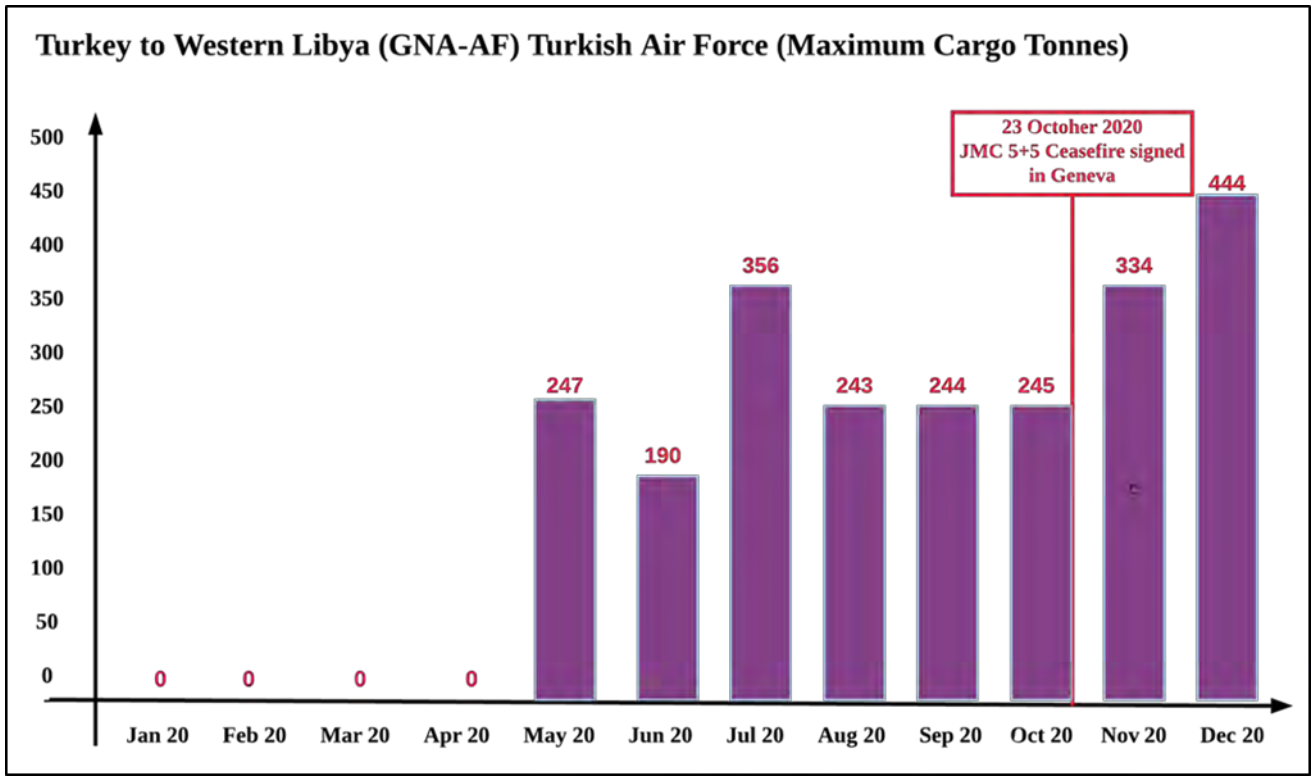


Table 39.A.2
Suspicious flights from Turkey to Western Libya by Turkish military aircraft (2020)

#	*Date*	*A/C #*	*Mode-S #*	*Type*	*To*	*Maximum load (t)*	*Remarks*
1	21 May 2020		C9D52F	C-130E	Misrata [a]	19	
2	23 May 2020	61-3188[55]	4B8225	C-130E	HLMS	19	
3	23 May 2020		C9D52F	C-130E	HLMS	19	
4	24 May 2020	61-3188	4B8225	C-130E	HLMS	19	
5	24 May 2020		C9D52F	C-130E	HLMS	19	
6	26 May 2020	61-3188	4B8225	C-130E	HLMS	19	
7	26 May 2020		C9D52F	C-130E	HLMS	19	
8	27 May 2020	61-3188	4B8225	C-130E	HLMS	19	
9	27 May 2020	71-1468	4B8228	C-130E	HLMS	19	
10	29 May 2020	61-3188	4B8225	C-130E	Unknown	19	
11	29 May 2020	71-1468	4B8228	C-130E	Unknown	19	
12	31 May 2020	61-3188	4B8225	C-130E	HLMS	19	
13	31 May 2020	71-1468	4B8228	C-130E	HLMS	19	
14	2 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	

[55] Possibly 61-03188.

#	Date	A/C #	Mode-S #	Type	To	Maximum load (t)	Remarks
15	2 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
16	3 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
17	6 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
18	6 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
19	11 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
20	11 Jun 2020	71-1468	4B8228	C-130E	HLMS	19	
21	24 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
22	24 Jun 2020	71-1468 [56]	4B8228	C-130E	HLMS	19	
23	29 Jun 2020	61-3188	4B8225	C-130E	HLMS	19	
24	8 Jul 2020	61-3188	4B8225	C-130E	Tripoli	19	
25	8 Jul 2020	17-0055	4B8210	A400M	Tripoli	37	
26	9 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
27	16 Jul 2020	71-1468	4B8228	C-130E	Al Wattiyah [b]	19	
28	16 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
29	17 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
30	18 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
31	18 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
32	19 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
33	20 Jul 2020		C9D25F	C-130E	HL77	19	
34	21 Jul 2020	61-2634	4B8221	C-130E	HL77	19	
35	25 Jul 2020	17-0080	4B8212	A400M	HLMS	37	
36	29 Jul 2020	71-1468	4B8228	C-130E	HL77	19	
37	29 Jul 2020		4B821F	C-130E	HL77	19	
38	7 Aug 2020	61-2634	4B8221	C-130E	HL77	19	
39	14 Aug 2020	61-2634	4B8221	C-130E	HL77	19	
40	15 Aug 2020		4B821F	C-130E	HL77	19	
41	16 Aug 2020	61-0693	4B8220	C-130E	HL77	19	
42	16 Aug 2020	17-0078	4B8211	A400M	HLMS	37	
43	16 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
44	21 Aug 2020		4B821F	C-130E	HL77	19	
45	21 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
46	25 Aug 2020	17-0080	4B8212	A400M	HLMS	37	
47	1 Sep 2020	61-0693	4B8220	C-130E	HL77	19	
48	1 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
49	1 Sep 2020	17-0080	4B8212	A400M	HLMS	37	
50	3 Sep 2020	61-0693	4B8220	C-130E	HL77	19	
51	3 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
52	3 Sep 2020	17-0080	4B8212	A400M	HLMS	37	
53	5 Sep 2020	61-2634	4B8221	C-130E	HL77	19	
54	5 Sep 2020	71-1468	4B8228	C-130E	HL77	19	
55	7 Sep 2020	17-0055	4B8210	A400M	Tripoli	37	
56	11 Sep 2020	71-1468	4B8228	C-130E	HL77	19	

[56] Possibly 71-01468.

#	Date	A/C #	Mode-S #	Type	To	Maximum load (t)	Remarks
57	1 Oct 2020	15-0051	4B820F	A400M	HLMS	37	
58	1 Oct 2020	16-0055	4B8210	A400M	HLMS	37	
59	1 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
60	2 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
61	7 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
62	15 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
63	15 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
64	16 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
65	18 Oct 2020	61-0693	4B8220	C-130E	HL77	19	
66	18 Oct 2020	71-1468	4B8228	C-130E	HL77	19	
67	23 Oct 2020		4B821F	C-130E	HL77	19	
	23 Oct 2020	**Ceasefire**					
68	5 Nov 2020	18-0093	4B8213	A400M	HLMS	37	
69	5 Nov 2020	61-0693	4B8220	C-130E	HL77	19	
	13 Nov 2020 HL77 extended to take A400M						
70	21 Nov 2020	71-1468	4B8228	C-130E	HL77	19	
71	21 Nov 2020	17-0078	4B8211	A400M	HLMS	37	
72	26 Nov 2020	16-0055	4B8210	A400M	HL77	37	First A400M landing at Al Watiya
73	26 Nov 2020	17-0078	4B8211	A400M	Zuwarah	37	
74	26 Nov 2020	18-0093	4B8213	A400M	HL77	37	
75	28 Nov 2020	16-0055	4B8210	A400M	HL77	37	
76	28 Nov 2020	17-0078	4B8211	A400M	HL77	37	
77	28 Nov 2020	18-0093	4B8213	A400M	HL77	37	
78	1 Dec 2020	17-0078	4B8211	A400M	HL77	37	
79	1 Dec 2020	18-0093	4B8213	A400M	HL77	37	
80	1 Dec 2020	18-0094	4B8214	A400M	HL77	37	
81	4 Dec 2020	15-0051	4B820F	A400M	HL77	37	
82	4 Dec 2020	17-0078	4B8211	A400M	HL77	37	
83	4 Dec 2020	18-0093	4B8213	A400M	HL77	37	
84	16 Dec 2020	14-0028	4B820E	A400M	HL77	37	
85	16 Dec 2020	18-0093	4B8213	A400M	HL77	37	
86	25 Dec 2020	16-0055	4B8210	A400M	HL77	37	
87	25 Dec 2020	18-0093	4B8213	A400M	HL77	37	
88	29 Dec 2020	16-0055	4B8210	A400M	HL77	37	
89	29 Dec 2020	17-0078	4B8211	A400M	HL77	37	

[a] HLMS. Joint Airbase. 32°19'31"N, 15°03'39"E.
[b] HL77. Military Airbase. 32°28'20"N, 11°54'00"E.

2. The Panel noted a build-up of ground stored cargo at Misrata airport[57] during the initial period of the Turkish Air Force flights (see figures 39.A 4 to 39.A.7).[58]

Figure 39.A.4
Misrata airport (23 April 2020)



Figure 39.A.5
Misrata airport (13 May 2020)



Figure 39.A.6
Misrata airport (1 June 2020)



Figure 39.A.7
Misrata airport (14 June 2020)



3. The Panel also noted that on approximately 9 July 2020 the focus of C-130 inbound flights moved from Tripoli/Misrata to Al Watiyah (HL77), whereas the A400 flights continued to Misrata. The hardstanding for aircraft at Al Watiyah was increased by 70m x 140m between 20 August and 2 September 2020. The runway (10R/28L) runoff was repaved for 300m at each end, potentially extending the effective runway length from 3,200m to 3,800m.

[57] Centred on 32°18'44.87"N, 15°03'48.60"E.
[58] Image sources: https://twitter.com/ahmedabdo1806/status/1273601918095556608, 18 June 2020.

4. This part of the runway was then resurfaced and remarked between 13 and 23 November 2020. This allows the Turkish Air Force A400B and Qatar Air Force C-17 Globemaster to operate more safely, and a Turkish Air Force A400B was identified first using this runway on 26 November 2020.

Figure 39.A.8
Al Watiyah airport runway 10R/28L extension



Figure 39.A.9
Al Watiyah airport runway 10R/28L extension



5. As these are military aircraft their landings at Libyan airports means that Turkey has violated paragraph 9 of resolution 1970 (2011) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix B to Annex 39: Qatari military aircraft in support of GNA

1. The Panel has identified the Qatari Air Force military cargo aircraft shown in table X.B.1 as of interest to the Panel. The Panel has identified suspicious flights of Qatari Air Force military cargo aircraft into Libya (table X.B.2). The list is not exhaustive as flight data is not available to the Panel as the routing avoids air traffic control en route, and since 3 June 2020 the Mode-S transponders for these aircraft have been disabled.

Table 39.B.1
Qatari military aircraft of interest to the Panel

A/C #	*A/C type*	*Hex Code*	*Unit*	*Cargo Load (tonnes)*	*Remarks*
A7-MAC	C-17A	06A255		76.6	
A7-MAO	C-17A	06A27C		76.6	

Table 39.B.2
Suspicious flights from Qatar by Qatari military aircraft

#	*Date*	*Flight #*	*A/C #*	*Type*	*From*	*To*	*Flight #*	*Remarks*
1	21 May 2020		A7-MAC	C-17A				
2	23 May 2020	TUAF223	A7-MAC	C-17A	Istanbul	Libya		
3	23 May 2020	TUAF224	A7-MAO	C-17A	Istanbul	Libya		
4	26 May 2020		A7-MAC	C-17A				
5	26 May 2020		A7-MAO	C-17A				
6	3 Jun 2020		A7-MAC	C-17A				Mode-S tracking disabled

2. As these are military aircraft their landings at Libyan airports means that Qatar has violated paragraph 9 of resolution 1970 (2011) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Annex 40 Infographic for Misagh-2 MANPADS

Eastern Libya (28 June 2020)

The Panel has identified from social media the presence of the *Misagh*-2 man-portable air defence system (MANPADS) in Libya.

The *Misagh*-2 MANPADS is manufactured by Iran at the Shahid Kazemi Industrial Complex in Tehran.

A single source has reported that *Misagh*-2 MANPADS were supplied to Turkey by Iran during 2018/2019, which were apparently originally destined for the Syrian Army. Some verification of that information is provided by the fact the individual in the image from Libya is wearing Turkish uniform. Covert flights by Chamwings Airlines have also been identified flying to Iran, returning in time to meet ongoing flights to Libya.

This is the first sighting of an *Misagh*-2 MANPADS system in Libya, and thus a violation of paragraph 9 of resolution 1970 (2011) by the perpetrator.



Manufacturers Image - *Misagh*-2

Note the rectangular box on the left mid section of lauch tube whiuch is unique to the *Misagh*-2.





Camouflage

Note the distinctive nano-digital camouflage introduced by the Turkish Army in 2015.





Packaging - *Misagh*-2

Note the identical features and internal layout of the packing box between the manufactuers image on the left, and this one identified in Libya.

Primary sources

1. https://twitter.com/HasairiOuais/status/1277226350026383361, 28 June 2020. (Extracts from orginal imagery).
2. https://twitter.com/BabakTaghvaee1/status/1277570666183700485, 29 June 2020.
3. https://www.worthpoint.com/worthopedia/turkish-army-nano-digital-camouflage-457204456, accessed 3 July 2020.
4. FARS News Agency. Photo: Satyar Enami.
5. www.ihs.janes.com. (Subscription). 21 May 2019.

Developed by UN Panel of Experts

Annex 41 Bulgarian manufactured 120mm Mortar Bomb

Western Libya (9 October 2020)

Imagery from the website of the "Sons of Lions" Mortar Unit of the GNA Western Command shows the presence of a batch of 120mm high explosive (HE) Mortar Bombs not previously seen in Libya before.

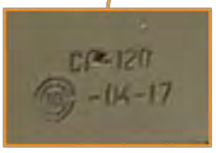
The markings on the ammunition identify that it was produced in January 2018, whereas markings on primary packaging shows ammunition manufactured in April 2017. The markings also indicate that the ammunition was manufactured by the Arsenal 2000 JSCo Dunarit company of Bulgaria. The Panel has confirmed that the bombs are from a consigment under Export Licences 017610 (18 February 2020) and 017677 (18 March 2020) for the Turkish Land Forces Command as the end user.

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



Logo of GNA Western Command "Sons of Lions" Mortar Unit.











Primary sources

1. https://twitter.com/i/status/1314628386258653185, 9 October 2020.
2. https://www.facebook.com/pages/category/Interest/ن-واصل-دوس-قوس-115506966518255/?__rdc=2&__rdr, Accessed 17 October 2020.
3. customer.janes.com. (Subscription). 14 October 2019.
4. Member State, 18 February 2021.

Developed by UN Panel of Experts.

Annex 42 GNA-AF Diver Training in Khoms

GNA Diving Training in Khoms
(10 October 2020)

On 10 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces providing a six-week diving training course to the GNA in Al Khoms.

From the imagery available the training appears to be in Self-Contained Underwater Breathing Apparatus (SCUBA) skills, similar to a basic introduction to diving course. It is not apparent if the training is constrained to compressed air diving only, or whether the use of enhanced oxygen gases such as NITROX is being taught. The skills learnt would restrict the students to shallow water coastal diving only.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the LNA is a violation of paragraph 9 of resolution 1970 (2011).









Primary sources

1. https://www.haberler.com/son-dakika-haberleri-danismanlik-anlasmasi-kapsaminda-libya-silahli-13658626-haberi/, 10 October 2020.
2. Technical analysis by confidential source.

Developed by UN Panel of Experts

Annex 43 GNA-AF Training on T155 Firtina Howitzer

GNA T155 *Firtina* 155mm Howitzer Training

On 13 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training the GNA in the operation of the **T-155 'Firtina' 155mm/52 Calibre Howitzer**. This weapon system was first identified in Libya after delivery on the MV *Bana* on 28 January 2020.

The system was identified as a **T-155 'Firtina' 155mm/52 Calibre Howitzer** by: (1) a loading tray next to the breech block; and (2) what appears to be Turkish text on the red plate top left of the breech.

On 27 November 2020 imagery was posted of the movement of a **T-155 'Firtina' 155mm/52 Calibre Howitzer** by the GNA-AF near Sirte, and of the same weapon type live firing near Tajura on 27 November 2020..

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).







25 November 2020, Movement of T-155 Firtina near Sirte





27 November 2020, Live firing of T-155 Firtina near Tajura

Primary sources

1. https://twitter.com/tcsavunma/status/1315965629392990211, 13 October 2020.
2. customer.janes.com. (Subscription), 9 July 2019.
3. Technical analysis by confidential source.
4. https://twitter.com/Libya_OSINT/status/1331743968703500290, 25 November 2020.
5. https://twitter.com/Libya_OSINT/status/1332159462619181057, 27 November 2020.

Developed by UN Panel of Experts

Annex 44 GNA-AF Military Training

GNA Military Training in Turkey
(13 October 2020)

On 13 October 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training 171 Libyan soldiers at the "Libyan Army College" in Isparta, Turkey (possibly at 37°47'06"N, 30°34'45"E).

The training appears to be in basic infantry skills: (1) Fighting in Built Up Areas (FIBUA); (2) patrolling; (3) anti-ambush drills; (4) concealment by smoke; (5) navigation; and (6) marksmanship.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).













Primary sources

1. https://twitter.com/tcsavunma/status/1316301037658148864, 13 October 2020.
2. Technical analysis by confidential source.

Developed by UN Panel of Experts

Annex 45 GNA Coast Guard Training

GNA Coast Guard Training in Libya
(20 October 2020)
32°41'7.25"N, 14°14'27.17"E

On 20 October 2020 imagery was published of Turkish advisors (1) training or mentoring the Libyan Coast Guard in their Al Khums base.

The imagery also shows the Corrubia Class Patrol Boat *Ubari* (#660) (2), which was donated by Italy in November 2018. Reported in annexes 33 and 34 and of Panel report S/2019/914.

This military training undertaken within the scope of the Military Training, Cooperation and Consultancy Agreement between Turkey and the LNA is a violation of paragraph 9 of resolution 1970 (2011).



Primary sources

1. https://twitter.com/tcsavunma/status/1318470272366923776, 20 Ocober 2020.
2. https://twitter.com/Oded121351/status/1318472701854519296, 20 October 2020.
3. S/2019/914.

Developed by UN Panel of Experts

Annex 46 GNA-AF Special Forces Training

GNA Special Forces Training in Turkey
(19 - 21 October 2020)

On 21 October 2020 imagery was published of Turkish Special Forces training Libyan soldiers at the Special Forces Command in Ankara, Turkey. The GNA Chief of Staff, Lieutenant General Muhammad al-Haddad was visiting the troops in training, and also met with Turkish Minister of Defence Hulusi Akar (1) and Chief of Staff General Yasar Guler (2) on 19 October 2020.

The training appears to include: (3) immediate first aid; and (4) free fall parachuting. (5) Note distinctive maroon beret worn by qualified members of Turkish OKK (Special Forces).

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).











Primary sources

1. http://en.alwasat.ly/news/libya/298686, 19 October 2020.
2. https://twitter.com/BurkanLy/status/1318856636702855168, 21 October 2020.
3. https://twitter.com/BurkanLy/status/1318856619883679744, 21 October 2020
4. Technical analysis by confidential source.

Developed by UN Panel of Experts

Annex 47 LENCO Bearcat APC with GNA-AF

Lenco *Bearcat* G3 4x4 APC in Tripoli (1 November 2020)

A US manufactured **Lenco *Bearcat G3*** 4x4 APC armoured fighting vehicle (AFV) was first identified in Libya in the possession of the 310st Infantry Brigade at the GNA Hamza ibn Abdul-Muttalib training centre in Tripoli on 1 November 2020.

The Panel does not consider that this was supplied direct to Libya by the equipment manufacturer and is present as a result of post-delivery diversion. It is possible that this armoured vehicles is a battlefield capture by GNA-AF from HAF.

The deployment of this armoured vehicle to Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/Oded121351/status/1322981134318391296, 1 November 2020.
2. customer.janes.com. (Subscription). 27 January 2020.

Developed by UN Panel of Experts.







Manufacturers image. Note slight modifications (in orange circles) that may assist in the identification of end use.

Annex 48 GNA-AF Forward Observation Officer (FOO) Training

GNA Forward Observation Officer (FOO) Training in Libya (18 November 2020)

On 18 November 2020 imagery was published by the Turkish Ministry of Defence of Turkish forces training Libyan soldiers to operate as Forward Observation Officers (FOO).

The role of the FOO is to coordinate and direct the fire from all indirect weapon systems (artillery, free flight rockets, mortar etc) and also direct strike aviation on to a target. The FOO usually deploys with the forward combat units and acts as their interface for supporting firepower.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).









Primary sources

1. https://twitter.com/tcsavunma/status/1329015285152616454, 18 November 2020.
2. https://twitter.com/Oded121351/status/1329056881797718023, 18 November 2020.
3. https://www.msb.gov.tr/en-US/Press/News. Accessed 23 November 2020.

Developed by UN Panel of Experts

Annex 49 GNA-AF Abseil Training

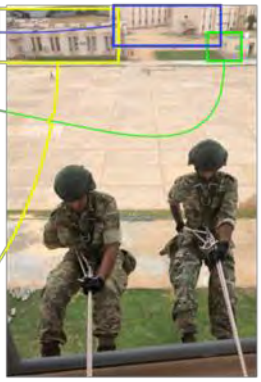
GNA -AF Abseil Training
Tajura (32°50'39.87"N, 13°28'16.94"E)

On 18 November 2020 imagery was published by the Turkish Ministry of Defence of their armed forces training the GNA-AF in abseiling. The training site was geo-located to Tajura.

Military uses of abseiling are predominently for: 1) assault and high level access to buildings; 2) fast exit from helicopters; and 2) search and rescue.

Although undertaken under the scope of the Military Training, Cooperation and Consultancy Agreement between the two countries, this military training by Turkey of the GNA is a violation of paragraph 9 of resolution 1970 (2011).







Primary sources

1. https://twitter.com/tcsavunma/status/1333330314962358272, 30 November 2020.
2. https://www.facebook.com/tcsavunma/photos/pcb.1280766462322387/1280766102322423/, 18 November 2020.
3. https://twitter.com/il_kanguru/status/1333398117648134144, 30 November 2020.
4. https://twitter.com/Oded121351/status/1333390059832217600, 30 November 2020.
5. Google Earth Pro.

Developed by UN Panel of Experts

Annex 50 GNA payments to Turkish arms group SSTEK

Figure 50.1
Letter dated 2 June 2019



دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

صورة طبق الاصل من منظومة الارشيف

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

التاريخ 2019/6/2 الرقم الاداري 768

السيد/ محافظ مصرف ليبيا المركزي

تحية طيبة ..

نأمل منكم العمل على تحويل مبلغ وقدره وبقيمة (70.438.940.00) سبعون مليون وأربعة مائة وثمانية وثلاثون الف وتسعمائة وأربعون يورو الى حساب شركة SSTEK لتوريد احتياجات خاصة لصالح وزارة الداخلية ، رقم الحساب TR420001001745797949255014. خصماً من حسابنا طرفكم الباب الثالث رقم 200_1733

وذلك لتوفير احتياجات ضرورية لوزارة الداخلية، مرفق لكم الفاتورة وموافقة ديوان المحاسبة .

والسلام عليكم...

فتحي علي باشاغا
وزير الداخلية المفوض

وزارة الداخلية
ادارة الشؤون المالية
الوارد
1356
2019/6/2

Figure 50.2
Official translation

Translated from Arabic

True copy from the archive

State of Libya
Government of National Accord
Ministry of the Interior
Office of the Minister

Ref. No.: *shin sin*/768 2 June 2019

Sir,

We should be grateful if you would transfer the sum of EUR 70,438,940.00 (seventy million, four hundred and thirty-eight thousand, nine hundred and forty euros) to the account of the SSTEK company for the purchase of specific necessities for the Ministry of the Interior. The account number is TR420001001745797949255014. The funds should be debited from our account with you, whose number is Chapter III, No. 200-1733.

The funds are intended to fulfil the vital needs of the Ministry of the Interior. A statement and the approval of the Audit Bureau are enclosed herewith.

Peace be upon you.
(*Signed*) Fathi Ali **Bashagha**
Acting Minister of the Interior

Governor of the Central Bank of Libya

Copied:

Confidential affairs

Figure 50.3
Letter dated 17 July 2019



GOVERNMENT OF NATIONAL ACCORD
MINISTRY OF INTERIOR
Financial Affairs Department

حكومة الوفاق الوطني
وزارة الداخلية
إدارة الشؤون المالية

الرقم الاشاري 2276/40-4 التاريخ 2019-7-17

السيد / مدير إدارة العمليات المصرفيـــــة

بمصرف ليبيا المركزي ،،،

بعد التحية ،

بالإشـارة إلى كتاب السيـد (**وزيـــر الداخلية المفوض**) رقـم (ش.س/937) المؤرخ في (2019/07/15م) الموجهة إلى السيد (**محافظ مصرف ليبيا المركزي**) بشأن تحويل مبلغ وقدره (169,885,685.20) (**يورو**) إلـى حساب شركـــة (SSTEK) رقم (TR420001001745797949255014) لتوريد إحتياجات خاصـــة لصالح وزارة الداخلية.

عليـــه نأمـل منكـم خصم المعادلة بالدينار الليبي من حسابنا طرفكم رقـم (200-1733) وتحويل قيمتها للمستفيد.

...والســـلام عليكـــم ورحمة الله وبركاتـه ....

محمود ميلاد كديد — **عقيد// محمد سعيد فرادة**

المُراقـــب المالي العام — **مدير عام إدارة الشؤون المالية/المكلف**

Figure 50.4
Official translation

Translated from Arabic

Government of National Accord
Ministry of the Interior
Department of Financial Affairs

Ref. No.: 4-40/2270 17 July 2019

Sir,

We refer to letter *shin sin*/937 of 15 July 2019 from the acting Minister of the Interior to the Governor of the Central Bank of Libya concerning the transfer of EUR 169,885,685.20 to account TR420001001745797949255014 of the company SSTEK for the purchase of specific necessities for the Ministry of the Interior.

We should like the balance in Libyan dinars to be debited from our account with you, whose number is Chapter II, No. 1733-200, and transferred to the beneficiary's account.

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

(*Signed*) Muhammad Milad **Hadid**
Comptroller-General

(*Signed*) Colonel Muhammad Sa'id **Faradah**
Acting Director-General, Department of Financial Affairs

Director, Department of Financial Transactions, Central Bank of Libya

Figure 50.5
Letter dated 3 November 2019



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

دولة ليبيا
حكومة الوفاق الوطني
وزارة الداخلية
مكتب الوزير

الرقم الاداري س س/ 1534 التاريخ 2019/11/3م الموافق

السيد / محافظ مصرف ليبيا المركزي

الحاقاً لكتابنا رقم (ش.س/1446) المؤرخ في 2019/10/21م
نامل منكم الغاء الكتاب المشار اليه وان يتم تحويل مبلغ وقدره(169,000,000) مائة وتسعة وستون مليون يورو الى حساب شركة SSTEK لتوريد احتياجات خاصة لصالح وزارة الداخلية، رقم الحساب (TR4200010017457979492550l4) خصماً من حسابنا طرفكم الباب الثالث رقم (1733-200) بدلاً من فتح اعتماد مستندي حسب ماجاء بكتابنا المشار اليه.

وذلك لتوفير احتياجات ضرورية لوزارة الداخلية مرفق لكم الفاتورة وموافقة ديوان المحاسبة .

فتحي على باشاغا
وزير الداخلية المفوض

الوزير
وزارة الداخلية

- السيد/ مدير عام ادارة الشؤون المالية .
- السيد/ المراقب العام للحسابات العام .
- ملف الموضوع

Figure 50.4
Official translation

Translated from Arabic

State of Libya
Government of National Accord
Ministry of the Interior
Office of the Minister

Ref. No.: *shin sin*/1534 3 November 2019

Sir,

We write further to our letter *shin sin*/1446 of 21 October 2019. We should be grateful if you would disregard that letter and transfer the sum of EUR 169,000,000 (one hundred and sixty-nine million euros) to the account of the SSTEK company for the purchase of specific necessities for the Ministry of the Interior. The account number is TR420001001745797949255014. The funds should be debited from our account with you, whose number is Chapter III, No. 1733-200, rather than being transferred by a letter of credit as stated in the aforementioned letter.

The funds are intended to fulfil the vital needs of the Ministry of the Interior. A statement and the approval of the Audit Bureau are enclosed herewith.

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

(*Signed*) Fathi Ali **Bashagha**
Acting Minister of the Interior

Governor of the Central Bank of Libya

Copied:
- Director-General, Department of Financial Affairs
- Comptroller-General
- (Illegible)

Sources:

1) http://www.hawarnews.com/en/haber/leaked-documents-transfer-of-huge-sums-from-the-libyan-central-bank-to-turkish-company-sstek-h17342.html, 22 June 2020;

2) https://libyareview.com/4019/, 21 June 2020; and

3) 29 November 2019. https://www.afrigatenews.net/article/وثائق-سرب-تنشيت-صفقات-شراء-خاصة-لاتفاق-السراج-التركية/

Annex 51 HAF Training in Jordan (2018)

HAF Training at RMC Jordan (14 May 2018)
32°01'27.89"N, 32°01'27.89"N

Imagery shows Libyan students graduating from training at the Royal Military College of Jordan in 2018. An event which has not being previously reported by the Panel.

The provision of this training for HAF by Jordan is a violation of paragraph 9 of resolution 1970 (2011).







Primary sources

1. https://twitter.com/Arn_Del/status/995964557041553408, 14 May 2018.
2. Google Earth Pro.

Developed by UN Panel of Experts.

Annex 52 Serbian manufactured P62M8 120mm Mortar Bomb

Tripoli environs (19 October 2019)

Imagery from the GNA shows a 120mm High Explosive (HE) mortar bomb recovered from an area previously occupied by armed groups affiliated to Khalifa Haftar (HAF) .

The item was positively identified as a 82mm M62P8 HE mortar bomb with Lot Number KV 02/16. A tracing request was sent to the country of manufacturer, who stated that it was supplied to the United Arab Emirates in August 2016 as part of a batch of 50,000 rounds under Contract No DP3/2/50/215/64/185 of 21 October 2015.

The ammunition was shipped on the MV *Texel* (9238363) from Bar, Montenegro on 21 August 2016, arriving in Abu Dhabi, UAE on 8 September 2016.

The United Arab Emirates have not responded to a Panel request for information sent on 28 August 2020. The transfer of this explosive ordnance to Libya by the United Arab Emirates is a violation of paragraph 9 of resolution 1970 (2011).





UNITED ARAB EMIRATES
G. H. Q ARMED FORCES
LOGISTICS STAFF
DEPARTMENT OF GENERAL PURCHASING

دولة الامارات العربية المتحدة
القيادة العامة للقوات المسلحة
هيئة الامداد
مديرية المشتريات العامة

Our Ref.: DP3/2/50/1/2015/64/185 Date: 21 /10/2015

DECLARATION BY END-USER
TO THE GOVERNMENT OF THE REPUBLIC OF SERBIA

WE, THE GOVERNMENT OF UNITED ARAB EMIRATES HEREBY CERTIFY THAT THE GOODS LISTED BELOW AND ORDERED BY USE FROM

"Jugoimport - SDPR" J.P., Beograd, Bulevar Umetnosti 2, 11150 Novi Beograd, Republic of Serbia

IS FOR THE EXCLUSIVE USE OF: GHQ UAE ARMED FORCES, UAE
AND WILL NOT BE EXPORTED OR RE-EXPORTED WITHOUT A PRIOR WRITTEN CONSENT OF THE GOVERNMENT OF THE REPUBLIC SERBIA.

We confirm that the goods will not be used in any activities related to the development nor production of chemical or biological weapons.

PURCHASER: GHQ UAE ARMED FORCES, UAE
CONTRACT NUMBER: DP3/2/50/1/2015/64 dated: 05/10/2015

No	Description	Quantity-pcs.
1	7.62x39mm small arms FMJ ammunition	5,000,000
2	Sniper Rifle M91 7.62x54R with optical sight and accessories	150
3	7.62x54mm Sniper ammunition	15,000
4	7.62x54mm general purpose machine gun M84 (PKM Machine gun substitute)	1,000
5	7.62x54mm R M30 FMJ ammunition	10,000,000
6	12.7x108mm Black Arrow Sniper Rifle	50
7	12.7x108mm M39 Sniper Ammo	10,000
8	Machine gun 12.7x108mm with tripod	200
9	Mortar 60mm M57	100
10	60mm mortar shells HE	50,000
11	82mm mortar	100
12	82mm mortar HE 82 bomb	50,000
13	120mm mortar	40
14	120mm mortar rounds	30,000
15	23mm Ammo HE	1,000,000
16	23mm Ammo APIT	500,000
17	Hand grenades	3,000
18	107mm HE Rocket M15/ type 63	40,000
19	128 mm M63 multiple rocket launcher towed	28
20	Armor vest Level 3A	5,000
21	Ballistic plates L4	10,000

Upon request by the competent authorities of Serbia we undertake to confirm the delivered the goods listed above.

STAFF BRIGADIER ENGINEER
DIRECTOR GENERAL PURCHASING
WAHEED HASSAN IBRAHIM AL-ZAAKI

Primary sources

1. https://twitter.com/LostWeapons/status/1184359546833104896, 16 October 2019.
2. https://www.krusik.rs/en/wp-content/uploads/2014/05/MBM_HE_120mmeng.pdf. Accessed 23 October 2020.
3. Member States.
4. Janes IHS (Subscription). 18 April 2013.

Developed by UN Panel of Experts

Annex 53 Infographic for KADDB Mared 8x8 MPAV with “snakehead” turret

Bani Walid (11 November 2019)
31°46'34"N, 14°00'02"E

The Panel has identified the presence of the KADDB *Al-Mared* 8 x 8 ACV with a "snakehead turret" in Libya, similar to that previously seen on the *Al-Wahsh* 6 x 6 ACV . The *Al-Mared* ACV was seen on a low loader north east of Bani Walid being transported away from the then front line.

This is the first identification in Libya of an *Al-Mared* with a "snakehead" turret by the Panel. Further research identified an image taken on 27 August 2019 of an *Al-Mared* snakehead turret variant in Libya. This was unreported in the Panel's 2019 report.

The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011) by Jordan, the manufacturer Member State.



***Al-Mared* / Snakehead variant geo-located 2020**



***Al-Mared* / Snakehead variant 2019**



Snakehead turret, DSEI 2015

Primary sources

1. https://twitter.com/Oded121351/status/1194177531152392193, 12 November 2019.
2. https://twitter.com/il_kanguru/status/1194351484252643334, 12 November 2019.
3. https://twitter.com/smmlibya/status/1166330051224309760?lang=en. 27 August 2019.
4. Google Earth Pro.

Developed by UN Panel of Experts

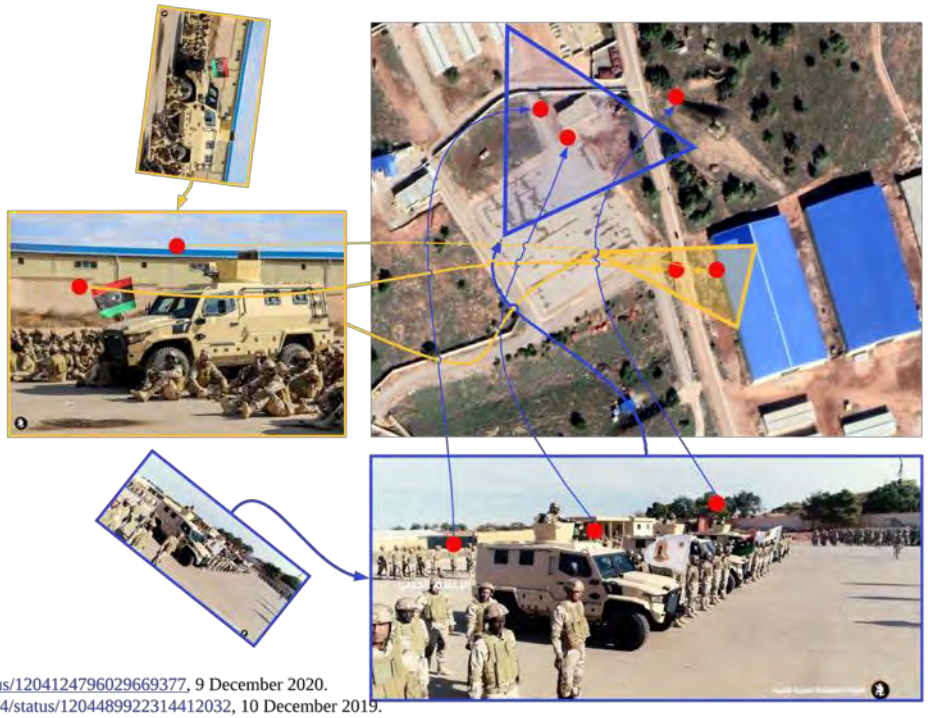
Annex 54 Infographic for TAG/AOI Terrier LT79 AFV

10 December 2019
32°05'30.1"N, 20°21'20.6"E

AOI *Terrier* LT-79 4x4 armoured vehicles were identified on parade with 106 battalion of HAF. These vehicles are manufactured under licence from the USA by Egypt and the UAE. Located 2.7km North-East of Ar Rajmah, 8 km East of Benghazi (Benina) airport.

Based on shadows the image was taken at approximately 12:00 hours (local) (www.suncalc.org).

The transfer of these vehicles to Libya is a violation of paragraph 9 of resolution 1970 (2011)



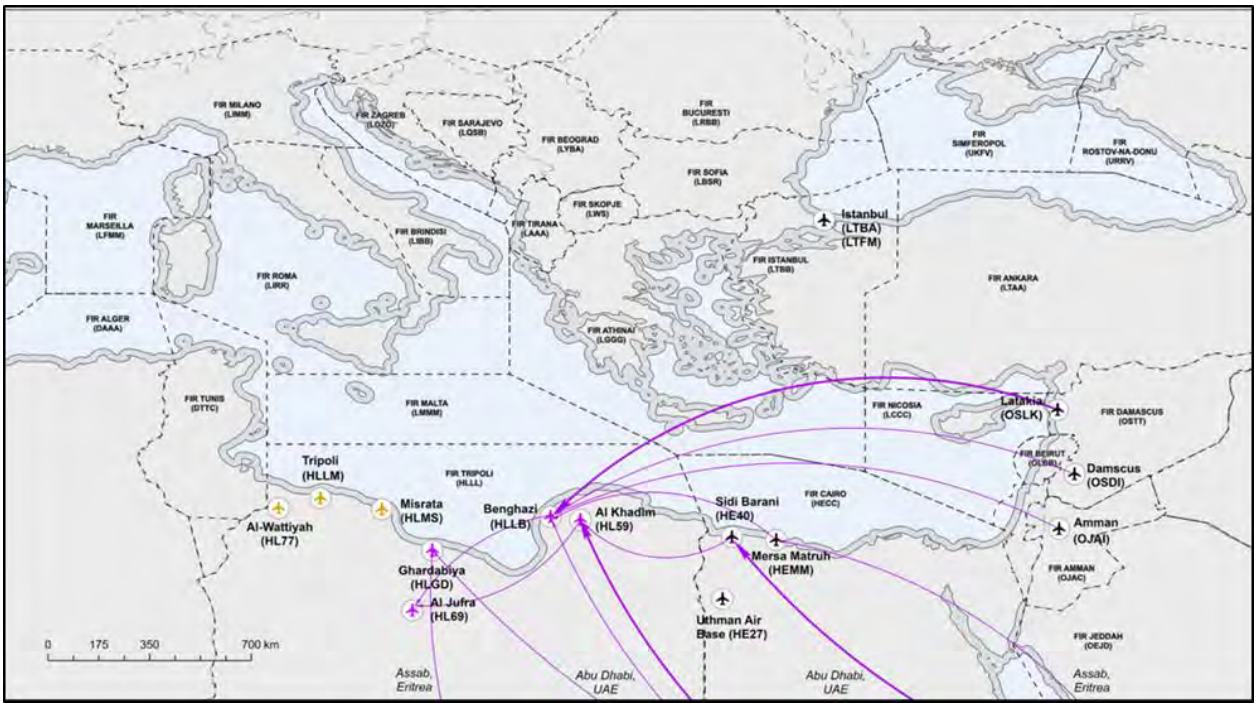
Primary sources

1. https://twitter.com/LibyaReview/status/1204124796029669377, 9 December 2020.
2. https://twitter.com/mahmouedgamal44/status/1204489922314412032, 10 December 2019.
3. https://twitter.com/LiBya_73/status/1204333822076235776, 11 December 2019.
4. https://www.africaintelligence.com/north-africa_business/2019/12/19/un-supplier-tag-supplies-armoured-cars-to-haftar,108386984-art. 19 December 2020.
5. https://www.armoredcars.com/armored-group-introduces-newest-vehicle-terrier-lt-79/3. Google Earth Pro.
6. UNSMIL.

Annex 55 Airbridges in support of HAF

1. The Panel has used a wide range of sources[59] to identify an increase in covert, non-scheduled and/or charter flights from the United Arab Emirates, Eritrea, Jordan and Syria to Eastern Libyan airports controlled by HAF, or to Western Egyptian airports as part of the wider supply chain (see figure 55.1 and table 55.1). The Panel has written to the States of the owners and operators of the aircraft flying these airbridges requesting copies of the flight manifests and air waybills for these particular flights. The Panel has analysed the few received and identified sufficient evidence that these flights were in support of HAF.

Figure 55.1
Overview of HAF airbridges [60]



2. Although satellite imagery,[61] confidential sources and early ADS-B data supports Eastern Libyan airfields as the destination for some flights, it is also known that other flights probably only went as far as the air bases at Habata (HE18), Uthman (HE27) or Sidi Barani (HE40) in Egypt to offload cargo for either: 1) collection by Libyan based cargo aircraft under the control of HAF (see table 55.3); or 2) forward land transportation to Libya. These airbridge flights to Egyptian airbases form part of the wider supply chain, and the Panel thus finds that as this is an *indirect supply (…) of arms and related materiel (…)* and *other assistance* that the operators of the aircraft forming

[59] Flight data for flights shown in all of the annexes is based on data received from a combination of : 1) Confidential sources; 2) www.flightradar24.com; 3) www.radarbox.com; 4) www.italmilradar.com; 5) C4ADS analysis; 6) Twitter @Gerjon_; and 7) Twitter @YorukIsik.

[60] Base map courtesy of C4ADS.

[61] The satellite imagery (IMINT) can identify the type of aircraft but not the operator.

the air bridge are in non-compliance with paragraph 9 of resolution 1970 (2011), even if only flying the UAE to Egypt leg of the supply chain. Due diligence checks should have established the military nature of the cargoes and the intended end user.

Table 55.1
HAF air lines of communication (ALOC)

#	*From*	*To*	*Operators* [a]	
1	Egypt	Benghazi, Libya [v]	▪ Air Cairo	▪
2	Eritrea	HLLB	▪ Azee Air ▪ Jenis Air	▪ Azee Air AOC suspended for six months on 12 April 2020. ▪ Jenis Air LLC AOC suspended for 6 months on 2 July 2020.
3	Eritrea	Mersa Matruh, Egypt [c]	▪ Maximus Air ▪ ZetAvia	▪
4	Jordan	HLLB	▪ Azee Air	▪
5	Syria	HLLB	▪ Cham Wings	▪
6	Syria	Labruq, Libya [d]	▪ Russian Federation Air Force	▪
7	UAE	Al Khadim, Libya [e]	▪ Cham Wings ▪ Russian Federation Air Force	▪
8	UAE	HLLB	▪ Azee Air ▪ Cham Wings ▪ Jenis Air ▪ Russian Federation Air Force ▪ United Arab Emirates Air Force	▪
9	UAE	Ghardabiya, Libya [f]	▪ ZetAvia	▪
10	UAE	Sidi Barani, Egypt [g]	▪ Azee Air ▪ JenisAir ▪ United Arab Emirates Air Force ▪ Zet Avia	▪

[a] Flights for each air operator are summarized in appendices A to J in alphabetical order. Contact details in aircraft specific tables.
[b] HL59. 31°59'55"N, 21°11'30"E.
[c] HEMM. 31°19'31"N, 27°13'18"E.
[d] HLLQ. 22°47'00"N, 17°28'00"E.
[e] HLLB. 32°05'48"N, 20°16'10"E.
[f] HLGD. 31°03'38"N, 16°36'42"E.
[g] HE40. 31°27'59"N, 25°52'41"E.

3. Imagery from a single source in social media, supported by commercial satellite imagery though, has identified the concentration of a large number of vehicles at the Sidi Barani airbase in Egypt. The numbers fluctuate as shown in table 55.2 and figures 55.2 to 55.10. The Panel is currently investigating and obtaining independent satellite imagery. The presence of all these vehicles though is highly indicative of a land supply route to Eastern Libya.

Table 55.2
Fluctuation of vehicle numbers at Sidi Barani airbase in Egypt [62]

Date	*Armoured Vehicles*	*Trucks*	*Light Utility Vehicles 4 x 4*	*Totals*	*Remarks*
24 Apr 2020	0	0	0	0	▪ Construction of a vehicle storage area is visible.
5 May 2020	0	1	19	20	▪
7 May 2020	0	0	38	38	▪
18 May 2020	0	3	84	87	▪
30 May 2020	29	3	170	202	▪
6 Jun 2020	16	19	283	318	▪
7 Jun 2020	16	32	288	336	▪
14 Jun 2020	16	24	200	247	▪ 7 unidentified
18 Aug 2020				230	▪

Figure 55.2
Sidi Barani airbase (24 Apr 2020)



Figure 55.3
Sidi Barani airbase (5 May 2020)



[62] https://twitter.com/Gerjon_/status/1261972421453787136, 17 May 2020 to 14 June 2020.

Figure 55.4
Sidi Barani airbase (7 May 2020)



Figure 55.5
Sidi Barani airbase (18 May 2020)



Figure 55.6
Sidi Barani airbase (30 May 2020)



Figure 55.7
Sidi Barani airbase (6 Jun 2020)



Figure 55.8
Sidi Barani airbase (7 Jun 2020)



Figure 55.9
Sidi Barani airbase (14 Jun 2020)



Figure 55.10
Sidi Barani airbase (18 August 2020)



4. The Panel has identified the following aircraft (table 55.3 and figures 55.11 to 55.16), that are directly controlled by HAF, and operating within HAF controlled territory of Libya. The Panel considers that most of these, if not all, are almost certainly being used to ferry the materiel delivered to Western Egyptian airfields into HAF controlled territory in Libya. They are certainly being used to provide logistic support to HAF within Libya; both activities being in non-compliance with paragraph 9 of resolution 1970 (2011).

Table 55.3
HAF controlled cargo aircraft

A/C # [a]	*Type*	*Registered*	*Operator*	*Owner*	*Remarks*
5A-DRS	IL-76	Deregistered by Libya	Libyan Arab Air Cargo [b]	Government of Libya	▪
EY-332	AN-32B	Deregistered by Tajikistan (20 Jun 2020)	Sky Asia Lines [c]	Sky Asia Lines	▪ Used to evacuate ChVK Wagner staff from Bani Walid. ▪ See appendix J.
ST-EWX	IL-76	Sudan	Green Flag Aviation [d]	Green Flag Aviation	▪ Confirmed on 4 June 2020.[e]
UP-AN601	AN-26	Deregistered by Kazakhstan (8 Oct 2015)		Space Cargo Inc [f]	▪ Sold to Space Cargo Inc on 22 Jun 2015. ▪ False markings as H.A.D Jet. ▪ Destroyed by GNA on 5 Apr 2020 at airstrip near Tarhuna.[g]
UP-I7601	IL-76	Reported in S/2019/914, table 8, and annexes 28 and 52.			▪
UP-I7646	IL-76	Deregistered by Kazakhstan (2 Oct 2020)	Jenis Air LLC [h]	Space Cargo Inc	▪ Confirmed operating from Benina since June 2020.[j]

A/C # [a]	*Type*	*Registered*	*Operator*	*Owner*	*Remarks*
UP-I7651	IL-76	Deregistered by Kazakhstan (13 May 2020)	Azee Air LLC [k]	Space Cargo Inc	▪ Last seen near Beida, Libya on 22 Mar 2020 after leaving Sharjah on 21 Mar 2020.
UP-I7652	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since June 2020.
UP-I7656	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since Jun 2020.
ex EY-409	AN-12BP	Deregistered by Tajikistan (11 Dec 2015)	HAF	Allied Services Limited [l]	▪ Seen at Al Jufra on 25 July 2020. ▪ See appendix K.
UP-I1805	IL-18	Kazakhstan	Jenis Air LLC	Space Cargo Inc	▪ Seen at Al Jufra on 6 Jun 2020.[n] ▪ Ex-Jenis Air LLC
Unmarked	IL-18	Unregistered [p]	HAF		▪

[a] This is the registration number displayed on the aircraft. In many cases this is displayed illegally as the aircraft has been de-registered.
[b] Commercial Cargo Division of Libyan Arab Republic Air Force.
[c] No trace.
[d] http://www.greenflag-sdn.com. Web link inactive.
[e] https://twitter.com/Gerjon_/status/1268467153340174336, and https://twitter.com/HasairiOuais/status/1268466092265127937, 4 June 2020.
[f] www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com/ / maher@spacecargoinc.com).
[g] https://aviation-safety.net/database/record.php?id=20200405-0. Accessed 25 September 2020.
[h] No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).
[j] https://twitter.com/Gerjon_/status/1288512524023934976, 29 July 2020.
[k] www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).
[l] http://www.alliedservicesltd.com/. 1st Floor, Panorama Plaza, Airport Road, Juba, South Sudan. +211 920 880 880. (marketing@alliedservicsltd.com).
[m] https://www.facebook.com/IrMa-Air-Service-2261018164215813/. +7 701 797 9879.
[n] https://twitter.com/Gerjon_/status/1287344519831265282, 26 July 2020.
[p] See annex 35 to S/2017/466 for details of unregistered aircraft operating in Libya. So possibly this is the Sky Prim Air ex-ER-ICS. Also https://twitter.com/Gerjon_/status/1287815982350766085, 27 July 2020.

Figure 55.11 [a]

IL-76 (5A-DRA) offloading on near Tarhuna (1 May 2020)



Figure 55.12 [b]

AN-32 (EY-332) landing at Bani Walid (25 May 2020)



Figure 55.13 [c]
Stock image of IL-76TD (ex UP-I7651)



Figure 55.14 [d]
AN-12BP (EY-409) at Al Jufra (25 July 2020)



Figure 55.15 [e]
IL-18 at Al Jufra (6 June 2020)

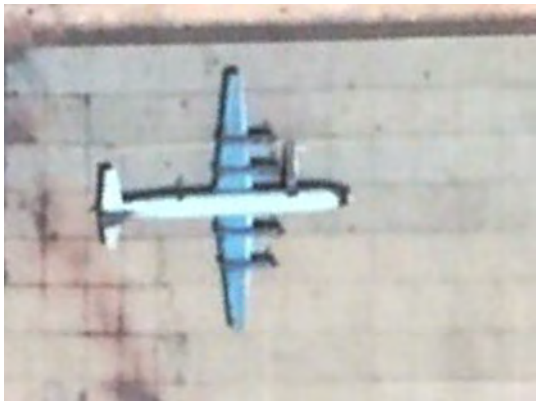


Figure 55.16 [e]
IL-18 (UP-I1805) at Al Jufra (26 July 2020)



[a] https://twitter.com/HasairiOuais/status/1256283060976443394/photo/1, 1 May 2020.
[b] Extract from https://www.youtube.com/watch?v=30H1-qXyvac, 25 May 2020.
[c] https://russianplanes.net/id218834. July 1987. Prior to transfer to Azee Air LLC.
[d] Confidential source.
[e] https://twitter.com/Gerjon_/status/1286994451609640961, 6 June 2020.
[f] https://twitter.com/HasairiOuais/status/1287356754255400963, 26 July 2020.

5. The Panel noted that most of the commercial operators in 2020 were UAE based, using primarily Kazakhstan registered aircraft, as opposed to the primarily Ukrainian registered aircraft used during 2019. On 30 July 2019, the Aviation Security Council of the Aviation Service of

Ukraine issued instructions that banned flights by all Ukrainian registered aircraft from conducting flights into Libya due to the ‘worsening security.

6. Since the suspension and revocation of air operator certificates (AOC) for Jenis Air LLC and Sigma Airlines LLC, and the suspension of AOC for Azee Air LLC, by the Kazakhstan Civil Aviation Administration the number of cargo aircraft commercially available for use on this route has massively reduced. This has required the UAE to use their military C-17 Globemaster aircraft to maintain their airbridge (see appendix B).

7. The 5+5 Joint Military Committee ceasefire agreement of 23 October 2020[63] provided challenges to the Panel’s monitoring of the air bridges, as empty military cargo aircraft could enter Libya to remove military equipment as required by the initial ceasefire agreement to remove foreign fighters in 90 days, which was amended on 3 November 2020 to the *withdrawal of foreign forces from the contact lines*.[64] As such, they would have very similar profile indicators to aircraft suspected of trafficking. Whilst the introduction of such military cargo aircraft into Libya is a violation of the arms embargo, it would clearly be inappropriate of the Panel to report it as such if it were engaged in the removal of military equipment. It would of course be helpful if the Member States involved informed the Committee in advance of such flights to allow the Panel to deconflict them.

[63] https://unsmil.unmissions.org/sites/default/files/ceasefire_agreement_between_libyan_parties_english.pdf, 23 October 2020.

[64] https://www.libyaherald.com/2020/11/04/55-joint-military-commission-agrees-permanent-ceasefire-steps-at-ghadames-meeting/, 4 November 2020.

Appendix A to Annex 55: Russian Federation military aircraft in support of HAF

1. The Panel has continued to monitor and analyse the quantity of military cargo flights by the Russian Federation on the air line of communication (ALoC) from the Hmeymim military air base[65] in Syria to Western Libya. The Panel has identified at least 505 flights by specific aircraft registration number, equating to a maximum cargo delivery of 23,328 tonnes during 2020 (assuming a 48 tonne cargo payload for an IL-76TD). Flights are summarised at table 55.A.1, figures 55.A.1 and 55.A.2. One month's flight details are shown at table 55.A.2 as an example of Panel data. The data is not exhaustive as pre-departure flight plans are not usually filed directly with Eurocontrol[66] for entry into European airspace. Entry is usually activated by Cyprus air traffic control (ATC) Cyprus air traffic control (ATC) using a ZZZZ code for departure airfield, or by the destination airfield.

Table 55.A.1
Summary of RFF military cargo flights to Libya (1 January – 31 December 2020)

Data set	*Jan*	*Feb*	*Mar*	*Apr*	*May*	*Jun*	*Jul*	*Aug*	*Sep*	*Oct*	*Nov*	*Dec*
# Flights	27	26	25	43	53	59	75	93	53	25	13	13
Maximum load (t)	1,296	1,136	976	2,064	2,512	2,768	3,416	4,488	2,376	1,208	504	584

2. The Panel has also identified[67] that although El Beida (HLLQ) is often declared on the flight plan, aircraft subsequently leaving Libya have declared to air traffic control that they are departing the Al Khadim military airbase (HL59). This can only be due to: 1) an internal flight from Al Beida (HLLQ) to Al Khadim (HL59) before departing Libya; or 2) mis-declaration of the original incoming flight destination by the aircraft.

3. The Panel has also identified that RFF IL-76 cargo aircraft, when allocated a flight level of 27,000' (FL270) often request a lower flight level of 25,000' (FL250) as the aircraft is flying "heavy". This indicates that the aircraft is flying with maximum cargo weights, as fuel is not an issue in terms of its weight for the distance from Latakia to Libya (1,070 nautical miles).

[65] Centred on 35°24'27.07"N, 35°57'8.00"E.
[66] https://www.eurocontrol.int.
[67] Voice recordings between RFF aircraft and Cyprus ATC. Available from Panel on request.

Figure 55.A.1
Number of RFF military cargo flights to Libya (1 January – 31 December 2020)

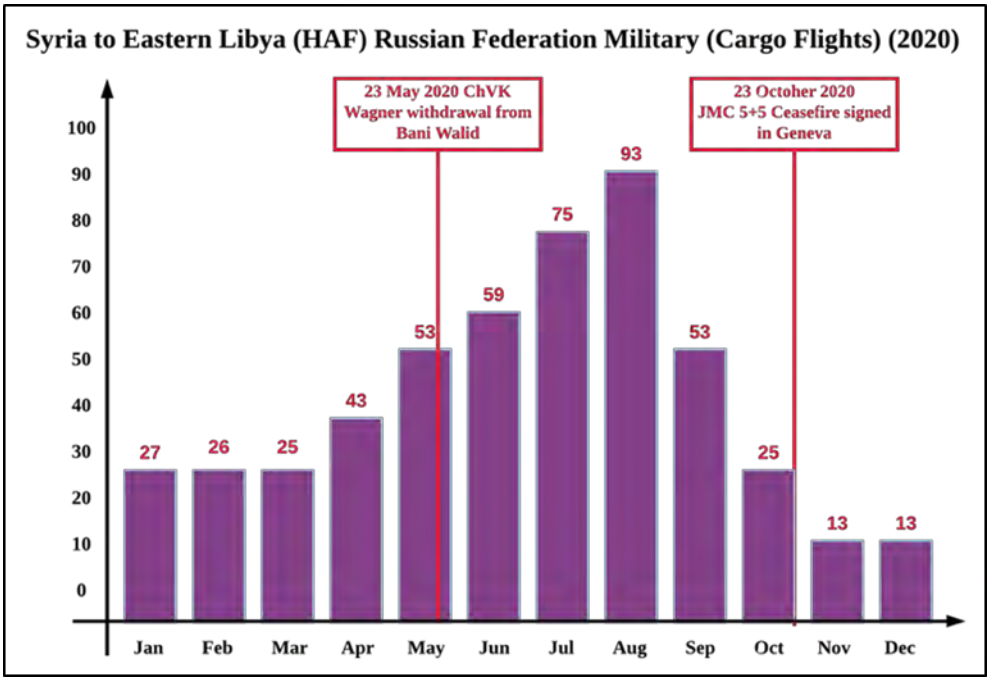
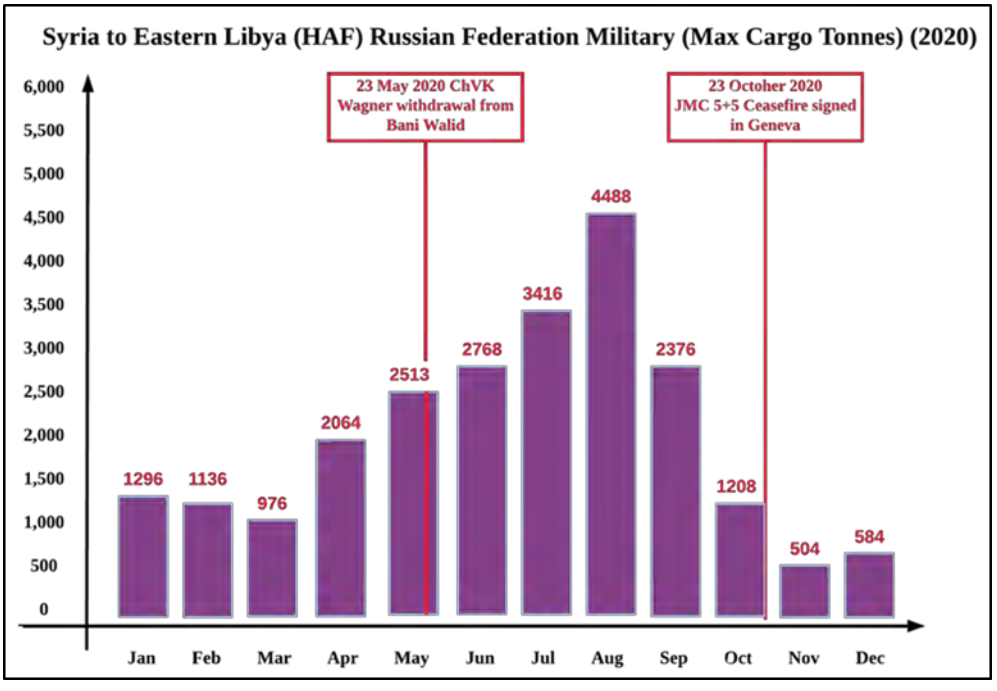


Figure 55.A.2
Maximum potential cargo (tonnes) for RFF military cargo flights to Libya (1 January – 31 December 2020)



4. The Panel has identified the confirmed flights shown in table 55.A.1 of Russian Federation military cargo aircraft into Libya during an example month of August 2020. The Panel has data for all flights made in 2020 available on request.

Table 55.A.1
Example of suspicious flights from Syria by Russian Federation military aircraft (August 2020 taken as example month)

#	*Date*	*Aircraft #*	*Type*	*From*	*To*	*Flight #*	*Maximum load (t)*
1	1 Aug 2020	RA-76745	IL-76	Latika, Syria [a]	Al Abraq (Bayda) [b]	RFF8055	48
2	1 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
3	1 Aug 2020	RA-09341	AN-22	OSLK	HLQQ	RFF8671	48
4	1 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	80
5	1 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8057	48
6	2 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
7	3 Aug 2020	RA-76740	IL-76	OSLK	HLQQ	RFF8049	48
8	3 Aug 2020	RA-76740	IL-76	OSLK	HLQQ	RFF8049	48
9	3 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
10	3 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
11	4 Aug 2020	RA-65996	T134	OSLK	HLQQ	RFF8061	8
12	4 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
13	4 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
14	5 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
15	5 Aug 2020	RA-76771	IL-76	OSLK	HLQQ	RFF8059	48
16	5 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
17	5 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
18	5 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
19	6 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
20	6 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
21	6 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
22	7 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
23	7 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
24	7 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
25	7 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
26	7 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
27	8 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
28	8 Aug 2020	RA-78791	AN-22	OSLK	HLQQ	RFF8053	80
29	8 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
30	8 Aug 2020	RA-78813	IL-76	OSLK	HLQQ	RFF8059	48
31	9 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
32	9 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
33	9 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
34	9 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
35	9 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
36	10 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48

#	Date	Aircraft #	Type	From	To	Flight #	Maximum load (t)
37	10 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
38	10 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
39	10 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8055	48
40	11 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
41	11 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
42	11 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
43	12 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
44	12 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
45	13 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
46	13 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
47	13 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
48	14 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
49	14 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
50	14 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
51	14 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
52	15 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
53	15 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
54	16 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
55	16 Aug 2020	RA-76724	IL-76	OSLK	HLQQ	RFF8049	48
56	16 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
57	16 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
58	16 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
59	17 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
60	17 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
61	17 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
62	18 Aug 2020	RA-86901	IL-76	OSLK	HLQQ	RFF8051	48
63	18 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
64	18 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
65	19 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
66	19 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
67	19 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
68	20 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
69	20 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
70	20 Aug 2020	RA-78971	IL-76	OSLK	HLQQ	RFF8053	48
71	21 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
72	21 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
73	21 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
74	22 Aug 2020	RA-76731	IL-76	OSLK	HLQQ	RFF8055	48
75	22 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
76	22 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
77	23 Aug 2020		IL-76	OSLK	HLQQ	RFF8053	48
78	23 Aug 2020		IL-76	OSLK	HLQQ	RFF8051	48
79	23 Aug 2020	RA-78790	IL-76	OSLK	HLQQ	RFF8059	48
80	24 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48

#	Date	Aircraft #	Type	From	To	Flight #	Maximum load (t)
81	26 Aug 2020	RA-76612	IL-76	OSLK	HLQQ	RFF8057	48
82	26 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
83	26 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
84	27 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
85	27 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
86	27 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
87	28 Aug 2020	RA-76763	IL-76	OSLK	HLQQ	RFF8051	48
88	28 Aug 2020	RA-78791	IL-76	OSLK	HLQQ	RFF8053	48
89	29 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
90	30 Aug 2020	RA-76739	IL-76	OSLK	HLQQ	RFF8059	48
91	30 Aug 2020	RA-78768	IL-76	OSLK	HLQQ	RFF8053	48
92	31 Aug 2020	RA-76762	IL-76	OSLK	HLQQ	RFF8051	48
93	31 Aug 2020	RA-78768	IL-76	OSLK	HLQQ	RFF8053	48

[a] Latika. Joint Airbase (Hmeyminn). 35°24'27.07"N, 35°57'8.00"E.
[b] Al Abraq (Bayda). Joint Airbase. 32° 47' 19" N, 21° 57' 51.48" E

5. Figure 55.A.3 shows Al Khadim airbase (HL59)[68] on 24 December 2020. The imagery clearly shows three Ilyushin IL-76 and one Tupolev TU-154 aircraft. Flight data confirms that the Tupolev TU-154M aircraft is from the Russian Federation Ministry of Defence 223rd Flight Detachment and is registered as RA-85042 (Flight#: RFF8062). One of the IL-76 is almost certainly flight# RFF8040 of the Russian Federation air force.

Figure 55.A.3
Russian Federation military aircraft at AL Khadim military airbase (eastern Libya) (24 December 2020)



[68] 31° 59' 55" N, 21° 11' 30" E.

6. As these are military aircraft, their landings at Libyan airports means that the Russian Federation has violated paragraph 9 of resolution 1970 (2011) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix B to Annex 55: UAE military aircraft in support of HAF

1. In two earlier updates to the Committee dated 28 January 2020 and 1 May 2020 regarding air transfers of arms, the Panel informed the Committee of a developing trend of suspicious flights from the United Arab Emirates to Western Egyptian and Eastern Libyan airfields. The Panel continued to monitor and investigate the issue and has now identified what is almost certainly the planned "airbridge" components of a supply chain from the United Arab Emirates to HAF. In this case the term "airbridge" is defined as the route and means of delivering primarily military materiel from one place to another along a supply chain by airlift. The transfer of military materiel by an airbridge would be a non-compliance with paragraph 9 of resolution 1970 (2011).

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B[69] transponders are not visible on open-source ADS-B monitoring[70] shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are often from military air bases; and 4) there have been no responses to the Panel's request for information from the UAE.

3. The Panel finds that these flights form an Air Line of Communication (ALOC) either directly into Eastern Libya or to link with a land Main Supply Route (MSR) from Western Egypt into Eastern Libya.

Table 55.B.1
UAE military aircraft of interest to the Panel

A/C #	*A/C type*	*Hex Code*	*Unit*	*Remarks*
1223	C-17A	896C2B	Air Command	
1225	C-17A	896C2D	Air Command	
1226	C-17A	896C2E	Air Command	
1227	C-17A	896C2F	Air Command	
1229	C-17A	896C3E	Air Command	
1230	C-17A	896C40	Air Command	
1230	C-17A	896C40	Air Command	

Table 55.B.2
Suspicious flights from UAE by UAE military aircraft

#	*Date*	*A/C #*	*A/C type*	*From* [a]	*Cargo for / via*	*Remarks*
1	23 Dec 2019		C-17A	UAE	Sidi Barani [b]	▪ IMINT Sentinel-2
2	3 Jan 2020	1227	C-17A	UAE	Benghazi [c]	▪

[69] Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.
[70] For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

#	*Date*	*A/C #*	*A/C type*	*From* [a]	*Cargo for / via*	*Remarks*
3	27 Feb 2020	1226	C-17A	UAE	Benghazi [c]	▪
4	2 Mar 2020		C-17A	UAE	HE40	▪ IMINT Sentinel-2
5	10 Mar 2020	1226	C-17A		HLLB	▪
6	11 Mar 2020	1227	C-17A	Qusahira [d]	Libya	▪
7	25 Mar 2020	1226	C-17A	Abu Dhabi [e]	HLLB	▪
8	26 Mar 2020		C-17A	Al Dhafra [f]	Libya	▪
9	1 Apr 2020	1226	C-17A	OMAA	HLLB	▪
10	2 Apr 2020		C-17A	UAE	HE40	▪ IMINT Sentinel-2
11	17 Apr 2020	1225	C-17A			▪
12	18 Apr 2020	1223	C-17A			▪
13	18 Apr 2020	1225	C-17A			▪
14	18 Apr 2020	1227	C-17A			▪
15	19 Apr 2020	1223	C-17A			▪
16	19 Apr 2020	1225	C-17A			▪
17	21 Apr 2020	1227	C-17A			▪
18	22 Apr 2020	1225	C-17A			▪
19	22 Apr 2020	1230	C-17A			▪
20	23 Apr 2020	1223	C-17A	OMAM		▪
21	23 Apr 2020	1225	C-17A			▪
22	23 Apr 2020	1227	C-17A			▪
23	24 Apr 2020	1229	C-17A			▪
24	24 Apr 2020	1230	C-17A			▪
25	25 Apr 2020	1223	C-17A			▪
26	25 Apr 2020	1227	C-17A			▪
27	26 Apr 2020	1225	C-17A			▪
28	26 Apr 2020	1230	C-17A			▪
29	27 Apr 2020	1225	C-17A			▪
30	29 Apr 2020	1226	C-17A			▪
31	30 Apr 2020	1225	C-17A			▪
32	30 Apr 2020	1227	C-17A			▪
33	1 May 2020	1227	C-17A			▪
34	1 May 2020	1230	C-17A			▪
35	3 May 2020	1225	C-17A			▪
36	4 May 2020	1230	C-17A			▪
37	5 May 2020	1225	C-17A			▪
38	5 May 2020	1226	C-17A			▪
39	6 May 2020	1225	C-17A			▪

#	Date	A/C #	A/C type	From [a]	Cargo for / via	Remarks
40	6 May 2020	1226	C-17A			▪
41	6 May 2020	1230	C-17A			▪
42	7 May 2020	1225	C-17A			▪
43	7 May 2020	1226	C-17A			▪
44	7 May 2020	1230	C-17A			▪
45	8 May 2020	1225	C-17A			▪
46	9 May 2020	1225	C-17A			▪
47	10 May 2020	1223	C-17A			▪
48	10 May 2020	1230	C-17A			▪
49	11 May 2020	1227	C-17A			▪
50	13 May 2020	1227	C-17A			▪
51	13 May 2020	1230	C-17A			▪
52	14 May 2020	1230	C-17A			▪
53	17 May 2020	1230	C-17A			▪
54	18 May 2020	1225	C-17A			▪
55	21 May 2020	1225	C-17A			▪
56	23 May 2020	1227	C-17A			▪
57	24 May 2020	1225	C-17A			▪
58	26 May 2020	1223	C-17A	Qusahira	Libya	▪
59	26 May 2020	1225	C-17A	Qusahira	Libya	▪
60	28 May 2020	1223	C-17A	OMAA	Libya	▪
61	28 May 2020	1227	C-17A	OMAA	Libya	▪
62	28 May 2020	1230	C-17A	OMAA	Libya	▪
63	2 Jul 2020	1226	C17A	UAE	HE40	▪
64	3 Jul 2020	1226	C17A	UAE	HE40	▪
65	17 Jul 2020	1230	C-17A	Assab	HE40	▪

[a] Best estimate based on ASD-B data. Certainly from a UAE airport.
[b] HE40. Joint Airport. 31°27'59"N, 25°52'41"E.
[c] HLLB. Civilian Airport. 32°05'48"N, 20°16'10"E.
[d] Military Airbase. 22°46'27.35"N, 55° 3'47.61"E
[e] OMAA Civilian Airport. 24°25'59"N, 54°39'04"E.
[f] OMAM. Military Airbase. 24°14'54"N, 54°32'52"E.

Table 55.B.3
Suspicious flights from Eritrea by UAE military aircraft

#	Date	A/C #	A/C type	From	Cargo for / via	Remarks
1	26 Mar 2020	896C2B	C-17A	Assab [a]	Libya	▪ #UAF1229

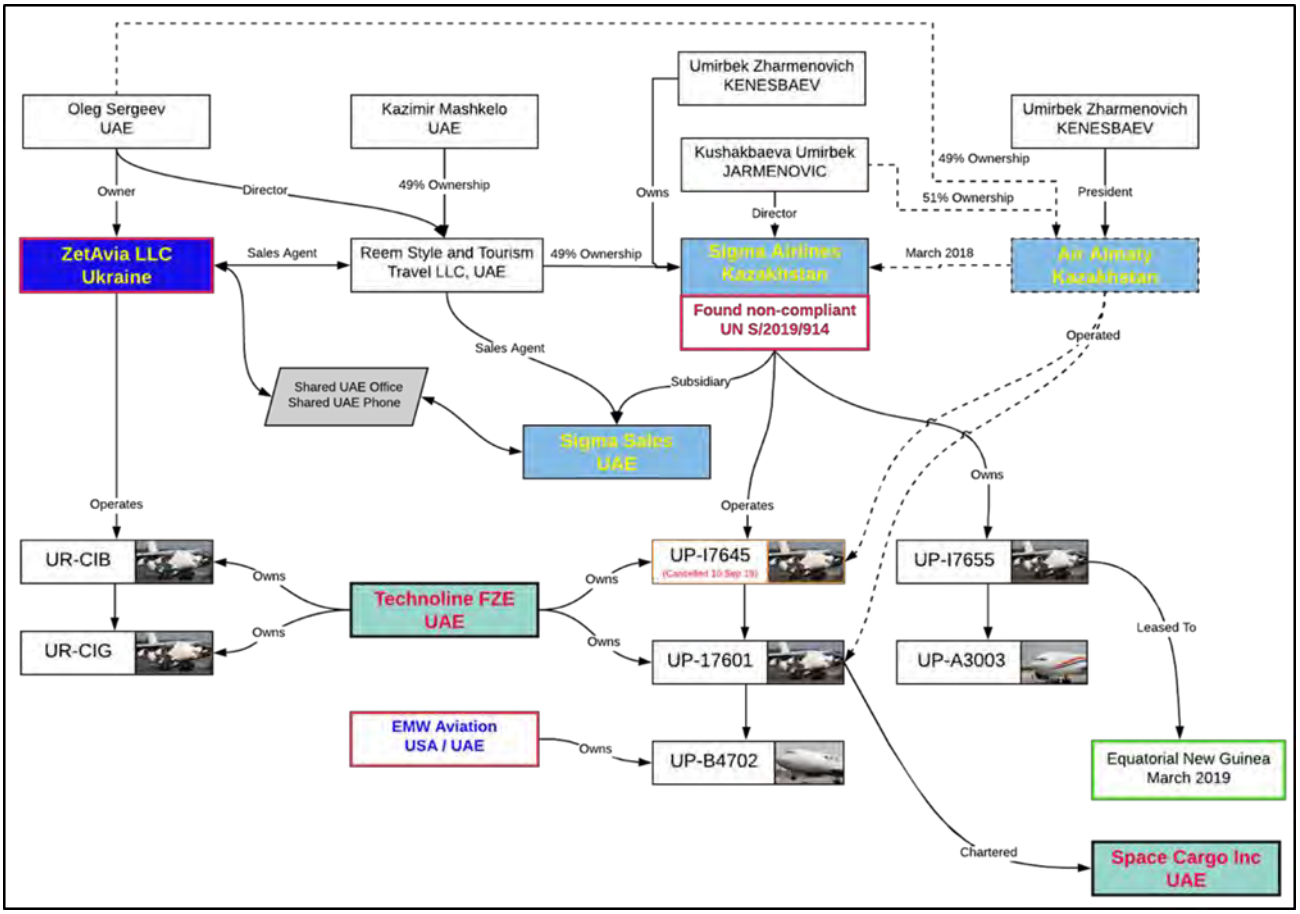
[a] HSSB. Military Airbase. 13°04'18"N, 42°38'42"E

4. As these are military aircraft their landings at Libyan airports means that the United Arab Emirates has violated paragraph 9 of resolution 1970 (2011) regardless of whether or not their military cargo aircraft transferred arms or military equipment to Libya.

Appendix C to Annex 55: Sigma Airlines in support of HAF

1. Two aircraft (UP-I7601 and UP-I7645) operated by Sigma Airlines LLC and owned by Space Cargo Incorporated (www.spacecargoinc.com)[71] of the United Arab Emirates, were found non-compliant with paragraph 9 to resolution 1970 (2011). in Panel report S/2019/914. The Sigma Airlines business model and corporate relationships is complex and still under investigation by the Panel, see infographic at figure 55.C.1. The Panel notes companies such as Reem Style Travel and Leisure LLC that appear as companies of interest in other Panel investigations.

Figure 55.C.1
Sigma Airlines business relationships



2. The Panel has examined the flight journey logs and cargo manifests for 37 flights made by Sigma Airlines Ilyushin IL-76TD cargo aircraft (UP-I7601 and UP-I7645) from either Egypt and Jordan (see tables 55.C.1 and 55.C.2). The cargo manifests were considered highly suspicious by the Panel as: 1) none had names, signatures or stamps; 2) the lack of specific detail as to the cargo; 3) no details as to the consignee(s); and 4) some had been completed by the 4th Aviation Group of the

[71] PO Box 7812, Sharjah Airport International Free Zone, A4-073, Sharjah, UAE. +971 6 557 0388. maher@spacecargoinc.com.

UAE Armed Forces.[72] At least 65% of the aircraft flights were at less than 50% capacity, which is unusual for routine chartered flights where payload efficiency is usually strived for. The Panel was unconvinced of the veracity and accuracy of the flight documentation provided by Sigma Airlines.

3. The Panel also noticed at least 26 internal flights by aircraft UP-I7655 providing logistic support to HAF. This activity by Sigma Airlines is also a non-compliance with paragraph 9 of resolution 1970 (2011). for the provision of *other assistance* relating to military activities.

4. On 29 May 2020 the Civil Aviation Administration of Kazakhstan suspended the Air Operators Certificate AOC) for Sigma Airlines LLP for a period of six months . The suspension was based on multiple sources identifying that Sigma Airlines LLP had violated "*paragraph 6 of Security Council Resolution 1973 (2011)" of their air operators certificate and "four violations of the most critical Level One were identified that pose an immediate threat to flight safety and aviation security*".

Table 55.C.1
Sigma Airlines suspicious flights by IL-76TD (UP-I7601) to Libya (2019)

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
4 Mar 19	SGL9601	Amman (OJAM) [a]	Al Abraq (HLLQ) [b]	Tower Crane Parts	33,400	▪
11 Mar 19	SGL9603	OJAM	HLLQ	Tower Crane Parts	28,000	▪
5 Apr 19	SGL9601	Aqaba (OJAQ) [c]	Benghazi (HLLB) [d]	Vehicles x 5	12,800	▪
7 Apr 19	SGL9601	OJAQ	HLLB	Vehicles x 4	19,350	▪
8 Apr 19	SGL9603	OJAQ	HLLQ	Vehicles x 5	18,020	▪
9 Apr 19	SGL9603	OJAQ	HLLB	Vehicles x 4	16,000	▪
16 Apr 19	SGL9603	OJAM	HLLB	Communication Spare Parts	7,000	▪
21 Apr 19	SGL9603	OJAM	HLLB	Communication Spare Parts	29,000	▪
24 Apr 19	SGL9603	OJAM	HLLB	Vehicles x 3	41,000	▪
2 May 19	SGL9603	OJAQ	HLLB	Vehicles x 3	10,640	▪ Noor Alhyat Company listed as Operator.
6 May 19	SGL9603	OJAQ	HLLB	Vehicles x 8	15,600	▪
15 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	13,000	▪
19 May 19	SGL9603	OJAM	HLLB	Vehicles x 2	40,000	▪ Each vehicle = 20T?
22 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
27 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	34,000	▪

[72] For example Flight SGL9511 from Sweihan airbase, UAE on 26 August 2019.

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
28 May 19	SGL9603	OJAM	HLLB	Communication Spare Parts	40,000	▪
2 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	40,000	▪
11 Jun 19	SGL9603	OJAQ	HLLB	Communication Spare Parts	3,000	▪
13 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	39,000	▪
15 Jun 19	SGL9603	Cairo (HECA) [e]	HLLB	Communication Spare Parts	7,000	▪
16 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	28,000	▪
18 Jun 19	SGL9603	OJAM	HLLB	Communication Spare Parts	37,000	▪
19 Jun 19	SGL9604	Abeche (FTTC) [f]	HLLB	Communication Spare Parts	15,000	▪ Cargo manifest not submitted.
23 Jun 19	SGL9603	OJAM	HLLB	Trolley, Conditions, General Cargo	15,000	▪
2 Jul 19	SGL9603	OJAQ	HLLB	Vehicles (x4)	13,400	▪ Cargo manifests states HLLQ for unloading.
4 Jul 19	SGL9603	HECA	HLLB	Communication Spare Parts	18,000	▪
12 Jul 19	SGL9603	OJAM	HLLB	Communication Spare Parts	29,000	▪
14 Jul 19	SGL9603	Alexandria (HEBA) [g]	HLLB	Communication Spare Parts	20,000	▪
15 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	35,000	▪
18 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	11,000	▪
20 Jul 19	SGL9603	HEBA	HLLB	Communication Spare Parts	1,000	▪
27 Jul 19	SGL9603	OJAQ	HLLB	Vehicles (x4)	12,000	▪
10 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
20 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	14,000	▪
22 Aug 19	SGL9603	OJAM	HLLB	Communication Spare Parts	21,000	▪
27 Aug 19	SGL9603	OJAQ	HLLQ	Vehicles (x4)	12,000	▪

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
4 Sep 19	SGL9604	HEBA	HLLB	Communication Spare Parts	35,000	▪ Eastbound flight number
6 Sep 19	SGL9603	HEBA	HLLB	Communication Spare Parts	35,000	▪

[a] OJAM = Amman, Jordan
[b] HLLQ = Al Abraq, Libya
[c] OJAQ = Aqaba, Jordan
[d] HLLB = Benghazi (Benina International Airport)
[e] HECA = Cairo, Egypt
[f] FTTC = Abeche, Chad
[g] HEBA = Alexandria (Borg El Arab), Egypt

Table 55.C.2
Sigma Airlines suspicious flights by IL-76TD (UP-I7645) to Libya (2019)

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
20 Jan 19	SGL9602	Abraq (HLLQ) [a]	Benghazi (HLLB) [b]	Frozen Food	20,000	▪ Internal support to HAF
20 Jan 19	SGL9602	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
4 Feb 19	SGL9601	Sharjah (OMSJ) [c]	HLLQ	Men's Suit, Belt, Hat, Boots	27,134	▪ Panel assesses as Military Uniforms
18 Feb 19	SGL9601	HLLQ	HLLB	Toyota Hilux x 3 (7,5000kg) Food x 10 Pallets (12,000kg)	19,500	▪ Internal support to HAF
18 Feb 19	SGL9601	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
03 Mar 19	SGL9601	HLLQ	HLLB	Truck Wheels x 250 (6250kg) Generator x 1 (13,750kg)	20,000	▪ Internal support to HAF
03 Mar 19	SGL9602	HLLB	HLLQ	NO MANIFEST	NIL	▪ Internal support to HAF
27 Mar 19	SGL9601	Aqaba (OJAQ) [d]	HLLB	Vehicles x 3	12,000	▪
27 Mar 19	SGL9601	HLLB	Sabha (HLLS) [e]	NO MANIFEST	12,000	▪ Internal support to HAF
27 Mar 19	SGL9601	HLLS	HLLB	Containers x 2	10,000	▪ Internal support to HAF
28 Mar 19	SGL9602	HLLB	HLLM	NO MANIFEST	35,000	▪ Internal support to HAF

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
28 Mar 19	SGL9601	HLLM	HLLB	Tarpaulin Fabric	24,000	▪ Internal support to HAF
29 Mar 19	SGL9602	HLLB	HLLS	NO MANIFEST	25,000	▪ Internal support to HAF
29 Mar 19	SGL9601	HLLS	HLLB	Medical Equipment	10,000	▪ Internal support to HAF
31 Mar 19	SGL9602	HLLB	HLLM	Tower Crane Parts	20,000	▪ Internal support to HAF
31 Mar 19	SGL9601	HLLM	HLLB	3 x Containers	20,000	▪ Internal support to HAF
1 Apr 19	SGL9602	HLLB	HLLS	Furniture	20,000	▪ Internal support to HAF
1 Apr 19	SGL9602	HLLS	HLLB	Container x 2	10,000	▪ Internal support to HAF
2 Apr 19	SGL9602	HLLB	HLLS	Oil Equipment	20,000	▪ Internal support to HAF
2 Apr 19	SGL9602	HLLS	HLLB	Container x 2	12,000	▪ Internal support to HAF
3 Apr 19	SGL9602	HLLB	HLLS	Fabrication Equipment	18,000	▪ Internal support to HAF
3 Apr 19	SGL9602	HLLS	HLLB	Medical Equipment	9,200	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLS	HLLB	Water Heaters x 100	35,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLS	HLLB	Container x 2	24,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLB	HLLS	Water Heaters x 100	35,000	▪ Internal support to HAF
4 Apr 19	SGL9601	HLLS	HLLB	Container x 2	24,000	▪ Internal support to HAF
4 Apr 19	SGL9602	HLLB	HLSS	Boilers x 800	37,000	▪ Internal support to HAF
4 Apr 19	SGL9601	HLSS	HLLB		24,000	▪ Internal support to HAF
10 Apr 19	SGL9602	Amman (OJAM) [f]	HLLQ	Fabric – Tarpaulin	10,000	▪ Military tentage.
11 Apr 19	SGL9602	OJAM	HLLQ	Equipment and 2 x Container	20,000	▪
16 Apr 19	SGL9601	Al Maktoum (OMDW) [g]	HLLQ	Cars x 3	15,126	▪
5 May 19	SGL9601	OJAM	HLLQ	Oil Equipment	36,000	▪ Possible legitimate
7 May 19	SGL9601	OJAM	HLLQ	Container x 3	30,000	▪

Date	*Flight#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
11 May 19	SGL9601	OJAQ	HLLQ	Vehicles x 8	15,600	▪
5 Jul 19	SGL9606	OJAQ	HLLQ	No Cargo Declared		▪
12 Jul 19	SGL9601	OJAQ	HLLQ	Building Equipment	30,000	▪
10 Aug 19	SGL9811	OJAQ	HLLQ	Vehicles x 4	12,000	▪
23 Aug 19	SGL9511	Sweihan (OMAW) [h]	HE40 [j]	Toyota Land Cruiser x 4	10,956	▪ Then to HLLB ▪ UAE Armed Forces Load Manifest
26 Aug 19	SGL9511	OMAW	HE40	Toyota Land Cruiser x 4	10,956	▪ Then to HLLB ▪ UAE Armed Forces Load Manifest

[a] HLLQ = Al Abraq, Libya
[b] HLLB = Benghazi (Benina International Airport)
[c] OMSJ = Sharjah, UAE
[d] OJAQ = Aqaba, Jordan
[e] HLLS = Sabha, Libya
[f] OJAM = Amman, Jordan
[g] OMDW = Al Maktoum Dubai
[h] OMAW = Sweihan Military Airbase, UAE
[j] HE40 = Sidi Barani Military Airbase, Egypt

5. The Panel thus finds that this flight activity by Sigma Airlines LLC is a violation of paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (...) military (...) equipment* and (…) *other assistance* (…) to Libya.

Appendix D to Annex 55: Azee Air LLC in support of HAF

1. Azee Air LLC was founded on 8 September 2017, but only started commercial activities in June 2019. The company operated four Ilyushin IL-76 TD[73] on the airbridges to Libya during the first half of 2020. These aircraft have made at least 100 airbridge flights that meet the majority of the Panel's profile indicators at Annex 75. These flights equate to a maximum potential cargo delivery of 5,000 tonnes (see later). Analysis of flight documentation provides further evidence of the clandestine nature of the nine flights for which Azee Air LLC provided documentation.

2. On 24 January 2020, the ADS-B data for all Azee Air LLC operated aircraft went totally blank on the FlightRadar24 AB (www.flightradar24.com) web platform. On 16 April 2020 FlightRadar24 AB confirmed to the Panel that on 17 January 2020 Azee Air LLC had requested the "blocking" service for their aircraft. Azee claimed that this was done for "commercial reasons" to "maintain its competitive advantage".[74] The Panel considers this a highly unusual action by a freight operator, who would normally want clients to know routes to attract extra business, fill up spare cargo space and thus maximise company profit. The Panel considers that Azee Air LLC was really using the commercial "blocking" services of FlightRadar24 AB to disguise or conceal flights being made to transfer military equipment in non-compliance with the arms embargo.[75] Notwithstanding this, access to ADS-B data and analysis from other providers enabled the Panel to maintain an overwatch of departures from the United Arab Emirates on similar tracks towards Libya as before (see figure 55.D.1 as an example).

3. Among the AOCs Azee Air LLC provided to FlightRadar24 AB as justification for the "blocking" services was one for IL-76TD aircraft registered UP-I7652. The Panel noted that Azee Air LLC is not known to own or operate this aircraft, which the Panel has confirmed is operated by Jenis Air LLC. On 21 April 2020 the Aviation Administration of Kazakhstan confirmed to the Panel that the "AOC" supplied by Azee Air LLC was a forgery, which they are now investigating.

[73] Aviation Administration of Kazakhstan registered as UP-I7646, UP-I7650, UP-I7651 and UP-I7654. On 18 February 2020 UP-I7646 was purportedly transferred to Jenis Air LLC as the operator but continued to operate using Azee Air LLC flight numbers and call signs.
[74] Letter from Kulowiec, Jorquera and Whalen LLP dated 20 November 2020.
[75] Azee Air LLC aircraft also do not appear on similar ADS-B open source data platforms such as for example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com. Panel check of 23 April 2020.

Figure 55.D.1
ADS-B track of IL-76TD (UP-I7650) on 26 January 2020[76]



[a] Red circle indicates ADS-B disabled by aircraft when in Egyptian air space on track to Libya.
[b] Yellow rectangle indicates route over Saudi desert where no ADS-B ground stations are present to detect signal.

4. Azee Air LLC operated four IL-76TD aircraft during the reporting period. Tables 55.D,1 to 55.D.4[77] summarises the Panel's evidence relating to each Azee Air LLC owned and/or operated aircraft.

Table 55.D.1
IL-76TD (UP-I7646) (Operated)

Date	*Activity*	*Panel Evidence*
23 Dec 2019	Registered by Kazakhstan.	▪ Certificate of Registration No.1186. ▪ Operated by Azee Air LLC.
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform.	▪ FR24 documentation. ▪ NOTE blocked before transfer to Jenis Air LLC operations at Jenis Air LLC request. Azee Air LLC and Space Cargo Inc [a] also blocked their aircraft on same date.
26 Jan 2020	Sold to Space Cargo Inc (UAE) by Aganya Limited (UAE) [b]	▪ Bill of Sale No. 80505-01-2020. ▪ Documents signed 1 Feb 2020.

[76] Data analysis provided to Panel by www.c4ads.org. The Panel has similar flight tracks for a further fifteen flights as part of this analysis.
[77] All the documentation referred to in tables 55.1 to 55.4 is available from the Panel on request. Selected documentation has been included in the annexes to illustrate the evidential levels.

Date	*Activity*	*Panel Evidence*
26 Jan 2020	Dry leased to Jenis Air LLC by Space Cargo Inc.	▪ Dry Lease No 26/01/20. ▪ The aircraft still flew under Azee Air LLC callsign and flight identifiers until at least 01 April 2020.
06 Feb 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	▪ ▪
19 Feb 2020	Registered by Kazakhstan on change of ownership.	▪ Certificate of Registration No.1186.
14 Apr 2020	Identified flying into Libya to start operating in support of HAF.	▪ C4ADS research and www.aerotransport.org, updated 16 May 2020.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	▪ Until 20 October 2020.
15 Jun 2020	Cancellation of Registration	▪ Certificate of Cancellation No.301.
2 Oct 2020	Reported as been returned to Space Cargo Inc from HAF.	▪ http://www.aerotransport.org/.

[a] www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com/ / maher@spacecargoinc.com). Please note that a separate Statement of Case against Space Cargo Inc relating to similar arms embargo violations was submitted to the Committee on 24 December 2020.

[b] No web trace. PO Box 123005, RAK Offshore, Government of Ras Al Khaimah, UAE.

Table 55.D.2
IL-76TD (UP-I7650) (Owned)

Date	*Activity*	*Panel Evidence*
9 Jul 2018	Registered by Kazakhstan.	▪ Certificate of Registration No.1145.
14 Jan 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	▪
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	▪ Intended to disguise clandestine flights into Libya.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	▪ Until 20 October 2020.
4 May 2020	Dry leased to FlySky Airlines (FSQ), [a] Kyrgyz Republic	▪ Dry Lease No 04/05/20
9 Jun 2020	Registered by Kyrgyz Republic as EX-76003	▪ Member State letter.
15 Jun 2020	Cancellation of Registration by Kazakhstan	▪ Certificate of Cancellation No. 301

[a] www.flysky.kg. Office 6, Building 82A, Ch Altmatove Boulevard, Bishkek 720044, Kyrgyz Republic. +966 312 979300. (info@flysky.kg).

Table 3
IL-76TD (ex-UP-I7651) (Operated)

Date	*Activity*	*Panel Evidence*
9 Jul 2019	Registered by Kazakhstan.	▪ Certificate of Registration No.1187. ▪ Operated by Azee Air LLC
14 Jan 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	▪
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	▪ Intended to disguise clandestine flights into Libya.
10 Mar 2020	Sold to Space Cargo Inc (UAE) by Infinite Seal Inc (BVI) [a]	▪ Bill of Sale No. 6002-03-2020. ▪ Document signed 19 March 2020.
10 Mar 2020	Space Cargo Inc claimed to have sold to Eagle Enterprise Company Limited, South Sudan. Sale Agreement EEC-SCI-009-01-20 provided.	▪ Eagle Enterprise deny all knowledge of this sale and are categorical that all documentation is fake. The Panel is convinced the documentation is fake and finds that Space Cargo Inc supplied fake documentation to the Panel.
19 Mar 2020	Identified as flown into Libya and started operating in support of HAF.	▪ https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and http://www.aerotransport.org/, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya. ▪ Operated by Azee Air LLC (but Space Cargo stated operated by Jenis Air LLC).
21 Mar 2020	Reported as being operated by HAF in Libya.	▪ www.aerotransport.org.
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	▪ Until 20 October 2020.
13 May 2020	De-registered by Kazakhstan.	▪ Certificate of Cancellation No.299.

[a] No corporate web presence. As at 27 April 2015. BVI Company # 1784025.

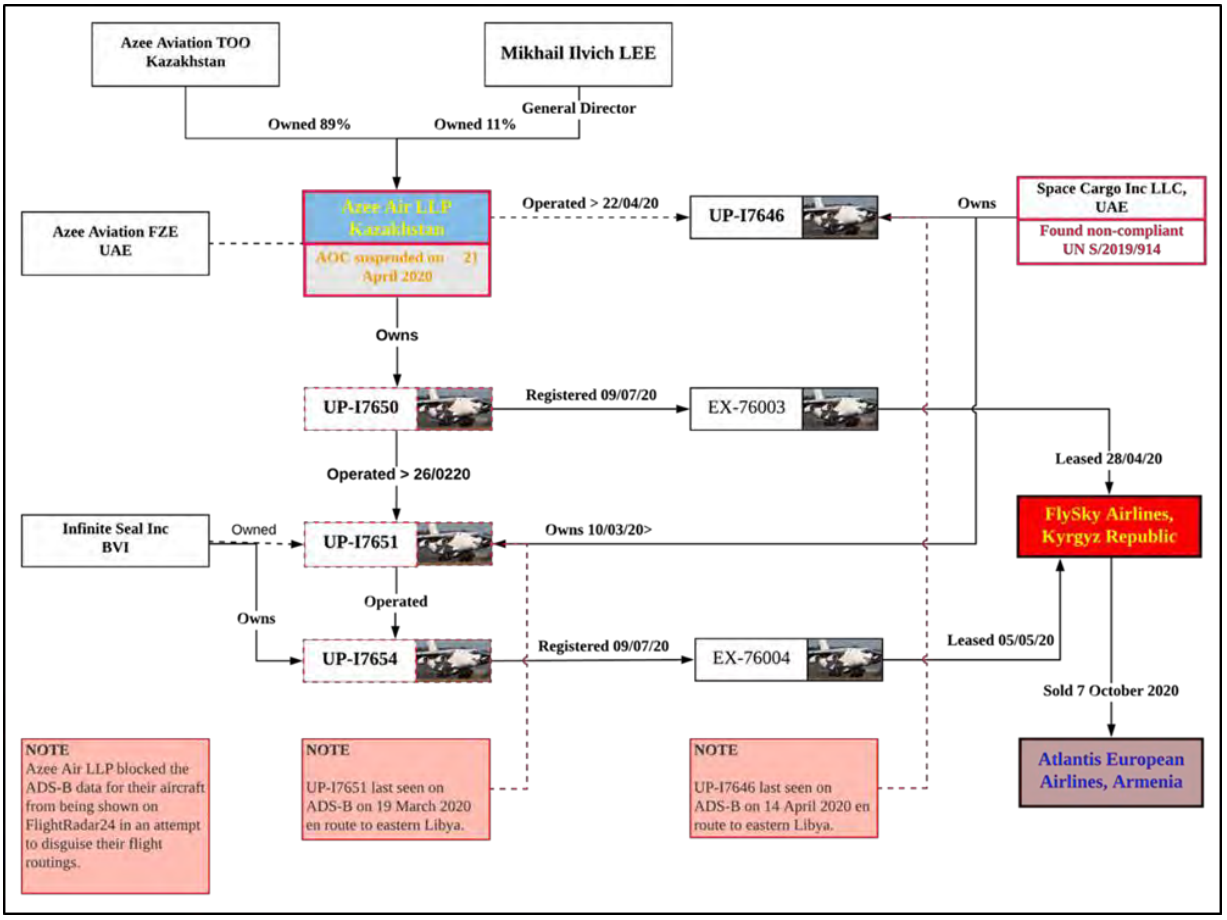
Table 4
IL-76TD (UP-I7654) (Operated)

Date	*Activity*	*Panel Evidence*
10 Apr 2019	Registered by Kazakhstan.	▪ Certificate of Registration No.1172.
17 Jan 2020	Flight data request to block from public view on www.flightradar24.com platform at Azee Air LLC request.	▪ FR24 documentation.
24 Jan 2020	Azee Air LLC aircraft blocked from public view on FR24 platform.	▪ Intended to disguise clandestine flights into Libya.

Date	*Activity*	*Panel Evidence*
17 Feb 2020	First identified flying on UAE - Libya airbridge to start operating in support of HAF.	▪
21 Apr 2020	Azee Air LLC Air Operating Certificate Suspended	▪ Until 20 October 2020.
28 Apr 2020	Dry leased to FlySky Airlines, Kyrgyz Republic	▪ Dry Lease No 28/04/20
9 July 2020	Registered by Kyrgyz Republic as EX-76003	▪ Member State letter.
14 Jul 2020	Cancellation of Registration by Kazakhstan	▪ Certificate of Cancellation No. 302

5. The Azee Air LLC business model and corporate relationships are complex and still under investigation by the Panel, see infographic at figure 55.D.2. The Panel notes companies such as Space Cargo Incorporated (UAE) and Infinite Seal Limited (BVI) appear as companies of interest in other investigations. Linked companies include Azee Aviation TOO (Kazakhstan),[78] who own the Boeing 747 (UP-B4701) operated by Azee Air LLC, and Azee Aviation FZE (UAE).[79]

Figure 55.D.2
Azee Air LLC relationships



[78] 35, kv.341, Boulevard Bukhar Zhyrau, Almaty, Kazkahstan.
[79] Q4-075, PO Box 124005, SAIF Zone, Sharjah, UAE. +971 6 552 6263. info@azee.aero.

6. The Panel has also identified that on 5 October 2020 the Director of the company was changed to Natalya SHUMKINA, and a fourth address for the company was reported.[80]

7. On 21 April 2020, the Aviation Administration of Kazakhstan suspended the Air Operators Certificate (AOC) for Azee Air LLC for a period of six months.[81] The suspension was based on multiple sources identifying that Azee Air had not complied with "the certification requirements provided by the operational requirements and restrictions of the AOC (…)".

8. The Panel noted that a General Sales Agency Agreement (GSA) dated 1 May 2019 was in place between Deek Aviation FZE and Azee Air LLC. The Panel finds that this agreement does not absolve Azee Aviation LLC from any illicit activity in terms of sanctions violations committed by the aircraft that they own and/or operate. This finding is based on the following articles within the GSA, and due diligence responsibilities:

(a) GSA Article 6 (viii). Assist the Principal to ensure all cargo does not include (a) hazardous materials, (b) any materials which Principal is prohibited from transporting pursuant to the Regulations or (c) any materials prohibited by the Contract of Carriage;

(b) GSA Article 12. The Principal will be responsible for the physical and technical operation of the Aircraft and the safe performance of all Charter Flights and will retain full authority and control including General operational control and possession of the Aircraft at all times. The captain of the Aircraft[82] and the flight dispatcher will have absolute discretion in all matters concerning the preparation of the Aircraft for flight and the flight itself, the load carried and its distribution, the decision whether or not a Charter Flight will be undertaken, the route to be flown, the place where landings will be made, and all other matters relating to the safety in the operation of the Aircraft; and

(c) Deek Aviation were named as violating paragraph 9 of resolution 1970 (2011) in Panel report S/2019/914.[83] Azee Air LLC due diligence should have identified the involvement of Deek Aviation FZE regarding recent sanctions violation activities in Libya.

Opportunity to respond

9. The Panel requested clarification as to the nature of the flights and details of the cargo from the Member State with copies to the airline; no response was received from the airline.[84] Consequently neither the charterer nor cargo agent for many of the flights can yet be identified. The airline also failed to provide the information to the Civil Aviation Administration of Kazakhstan

[80] Apartment 4, Zavodskaya Streer 92, Karasu Microdistrict, Alatau Area, Almaty, 050000 Kazakhstan.
[81] CAA Kazakhstan Order No.121.
[82] In effect, the Captain of the aircraft, as a senior Azee Air LLC employee should have ensured that the aircraft did not carry materiel, nor fly routes, that violated the UN arms embargo on Libya..
[83] Annexes 28 and 53. Deek Aviation FZE were named alongside Infinite Seal Inc (BVI) (see above figure 3). Deek Aviation LLC failed to respond to the Panel's request for information in connection with this case.
[84] Panel letters of 24 and 27 March 2020.

(www.caakz.com) on request.[85] Their only communication with the Panel was a letter sent on 17 April 2020 from a specialist aviation lawyer in the USA. The Panel submitted an appropriate explanatory response to the lawyer on 23 April 2020, which the lawyer immediately responded to on 24 April 2020 stating that Azee Air were "*working in earnest to provide the Panel with (…) data in an organised manner*". The Panel's multiple requests for copies of contracts, cargo manifests and air waybills, which should always be readily available to an airline, were not acceded to.

10. The Panel received a second communication from the lawyer on 5 October 2020 to which the Panel responded on 13 October 2020 explaining the investigative methodology followed by the Panel. In this letter the lawyer stated that ADS-B does not allow for pilots to activate or deactivate elements of its functionality and that remote regions such as North Africa and Libya do not afford ubiquitous surveillance due to lack of ADS-B ground stations. Technical advice from the Kazakhstan CAA, verified by an independent technical source, rebuts this claim: ADS-B is like all transponders not hot wired into aircraft electrical systems and signals are now processed by space-based tracking systems[86] as well as ground equipment. In particular Ilyushin aircraft have the ability to stop flight telemetry data from being broadcast. Crews have to activate the transponders as before with 4,096 type units. The space-based telemetry tracking means that areas of no ground-based tracking stations are no longer an issue to obtain data where necessary to do so. The lawyer wrote to the Panel again on 16 December 2020 and 7 January 2021 requesting that the Panel send a "clearance letter" to the Civil Aviation Authority of Kazakhstan. The Panel responded on 12 January 2021 stating that this would not be appropriate as the Panel reports to the Sanctions Committee, and that the Panel's findings in regard to its investigation to date relating to his clients will be submitted as part of the Panel's mandate under paragraph 12 of Security Council resolution 2509 (2020) to produce a final report of its findings and recommendations to the Security Council by 15 March 2021.

Flight analysis

11. The Azee Air LLC flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B transponders are not visible on open-source ADS-B monitoring[87] shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) some flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) the lack of detail on the limited flight documentation supplied by Azee Air LLC and seen by the Panel; and 5) the use of Azee Air LLC callsigns by UP-I7646 after the aircraft was dry leased to Jenis Air LLC.

[85] Panel discussions with the Aviation Administration of Kazakhstan on 20 – 22 April 2020.
[86] For example: https://aireon.com.
[87] For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

Table 55.D.5
Suspicious flights by Azee Air LLC operated aircraft

#	*Date*	*Kazakhstan A/C #*	*A/C type*	*From*	*Cargo for*	*Remarks*
1	14 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
2	14 Jan 2020	UP-I7651	IL-76TD	Abu Dhabi [a]	Benghazi [b]	▪
3	15 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
4	15 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
5	16 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
6	16 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	17 Jan 2020	Azee Air LLC requested FR24 platform blank Azee Air LLC flights from public view				
7	17 Jan 2020	UP-I7650	IL-76TD	UAE	HLLB	▪ IMINT of IL-76TD @ HLLB on 18 Jan 2020.
8	19 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
9	20 Jan 2020	UP-I7650	IL-76TD	UAE	HLLB	▪ AZL1538 ▪ Cargo of 3 vehicles consigned to 4th Aviation Group, UAE Armed Forces. ▪ Manifest claimed Alexandria, Egypt (HEBA) as destination.
10	20 Jan 2020	UP-I7651	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
11	21 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
12	21 Jan 2020	UP-I7650	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
13	21 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
14	21 Jan 2020	UP-I7651	IL-76TD	Libya	Libya	▪ Initial flight into Libya not identified.
15	22 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
16	23 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
17	23 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	24 Jan 2020	FR24 platform blanks Azee Air LLC flights from public view				
18	24 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
19	24 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
20	25 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
21	25 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
	26 Jan 2020	Space Cargo Inc dry-lease UP-I7646 to Jenis Air LLC				▪
22	26 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
23	26 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
24	27 Jan 2020	UP-I7650	IL-76TD	UAE	Sidi Barani [c] / Libya	▪ IMINT of IL-76TD @ HE40 on 27 Jan 2020.
25	27 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
26	28 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪
27	28 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
28	29 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
29	29 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
30	30 Jan 2020	UP-I7650	IL-76TD	UAE	Libya	▪ AZL1538 ▪ Manifest claimed HEBA as destination. Errors on manifest.
31	30 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
32	31 Jan 2020	UP-I7650	IL-76TD	UAE	HE40 / Libya	▪ IMINT of IL-76TD @ HE40 on 31 Jan 2020.
33	31 Jan 2020	UP-I7651	IL-76TD	UAE	Libya	▪
34	01 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
35	01 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
36	02 Feb 2000	UP-I7650	IL-76TD	UAE	Libya	▪
37	02 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
38	03 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
29	03 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
40	04 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
41	05 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
42	05 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
43	06 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
44	07 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
45	07 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
46	10 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
47	11 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
48	11 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪
49	11 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
50	12 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
51	12 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪ AZL1536 ▪ Manifest claimed HEBA as destination. Errors in manifest.
52	13 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
53	13 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ Using UP-Y4202 as cover
54	13 Feb 2020	UP-I7651	IL-76TD	Al Dhafra [d]	Libya	▪
55	14 Feb 2020	UP-I7646	IL-76TD	Sweihan [e]	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
56	14 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪ AZL1538
57	15 Feb 2020	UP-I7650	IL-76TD	UAE	Libya	▪ AZL1535 (A Westbound code for an Eastbound flight!) ▪ Manifest claimed HEBA as destination. Errors in manifest.

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
58	15 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪ AZL1535 (A Westbound code for an Eastbound flight!) ▪ Manifest claimed HEBA as destination. Errors in manifest.
59	15 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪
60	16 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
61	16 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪
62	17 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
63	17 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
64	18 Feb 2020	UP-I7646	IL-76TD	UAE	Libya	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
65	18 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
66	18 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪ AZL1536
67	19 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
68	19 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
69	20 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
70	20 Feb 2020	UP-I7651	IL-76TD	OMAW	Libya	▪
71	21 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
72	21 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
73	22 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
74	22 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
75	23 Feb 2020	UP-I7650	IL-76TD	OMAW	Libya	▪
76	23 Feb 2020	UP-I7654	IL-76TD	UAE	Libya	▪
77	26 Feb 2020	UP-I7651	IL-76TD	UAE	Libya	▪ AZL1536 ▪ Manifest claimed HEBA as destination. Errors in manifest.
78	19 Mar 2020	UP-I7651	IL-76TD	Sharjah[f]	HLLB	▪ Not seen on ADS-B since and now flying for HAF based in Benghazi.
79	28 Mar 2020	UP-I7654	IL-76TD	UAE	HLLB	▪ AZL1538 ▪ IMINT of IL-76TD @ HLLB on 27 Mar 2020.
80	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
81	01 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
82	02 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
83	02 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
84	03 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪
85	06 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
86	07 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.

#	Date	Kazakhstan A/C #	A/C type	From	Cargo for	Remarks
87	07 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪ AZL1538 ▪ IMINT of IL-76TD @ HLLB on 6 Apr 2020.
88	07 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	▪ UID
89	08 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	▪
90	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
91	09 Apr 2020	UP-I7654	IL-76TD	OMAW	Libya	▪ AZL1538
92	10 Apr 2020	UP-I7654	IL-76TD	OMAW	HLLB	▪ AZL1538 ▪ IMINT of IL-76TD @ HLLB on 10 Apr 2020.
93	10 Apr 2020	TBC	IL-76TD	OMAW	HLLB	▪ IMINT of IL-76TD @ HLLB on 18 Jan 2020.
94	11 Apr 2020	TBC	IL-76TD	OMSJ	Libya	▪
95	15 Apr 2020	UP-I7654	IL-76TD	Eritrea	Libya / Egypt TBC	▪ AZL1536
96	01 Apr 2020	UP-I7646	IL-76TD	OMAW	HLLB	▪ AZL1536 Azee callsign used although dry leased to Jenis Air LLC.
97	16 Apr 2020	UP-I7654	IL-76TD	UAE	HLLB	▪ IMINT of IL-76TD @ HLLB on 16 Apr 2020.
98	17 Apr 2020	UP-I7654	IL-76TD	UAE	Libya	▪
99	18 Apr 2020	UP-I7654	IL-76TD	UAE	HLLB	▪ IMINT of IL-76TD @ HLLB on 16 Apr 2020.
100	19 Apr 2020	UP-I7654	IL-76TD	UAE	HE40	▪ IMINT Sentinel-2.
	21 Apr 2020	**Azee Air AOC suspended for six months**				▪
101	2 May 2020	UP-I7654	IL-76TD	UAE	HE40	▪ IMINT Sentinel-2. ▪

[a] OMAA. Civilian Airport. 24°25'59"N, 54°39'04"E.
[b] HLLB. Civilian Airport. 32°05'48"N, 20°16'10"E.
[c] HE40. Civilian Airport. 31°27'59"N, 25°52'41"E.
[d] OMAM. Military Airbase. 24°14'54"N, 54°32'52"E.
[e] OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.
[f] OMSJ. Civilian Airport. 25°19'43"N, 55°31'02"E.

Documentation analysis

12. The Panel has examined the flight journey logs and cargo manifests provided by Azee Airlines for nine flights of Ilyushin IL-76TD cargo aircraft. No flight documentation was provided for the remainder. The air waybills and cargo manifests were considered highly suspicious by the Panel as: 1) none had names, signatures or stamps; 2) the lack of specific detail as to the cargo; 3) no details as to the consignee(s); 4) air waybills incomplete and no customs valuation; 5) inaccuracies between air waybills and cargo manifests; and 6) some had been completed by the 4th Aviation Group of the UAE Armed Forces.[88]. Unless the flights were for

[88] For example Flight AZL1538 from OMAA on 20 January 2020.

an official organization it is doubtful whether they would ever have received customs clearance based on the flight documentation provided.

(a) ALL of the aircraft flights were at less than 50% capacity, which is unusual for expensive chartered flights where payload efficiency is usually strived for; and

(b) ALL of the flights were allegedly for the Khalifa Foundation Representative in Egypt. Yet the foundation website only reflects one project in 2020, and that was for '20 tonnes of dates' (https://www.khalifafoundation.ae/en-us/Pages/InteractiveMap.aspx). The Panel contacted the Khalifa Foundation[89] but received no response.

Table 55.D.6

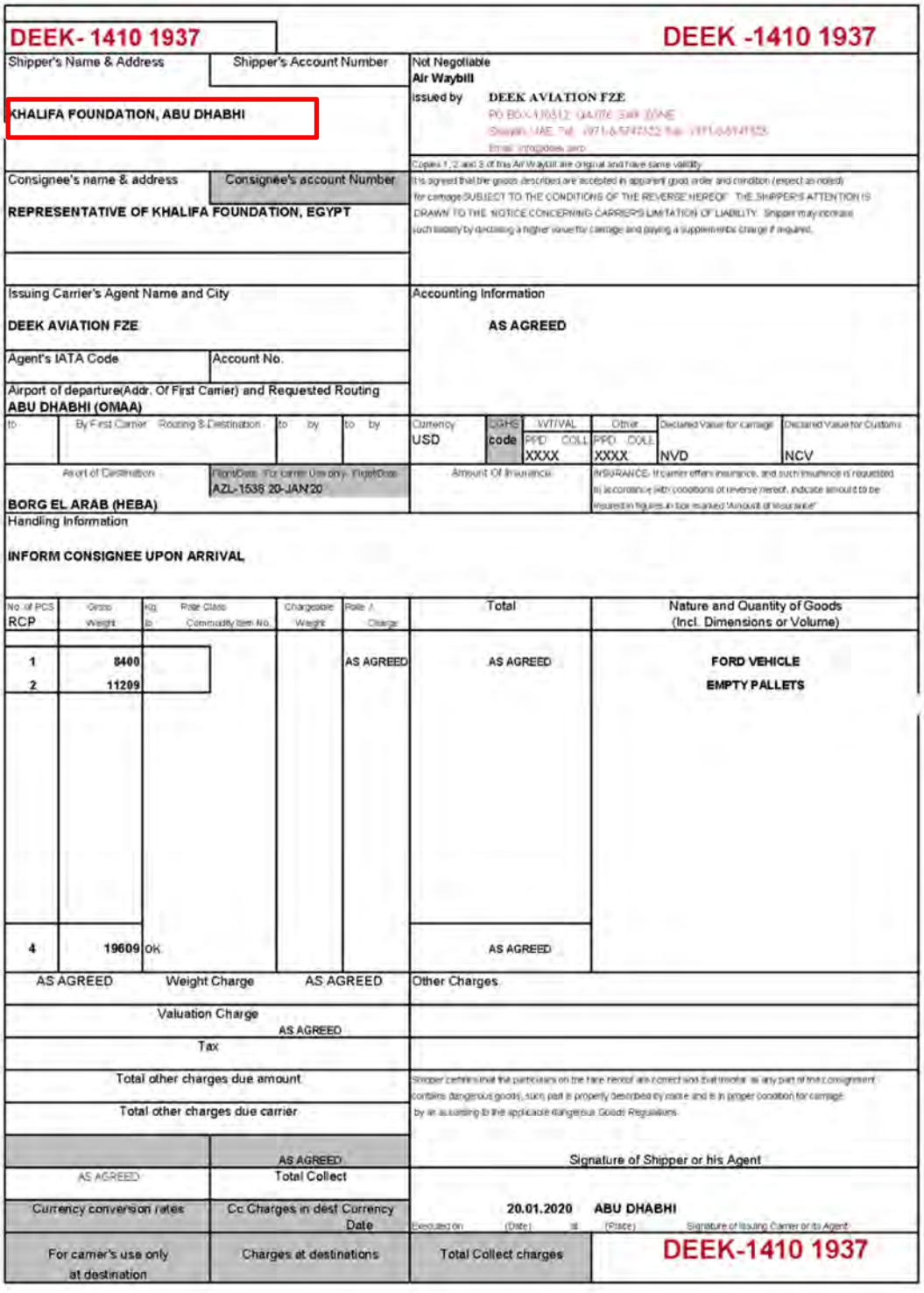
Date	*A/C#*	*From*	*Destination*	*Declared cargo*	*Cargo (kg)*	*Remarks*
20 Jan 2020	UP-I7650	OMAA [a]	HEBA [b]	Ford Vehicle 3 x Pallets	19,609	▪ 39.2% of load capacity ▪ Consignee signed for as 4th Aviation Group, UAE Armed Forces
30 Jan 2020	UP-I7650	OMAA	HEBA	General Cargo	21,890	▪ 43.8% of load capacity ▪ Cargo Manifest said OMFJ not OMAA
11 Feb 2020	UP-I7646	OMAA	HEBA	3 x Vehicles	20,200	▪ 40.4% of load capacity ▪ Cargo Manifest adds up to 20,600kg load
12 Feb 2020	UP-I7651	OMAA	HEBA	General Cargo	17,000	▪ 34.0% of load capacity ▪ Cargo Manifest said OMFJ c not OMAA
13 Feb 2020	UP-I7646	OMAA	HEBA	Technical Equipments (sic)	17,680	▪ 35.4% of load capacity ▪ Cargo Manifest said OMFJ not OMAA
15 Feb 2020	UP-I7650	OMAA	HEBA	General Cargo	4,680	▪ 9.4% of load capacity ▪ Odd numbered flight number normally used for Westbound, not Eastbound flights.
18 Feb 2020	UP-I7654	OMAA	HEBA	General Cargo (Steel Beams)	20,000	▪ 40.0% of load capacity
26 Feb 2020	UP-I7651	OMAA	HEBA	Grain (Pulse) Bags	14,595	▪ 29.2% of load capacity ▪ Cargo manifest gave date of 24 Feb 2020

[a] OMAA = Abu Dhabi, UAE
[b] HEBA = Alexandria, Egypt
[c] OMFJ = Fujairah, UAE

[89] Email of 26 December 2020.

13. One example of fake documentation is that for flight number AZL1538 on 20 January 2020. The Air Waybill (figure 55.D.3) clearly shows the shipper as the Khalifa Foundation, Abu Dhabi, and the consignee as the Khalifa Foundation, Egypt. The corresponding Cargo Manifest shows the shipper as Munawal Operations and the consignee (receiver) as the UAE 4th Aviation Group, a unit of the UAE Armed Forces.

Figure 55.D.3
AZL1538 (20 January 2020) Air Waybill



DEEK- 1410 1937

DEEK -1410 1937

Shipper's Name & Address | Shipper's Account Number

KHALIFA FOUNDATION, ABU DHABHI

Not Negotiable
Air Waybill
issued by DEEK AVIATION FZE
PO BOX 118312, QA/FE SAIF ZONE
Sharjah, UAE. Tel. /971-6-5742332 Fax. /971-6-5741525
Email: info@deek.aero

Copies 1, 2 and 3 of this Air Waybill are original and have same validity.

Consignee's name & address | Consignee's account Number

REPRESENTATIVE OF KHALIFA FOUNDATION, EGYPT

It is agreed that the goods described are accepted in apparent good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS OF THE REVERSE HEREOF. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such liability by declaring a higher value for carriage and paying a supplemental charge if required.

Issuing Carrier's Agent Name and City

DEEK AVIATION FZE

Accounting Information

AS AGREED

Agent's IATA Code | Account No.

Airport of departure(Addr. Of First Carrier) and Requested Routing
ABU DHABHI (OMAA)

to	By First Carrier	Routing & Destination	to	by	to	by	Currency	CHGS code	WT/VAL PPD	WT/VAL COLL	Other PPD	Other COLL	Declared Value for carriage	Declared Value for Customs
							USD		XXXX		XXXX		NVD	NCV

Airport of Destination | Flight/Date For Carrier Use only | Flight/Date | Amount Of Insurance

BORG EL ARAB (HEBA) | AZL-1538 20-JAN'20

INSURANCE- If carrier offers insurance, and such insurance is requested in accordance with conditions of reverse hereof, indicate amount to be insured in figures in box marked "Amount of Insurance"

Handling Information

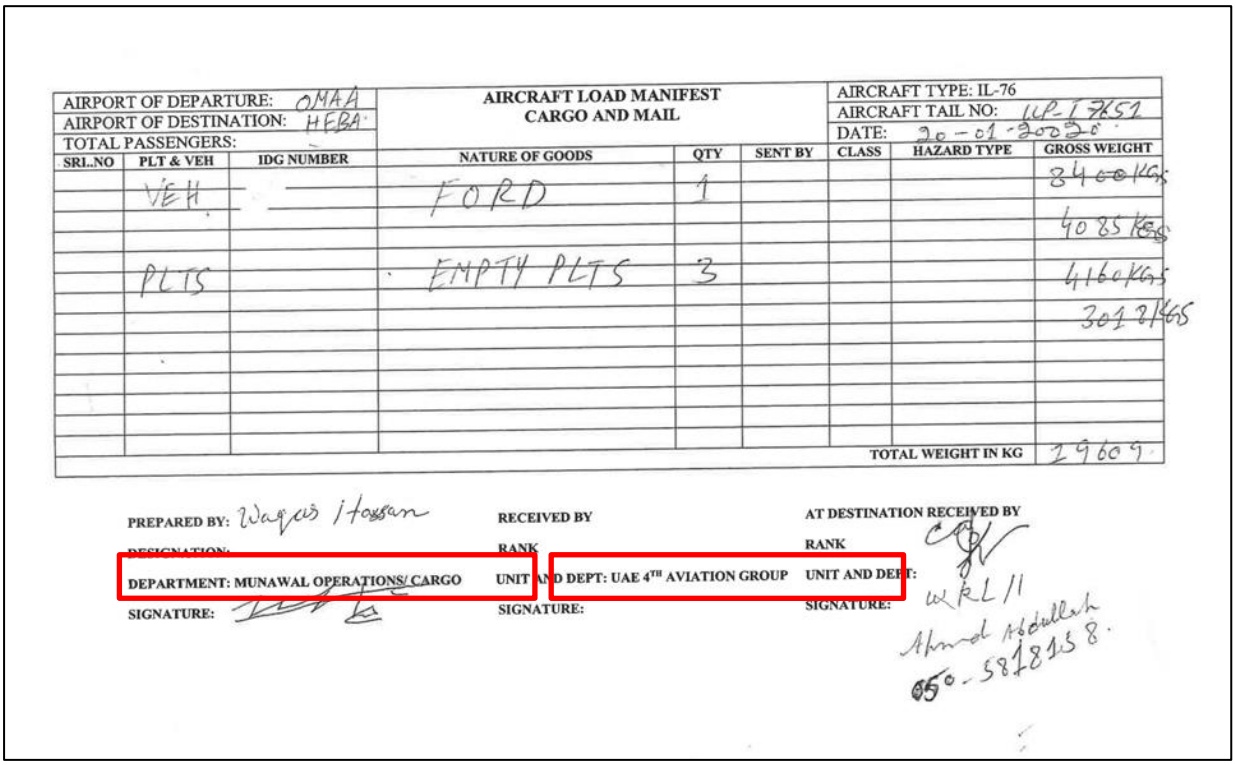
INFORM CONSIGNEE UPON ARRIVAL

No. of PCS RCP	Gross Weight	Kg lb	Rate Class Commodity Item No.	Chargeable Weight	Rate / Charge	Total	Nature and Quantity of Goods (Incl. Dimensions or Volume)
1	8400				AS AGREED	AS AGREED	FORD VEHICLE
2	11209						EMPTY PALLETS
4	19609	OK				AS AGREED	

AS AGREED	Weight Charge	AS AGREED	Other Charges
	Valuation Charge	AS AGREED	
	Tax		
	Total other charges due amount		Shipper certifies that the particulars on the face hereof are correct and that insofar as any part of the consignment contains dangerous goods, such part is properly described by name and is in proper condition for carriage by air according to the applicable Dangerous Goods Regulations.
	Total other charges due carrier		
		AS AGREED	Signature of Shipper or his Agent
AS AGREED		Total Collect	
Currency conversion rates		Cc Charges in dest Currency	Executed on 20.01.2020 (Date) at ABU DHABHI (Place) Signature of Issuing Carrier or its Agent
For carrier's use only at destination		Charges at destinations	Total Collect charges

DEEK-1410 1937

Figure 55.D.4
AZL1538 (20 January 2020) Cargo Manifest



AIRPORT OF DEPARTURE: OMAA
AIRPORT OF DESTINATION: HEBA
TOTAL PASSENGERS:

AIRCRAFT LOAD MANIFEST
CARGO AND MAIL

AIRCRAFT TYPE: IL-76
AIRCRAFT TAIL NO: UP-I7651
DATE: 20-01-2020

SRL.NO	PLT & VEH	IDG NUMBER	NATURE OF GOODS	QTY	SENT BY	CLASS	HAZARD TYPE	GROSS WEIGHT
	VEH		FORD	1				3400KGS
								4085 KGS
	PLTS		EMPTY PLTS	3				4160KGS
								3012KGS
							TOTAL WEIGHT IN KG	14609

PREPARED BY: Waqas Hassan
DESIGNATION:
DEPARTMENT: MUNAWAL OPERATIONS/ CARGO
SIGNATURE:

RECEIVED BY
RANK
UNIT AND DEPT: UAE 4TH AVIATION GROUP
SIGNATURE:

AT DESTINATION RECEIVED BY
RANK
UNIT AND DEPT:
SIGNATURE:
WKL11
Ahmed Abdullah
050-5818158

14. Other elements of the documentation are suspicious, for example Munawala Ground Services operate from Abu Dhabi (Al Bateen Executive Airport) (OMAD), which is also a military airbase, and not the civilian Abu Dhabi International Airport (OMAA) that is listed on the flight documentation.

15. The Panel thus finds that this flight activity by Azee Air LLC has violated paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (…) military (…) equipment* and (…) *other assistance* (…) to Libya.

Appendix E to Annex 55: Jenis Air LLC in support of HAF

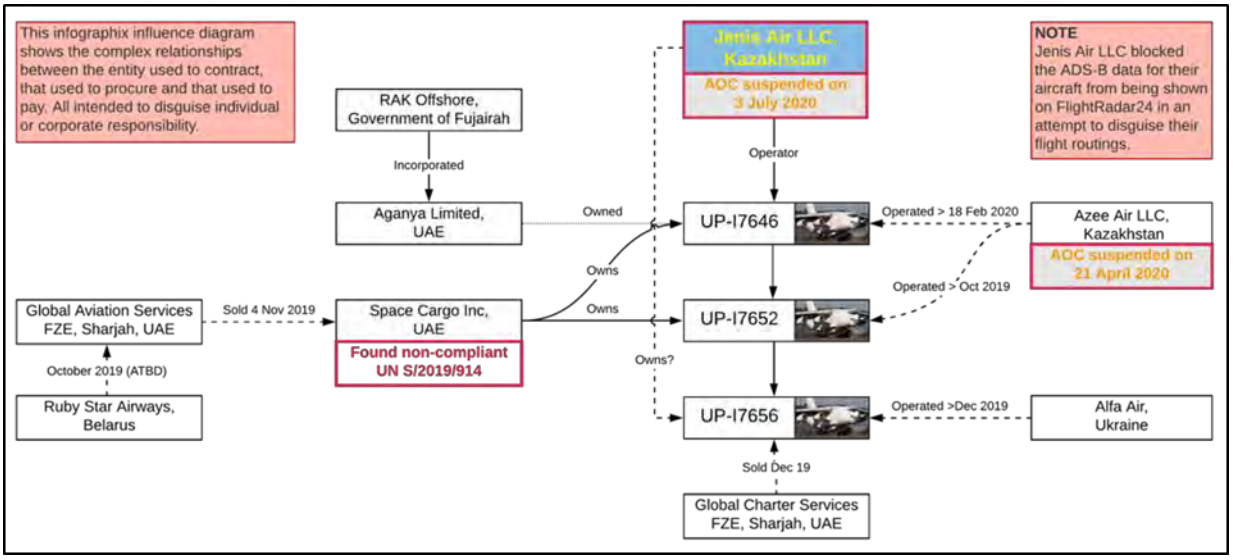
1. Jenis Air LLC[90] was only formed in 2019 and has operated two Ilyushin IL-76 TD[91] on the route during the period 13 January to 21 July 2020. These aircraft have made at least 48 airbridge flights that meet the majority of the profile indicator (see Annex 75). These flights equate to a maximum potential cargo delivery of 2,400 tonnes.

2. Two of the aircraft (UP-I7646 and UP-I7652) operated by Jenis Air LLC are owned by Space Cargo Incorporated (www.spacecargoinc.com)[92] of the United Arab Emirates, who were found non-compliant with paragraph 9 to resolution 1970 (2011) in Panel report S/2019/914. The Panel notes that on some Air Waybills it has seen that Space Cargo Incorporated is also unusually listed as the Shipper for cargo on the suspicious flights to Libya. The Cargo Agent used was reported as being Sun Global Freight LLC of the United Arab Emirates (http://www.sunglobalfreight.com/)[93,94].

3. Aircraft (UP-I7646) was operated by Azee Air LLC until 18 Feb 2020. Since then Jenis Air LLC has operated the aircraft.[95] This aircraft was owned by Aganya Limited of the British Virgin Islands[96] until sold to Space Cargo Incorporated. An infographic illustrating the relationships is at figure 55.E.1.

Figure 55.E.1
Jenis Air LLC relationships

[90] No corporate presence on-line.
[91] Kazakhstan Civil Aviation Administration registered as UP-I7652. On 18 February 2020 Jenis Air LLC began operating UP-I7646 which was transferred from Azee Air LLC, the previous operator.
[92] PO Box 7812, Sharjah Airport International Free Zone, A4-073, Sharjah, UAE. +971 6 557 0388. maher@spacecargoinc.com.
[93] Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.
[94] Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.
[93] Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.
[94] Suite 101 and 108, Cargo Terminal 1, Sharjah International Airport, Sharjah, UAE. +971 50 455 6484. kumar@sunglobalfreight.com.
[95] Letter from Azee Air 070/XX dated XX April 2020 to confidential source obtained by the Panel.
[96] RAK Offshore, PO Box 48904, Tortola, British Virgin Islands.



4. On 23 March and 20 May 2020, the Panel requested clarification from the Member State[97] as to the nature of the flights and details of the cargo for the Jenis Air LLC flights to Libya. Jenis Air LLC supplied the Civil Aviation Administration of Kazakhstan with air waybills or cargo manifests for only sixteen flights. The Panel is unconvinced of the veracity of this documentation for the reasons shown in table 55.E.1:

Table 55.E.1
Suspicious elements of Jenis Air LLC air waybills and manifests

Element	*Details*	*Remarks*
Shipper	For some flights the shipper is also the owner of the aircraft.	▪ Highly unusual that an aircraft owner, who is also a cargo agent at the same airport, would use a second cargo agent. ▪ In this case the company was Space Cargo Inc, who were found non-compliant with the arms embargo in S/2019/914.
Consignees	Rose Company for General Equipment and Supplies, Labraq, Libya +218 918 871213	▪ No online presence for a trading company is unusual. ▪ No answer to numerous calls to the listed number.
	Libya Capital Company, Labraq, Libya +218 913 428878.	▪ No online presence for a trading company is unusual. ▪ No answer to numerous calls to the listed number.
	Almoiutaaliq for Cars, Labraq, Libya	▪ No contact details provided. ▪ No online presence for a trading company is unusual. ▪ Armoured Cars shipped.
	Al Wakeel Al Jadded, Labraq, Libya	▪ No contact details provided. ▪ No online presence for a trading company is unusual. ▪ Armoured Cars shipped.
	Noor Alhayat Company for Trading, Benghazi, Libya +218 912 129944	▪ No online presence for a trading company is unusual.

[97] All letters to the Member State were also copied to the airline.

Element	*Details*	*Remarks*
Customs Tariff	No declared value.	▪ Unusual for a cargo requiring the speed and convenience of air freight to not have a commercial value.
Insurance	No insurance cover.	▪ Unusual for a cargo of value requiring air freight to not be insured when moved to a conflict zone.
Accuracy	Minimal completion of document.	▪ More information would be required to allow the cargo to pass customs in the majority of Member States.

5. On 10 April 2020 both aircraft operated by Jenis Air LLC on the airbridge started to transmit using MLAT (multi-lateration) mode during the entire flight. Although the ADS-B transponder emits the aircraft's code, heading, altitude and speed, it does not transmit the current latitude and longitude.[98] This is highly unusual for a civil aircraft and the Panel considers that Jenis Air LLC is using this technique to disguise or conceal flights being made to transfer military equipment in non-compliance with the arms embargo.

6. The Panel has identified the Jenis Air LLC cargo aircraft shown in table 55E.2 as of interest to the Panel. The Panel has identified suspicious flights by Jenis Air LLC aircraft into Libya (tables 55.E.3 and 55.E.4). Note the random nature of the flights and lack of an obvious schedule.

7. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B[99] transponders are often not visible on open-source ADS-B monitoring[100] shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) some flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) declared loads were far less than aircraft cargo capacity; and 5) the lack of detail on the flight documentation. Although Jenis Air LLC provided thousands of pages of documentation for analysis, the majority of pages were for flight planning, weather patterns, technical records of flights etc. Very few Air Waybills or Cargo Manifests were provided for the flights listed in tables 55.E.2 and 55.E.3, and the detail in these was scarce.

Table 55.E.2
Suspicious flights from UAE by Jenis Air LLC operated aircraft IL-76TD (UP-I7646)

Date	*Flight #*	*From*	*Cargo for*	*Jenis Declared cargo*	*Cargo (tonnes)*	*Remarks*
29 Mar 2020		Sweihan[a]	Benghazi[b]	▪ No manifest provided.		▪
31 Mar 2020		OMAW	HLLB	▪ No manifest provided.		▪ IMINT of IL-76TD @ HLLB on 30 Mar 2020.

[98] This can be estimated from the time differences between signals reaching the various ADS-B ground transponders, but requires real time, and constant, mathematical calculations.
[99] Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.
[100] For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

Date	*Flight #*	*From*	*Cargo for*	*Jenis Declared cargo*	*Cargo (tonnes)*	*Remarks*
01 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪ Still using Azee flight numbers.
02 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
06 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
07 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
09 Apr 2020	AZL1536	OMAW	HLLB	▪ No manifest provided.		▪
16 Apr 2020	AZL1536	UAE	HLBB	▪ No manifest provided.		▪ IMINT of IL-76TD @ HLLB on 16 Apr 2020.
22 Apr 2020		UAE	Libya	▪ No manifest provided.		▪ Ibid
25 May 2020		UAE	Libya	▪ No manifest provided.		▪
3 Jul 2020	Jenis Air LLC AOC Suspended					▪
21 Jul 2020	JEN1365	UAE	HLLB	▪ No manifest provided.		▪
30 Jul 2020	JEN1364	Jordan	Libya	▪ No manifest provided.		▪

[a] OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.
[b] HLLB. 32°05'48"N, 20°16'10"E.

Table 55.E.3
Suspicious flights from UAE by Jenis Air LLC operated aircraft IL-76TD (UP-I7652)

Date	*Flight #*	*From*	*Cargo for*	*Jenis Declared Cargo*	*Cargo (tonnes)*	*Remarks*
2 Jan 2020		Sidi Barani [a]	Abraq[b]	▪ Food	20.0	▪ Manifest shows HLLQ > HE40 which is highly unlikely.
6 Jan 2020	JEN1366	Sharjah [c]	HLLQ	▪ Olive green blankets	17.7	▪ Military equipment.
7 Jan 2020		Abu Dhabi[d]	HLLQ	▪ Ground equipment.	6.0	▪ Shipped by Space Cargo Inc.
13 Jan 2020	JEN1352	OMAA	HLLQ	▪ Dental equipment	9.9	▪
14 Jan 2020		UAE	Libya	▪ No manifest provided.		▪
15 Jan 2020		UAE	Libya	▪ No manifest provided.		▪
17 Jan 2020		UAE	Benghazi [e]	▪ No manifest provided.		▪
20 Jan 2020		OMSJ	HLLQ	▪ Jackets ▪ Garments	12.6 14.2	▪ Military clothing.
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
21 Jan 2020		Libya	Libya	▪ No manifest provided.		▪
3 Feb 2029		HE40	HLLQ	▪ Machinery	24.0	▪ Manifest shows HLLQ > HE40 which is highly unlikely.
12 Feb 2020	JEN1535	UAE	Libya	▪ No manifest provided.		▪
14 Feb 2020	JEN1353	Sweihan [d]	Libya	▪ No manifest provided.		▪
15 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
17 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
18 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
19 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
20 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
21 Feb 2020	JEN1353	UAE	Libya	▪ No manifest provided.		▪
22 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
24 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
25 Feb 2020		UAE	Libya	▪ No manifest provided.		▪

Date	*Flight #*	*From*	*Cargo for*	*Jenis Declared Cargo*	*Cargo (tonnes)*	*Remarks*
26 Feb 2020		UAE	Libya	▪ No manifest provided.		▪
27 Feb 2020	JEN1363	Aqaba[e]	HLLQ	▪ Armoured Vehicles x 4	13.4	▪
1 Mar 2020	JEN1366	OJAQ	HLLQ	▪ Vehicles x 4	17.9	▪
12 Mar 2020	JEN1362	OJAQ	HLLQ	▪ Vehicles x 4	13.4	▪ AWB says JEN1364.
28 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪
29 Mar 2020	JEN1366	Marka[f]	HLLQ	▪ Garments	18.2	▪ Manifest states generators as cargo.
31 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪ via HE40
31 Mar 2020	JEN1361	UAE	Libya	▪ No manifest provided.		▪ via HE40
02 Apr 2020		UAE	HLLB	▪ No manifest provided.		▪ via HE40 on return ▪ IMINT of IL-76TD @ HLLB on 2 Apr 2020.
06 Apr 2020	JEN1366	OMSJ	HLLQ	▪ No manifest provided.		▪
09 Apr 2020	JEN1366	OMAA	Libya	▪ No manifest provided.		▪
26 Apr 2020		UAE	Al Jufra [g]	▪ No manifest provided.		▪
29 Apr 2020		UAE	HLLB	▪ No manifest provided.		▪ IMINT Sentinel-2.
3 Jul 2020	Jenis Air LLC AOC Suspended			▪		▪
7 Jul 2020	Jenis Air LLC AOC Expired			▪		▪

[a] HE40. Military Airbase. 31°27'59"N, 25°52'41"E.
[b] HLLQ. 32°47'19"N, 21°57'52"E.
[c] OMSJ. 25°19'43"N, 55°31'02"E.
[d] OMAA. Military Airbase. 24°25'59"N, 54°39'04"E.
[e] HLLB. 32°05'48"N, 20°16'10]
[e] OJAQ. 29°36'42"N, 35°01'05"E.
[f] OJAM. 31°58'22"N, 35°58'30"E.
[g] HL69. Military Airbase. 29°11'53"N, 16°00'04"E.

8. On 3 July 2020, the Civil Aviation Administration of Kazakhstan suspended the Air Operators Certificate (AOC) for Azee Air LLC for a period of six months. The suspension was based on multiple sources identifying that Azee Air had violated "*the requirements of paragraph 9 of Security Council Resolution 1970 (2011)*" and "*operational requirements and restrictions"* of their air operator's certificate. The AOC expired on 7 July 2020 and Jenis Air LLC has not applied to renew it.

9. The Panel is convinced that Jenis Air LLC has now based the following aircraft in Benina in direct support of the HAF supply chains: UP-I7646, UP-I7652, UP-I7656 and UP-I 1805 (see paragraph 4 to Annex 55).

Table 55.E.4
Jenis Air LLC aircraft of interest to the Panel

A/C #	*A/C type*	*Registered*	*Operator*	*Owner*
UP-II805	IL-18	Kazakhstan	Jenis Air LLC [a]	Space Cargo Inc, [b] UAE
UP-I7646	IL-76TD	Kazakhstan	Azee Air LLC [c] then from 8 Feb 2020 to Jenis Air LLC	Aganya Limited, [d] UAE then from 1 Feb 2020 to Space Cargo Inc, UAE
UP-I7652	IL-76TD	Kazakhstan	Jenis Air LLC	Space Cargo Inc, UAE
UP-I7656	IL-76TD	Kazakhstan	Jenis Air LLC	Jenis Air LLC

[a] No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).
[b] www.spacecargoinc.com. Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE. +971 65 570388, +971 65 724019, +971 52 7888309. (s.ermolchev@spacecargoinc.com/ / maher@spacecargoinc.com).
[c] www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).
[d] No trace.

10. The Panel was unconvinced of the accuracy of the cargo documentation provided by Jenis Air LLC. The Panel thus finds that this flight activity by Jenis Air LLC is a non-compliance with paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (…) military (…) equipment* and (…) *other assistance* (…) to Libya.

11. On 11 November 2020, Jenis Air LLC changed the company name and re-registered with the Kazakh business authorities as 'Aircompany Feniks 2020 LLP' (BIN 170740014751). The Manager and Member of the company is the same as for Jenis Air LLC, Alexadnr Dimitrievich Pyankov. The new airline has yet to receive Air Operator approval from the Kazakhstan aviation authorities.

Appendix F to Annex 55: Space Cargo Inc LLC

1. The Panel has identified a Sharjah based owner, cargo agent and freight forwarding company, Space Cargo Inc LLC,[101] that appears as a common denominator in many of the illicit aviation activities relating to eastern Libya and airports under the control of armed forces affiliated to Khalifa Haftar (HAF). Space Cargo Inc LLC was reported in S/2019/914[102] as violating the arms embargo, but the Panel has subsequently identified a much wider range of violations that suggests that Space Cargo LLC Inc has a major coordination and operational role for the UAE airbridge to eastern Libya, and the delivery of military materiel to HAF.

2. The Panel confirmed that "Maher Naifaa is the owner, decision maker and General Manager of the company",[103] Maher Naifaa being an a.k.a. of Maher Nayef Alismail. The company structure and individual responsibilities are as shown at table 55.F.1.

Table 55.F.1
Structure of Space Cargo Inc LLC

Role	*Name*	*a.k.a*	*Contact details*	*Remarks*
Owner and General Manager	Maher Nayef Alismail [a]	Maher Naifaa Maher Al Ismail	maher@spacecargoinc.com gm@spacecargoinc.com maher_naifaa@yahoo.com +971 6 55 70 388	▪ Syrian
Executive Manager	Alex Makarov [b]			▪ Since Feb 2013.
Head of Operations	Sergey Ermolchev [c]		s.ermolchev@spacecargoinc.com +971 52 7888 309	▪ Since Feb 2015. ▪ Uzbek.
Auditor	Aleksandra Isamova		auditor@spacecargoinc.com +971 6 55 70 388	▪
				▪

[a] https://www.linkedin.com/in/maher-alismail-3214aa96/. Accessed 22 October 2020.
[b] https://www.linkedin.com/in/alex-makarov-06320454/. Accessed 22 October 2020.
[c] https://www.linkedin.com/in/sergey-ermolchev-1135aa117/. Accessed 22 October 2020.

3. The Panel has identified numerous activities and violations of paragraph 9 of resolution 1970 (2011) relating to Space Cargo Inc LLC, shown alphabetically in table 55.F.2 and as an infographic in figure 55.F.1.

[101] A4-73, Block A4 Street, G Floor, Sharjah International Airport, Al Ruqa Al Hamra, 61487 Sharjah, UAE or Saif Zone 125 M2, Warehouse A4-73, P.O. Box 7812, Sharjah, UAE.
[102] Table 8 and annexes 28 and 52.
[103] Panel call to Aleksandra Isamova, on 8 September 2020.

Table 55.F.2
Space Cargo Inc activities relating to arms embargo violations[104]

Date	*Activity*	*Space Cargo Inc LLC Link*	*Remarks*
1 Nov 2017	AN-26 (ex-UP-AN601) identified in Libya flying in support of HAF. [b]	Operated by Space Cargo Inc LLC.	▪ 8 Oct 2015 - De-registered by Kazakhstan. [a] ▪ Flying under false flag of H.A.D Jet cargo LLC.
20 Jan to 26 Aug 2019	IL-76TD (ex-UP-I7645) flying primarily from Jordan to Libya. [b]	Chartered by Space Cargo Inc LLC.[c]	▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE. ▪ 29 May 2020 - Sigma Airlines air operating certificate suspended. [d] ▪ 14 Aug 2017 – Registered by Kazakhstan. [e] ▪ 10 Sep 2019 - Deregistered by Kazakhstan. [f] ▪ UAE Armed Forces Load Manifests identified by panel.
4 Mar to 6 Sep 2019	IL-76TD (UP-I7601) flying from Jordan to Libya, and then primarily in Libya in direct support of HAF. [b]	Chartered by Space Cargo Inc LLC.[c]	▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE. ▪ 4 Oct 2017 – Registered by Kazakhstan. [g]
Sep 2019	IL-76TD (UP-I7645) changed registration to Libya 5A-POL.[h]	Transferred by Space Cargo Inc LLC.	▪ Now flying in support of GNA primarily on Istanbul to Misrata route..
5 Nov 2019	Purchased IL-76TD (UP-I7652).	Space Cargo Inc LLC ownership.	▪ From Global Aviation Services FZE. ▪ Sales contract No. 07/GAS/SPACE/19. ▪ 24 Nov 2019 - Re-registered by Kazakhstan. [j]
24 Nov 2019	Leased IL-76TD (UP-I7652).	Space Cargo Inc LLC	▪ Leased to Jenis Air LLC. ▪ 20 Jul 2020 - Jenis Air LLC air operating certificate suspended. [k]
20 Dec 2019	Purchased IL-18D (UP-I1805)	Space Cargo Inc LLC ownership	▪ From Jenis Air LLC. ▪ Purchase Agreement No 20/19. ▪ 20 Jan 2020 – Registered by Kazakhstan. [l]
1 Feb 2020	Purchased IL-76TD (UP-I7646).	Space Cargo Inc LLC ownership	▪ From Aganya Limited, UAE. ▪ Bill of Sale No. 80505-01-2020. ▪ Operated by Azee Air LLC until 22 Apr 2020 and then by Jenis Air LLC.
19 Mar 2020	Purchased IL-76TD (UP-I7651).	Space Cargo Inc LLC ownership.	▪ From Infinite Seal Inc, BVI. ▪ Bill of Sale No. 6002-03-2020. ▪ 9 Jul 2019 - Registered by Kazakhstan. [m] ▪ 13 May 2020 - Deregistered by Kazakhstan. [n]
19 Mar 2020	IL-76TD (UP-I7651) flew into Libya and started operating in support of HAF. [p]	Space Cargo Inc LLC ownership.	▪ Operated by Azee Air LLC. ▪ 21 Apr 2020 - Azee Air LLC air operating certificate suspended. [q]
9 April 2020	IL-76TD (UP-I7646) flew into Libya and started operating in support of HAF. [r]	Space Cargo Inc LLC ownership.	▪ Operated by Azee Air LLC until 22 April 2020 then Jenis Air LLC. ▪
12 Apr 2020	Purchased AN-32B (EY-332).	Space Cargo Inc LLC ownership.	▪ From Sky Star FZC. ▪ Warranty Bill of Sale (Unreferenced) of 27 Apr 2020. ▪ 12 Apr 2020 Deregistered by Tajikistan. [s] ▪ Flying illegally in Libya in support of HAF.
29 April 2020	IL-76TD (UP-I7652) flew into Libya and started operating in support of HAF. [t]	Chartered by Space Cargo Inc LLC.	▪ Leased and operated by Jenis Air LLC.

[a] Kazakhstan Certificate of Deregistration No.196, dated 8 October 2015.
[b] Reported in S/2019/914, table 8, and annexes 28 and 52.

[104] All the documentation referred to in this appendix is available from the Panel on request.

[c] Information received from Member State, based on their interview with Umirbek KENESBAEV, Director General of Sigma Airlines.

[d] Order OA No.167.

[e] Certificate of Registration No. 1083 dated 14 August 2017.

[f] Certificate of Cancellation from State Register of Civil Aircraft of Republic of Kazakhstan dated 10 September 2019.

[g] Certificate of Registration No. 225 dated 20 January 2020.

[h] www.aerotransport.org, updated 16 May 2020. Accessed 21 October 2020.

[j] Certificate of Registration No.1188 dated 24 November 2019.

[k] Order OA No.124.

[l] Certificate of Registration No. 1185 dated 20 January 2020.

[m] Certificate of Registration No. 1187 dated 7 September 2019.

[n] Certificate of Cancellation No. 299 from State Register of Civil Aircraft of Republic of Kazakhstan dated 13 May 2019.

[p] https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya.

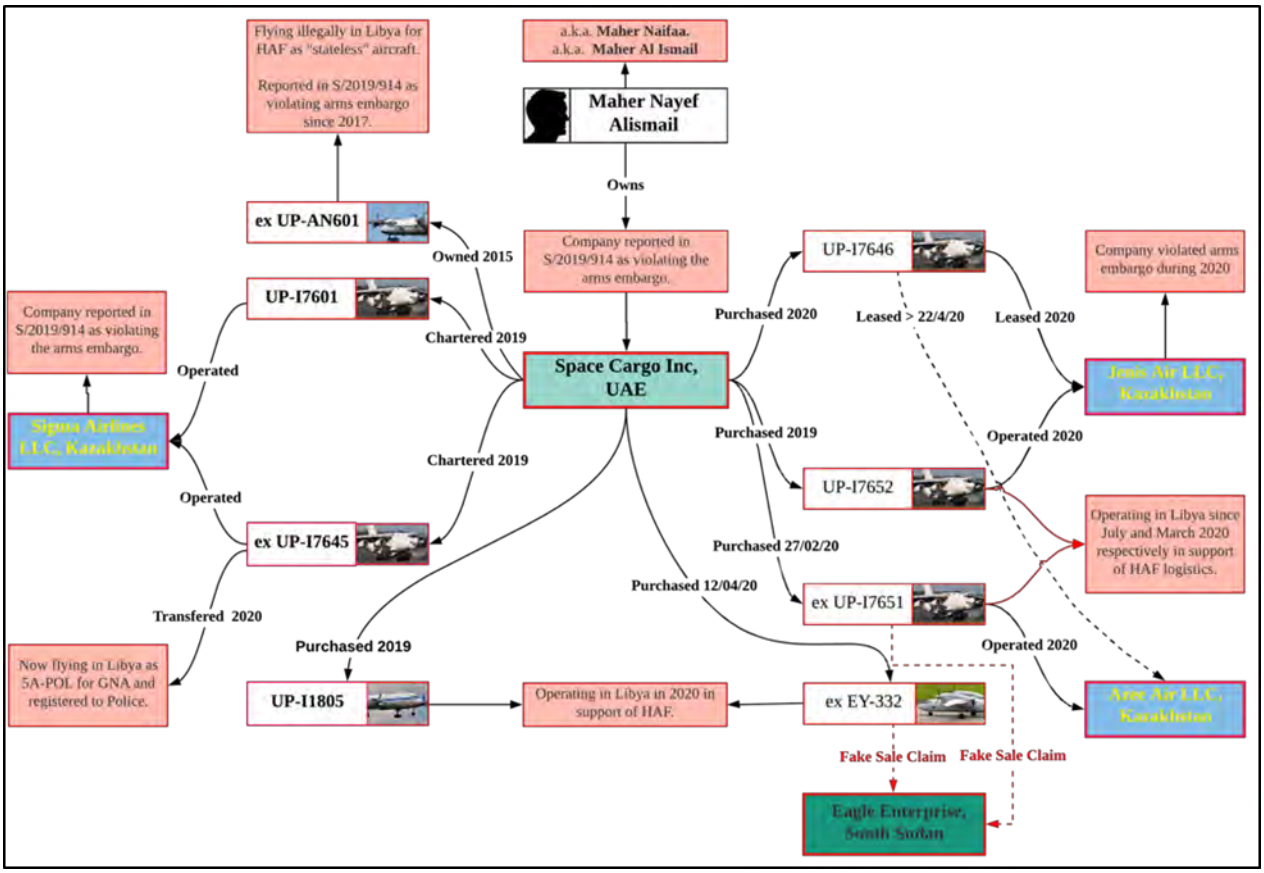
[q] Order OA No.121.

[r] Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 9 April 2020 at 04:40 hours with aircraft heading on common track to Libya.

[s] Letter from member State of 26 June 2020.

[t] Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 29 April 2020 at 01:20 hours with aircraft heading on common track to Libya.

Figure 55.F.1
Infographic of Space Cargo Inc LLC linkages to arms embargo violations



4. After verbal enquiries by the Panel to the company[105] it was noted that the company's website was removed from the internet on 25 September 2020, highly probably in response to the Panel's continued investigations into their activities.

5. The Panel wrote to Space Cargo Inc LLC[106] and provided the company with an opportunity to respond. The company responded on 15 November 2020 and denied any relationship with any illegal or unlawful actions that may have occurred using aircraft under their control or influence. Although they provided a significant amount of documentation, that documentation was insufficient to counter other documentation in possession of the Panel relating to arms embargo violations. Tables 55.F.3 to 55.F.10 summarises the Panel's evidence relating to each aircraft under the ownership, control or influence of Space Cargo Inc compared against the company's response.

Table 55.F.3
AN-26 (ex UP-AN601) [107]

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence / Rebuttal*
8 Oct 2015	De-registered by Kazakhstan.		▪ Kazakhstan Certificate of Deregistration No.196, dated 8 October 2015 shows owned by Space Cargo Inc.
1 Nov 2017	Identified in Libya flying in support of HAF.		▪ Flying under false flag of H.A.D Jet cargo LLC. ▪ Reported in S/2019/914, table 8, and annexes 28 and 52. ▪ Imagery analysis.
24 Jul 2019	H.A.D Jet Cargo deny operating aircraft.		▪ Letter from Member State dated 2 August 2019.
14 Nov 2020		Space Cargo Inc deny any relationship with the aircraft, despite being the registered owner on de-registration.	▪ No evidence of transfer of ownership provided by Space Cargo Inc.

Table 55.F.4
IL-76TD (ex-UP-I7601)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence / Rebuttal*
5 Mar 2017		Space Cargo wet leased from Reem Style and Travel, UAE.	▪ Prior to arms embargo violation offences so not relevant.

[105] Panel call to company on 8 September 2020.
[106] Panel letters of 20 June 2019, 2 July 2020 and 29 October 2020.
[107] All the documentation referred to in this annex is available from the Panel on request. It has not been included as it would result in a very unwieldy final report.

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence / Rebuttal*
Jan 2018		Space Cargo state wet lease concluded, but document supplied shows it ended 6 October 2017.	▪ Prior to arms embargo violation offences so not relevant. ▪ Space Cargo Inc dates do not agree.
4 Oct 2017	Registered by Kazakhstan on change of ownership.		▪ Certificate of Registration No. 225. ▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE.
2019	Chartered by Space Cargo Inc from Sigma Airlines LLC		▪ Information received from Member State, based on their interview under caution with Umirbek KENESBAEV, Director General of Sigma Airlines.
4 Mar to 6 Sep 2019	Identified flying from Jordan to Libya, and then primarily in Libya in direct support of HAF.		▪ Reported in S/2019/914, table 8, and annexes 28 and 52. ▪ C4ADS flight analysis.
9 Oct 2019	Sigma Airlines faked the Operations Specification for the aircraft.		▪ Faked to allow for carriage of 62 passengers.
29 May 2020	Sigma Airlines Air Operating Certificate (AOC) suspended.		▪ CAA Kazakhstan Order 167.
15 Jun 2020	Reported registered with Ukraine CAA as UR-CTO.		▪ http://www.aerotransport.org/.
23 Sep 2020	Sigma Airlines AOC revoked.		▪ Member State.
14 Nov 2020		Space Cargo Inc deny leasing or chartering from Technoline FZE.	▪ No evidence of any transfer of ownership provided by Space Cargo Inc. ▪ Space Cargo did not deny chartering from Sigma Airlines LLC though.

Table 55.F.5
IL-76TD (ex-UP-I7645)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
5 Mar 2017		Space Cargo negotiated wet lease from Reem Style and Travel, UAE but did not proceed.	▪ Prior to arms embargo violation offences so not relevant.
14 Aug 2017	Registered by Kazakhstan on change of ownership.		▪ Certificate of Registration No.1083. ▪ Owned by Technoline FZE, UAE. ▪ Operated by Sigma Airlines LLC, UAE.
2019	Chartered by Space Cargo Inc from Sigma Airlines LLC		▪ Information received from Member State, based on their interview under caution with Umirbek KENESBAEV, Director General of Sigma Airlines.

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
20 Jan to 26 Aug 2019	Identified flying from Jordan to Libya, and then primarily in Libya in direct support of HAF.		▪ C4ADS flight analysis. ▪ UAE Armed Forces Load Manifests identified by Panel.
29 May 2020	Sigma Airlines Air Operating Certificate (AOC) suspended.		▪ CAA Kazakhstan Order 167.
10 Sep 2019	De-registered by Kazakhstan.		▪ Certificate of Cancellation No.291.
23 Sep 2020	Sigma Airlines AOC revoked.		▪ Member State.
Sep 2019	Now flying for GNA with Libyan registration 5A-POL.[h]		▪ www.aerotransport.org, updated 16 May 2020. Accessed 21 October 2020. ▪ Flying primarily on Istanbul to Misrata route..
14 Nov 2020		Space Cargo Inc deny leasing or chartering from Technoline FZE.	▪ No evidence of any transfer of ownership provided by Space Cargo Inc. ▪ Space Cargo did not deny chartering from Sigma Airlines LLC though.

Table 55.F.6
IL-76TD (UP-I7646)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
23 Dec 2019	Registered by Kazakhstan.		▪ Certificate of Registration No.1186. ▪ Owned by Aganya Limited, UAE. ▪ Operated by Azee Air LLC.
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform at Jenis Air LLC request.		▪ FR24 documentation. ▪ NOTE blocked before sale and transfer to Jenis Air LLC.
26 Jan 2020		Purchased by Space Cargo from Aganya Limited (UAE)	▪ Bill of Sale No. 80505-01-2020. ▪ Documents signed 1 Feb 2020.
26 Jan 2020		Dry leased to Jenis Air LLC. Document provided.	▪
19 Feb 2020	Registered by Kazakhstan on change of ownership.		▪ Certificate of Registration No.1186. ▪ Owned by Space Cargo Inc, UAE. ▪ Operated by Jenis Air LLC.
9 April 2020	Identified flying into Libya to start operating in support of HAF.		▪ Azee Air LLC identifier used on flights until 22 April 2020 then Jenis Air LLC. ▪ C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 9 April 2020 at 04:40 hours with aircraft heading on common track to Libya.
2 Oct 2020	Reported as been returned to Space Cargo Inc.		▪ http://www.aerotransport.org/.

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.7
IL-76TD (ex-UP-I7651)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
9 Jul 2019	Registered by Kazakhstan.		▪ Certificate of Registration No.1187. ▪ Owned by Infinite Seal, BVI. ▪ Operated by Azee Air LLC
17 Jan 2020	Flight data blocked from public view on www.flightradar24.com platform at Azee Air LLC request.		▪ FR24 documentation.
10 Mar 2020		Purchased by Space Cargo from Infinite Seal Inc, BVI.	▪ Bill of Sale No. 6002-03-2020. ▪ Document signed 19 March 2020.
10 Mar 2020		Claimed to have sold to Eagle Enterprise Company Limited, South Sudan. Sale Agreement EEC-SCI-009-01-20 provided.	▪ Eagle Enterprise deny all knowledge of this sale and are categorical that all documentation is fake. The Panel is convinced of their authenticity and finds that Space Cargo have supplied fake documentation to the Panel.
19 Mar 2020	Identified as flown into Libya and started operating in support of HAF.		▪ https://twitter.com/Gerjon_/status/1284545325160693766, 18 July 2020. Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 19 March 2020 at 06:50 hours with aircraft heading on common track to Libya. ▪ Operated by Azee Air LLC (but Space Cargo stated operated by Jenis Air LLC).
21 Mar 2020	Reported as being operated by HAF in Libya.		▪ www.aerotransport.org.
21 Apr 2020	Azee Air LLC Operating Certificate (AOC) suspended.		▪ CAA Kazakhstan Order 121.
13 May 2020	De-registered by Kazakhstan.		▪ Certificate of Cancellation No.299.
23 Sep 2020	Azee Air LLC AOC revoked.		▪ Member State.

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.8
IL-76TD (UP-I7652)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
5 Nov 2019		Purchased by Space Cargo from Global Aviation Services FZE, UAE.	▪ Sales contract No. 07/GAS/SPACE/19. ▪ 24 Nov 2019 - Re-registered by Kazakhstan. [j]
24 Nov 2019		Dry leased to Jenis Air LLC. Document provided.	▪ Contract No 24/11/19.
26 Nov 2019	Registered by Kazakhstan.		▪ Certificate of Registration No.1188. ▪ Owned by Space Cargo Inc. ▪ Operated by Jenis Air LLC
29 April 2020	Identified flying into Libya and started operating in support of HAF.		▪ Confirmed by C4ADS research and www.aerotransport.org, updated 16 May 2020. Last ADS-B contact on 29 April 2020 at 01:20 hours with aircraft heading on common track to Libya.
Jun 2020	Reported as being operated by HAF in Libya.		▪ www.aerotransport.org.
20 Jul 2020	Jenis Air LLC Operating Certificate (AOC) suspended.		▪ CAA Kazakhstan Order 124.
23 Sep 2020	Jenis Air LLC Operating Certificate (AOC) revoked.		▪ Member State.
14 Nov 2020		Space Cargo Inc deny any relationship regarding the illegal actions of others using this aircraft.	▪

Table 55.F.9
IL-18D (UP-I1805)

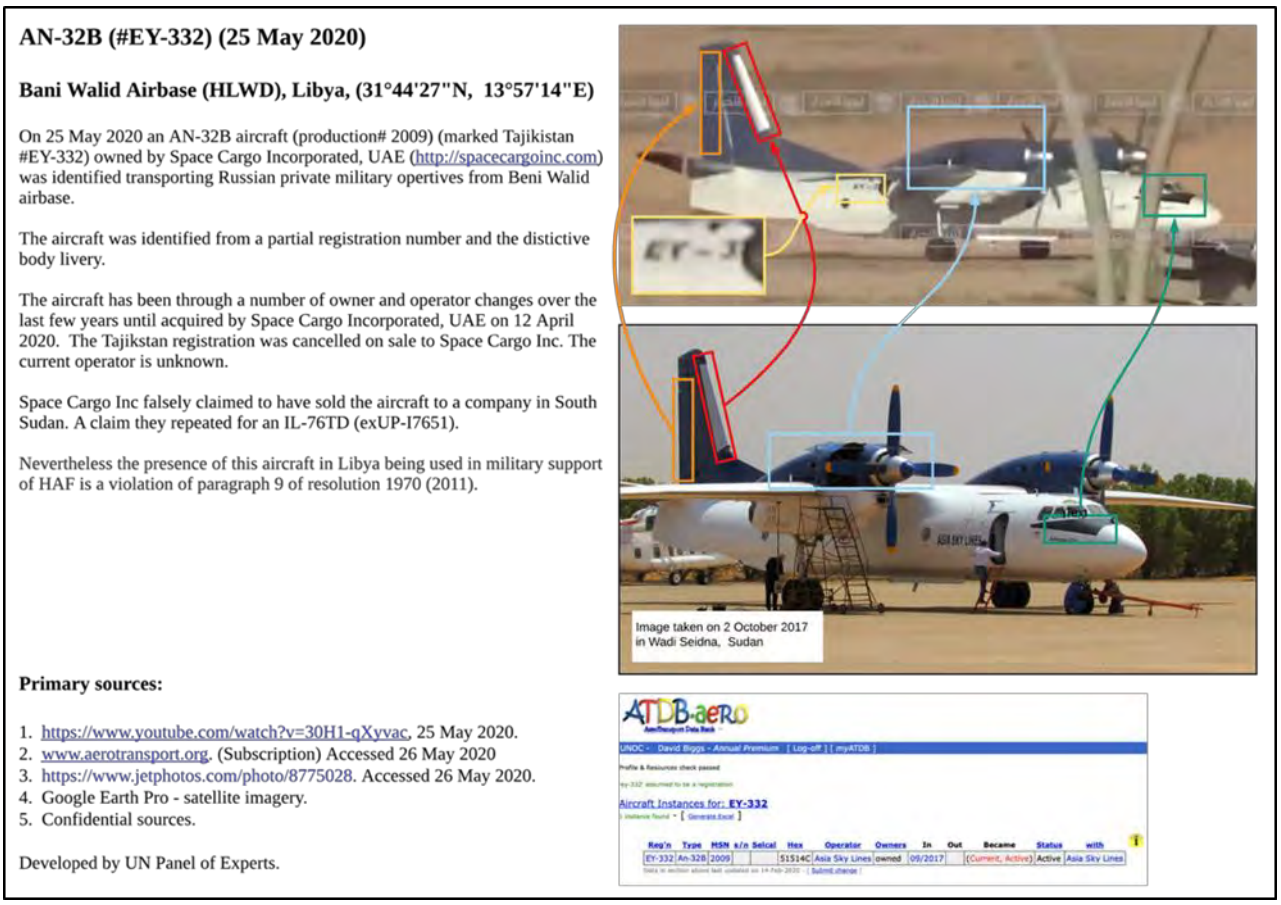
Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
22 Oct 2019		Purchased by Jenis Air LLC from Dasterro Group Corporation, Panama	▪ Purchase Agreement No. 22/10/2019
4 Nov 2019	Registered by Kazakhstan		▪ Certificate of Registration No.1185.

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
20 Dec 2019		Purchased by Space Cargo from Jenis Air LLC.	▪ Purchase Agreement No. 20/19.
20 Jan 2020	Registered by Kazakhstan on change of ownership.		▪ Certificate of Registration No.1185.
6 Jun 2020	Identified at Al Jufra air base operating in support of HAF.		▪ https://twitter.com/HasairiOuais/status/1287356754255400963, 26 July 2020. ▪ Imagery analysis. 
14 Nov 2020		Space Cargo Inc made no reference to this aircraft in their response of 14 November 2020.	▪

Table 55.F.10
AN-32B (EY-332)

Date	*Activity*	*Space Cargo Affirmation / Documentation*	*Panel Evidence*
12 Apr 2020	Purchased by Space Cargo Inc from Sky Star FZE, UAE.		▪ Purchase Agreement (Unreferenced) of 12 Apr 2020. ▪ Warranty Bill of Sale (Unreferenced) of 27 Apr 2020.
12 Apr 2020	Deregistered by Tajikistan.		▪ Letter from Member State of 26 June 2020.
25 Apr 2020	Identified as evacuating Russian PMC military operatives from Bani Walid in Libya.		▪ Imagery analysis.
14 Nov 2020		Space Cargo Inc made no reference to this aircraft in their response of 14 November 2020.	▪

Figure 55.F.2
Infographic EY-332 operating in Libya



6. The Panel was unconvinced of the accuracy of the documentation provided by Space Cargo Inc LLC. The Panel thus finds that this aviation activity by Space Cargo Inc LLC has repeatedly violated paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (...) military (...) equipment* and (…) *other assistance* (…) to Libya.

7. As the person in control of Space Cargo Inc LLC, the Panel also finds that Maher Nayef Alismail has violated paragraph 9 of resolution 1970 (2011).

Appendix G to Annex 55: Maximus Airlines LLC in support of HAF

1. The Panel has identified the Maximus Airlines LLC cargo aircraft shown in table 55.G.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.G.2 by Maximus Airlines LLC aircraft into Libya. Note the random nature of the flights and lack of an obvious schedule.

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B[108] transponders are often not visible on open source ADS-B monitoring[109] shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are from a joint military air base known to be a UAE Armed Forces logistic hub; 4) the lack of detail on the flight documentation; and 5) the flight documentation identified the consignee as the UAE Armed Forces in Egypt.

Table 55.G.1
Maximus Airlines LLC aircraft of interest to the Panel

A/C #	*A/C type*	*Registered*	*Operator*	*Owner*	*Listed Beneficial Owner Executive Director*
UR-BXQ	IL-76TD	Ukraine	Maximus Airlines LLC [a]	Maximus Airlines LLC, Ukraine	Alex Makarov
UR-ZYD	AN-124-100	Ukraine	Maximus Airlines LLC	Maximus Air LLC, [b] UAE	Crown Prince Mohammed bin Zayed [c] [110]

[a] No corporate web presence. 4th Floor, 8B Raisa Okipna Street, Kiev 02002, Ukraine. +380 44 227 9103. (office@maximus-airlines.com).
[b] www.maximus-air.com. PO Box 35367, Abu Dhabi, UAE. +971 2 419 8666. Originally formed by UAE Ministry of Defence in 2004.
[c] His Highness Sheikh Mohammed bin Zayed bin Sultan Al Nahyan.

Table 55.G.2
Suspicious flights on the HAF airbridge by Maximus Air LLC operated aircraft

#	*Date*	*Ukraine A/C #*	*A/C type*	*From*	*To*	*Cargo*
1	12 Jan 2020	UR-ZYD	AN-124-100	Assab [a]	Marsa Matruh[b]	▪ Vehicles x 18
2	14 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
3	15 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
4	16 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
5	18 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
6	19 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18

[108] Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.
[109] For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.
[110] 1) https://www.routesonline.com/airlines/4022/maximus-air-/news/160637/three-of-abu-dhabis-leading-aviation-companies-combine-to-give-boost-to-capitals-standing-as-aerospace-and-aviation-hub/, 26 August 2012; 2) https://feitoffake.wordpress.com/2020/02/08/old-russian-cargo-aircraft-are-leased-by-united-arab-emirates-for-arms-transport-to-libya/, 8 February 2020.

#	Date	Ukraine A/C #	A/C type	From	To	Cargo
7	20 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
8	22 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
9	23 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
10	24 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
11	26 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 16
12	27 Jan 2020	UR-ZYD	AN-124-100	HHSB	HEMM	▪ Vehicles x 18
13	*5 Jun 2020*[c]	*UR-BXQ*	*IL-76TD*	*UAE*	*Libya*	▪ *#MXM3704*
14	*16 Jun 2020*	*UR-BXQ*	*IL-76TD*	*UAE*	*Libya*	▪ *#MXM3704*
15	*19 Jun 2020*	*UR-BXQ*	*IL-76TD*	*UAE*	*Libya*	▪ *#MXM3704*
16	*22 Jun 2020*	*UR-BXQ*	*IL-76TD*	*UAE*	*Libya*	▪ *#MXM3704*

[a] HSSB. Military Airbase. 13°04'18"N, 42°38'42"E.
[b] HEMM. Civilian Airbase. 31°19'31"N, 27°13'18"E.
[c] Highly probably but response awaited from Member State.

3. The Panel was unconvinced of the accuracy of the documentation provided by Maximus Airlines LLC. The Panel thus finds that Maximus Airlines LLC has violated paragraph 9 of resolution 1970 (2011) for the *direct, and indirect, supply of (…) military (…) equipment* and (…) *other assistance* (…) to Libya.

Appendix H to Annex 55: Cham Wings Airlines in support of HAF

1. The Panel has identified the Cham Wings Airlines cargo aircraft shown in table 55.H.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.H.2 for Cham Wings Airlines aircraft into Libya. The list may not be exhaustive if some pre-departure flight plans were not filed directly with Eurocontrol[111] for entry into European airspace.

2. Note the random nature of the flights and lack of an obvious schedule. Cham Wings Airlines website does not list an office or agent for Libya, flights to Libya did not appear on their schedule and flights to Libya could not be booked through their on-line booking service. No response to Panel enquiries was received from the Member State or the airline. It was reported on 13 December 2020 that Cham Wings Airlines would commence scheduled twice-weekly flights to Benghazi,[112] and a Panel test booking found seat availability on 7 January 2021.

Table 55.H.1
Cham Wings Airlines aircraft of interest to the Panel

A/C #	*A/C type*	*Registered*	*Operator*	*Owner*
YK-BAA	A320-211	Syria	Cham Wings Airlines [a]	Cham Wings Airlines
YK-BAB	A320-211	Syria	Cham Wings Airlines	Cham Wings Airlines
YK-BAE	A320-231	Syria	Cham Wings Airlines	Cham Wings Airlines
YK-BAG	A320-212	Syria	Cham Wings Airlines	Cham Wings Airlines

[a] www.chamwings.com. Fardos Street, Damascus, Syria. +963 11 9211. (cs@chamwings.com).

Table 55.H.2
Suspicious flights from Syria by Cham Wings Airlines aircraft (2019)

Date	*From*	*To*	*Aircraft #*	*Type*	*Passengers*	*Maximum load (t)*
12 Apr 2019	Damascus [a]	Benghazi [b]	YKBAE	A320-231	174	19.9
23 Apr 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
30 Apr 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
1 May 2019	OSDI	HLLB	YKBAE	A320-231	174	19.9
3 May 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
17 May 2019	OSDI	HLLB	YKBAG	A320-212	156	19.9
14 Jun 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
29 Jun 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
27 Aug 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
30 Aug 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
6 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
17 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
24 Sep 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9

[111] https://www.eurocontrol.int.
[112] https://libyareview.com/8705/syrias-cham-wings-airlines-operates-direct-flights-to-benghazi/. 13 December 2020.

Date	*From*	*To*	*Aircraft #*	*Type*	*Passengers*	*Maximum load (t)*
4 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
11 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
18 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
28 Oct 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
8 Nov 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
25 Nov 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
30 Dec 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
31 Dec 2019	OSDI	HLLB	YKBAB	A320-211	156	19.9
				Total:	**3,312**	**398 t**

Source: 1) Confidential source ; and 2) www.flightradar24.org.

[a] OSDI. Damascus. Joint Airbase. 33°24'25"N, 36°30'34"E.
[b] HLLB. Benghazi. Joint Airbase. 32°07'00"N, 20°04'00"E.

Table 55.H.3
Suspicious flights into eastern Libya by Cham Wings Airlines aircraft (2020)

Date	*From*	*Cargo for*	*Syria A/C #*	*A/C type*	*Passengers*	*Maximum load (t)*
1 Jan 2020	Damascus [a]	Benghazi [b]	YK-BAB	A320-211	156	19.9
3 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
5 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
7 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
8 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
12 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
16 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
19 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
20 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
22 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
26 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
29 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
30 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
31 Jan 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
1 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
6 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
7 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9

Date	*From*	*Cargo for*	*Syria A/C #*	*A/C type*	*Passengers*	*Maximum load (t)*
9 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
12 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
13 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
19 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
21 Feb 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
22 Feb 2020	OSDI	HLLB	YK-BAE	A320-231	156	19.9
29 Feb 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
3 Mar 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
4 Mar 2020	OSDI	HLLB	YK-BAA	A320-211	156	19.9
10 Mar 2020	OSDI	HLLB	YK-BAA	A320-211	156	19.9
6 May 2020	Amman [c]	HLLB	YK-BAG	A320-211	156	19.9
6 May 2020	OJAI	HLLB	YK-BAG	A320-211	156	19.9
11 May 2020	Latika [d]	Al Khadim [e]	YK-BAG	A320-212	156	19.9
11 May 2020	OSLK	HLLB	YK-BAA	A320-212	156	19.9
13 May 2020	OSLK	HLLB	YK-BAA	A320-212	156	19.9
16 May 2020	OSLK	HL59	YK-BAA	A320-212	156	19.9
18 May 2020	OSLK	HLLB	YK-BAA	A320-211	156	19.9
19 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
20 May 2020	OSLK	HLLB	YK-BAA	A320-211	156	19.9
20 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
21 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
22 May 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
23 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
18 Jun 2020	OSLK	HLLB	YK-BAG	A320-211	156	19.9
23 May 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
21 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
22 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
23 Jun 2020	OSDI	Al Khadim [d]	YK-BAG	A320-212	156	19.9
25 Jun 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
2 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
2 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
4 Jul 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
11 Jul 2020	Sharjah [f]	HLLB	YK-BAG	A320-212	156	19.9
12 Jul 2020	OMSJ	HLLB	YK-BAG	A320-212	156	19.9

Date	*From*	*Cargo for*	*Syria A/C #*	*A/C type*	*Passengers*	*Maximum load (t)*
23 Aug 2020	OSDI	HLLQ	YK-BAG	A320-211	156	19.9
19 Sep 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
19 Oct 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
20 Oct 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
28 Oct 2020	OSDI	HLLQ	YK-BAG	A320-211	156	19.9
28 Oct 2020	Tehran [g]	HLLB	YK-BAG	A320-211	156	19.9
03 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
11 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
29 Nov 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
02 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
03 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
06 Dec 2020	OSDI	HLLB	YK-BAG	A320-211	156	19.9
08 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
10 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
13 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
15 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
17 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
18 Dec 2020	OSDI	HLLB	YK-BAE	A320-211	156	19.9
19 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
21 Dec 2020	OSDI	HLLB	YK-BAE	A320-211	156	19.9
22 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
27 Dec 2020	OSDI	HLLB	YK-BAB	A320-211	156	19.9
				Totals:	**12,324**	**1,572**

[a] OSDI. Damascus. Joint Airbase. 33°24'25"N, 36°30'34"E.
[b] HLLB. Benghazi. Joint Airbase. 32°07'00"N, 20°04'00"E.
[c] OJAI. Amman. Joint Airbase. 31°43'21"N, 35°59'36"E.
[d] OSLK. Latika. Joint Airbase. 35°24'03"N, 35°56'55"E.
[e] HL59. Al Khadim. Military Airbase. 31°59'54"N, 21°11'30"E.
[f] OMSJ. Sharjah. Joint Airbase. 25°19'43"N, 55°31'02"E.
[g] OIIE. Tehran. Joint Airbase. 35°24'58"N, 51°09'08"E.

3. The Panel thus finds that this flight activity by Cham Wings Airlines LLC has violated paragraph 9 of resolution 1970 (2011) for the supply of (…) military (…) equipment and (…) other assistance (…) to Libya.

4. On 11 January 2021 the World Health Organization announced on social media that Cham Wings Airlines LLC aircraft had been used to move humanitarian supplies from the UAE to Libya in early January 2021. The aircraft were contracted by the World Food Programme (WFP), who were responsible for the coordination of humanitarian logistics for Libya. This resulted in

international media interest,[113] which is institutionally damaging for the UN family. A "deconfliction" mechanism within the UN system would allow their logistics teams to identify which airlines, aircraft, shippers, vessels etc have previously violated UN sanctions.

Image 55.H.1
Open source media coverage (4 January 2021)



Source: https://www.independent.co.uk/news/world/middle-east/un-libya-embargo-arms-aid-b1786173.html

[113] For example, https://www.independent.co.uk/news/world/middle-east/un-libya-embargo-arms-aid-b1786173.html, 12 January 2021.

Appendix J to Annex 55: ZetAvia LLC in support of HAF

1. The Panel has identified the ZetAvia LLC cargo aircraft shown in table 55.J.1 as of interest to the Panel. The Panel has identified the flights shown in table 55.J.2 for ZetAvia LLC aircraft into Libya. ZZZ codes are also often used for these flights. Note the random nature of the flights and lack of an obvious schedule.

2. The flights are deemed suspicious by the Panel as: 1) signals from the aircraft ADS-B[114] transponders are not visible on open-source ADS-B monitoring[115] shortly after entering Egyptian airspace; 2) the number of unscheduled flights on a previously little used route; 3) the flights are often from military air bases; and 4) there have been no responses to the Panel's request for information from the airline.

Table 55.J.1
ZetAvia LLC aircraft of interest to the Panel

A/C #	*A/C type*	*Registered*	*Operator*	*Owner*	*Listed Beneficial Owner Executive Director*
UR-CIF	IL-76TD	Ukraine	ZetAvia LLC [a]	Technoline FZE, [b] UAE	
UR-CIG	IL-76TD	Ukraine	ZetAvia LLC	Technoline FZE, UAE	

[a] www.zetavia.net. 5 Vyzvolyteliv Boulevard, Kiev 026600, Ukraine. +380 44 528 0959 / +971 6 744 1011. (office_za@ukr.net).
[b] No corporate web presence. Sharjah Airport Free Zone, Sharjah, UAE. +971 65 578170. +971 65 573127. (technoline@nsc.ae).

Table 55.J.2
Suspicious flights from UAE by ZetAvia LLC operated aircraft

#	*Date*	*Ukraine A/C #*	*A/C type*	*From*	*Cargo for*	*Remarks*
1	7 Mar 2020	UR-CIG	IL-76TD	Sweihan [a]	TBC	▪
2	20 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
3	22 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
4	25 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
5	27 Apr 2020	UR-CIG	IL-76TD	OMAW	TBC	▪
						▪
6	30 Apr 2020	UR-CIG	IL-76TD	OMAW	Ghardabiya [b]	▪

[a] OMAW. Military Airbase. 24°31'38"N, 54°58'27"E.
[b] HLGD. Military Airbase. 31°03'38"N, 16°36'42"E.

[114] Automatic Dependent Surveillance - Broadcast. This is a surveillance technology whereby an aircraft determines its position from satellites and then automatically broadcasts it, enabling the aircraft to be tracked without an interrogation signal from the ground.
[115] For example: 1) www.flightradar24.com; or 2) www.opensky-network.org; 3) www.adsbexchange.com; 4) www.adsbhub.org; and 5) www.uk-flightaware.com.

Table 55.J.3
Suspicious flights from Eritrea by ZetAvia LLC operated IL-76TD aircraft

#	*Date*	*Ukraine A/C #*	*A/C type*	*From*	*To*	*Remarks*
1	27 Nov 2019	UR-BXQ	IL-76TD	Assab [a]	Sidi Barani [b]	▪
2	28 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
3	29 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
4	30 Nov 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
5	30 Nov 2019	UR-CIG	IL-76TD	HHSB	Mersa Matruh[c]	▪
6	1 Dec 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
7	1 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
8	2 Dec 2019	UR-BXQ	IL-76TD	HHSB	HE40	▪
9	2 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
10	3 Dec 2019	UR-CIG	IL-76TD	HHSB	HEMM	▪
11	4 Dec 2019	UR-CIG	IL-76TD	HHSB	HE40	▪
12	07 Feb 2020	UR-CIG	IL-76TD			▪ ZAV9511
13	10 Feb 2020	UR-CIG	IL-76TD			▪ ZAV9511
14	30 Mar 2020	UR-CIF	IL-76TD			▪
15	31 Mar 2020	UR-CIF	IL-76TD			▪
16	04 Apr 2020	UR-CIG	IL-76TD			▪ ZAV9511

[a] HSSB. Military Airbase. 13°04'18"N, 42°38'42"E.
[b] HE40. Military Airbase. 31°27'59"N, 25°52'41"E.
[c] HEMM. Civilian Airbase. 31°19'31"N, 27°13'18"E.

3. The Panel was unconvinced of the accuracy of the flight documentation provided by ZetAvia LLC. The Panel thus finds that this flight activity by ZetAvia LLC is a violation of paragraph 9 of resolution 1970 (2011) for the *direct supply of (…) military (…) equipment* and (…) *other assistance* (…) to Libya.

Appendix K to Annex 55: HAF controlled aircraft

1. The Panel has identified the following aircraft that are directly controlled by HAF and operating within HAF controlled territory of Libya (see table 55.K.1). The Panel considers that most of these, if not all, are almost certainly being used to ferry the materiel delivered to Western Egyptian airfields into HAF controlled territory in Libya. They are certainly being used to provide logistic support to HAF within Libya; both activities being a violation of paragraph 9 of resolution 1970 (2011). More detailed information is covered in tables 55.K.2 to 55.K.3 or in appendix F to Annex 55 for Space Cargo Inc aircraft.

Table 55.K.1
HAF controlled cargo aircraft

A/C # [a]	*Type*	*Registered*	*Last known aircraft Operator*	*Owner*	*Remarks*
5A-DRS	IL-76	Unregistered	Libyan Arab Air Cargo [b]	Government of Libya	▪
EY-332	AN-32B	Unregistered	Unknown	Space Cargo	▪ See appendix F to Annex 55.
ST-EWX	IL-76	Sudan	Green Flag Aviation [c]	Green Flag Aviation	▪
UP-AN601	AN-26	Unregistered	Sigma Airlines LLC	Space Cargo Inc [d]	▪ See appendix F to Annex 55. ▪ Destroyed in Libya on 5 Apr 2020.
UP-I7601	IL-76	Unregistered	Sigma Airlines LLC. Reported in S/2019/914, table 8, and annexes 28 and 52.		▪
UP-I7646	IL-76	Unregistered	Jenis Air LLC [e]	Space Cargo Inc	▪ See appendix F to Annex 55.
UP-I7651	IL-76	Unregistered	Azee Air LLC [f]	Space Cargo Inc	▪ See appendix F to Annex 55.
UP-I7652	IL-76	Kazakhstan	Jenis Air LLC	Space Cargo Inc	▪ See appendix F to Annex 55.
UP-I7656	IL-76	Kazakhstan	Jenis Air LLC	Jenis Air LLC	▪ Confirmed operating from Benina since Jun 2020.
ex EY-409	AN-12BP	Unregistered	HAF	ALA International FZE [g]	▪ Seen at Al Jufra on 25 July 2020. ▪
UP-I1805	IL-18	Kazakhstan	HAF	Space Cargo Inc	▪ See appendix F to Annex 55.
Unmarked (ex ER-ICS)	IL-18	Unregistered	HAF	Terra Avia [h]	▪

[a] The registration number is in many cases this displayed illegally as the aircraft has been de-registered from its last registry.
[b] Commercial Cargo Division of Libyan Arab Republic Air Force.
[c] http://www.greenflag-sdn.com. Web link inactive.
[d] www.spacecargoinc.com. (See annex AE50).
[e] No corporate web presence. Massif Aeroport, Ulitsa Aeroport 4/1, Taraz, Kazakhstan. +7 7073 222119. (jenisair@mail.ru).
[f] www.azeeair.com. Office 303, Building 17, Naurizbay Batir SIRIUS (Business Centre), Almaty 050004, Kazakhstan. +7 7273 469146. (gd@azeeair.com).
[g] ALA International FZE. SAIF Zone 9273, Sharjah, United Arab Emirates. tpapikyan@me.com.
[h] www.terraavia.com.

Table 55.K.2
IL-76 (5A-DRS) [116]

Date	*Activity*	*Panel Evidence*
23 Jun 2003	Acquired by Libyan Arab Air Cargo.	▪ www.aerotransport.org
1 May 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/HasairiOuais/status/1256283060976443394/photo/1. 1 May 2020. ▪ Imagery analysis.
		

Table 55.K.3
IL-76 (ST-EWX)

Date	*Activity*	*Panel Evidence*
1 Aug 2011	Acquired by Green Flag Aviation.	▪ www.aerotransport.org
4 Jun 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/Gerjon_/status/1268467153340174336, and https://twitter.com/HasairiOuais/status/1268466092265127937, 4 June 2020. ▪ Extract from video imagery analysis.
		

Table 55.K.4
IL-76 (UP-I7656)

Date	*Activity*	*Panel Evidence*
Nov 2019	Acquired by Jenis Air LLC from Global Charter Services, UAE	▪ www.aerotransport.org
Jun 2020	Identified in Libya flying in support of HAF.	▪ https://twitter.com/Gerjon_/status/1288512524023934976, 29 July 2020.

[116] All the documentation referred to in this annex is available from the Panel on request.

Table 55.K.5
AN-12BP (EY-409)

Date	*Activity*	*Panel Evidence*
9 Jul 2014	Acquired by ALA International FZE, UAE	▪ www.aerotransport.org
1 Apr 2015	Leased by Allied Services Limited, South Sudan (www.alliedservicesltd.com).	▪ Letter to Panel from company dated 30 October 2020. ▪ Lease Agreement No 15/03 dated 1 Apr 2015.
4 Nov 2015	Aircraft returned to owners by Allied Services Limited, South Sudan, but stayed in storage in Juba.	▪ Letter to Panel from company dated 30 October 2020.
11 Dec 2015	Deregistered by Tajikistan	▪ Letter to Panel from Member State dated 15 October 2020.
26 Oct 2019	Aircraft departed Juba, South Sudan flown by Asia Airways LLC of Tajikistan.	▪ South Sudan CAA Pre-Flight Inspection Report.
22 Aug 2020	Confirmed in Al Jufra, Libya flying in support of HAF.	▪ Confidential source.

Figure 55.K.1
AN-12BP (ex EY-409) in Al Jufra during May 2020

Antonov AN-12BP (#EY-409) (22 August 2020)

On 12 November 2019 an unidentified Antonov AN-12BP cargo aircraft was observed at Tamenhint Airport, Libya operating in support of HAF military operations.

On 22 August 2020 imagery on social media allowed the the Panel to confirm that this aircraft is AN-12BP (MSN #5343005), last reported as being owned by Allied Services Limited (South Sudan) (www.alliedservicesltd.com). Although displaying the registration EY-409, the Tajikstan aviation authorities have confirmed to the Panel that this aircraft was de-registered on 11 December 2015. It is thus now flying with iliicit markings.

The presence of this aircraft in Libya being used in military support of HAF is a violation of paragraph 9 of resolution 1970 (2011).



26 August 2015, AN-12BP (EY-409) imagery on Allied Services Limited social media page (Facebook).



12 November 2019, unidentified AN-12BP at Tamenhint airport with HAF military commanders.



22 August 2020, AN-12BP confirmed operating in Libya as ex-EY-409. Image from Al Jufrah in May 2020.

Primary sources:

1. https://www.facebook.com/AlliedServicesEAfrica/photos/698925746918678/, 26 August 2015.
2. https://twitter.com/Oded121351/status/1191436452716056577, 4 November 2019.
3. https://twitter.com/Gerjon_/status/1297157977816915969?s=20, 23 August 2010.
4. www.aerotransport.org. (Subscription) Accessed 18 October 2020

Developed by UN Panel of Experts.

Table 55.K.6
IL-18 (Ex ER-ICS)

Date	*Activity*	*Panel Evidence*
8 Jul 2015	Transferred to HAF by Sky Prim Air, Moldova	▪ www.aerostransport.org ▪ Reported in annex 35 to S/2017/466 and annex 52 to S/2019/914.
2016	Under Terra Avia ownership when Sky Prim Air closed down.	▪
27 July 2020	Again identified as operating in Libya in support of HAF.	▪ https://twitter.com/Gerjon_/status/1287815982350766085, 27 July 2020.
29 Nov 2020	Image from www.terraavia.com website showing ER-ICS. Note registration across wings.	

2. Analysis of satellite imagery of Benghazi (Benina) and Al Khadim taken on 24 December 2020 provides evidence of the indigenous fleet available to HAF.

Table 55.K.6
Panel analysis of aircraft deployed in Benina and Al Khadim on 24 December 2020

Type	*Confirmed as HAF controlled*	*Al Khadim*	*Confirmed visiting Al Khadim* [a]	*Benina*	*Confirmed visiting Benina* [a]	*Balance*	*Panel remarks*
AN-12	1	1				0	▪
AN-24/26	1	1				0	▪
AN-32	1					1	▪
IL-18	2					2	▪
IL-76	7	3	1	5		0	▪ Visitor confirmed as Flight# RFF8040
TU-154	0	1	1	0	0	0	▪ Visitor confirmed as TU-154M (RA-85042)
Unidentified Cargo A/C		3 [b]			5	8	

[a] See other appendices in this annex.
[b] Similar size to IL-24/32.

Figure 55.K.1
Imagery of aircraft deployed in Benina and Al Khadim on 24 December 2020



3. The Panel noted that most of the commercial operators in 2020 were UAE based, using primarily Kazakhstan registered aircraft, as opposed to the primarily Ukrainian registered aircraft used during 2019. On 30 July 2019, the Aviation Security Council of the Aviation Service of Ukraine issued instructions that banned flights by all Ukrainian registered aircraft from conducting flights into Libya due to the ‘worsening security.

4. The suspension of air operator certificates (AOC) for Azee Air LLC, Jenis Air LLC and Sigma Airlines LLC by the Kazakhstan Civil Aviation Administration significantly reduced the number of commercial cargo aircraft available for use on this route. This required the UAE to use their military C-17 Globemaster aircraft to maintain their airbridge (see appendix B to Annex 55).

Annex 56 Infographic for Inkas Titan-DS APV

Eastern Libya (4 February 2020)
Near 30°22'51"N, 13°35'22"E

The Panel has identified the presence of the a new armoured personnel carrier (APC) type in the possession of the Tariq bin Zayed battalion of HAF. The vehicle is virtually identical to the APC designed and manufactured by "Inkas" Vehicles LLC of Dubai Investments Park 2, Dubai, United Arab Emirates, (www.inkas.ae). The manufacturer denies exporrt direct to Libya and claims other manufacturers make similar vehicles, but provided no examples. The Panel is unconvinced of the veracity of the manufacturers' response.

Inkas[R] Armoured Vehicles of Canada, which owns the Inkas registered name has stated that these vehicles are counterfeit products being manufactured in the UAE without their authorization. The quality standards of such vehicles can not, thus, be assured.

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



"Inkas" Titan-DS deployed with the Tariq bin Zayed battalion of HAF



"Inkas" Titan-DS manufacturers image





Primary sources

1. https://twitter.com/towersight/status/1224794753671274497, 4 February 2020.
2. https://www.facebook.com/102186137834737/posts/191394325580584/, 4 February 2020.
3. https://inkas.ae/armored/inkas-titan-ds-apc/. Accessed 27 July 2020.
4. customer.janes.com. (Subscription). 6 February 2020.
5. https://inkasarmored.com/legal-notice/. Accessed 22 September 2020.

Developed by UN Panel of Experts

Annex 57 Wing Loong II UCAV redeployed to Egyptian airbase

10 February 2020

Location: Uthman Airbase (HE27), Egypt (29°33'1.83"N, 25°35'55.95"E)

On 10 February 2020 a Maxar Technologies satellite captured an image of three *Wing Loong II* UCAV at HE27 in Egypt. On 17 May 2020 confirmatory imagery appeared on social media of the *Wing Loong II* UCAV operational at HE27. On 28 August 2020 the BBC identified that the eleven transport containers, highlighted in yellow, were moved from Al Khadim airbase in Libya (HL59) to Uthman airbase (HE27) in Egypt between 4 to 7 February 2020.

This transfer of military equipment from Libya was a violation of paragraph 9 of resolution 1970 (2001) by the UAE.

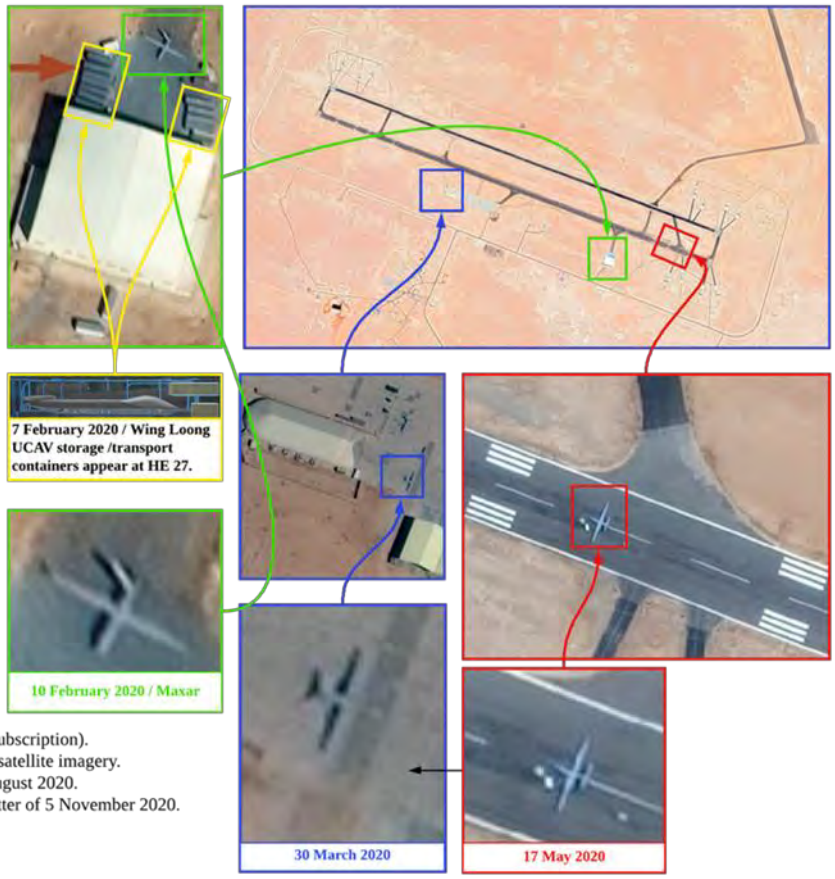
In a remote meeting with the Panel on 2 November 2020, and letter of 5 November 2020, the Egyptian government stated that nine UAE owned and operated *Wing Loong II* UCAV were present as part of a defence cooperation agreement with the UAE in order to provide security and surveillance of Egypt's western border. No such agreement rests in the public domain.

The range of the *Wing Loong II* UCAV would allow them to operate over Libua, but the Panel has no evidence of this yet occuring.

Primary sources:

1. Biggers C, www.ihs.janes.com, 27 February 2020 (Subscription).
2. Maxar Technologies Limited and Google Earth Pro - satellite imagery.
3. https://www.bbc.co.uk/programmes/m000nrg5. 28 August 2020.
4. Member State, meeting of 2 November 2020, and letter of 5 November 2020.

Developed by UN Panel of Experts.



Annex 58 Infographic for Dahua counter-drone weapon

Western Libya (20 March 2020)

Identified by the Panel as a DHI-UAV-D-1000JHV2 Portable Unmanned Aerial Vehicle (UAV) Counter Gun designed and manufactured bythe Dahua Technology Company Limited (www.dahuasecurity.com).

The UAV Counter-Gun is a directed-energy unmanned aircraft system(UAS) countermeasure. It quickly disrupts the adversary's control of thedrone, neutralizing it so that no remote action, including detonation,can occur,

The system has a 1,000m range across six common frequency bands for UAV.

Although observed in the posession of HAF, there is no evidence as to the supply chain yet.



Primary sources

1. https://twitter.com/Oded121351/status/1240942635122130946, 20 March 2020.
2. https://www.dahuasecurity.com/asset/upload/uploads/soft/20181122/DHI-UAV-D-1000JHV2-datasheet.pdf. Accessed 27 July 2020.

Developed by UN Panel of Experts

Annex 59 HAF Pilot Training in Syria

HAF Pilot Training in Syria (12 April 2020)
33°17'24"N, 36°28'20"E

The Panel has identified from recent open source imagery that individuals from HAF were apparently sent to the 64th Helicopter Brigade of the Syrian Arab Air Force at Marj Ruhayyil/Blai military airport (33°17'06"N, 36°27'29"E) to undergo six-month long pilot training courses on the Mi-24D (Mi-25 export version) attack helicopter.

The Panel has written to Syria requesting an explanation for this issue, but is still awaiting a response,

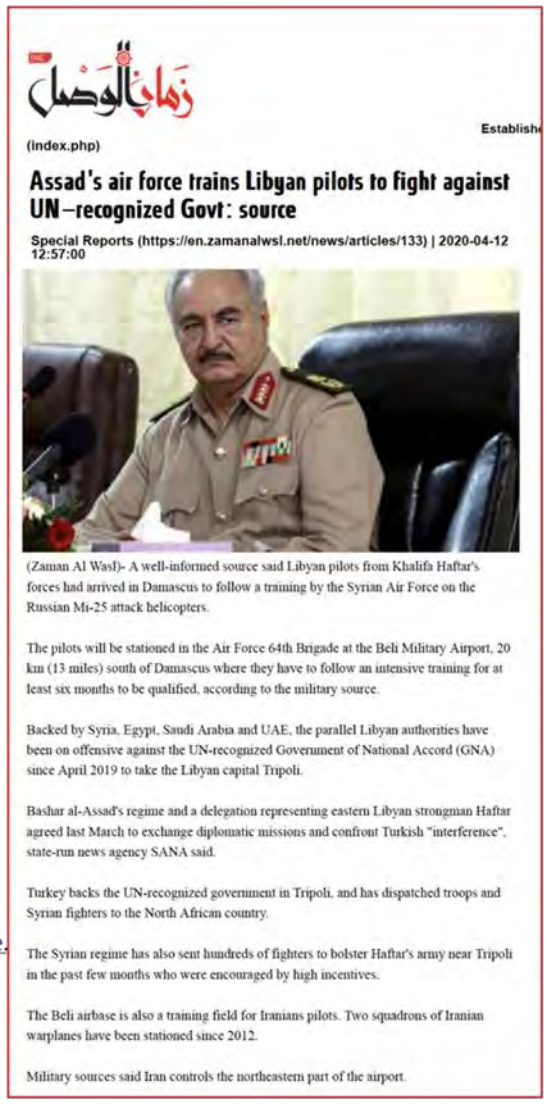


Mi-24/35 attack helicopter in Libya under HAF (2017)

Primary sources

1. https://en.zamanalwsl.net/news/article/53967, 12 April 2020.
2. https://www.scramble.nl/planning/orbats/syria/syrian-arab-air-force. Accessed 1 November 2020.
3. Google Earth Pro.

Developed by UN Panel of Experts.



زمان الوصل

Establish

(index.php)

Assad's air force trains Libyan pilots to fight against UN–recognized Govt: source

Special Reports (https://en.zamanalwsl.net/news/articles/133) | 2020-04-12 12:57:00

(Zaman Al Wasl)- A well-informed source said Libyan pilots from Khalifa Haftar's forces had arrived in Damascus to follow a training by the Syrian Air Force on the Russian Mi-25 attack helicopters.

The pilots will be stationed in the Air Force 64th Brigade at the Beli Military Airport, 20 km (13 miles) south of Damascus where they have to follow an intensive training for at least six months to be qualified, according to the military source.

Backed by Syria, Egypt, Saudi Arabia and UAE, the parallel Libyan authorities have been on offensive against the UN-recognized Government of National Accord (GNA) since April 2019 to take the Libyan capital Tripoli.

Bashar al-Assad's regime and a delegation representing eastern Libyan strongman Haftar agreed last March to exchange diplomatic missions and confront Turkish "interference", state-run news agency SANA said.

Turkey backs the UN-recognized government in Tripoli, and has dispatched troops and Syrian fighters to the North African country.

The Syrian regime has also sent hundreds of fighters to bolster Haftar's army near Tripoli in the past few months who were encouraged by high incentives.

The Beli airbase is also a training field for Iranians pilots. Two squadrons of Iranian warplanes have been stationed since 2012.

Military sources said Iran controls the northeastern part of the airport.

Annex 60 Infographic for KBP RPO-A Shmel

Ain Zara (8 April 2020)
(32°48'44"N, 13°16'06"E)

Identified by the Panel as an RPO-A (*Shmel*) rocket propelled incendiary blast projectile launcher. It is often inaccurately referred to as a flame thrower. This system propels a capsule containing 2.1kg of a Fuel/Air Explosive (FAE) mixture which disperses on impact and then ignites. It is a thermobaric weapon and has the blast equivalence of a 122mm high explosive artillery shell.

It is ideally suited for fighting in built up areas (FIBUA), and could be a potent weapon should street fighting ensue in Tripoli. It has a maximum range of 1,000m but the sights are only calibrated to 600m. A more realistic engagement range, that keeps the firer safe, is 200m.

This system was reported as being in Libya in Panel report S/2018/812, annex 22, paras. 43 - 44. 1,000 RPO-A were previously delivered to Libya in 2007.

The system pictured here has a differant paint scheme and is almost certainly not from the 2007 batch. There is no evidence as to the supply chain yet, but its presence in Libya is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://youtu.be/PxLm--ZJ0Y0, (@4.44), 18 April 2020.
2. customer.janes.com. (Subscription). 2 October 2015.

Developed by UN Panel of Experts







Annex 61 Infographic for Dassault Mirage 2000-9

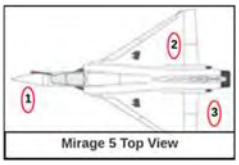
1. Sidi Barani Airbase (HE40), Egypt (31°27'59"N,25°52'41"E)

2. Al Jufra Airbase (HL69), Libya (29°10'58.31"N, 16°25'01.01"E)

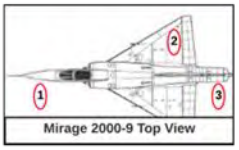
3. Tobruq Airbase (HL59), Libya (31°51'46.80"N, 23°55'2.06"E)

Satellite imagery of 6 May 2020 identified UAE Air Force Mirage 2000-9 fighter ground attack (FGA) at Sidi Barani Airbase in Egypt. The Egyptian authorities informed the Panel tthat his was for maintenance. The Panel is unconvinced, as: 1) Egypt could not tell the Panel what level maintenance was purportedly provided; and 2) it is unlikely the specialised maintenance facilities required for such an aircraft are in Sidi Barani as no EAF Mirage are based there.

Analysis of the imagery confirms the aircraft type as a Mirage 2000-9 rather than a Mirage 5 (operated by Egypt) based on: 1) shorter nose profile of the 2000-9; 2) larger proportional wing area of 2000-9; 3) shorter and wider tail profile of 2000-9; and 4) the distinctive camouflage pattern used by the UAE

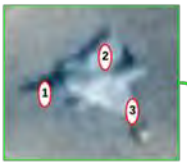


Mirage 5 Top View



Mirage 2000-9 Top View


EAF Mirage 5




UAE Mirage 2000-9


EAF Mirage 2000-9


6 May 2020, One of six Mirage 2000-9 FGA at Sidi Barani (HE40), Egypt


12 May 2020, possible Mirage 2000-9 FGA at Al Jufra (HL69), Libya


8 June 2020, confirmed UAE Mirage 2000-9 FGA at Tobruk (HL59), Libya

On 12 May 2020 satellite imagery and a confidential source identified a Mirage 2000-9 at Al Jufra (HL69) airbase, and on 8 June 2020 at Tobruq airbase (HL59). Despite both aircraft having the distinctive UAE camouflage pattern, the UAE denied they were UAE aircraft in a letter to the Panel.This deployment is a violation of paragraph 9 of resolution 1970 (2011).

Primary sources:

1. https://twitter.com/obretix/status/1258087871136833537, 6 May 2020.
2. https://zeenews.india.com/world/pakistan-air-force-to-buy-36-retired-mirage-v-jets-from-egypt-as-iaf-gets-ready-to-deploy-rafale-2233202.html, 9 September 2019.
3. https://www.defencetalk.com/military/photos/egyptian-air-force-mirage-2000.27918/. Accessed 10 May 2020.
4. https://www.defensenews.com/digital-show-dailies/dubai-air-show/2017/11/14/dassault-to-modernize-uaes-mirage-fleet-for-a-reported-350m/, 14 November 2017.
5. https://www.scramble.nl/orbats/egypt. Accessed 10 May 2020.
5. www.ihs.janes.com, (Subscription). Accessed 24 May 2020.
6. Digital Globe, Maxar Technologies Limited and Google Earth Pro - satellite imagery.
7. Confidential sources.

Developed by UN Panel of Experts

Annex 62 Infographic for “Wagner” armoured vehicle

Bani Walid and Tarhuna (23 May 2020)

Video and still imagery of a new type of wheeled armoured personnel carrier not previously seen in Libya were widely published on open source media. The APC was in the possession of Russian private military operatives.

Russian media identified that the Ural-432007-0111-31 chassis and power train was used as the basis for this APC. The vehicle design is virtually identical to that of an off-road secure vehicle manufactured by Evro Polis LLC of Krasnogorsk; a company controlled by Yevgeny Progozhin, who also controls the entity known as ChVK Wagner.

The Member State has provided a detailed analysis of the vehicle in Libya and that of the Evro Polis LLC vehicle. They state that only one Evro Polis vehicle was manufactured as a test vehicle, and that vehicle is in Syria. The Member State also pointed out a number of minor external differences between the two vehicles. Further investigation by the Panel is required before a final determination as to the manufacturer of this vehicle, being used by Russian private military operatives, can be made. The presence of this particular vehicle type is a violation of paragraph 9 of resolution 1970 (2011) by the Russian PMC.



URAL UID APV in
Bani Walid, Western Libya on 24 May 2020.



URAL UID APV in
Bani Walid, Western Libya on 24 May 2020.



URAL UID APV in Bangui,,CAR. Reported 2 Januaruy 2021.

A very similar designed vehicles was idenified in the possession of CvHK Wagner forces in Bangui,Central African Republic in early 2021.

Primary sources

1. https://twitter.com/RALee85/status/1282448605350174722, 12 July 2020.
2. https://novayagazeta.ru/articles/2020/07/11/86234-vragu-ne-sdaetsya-nash-gordyy-ural, 11 July 2020.
3. https://t.me/milinfolive/61415, 11 July 2020.
4. https://defence-blog.com/news/army/wagner-wagon-spotted-in-troubled-central-african-republic.html, 3 January 2021.

Developed by UN Panel of Experts

Annex 63 Infographic for MIC VPK Tigr-M APV

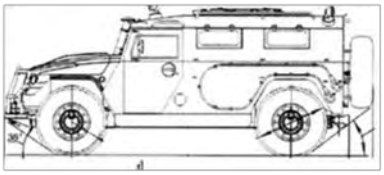
Suryat (26 May 2020)

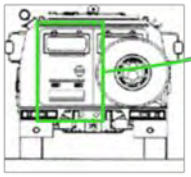
Near 30°22'51"N, 13°35'22"E

Still imagery of almost certainly a Tigr-M variant armoured vehicle in Suryat, on the main supply route (MSR) from Bani Walid to Al Jufra airbase. This is the first imagery identified by the Panel of this particular armoured vehicle. It was designed by the Russian Federation Military Industrial Company LLC and manufactured by their Arzamas Machinery Plant.

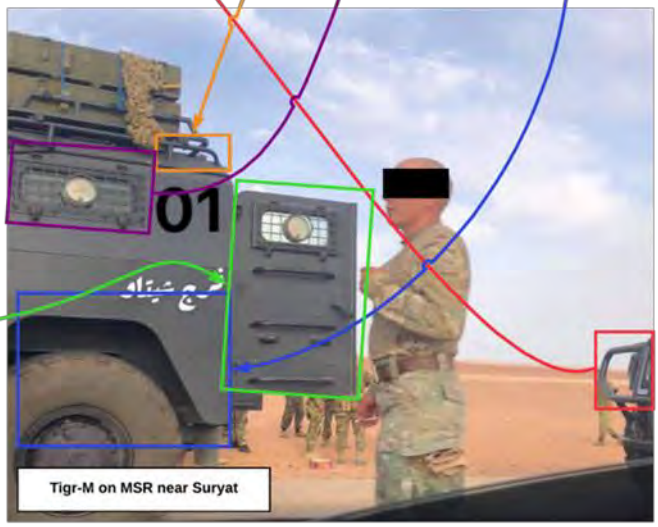
The image was taken during the withdrawal of Russian Federation private military operatives from Bani Walid that commenced on 25 May 2020. The Member State said there was insufficient detail to assist the tracing request submitted by the Panel.

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









Primary sources

1. https://twitter.com/farajshitaw1/status/1265239891522142211, 26 May 2020.
2. https://twitter.com/HasairiOuais/status/1265241462041706496, 26 May 2020.
3. Image courtesy of Vitay V Kuzmin. Accessed 29 June 2020.
4. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts

Annex 64 Infographic for T-62 main battle tank upgrade

Western Libya (5 June 2020)

Imagery from a range of sources shows some T-62 variant main battle tanks (MBT) captured from HAF by GNA-AF.

Of interest is that the MBT have been partially upgraded to a similar specification to that of the T-62MV model, which has not previously been seen in Libya. Explosive Reactive Armour (ERA) has certainly been added to the original T-62 design.

It is possible that these are some of the 13 x T-62 MBT reported as being maintained or overhauled by a ChvK Wagner repair team between 17 October 2019 and 12 March 2020. The imagery (still and video) available suggests modification in Libya rather than a new import, as the quality of the work does not appear to be of factory standard.

Regardless of whether recently transferred, or upgraded, either activity is a non-compliance to paragraph 9 of resolution 1970 (2011).

Primary sources

1. Twitter, @oryxspioenkop. 5 June 2020.
2. Twitter, @HasairiOuais. 5 June 2020.
3. www.ihs.janes.com. (Subscription). 25 February 2020.

Developed by UN Panel of Experts



T-62MV MBT

Note the ERA fitted to turret. Unequally spaced and laid out ERA suggests not a factory modification. Only enhanced frontal protection added.



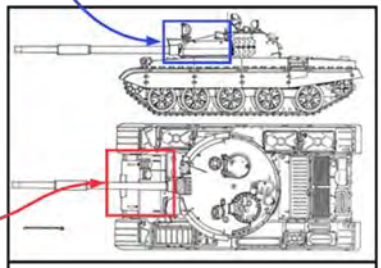
T-62 MBT

Stock image of standard T-62 MBT.



T-62MV MBT

Note the ERA fitted to glacis. Unequally spaced and laid out ERA suggests not a factory modification.



T-62 MBT

Schematic of standard T-62 MBT.

Annex 65 Infographic for ML-8 anti-lift initiator

Tripoli environs (7 July 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of booby trap Anti Lift Initiators in areas previously occupied by private military operatives acting in support of armed forces affiliated to Khalifa Haftar(HAF) prior to their withdrawal from the Tripoli area.

The Panel has determined from the imagery that these military booby-traps are ML-8 Anti Lift Initiators designed and manufactured by the Russian Federation.

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



Primary sources

1. Confidential.
2. www.ihs.janes.com. (Subscription). 26 September 2016.

Developed by UN Panel of Experts

Annex 66 Infographic for interdiction of 4x4 vehicles in Malta

Interdiction of suspected military materiel (29 July 2020)

On 29 July 2020, the Maltese authorities informed the Panel of 47 suspicious containers on board the M/V *Xin Shanghai* (IMO 9207231), which was en route from Jebel Ali, UAE to Benghazi, Libya. Each container held 3 x Mitsubishi L200 4x4 vehicles, a total of 141 in all. This transfer was suspicious as: 1) the large quantity of 4x4 vehicles easily converted for military purposes; 2) the shipper, consignee and notify parties were all shipping companies; 3) no details of the recipient of the vehicles.

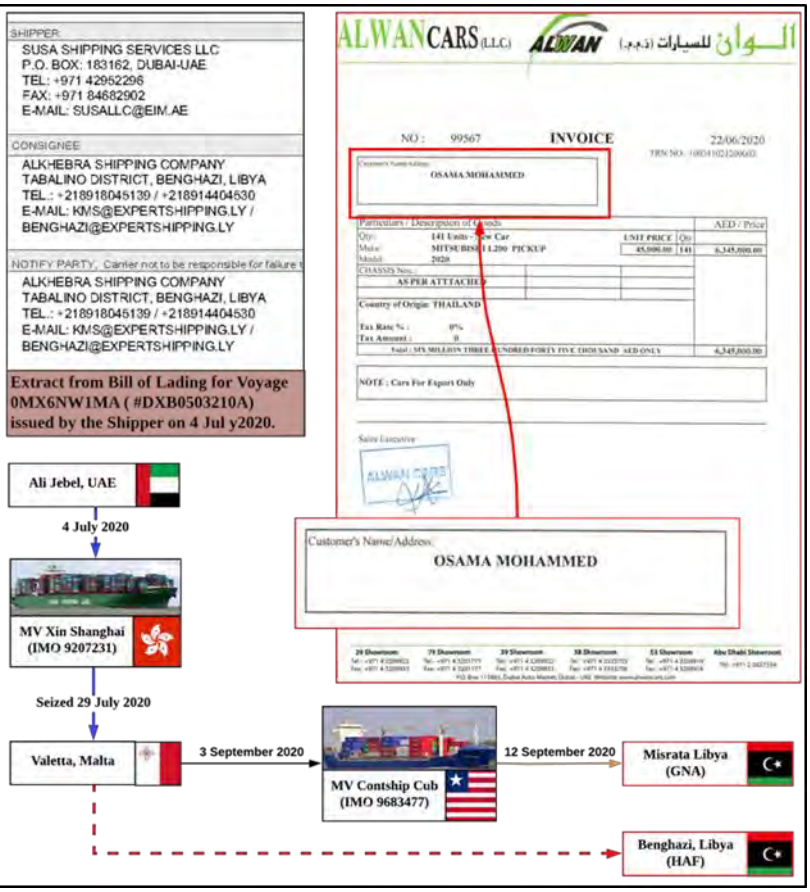
Negotiations initiated by the vessel owner led to a resale of the cargo to a client in Misrata, Libya. The vehicles were shipped on 3 September 2020 on board the M/V *Contship Cub (*IMO 9683477*)*.

The transfer of this equipment to Libya is a non-compliance of paragraph 19 of resolution 2213 (2015) by the UAE in that they did not inspect the cargo of a suspicious commercial vessels destined for Libya, which originated in their territory, for which there were *reasonable grounds*.

Primary sources

1. Member State.
2. www.vesselfinder.com.

Developed by UN Panel of Experts



Annex 67 Infographic for PMN-2 anti-personnel mine (APM)

Tripoli environs (29 July 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of PMN-2 anti-personnel mines (APM) in areas previously occupied by private military operatives acting in support of armed forces affiliated to Khalifa Haftar (HAF) prior to their withdrawal from the Tripoli area.

This type of APM has not been identified as being present in Libya before, and was not in the possession of the Libyan Armed Forces pre-2012.

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









Primary sources

1. Confidential. (Extracts from imagery).
2. www.ihs.janes.com. (Subscription). 18 May 2020.

Developed by UN Panel of Experts

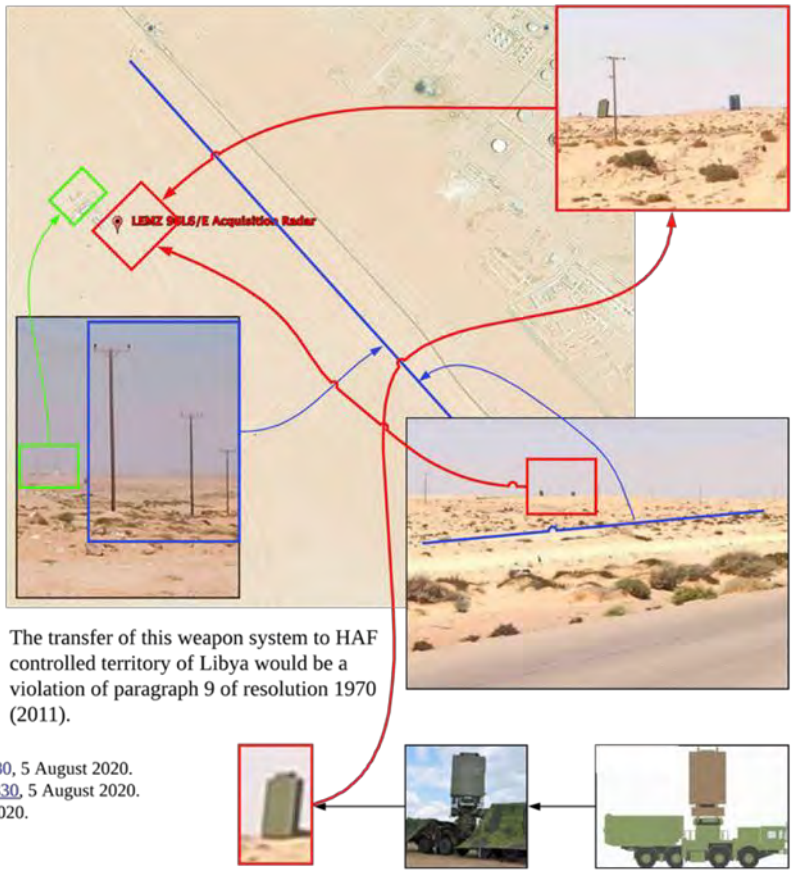
Annex 68 Infographic for 96L6/E C-Band acquisition radar

Near Ras Lanuf (5 August 2020)
(Near 30°27'45"N, 18°32'52"E)

This is possibly a 96L6/E C-Band acquisition radar for the Russian Federation manufactured S-300P variant surface to air missile (SAM) systems. Photogrammetry shows that the height / width ratio of the radar antenna on the imagery (1.375) is virtually identical to that of confirmed imagery of radar antenna on a real system (1.386). This is within an error margin of less than 1%.

Low resolution imagery shows what could be an S-300 missile launcher. This can not yet be confirmed by the Panel, but it would be unusual to deploy the acquisition radar without the missile launcher.

This system is too large to be flown on the IL-76 that to date formed the backbone of the airbridges into Libya. It can be flown by an AN-124, and the Panel notes that a Russian Federation Air Force AN-124 (#RA-82013) made a first flight (#RFF9919) into Libya on the 4 August 2020, the day prior to the first identification of the radar system.



The transfer of this weapon system to HAF controlled territory of Libya would be a violation of paragraph 9 of resolution 1970 (2011).

Primary sources

1. https://twitter.com/alkaraisili/status/1291033689116282880, 5 August 2020.
2. https://twitter.com/il_kanguru/status/1291137483166691330, 5 August 2020.
3. customer.janes,.com. (Subscription). Accessed 6 August2020.
4. Google Earth Pro.

Developed by UN Panel of Experts

Annex 69 Training at RMC Jordan (16 September 2020)

Training at RMC Jordan (16 September 2020)

32° 1'27.89"N, 32° 1'27.89"N

Imagery shows Libyan students graduating from training at the Royal Military College of Jordan.

The provision of this training by Jordan is a violation of paragraph 9 of resolution 1970 (2011).



Note portrait of King of Jordan, and Royal Jordanian Air Force Brigadier General.



Primary sources

1. https://twitter.com/JDTkLYZayYGdbew/status/1306224561109827590, 16 September 2020.
2. https://twitter.com/CourtenaySargon/status/1306230045934055424. 16 September 2020.
3. Google Earth Pro.

Developed by UN Panel of Experts

Annex 70 Infographic for POM-2R anti-personnel mine (APM)

Tripoli environs (23 September 2020)

Imagery from Libyan explosive ordnance disposal (EOD) sources shows the use of POM-2R anti-personnel mines (APM) in areas previously occupied by Russian private military operatives acting in support of armed forces affiliated to Khalifa Haftar (HAF) prior to their withdrawal from the Tripoli area.

The POM-2R is hand emplaced and often used as a pursuit deterrent munition. There is no safe neutralization procedure and it should be destroyed in situ by the use of a high explosive demolition charge.

This type of APM has not been identified as being present in Libya before, and was not in the possession of the Libyan Armed Forces pre-2012. The mine had a Lot/Btach number of 583-1-96, meaning it was manufactured in 1996. As this is outside the ten year limit for record keeping contained within the Arms Trade Treaty a tracing request was not submitted to the manufacturing Member State.

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



Example of a deployed POM-2R



Mis-functioned POM-2R APM in southern Tripoli



Example of a POM-2R



Mis-functioned POM-2R APM in southern Tripoli

Primary sources

1. Confidential. (Extracts from imagery).
2. www.ihs.janes.com. (Subscription). 6 July 2020.
3. https://guns.allzip.org/topic/216/1132793.html. Accessed 25 September 2020.

Developed by UN Panel of Experts

Annex 71 Infographic for G5 155mm / 45 calibre gun howitzer

G5 155mm / 45 Calibre Gun Howitzer (14 November 2020)

Video imagery of a new heavy artillery type not previously seen in Libya, was published on HAF controlled open source media. It showed the weapon system being operated during Exercise DIGNITY 2020 by the Tariq Bin Zayid brigade. Only one gun was evident in the video imagery.

The gun is highly probably a South African manufactured G5 155mm / 45 calibre gun howitzer.

It was reported that the UAE had acquired the G5 and deployed it to Yemen. GP1 and GP6 laser guided munitions for this weapon system have being reported by the Panel in 2017, 2018 and 2019. Panel investigations continue.

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

Primary sources

1. https://youtu.be/cPVQY_OzG68, 16 November 2020.
2. https://customer.janes.com/Janes/Display/FG_3798099-JDW, 18 November 2020.
3. https://customer.janes.com/Janes/Display/FG_1702987-JDW, 28 February 2019.
4. Paragraphs 157 to 159 of S/2017/466.
5. Paragraphs 114 to 116 of S/2018/812.
6. Paragraph 95 ,and annexes 28 and 39 to S/2019/914.

Developed by UN Panel of Experts







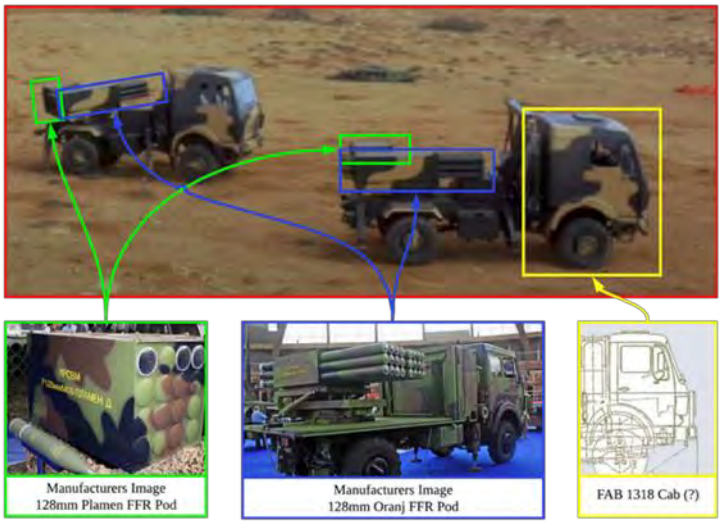
Manufacturers Image

Annex 72 Infographic for 128m Morava 128mm multi-barrel rocket system (LRSCM)

VTI LRSVM Self-propelled Multi-tube Modular Rocket Launcher *Morava*
(14 November 2020)

Video imagery of a new free flight rocket launcher system not previously seen in Libya, was published on HAF controlled open source media. It showed the weapon system being operated during Exercise DIGNITY 2020 by the Tariq Bin Zayid brigade. Two systems were evident in the video imagery.

The Panel has confirmed the identification of the system as the Serbian Military Technical Institute (VTI) (http://www.vti.mod.gov.rs) designed and manufactured LRSVM *Morava*. This system allows for the modular mounting of various free flight rocket types. In the imagery the 128mm Plamen (left side) and 128mm Organj (right right) launcher containers are mounted on each vehicle. The system is mounted on a FAB 1118 4x4 truck, but an export version is mounted on the FAB 3118 truck, of which 30 trucks were exported to UAE in 2016.



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

Primary sources

1. https://youtu.be/cPVQY_OzG68, 16 November 2020.
2. https://customer.janes.com/Janes/Display/FG_3798099-JDW, 18 November 2020.
3. http://www.vti.mod.gov.rs/index.php?view=actuality&type=projects&category=1&id=75, Accessed 20 November 2020.
4. https://www.blic.rs/vesti/ekonomija/fap-ugovorio-proizvodnju-30-kamiona-za-emirate/rdqpryz, 6 September 2016

Developed by UN Panel of Experts

Annex 73 Infographic for Xiamen Mugin 4450 unmanned aerial vehicle (UAV)

Mugin (Skyeye) UAV (6 November 2019)

On 6 November 2019 imagery appeared on social media of a *Mugin (Skyeye)* unmanned aerial vehicle (UAV). Both parties to the conflict claimed that the other used such systems, so it has not been possible to attribute responsibility.

The system is widely available commerically for approximately US$ 5K to 7K.

The presence of this system is Libya is a violation of paragraph 9 of resolution 1970 (2011).





Primary sources

1. https://twitter.com/Oded121351/status/1191990355559960578, 6 November 2019.
2. https://twitter.com/Arn_Del/status/1192017930952888322, 6 November 2019.
3. https://www.muginuav.com/product-category/fixed-wings/. Acccessed 22 October2020.

Developed by UN Panel of Experts

Annex 74 Infographic for WP Warmate loitering munition

Abu Grein (14 April 2020)

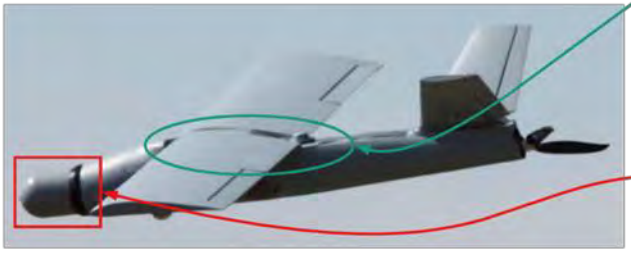
This is highly probably the remnants of an WB Electronics (Poland) designed and manufactured *Warmate* Micro Loitering Munition System.

The *Warmate* LM has a range of 15km, an endurance of 1.5 hours at 9,000 feet altitude, and usually contains a <1.0 kg explosive warhead. It is equipped with electro-optical and infra-red sensors and is designed for precision strikes with low collataral damage.

Jane's Defence, the standard open source weapons reference publication, has not reported any sales of the *Warmate* to any party to the conflict, nor their sponsor countries, so it is not possible to attribute the system to an end user yet.











Primary sources

1. https://twitter.com/AbraxasSpa/status/1250341263695417346, 14 April 2020.
2. www.ihs.janes.com. (Subscription). Accessed 15 April 2020.
3. https://www.wbgroup.pl/en/produkt/warmate-loitering-munnitions/,. Acccessed 15 April 2020.

Developed by UN Panel of Experts

Annex 75 Airbridge non-compliance profile indicators

1. The Panel has developed a set of profile indicators of suspicious activities and documentation that when considered collectively, cogently indicate, that an aircraft is almost certainly carrying illicit cargo (see table 75.1). This annex summarises these indicators and provides one case study to show their implementation.

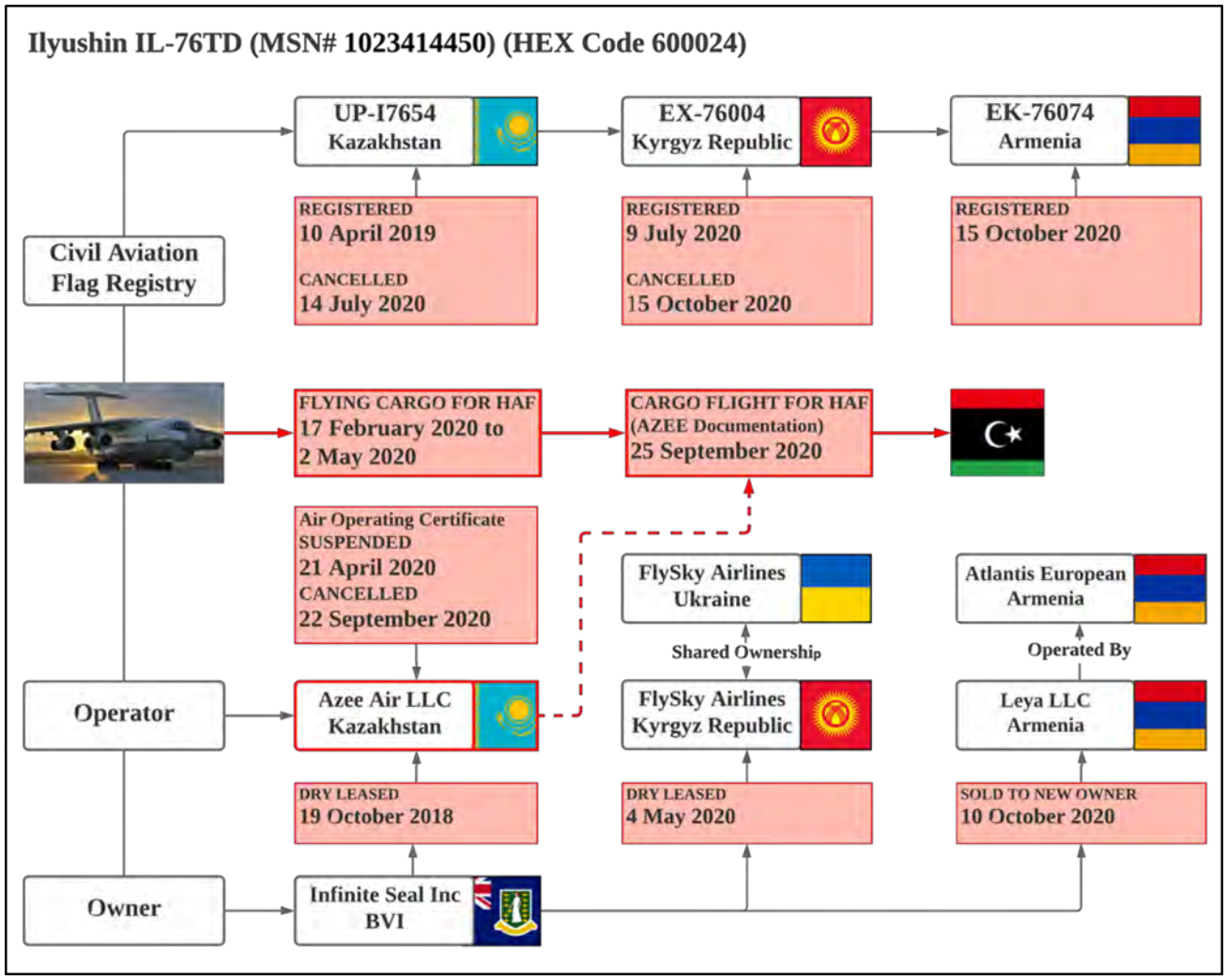
Table 75.1
Profile indicators of airbridge

#	*Activity*	*Details*	*Remarks*
1	Flight volume	The number of unscheduled flights on a previously little used route.	▪ For example, over 110 flights over a three month period indicates a centrally organized supply chain.
2	Flight timings	The majority of flights are planned so that the cargo aircraft are unloaded during darkness.	▪ Disguises the nature of cargo being offloaded from onlookers in areas where access is difficult to control.
3	Flight routing	The flights often take off from a civilian airport, then land at a military airbase before departing on a flight track directly towards Libya.	▪ Civilian cargo aircraft require time in civilian airports where the appropriate servicing and maintenance capabilities exist. ▪ Indicative of the loading of military related equipment.
4	Flight safety	Signals from the aircraft ADS-B[a] transponders are not visible on open source ADS-B monitoring[b] shortly after entering Egyptian airspace.	▪ Airline captains sometimes “go dark” when approaching Libyan airspace as a counter-measure against being targeted by air defence systems, but usually not for the majority of the flight. ▪ Deliberately switched off due to the covert nature of these flights. ▪ Other legitimate flights (for example the scheduled Afriqiyah Airlines A320 from Benghazi to Alexandria always displays ADS-B data).
5	Flight safety	On 10 April 2020 the signals from the two aircrafts’ ADS-B transponders was switched to MLAT (multi-lateration) mode for the whole flight.	▪ MLAT mode transmits aircraft code, heading, altitude and speed but NOT current location. ▪ Jenis Air UP-I7646 and UP-I7652.
6	Flight transparency	Signals from aircraft ADS-B transponders are not available for all flights.	▪ Airlines have utilised a “blocking” service provided by some of the open source ADS-B monitoring providers. ▪ A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.
7	Aircraft documentation	The use of fake Air Operating Certificates (AOC).	▪ The Panel has identified the use of at least one fake AOC used to justify an ADS-B signal blocking service.

#	*Activity*	*Details*	*Remarks*
8	Flight documentation	The submission of incomplete or inaccurate Cargo Manifests and Air Waybills. The lack of detailed flight documentation submitted.	▪ Fake consignees listed. ▪ Fake consignors listed. ▪ Used to disguise the true nature of the actual cargo. ▪ Customs value listed as zero. ▪ Failure to supply, for example: 1) Flight Plan; 2) Aircraft Technical Log Book; 3) Journey Flight Log; 4) Weight and Balance Report; 5) Takeoff and Landing Balance; and 6) General Declaration.
9	Air operator transparency	Limited, inaccurate or no information provided to requests for information.	▪ Indicative of covert or illicit activity.
10	Air operator web presence	Lack of corporate website.	▪ A reputable cargo aircraft company would have an easily sourced online presence as part of the company marketing strategy.
11	Cargo agency web presence	Lack of corporate website.	▪ A reputable cargo agent would have an easily sourced online presence as part of the company marketing strategy.
12	Air operator's relationships	Corporate links	▪ Change of ownership or operating conditions for aircraft between linked companies.

2. In the main body of the report the Panel used one particular aircraft, IL-76TD (MSN# 1023414450) (HEX Code 600024), to illustrate the tactics, techniques and procedures (TTP) used by aircraft owners and operators to circumvent arms embargos (repeated at figure 75.1).

Figure 75.1
Infographic for Ilyushin IL-76TD (#1023414450)



3. As an example, table 75.2 shows the use of profile indicators against documentary evidence obtained by the Panel for Flight Number FSQ1110 on 24 September 2020 by the then Kyrgyz Republic registered EX-76004 operated by FlySky Airlines. The documents have not been included for reasons of space but are available from the Panel on request.

Table 75.2
Profile indicators for flight FSQ 1110 (24 September 2020)

#	*Activity*	*Details*	*Source / Remarks*
2	Flight timings	Take Off Time: 23:45 hours Landing (+1): 04:45 hours	▪ Journey Flight Log. ▪ Aircraft Technical Log Book. ▪ Night unloading.

#	*Activity*	*Details*	*Source / Remarks*
3	Flight routing	Depart: Abu Dhabi Arrive HE40 (Sidi Barani) military air base	▪ Journey Flight Log. ▪ Aircraft Technical Log Book. ▪ Indicative of the loading of military related equipment.
4	Flight safety	No signals from the aircraft ADS-B[a] transponders shortly after entering Egyptian airspace.	▪ "Go Dark" counter-measure to disguise route.
6	Flight transparency	Signals from aircraft ADS-B transponders blocked from showing on open source ADS-B monitoring providers.	▪ A deliberate attempt by the airline to avoid scrutiny and disguise covert or illicit flights.
8.1	Documentation	Air Waybill incomplete	▪ Cargo customs value zero. ▪ Shipper and Consignee (Khalifa Foundation, Abu Dhabi) almost certainly fake. ▪ Issued by the previous air operator, Azee Air LLC and not FlySky LLC the current operator. Demonstrates link between companies. ▪ Cargo only 27,000kg against max load of 48,000kg. ▪ Unsigned and unstamped.
8.2	Documentation	Cargo Manifest incomplete	▪ Goods listed as Foodstuffs and Medicines with no detail. ▪ Issued by FlySky LLC and not the issuer of the Air Waybill (Azee Air LLC). ▪ Unsigned and unstamped.
8.3	Documentation	General Declaration	▪ Date inaccurate as shows 25 not 24 September 2020. ▪ Destination inaccurate as shows Alexandria, Egypt not HE40. ▪ Officially stamped by UAE officials, thus demonstrating their acquiescence to covert nature of flight.
8.4	Documentation	Flight Plan	▪ Accurate as filed by Aircraft Crew.
8.5	Documentation	Journey Flight Log	▪ Accurate as Aircraft Captain responsible.
8.6	Documentation	Weight and Balance Log	▪ Accurate as Aircraft Captain responsible.
8.7	Documentation	Takeoff and Landing Balance	▪ Accurate as Aircraft Captain responsible.
9	Air operator transparency	Zero	▪ Failed to respond to Panel enquiries.
10	Air operator web presence	No social media presence	▪ Unusual for a commercial charter air company not to have a customer point of contact to attract business. ▪ Indicative of covert or illicit activity.
12	Air operator's relationships	Close links to arms violating air operator Azee Air LLC	▪ Cargo Manifest shows Azee Air LLC.

4. The documentary analysis completed at table 75.2 above shows 18 separate indicators of suspicious activity that a legitimate commercial air cargo flight would not show, and thus it beyond any reasonable doubt that this flight was illicitly moving cargo to an airfield known to be part of the airbridge supplying military materiel to HAF. That cargo originated in a State known to be a military supporter and supplier to HAF. The Panel thus finds that this flight was a violation of the arms embargo and that the air operator, FlySky LLC, were responsible for the violation.

Annex 76 Project Opus PMC operation

A. Introduction

1. In June 2019 the Panel identified a well-funded private military company (PMC)[117] operation designed to provide armed groups affiliated to Khalifa Haftar (HAF) with: 1) a maritime interdiction capability to target the sea line of communication (SLoC) supplying weapons from Turkey to the Government of National Accord (GNA) in Tripoli;[118] 2) an assault rotary wing capability to identify and strike land targets, and terminate and/or kidnap high value targets; 3) an airborne intelligence, surveillance and reconnaissance (ISR) capability; 4) a Fusion and Targeting Cell (FATC) with a cyber capability to be based at Benghazi (Benina) international airport; and 5) an unmanned aerial vehicle (UAV) group.[119] A timeline for ease of reference, and which helps explain the operation is at appendix A.

2. The operational planning was well advanced until the procurement of the original aircraft for the operation from the Government of Jordan (GOJO), which included two AH-1F Cobra and five MD530 attack helicopters, was disrupted. This necessitated the emergency procurement and deployment of six civilian registered, but originally ex-military, unarmed helicopters from South Africa for the operation to continue. A commercial Antonov AN-26 transport aircraft, a unique Pilatus PC-6 intelligence, surveillance and reconnaissance (ISR) aircraft and a specialist Light Attack and Surveillance Aircraft (LASA) T-Bird were also rapidly procured for the operation from companies controlled by Erik Dean Prince (USA).[120]

3. The initial deployment of the maritime and rotary wing aviation components took place from Amman, Jordan (on, or about, 25 June 2019), Valetta, Malta (26 June 2019) and Gaborone, Botswana (28 June to 2 July 2019). The maritime and assault rotary wing aviation phase of the operation was suddenly aborted on the evening of 29 June 2019. This resulted in twenty private military operatives making a 36-hour, 350 nautical mile sea crossing from Benghazi in the two 'special forces' specification rigid hulled inflatable boats procured for the operation; one of which was abandoned on route. The single RHIB arrived in Valetta, Malta at approximately 13:00 hours 1 July 2019. The decision to evacuate made by the Ground Team Leader, Steven John Lodge (South Africa), was taken due to the adverse reaction of Khalifa Haftar when he realised that the aviation assets deployed (the South African helicopters) were not those that had been promised during the planning stage of the alleged US$ 80 million contract.

4. The PMC operation involved at least thirty-one individuals from six Member States (Australia, France, Malta, South Africa, the United Kingdom, and the United States). Planning, procurement, logistic support and/or operational activities took place in eight countries (Angola, Botswana, Jordan,

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[117] Which the Panel will refer to as "Project Opus". Two deployments have now been identified, which will be referred to as Project Opus A and Project Opus B.

[118] This would be consistent with the announcement of a, then, forthcoming naval blockade made by HAF naval commander Faraj al-Mahwadi on 20 May 2019. https://www.janes.com/article/88731/lna-announces-naval-blockade-of-western-libya, 23 May 2019.

[119] The Panel is still investigating the FATC and UAV capabilities.

[120] Erik Dean Prince was previously named in relation to with violations of UN arms embargoes in paragraph 61 of S/2012/544, the 2012 Somalia report of the Monitoring Group on Somalia and Eritrea submitted in accordance with resolution 2002 (2011).

Libya, Malta, South Africa, the United Arab Emirates and the United States). Three United Arab Emirates based companies were primarily used for the planning, management and finance of the operation: 1) Lancaster 6 DMCC, 2) L-6 FZE; and 3) Opus Capital Asset Limited FZE. These companies were directly controlled and managed by Christiaan Paul Durrant (Australia) and Amanda Kate Perry (UK),[121] with Steven Lodge having contract representative rights.

B. Background

5. This section has been included to show that Erik Prince, a close associate and friend of Durrant, has maintained a keen interest in the deployment of a private military capability to Libya since at least 2013, when he first developed a proposal to help "stabilise eastern Libya".[122] This was named Operation Lima and included the deployment of aviation assets and a maritime capability very similar to that proposed for Project Opus A. The proposal did not find any backers prepared to take the risks such an operation presented.

6. In early 2015 Erik Prince supplied the use of a private jet[123] to Khalifa Haftar through the auspices of Frontier Services Group (FSG), of which he was then the Chairman. This aircraft made flights with timings and itineraries that coincided with Khalifa Haftar's rise to Head of the LNA.[124]

7. During 2015 Erik Prince repackaged the Operation Lima proposal and developed a joint concept with Khalifa Haftar for a private military operation to counter the illegal migrant trafficking from Libya. This project was similar in concept to that used for Project Opus. He failed to attract funding from "*the EU (...) and Libyan Investment Authority money frozen in European banks*" and his project to introduce a private military capability into Libya was again stalled.[125]

8. Following an Op-ed on Libyan border security in the Financial Times[126] on 3 January 2017 Erik Prince appeared in a CNN interview[127] to publicize his idea for a public/private partnership to deploy a private military intervention to counter illicit migration from Libya. This concept, repackaged as a private police force, was then proposed by Erik Prince in an interview with Italian media, Corriere de la Sera, on 29 November 2017.[128] It was also reported[129] that he was to meet

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[121] Although Durrant confirmed to the Panel during an interview on 16 September 2019 that he was the Managing Director of all three companies, the Panel obtained documentary evidence signed by Amanda Kate Perry as Managing Director. Also the UAE company documentation shows her as the legal Managing Director of, at least, L-6 FZE. The title of Managing Director/CEO seems to have been adopted by whichever individual was negotiating or signing contracts.

[122] https://theintercept.com/2016/03/24/blackwater-founder-erik-prince-under-federal-investigation/, 24 March 2016.

[123] 9H-PAL owned by FSG Aviation and operated by a Maltese company..

[124] Confidential source (CS4 and CS30). Letter from air operator dated 20 January 2021.

[125] 1) https://theintercept.com/2016/03/24/blackwater-founder-erik-prince-under-federal-investigation/, 24 March 2016; and 2) https://libyafiles.com/chapter-nine-the-kingmaker/ (un-numbered paragraph 14).

[126] https://www.ft.com/content/d95057a2-c907-11e6-9043-7e34c07b46ef, 3 January 2017.

[127] https://edition.cnn.com/videos/world/2017/01/18/erik-prince-blackwater-anderson-intv-ctw.cnn, undated.

[128] 1) https://www.corriere.it/esteri/17_novembre_24/re-guerra-privatae-suo-piano-la-libia-0d5f8d1c-d08a-11e7-90be-0a385e484c27.shtml, 23 November 2017; and 2) https://www.independent.co.uk/news/world/middle-east/blackwater-migrants-libya-europe-enter-private-police-force-us-committee-hearing-a8084346.html, 30 November 2017.

[129] https://www.theguardian.com/world/2017/nov/30/blackwater-founder-pitches-plan-to-quell-libya-migrant-crisis-with-private-police?CMP=share_btn_tw, 30 November 2017.

Libyan Prime Minister Fayez Serraj in the White House on 1 December 2017 to propose his plan. Although no reports emerged that such a meeting ever took place with Prince, the visit of Prime Minister Serraj to the White House that day has been confirmed.[130]

9. On 11 January 2017, Erik Prince held a meeting in the Seychelles with Kirill Dmitriev, the Chief Executive Officer of Russia's Sovereign Wealth Fund. During the meeting he made it clear that "*Libya was off the table*" and that the US government could not accept any Russian involvement in Libya.[131] The Panel has not established whether Erik Prince was authorized to speak on behalf of the US government at that meeting.

10. In S/2017/416[132] the Panel reported on the presence of AT-802i light attack and surveillance aircraft at Al Khadim airbase in Libya in early 2017 as a violation of the arms embargo. These aircraft were initially supplied to the United Arab Emirates, who have never responded to the Panel's requests regarding the supply chain to Libya. During 2017 open sources[133] reported that companies[134] controlled by Erik Prince had supplied the foreign mercenary pilots for these attack aircraft. The supply of mercenaries would be violation of paragraph 9 to resolution 1970 (2011) and Panel investigations continue into this matter.

11. It is thus clear that Erik Prince has been attempting to deploy a small scale aviation and maritime private military capability into Libya since 2013. The scale, organization and systems proposed were all similar to those deployed on the private military operation Opus in eastern Libya that is the main focus of this investigation.

C. Operational planning for Opus A

12. The PMC referred to this operation as "Operation Regain Libja".[135] Figures 76.1 to 76.4 are extracts from a PowerPoint presentation[136] used to explain the operational plan. Sources have indicated that Erik Prince verbally briefed the operation to Khalifa Haftar in Cairo, Egypt on, or about, 14 April 2019,[137] but the PowerPoint presentation may not have been used at that meeting. The presentation makes it very clear that the plan involved the deployment of a kinetic strike and assault capability, with the intention to make "hot dynamic" attacks on high value targets (HVT).

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[130] https://www.whitehouse.gov/briefings-statements/readout-president-donald-j-trumps-meeting-prime-minister-fayez-al-sarraj-libya-2/. Accessed 10 November 2020.
[131] US Department of Justice updated version of Report On the Investigation Into Russian Interference in the 2016 Presidential Elections. "Mueller Report", pp 153 - 154. Accessed through https://assets.documentcloud.org/documents/20401632/updated-mueller-report-leopold-foia-11220.pdf. Accessed 8 November 2020.
[132] Paragraphs 126 to 128.
[133] 1) https://www.intelligenceonline.com/pdf/corporate-intelligence_the-red-line/2017/01/11/erik-prince-to-uae-s-rescue-in-libya,108196431-art, 11 January 2017; 2) https://sofrep.com/news/erik-princes-mercenaries-bombing-libya/, 14 January 2017; and 3) confidential source.
[134] Reflex Responses (R2) then probably Frontier Resource Group Limited (https://frontierresourcegroup.com/#1) or a linked company.
[135] Libja is the Maltese spelling for Libya. Christiaan Durrant was resident in Malta at the time of planning, which may explain the use of this spelling.
[136] Confidential source (CS4).
[137] From one confidential source present at the meeting (CS27), and from one confidential source with knowledge of the meeting (CS4 from CS8).

Only one of these HVT has the initials 'DNT' standing for Do Not Terminate after their name, which suggests that the others could be killed or captured. The Panel considers it likely that the HVT list was provided as an example by the Opus A team and was not developed by HAF as they would be unlikely to include two targets that were then known by them to be non-resident in Libya.

Figure 76.1
Slide 2: Executive Summary

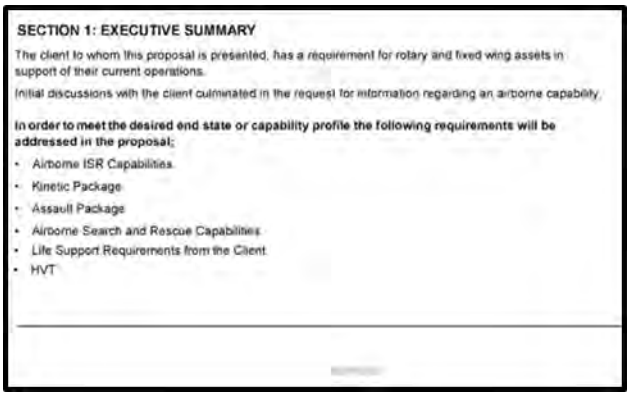


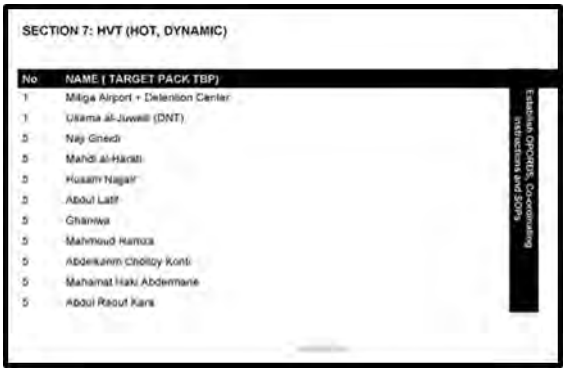
Figure 76.2
Slide 11: Kinetic Operations – Strike Package Cobra



Figure 76.3
Slide 12: HVT Extraction – MD530



Figure 76.4
Slide 17: HVT (Hot, Dynamic)



13. A copy of a second similar PowerPoint presentation[138] was used during the briefing of the private military operatives prior to their deployment. There are significant differences between the two presentations, which are summarised in appendix B. The Panel notes that in the alternative pre-deployment presentation made to the PMC operatives the HVT list was not included, and only the term "HVT extraction" rather than "HVT termination" was mentioned. Similarly, the use of AH-1 *Cobra* or MD530 attack helicopters is not mentioned in the presentation slides for the PMC

[138] Confidential source (CS4).

operatives. The PMC operatives' presentation also reassuringly covers the aeromedical and search and rescue capability in some detail.[139]

14. The Panel obtained a copy of an Opus report dated 18 June 2020,[140] which then confirmed much of the content of the presentations. The veracity of this document is not in doubt and its authenticity was confirmed by Christiaan Durrant during his interview with the Panel on 16 September 2020. The Panel has a full authenticated transcript, which provides clear evidence as to the true purpose of Project Opus A.

15. In summary this document confirms many of the details of the PowerPoint presentations above and:

(a) Reports that a Cyber team, and a Satellite team were already active and targeting in Libya. The Fusion and Targeting Cell (FATC) and an Unmanned Aerial Vehicle (UAV) team were to join them at Benghazi airport;

(b) States that the Government of Jordan (GOJO) had cancelled clearances for the deployment of equipment from Jordan to Benghazi, which included air ammunition, ground weapons, ground ammunition and night vision;

(c) Makes it clear that, although Opus personnel had inspected the GOJO owned COBRA attack helicopters and MD530F helicopters, and had selected weapons, that the GOJO had blocked the sale and movement of these attack aviation assets;

(d) Explained that the deployment of the AS 332[141] *Super Puma* and *Gazelle* helicopters had to be by IL-76 cargo aircraft from Botswana due to aircraft noise restrictions in South Africa;

(e) Reported that an ISR aircraft was being deployed, via Amman, to support a vessel board search and seizure (VBSS) capability;

(f) Reported that the Marine Strike Group of two high speed special forces RHIBs were ready in Malta awaiting the Advance Team arrival in Benghazi. The vessels to be modified with 7.62 Bow Mount[142] and ready for operations within 2 days of arrival; and

(g) Explained the impact of the withdrawal of GOJO support to the operation and that they were now executing their contingency plan for lack of GOJO support.

16. The Panel has confirmed with a senior military officer in Jordan[143] that the activities of the Project Opus team in Jordan raised suspicions at the highest levels of the Jordanian Armed Forces as to the legitimacy of the operation. That officer met with Christiaan Durrant in mid-June 2019,

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[139] Christiaan Durrant claimed to have no knowledge of the presentations during his interview with the Panel on 16 September 2020, claiming that they used specifically USA military language, which as an Australian he would not use. He did not respond when it was pointed out to him that in his introduction, he had admitted to spending some time as an exchange officer with the Pentagon, whilst serving in the RAAF, and would thus be highly knowledgeable of such linguistics as a result.

[140] Confidential source (CS8).

[141] These are the Super Puma helicopters procured from Starlite Aviation Group (see later).

[142] Purpose being to mount a 7.62mm medium machine gun.

[143] Confidential source (CS10). See extracts of exchange between this individual and the Panel at appendix C.

during which Christiaan Durrant introduced himself to the officer using a false name "Gene Rynack".[144] Christiaan Durrant informed him that they had "clearances from everywhere" and that the operation was cleared at the "highest level". This did not satisfy the senior military officer who raised the issue with his superiors, the result of which was that instructions were issued at the highest level of the Royal Jordanian Armed Forces to provide no GOJO support and to close the operation down. At a second meeting with Christian Durrant on, or about 11 July 2019, the senior military officer instructed him to leave Jordan at the earliest possible opportunity with all his equipment and aircraft.

D. Procurement

17. The Panel was initially informed by a confidential source in late June 2019 that recruitment for a PMC intervention into Libya was taking place in South Africa.[145] Soon after, on 29 June 2019, social media reports and imagery emerged of three white-painted *Super-Puma* helicopters being transported on low-loaders through the Eastern Rand in Guateng heading for the Botswanan border (see figure 76.5). A Member State subsequently confirmed to the Panel that the helicopters passed through the Tiokweng Border Checkpoint (BCP) from South Africa into Botswana on 28 June 2019.

Figure 76.5
Three *Super-Puma* helicopters being transported to Sir Seretse Khama International Airport (SSKIA), Gaborone, Botswana (27 June 2019) [a]



[a] https://m.facebook.com/story.php?story_fbid=10156741412697620&id=323811752619&__tn__=-R, 29 June 2019.
[b] Also reported in www.vryeweekblad.com/nuus-en-politiek/2019-08-09-sa-huursoldate-gewaarsku-oppas-vir-di-operasie-in-libi/, 9 August 2019.

[144] The Australian actor Mel Gibson plays Gene Ryack in the film Air America about a private CIA funded airline.
[145] Confidential source (CS1). Confirmed on 2 August 2019 when Eeben Barlow, Head of STEPP International (www.sttepi.com) warned that his company was being used as a "false flag" to recruit private military operatives for an operation in Africa (www.facebook.com/eeben.barlow.7, 2 August 2019). Subsequent investigations by the Panel established that this was for a PMC operation being tendered for by the same company for a separate PMC intervention in a Southern African country. 1) https://www.defenceweb.co.za/aerospace/military-helicopters/unmarked-gazelle-helicopters-spotted-in-mozambique/, 12 August 2019; and 2) https://www.africaintelligence.com/ion/corridors-of-power/2019/09/06/erik-prince-makes-up-for-army-shortcomings,108371379-art, 6 September 2019.

1. SA341 Gazelle Helicopters

18. Three SA341 *Gazelle* light utility helicopters (LUH) (ZU-HFV Serial #1797, ZU-RNO Serial #WA1999 and ZU-ROF Serial #1210) were procured from Fulcrum Holdings Limited (UAE) on 17 June 2019 by Steven John Lodge representing L-6 FZE. The purchase price of €1.95M was settled from an Opus Capital Asset FZE bank account.[146] (Relevant documentary evidence is at appendix D). Steven Lodge told the company that the helicopters were to be used in Mozambique.[147]

2. AS332L Super Puma Helicopters

19. Three AS332L Super Puma medium utility helicopters (MUH) (Serial # 2032, 2154 and 2161) were procured on, or about, 20 June 2019 by L-6 FZE from Starlite Aviation (RSA).[148] Christiaan Durrant participated in these negotiations.[149] The helicopters were deregistered with the Civil Aviation Authority of South Africa with transfer to Jordan declared as the reason. The purchase price of approximately US$10.9M[150] was settled from an Opus Capital Asset FZE bank account. Starlite Aviation were informed by Amanda Perry, signing as Managing Director of L-6 FZE, that the helicopters were being procured for a 'geological survey contract in Jordan' (see Cover Stories later). (Relevant documentary evidence is at appendix E).

E. Logistics

20. The helicopters were moved from South Africa to Botswana on low-loader transporters between 26 and 27 June 2019.[151] The ground logistics were arranged by Willie van den Stoep[152] through Panzer Logistics (Proprietary) Limited.[153]

21. The 'Single Administrative Document' necessary for the import into, and export from, Botswana of the three SA341 Gazelle helicopters listed: 1) the Consignor as Aviator at Work

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[146] The Panel has yet to establish if this was from an Opus Capital Asset Limited FZE or Opus Capital Assets DMCC bank account.

[147] Confidential source with close knowledge of the sale (CS3). This source also mentioned that Opus and L6 "were Erik Prince". This source also identified Christiaan Durrant as the "Head of Operations for OPUS".

[148] www.starliteaviation.com.

[149] Confidential source (CS32).

[150] At US$1 = ZAR 14.1269 on 28 June 2019. Data from customs declaration.

[151] Interview with confidential source of 4 December 2019.

[152] Willie van den Stoep was an employee of Stephen John Lodge in his company Umbra Aviation (Proprietary) Limited (#K2017168000). 110 Bronkhorst Street, Greonkloof, Pretoria, Guateng 0181, South Africa and Imboneni Helistop, 4 Barber Road, Imbonei Industrial Park, Shakas Rock, Kwa-Zulu Natal, South Africa. www.umbra-aviation.com. Website closed in late 2019. The Panel has documentary evidence that UMBRA Aviation is also a private military company, that unsuccessfully bid for an assault rotary wing aviation contract in Mozambique in 2019 code named the "MNGWA Program". The Umbra Aviation proposal was similar in design to that of Project Opus A, and proposed utilising the same aircraft types. Steven Lodge and Christiaan Durrant are 50% Shareholders and Directors of UMBRA.

[153] http://chelwood.bloombiz.com/, accessed 25 January 2020. The company engaged legal representation and insists it will only cooperate with the Panel in face to face meetings. COVID-19 has stopped Panel travel to South Africa for this interview. .

(Proprietary) Limited (South Africa);[154] 2) the Cargo Agent as Speedway Freight (Proprietary) Limited (Botswana);[155] and 3) falsely listed the Consignee as Jordan Aeronautical Cargo Company (Jordan) and destination as Amman, Jordan.[156] (See appendix F).

22. The 'Single Administrative Document' for the three AS332 Super-Puma helicopters listed: 1) the Consignor as Starlight Maintenance JHB (South Africa); 2) the Cargo Agent again as Speedway Freight (Proprietary) Limited (Botswana); and 3) falsely listed the Consignee again as the Jordan Aeronautical Cargo Company (Jordan) and destination as Amman, Jordan. (See appendix G).

23. The helicopters were transported by air from Gaborone international airport (FBSK) in Botswana to Benghazi, Libya (HLLB)[157] by two Ilyushin IL-76TD aircraft. The IL-76TD aircraft could not fly the helicopters direct from South Africa as their engine emissions did not comply with the South African aircraft carbon emission regulations, hence the use of Gaborone (FBSK). The six helicopters were flown from Gaborone (FBSK), via Angola (FNLU) to Benghazi (Benina) international airport (HLLB) on 29 June, 1 July and 3 July 2019 respectively (see table 76.2). The airlines used were: 1) Sky AviaTrans LLC,[158] operating an Ilyushin IL-76TD (registration number UR-COZ);[159] and 2) ZetAvia LLC,[160] operating an Ilyushin IL-76TD (registration UR-CIB).

Table 76.2
IL-76TD (UR-COZ and UR-CIB) aircraft flights from Gaborone (FBSK) to Benghazi (HLLB) [a]

Departure Date	*#*	*Flight #*	*From*	*To*	*Remarks*
29 Jun 2019	UR-COZ	KTR7722	Gaborone (FBSK)	Benghazi (HLLB)	▪ Dismantled AS332L *Super-Puma* helicopter (Serial# 2161)
29 Jun 2019	UR-CIB	ZAV9002	FBSK	HLLB	▪ 3 x dismantled SA341 *Gazelle* helicopters (Serial #1797, WA1999 and 1210)
1 Jul 2019	UR-CIB	ZAV9004	FBSK	HLLB	▪ Dismantled AS332L *Super-Puma* helicopter
3 Jul 2019	UR-CIB	ZAV9006	FBSK	HLLB	▪ Dismantled AS332L *Super-Puma* helicopter

[a] Member State.

[154] The company is actually called Aviation at Work Limited at the same address, Wonderboom Airport, Hangar 76, Tswane, South Africa. The company was offered an opportunity to respond on 23 January 2020 but has yet to make contact with the Panel. The Panel cannot be sure whether the spelling error for the name on the documentation was accidental, or a deliberate ploy to make tracing more difficult should there be an investigation.
[155] http://www.speedwayfreight.net/. The company was offered an opportunity to respond by Panel letter of 23 January 2020 and are content with the information contained regarding their company.
[156] No such company is traceable on any aviation databases or company lists of Jordan consulted by the Panel. A Panel letter was sent to the Member State on 16 September 2019. A response is still awaited.
[157] Four letter International Civil Aviation Authority (ICAO) codes identify specific airports.
[158] www.skyaviatrans.com.ua/about-us/. The company was informed of the Panel's findings at a meeting in Kiev, Ukraine on 6 November 2019. They made no comment.
[159] IL-76TD UR-COZ also illicitly flew military materiel into Misrata, Libya for use by the GNA between 3 – 6 July 2019 and 21 July 2019. It was destroyed in Misrata on 5 August 2019. See paragraphs 117 and 119, table 7 and annex 27 to Panel report S/2019/914.
[160] www.zetavia.net/en/. The company was informed of the Panel's findings at a meeting in Kiev, Ukraine on 6 November 2019. They made no comment.

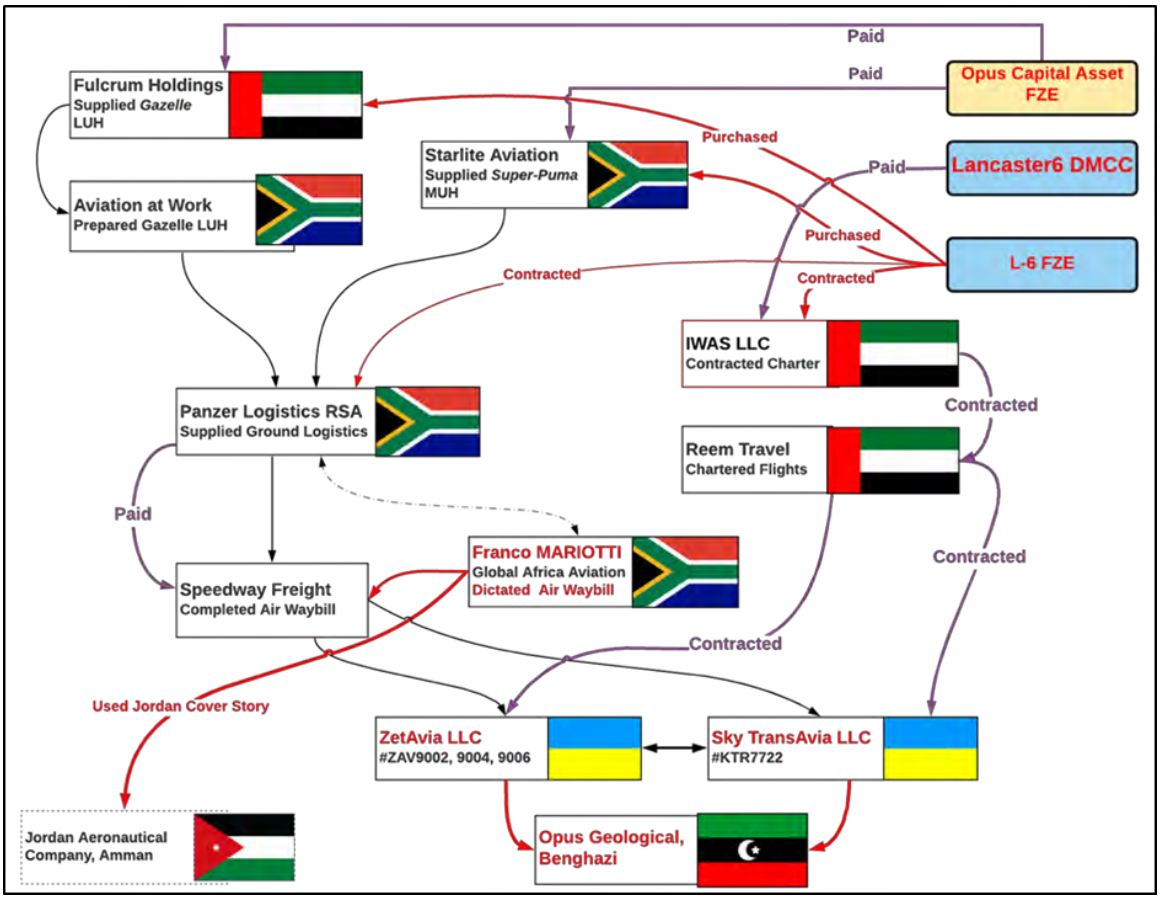
24. The Air Waybill for the flight on 29 June 2019 by the Sky AviaTrans LLC IL-76TD (UR-COZ) (KTR7722) listed the consignee as Steven Lodge, Opus Capital Asset LLC, with the correct destination of Benghazi (see appendix H). The Air Waybills for the flights on 29 June, 1 July and 3 July 2019 the ZetAvia LLC IL-76D (UR-CIB) flights falsely declared the consignee as a Jordanian company in Amman in an attempt to disguise the final destination (see appendix J), but all the aircraft flight logbooks clearly showed the real destination as Benghazi (see appendix K).

25. The Panel has established that the Air Waybills were prepared by the Cargo Agent, Speedway Freight (Proprietary) Limited (Botswana), but that during the preparation of the documents they were personally instructed as to the consignee in Jordan by a Mr Franco Mariotti, who left a business card stating he was from Global Africa Aviation South Africa and Zimbabwe.[161] This intervention was approved by Willie van den Stoep, who had also arranged the charter of the IL-76 through the auspices of International Worldwide Air Services Inc (UAE) (IWAS) (see appendix L). IWAS sub-contracted the charter to Reem Style Travel and Tourism LLC (UAE).[162]

26. The logistics surrounding the transfer of the helicopters to Libya were complex and opaque and are summarised at figure 76.6.

[161] http://www.globalaa.net/. The individual was offered an opportunity to respond by Panel letter of 27 January 2019 to his company. He has yet to respond.
[162] www.reemtravel.com.

Figure 76.6
Summary of helicopter transfer logistics



3. Antonov AN-26B aircraft

27. On 22 July 2019, L6-FZE officially completed the procurement of an Antonov AN-26B aircraft (registered UR-MDA) from FSG Aviation Limited, Bermuda, which is an Erik Prince controlled company.[163] The Panel notes that the transfer of funds (EUR 650,000) to FSG Aviation Limited was made from a Lancaster-6 DMCC bank account on 28 June 2019, three weeks before the official completion of sale documentation, and a day after the arrival of the aircraft in Jordan on 27 June 2019. This is indicative of: 1) a need to deploy an asset very quickly; and 2) rapid decision making within the upper echelons of a company to approve a sale without normal due diligence. The Panel also has evidence that Christiaan Durrant was marketing the use of this aircraft for a potential medevac mission in Libya in May 2019 and thus, although officially owned by FSG Aviation at the time, was operationally available for Lancaster6 DMCC to market and use. He used his serge@l-6group.com email address and made it clear that "*our AN26*" was available "*but about to go on contract*".[164]

[163] FSG Aviation (Bermuda #48669) is 100% owned by Frontier Services Group (Bermuda #48669) (www.fsggroup.com) of which Erik Prince is the Executive Director and Deputy Chairman. The Panel has copies of the Certificates of Incorporation and List of Directors and Shareholders. Source: Member State.
[164] Confidential source (CS28).

28. The Panel further identified that L-6 FZE took action to dispose of this asset on 28 December 2019, based on a bill of sale dated 11 November 2019. This is after the Panel made first contact with individuals involved in Project Opus A and the first letter received from their common legal counsel on 7 October 2019. Company bank accounts had also been closed.[165] An infographic summarising the procurement activities surrounding this aircraft and documentary evidence is at appendix M.

4. Pilatus PC-6 B2-H4 aircraft (serial #790)

29. On 22 May 2019, TST Humanitarian Surveys LLC (USA) (TST) (Delaware #5112541) sold a Pilatus PC-6 aircraft (serial #790) (registered in USA as N354AK) to Airborne Technologies GmbH (Austria), who then registered the aircraft in the Netherlands on 22 May 2019 as PH-ABT. The aircraft was subsequently observed at the Cycloon Holland B.V. (www.cycloonholland.nl) facility in Maastricht-Aachen Airport undergoing maintenance work. On, or about, 24 June 2019 the aircraft was then sold by Airborne Technologies GmbH to Lancaster6 DMCC, although the new owner was declared as L-6 FZE. On 25 June 2019[166] the aircraft deployed to Libya via Cyprus piloted by Travis Alden Maki (US).[167] On 27 June 2019, the Netherlands authorities were informed that ownership of the aircraft had changed to L-6 FZE. The aircraft was deregistered by the Netherlands authorities on 3 July 2019 purportedly on transfer to the UAE Civil Aviation Authority registry.

30. The Panel notes that this aircraft had been previously used by Bridgeporth Limited (UK) whose documentation was used for the first cover story of Project Opus A (see Cover Stories). The Panel also identified that this aircraft was owned by Xe/Greystone prior to sale to TST in early 2012. The Panel has copies of Emails[168] relating to the sale of the aircraft from Xe to TST between John Hazebrouk Palen III (Director of TST), Don M Lansky[169] (family lawyer of Erik Prince) and Erik Prince regarding the initial purchase and operation of this aircraft by TST. This demonstrates Erik Prince has maintained control over this aircraft for quite some time.

31. The PC-6 ISR aircraft (serial #790) was retro-fitted by Airborne Technologies GmbH with a self-contained aerial reconnaissance (S.C.A.R) pod under each wing.[170] The port S.C.A.R pod contains a FLIR Ultraforce 350 High Definition multi-spectral, multi-imagery sensor surveillance system.[171] The high definition and thermal imagery optical systems are optimized for covert airborne security, combat, patrol, surveillance and reconnaissance operations. The product is specifically advertised as having no US sourced components meaning it is not in itself subject to

[165] Letter from Opus legal counsel of 19 June 2020. It did not provide dates of closure. Opus legal counsel have stated that some accounts were forcibly closed but did not provide details. When asked about specific bank accounts relating to the operation, they only responded that they had been closed, implying by the account holding company.
[166] Statement by Stephen Lodge to Panel of 13 September 2020 and letter from the Opus legal counsel (regarding Travis Maki) dated 12 November 2020.
[167] Letter from Opus legal counsel dated 15 December 2020.
[168] Dated 5 July 2012.
[169] https://couzens.com/attorneys/donald-m-lansky/. Accessed 11 October 2020.
[170] See the imagery at https://www.airbornetechnologies.at/platforms/fixed-wing/pilatus. Accessed 29 December 2020.
[171] https://www.flir.co.uk/products/ultraforce-350-hd/. Accessed 14 June 2020.

US International Traffic in Arms Regulations (ITAR) controls.[172] This FLIR system is manufactured in Sweden.[173] The Panel was informed by the Swedish National Inspectorate of Strategic Products[174] that, the system is a dual use product subject to export controls. It is classified under European Council Regulation (EC) 428/2009[175] as 6A003.b.4 'imaging cameras· incorporating "focal plane arrays"'.

32. It allows for the download of real time video imagery linked to geo-coordinates. Aside from search and rescue, there are no real commercial operations requiring such a capability, particularly when paired with a synthetic aperture radar. As can be seen from the manufacturers example imagery at figures 76.7 and 76.8 it is an ideal system for the identification and targeting of high value targets (HVT).

Figure 76.7
Manufacturers FLIR Image (Day)



Figure 76.8
Manufacturers FLIR Image (Thermal)



33. The starboard S.C.A.R pod contains a Thales I-Master lightweight surveillance synthetic aperture radar[176] for the detection of ground targets (vehicles >35km and persons >15km) and maritime targets (large vessels > 100km). It can survey up to 800 km^2 an hour, in any one of four modes: 1) Ground Moving Target Indicator to detect movement; 2) Synthetic Aperture Radar for all weather detection (see figures 76.9 and 76.10); 3) Coherent Change Detection to highlight changes over time (see figure 76.11; and 4) Maritime Moving Target Indicator (> 56 nm). The Panel accepts that this system may have wider roles such as deforestation identification, pollution control or monitoring, but there is no commercial demand for such roles in Libya at the moment. The system is primarily deployed on military equipment, such as the UK *Watchkeeper* ISR UAV.

[172] It may still be subject to US jurisdictions when in the possession of a US citizen and would certainly require authorization to re-transfer to a foreign person in Libya. It would then fall under Bureau of Industry and Security Category 6A003.b.4.a 'Cameras, systems or equipment, and "components" therefor'. https://www.bis.doc.gov/index.php/regulations/export-administration-regulations-ear, Category 6, page 14.
[173] Email from FLIR corporate HQ of 20 January 2021.
[174] www.isp.se. Email of 21 January 2021.
[175] Council Regulation (EC) No 428/2009 of 5 May 2009 'setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items'. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R0428, Annex I.
[176] https://www.thalesgroup.com/en/countries/europe/united-kingdom/markets-we-operate/defence/air-systems-uk/isr-air/imaster. Accessed 14 June 2020.

Figure 76.9
SAR Image

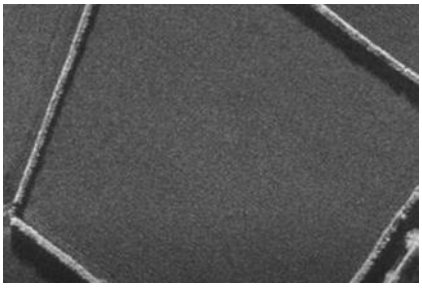


Figure 76.10
SAR Activity Change

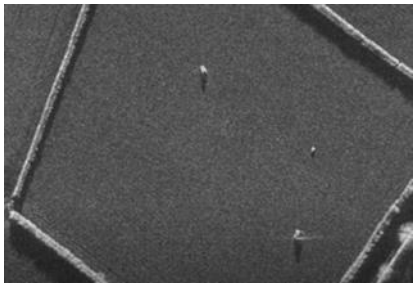
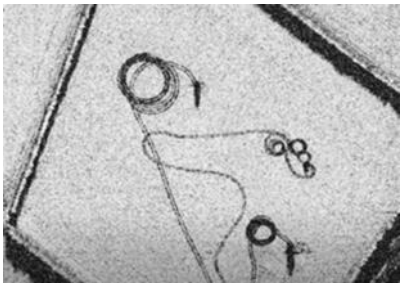


Figure 76.11
CCD Past Activity



34. In view of this combination of dual-use technology, and the only credible operational requirement for such a pairing on one platform, the Panel finds that this aircraft is *military equipment* under the auspices of paragraph 9 to resolution 2011(1973).

35. This L-6 FZE owned PC-6 ISR aircraft (#790) deployed to Libya on 25 June 2019.[177] The Panel finds that this in itself was a *transfer of military equipment* and thus a violation of paragraph 9 of resolution 1970 (2011) by L-6 FZE and their pilot, Travis Maki.[178]

36. The Panel has identified a Pilatus PC-6 aircraft fitted with underwing pods operating throughout eastern Libya between 19 September 2019 and 29 December 2020.[179] The PC-6 has a unique design, which means that photogrammetry can be used to confirm the specific aircraft type against the limited resolution commercial imagery available to the Panel.[180] The dimensions are then confirmed by an overlay used for check comparison.

37. An infographic summarising the procurement activities surrounding this aircraft and details of operational sightings is at annex N. In a response to a Panel enquiry for a copy of the current registration certificate for the aircraft the legal representative of L-6 FZE stated that their client "*does not hold this document or equivalent* ". The Panel does not find this response credible as either: 1) this is a key document relating to the operation and history of the aircraft; or 2) the aircraft is flying unregistered, which is in itself illicit.

38. The deployment of this Pilatus PC-6 ISR asset provides the Opus FATC with a highly capable ISR asset to support its operational work. The Panel wishes to emphasise that a FATC, partnered with an on-call Pilatus PC-6, is a force multiplier for the operational aviation assets available to HAF. It is, perhaps, one of the most significant components of the Opus contribution to HAF, and that contribution should not be discounted purely due to the failure of the aviation and maritime component in 2019. The Panel is still investigating this ongoing operation.

[177] (1) Letter from Opus legal counsel dated 15 December 2020; and (2) Statement by Stephen Lodge to Panel of 13 September 2020.
[178] Letter to Panel from Opus legal counsel (regarding Travis Maki) dated 12 November 2020.
[179] Last sighted on satellite imagery at Al Jufra airbase.
[180] Using Aircraft Length/Main Wingspan ratio of 0.69, and Aircraft Length/Tail Wingspan ratio of 1.91. The tail wing also has a unique profile as a further identification feature.

5. LASA T-Bird (YU-TSH)

39. On or about 19 June 2019, L-6 FZE acquired a converted 2SR H80 *Thrush* 510G (construction number H180-161DC) aircraft, which was during the deployment phase of Project Opus A. This aircraft was formerly in the possession of the Light Attack and Surveillance Aircraft (LASA) Engineering company of Bulgaria (http://lasaeng.eu). The aircraft was registered by the San Marino Aircraft Registry[181] as T7-SAX (2014 to 2015), and then by the Bulgaria Directorate General Civil Aviation Administration[182] as LZ-SAX (2015 to 2018). In August 2018 the aircraft was registered by the Civil Aviation Directorate of Serbia[183] as YU-TSH, with the operator listed as GAS-Aviation d.o.o.[184]

40. In 2014/2015 Erik Prince arranged for the militarization[185] of the aircraft by Airborne Technologies GmbH of Austria (https://www.airbornetechnologies.at/). Christiaan Durrant was the Project Director.[186] A nose-mounted S.C.A.R pod containing an imagery sensor surveillance system,[187] and six removable weapon hard points under the wings were fitted.[188] Extensive engineering work inside the aircraft took place to fit the targeting and weapons release systems. This modified aircraft was then marketed as the LASA T-Bird at the 2017 Paris Air Show (see figures 76.12 and 76.13).[189]

[181] https://www.caa-mna.sm.
[182] https://www.caa.bg/en.
[183] http://www.cad.gov.rs/en/.
[184] http://smederevskapalanka.privredaturizam.com/index.php?option=com_content&view=article&id=116%3Agas-aviation-doo&catid=35%3Aprivreda&lang=en, accessed on 17 June 2020.
[185] Included the fitting of: (1) armoured glass cockpit; (2) armoured engine block; (3) anti-explosive mesh in fuel tank; (4) specialised weapon targeting and control wiring loom.
[186] (1) https://theintercept.com/2016/04/11/blackwater-founder-erik-prince-drive-to-build-private-air-force/; and (2) https://theintercept.com/2020/02/20/erik-prince-fbi-investigation-trump-barr/. Accessed 29 December 2020.
[187] The Panel has not identified if the S.C.A.R pod contains the FLIR Ultraforce 350 High Definition multi-spectral, multi-imagery sensor surveillance system or the Thales I-Master lightweight surveillance synthetic aperture radar. Either system is subject to dual use export controls, for which their deployment to Libya would not be approved by the appropriate Member State export control agencies.
[188] Opus legal counsel have claimed that "fake" weapons were fitted for the Paris Air Show. The Panel cannot verify this but consider it highly unlikely that the internal engineering necessary to target and deploy the weapons were removed. Thus, it was still a military aircraft.
[189] 1) https://www.ainonline.com/aviation-news/defense/2017-06-21/lasa-shows-t-bird-paris, 21 June 2017; and 2) https://www.militaryfactory.com/aircraft/detail.asp?aircraft_id=1844, 12 July 2017.

Figure 76.12
LASA T-Bird at Paris Air Show [a] [b]



Figure 76.13
Inside LASA T-Bird cockpit



[a] Note the starboard underwing weapons fitment (from L to R) of: 1) UB 16-57mm Rocket Pod; 2) UB 32-57mm Rocket Pod; and 3) UBK-23 gun pod fitted with twin 23mm cannon inside, (all Soviet era and readily available in Eastern Europe). This weapons array is repeated under the port wing.

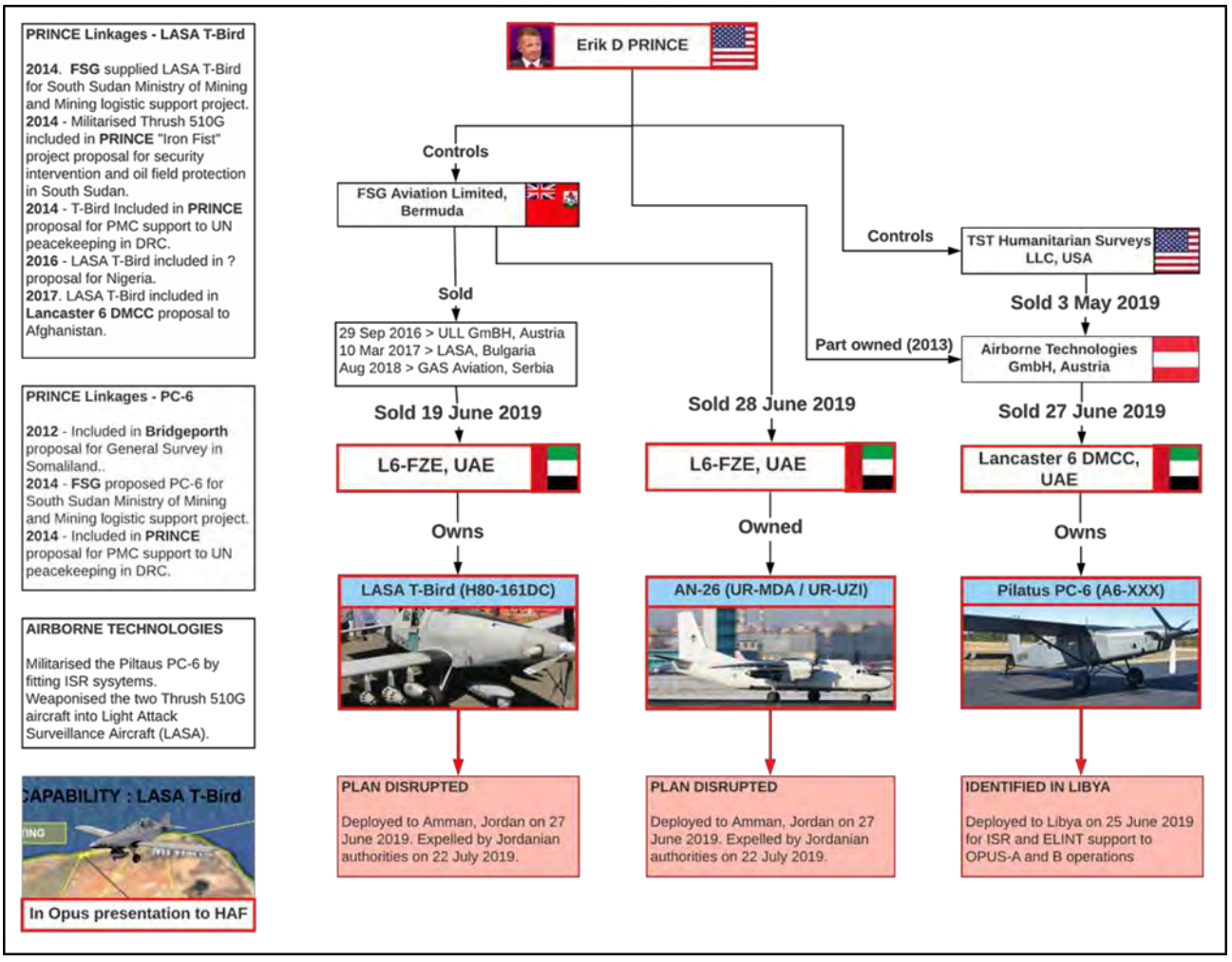
[b] The S.C.A.R pod is nose mounted.

41. The Panel identified that this aircraft was deployed to Amman, Jordan in late June 2019, until on 11 July 2019 when Jordan instructed Christiaan Durrant to remove all Project Opus A assets. A flight plan was submitted for the LASA T-Bird to fly to Larnaca, Cyprus on, or about, 22 July 2019. This flight plan likely been inaccurate as Cyprus air traffic control have no records of the aircraft landing there. An infographic summarising the procurement activities surrounding this aircraft and full details are at appendix P.

6. Central control of aviation assets

42. The Panel finds it almost certain that all three aircraft were under the control of Erik Prince prior to the Opus A operation. Only he was in the position to approve the sale and/or transfer of all three aircraft to support the operation in such a short time frame (see figure 76.14). These aircraft were sold, transferred and deployed in days, with no time for the appropriate due diligence checks normally undertaken for aircraft sales. One quick transfer could be explained, but not three from different companies, all under the effective control or influence of one individual.

Figure 76.14
Prince influence over specialist aircraft transfers



7. MRC-1250 Rigid Hulled Inflatable Boats (RHIB)

43. On 20 June 2019, Steven Lodge, acting as a representative of Opus Capital Asset Limited FZE, charted two “special forces” specification MRC-1250 RHIBs (Manta-1 and Manta-2) from Sovereign Charterers Limited, Malta.[190] Charter fees were EUR 2,500 per day each for a ninety-day period from 20 June to 17 September 2019 (total of EUR 240,000 per RHIB). The two standard BIMCO[191] contracts specifically included a delivery fee of EUR 15,000 for each RHIB (see

[190] www.sovereigncharterers.com/. Accessed 14 September 2019. Company registration number C67113.
[191] Baltic and International Maritime Council (www.bimco.org).

appendix Q).[192] The account was settled from a Lancaster6 DMCC bank account. The two vessels were delivered to Benghazi, Libya on 27 June 2019 by a crew of four staff members of Sovereign Charterers Limited and two private military operatives of Opus Capital Asset Limited FZE (Andrew Scott Ritchie (UK) and Sean Callaghan Louw (UK)).[193]

44. Sovereign Charterers Limited is part of Unified Global Services Group,[194] and is under the sole control of James Fenech.[195] The vessels were then advertised on the Sovereign Charterers website[196] as being "*special forces RHIBs … hardened for maritime security operations*",[197] but this description was removed after Fenech's arrest by the Maltese authorities.

45. James Fenech informed the Panel[198] that he was told that the vessels were "*required for* evacuation purposes as a number of Oil and Gas and other Multinational companies would require solutions to evacuate their personnel specifically for Insurance purposes". Considering James Fenech's known close linkages to private military companies through the auspices of his other business, (e.g. Fieldsports Limited, Malta (C54571)), and his knowing, the individuals and organizations involved in the charter of the vessels, the Panel considers it unlikely that he found this to be a credible explanation. The Panel finds them to be military equipment under the ambit of paragraph 9 to resolution 1970 (2011).[199]

46. The Panel finds James Fenech and Sovereign Charters Limited (Malta) in technical non-compliance with paragraph 9 of resolution 1970 (2011) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. The Panel wishes to emphasise that James Fenech cooperated fully with the Panel and acceded readily to all information requests during the investigation. The Panel considers that James Fenech was probably unaware that the transfer of an unarmed vessel, albeit to military specifications, would be a non-compliance of the sanction measures.

47. The Panel finds Andrew Scott Ritchie and Sean Callaghan Louw in violation of paragraph 9 of resolution 1970 (2011) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. They were participants in the operation and almost certainly knew that the operational plan was to arm the vessels for maritime interdiction operations.[200]

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[192] The payment of the delivery fee is important as this is evidence of the intent to transfer to Libya.
[193] Member State.
[194] http://unifiedglobal.com.mt/. Accessed 14 September 2019. Company registration number C66837.
[195] https://registry.mbr.mt/ROC/index.jsp - /ROC/companyDetailsRO.do?action=involvementList&companyId=C67113. Accessed 14 September 2019, (requires registration as user). Also owns www.fieldsportsmalta.com.
[196] http://www.sovereigncharterers.com/MRC-1250. Accessed 15 September 2019.
[197] Supported by definitions in Common Military List of the European Union. ML9.(a).1. " *(…) other surface vessels. Vessels (…) modified for military use (…) regardless of whether or not they contain (…) weapon delivery systems"*.
[198] Letter to Panel of 28 October 2019..
[199] Mr Fenech was offered an opportunity to reply on 17 January 2020, and his lawyer responded on his behalf on 3 February 2020. Further information on this Panel finding is contained within Mr Fenech's response to the opportunity to reply offered by the Panel at appendix W.
[200] These two individuals were offered an opportunity to respond, through the Opus legal counsel, on 29 December 2020 but they declined to engage with the Panel.

F. Deployment to Libya

48. One individual who participated in the operation[201] informed the Panel that he was recruited by Steven Lodge for a Search and Rescue (SAR) role supporting a geological survey in Jordan. It was only after he arrived in Jordan, on or about 22 June 2019, that he was told that the real operation was a private military operation in Libya. He confirmed that the full team of "up to twenty" operatives deployed to Libya from Jordan on a chartered IL76 civil aircraft. He admitted that once he was aware of the true purpose of the operation he should have refused to go further, but that he was motivated by the US$ 900 per day for a guaranteed three-month contract (US$ 81,000).

49. A team of at least seventeen PMC operatives[202] deployed to Benghazi, Libya from Amman, Jordan on board a commercial IL-76 cargo aircraft on, or about, 25/26 June 2019.[203] They were accommodated in a large compound to the south of Benghazi in two buildings (described to the Panel as being like "*something out of the film Thirteen Hours in Benghazi* (sic)*"*).[204] The PMC team and compound had local security provided by a Libyan armed group.

50. On 27 June 2019 they were joined by the four-man Maltese RHIB delivery crew from Sovereign Charterers and the two PMC operatives (Sean Louw and Andrew Ritchie). The four Maltese individuals only stayed one night and departed Benghazi on one of the few available commercial routes, Afriqiyah Flight # 8U606 to Amman, Jordan on 28 June 2019 and onward to Malta on Flight # FR8975 on 29 June 2020.

51. The Panel requested copies of their Libya visas from Steven Lodge and Travis Maki, who both responded that they did not need them as they would obtain them on arrival. The Panel has confirmed that only Jordanian and Tunisian citizens may enter Libya without a visa. The lack of a visa for these individuals can only mean that their entry into Libya was facilitated by the Haftar administration, or they entered illegally.

G. Evacuation from Libya

52. The maritime and assault rotary wing aviation phase of the operation was suddenly aborted on the evening of 29 June 2019. This resulted in twenty private military operatives making a thirty-six-hour, 350 nautical mile sea crossing from Benghazi in the two 'special forces' specification rigid hulled inflatable boats procured for the operation; one of which was abandoned on route due to engine problems and loss of steering. The single RHIB arrived in Valetta, Malta at approximately 13:00 hours 1 July 2019.

53. The decision to evacuate was taken by the Ground Team Leader (Steven Lodge) due to the adverse reaction of Khalifa Haftar when he realised that the aviation assets deployed (the South African helicopters) were not those that had been promised during the planning stage of the alleged

[201] Confidential source (CS22) who participated in the operation.
[202] The Panel has identified that the majority had previous military service and had subsequently been employed by a range of private military and security companies.
[203] Confidential source (CS22) who participated in the operation.
[204] The actual 2016 film title is *13 Hours: The Secret Soldiers of Benghazi*.

US$ 80 million contract.[205] Steven Lodge feared violent repercussions against his team when Haftar realised that the promised capability was never going to be delivered.

54. A lawyer was engaged in Malta at short notice by Opus Capital Asset FZE but was paid from a Lancaster6 DMCC account. In the event his services were not required. The cover story provided to the Maltese Police was that the RHIB occupants were from an oil field operation and needed to leave Libya quickly because of deteriorating security concerns. The Panel notes though that the UN Security and Safety reporting mechanism for that period assessed the security situation in Benghazi area as being reportedly "calm and stable" during this time period.[206] The occupants of the RHIB only stayed in Malta for a few days before leaving the island (appendix R).

55. A RHIB was later found abandoned off the coast of Libya near Zueitina in late July 2019.[207] Imagery and geo-referencing (see appendix S) confirms that it was an MRC-1250 RHIB with Maltese Registration ON-17388, named Manta-2, and owned by Sovereign Charterers Limited.

H. Financial analysis

56. The Panel has obtained information and records relating to some of the financial transactions for this operation, (summarised in table 76.3). The involvement, and interchangeable use of the shell companies, is also clearly identifiable within table 76.3. This list is far from exhaustive and does not include legal fees, other equipment procured, logistics fees etc. HAF allegedly paid US$ 80M to Opus for the capability, yet only approximately US$ 20M can be accounted for to date. Unless the UAE allows the Panel access to the various bank accounts specified at table 76.4 little further progress is likely unless L-6 FZE, Lancaster6 DMCC or Opus Capital Asset Limited FZE significantly improve their cooperation with the Panel.

Table 76.3
Summary of financial information obtained by the Panel

Date	*Item purchased*	*Invoiced by*	*Contracted by*	*Paid by*	*Value (US$)*[b]
17 Jun 2019	3 x SA341 *Gazelle* Helicopters	Fulcrum Holdings Limited (UAE)	L-6 FZE	Opus Capital Asset FZE	** 1,950,000
19 Jun 2019	2 x MRC-1250 RHIB Hire and Delivery	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE	Lancaster 6 DMCC	** 541,505
19 Jun 2019	Purchase of LASA T-Bird (H80-161DC)	LASA Engineering, Bulgaria	L-6 FZE		** 3,364,500
20 Jun 2019	3 x AS332 *Super-Puma* helicopters	Starlite Aviation Group Limited (RSA)	L-6 FZE	Opus Capital Asset FZE [b c]	** 4,210,636 ** 3,257,068 ** 3,417,911

[205] Confidential source who was at the meeting. (CS27 through CS4).
[206] The only incident of note being two civilians injured by low velocity gunfire from a drunken man in the carpark of the Tebisti Hotel in the early hours of 1 July 2019.
[207] https://arabic.rt.com/middle_east/1035381-الجيش-الليبي-يسيطر-على-مطار-الجفرة-وقاعدة-الوطية-جنوب-غرب-طرابلس. Accessed 15 September 2019.

Date	*Item purchased*	*Invoiced by*	*Contracted by*	*Paid by*	*Value (US$)*[b]
20 June 2019	Arrange charter of 4 x IL-76 flights from Botswana to Libya	International World Air Services (UAE) [d]	L6-FZE	Lancaster 6 DMCC	1,200,000
28 Jun 2019	Purchase of Antonov AN-26B (serial # 7198)	FSG Aviation	L6-FZE	Lancaster 6 DMCC	** 766,770
4 Jul 2019	Freight forwarding in Botswana	Speedway Freight (Proprietary) Limited (Botswana)	Panzer Logistics (RSA)	Panzer Logistics (RSA)	8,500
3 Jul 2019	Purchase of Pilatus PC-6 (serial # 790)	Airborne Technologies GmbH	L-6 FZE	Lancaster 6 DMCC	** 1,068,900
3 Jul 2019	Legal Fees	Malta Lawyer	Lancaster6 DMCC	Lancaster 6 DMCC	< 5,000
4 Jul 2019	Accommodation	Radisson Hotel, Malta	www.expedia.com		*6,000*
8 Jul 2019	Marine Fuel and Search Operation for lost RHIB	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE		** 68,954
22 Jul 2019	Marine Safety Equipment	Fieldsports Limited (Malta)	Lancaster6 DMCC	Lancaster 6 DMCC	** 30,003
1 Aug 2019	MRC-1250 RHIB Manta-2 Loss Compensation	Sovereign Charterers Limited (Malta)	Opus Capital Asset FZE	Lancaster 6 DMCC	** 497,534
Jun – Sep 2019	PMC Operatives salaries x 20 for three months [e]			Opus Capital Asset FZE	*1,620,000*
				Approximate Total (US$):	**19,593,271**

[a] The Panel has documentary evidence for those items preceded with **. The others are from source information with first-hand knowledge of the costs.

[b] Converted into US$ rate on the date stated on the receipts or contract date using www.xe.com historical data.

[c] At US$1 = ZAR 14.1269 on 28 June 2019. Data from customs declaration.

[d] IWAS then paid Reem Style and Travel Tourism (UAE), who then paid the Ukrainian airlines.

[e] One participant was being paid $900 per day for a six-month contract, and Panel a single confidential source said they were kept on payroll for three months. So an estimate only.

57. The Panel has identified the bank accounts in table 76.4 that have been used by Opus during this operation. Note that payments made by one company are for equipment contracted for another company, thus increasing the opacity of the operation.

Table 76.4
Bank accounts related to OPUS procurement and payment activities

Company	*Bank*	*Account # / Transfer #*	*Paid / Received*	*Contracted by*
Lancaster 6 DMCC	Noor Islamic Bank, Dubai	AE140520002410962 78XXXX	▪ FSG Aviation (Bermuda) ▪ Sovereign Charters Limited (Malta)	▪ L6-FZE ▪ Opus FZE
Lancaster 6 DMCC	Emirates Islamic Bank PJSC, Dubai	AE360340003707456 05XXXX	▪ Sovereign Charters Limited (Malta)	▪ Opus FZE
L-6 FZE	Noor Islamic Bank, Dubai	AE170520002410966 27XXXX	▪ RECEIVED	▪ Paid by ▪ Expedition Aviation FZE
Opus Capital Asset Limited FZE	Emirates NBD Bank PJSC	AE300260001015467 53XXXX	▪ Starlite Aviation (South Africa)	▪ L-6 FZE
Opus Capital Asset Limited			▪ Fulcrum Holdings Limited (UAE)	▪ L6-FZE
TBC	Noor Islamic Bank, Dubai	AE840520000110563 690XXXX	▪ Team Members [a]	▪ Opus

[a] This is from unresolved payment advice for an iaccount payment .

I. Damage limitation

58. After the airing of a documentary[208] by Australia Broadcasting Corporation on Monday 14 September 2020, the PMC operatives were contacted on Tuesday 15 September 2020 by an individual still under investigation by the Panel, who was trying to determine where the leaks to the media were originating from. On Wednesday 18 September 2020, Erik Prince personally called at least one of the Opus PMC operatives to ask why he and some colleagues were in the USA at that time.[209]

59. The Panel also noted that in the written statement by Steven Lodge of 13 September 2020, and the opportunity to respond interview with Christiaan Durrant on 16 September 2020, that both made a specific point, without any prompting from the Panel, that although Erik Prince was known to them, he had no role in the planning or execution of the Opus operation, nor was he financially involved in any of the companies involved. It appeared to the Panel as if this was a coordinated response.

60. Federal Advocates Inc (USA), a lobbying firm, disclosed on 17 September 2019 that were engaged by Opus Capital Asset Limited FZE on 1 July 2019 to provide lobbying services. The LD1 Disclosure Form described Opus Capital Asset Limited FZE as a "geopolitical national security firm" and that the general lobbying issue area was "DEF" (defence). On 16 October 2019, an LD2 Disclosure Form was submitted in which the declared general lobbying area issue code

[208] https://www.abc.net.au/4corners/soldiers-of-fortune/12662570.
[209] Confidential source (CS27 through CS4).

had changed to "FUE" and with a specific lobbying issue area of "oil and gas logistic services".[210] This was changed on 16 October 2019 to "*Oil and gas logistics service – providing educational background to the administration*. The company failed to cooperate with the Panels' requests for information and clarification.[211]

J. Cover stories

61. The Panel obtained a copy of the documentation used to justify and support the movement of the helicopters from Gaborone (FBSK) to Jordan that was shown to the Botswanan customs authorities. This consisted of a comprehensive technical response to a Request for Proposal (RfP) for an Airborne Geophysical and Hyperspectral Surveys (Kingdom of Jordan) purportedly issued by a company called Confidence Security Consulting.[212] The Panel was unconvinced of the veracity of this documentation, which was badly laid out and an obvious "cut and paste" document.

62. The artwork on the base of the document is identical to that of AustinBridgeporth[213] (figures 76.15 and 76.16).[214] AustinBridgeporth is a teaming partnership between Austin Exploration Inc (USA)[215] and Bridgeporth Limited,[216] a UK based professional geosciences company.[217] Bridgeporth Limited initially confirmed verbally to the Panel that the document is a copy of a 'boilerplate proposal' the company uses, and that the company had no recent or planned operational engagement with Jordan for surveys.[218]

63. The Panel notes that Travis Maki, the pilot of the Pilatus PC-6 in Libya, was named on the Bridgeporth website[219] as their Vice President of Aviation. Bridgeporth Limited told the Panel that "*the company had let him go earlier*". The Panel requested documentary evidence to confirm this and is still awaiting a response.

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[210] 1) https://projects.propublica.org/represent/lobbying/301022812; and 2) LD1 and LD2 Disclosure Reports in the possession of the Panel.
[211] 1) Panel letters of 26 December 2019 and 3 February 2020; 2) Panel communication of 23 January 2021.
[212] Confidence Security Co, 7 Floor, Office 702A, Kamala Tower 2, Al Had Street, Al Khalidiyah, Abu Dhabi, UAE. +971 2 6760660. The Panel has not elicited a response to this number.
[213] www.austinbridgeporth.com/.
[214] Bridgeporth UK is linked to Bridgeporth Holdings (Gibraltar) Limited in which FRG Partners I Master Fund LP (Cayman Islands # 56264) has a 93.3% shareholding. The CEO of Bridgeporth Limited, Dr Mark Davies, is also the CEO of AustinBridgeporth (http://www.austinbridgeporth.com).
[215] www.austininc.com.
[216] www.bridgeporth.com.
[217] In 2019 Bridgeporth Limited (UK) was majority owned by Bridgeporth Holdings Limited (Gibraltar), which in turn was 92.3% owned by FRG Partners | Master Fund LLP (Caymans), which was owned by FRG Partners | LP (Caymans), which was owned by Frontier Resource Group Limited (Caymans), which was 80% owned by Frontier Holdings Limited (Caymans), which was 100% owned by Erik Dean PRINCE. This is indicative of the complex multi-shells that Erik Dean Prince uses to disguise his control over, and benefits from, trading companies.
[218] Initial panel discussion in confidence by phone with company CEO, Dr Mark Davies, and the subsequent Email on 5 December 2019. After requesting supplementary information the Panel was informed that on 5 January 2020 that "*given the serious nature of the allegations (…). Someone from the ownership group will be in touch with you shortly*".
[219] http://www.bridgeporth.com/our-team/, accessed 5 December 2019. Subsequently removed by 19 January 2020.

Figure 76.15
Bridgeport Limited artwork from company website



Figure 76.16
Artwork from F-6 FZE / OPUS RFP response to tender



64. The Panel finds that this document was counterfeited with deliberate intent to disguise the true purpose for the requirement to transport the helicopters out of Botswana. Notwithstanding its status as a counterfeit document, the perpetrators had to use real names to lend it authenticity and credibility should spot checks be made. It lists the Managing Director of Opus Capital Asset DMCC, as Amanda Kate Perry whose name appears on the legitimate purchase documentation for the three *Gazelle* LUH. Appendix T summarizes the counterfeit issues in the document, and contains extracts referring to Opus Capital Asset DMCC and Amanda Kate Perry.

65. This document was used to support the cover story of a "Geophysical and hyperspectral survey of Jordan" (Cover Story 1 of June 2019). Jordan has confirmed that no such survey was either planned nor approved.[220] Bridgeport Limited (UK) denied all involvement[221] and on 24 January 2020 the Panel received a letter from Matthew L Schwartz of Boies Schiller Flexner (BSF), New York (www.bsfllp.com) regarding their enquiries. Matthew Schwartz also represents Erik Prince,[222] and the Panel considered it unusual at the time that a small, specialist British geosciences company would be utilizing the services of a New York based legal counsel were it not for the Erik Prince connection between the two. BSF initially failed to respond to two letters from the Panel regarding the use of Bridgeport documentation in Cover Story 1,[223] but made contact with the panel again in November 2020.[224] Further research established a commercial arrangement involving the Pilatus PC-6 aircraft between Erik Prince and Bridgeport Limited (UK) dating back to at least 26 January 2012 (see appendix U). On 23 November 2019 a letter from the UAE based legal representative for the individuals and companies involved in Opus informed the Panel that they were consulting with Mr Schwartz but did not provide a reason for such a consultation.

66. The use of Bridgeport Limited (UK) and "Oil and Gas Survey" as part of a cover story was used before in a 2014 proposal by Frontier Services LLC, controlled by Erik Prince. The proposal was code named Project BROOKLYN and its aim was to kill or capture Joseph Kony and the Lords' Resistance Army leadership group in South Sudan.[225] One slide contains the text "*Cover*

[220] Letter to Panel of 6 April 2020.
[221] Email to Panel of 5 December 2019.
[222] 1) https://www.reuters.com/legal/article/us-usa-trump-russia-prince/house-panel-seeks-justice-department-probe-of-trump-backer-prince-idUSKCN1S61MI, 30 April 2019; and 2) https://www.law360.com/articles/1275426/blackwater-founder-targets-intercept-with-defamation-suit, 20 May 2020.
[223] Panel letters of 3 February and 18 September 2020.
[224] BSF letter to Panel of 12 November 2020. The Panel's latest letter to BSF on 12 November 2020 remains unanswered.
[225] The Panel has a copy of this nineteen slide Concept of Operations presentation but has agreed not to publish at this stage to preserve a confidential source (CS8) relationship.

for status/action: Oil and gas survey company (Bridgeporth Ltd, Milton Keynes (UK)". Indeed the overall Project BROOKLYN proposal was very similar to that proposed by Opus to HAF, and indeed many others that Erik Prince has been directly responsible for or involved in.[226] Gregg Smith who, as the Chief Executive Officer of Frontier Services Group Limited (FSG) from 2014 to 1 May 2016,[227] worked closely with Erik Prince when he was Chairman of FSG, stated to the Panel[228] that the cover story for the operation would be "oil and gas security" or "oil and gas survey" as "that was what Prince had always used". Gregg Smith repeated this publicly in an interview with www.narativ.org on 17 September 2020. [229] Gregg Smith also claimed that it was implausible that Erik Prince did not control Lancaster6. Gregg Smith went on to explain that, in his experience, Erik Dean Prince protected himself from litigation by not owning or controlling a company through debt ownership, he would receive material or financial benefits in other ways

67. After failure of the Opus A deployment, the response to the Panel's enquiries to the individuals and companies involved, through their legal counsel in January 2020,[230] was to introduce a second cover story that Project Opus A was providing technical support services for an "oil and gas project in Libya" (Cover Story 2 of April 2020).[231] The Panel requested the sight of contractual documentation to support the claim in order to deconflict any such project, if it existed, from the PMC operation, but no details were provided to the Panel. The Panel was thus unconvinced of the veracity of this second "cover story". In September 2020 a third cover story was then provided to the Panel[232] that Opus FZE were establishing a logistic hub in Western Libya at their own financial risk (Cover Story 3 of September 2020).

68. In his interview of 16 September 2020 Christiaan Durrant claimed that the Opus operations were self-funded at company risk but was reluctant to identify the source of funding. The Panel has identified that approximately US$ 20M was committed to the operation just for the funding of the equipment and private military operatives' salaries. These salaries continued for at least three months after the failure of the operation.

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[226] Subsequent examples of this "Army in a Box" concept proposed by Erik Prince include Somalia PMFP 2010 (deployed), DRC 2014 (proposal failed), South Sudan 2014 (deployed), Mali 2014 (proposal failed), Azerbaijan 2015 (proposal failed), Libya 2015 (HAF anti-migration) (failed), Afghanistan 2017 (proposal failed), Mozambique 2019 (proposal failed), Mozambique 2020 (negotiations ongoing at time this document was prepared).

[227] https://www.marketscreener.com/quote/stock/FRONTIER-SERVICES-GROUP-L-6165919/news/Frontier-Services-1-RESIGNATION-OF-AN-EXECUTIVE-DIRECTOR-2-GRANT-OF-SHARE-OPTIONS-3-RESIGNAT-22268951/, 29 April 2016.

[228] Panel interview of 30 March 2020.

[229] https://narativ.org/2020/09/17/prince-of-proxy-china/, 17 September 2020. (12min 30 sec to 13min 35 sec).

[230] https://www.hfw.com/Abu-Dhabi. Accessed 20 July 2020.

[231] HFW letters to Panel of 7 and 31 January 2020.

[232] Interview with Christian Durrant of 16 September 2020 and Statement by Lodge of 13 September 2020 (see annex S).

K. Opportunities to respond

1. Christiaan Paul Durrant

69. The Panel provided Christiaan Durrant with an opportunity to respond during an interview[233] on 16 September 2020 at 10:00 hours (UTC). The interview lasted for two hours. A legal advisor from the Opus legal counsel was present, and a second Opus legal counsel legal advisor and his communications advisor, Ian Twine of Harrup Advisory Limited[234] participated by the MS Teams media platform. The Panel agreed that the Opus legal counsel may record the interview, whilst the Panel took contemporaneous notes. A Panel summary of the interview based on these notes is at appendix V.

70. During his interview Christiaan Durrant provided no evidence to his claims, little substantive detail and no rebuttal evidence to any of the findings of the Panel to date. His response to subsequent written supplementary questions was to claim he was being co-operative with the Panel, yet he supplied no substantive nor detailed responses to any of the questions presented to him.

2. James Fenech

71. James Fenech was offered an opportunity to reply on 17 January 2020. His lawyer responded on his behalf on 3 February 2020, and the full statement, together with appropriate explanatory notations by the Panel is at appendix W.

3. Steven John Lodge

72. The Panel provided Steven Lodge with an opportunity to respond interview,[235] which he declined, preferring to submit a written statement to the Panel on 13 September 2020. The Panel requested clarification of some points in a letter dated 17 September 2020, to which the Opus legal counsel responded on his behalf on 29 September 2020. The full statement, together with appropriate explanatory notations by the Panel is at appendix X. The Panel analysed the content of this statement, and identified corroboratory and contradictory evidence, which was then considered during the preparation of this report. The Panel considers that Steven Lodge provided no documentary evidence to support any of his responses, provided little detailed information and his responses contained no proven rebuttal evidence to any of the findings of the Panel to date.

4. Travis Alden Maki

73. The Panel requested an interview with Travis Maki on 17 September 2019 but were told by the Opus legal counsel on 29 September 2019 that he was unavailable. The Panel then offered Travis Maki an opportunity to reply in a letter to his legal counsel of 29 October 2019. He admitted to piloting the PC-6 ISR aircraft into Libya on 25 June 2019 but did not know who owned the aircraft. He specifically refuted that he was a private military contractor or that he was engaged to

[233] In London. One Panel member present, the other participated by MS Teams media platform.
[234] https://harrupadvisory.com. Accessed 20 September 2020.
[235] Panel EMail to HFW of 17 August 2020.

perform military company operations designed to provide military support to one of the parties to the conflict in Libya.

5. Amanda Kate Perry

74. The Panel remotely interviewed[236] Amanda Kate Perry on 20 July 2020 at 08:00 hours (UTC). The interview lasted 45 minutes. The Opus legal counsel, and her communications advisor, Ian Twine of Harrup Advisory Limited[237] were present and the Panel agreed that they may record the interview. The Panel took contemporaneous notes. She was asked detailed questions concerning the corporate structures of L-6 FZE, Lancaster 6 DMCC and Opus Capital Asset Limited FZE. On the advice of the Opus legal counsel she declined to provide any information, citing concerns about confidentiality of information provided to the Panel. It was explained to her that the Panel only provided information directly to the Sanctions Committee or Security Council; she still declined to provide the information. Amanda Perry was then asked detailed questions regarding her knowledge of activities for which the Panel had evidence of her involvement in the form of signed contracts for the purchase of equipment (one LASA T-Bird aircraft) and logistic support to the operation (air freight agent). Amanda Kate Perry's responses were consistent throughout the interview in that she either: 1) had no knowledge of the activity; 2) could not remember; or 3) only acted as a corporate service provider and had no knowledge of those companies' operations. She explained that the intrusive media coverage of the issue had been devastating for her personal reputation and business, which was now on the state of collapse. The Panel did not find her explanations at all convincing. Her failure to provide any detailed rebuttal evidence and her lack of cooperation in providing corporate, financial or transaction information means that the evidence supplied in this document by the Panel is submitted unexplained and unchallenged by Amanda Perry.

6. Erik Dean Prince

75. In a letter to Erik Prince dated 18 November 2020[238] the Panel requested details of his operational involvement in Opus A and B, and also that he clarify his business and financial relationships with Bridgeporth Limited (UK), Bridgeporth Holdings Limited (Gibraltar), Austin Bridgeporth Limited L-6 FZE (UAE), Lancaster 6 DMCC (UAE), Opus Assets Limited FZE (UAE), Opus Capital Asset Limited DMCC (UAE), Frontier Services Group Limited (Bermuda), Frontier Holdings Limited (Bermuda), FSG Aviation Limited (Bermuda), TST Humanitarian Surveys LLC (USA), ULL24 GmbH (Austria), Airborne Technologies GmbH (Austria), LASA Engineering Limited (Bulgaria), Unified Global Services Group Limited (Malta) and PBM Limited (Malta). No response was received by the requested date of 7 December 2020. A reminder

[236] Using the Zoom platform.

[237] https://harrupadvisory.com. Accessed 20 July 2020.

[238] Sent to two known E Mail addresses of Erik Dean Prince. Copies were sent by UPS courier to his Virginia and Wyoming residences. UPS tracking confirmed delivery to his Virginia address on 4 December 2020 (1ZF333A30311197514) and to his Wyoming address on 10 December 2020 (1ZF333A30311197523). The Panel did not consider it appropriate to send such a communication to Mr Prince via the three lawyers known to be used by him, as the Panel could not know which lawyer Mr Prince may choose to instruct to represent him on this matter, if at all. An Email reminder was sent to Mr Prince on 16 December 2020 with UPS courier copies to his Virginia and Wyoming addresses (1ZF333A30211201420 and 1ZF333A30311201437 respectively).

letter was sent on 16 December 2020 and no response was received to that letter either.[239] His failure to cooperate with the Panel means that the evidence supplied in this document is submitted unexplained and unchallenged by Erik Prince.

L. Opus B operation

76. The Panel has evidence that a second Opus operation (Opus B) was launched into Libya in April/May 2020, and investigations continue to achieve the evidential standards necessary for reporting. It involved at least four or five of the individuals connected with the first Opus operation.[240] Indeed, the Panel believes that some of the components of Opus A, or directly derived from that operation, still continue to be active in Libya. Examples being the Fusion and Targeting Cell and the PC-6 ISR aircraft.

M. Summary of violations

77. Although there is much still to learn about Project Opus, that Panel has achieved the necessary evidential standards to allow it to make the following findings (tables 76.5 to 76.6) for entities and individuals that have:

(a) Violated paragraph 9 to resolution 1970 (2011):

Violating, or assisting in the evasion of, the provisions of the arms embargo in Libya established in resolution 1970 (2011) by the *direct (…) supply (…) to the Libyan Arab Jamahiriya (…) of (…) related materiel of all types, including military (…) equipment, (…), and other assistance, related to military activities* (…).

and/or

(b) Are in non-compliance with paragraph 13 to resolution 2509 (2020) by failing to:

(…) supplying any information at their disposal on the implementation of the Measures decided in resolutions (…) in particular incidents of non-compliance (…).

Table 76.5
Entities violating resolution 1970 (2011) and/or in non-compliance with resolution 2509 (2020)

Entity	*Violation of para.9 to resolution 1970 (2011)*	*Non-compliant with para.13 to resolution 2509 (2020)*	*Specific*
Bridgeport Limited (UK)		✓	▪ Failure to provide *information at their disposal* regarding *other assistance relating to military activities* to an armed group.
Federal Advocates Inc (USA)		✓	▪ Failure to provide *information at their disposal* regarding *other assistance relating to military activities* to an armed group.

[239] UPS courier copies also sent to his Virginia and Wyoming addresses (1ZF333A30211201420 and 1ZF333A30311201437 respectively).
[240] Including confidential source (CS27).

Entity	*Violation of para.9 to resolution 1970 (2011)*	*Non-compliant with para.13 to resolution 2509 (2020)*	*Specific*
L-6 FZE (United Arab Emirates)	✓	✓	▪ Arranging the *transfer* of *military equipment* and providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at their disposal* regarding *other assistance relating to military activities* to an armed group.
Lancaster 6 DMCC (United Arab Emirates)	✓	✓	
Opus Capital Asset Limited FZE (United Arab Emirates)	✓	✓	
Panzer Logistics (Proprietary) Limited (South Africa)		✓	▪ Failure to provide *information at their disposal* regarding *other assistance relating to military activities* to an armed group.
Sky Avia Trans LLC (Ukraine)	✓		▪ *Transfer* of equipment by air to a private military company providing *other assistance relating to military activities* to an armed group in Libya.
Sovereign Charterers Limited (Malta)	✓		▪ *Transfer* of *military equipment* by sea to a private military company providing *other assistance relaying to military activities* to an armed group in Libya.
Zet Avia LLC (Ukraine)	✓		▪ *Transfer* of equipment by air to a private military company providing *other assistance relaying to military activities* to an armed group in Libya.

Table 76.6
Individuals violating resolution 1970 (2011) and/or in non-compliance with resolution 2509 (2020)

Individual	*Violation of para.9 to resolution 1970 (2011)*	*Non-compliant with para.13 to resolution 2509 (2020)*	*Specific*
Durrant Christiaan Paul (Australia)	✓	✓	▪ Arranging the *transfer* of *military equipment* and providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at his disposal* regarding *other assistance relating to military activities* to an armed group.
Fenech James (Malta)	✓		▪ Arranging the *transfer* of *military equipment* and providing *other assistance relating to military activities* to an armed group in Libya.
Lodge Steven John (South Africa)	✓	✓	▪ Arranging the *transfer* of *military equipment* and providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at his disposal* regarding *other assistance relating to military activities* to an armed group.
Louw Sean Callaghan (UK)	✓		▪ The *transfer* of *military equipment* by sea to a private military company providing *other assistance relating to military activities* to an armed group in Libya.

Individual	*Violation of para.9 to resolution 1970 (2011)*	*Non-compliant with para.13 to resolution 2509 (2020)*	*Specific*
Maki Travis Alden (USA)	✓		▪ *Transfer* of *military equipment* by air to a private military company providing *other assistance relating to military activities* to an armed group in Libya.
Mariotti Franco (Global Africa Aviation)	✓	✓	▪ The *transfer* of *military equipment* by air to a private military company providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at his disposal* regarding *other assistance relating to military activities* to an armed group.
Perry Amanda Kate (UK)	✓	✓	▪ Arranging the procurement and *transfer* of equipment intended for a private military company providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at her disposal* regarding *other assistance relating to military activities* to an armed group.
Prince Erik Dean (USA)	✓	✓	▪ At the least facilitated the *transfer* of *military equipment* to a private military company providing *other assistance relating to military activities* to an armed group in Libya. ▪ Failure to provide *information at his disposal* regarding *other assistance relating to military activities* to an armed group.
Ritchie Andrew Scott (UK)	✓		▪ The *transfer* of *military equipment* by sea to a private military company providing *other assistance relating to military activities* to an armed group in Libya.

Appendix A to Annex 76: Timeline of events

Table 76.A.1
Timeline of events[241]

Date	*Event*	*Responsible*	*Remarks*
12 Jul 2018	RJAF list 17 x AH-1F *Cobra* attack helicopters for sale.	RJAF	▪ *Cobra* attack helicopters mentioned in Opus confidential document.
01 Nov 2018	Antonov AN-26 (UR-MDA) insured by FSG Aviation for US600,000.		▪ Later sold to L-6 FZE for US$ 650,000. Insurance not revoked or transferred.
9 Apr 2019	OPUS PowerPoint [1] was written.		▪ From Metadata.
14 Apr 2019	Erik Prince meets Haftar in Cairo, Egypt and briefs him on PMC intervention prior to Haftar meeting with President Sisi.	Erik Prince Khalifa Haftar	▪ Probably no PowerPoint. This was either sent or briefed previously.
14 Apr 2019	Erik Prince has planning meetings in Paul Café, Taggamu Al Khamis, Cairo.	Erik Prince	▪ http://paularabia.com/en/
16 May 2019	Lodge flies from Aberdeen to London Heathrow and then on to Dubai on Flight# BA0105.	Steven Lodge	▪ Highly probably Project Opus A planning.
19 May 2019	Lodge flies from Dubai to London Heathrow then on to Aberdeen on Flight# BA0106.	Steven Lodge	▪
20 May 2019	HAF naval commander Faraj al-Mahwadi announces that HAF is mobilising its naval forces to impose a total blockade on western ports, especially regarding Turkish vessels.	HAF	▪
22 May 2019	Ownership or control of Pilatus P-6 aircraft (serial#790) transferred from TST Humanitarian Surveys LLC to Aircraft and More GmbH, Austria.		▪ Aircraft re-registered from N354AK (USA) to PH-ABT (Netherlands). ▪ Sold by Aircraft and More for EU948,000.

[241] Some dates relating to deployment dates may be +/1 day, as little substantive information has been provided by the perpetrators during interview, and the Panel has had to determine dates from documentary evidence and/or confidential sources (some of whom could only recollect approximate dates of movements).

Date	*Event*	*Responsible*	*Remarks*
27 May 2019	Lodge flies from Aberdeen to London Heathrow and then on to Dubai on Flight# BA0107.	Steven Lodge	▪ Highly probably Project Opus A planning.
30 May 2019	Lodge flies from Dubai to London Heathrow then on to Aberdeen on Flight# BA0106.	Steven Lodge	▪
1 Jun 2019	Lodge flies to Amman, Jordan (AMM) from Aberdeen, UK (ABZ) via Amsterdam (AMS).	Steven Lodge	▪ Flight KL1444
2 Jun 2019	RJAF list six MD530F helicopters for sale.	RJAF	▪ MD530F helicopters mentioned in Opus confidential document.
5 Jun 2019	Pilot recruitment and use of false name to disguise identity and/or covert nature of operation. Christiaan Durrant places advert on professional pilot's website stating urgent need for pilots.	Christiaan Durrant	▪ www.pprune.org ▪ Use of Christine Davidson as cover name.
6 Jun 2019	Discuss charter of AN-26 for Medevac charter in Libya. Call made from Christiaan Durrant 's mobile phone (+356993XXX).	Christiaan Durrant	▪ To Mohamed AL XXXC, XXX Air, Libya. ▪ The AN-26 was still owned by FSG Aviation at this time.
13 Jun 2019	Opus A planning Calls made from Christiaan Durrant S mobile phone.	Christiaan Durrant	▪ To Vince Gordon, Opus legal counsel ▪ The Opus legal counsel stated they had *represented Opus Capital Asset FZE since (…) end of June 2019 and under terms of that engagement represent (…) Mr Christiaan Durrant (…)*.[242]
14 Jun 2019	Lodge flies from Amman, Jordan (AMM) to Aberdeen, UK (ABZ) via Amsterdam (AMS).	Steven Lodge	▪ Flight BA0146
14 Jun 2019	Christiaan Durrant travels to Amman, Jordan from Austria.	Christiaan Durrant	▪

[242] Letter from HFW dated 31 August 2020.

Date	*Event*	*Responsible*	*Remarks*
14 Jun 2019	Contract for sale of 3 *Gazelle* helicopters signed by vendor.	Fulcrum Holdings	▪ Signed in Lagos, Nigeria
On or about 15 Jun 2019	Christiaan Durrant Introduces himself to Jordanian representative as Gene Rynack. Claims that all his activities are cleared at the "highest level". After consultation with the highest levels in Jordan Christiaan Durrant is instructed by the Jordanian representative to make plans to leave Jordan.	Christiaan Durrant	▪ The Australian actor Mel Gibson playsGene Ryack in the film Air America about a private CIA funded airline. ▪ Most Durrant communications in Jordan used the WICKR platform where he is Charlie Tango.
16 Jun 2019	Opus A planning Calls made from Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ Multiple calls to WhatsApp link number. ▪ The team made much use of such mechanisms to disguise communications relating to operation.
16 Jun 2019	Lodge flies to Dubai, UAE (AMM) from Aberdeen, UK (ABZ) via London (LHR).	Steven Lodge	▪ Flight BA0107
17 Jun 2019	Procurement contract for 3 x SA341 *Gazelle* light utility helicopters (LUH) from Fulcrum Holdings UAE was signed.	L-6 FZE Steven Lodge	▪ Signed in Dubai, UAE ▪ Purchaser is L-6 FZE (Opus Capital Assets – Operating Company)
17 Jun 2019	Invoice raised for hire of 2 x MRC-1250 RHIB Manta 1 and Manta 2	Sovereign Charterers	▪ Invoiced to Opus Capital Asset Limited FZE
18 Jun 2019	Government of Jordan officially stops RJAF sale of military aircraft and helicopters.	Government of Jordan	▪
18 Jun 2019	Confidential documentation refers to Opus executing their contingency plan.	Opus 1 Opus 2	▪
18 Jun 2019	Opus A planning (LASA T-Bird) Calls made from Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ Bulgaria Number no longer active. Probably related to *LASA T-Bird*. ▪ To Vince Gordon, Opus legal counsel.
18 Jun 2019	Transfer of US$ 1,950,000 from Opus Capital Asset to Fulcrum Holdings for purchase of 3 x *Gazelle* SA341 helicopters.	Opus Capital Asset DMCC Amanda Perry	▪

Date	*Event*	*Responsible*	*Remarks*
19 Jun 2019	SIGNED purchase order for one 2SR H80 Thrush 510G (YU-THS) (construction# H80-161DC).[243] (LASA T-Bird).	L-6 FZE Amanda Perry	▪ The aircraft was reported as landing at Amman, Jordan for 'maintenance checks' in late-June 2019. ▪ Referred to Perry as Managing Director in contract documentation and signed by Perry as CEO. ▪ EU 3M from IBAN AE 17/05200/02410966270016
19 Jun 2019	Transfer of EUR 480,000 from Lancaster 6 DMCC to Sovereign Charterers, Malta for charter of 2 x MRC-1250 "Special Forces" RHIB and delivery fees to Benghazi, Libya.	Lancaster 6 DMCC Amanda Perry	▪ Contract with Opus Capital Asset FZE, but payment from Lancaster 6 DMCC account with Noor Bank. ▪ Account# 000241096278XXXX
19 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call received by Christiaan Durrant's mobile phone.	Starlite	▪ From Starlite Aviation, South Africa. The supplier of the three *Super Puma* helicopters.
19 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ To Starlite Aviation.
20 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ To Starlite Aviation.
20 Jun 2019	Confirmation sent to Starlite Aviation that the *Super Puma* helicopters were to be used to 'support a geological survey' in Jordan.	L-6 FZE Amanda Perry	▪ Transfer of 3 x *Super Puma* MUH to Libya confirmed. ▪ Signed by Perry as Managing Director.
20 Jun 2019	Charter signed for 2 x MRC-1250 "Special Forces" RHIB (Manta-1 and Manta-2) from Sovereign Charterers Limited, Malta.	Opus Capital Assets FZE Steven Lodge	▪

[243] Member State.

Date	*Event*	*Responsible*	*Remarks*
20 Jun 2019	Contract signed by L-6 FZE with International Worldwide Air Services Incorporated, UAE for hire of 2 x IL-76.	International Worldwide Air Services (UAE) Reem Style Travel and Tourism (UAE)	▪ Contract value commercial in confidence. Estimated to be in region of US$ 3M. ▪ Sub-contracted to Reem Style and Leisure. ▪ 2 x IL76TD used to move the six helicopters from Gaborone, Botswana to Benghazi, Libya.
21 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ To Starlite Aviation.
22 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ To Willie van der Stoep. Arranged logistics for move of helicopters from South Africa to Libya.
22 Jun 2019	Contract signed by L-6 FZE with International Worldwide Air Services (UAE) for charter of IL-76TD for route Gaborone to Benghazi.	L6-FZE Steven Lodge	▪ Paid by wire transfer from a Lancaster6 DMCC bank account. SWIFT/BIC CITIUS33XXX used to transfer from or through Citi Bank New York.
22 Jun 2019	Private military operatives arrive in Amman, Jordan.		▪ Some flew in on Royal Jordanian #RJ112.
24 Jun 2019	Confidential documentation refers to Opus expecting arrival of a UAV in Amman, Jordan.	Opus 1 Opus 2	▪
24 Jun 2019	Application from Meridian Air for Jordan Landing Permit for the Antonov AN-26 (UR-MDA) shows departure flight planned to Benghazi on 1 July 2019.	Meridian L-6 FZE	▪
25 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant's mobile phone.	Christiaan Durrant	▪ To Willie van der Stoep.
25 Jun 2019	Durrant leaves Jordan to destination not yet confirmed.	Christiaan Durrant	▪ Next identified as being in the United Arab Emirates on 29 June 2019.
25 Jun 2019	Funds transfer for advance salary to at least one team member.	Opus	▪ Approx $20,900.

Date	*Event*	*Responsible*	*Remarks*
25 Jun 2019	Pilatus PC-6 (aircraft serial # 790) arrives in Libya		▪ Stephen Lodge admitted PC-6 deployed in his statement of 13 Sep 20. ▪ Maki confirmed arrival date and he was pilot in the Opus legal counsel letter of 12 Nov 20.
25 or 26 Jun 2019	Charter flight for PMC operatives from Amman, Jordan to Benghazi, Libya.		▪ Possibly Sigma UP-I7601.
27 Jun 2019	Antonov AN-26 (UR-MDA) arrives OJAM at 00:18 hours.	FSG Aviation Limited	▪ FSG Aviation are still officially owners. ▪ Landing Permit OJAM/M/0143.
27 Jun 2019	Ownership of Pilatus PC-6 (serial# 790) transferred from Airborne Technologies GmbH to L6-FZE.	L6 FZE	▪
27 Jun 2019	Delivery of 2 x MRC-1250 “Special Forces” RHIB (Manta-1 and Manta-2) by Sovereign Charterers Limited, Malta.	Sovereign Charterers Limited, Malta James Fenech	▪ Four-person Sovereign delivery crew. ▪ Ritchie and Louw from PMC transited to Benghazi on RHIBs. ▪ Customs clearance was gained on 26 June 2020.
27 Jun 2019	Invoice SO002625 for EUR 26,7248 raised from Sovereign Charterers, Malta to Lancaster 6 DMCC to for Marine Safety Equipment	Sovereign Charterers, Malta James Fenech	▪ Paid 22 July 2019 from a Lancaster6 bank account.
27 Jun 2019	Three *Super Puma* helicopters seen in Eastern Rand moving towards Botswana border.	Panzer Logistics (Proprietary) Limited, RSA	▪
27 Jun 2019	Opus A Planning (3 x Super Puma helicopters). Call made by Christiaan Durrant’s mobile phone.	Christiaan Durrant	▪ To Chief, Air Traffic Control, Jordan
28 Jun 2019	Inaccurate Single Administrative Document raised for transfer of three *Gazelle* helicopters into Botswana.	Panzer Logistics (Proprietary) Limited, RSA	▪ Shows consignee as Jordan Aeronautical Cargo Company, Amman, Jordan. Company does not exist.[244]

[244] There is an unrelated company, Jordan Aeronautical Systems Company Limited (JAC) (www.jac.com.jo).

Date	*Event*	*Responsible*	*Remarks*
28 Jun 2019	Inaccurate Single Administrative Document raised for transfer of three *Super-Puma* helicopters into Botswana.	Panzer Logistics (Proprietary) Limited, RSA	▪ Shows consignee as Jordan Aeronautical Cargo Company, Amman, Jordan. Company does not exist.
28 Jun 2019	Three *Super-Puma* helicopters cross Botswanan border at the Tiokweng Border Checkpoint (BCP).	Panzer Logistics (Proprietary) Limited, RSA	▪
28 Jun 2019	IL-76 TD (UR-CIB) deploys to Gaborone, Botswana from Amman, Jordan for move of helicopters to Benghazi, Libya.	ZetAvia LLC	▪
28 Jun 2019	IL-76 TD (UR-COZ) deploys to Gaborone, Botswana from Amman, Jordan for move of helicopters to Benghazi, Libya.	SkyAviaTrans LLC	▪
28 Jun 2019	14:30 hours. Four-person Sovereign delivery crew left Benghazi on Afriqiyah Flight # 8U606 to Amman, Jordan on 28 June 2019 and returned to Malta on Flight # FR8975 on 29 June 2020.	Sovereign Charterers, Malta James Fenech	▪
28 Jun 2019	Funds transfer to FSG Aviation Hong Kong bank account for purchase of Antonov AN-26B-100 by Lancaster6 DMCC.	FSG Aviation L6 FZE / Lancaster6 DMCC Christiaan Durrant	▪ Ownership and aircraft physically transferred on 22 Jul 2019. ▪ Transfer documentation in name of L-6 FZE. ▪ EU 650,000 instead of US$ 650,000 so balance was recredited to Lancaster6 DMCC.
29 Jun 2019	Unregistered 2SR-H80 Thrush 510G (ex T7-SAW) refused take-off permission at Nakasangolo Airport, Uganda.		▪
29 Jun 2019	00:48 hours. IL-76 TD (UR-CIB) flight ZAV9002 transports 3 x *Gazelle* helicopters to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.

Date	*Event*	*Responsible*	*Remarks*
29 Jun 2019	10:36 hours. IL-76 TD (UR-CIB) flight ZAV9002 arrives at Benghazi, Libya at 10:36 hours.	ZetAvia LLC	▪
29 Jun 2019	17:10 hours. IL-76 TD (UR-COZ) flight KTR7722 transports 1 x *Super Puma* helicopter (S/N 2161) to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	SkyAviaTrans LLC	▪ Consignee listed as Steven Lodge, Opus Capital Asset LLC, Geological Forward Base, Benghazi
29 Jun 2019	21:30 hours. 2 x MRC-1250 "Special Forces" RHIB (Manta-1 and Manta-2) leave Benghazi Harbour for Malta.	Steven Lodge	▪ Emergency evacuation ordered by Lodge for allegedly security reasons. 20 private military operatives on board.
30 Jun 2019	06:50 hours: IL-76 TD (UR-COZ) flight KTR7722 arrives at Benghazi, Libya.	SkyAviaTrans LLC	▪
30 Jun 2019	MRC-1250 RHIB At Sea.		▪
30 Jun 2019	Calls made from Lodge's mobile phone. (+447387946343) to an individual in Jordan Aeronautical Systems Company, who were managing the logistics for the AN-26B aircraft whilst in Jordan.	Steven Lodge	▪
1 Jul 2019	13:00 hours. 1 x MRC-1250 RHIB (Manta-1) arrives in Malta from Benghazi Harbour.	Steven Lodge	▪ 1 x MRC-1250 RHIB (Manta-2) abandoned during voyage. ▪ Voyage of 39.5 hours @ 9knots.
1 Jul 2019	16:22 hours. IL-76 TD (UR-CIB) flight ZAV9004 transports 1 x *Super Puma* helicopter to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.
1 or 2 Jul 2019	Maltese lawyer appointed to represent PMC operatives in Malta if required.	Opus Capital Asset Limited FZE	▪ Not required. ▪ Account settled by bank transfer from a Lancaster6 DMCC account.

Date	*Event*	*Responsible*	*Remarks*
1 Jul 2019	Post-operation calls made regarding entry visas and logistics in Malta.	Steven Lodge	▪ To CS. Works for Global Services Unified Group. A Fenech employee . (Four times). ▪ To Transport Malta. (Four times). ▪ To Malta Post State Control. (Twice).
1 Jul 2019	Post-operation calls received to arrange entry visas and logistics in Malta.	Steven Lodge	▪ To CB. Delivered RHIB to Benghazi. A Fenech employee. (Twice). ▪ To CS. ▪ Inactive UK “Burner Phone 1”.
1 – 4 Jul 2019	Opus A team accommodated in Radisson Hotel, Saint Julians, Malta. Steven Lodge covered the bill for room extras in cash for the other team members. He used his Mastercard as guarantee for the hotel.	Steven Lodge	▪ Bill paid through www.expedia.com.
2 Jul 2019	02:30 hours. IL-76 TD (UR-CIB) flight ZAV9004 arrives at Benghazi, Libya.	ZetAvia LLC	▪
2 Jul 2019	Post-operation calls made from Steven Lodge’s mobile phone regarding entry visas and logistics in Malta.	Steven Lodge	▪ To Malta Police. ▪ To LX. A Maltese policeman who also has an interest in www.buzzflying.com. (Thirteen calls).
2 Jul 2019	Post-operation calls received on Steven Lodge’s mobile phone.to arrange entry visas and logistics in Malta.	Steven Lodge	▪ To LX.
3 Jul 2019	Ownership or control of Pilatus P-6 aircraft (serial#790) transferred from Aircraft and More GmbH, Austria to L-6 FZE.		▪ Aircraft re-registered from PH-ABT (Netherlands) to A6-???..
3 Jul 2019	20:09 hours. IL-76 TD (UR-CIB) flight ZAV9006 transports 1 x *Super Puma* helicopter to Benghazi, Libya from Gaborone, Botswana via Luanda, Angola.	ZetAvia LLC	▪ False cargo manifest and air waybill submitted to Botswanan customs authorities. Prepared by Speedway Freight (Proprietary) Limited, Botswana at personal direction of Franco Mariotti of Global Africa Aviation.

Date	*Event*	*Responsible*	*Remarks*
4 Jul 2019	06:07 hours. IL-76 TD (UR-CIB) flight ZAV9006 arrives at Benghazi, Libya at 06:00 hours.	ZetAvia LLC	▪
4 Jul 2019	Lodge flies from Valetta, Malta (MLA) to Aberdeen, UK (ABZ) via Amsterdam (AMS)	Lodge	▪ Flight KL1445
8 Jul 2019	Invoice 00002424 for EUR 61,560 raised from Sovereign Charterers, Malta to Opus Capital Asset Limited FZE for Marine Fuel and Crew Costs	Sovereign Charterers, Malta	▪ For search and recovery mission for abandoned RHIB.
11 Jul 2019	Durrant's second meeting with Jordanian representative. Still purporting to be Gene Rynack and that his operation was "cleared at the highest levels". Durrant is instructed by the Jordanian representative to leave Jordan at the earliest possible opportunity.	Christiaan Durrant	▪
17 Jul 2019	Antonov AN-26B aircraft AN-26B (serial# 7108) (UR-MDA) files flight plan for Moldova	Christiaan Durrant	▪ Declared as a maintenance visit.
11 Jul 2019	Lodge flies from Aberdeen to Amsterdam on Flight# KL1440 and then on to Johannesburg.	Steven Lodge	▪
17 Jul 2019	LASA T-Bird (YU-THS) files flight plan for Larnaca, Cyprus.	Durrant	▪
22 Jul 2019	Retrospective purchase agreement signed for sale of Antonov AN-26B aircraft AN-26B (serial# 7108) (UR-MDA) by FSG Aviation to L6-FZE.	FSG Aviation L6 FZE Christiaan Durrant	▪ Funds transferred on 28 June 2019. ▪ Agreement dated 9 July 2019. ▪ Signed by Durrant as Managing Director L-6 FZE, while still in Jordan. ▪ Aircraft still in Jordan.
22 Jul 2019	Antonov AN-26 (UR-MDA) departs OJAM at 16:10 hours on flight plan to LTBU, Turkey.	L6-FZE	▪ Departure Clearance OJAM/GA/0114.
22 Jul 2019	Transfer of EUR 26,748 from Lancaster 6 DMCC to Fieldsports Limited, Malta for marine safety equipment.	Lancaster6 DMCC Amanda Perry	▪ Payment from Lancaster 6 DMCC account with Emirates Islamic Bank PJSC. ▪ Account# 000370745605XXXX

Date	*Event*	*Responsible*	*Remarks*
26 Jul 2019	1 x MRC-1250 “Special Forces” RHIB (Manta-2) found abandoned off the coast of Libya near Zueitina.	HAF / NOC	▪
1 Aug 2019	Transfer of EUR 449,760 from Lancaster 6 DMCC to Sovereign Charterers, Malta for loss of MRC-1250 SF RHIB.	Lancaster 6 DMCC Amanda Perry	▪ Payment from Lancaster 6 DMCC account with Emirates Islamic Bank PJSC. ▪ Account# 000370745605XXXX
2 Aug 2019	Eeben Barlow, of STTEP, warns of “false flag” recruitment of PMC operatives for a PMC operation in North Africa.		▪
17 Sep 2019	US LD-1 Disclosure Form for Federal Advocates representation of Opus FZE.	Opus FZE	▪ Lobbying activities with US government or representatives unknown.
7 Oct 2019	Holman Fenwick Willan MEA LLP (the Opus legal counsel) (HFW) first engaged with Panel to inform Panel that HFW represented a client.	HFW	▪ Mr Vince Gordan is legal representative. ▪ HFW letters received on. a regular basis each time Panel approach an individual or entity linked to the PMC operation. ▪ Proves a coordinated response from an obvious team.
11 Nov 2019	Antonov AN-26 (UR-MDA) sold to Expedition Aviation FZC from L-6 FZE for $580,000.	L6 FZE Christiaan Durrant	▪ Sold for loss of $70,000. ▪ Disposal of project assets begins.
23 Nov 2019	HFW informed the Panel that they were also consulting with a Mr Matthew Schwartz of Boies Schiller Flexner LLP (BSF).	HFW	▪ In response to Panel letter of 14 Nov 2019, which clarified *modus operandi* of the Panel. ▪ Panel unaware of why BSF informed of their interest.

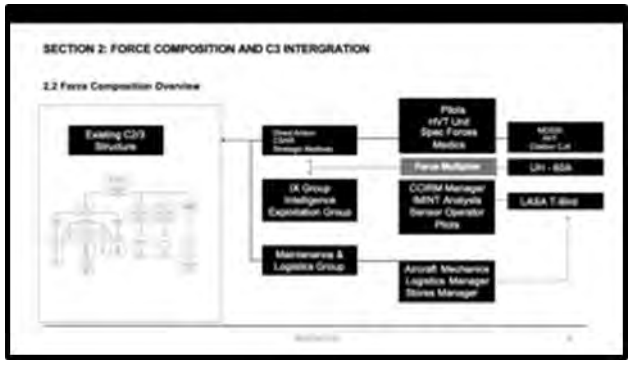
Date	*Event*	*Responsible*	*Remarks*
17 Dec 2019	Letter from HFW stating that: 1) Mr Lodge "*worked for a company called Opus Capital Asset Limited FZE during 2019 (…) principally for oil and gas clients (…) involved in a project in Libya in summer of 2019 (…) project had to be abandoned".* 2) Mr Lodge "*has never been Aviation Manager, or authorised to sign contracts on behalf of, any company called or having a name materially similar to "Lancaster 6*""	HFW Steven Lodge	▪ In response to specific Panel questions in letter of 9 December 2019. ▪ (1) No information on this alleged contract was sent to Panel by HFW despite follow up requests. ▪ (2) Panel notes that Lodge signed three contracts for L-6 FZE of which two were settled from a Lancaster6 DMCC account. Panel also notes he stated he was Aviation Manager of Lancaster6 on a visa application to a Member State in October 2018, with an L6-Group email contact for the company.
9 Jan 2020	HAF announcement that ships approaching Khums or Misrata ports will be regarded as legitimate military targets.	HAF	▪
24 Jan 2020	Boies Schiller Flexner LLP (BSF) first engaged with Panel to inform Panel that HFW represented a client.	BSF	▪ Mr Matthew L Schartz is legal representative.
3 Feb 2019	Mr Fenech submits response to the OTR offered to him by the Panel.	James Fenech	▪ See appendix W.
9 Feb 20	Update 1 sent to SCAD for processing.	Panel	▪
10 Feb 20	Weavind and Weavind inform Panel they represent Messrs Stoep and Panzer Logistics.	Van Dyl	▪
12 Feb 20	HFW inform Panel they now represent Smit and Bam.	HFW	▪
6/7 Mar 20	Opus 2 Team make way to a hotel in Dubai to wait for further instructions on Project Opus 2.		▪ Individual 2 arranges $15K payment for each person to go to Dubai for briefing.
15 Mar 20	Individual 1 briefs Opus 2 team in a hotel in Abu Dhabi. The Panel is also aware of the flight details for this individual's return to their home base.		▪ Individual 2 subsequently arranges payment of funds to team members for operation. ▪ Meeting may have been on 16 Mar 2020.

Date	*Event*	*Responsible*	*Remarks*
20(?) Mar 20	Project Opus 2 Team possibly fly to Egypt.		▪ Othman Air Base, Egypt (29°33'15.20"N, 25°35'14.74"E). ▪ Cell phones exchanged for “burners”.
2 Apr 2020	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings first identified at Benghazi (Benina) airport.	L-6 FZE	▪ Arrived on 30 Jun / 1 Aug 19.
6 – 10 Apr 20	Project Opus 2 team deploy to Benghazi (Benina). Same base location as Project Opus 1 team.		▪ Plan to be operational by 20 – 24 Apr 20.
10 Apr20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪ Position different to 2 Apr 20 siting suggesting movement of aircraft.
13 Apr 20	Project Opus 2 Close Protection (CP) Team left Libya (Al-Wattiya) on Beech King Air to Uthman Air Base, Egypt. Just before base surrounded by GNA-AF.		▪ Project Opus 2 staff used as Close Protection for UAE teams while waiting for flying tasks to start.
20 Apr 20	Project Opus 2 CP team and Beechcraft aircraft now in Cairo.		▪ Project Opus 2 team operations on hold until Air Defence Ground Environment (ADGE) is more suitable surrounding Tripoli. ▪ Project Opus 2 team refused to fly to UAE, preferring to stay in Cairo.
23 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪ Position different to 10 Apr 20 siting suggesting movement of aircraft.
25 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings first identified operating out of Al Jufra.	L-6 FZE	▪ Aircraft moved from Benghazi.
28 Apr 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪ Aircraft moved from Al Jufra.

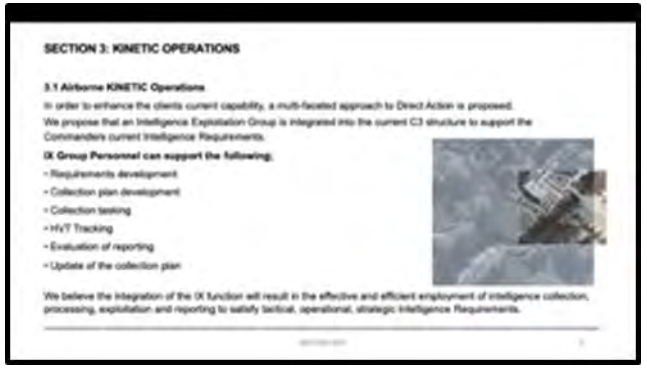
Date	*Event*	*Responsible*	*Remarks*
15 May 20	Project Opus 2 team paid off.		▪ Paid extra $15K above agreed contract amount on closure.
20 May 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪
9 Jun 20	HFW inform Panel that they now also represent Allen, Baker, Du Preez, Hogan, Greyvenstein, Jobert G, Joubert J, Louw, Ritchie and Schutte.		▪ Only Quintan Charl Paul of the original ‘Malta 20’ is now not legally represented by HFW.
7 Jul 20	Pilatus PC-6 with self-contained aerial reconnaissance (S.C.A.R) pods fitted under wings identified at Benghazi (Benina) airport.	L-6 FZE	▪ No position change since 20 May 20.
20 Jul 20	Panel remotely interview Amanda Perry in presence of her lawyers.		▪ OTR interview
10 Sep 20	Andrew Furness and Ryan Hogan declined OTR interview with Panel.		▪
13 Sep 20	Panel receive statement from Steven Lodge’s lawyers in place of offered OTR interview.		▪ OTR statement
14 Sep 20	Australia Broadcasting Company Four Corners programme on Durrant broadcast.		▪
15 Sep 20	Gordon contacts all Opus 1 team members and requests they travel to Dubai, UAE to agree a common position.		▪ Confidential source
16 Sep 20	Panel interviews Durrant in London in presence of his lawyer.		▪ OTR interview
29 Sep 20	Travis Maki declined OTR interview with Panel but agreed to answer written questions.		▪
			▪

Appendix B to Annex 76: Comparison of PowerPoint presentations

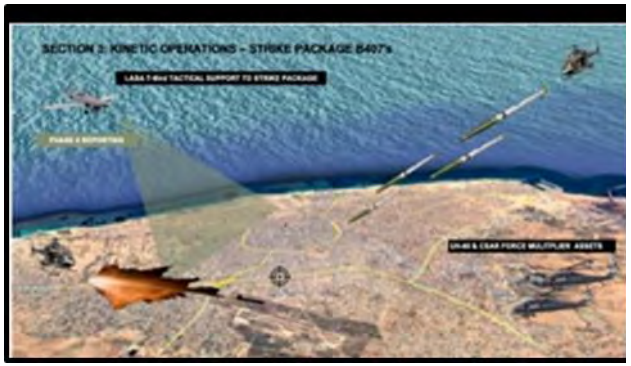
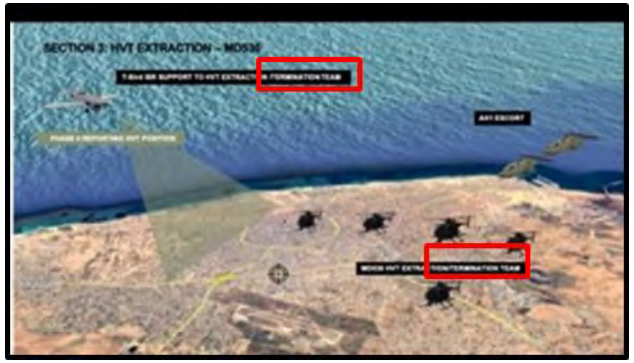
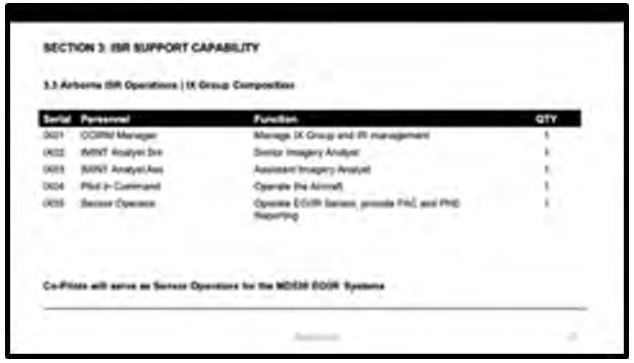
#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
1		SAME	▪
2		SAME	▪

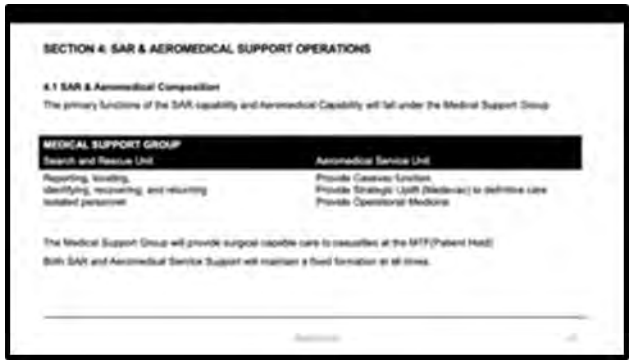
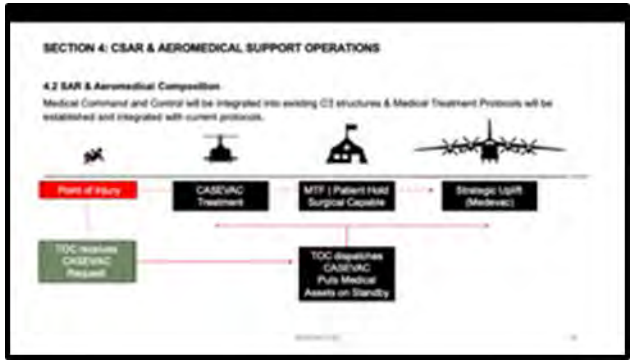
#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
3			▪ Air platforms different. ▪ No mention of Cobra Attack Helicopter to team. ▪ No use of word “Termination” for HVT in team version. ▪ The Bell 407 MRH is a variant of the Bell 407GX modified for the UAE by NorthStar Aviation LLC of Abu Dhabi, and delivered in 2016.[245]
4		SAME	▪

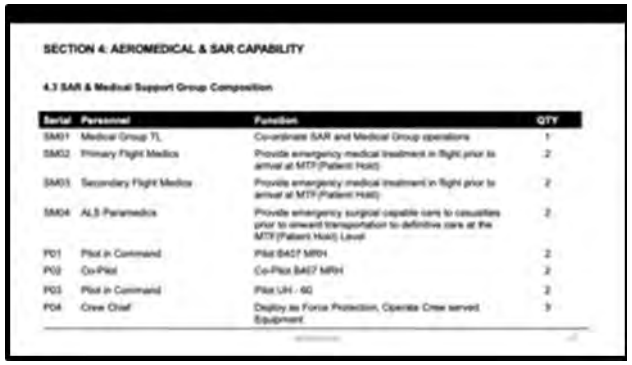
[245] https://www.airforce-technology.com/projects/nsa-407mrh-multi-role-helicopter/, accessed 3 May 2020.

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
5			▪ Air platforms different. ▪ No mention of Cobra Attack Helicopter to team.
6		SAME	▪
7		SAME	▪

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
8			▪ Weapon platforms slightly different
9		SAME	▪
10			▪ B407 helicopter on teams rather than MD530

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
11			▪ B407 helicopter on teams rather than Cobra attack helicopter
12			▪ Different air frames. ▪ No mention of HVT "termination" on teams
13		VIRTUALLY SAME	▪

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
14		SAME	▪
15		SAME	▪
16			▪ More emphasis on aero medical evacuation on teams. ▪ EP Slide 16 appears as CD slide 18

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
17			▪ Presentation to HAF provides the High Value Target (HVT) list using terms “Hot” and “Dynamic”. ▪ CD presentation to team again more reassuring about Aeromed and Search and Rescue (SAR). ▪ Note DNT after Usama Al-Juwali on HVT list meaning “Do Not Terminate”. Assumes then that “Termination” is the preferred option or an acceptable option for all other HVT.
18			▪ Same as HAF Slide 16 ▪ No time frame or financials presented to team.

#	*Presentation to HAF*	*Presentation to PMC team*	*Remarks*
19		NO SLIDE	▪

Appendix C to Annex 76: Identification of Durrant and OPUS/GOJO action

Figure 76.C.1

Screenshot of response from confidential source after being sent picture of Durrant by Panel



Figure X76C.2

Screenshot of response from confidential source after being sent phone number of Durrant by Panel

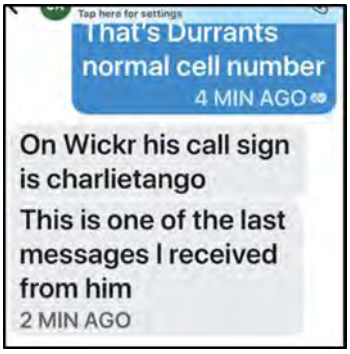


Figure 76.C.3

Screenshot of Message from Durrant on, or about 11 Jul 2019 with proposed flight plan for AN-26 on expulsion by GOJO (1).

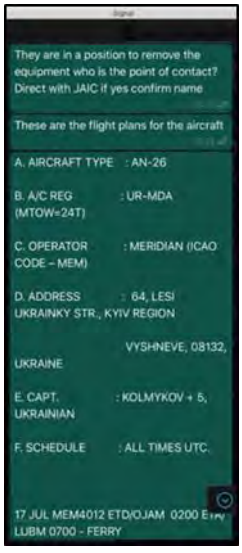


Figure 76.C.4

Screenshot of Message from Durrant on, or about 11 Jul 2019 with proposed flight plan for AN-26 on expulsion by GOJO (2).

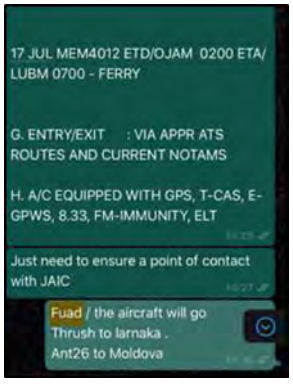
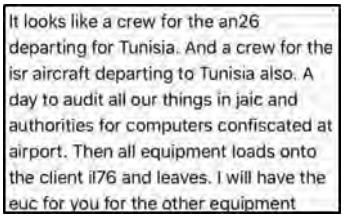


Figure 76.C.5

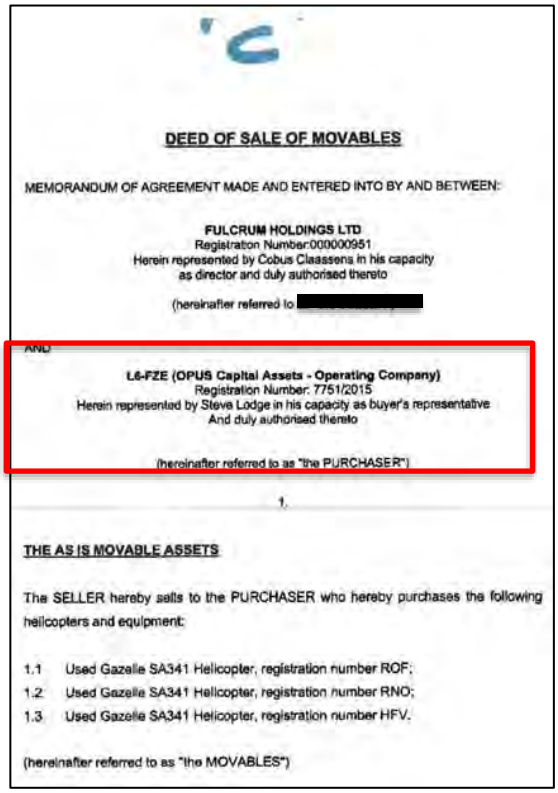
Screenshot of message from Durrant to confidential source [246]



[246] Durrant made it very clear to the confidential source that End User Certificates could be provide showing Tunisia if this would be "helpful" to obtaining release of the equipment.

Appendix D to Annex 76: Sale for SA341 *Gazelle* helicopters (signed by Lodge)

Figure 76.D.1
Extract (first and last page) of deed of sale



DEED OF SALE OF MOVABLES

MEMORANDUM OF AGREEMENT MADE AND ENTERED INTO BY AND BETWEEN:

FULCRUM HOLDINGS LTD
Registration Number:000000951
Herein represented by Cobus Claassens in his capacity as director and duly authorised thereto

(hereinafter referred to [redacted]

AND

L6-FZE (OPUS Capital Assets - Operating Company)
Registration Number: 7751/2015
Herein represented by Steve Lodge in his capacity as buyer's representative And duly authorised thereto

(hereinafter referred to as "the PURCHASER")

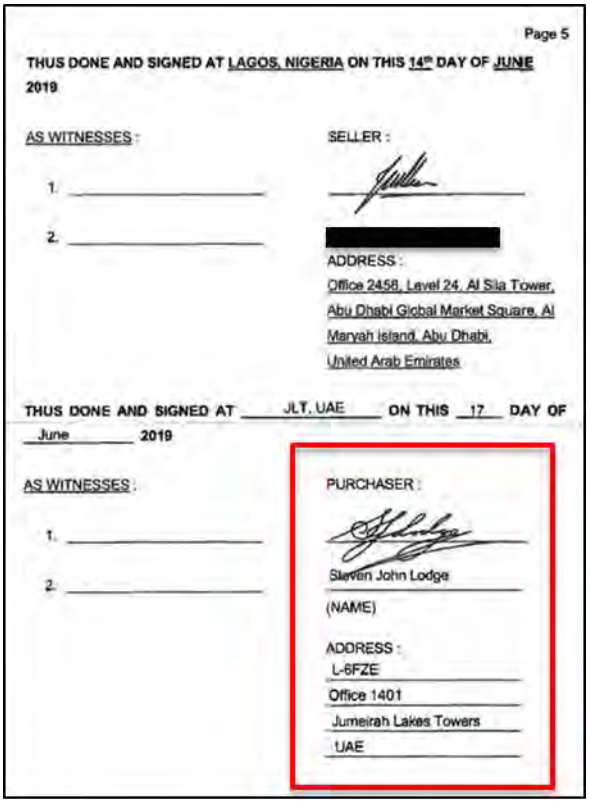
1.

THE AS IS MOVABLE ASSETS

The SELLER hereby sells to the PURCHASER who hereby purchases the following helicopters and equipment:

1.1 Used Gazelle SA341 Helicopter, registration number ROF;
1.2 Used Gazelle SA341 Helicopter, registration number RNO;
1.3 Used Gazelle SA341 Helicopter, registration number HFV.

(hereinafter referred to as "the MOVABLES")



Page 5

THUS DONE AND SIGNED AT LAGOS, NIGERIA ON THIS 14th DAY OF JUNE 2019

AS WITNESSES:

1. _____

2. _____

SELLER:

[redacted]

ADDRESS:
Office 2458, Level 24, Al Sila Tower,
Abu Dhabi Global Market Square, Al Maryah Island, Abu Dhabi,
United Arab Emirates

THUS DONE AND SIGNED AT JLT, UAE ON THIS 17 DAY OF June 2019

AS WITNESSES:

1. _____

2. _____

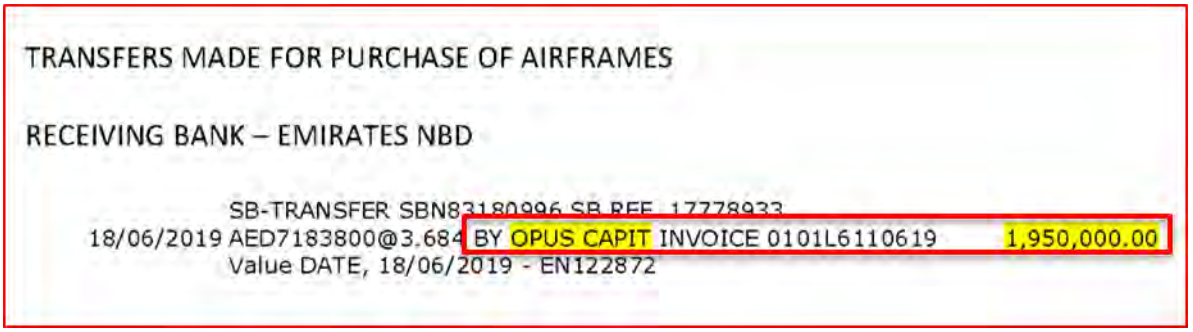
PURCHASER:

Steven John Lodge
(NAME)

ADDRESS:
L-6FZE
Office 1401
Jumeirah Lakes Towers
UAE

Source: Confidential

Figure 76.D.2
Extract from bank confirmation of funds transfer



TRANSFERS MADE FOR PURCHASE OF AIRFRAMES

RECEIVING BANK – EMIRATES NBD

SB-TRANSFER SBN83180996 SB REF 17778933
18/06/2019 AED7183800@3.684 BY OPUS CAPIT INVOICE 0101L6110619 1,950,000.00
Value DATE, 18/06/2019 - EN122872

Source: Confidential

Appendix E to Annex 76: L-6 FZE confirmation of use for AS332L *Super-Puma* helicopters (signed by Perry)

Figure 76.E.1
L-6 FZE letter to Starlite falsely claiming helicopters for use in Jordan



L-6 FZE

Starlite Aviation Group

[redacted]

20Jun19

Attention:
[redacted]

Subject:
Purchase of 3 x Super Puma Helicopters by L-6 FZE

[redacted]

This letter is to confirm that at the time of purchase of the three Super Puma Helicopters from Starlight Aviation Group, L-6FZE intends to utilize the assets for the transports of goods and services in support of a geological survey contract in Jordan.

Thank you

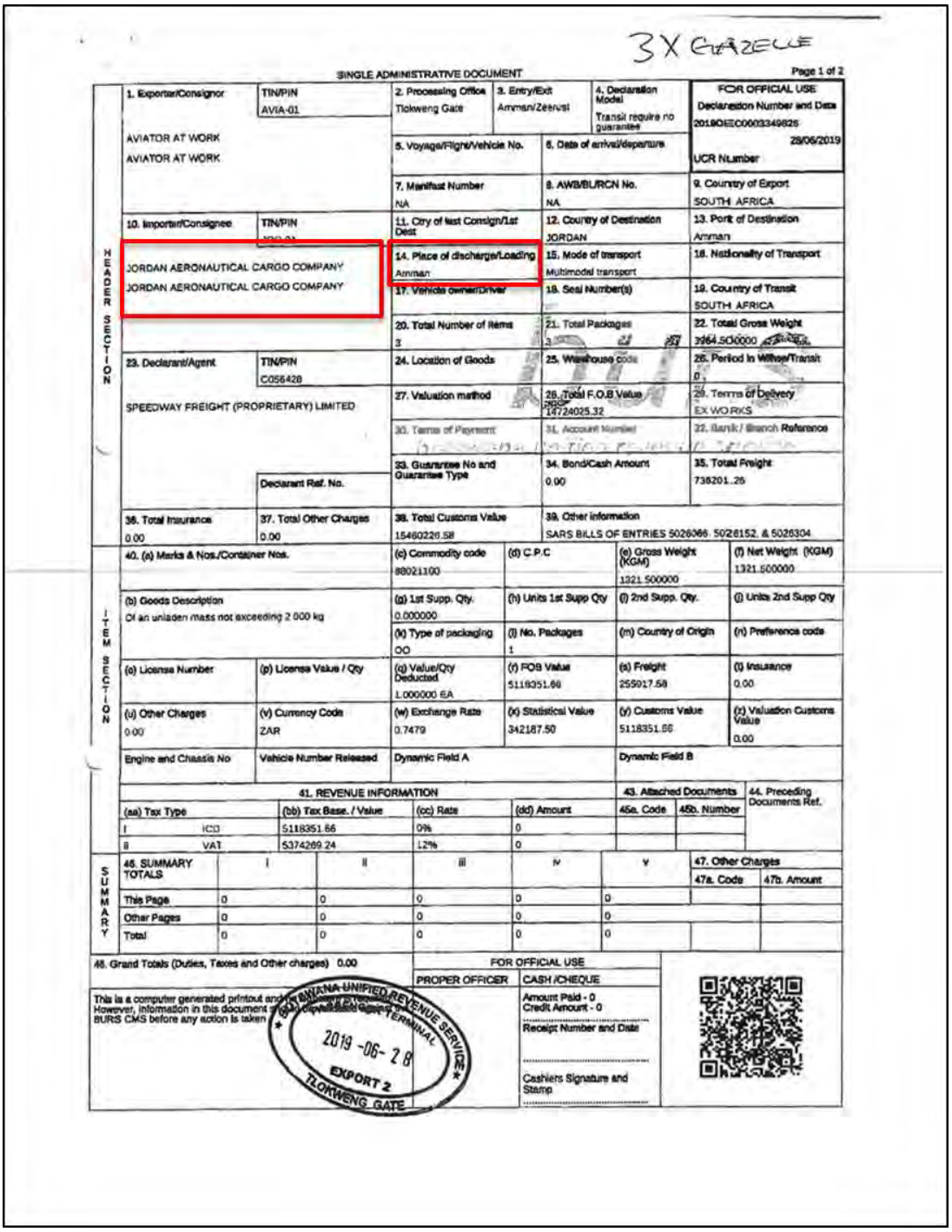
Amanda Perry
Managing Director
L-6FZE
+971 58 970 8636

1409 X2, Cluster X, JLT, Dubai, UAE - +971 4 886699

Source: Confidential

Appendix F to Annex 76: Botswana Single Administrative Document for three *Gazelle* helicopters

Figure 76.F.1
Botswana Single Administrative Document (28 June 2019) (*Gazelle* helicopters)



3X GAZELLE

SINGLE ADMINISTRATIVE DOCUMENT — Page 1 of 2

HEADER SECTION

1. Exporter/Consignor: AVIATOR AT WORK AVIATOR AT WORK	TIN/PIN: AVIA-01	2. Processing Office: Tlokweng Gate	3. Entry/Exit: Amman/Zeerust	4. Declaration Model: Transit require no guarantee
		5. Voyage/Flight/Vehicle No.	6. Date of arrival/departure	FOR OFFICIAL USE: Declaration Number and Date 2019OIEC0003349825 28/06/2019; UCR Number
		7. Manifest Number: NA	8. AWB/BL/RCN No.: NA	9. Country of Export: SOUTH AFRICA
10. Importer/Consignee: JORDAN AERONAUTICAL CARGO COMPANY JORDAN AERONAUTICAL CARGO COMPANY	TIN/PIN	11. City of last Consign/1st Dest	12. Country of Destination: JORDAN	13. Port of Destination: Amman
		14. Place of discharge/Loading: Amman	15. Mode of transport: Multimodal transport	16. Nationality of Transport
		17. Vehicle owner/Driver	18. Seal Number(s)	19. Country of Transit: SOUTH AFRICA
		20. Total Number of Items: 3	21. Total Packages: 3	22. Total Gross Weight: 3964.500000
23. Declarant/Agent: SPEEDWAY FREIGHT (PROPRIETARY) LIMITED	TIN/PIN: C056428	24. Location of Goods	25. Warehouse code	26. Period in Wrhse/Transit: 0
		27. Valuation method	28. Total F.O.B Value: 14724025.32	29. Terms of Delivery: EX WORKS
		30. Terms of Payment	31. Account Number	32. Bank / Branch Reference
	Declarant Ref. No.	33. Guarantee No and Guarantee Type	34. Bond/Cash Amount: 0.00	35. Total Freight: 738201.26
36. Total Insurance: 0.00	37. Total Other Charges: 0.00	38. Total Customs Value: 15460226.58	39. Other information: SARS BILLS OF ENTRIES 5026066, 5026152, & 5026304	

ITEM SECTION

40. (a) Marks & Nos./Container Nos.		(c) Commodity code: 88021100	(d) C.P.C	(e) Gross Weight (KGM): 1321.500000	(f) Net Weight (KGM): 1321.500000
(b) Goods Description: Of an unladen mass not exceeding 2 000 kg		(g) 1st Supp. Qty.: 0.000000	(h) Units 1st Supp Qty	(i) 2nd Supp. Qty.	(j) Units 2nd Supp Qty
		(k) Type of packaging: OO	(l) No. Packages: 1	(m) Country of Origin	(n) Preference code
(o) License Number	(p) License Value / Qty	(q) Value/Qty Deducted: 1.000000 6A	(r) FOB Value: 5118351.66	(s) Freight: 255917.58	(t) Insurance: 0.00
(u) Other Charges: 0.00	(v) Currency Code: ZAR	(w) Exchange Rate: 0.7479	(x) Statistical Value: 342187.50	(y) Customs Value: 5118351.66	(z) Valuation Customs Value: 0.00
Engine and Chassis No	Vehicle Number Released	Dynamic Field A		Dynamic Field B	

41. REVENUE INFORMATION

(aa) Tax Type	(bb) Tax Base. / Value	(cc) Rate	(dd) Amount	43. Attached Documents: 45a. Code	45b. Number	44. Preceding Documents Ref.
I ICD	5118351.66	0%	0			
II VAT	5374269.24	12%	0			

SUMMARY

46. SUMMARY TOTALS	I	II	III	IV	V	47. Other Charges: 47a. Code	47b. Amount
This Page	0	0	0	0	0		
Other Pages	0	0	0	0	0		
Total	0	0	0	0	0		

48. Grand Totals (Duties, Taxes and Other charges) 0.00

This is a computer generated printout and [illegible] However, information in this document [illegible] BURS CMS before any action is taken

BOTSWANA UNIFIED REVENUE SERVICE * BORDER POST TERMINAL * 2019 -06- 28 EXPORT 2 TLOKWENG GATE

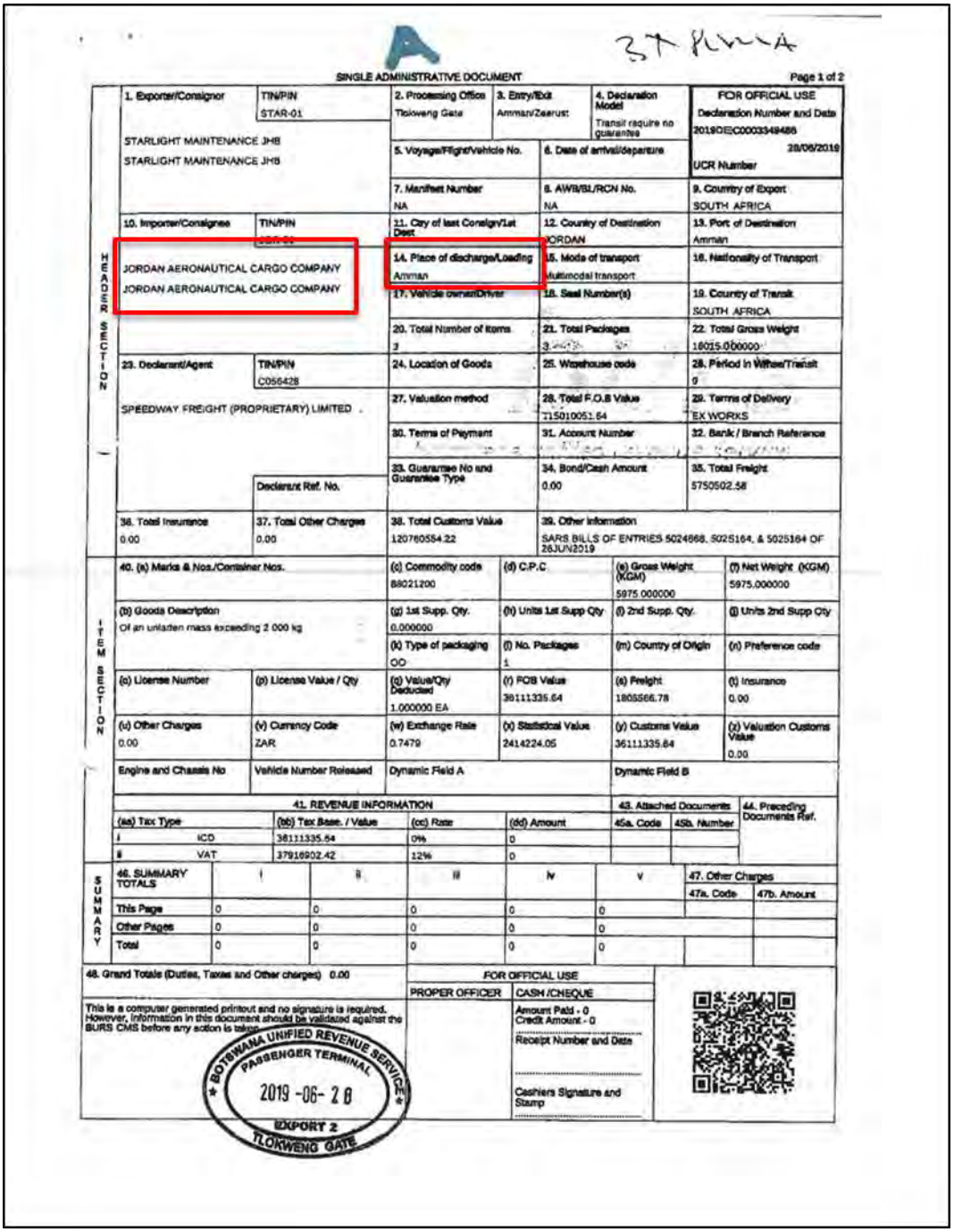
FOR OFFICIAL USE

PROPER OFFICER	CASH /CHEQUE
	Amount Paid - 0 Credit Amount - 0 Receipt Number and Date: Cashiers Signature and Stamp:

Source: Member State

Appendix G to Annex 76: Botswana Single Administrative Document for three *Super Puma* helicopters

Figure 76.G.1
Botswana Single Administrative Document (28 June 2019) (*Super Puma* helicopters)



SINGLE ADMINISTRATIVE DOCUMENT

3 Puma

Page 1 of 2

HEADER SECTION

1. Exporter/Consignor: STARLIGHT MAINTENANCE JHB STARLIGHT MAINTENANCE JHB	TIN/PIN: STAR-01	2. Processing Office: Tlokweng Gate	3. Entry/Exit: Ammsn/Zeerust	4. Declaration Model: Transit require no guarantee
		5. Voyage/Flight/Vehicle No.	6. Date of arrival/departure	FOR OFFICIAL USE: Declaration Number and Date 2019OEC0003349486 28/06/2019; UCR Number
		7. Manifest Number: NA	8. AWB/BL/RCN No.: NA	9. Country of Export: SOUTH AFRICA
10. Importer/Consignee: JORDAN AERONAUTICAL CARGO COMPANY JORDAN AERONAUTICAL CARGO COMPANY	TIN/PIN: [redacted]	11. City of last Consign/1st Dest	12. Country of Destination: JORDAN	13. Port of Destination: Amman
		14. Place of discharge/Loading: Amman	15. Mode of transport: Multimodal transport	16. Nationality of Transport
		17. Vehicle owner/Driver	18. Seal Number(s)	19. Country of Transit: SOUTH AFRICA
		20. Total Number of Items: 3	21. Total Packages: 3	22. Total Gross Weight: 18015.000000
23. Declarant/Agent: SPEEDWAY FREIGHT (PROPRIETARY) LIMITED	TIN/PIN: C056428	24. Location of Goods	25. Warehouse code	26. Period in Wrhse/Transit: 0
		27. Valuation method	28. Total F.O.B Value: 715010051.64	29. Terms of Delivery: EX WORKS
		30. Terms of Payment	31. Account Number	32. Bank / Branch Reference
	Declarant Ref. No.	33. Guarantee No and Guarantee Type	34. Bond/Cash Amount: 0.00	35. Total Freight: 5750502.58
36. Total Insurance: 0.00	37. Total Other Charges: 0.00	38. Total Customs Value: 120760584.22	39. Other Information: SARS BILLS OF ENTRIES 5024668, 5025164, & 5025164 OF 26JUN2019	

ITEM SECTION

40. (a) Marks & Nos./Container Nos.		(c) Commodity code: 88021200	(d) C.P.C	(e) Gross Weight (KGM): 5975.000000	(f) Net Weight (KGM): 5975.000000
(b) Goods Description: Of an unladen mass exceeding 2 000 kg		(g) 1st Supp. Qty.: 0.000000	(h) Units 1st Supp Qty	(i) 2nd Supp. Qty.	(j) Units 2nd Supp Qty
		(k) Type of packaging: OO	(l) No. Packages: 1	(m) Country of Origin	(n) Preference code
(o) License Number	(p) License Value / Qty	(q) Value/Qty Deducted: 1.000000 EA	(r) FOB Value: 36111335.64	(s) Freight: 1805566.78	(t) Insurance: 0.00
(u) Other Charges: 0.00	(v) Currency Code: ZAR	(w) Exchange Rate: 0.7479	(x) Statistical Value: 2414224.05	(y) Customs Value: 36111335.64	(z) Valuation Customs Value: 0.00
Engine and Chassis No	Vehicle Number Released	Dynamic Field A		Dynamic Field B	

41. REVENUE INFORMATION

(aa) Tax Type	(bb) Tax Base. / Value	(cc) Rate	(dd) Amount	43. Attached Documents: 45a. Code	45b. Number	44. Preceding Documents Ref.
i ICD	36111335.64	0%	0			
ii VAT	37916902.42	12%	0			

SUMMARY

46. SUMMARY TOTALS	i	ii	iii	iv	v	47. Other Charges: 47a. Code	47b. Amount
This Page	0	0	0	0	0		
Other Pages	0	0	0	0	0		
Total	0	0	0	0	0		

48. Grand Totals (Duties, Taxes and Other charges) 0.00

This is a computer generated printout and no signature is required. However, information in this document should be validated against the BURS CMS before any action is taken

BOTSWANA UNIFIED REVENUE SERVICE * PASSENGER TERMINAL * 2019 -06- 28 EXPORT 2 TLOKWENG GATE

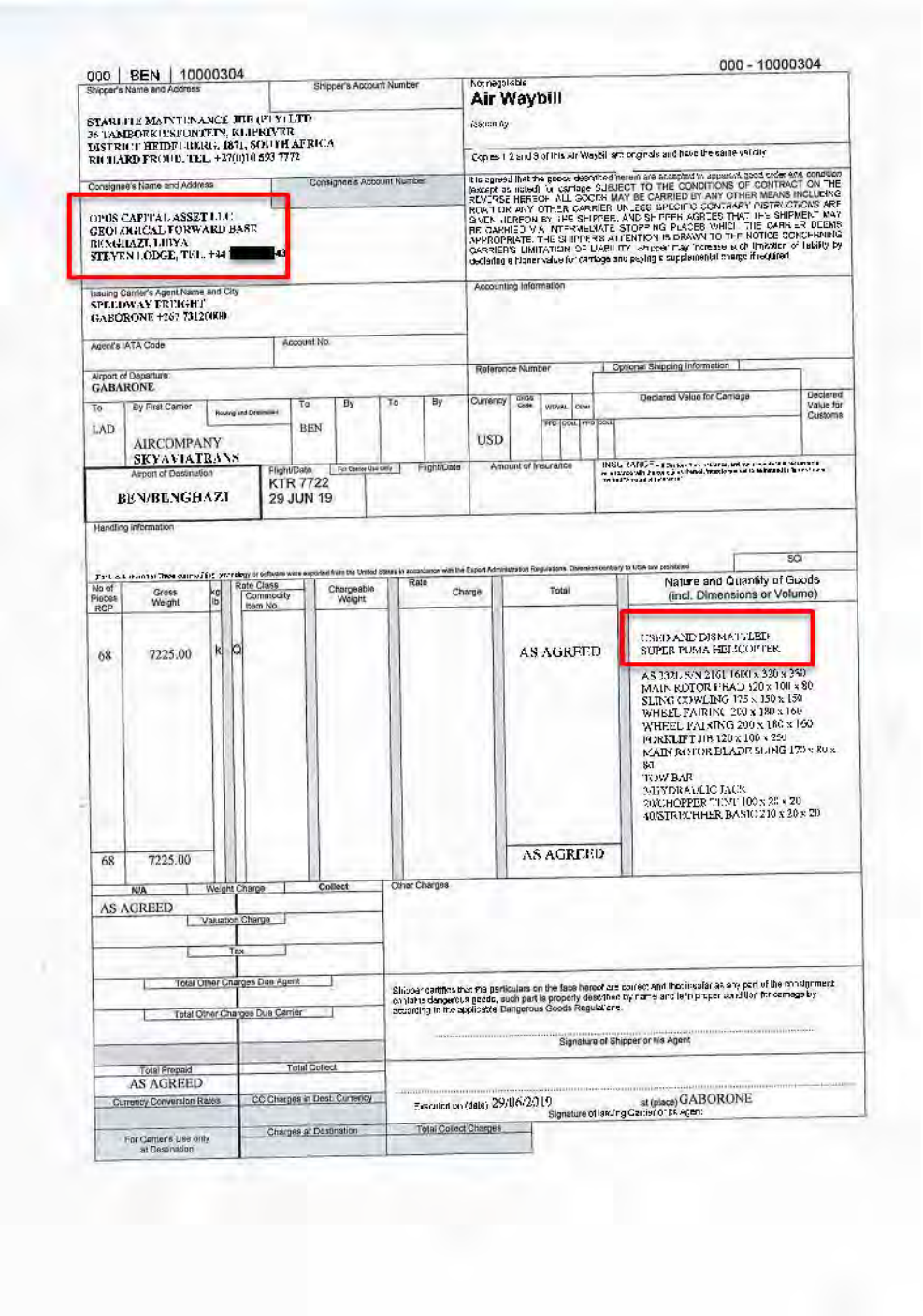
FOR OFFICIAL USE

PROPER OFFICER	CASH /CHEQUE
	Amount Paid - 0 Credit Amount - 0 Receipt Number and Date Cashiers Signature and Stamp

Source: Member State

Appendix H to Annex 76: Air Waybill for SkyAviaTrans LLC flight KTR7722 by IL76TD (UR-COZ)

Figure 76.H.1
Airway Bill (UR COZ) (29 June 2019)



000 | BEN | 10000304

000 - 10000304

Shipper's Name and Address: STARLITE MAINTENANCE JHB (PTY) LTD, 36 TAMBORINE FONTEIN, KLERKSVER, DISTRICT HEIDELBERG, 1871, SOUTH AFRICA, RICHARD FROUD, TEL. +27(0)16 893 7772

Shipper's Account Number

Not negotiable
Air Waybill

Issued by

Copies 1 2 and 3 of this Air Waybill are originals and have the same validity

Consignee's Name and Address: OPOS CAPITAL ASSET LLC, GEOLOGICAL FORWARD BASE, BENGHAZI, LIBYA, STEVEN LODGE, TEL. +34 [redacted]

Consignee's Account Number

It is agreed that the goods described herein are accepted in apparent good order and condition (except as noted) for carriage SUBJECT TO THE CONDITIONS OF CONTRACT ON THE REVERSE HEREOF. ALL GOODS MAY BE CARRIED BY ANY OTHER MEANS INCLUDING ROAD OR ANY OTHER CARRIER UNLESS SPECIFIC CONTRARY INSTRUCTIONS ARE GIVEN HEREON BY THE SHIPPER, AND SHIPPER AGREES THAT THE SHIPMENT MAY BE CARRIED VIA INTERMEDIATE STOPPING PLACES WHICH THE CARRIER DEEMS APPROPRIATE. THE SHIPPER'S ATTENTION IS DRAWN TO THE NOTICE CONCERNING CARRIER'S LIMITATION OF LIABILITY. Shipper may increase such limitation of liability by declaring a higher value for carriage and paying a supplemental charge if required.

Issuing Carrier's Agent Name and City: SPEEDWAY FREIGHT, GABORONE +267 7312(068)

Accounting Information

Agent's IATA Code

Account No.

Airport of Departure: GABARONE

Reference Number

Optional Shipping Information

To	By First Carrier	To	By	To	By	Currency	WT/VAL	Other	Declared Value for Carriage	Declared Value for Customs
LAD	AIRCOMPANY SKYAVIATRANS	BEN				USD	PPD COLL	PPD COLL		

Airport of Destination: BEN/BENGHAZI

Flight/Date: KTR 7722 29 JUN 19

Flight/Date

Amount of Insurance

INSURANCE

Handling Information

SCI

No of Pieces RCP	Gross Weight	kg lb	Rate Class Commodity Item No.	Chargeable Weight	Rate Charge	Total	Nature and Quantity of Goods (incl. Dimensions or Volume)
68	7225.00	k	Q			AS AGREED	USED AND DISMANTLED SUPER PUMA HELICOPTER AS 332L S/N 2161 1600 x 320 x 350 MAIN ROTOR HEAD 120 x 100 x 80 SLING COWLING 175 x 150 x 150 WHEEL FAIRING 200 x 180 x 160 WHEEL FAIRING 200 x 180 x 160 FORKLIFT JIB 120 x 100 x 250 MAIN ROTOR BLADE SLING 170 x 80 x 80 TOW BAR 2/HYDRAULIC JACK 20/CHOPPER TINC 100 x 25 x 20 40/STRETCHER BASIC 210 x 20 x 20
68	7225.00					AS AGREED	

N/A | Weight Charge | Collect

AS AGREED

Valuation Charge

Tax

Total Other Charges Due Agent

Total Other Charges Due Carrier

Other Charges

Shipper certifies that the particulars on the face hereof are correct and that insofar as any part of the consignment contains dangerous goods, such part is properly described by name and is in proper condition for carriage by according to the applicable Dangerous Goods Regulations.

Signature of Shipper or his Agent

Total Prepaid: AS AGREED

Total Collect

Currency Conversion Rates

CC Charges in Dest. Currency

Executed on (date) 29/06/2019

at (place) GABORONE

Signature of Issuing Carrier or its Agent

For Carrier's Use only at Destination

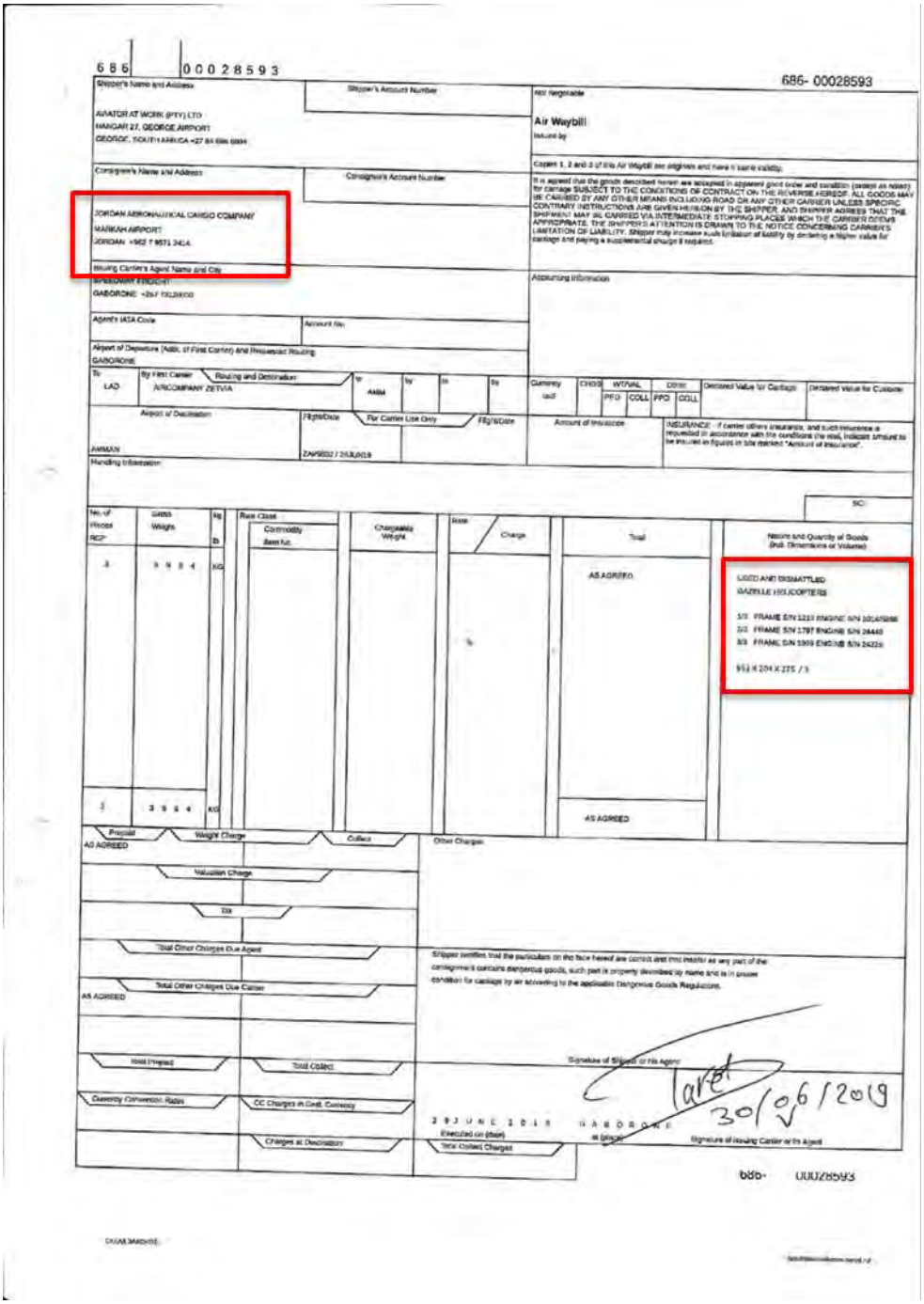
Charges at Destination

Total Collect Charges

Source: Member State

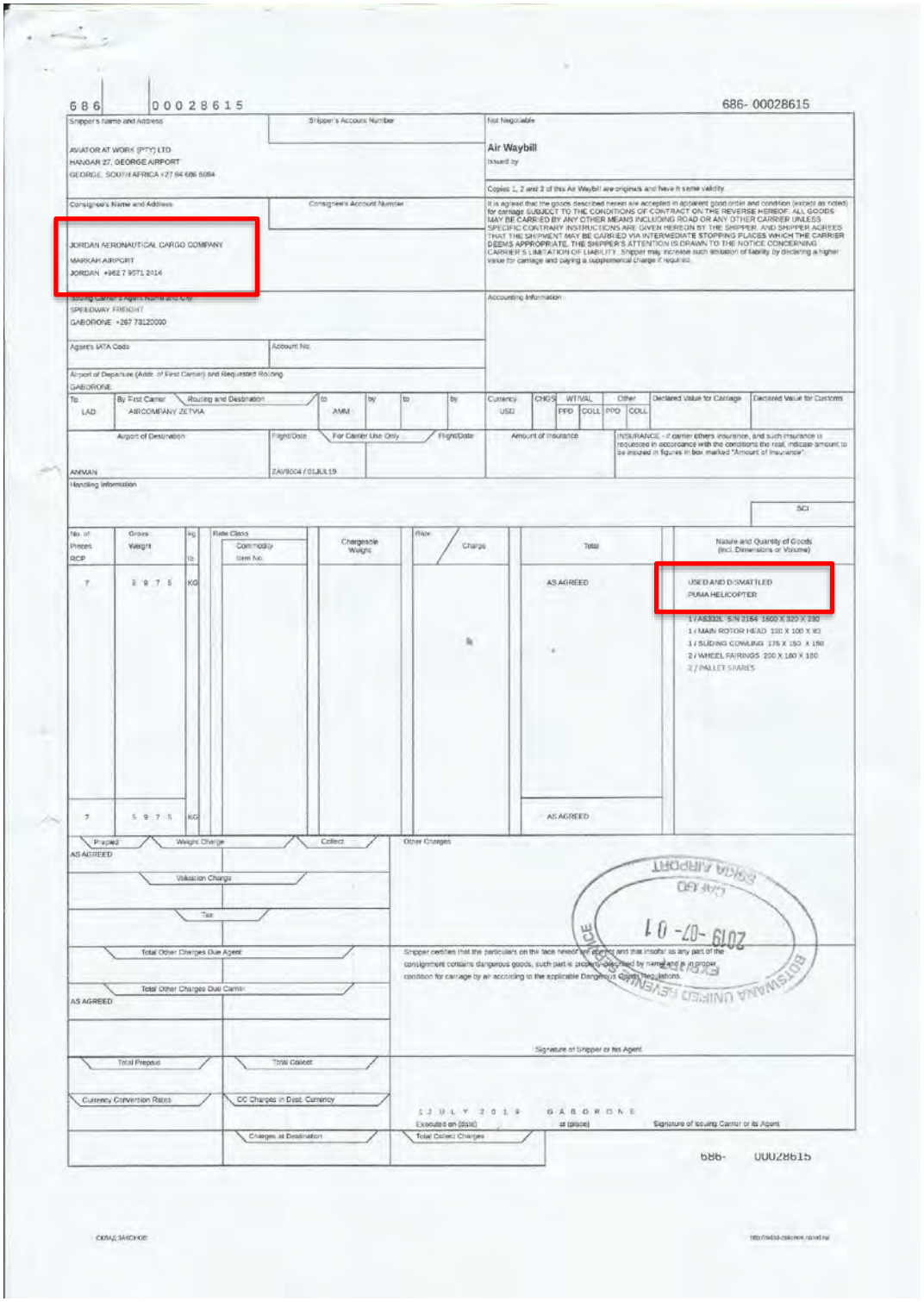
Appendix J to Annex 76: Air Waybills for ZetAvia LLC flight ZAV9002 - 9006 by IL76TD UR-CIB

Figure 76.J.1
False Air Waybill (UR-CIB) (29 June 2019)



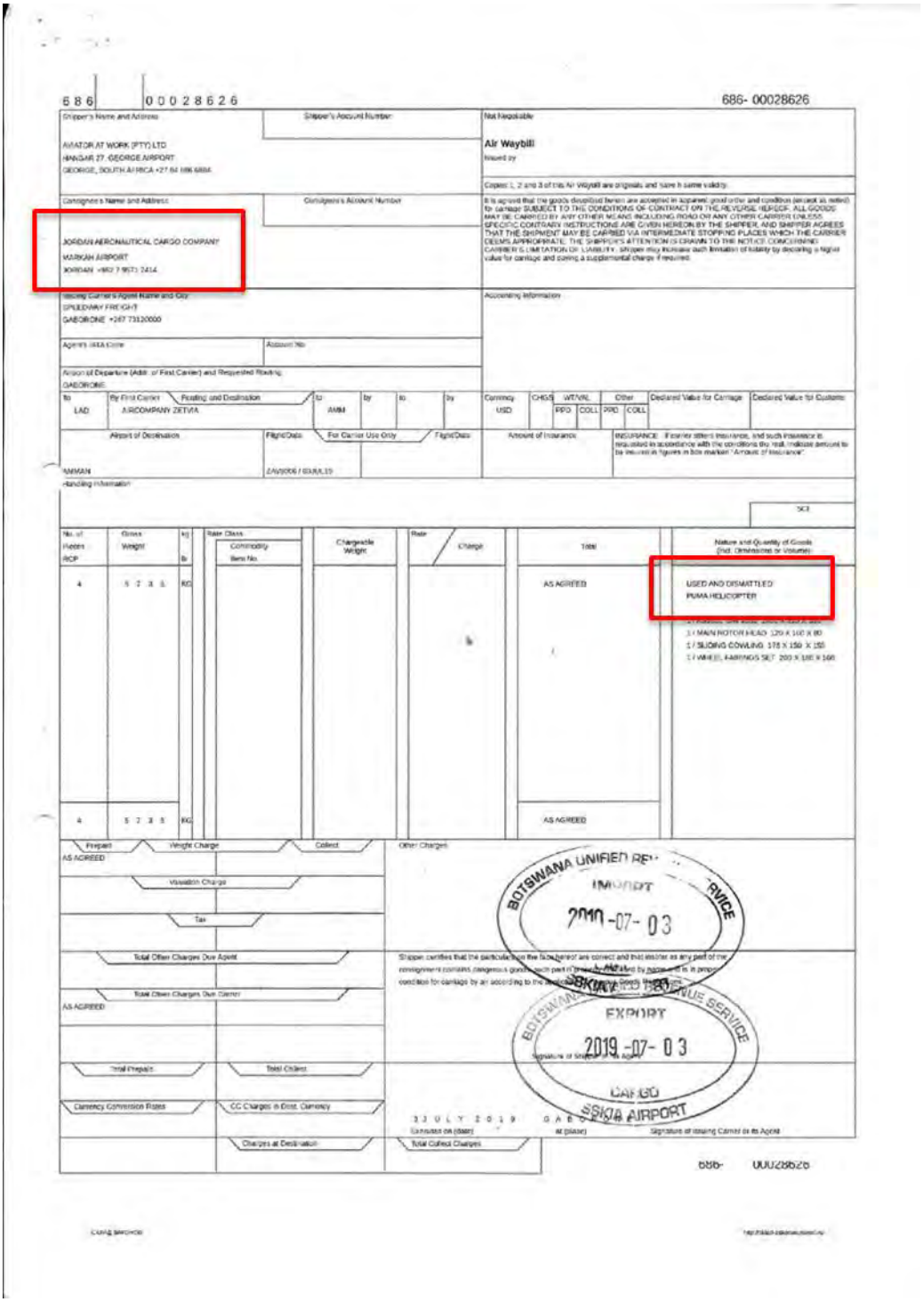
Source: Member State

Figure 76.J.2
False Air Waybill (UR-CIB) (1 July 2019)



Source: Member State

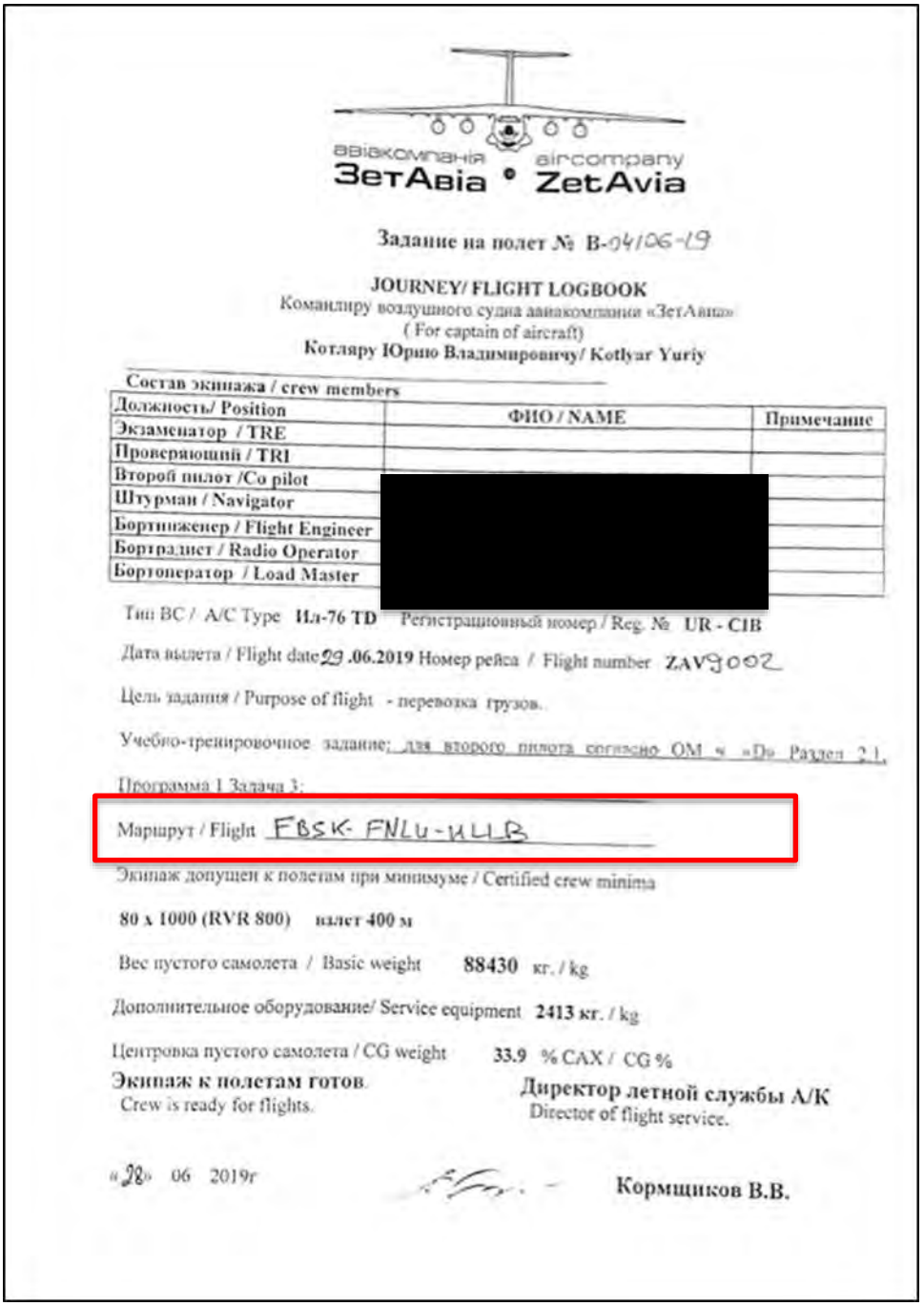
Figure 76.J.3
False Air Waybill (UR-CIB) (3 July 2019)



Source: Member State

Appendix K to Annex 76: Extracts from ZetAvia LLC operated IL-76D (UR-CIB) flight logbooks

Figure 76.K.1
Flight logbook for ZetAvia LLC operated (UR-CIB)
(29 June 2019) Botswana (FBSK) to Benghazi (HLLB)



авіакомпанія aircompany
ЗетАвіа ZetAvia

Задание на полет № B-04/06-19

JOURNEY/ FLIGHT LOGBOOK
Командиру воздушного судна авиакомпании «ЗетАвиа»
(For captain of aircraft)
Котляру Юрию Владимировичу/ Kotlyar Yuriy

Состав экипажа / crew members

Должность/ Position	ФИО / NAME	Примечание
Экзаменатор / TRE		
Проверяющий / TRI		
Второй пилот /Co pilot	[redacted]	
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортоператор / Load Master		

Тип ВС / A/C Type Ил-76 TD Регистрационный номер / Reg. № UR - CIB

Дата вылета / Flight date 29 .06.2019 Номер рейса / Flight number ZAV9002

Цель задания / Purpose of flight - перевозка грузов.

Учебно-тренировочное задание: для второго пилота согласно ОМ ч «D» Раздел 2.1.

Программа 1 Задача 3:

Маршрут / Flight FBSK- FNLU-HLLB

Экипаж допущен к полетам при минимуме / Certified crew minima

80 х 1000 (RVR 800) взлет 400 м

Вес пустого самолета / Basic weight 88430 кг. / kg

Дополнительное оборудование/ Service equipment 2413 кг. / kg

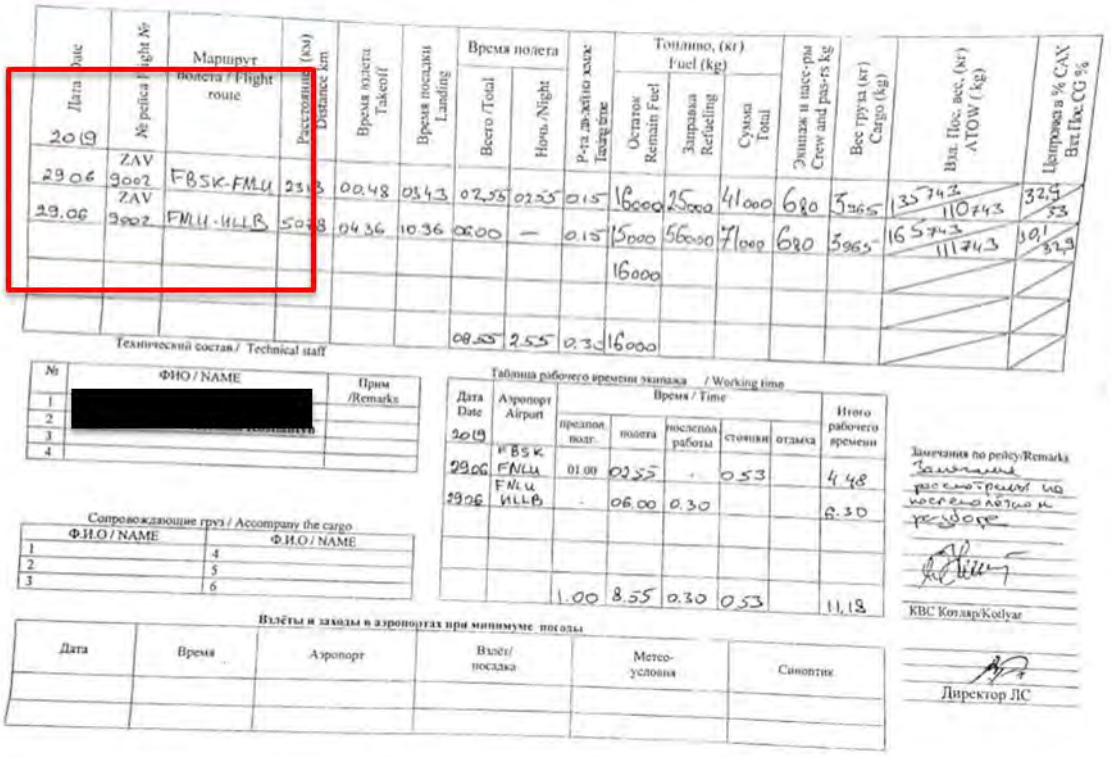
Центровка пустого самолета / CG weight 33.9 % САХ / CG %

Экипаж к полетам готов
Crew is ready for flights.

Директор летной службы А/К
Director of flight service.

«28» 06 2019г

Кормщиков В.В.



Дата Date 2019	№ рейса Flight №	Маршрут полета / Flight route	Расстояние (км) Distance km	Время взлета Takeoff	Время посадки Landing	Время полета Всего / Total	Время полета Ночь / Night	Р-та движ. хожд. Taxing time	Топливо, (кг) Fuel (kg) Остаток Remain Fuel	Топливо, (кг) Fuel (kg) Заправка Refueling	Топливо, (кг) Fuel (kg) Сумма Total	Экипаж и пасс-ры Crew and pas-rs kg	Вес груза (кг) Cargo (kg)	Взл. Пос. вес. (кг) ATOW (kg)	Центровка в % САХ Взл.Пос.CG %
29.06	ZAV 9002	FBSK-FNLU	233	00.48	03.43	02.55	02.55	0.15	16000	25000	41000	680	3965	135743 / 110743	32.9 / 33
29.06	ZAV 9002	FNLU-HLLB	503	04.36	10.36	06.00	—	0.15	15000	56000	71000	680	3965	165743 / 111743	30.1 / 32.9
									16000						
						08.55	2.55	0.30	16000						

Технический состав / Technical staff

№	ФИО / NAME	Прим /Remarks
1	[redacted]	
2		
3		
4		

Сопровождающие груз / Accompany the cargo

	ФИО / NAME		ФИО / NAME
1		4	
2		5	
3		6	

Таблица рабочего времени экипажа / Working time

Дата Date	Аэропорт Airport	Время / Time предпол. подг.	полета	послепол. работы	стоянки	отдыха	Итого рабочего времени
2019	FBSK						
29.06	FNLU	01.00	02.55	-	0.53		4.48
29.06	FNLU HLLB	-	06.00	0.30			6.30
		1.00	8.55	0.30	0.53		11.18

Замечания по рейсу/Remarks: Замечаний рассмотрения на несоответствие к полете

КВС Kotlyar/Kotlyar

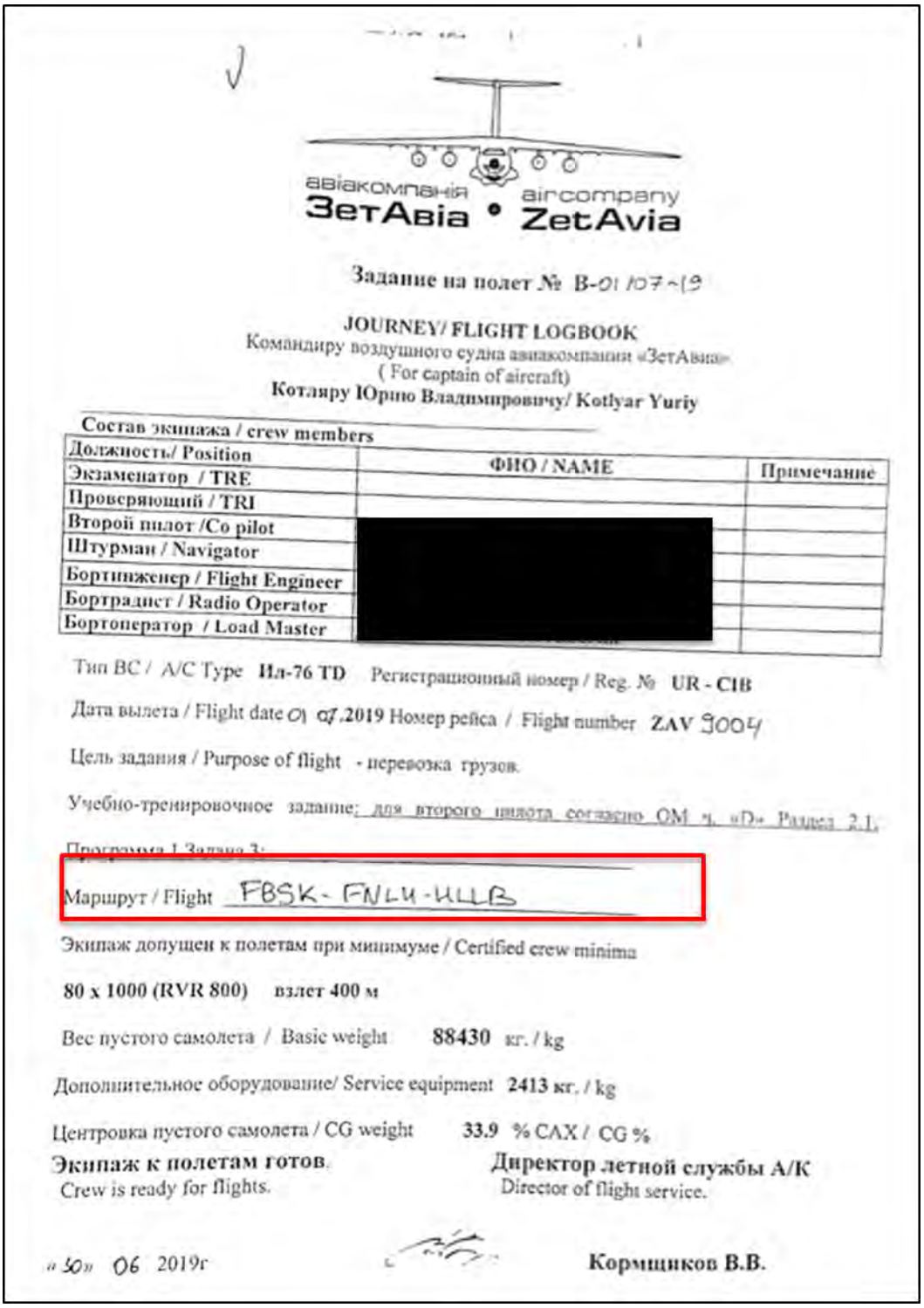
Директор ЛС

Взлёты и заходы в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлёт/ посадка	Метео-условия	Синоптик

Source: Member State

Figure 76.K.2
Flight logbook for ZetAvia L.L.C. operated (UR-CIB)
(1 July 2019) Botswana (FBSK) to Benghazi (HLLB)



авіакомпанія aircompany
ЗетАвіа • ZetAvia

Задание на полет № B-01107-19

JOURNEY/ FLIGHT LOGBOOK
Командиру воздушного судна авиакомпании «ЗетАвиа»
(For captain of aircraft)
Котляру Юрию Владимировичу/ Kotlyar Yuriy

Состав экипажа / crew members

Должность/ Position	ФИО / NAME	Примечание
Экзаменатор / TRE		
Проверяющий / TRI		
Второй пилот /Co pilot	[redacted]	
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортоператор / Load Master		

Тип ВС / A/C Type **Ил-76 TD** Регистрационный номер / Reg. № **UR - CIB**

Дата вылета / Flight date 01.07.2019 Номер рейса / Flight number **ZAV 9004**

Цель задания / Purpose of flight - перевозка грузов.

Учебно-тренировочное задание: для второго пилота согласно ОМ ч. «D» Раздел 2.1.

Программа 1 Задача 3:

Маршрут / Flight FBSK - FNLU - HLLB

Экипаж допущен к полетам при минимуме / Certified crew minima

80 x 1000 (RVR 800) взлет 400 м

Вес пустого самолета / Basic weight **88430** кг. / kg

Дополнительное оборудование/ Service equipment **2413** кг. / kg

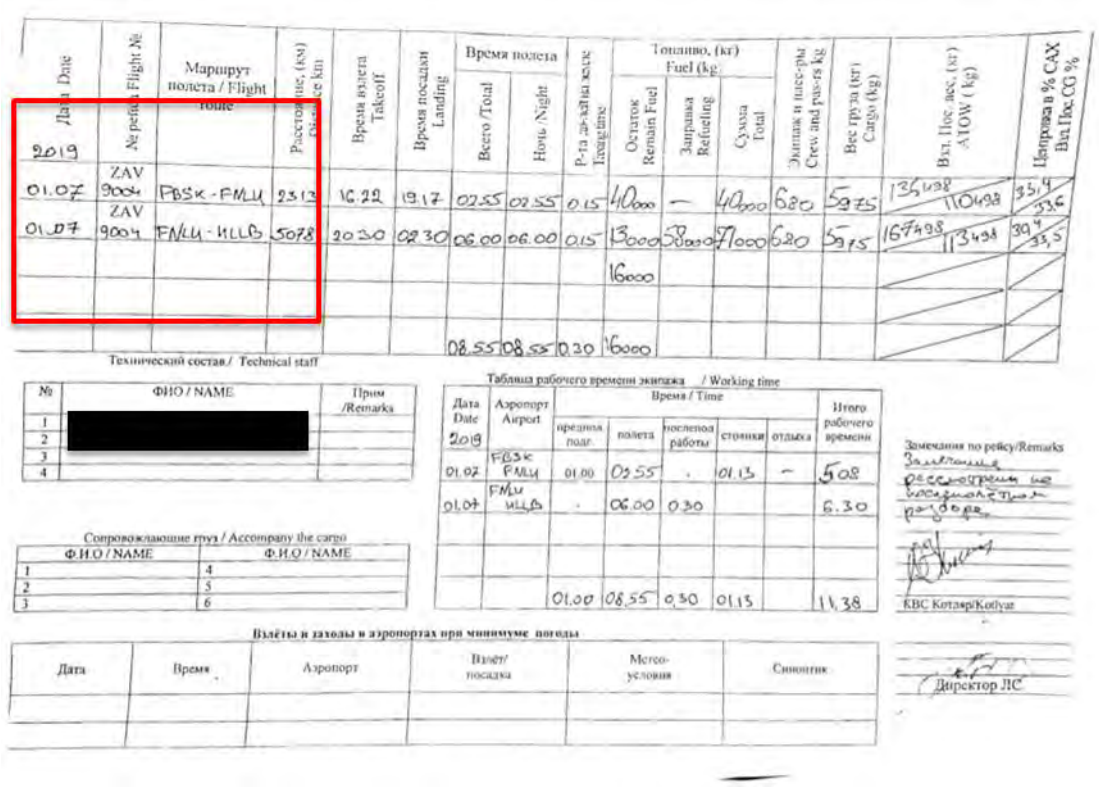
Центровка пустого самолета / CG weight **33.9** % САХ / CG %

Экипаж к полетам готов.
Crew is ready for flights.

Директор летной службы А/К
Director of flight service.

«30» 06 2019г

Кормщиков В.В.



Дата Date	№ рейса Flight №	Маршрут полета / Flight route	Расстояние, (км) Distance km	Время взлета Takeoff	Время посадки Landing	Время полета: Всего /Total	Время полета: Ночь /Night	Р-та до взлета /вылет Taxiing	Топливо, (кг) Fuel (kg): Остаток Remain Fuel	Топливо, (кг) Fuel (kg): Заправка Refueling	Топливо, (кг) Fuel (kg): Сумма Total	Экипаж и пасс-ры Crew and pass-rs kg	Вес груза (кг) Cargo (kg)	Взл. Пос. вес, (кг) ATOW (kg)	Центровка в % САХ Взл.Пос.CG %
2019															
01.07	ZAV 9004	FBSK - FMUH	2313	16.22	19.17	02.55	02.55	0.15	40000	—	40000	620	5975	135498 / 110498	33,4 / 33,6
01.07	ZAV 9004	FMUH - HLLB	5078	20.30	02.30	06.00	06.00	0.15	13000	58000	71000	620	5975	167498 / 113498	30,4 / 33,5
									16000						
						08.55	08.55	0.30	16000						

Технический состав / Technical staff

№	ФИО / NAME	Прим /Remarks
1	[redacted]	
2		
3		
4		

Сопровождающие груз / Accompany the cargo

	Ф.И.О / NAME		Ф.И.О / NAME
1		4	
2		5	
3		6	

Таблица рабочего времени экипажа / Working time

Дата Date 2019	Аэропорт Airport	Время / Time: предпол. подг.	полета	послепол. работы	стоянки	отдыха	Итого рабочего времени
01.07	FBSK FMUH	01.00	03.55	.	01.13	—	5.08
01.07	FMUH HLLB	.	06.00	0.30			6.30
		01.00	08.55	0.30	01.13		11.38

Замечания по рейсу/Remarks: Задержка рассмотрения на посадочной площ

КВС Котляр/Kotlyar

Директор ЛС

Взлёты и заходы в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлет/ посадка	Метео-условия	Синоптик

Source: Member State

1. Figure 76.K.3 shows one *Super-Puma* MUH being offloaded from a ZetAvia IL-76TD at Benghazi (Benina) international airport on 1 July 2019 as further proof of delivery

Figure 76.J.3.
AS332 *Super-Puma* helicopter being unloaded at Benghazi (Benina) international airport

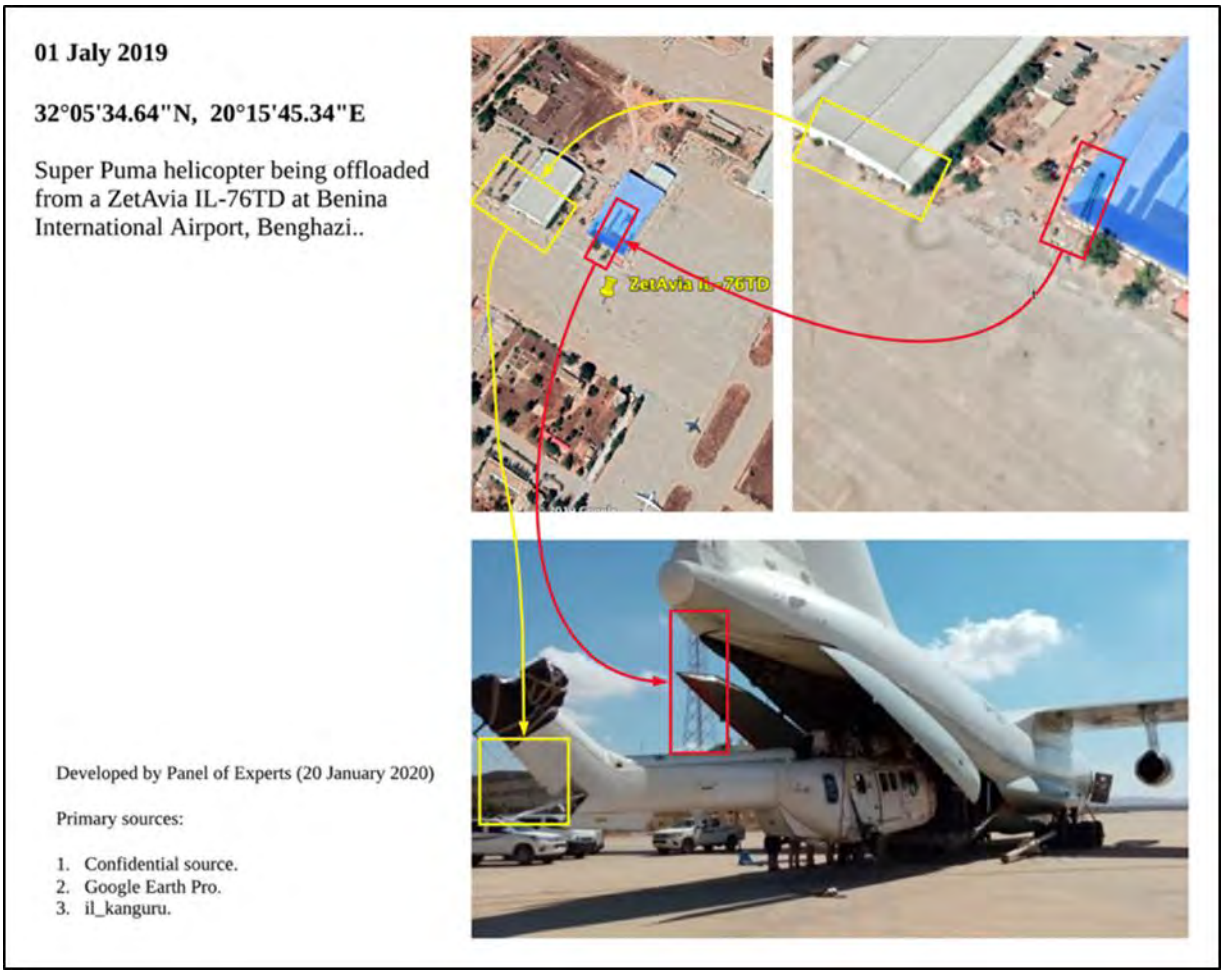
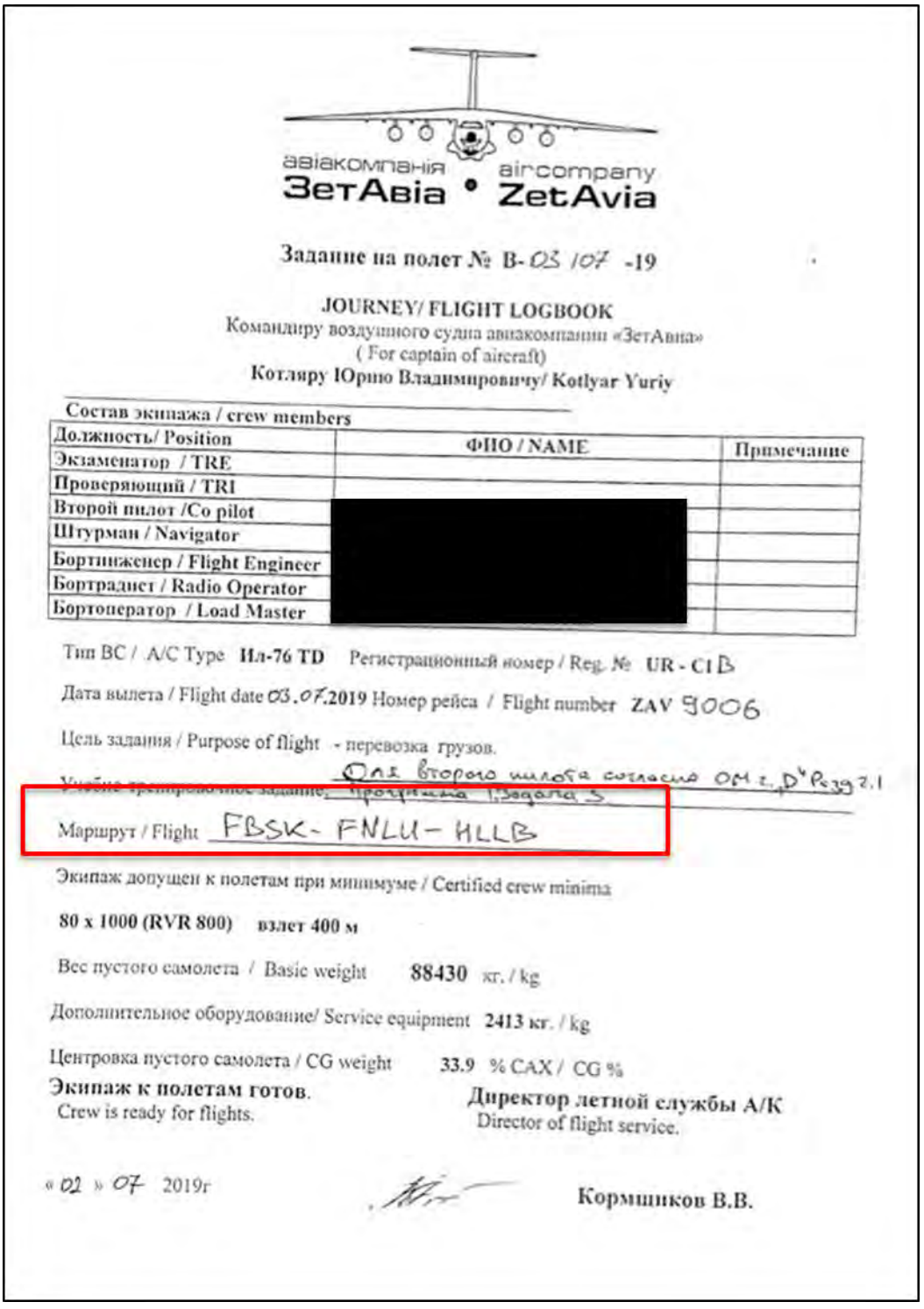


Figure 76.K.4
Flight logbook for ZetAvia L.L.C. operated (UR-CIB) (3 July 2019) Botswana (FBSK) to Benghazi (HLLB)



авіакомпанія ЗетАвіа • aircompany ZetAvia

Задание на полет № В- 03 /07 -19

JOURNEY/ FLIGHT LOGBOOK
Командиру воздушного судна авиакомпании «ЗетАвиа»
(For captain of aircraft)
Котляру Юрию Владимировичу/ Kotlyar Yuriy

Состав экипажа / crew members

Должность/ Position	ФИО / NAME	Примечание
Экзаменатор / TRE		
Проверяющий / TRI		
Второй пилот /Co pilot	[redacted]	
Штурман / Navigator		
Бортинженер / Flight Engineer		
Бортрадист / Radio Operator		
Бортоператор / Load Master		

Тип ВС / A/C Type **Ил-76 TD** Регистрационный номер / Reg. № **UR - CIB**

Дата вылета / Flight date 03.07.2019 Номер рейса / Flight number ZAV 9006

Цель задания / Purpose of flight - перевозка грузов.

Учебно тренировочное задание: Для второго пилота согласно ОМ г. Д⁶ Р.39 2.1 Проучила 1 задача 3

Маршрут / Flight FBSK - FNLU - HLLB

Экипаж допущен к полетам при минимуме / Certified crew minima

80 х 1000 (RVR 800) взлет 400 м

Вес пустого самолета / Basic weight **88430** кг. / kg

Дополнительное оборудование/ Service equipment **2413 кг.** / kg

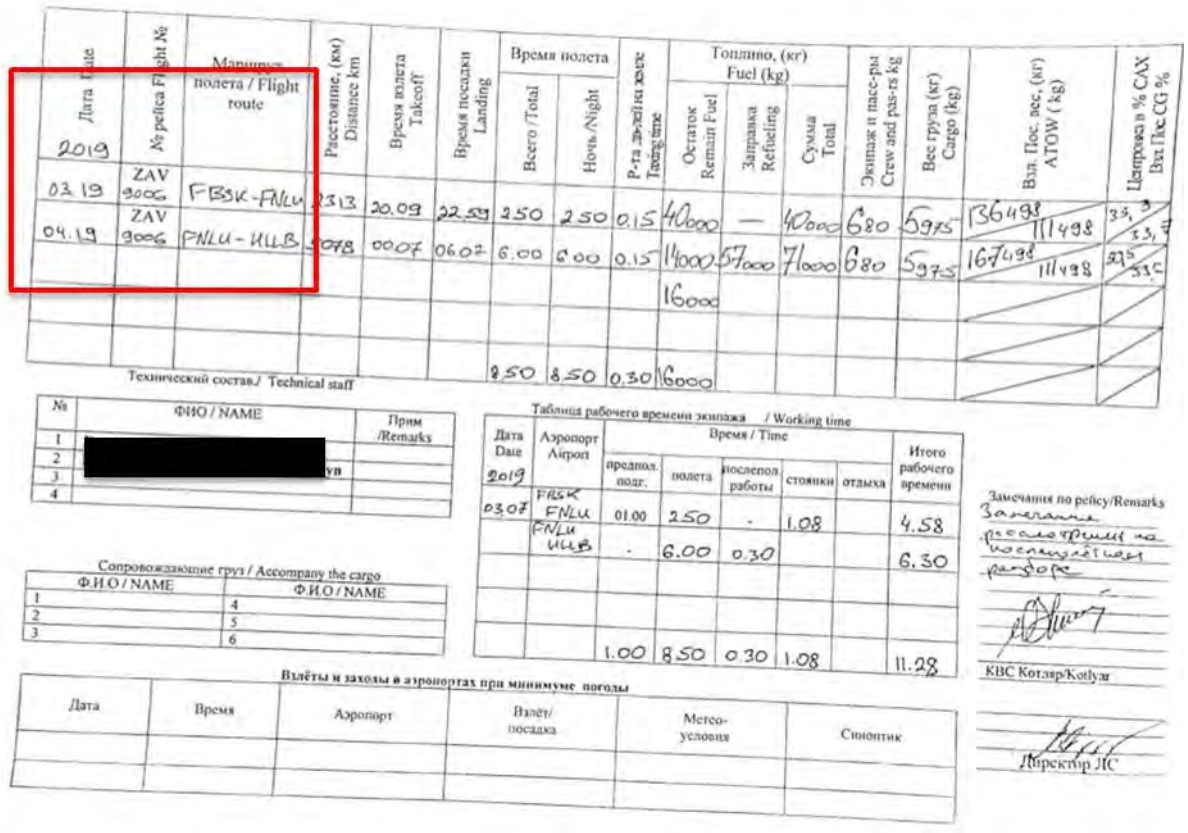
Центровка пустого самолета / CG weight **33.9** % САХ / CG %

Экипаж к полетам готов.
Crew is ready for flights.

Директор летной службы А/К
Director of flight service.

« 02 » 07 2019г

Кормишков В.В.



Дата Date 2019	№ рейса Flight №	Маршрут полета / Flight route	Расстояние, (км) Distance km	Время взлета Takeoff	Время посадки Landing	Время полета Всего /Total	Время полета Ночь /Night	Р-га двигателя за время Taxi time	Топливо, (кг) Fuel (kg) Остаток Remain Fuel	Топливо, (кг) Fuel (kg) Заправка Refueling	Топливо, (кг) Fuel (kg) Сумма Total	Экипаж и пасс-ры Crew and pas-rs kg	Вес груза (кг) Cargo (kg)	Взл. Пос. вес, (кг) ATOW (kg)	Центровка в % САХ Взл Пос CG %
03.19	ZAV 9006	FBSK-FNLU	2313	20.09	22.59	2.50	2.50	0.15	40000	—	40000	680	5975	136498 / 111498	33,3 / 33,3
04.19	ZAV 9006	FNLU-HLLB	2078	00.07	06.07	6.00	6.00	0.15	14000	57000	71000	680	5975	167498 / 111498	27,5 / 33,5
									16000						
						8.50	8.50	0.30	16000						

Технический состав./ Technical staff

№	ФИО / NAME	Прим /Remarks
1	[redacted]	
2		
3		
4		

Таблица рабочего времени экипажа / Working time

Дата Date 2019	Аэропорт Airport	Время / Time предпол. подг.	Время / Time полета	Время / Time послеполет работы	Время / Time стоянки	Время / Time отдыха	Итого рабочего времени
03.07	FBSK FNLU	01.00	2.50	-	1.08		4.58
	FNLU HLLB	-	6.00	0.30			6.30
		1.00	8.50	0.30	1.08		11.28

Замечания по рейсу/Remarks

Замечания
рассмотрим на
последующих
рейсах

КВС Котляр/Kotlyar

Директор ЛС

Сопровождающие груз / Accompany the cargo

Ф.И.О / NAME	Ф.И.О / NAME
1	4
2	5
3	6

Взлёты и заходы в аэропортах при минимуме погоды

Дата	Время	Аэропорт	Взлёт/ посадка	Метео-условия	Синоптик

Source: Member State.

Appendix L to Annex 76: Charter of IL76 from Gaborone to Libya

Figure 76.L.1
IWAS air charter documentation for L-6 FZE (signed by Lodge)

IWAS CARGO — INTERNATIONAL WORLDWIDE AIR SERVICES INC.

AIR TRANSPORTATION SERVICES AGREEMENT №:IWAS/19/2006/1

Name of Customer: L-6FZE
Head office: Fujairah-Creative Tower
P.O.Box 4422 Fujairah

It is hereby agreed that International Worldwide Air Services (hereinafter referred to as «Contractor») will provide, and the CUSTOMER named above ("Customer") shall accept air transportation services and make relevant payments according to this Agreement(as defined in the General Terms and Conditions attached) for the flight or flights specified in the Schedule below, on the terms and conditions specified, or referred to in this Agreement (as defined in the General Terms and Conditions attached).

THE SCHEDULE

1.	Aircraft Type	IL-76TD	
2.	Payload and/or Capacity Chartered:	Outbound	
	a) Weight (kg)	Up to 8'000 Kgs	
	b) Volume (m^3)	Subject to loadability	
3.	Flights for which the Aircraft is chartered	Date	ETD/ETA (GMT)
	FROM: GBE	27 June 2019	First flight: DEP FBSK 27/1000Z ARR HLLB 28/1030Z
	TO: BEN	28 June 2019	

4. Charter price (as defined in Clause 7 of the General Terms and Conditions attached) and terms of payment:
a) Price: [redacted] b) Currency: US Dollars
b) Date by which payment to be made at: 5 days prior flight date
c) Method of payment: Bank to bank wire transfer
d) When organizing payment to Contractor, indicate the Air Transportation Services Agreement Number in the payment instructions
e) All costs associated with the transfer of The Price and other amounts to Contractor shall be borne by the Customer

5. Terms of termination: if the Customer wishes to terminate or cancel this agreement, the Customer shall pay Contractor the following charges as agreed compensation:
a) 25% of the Charter Price if cancelled with immediate effect
b) 50%of the Charter Price if cancelled72hours prior to flight departure
c) 75%of the Charter Price if cancelled24hours prior to flight departure

6. Demurrage:$2,000 per hour or part thereof (shall not be applied without Contractor prior notice).

7. Loading: Shipment should be available for loading at the departure airport 6 hours prior to ETD. Special equipment including equipment used to load/offload outsize and heavy cargoes (which is normally unavailable at departure or destination airports) is not included in the Price.

8. SPECIAL CONDITIONS:
1. See the annex attached for costs included and excluded from the charter price.
2. Flight is subject to obtaining necessary traffic rights
3. Payload is subject to loadability of the cargo.

Date: 22.06.2019

Signed by duly authorised representative for and on behalf of CONTRACTOR

PETER WONDALE [redacted]

P.O.Box 371288 IWAS CARGO DUBAI-U.A.E. INTERNATIONAL WORLDWIDE AIR SERVICES

Signed by duly authorised representative for and on behalf of CUSTOMER

Status:

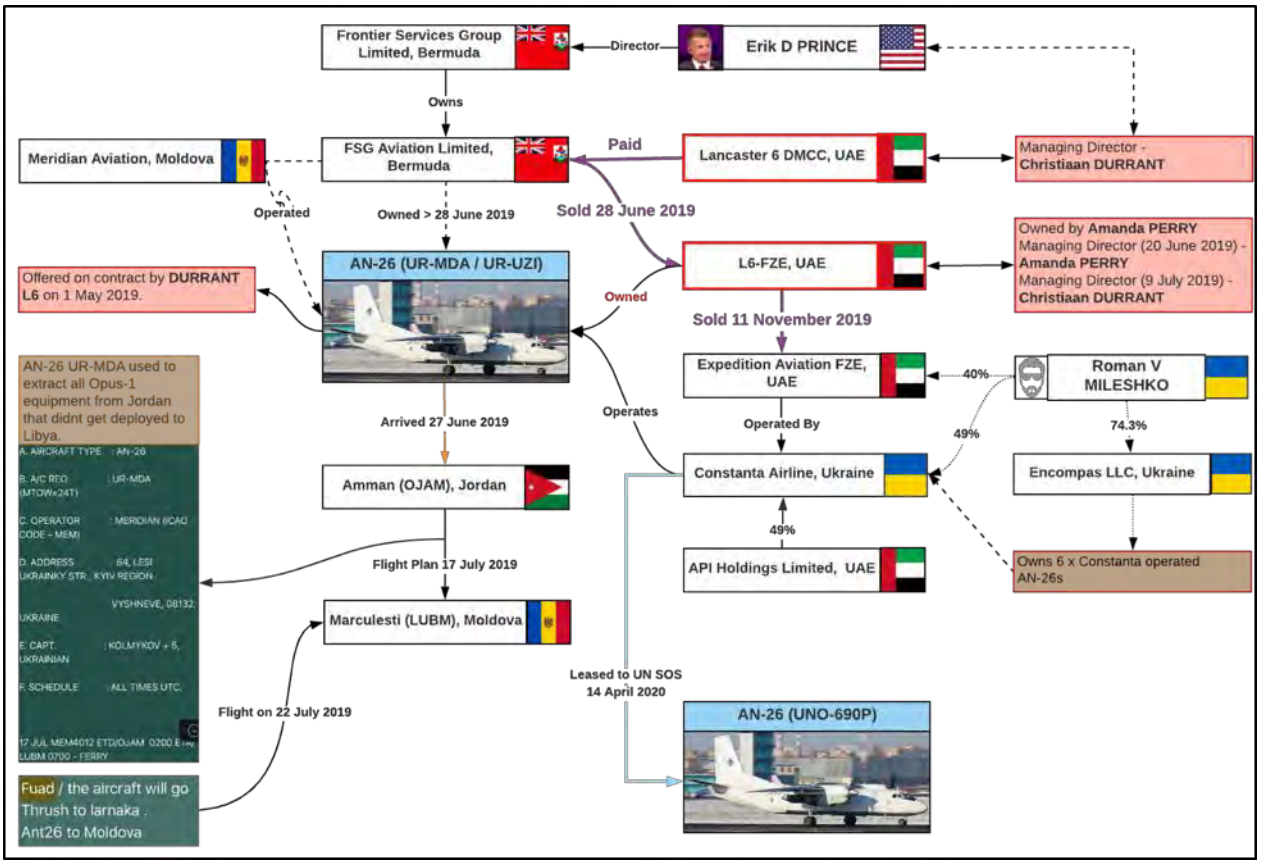
wide Air Services Inc, the DAFZA branch of International Worldwide Air Services Inc. (B.V.I.)
H15, Dubai Airport Free Zone, P.O.Box 371288, Dubai, United Arab Emirates
T. +971-4-2990929 E. info@iwas-cargo.com W. www.iwas-cargo.com

إنترناشونال وورلد وايد إير سيرفيسس إنك، ص.ب: ٣٧١٢٨٨ دبي- الإمارات العربية المتحدة، رقم القسم اتش١٥، المنطقة الحرة بمطار دبي، هاتف: ٠٤٢٩٩٠٩٢٩
License No. 1412, Formed pursuant to law no. 2 of 1996 with limited liability ١٩٩٦ رقم الرخصة : ١٤١٢ تأسست بموجب القانون رقم ٢ لسنة ١٩٩٦ ذات مسئولية محدودة،
All contracts for freight and / or passengers are made by us as agents only and are subject to the full terms and conditions of the carriers form of contract.

Source: Confidential.

Appendix M to Annex 76: Procurement of Antonov AN26 (UR-MDA)

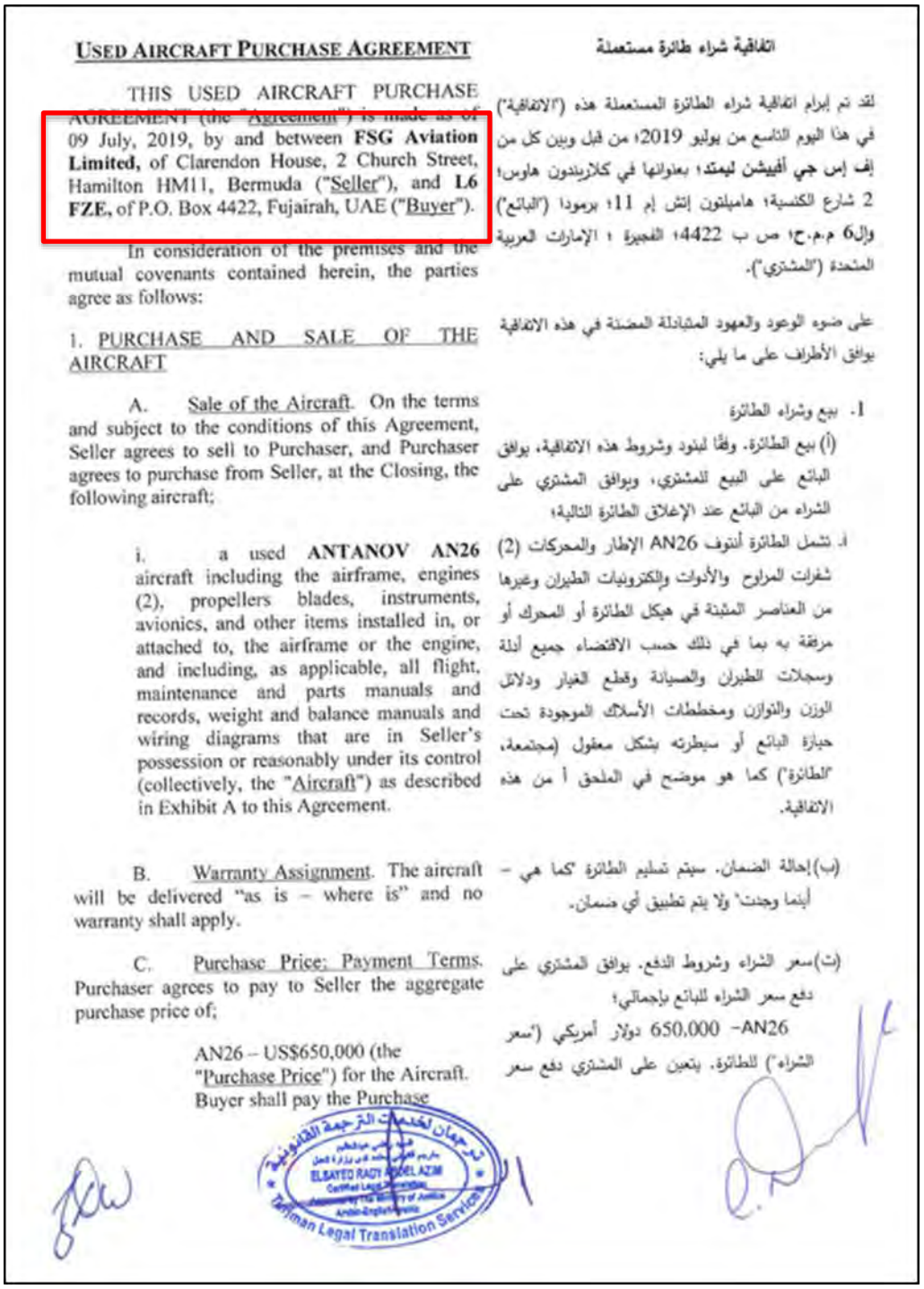
Figure 76.M.1
Procurement of Antonov AN-26B (UR-MDA) by L-6 FZE



Source: Panel analysis.

Figure 76.M.2
Extract from Purchase Agreement by L-6 FZE (22 July 2019)

Note that this is 25 days after the deployment of the aircraft to Jordan, and that the funds were transferred from Lancaster6 DMCC, not L-6 FZE the purchaser stated here.



USED AIRCRAFT PURCHASE AGREEMENT

THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of 09 July, 2019, by and between **FSG Aviation Limited,** of Clarendon House, 2 Church Street, Hamilton HM11, Bermuda ("Seller"), and **L6 FZE,** of P.O. Box 4422, Fujairah, UAE ("Buyer").

In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. PURCHASE AND SALE OF THE AIRCRAFT

A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, the following aircraft:

i. a used **ANTANOV AN26** aircraft including the airframe, engines (2), propellers blades, instruments, avionics, and other items installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.

B. Warranty Assignment. The aircraft will be delivered "as is – where is" and no warranty shall apply.

C. Purchase Price; Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of;

AN26 – US$650,000 (the "Purchase Price") for the Aircraft. Buyer shall pay the Purchase

اتفاقية شراء طائرة مستعملة

لقد تم إبرام اتفاقية شراء الطائرة المستعملة هذه ("الاتفاقية") في هذا اليوم التاسع من يوليو 2019، من قبل وبين كل من إف إس جي أفييشن ليمتد، بعنوانها في كلاريندون هاوس، 2 شارع الكنسية، هاميلتون إتش إم 11، برمودا ("البائع") وإل6 م.م.ح، ص ب 4422، الفجيرة ، الإمارات العربية المتحدة ("المشتري").

على ضوء الوعود والعهود المتبادلة المضمنة في هذه الاتفاقية يوافق الأطراف على ما يلي:

1. بيع وشراء الطائرة

(أ) بيع الطائرة. وفقًا لبنود وشروط هذه الاتفاقية، يوافق البائع على البيع للمشتري، ويوافق المشتري على الشراء من البائع عند الإغلاق الطائرة التالية:

ا. تشمل الطائرة أنتوف AN26 الإطار والمحركات (2) شفرات المراوح والأدوات والإلكترونيات الطيران وغيرها من العناصر المثبتة في هيكل الطائرة أو المحرك أو مرفقة به بما في ذلك حسب الاقتضاء جميع أدلة وسجلات الطيران والصيانة وقطع الغيار ودلائل الوزن والتوازن ومخططات الأسلاك الموجودة تحت حيازة البائع أو سيطرته بشكل معقول (مجتمعة، "الطائرة") كما هو موضح في الملحق أ من هذه الاتفاقية.

(ب) إحالة الضمان. سيتم تسليم الطائرة "كما هي – أينما وجدت" ولا يتم تطبيق أي ضمان.

(ت) سعر الشراء وشروط الدفع. يوافق المشتري على دفع سعر الشراء للبائع بإجمالي؛

AN26 – 650,000 دولار أمريكي ("سعر الشراء") للطائرة. يتعين على المشتري دفع سعر

ELSAYED RADY ABDELAZIM
Certified Legal Translator
Tarjuman Legal Translation Services

IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

وإشهادًا على ذلك تم تنفيذ اتفاقية شراء الطائرات المستعملة هذه على النحو الواجب وتم تسليمها من قبل الموظفين المفوضين حسب الأصول للأطراف المذكورة اعتبارًا من التاريخ المدون على صدر هذه الطية.

PURCHASER: المشتري:

SELLER: البائع:

FSG Aviation Limited

By: _____
Name: S. DAVIDSON
Title: DIRECTOR

L6 FZE

By: _____
Name: C.D. [illegible]
Title: Managing Director

إف إس جي أفييشن ليمتد

من قبل: _____
الاسم: _____
اللقب: _____

إل6 م.م.ح

من قبل: _____
الاسم: _____
اللقب: _____

Lic No. 7751/2015
Creative City
Fujairah
UAE
L-6 FZE

ترجمان لخدمات الترجمة القانونية
ELSAYED RADY ABDEL AZIM
Certified Legal Translation
Approved by The Ministry of Justice
Turjman Legal Translation Services

Exhibit A
AIRCRAFT

Aircraft Make and Model: AH26 – 100 / Antonov 26 -100
Serial No.: 7108
Registration No.: MDA
Engine Serial No.:
H473BT071 and H431BT028

The Aircraft shall include the following components:

- Internal Crane

الملحق أ
الطائرة

الصنع و موديل الطائرة: AH26 – 100 / Antonov 26 -100
الرقم التسلسلي: 7108
رقم التسجيل: MDA
رقم المسلسل للمحرك: H473BT071 و H431BT028
يجب أن تشمل الطائرة المكونات التالية:

- رافعة داخلية

ELSAYED RADY ABDELAZIM
Turjuman Legal Translation Services

against all claims and demands whatsoever.

That Seller agrees and acknowledges that the terms and conditions of this Bill of Sale shall survive the delivery of the Aircraft and the delivery and recording of this or any CAA Bill of Sale.

IN WITNESS WHEREOF, SELLER has caused this Bill of Sale to be signed by its duly authorized officer this 22 day of JULY, 2019.

SELLER:

FSG AVIATION LIMITED

By: _____

Name: J. DAVID WHITTINGHAM

Title: DIRECTOR

على الإطلاق.

يوافق ذلك البائع ويقر بأن شروط وأحكام فاتورة البيع هذه ستظل سارية بعد تسليم الطائرة وتسليم وتسجيل فاتورة البيع هذه أو أي منها.

وإثباتًا لذلك ، قام البائع بتنفيذ و توقيع فاتورة البيع هذه من قبل موظفها المعتمد حسب الأصول في ___ يوم _____ ، 2019.

البائع

اف اس جي أفيشن ليمتد

بواسطة: _____

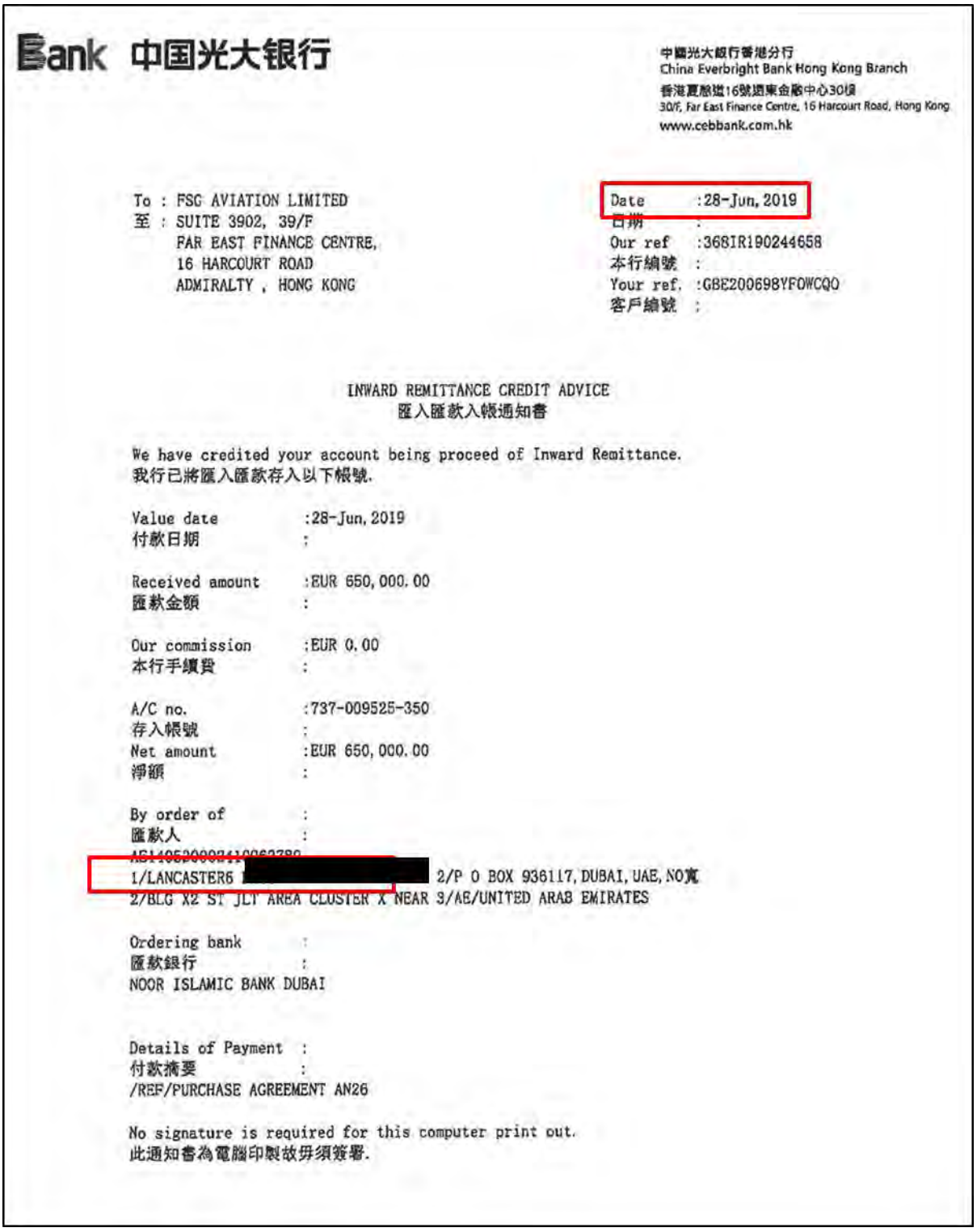
اسم: _____

عنوان: _____



Source: Member State

Figure 76.M.3
Credit advice for purchase of AN-26B by Lancaster 6 DMCC (28 June 2019)



Bank 中国光大银行

中國光大銀行香港分行
China Everbright Bank Hong Kong Branch
香港夏慤道16號遠東金融中心30樓
30/F, Far East Finance Centre, 16 Harcourt Road, Hong Kong
www.cebbank.com.hk

To : FSC AVIATION LIMITED
至 : SUITE 3902, 39/F
FAR EAST FINANCE CENTRE,
16 HARCOURT ROAD
ADMIRALTY , HONG KONG

Date :28-Jun, 2019
日期 :
Our ref :368IR190244658
本行編號 :
Your ref. :GBE200698YFOWCQO
客戶編號 :

INWARD REMITTANCE CREDIT ADVICE
匯入匯款入帳通知書

We have credited your account being proceed of Inward Remittance.
我行已將匯入匯款存入以下帳號.

Value date :28-Jun, 2019
付款日期 :

Received amount :EUR 650,000.00
匯款金額 :

Our commission :EUR 0.00
本行手續費 :

A/C no. :737-009525-350
存入帳號 :
Net amount :EUR 650,000.00
淨額 :

By order of :
匯款人 :
[redacted]
1/LANCASTER6 [redacted] 2/P O BOX 936117,DUBAI,UAE,NO寓
2/BLG X2 ST JLT AREA CLUSTER X NEAR 3/AE/UNITED ARAB EMIRATES

Ordering bank :
匯款銀行 :
NOOR ISLAMIC BANK DUBAI

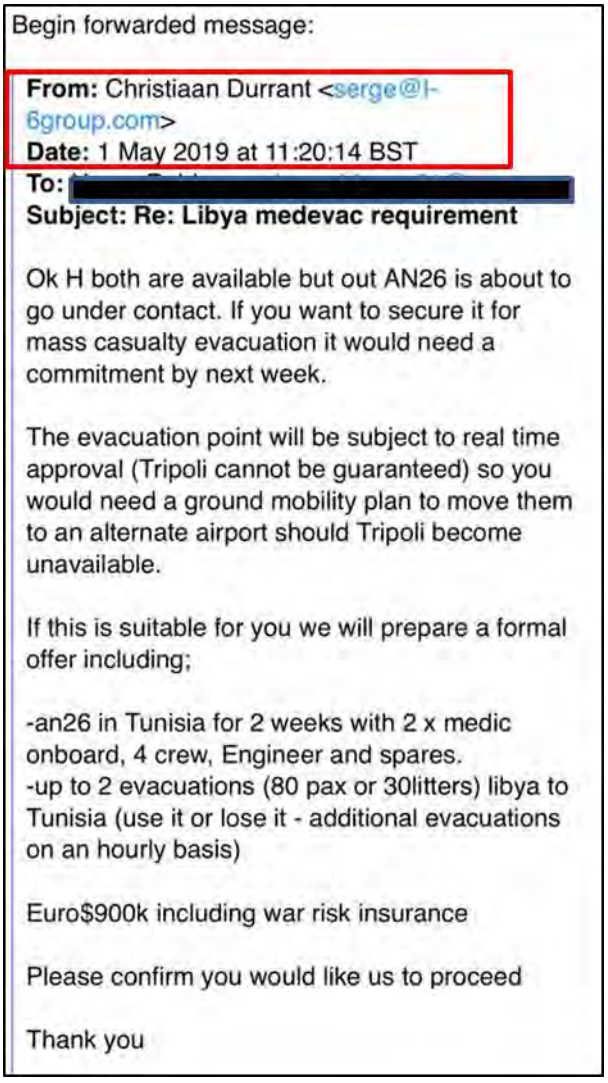
Details of Payment :
付款摘要 :
/REF/PURCHASE AGREEMENT AN26

No signature is required for this computer print out.
此通知書為電腦印製故毋須簽署.

Source: Confidential.

Figure 76.M.4
Copy of Email from Durrant offering AN-26B aircraft for charter (1 May 20219)

This indicates that the AN-26B aircraft was made available to Lancaster6 DMCC by FSG Aviation Limited prior to the formal sale. The only linkage between FSG Aviation and Lancaster6 DMCC are Erik Dean Prince and Christiaan Paul Durrant.



Begin forwarded message:

From: Christiaan Durrant <serge@l-6group.com>
Date: 1 May 2019 at 11:20:14 BST
To: [redacted]
Subject: Re: Libya medevac requirement

Ok H both are available but out AN26 is about to go under contact. If you want to secure it for mass casualty evacuation it would need a commitment by next week.

The evacuation point will be subject to real time approval (Tripoli cannot be guaranteed) so you would need a ground mobility plan to move them to an alternate airport should Tripoli become unavailable.

If this is suitable for you we will prepare a formal offer including;

-an26 in Tunisia for 2 weeks with 2 x medic onboard, 4 crew, Engineer and spares.
-up to 2 evacuations (80 pax or 30litters) libya to Tunisia (use it or lose it - additional evacuations on an hourly basis)

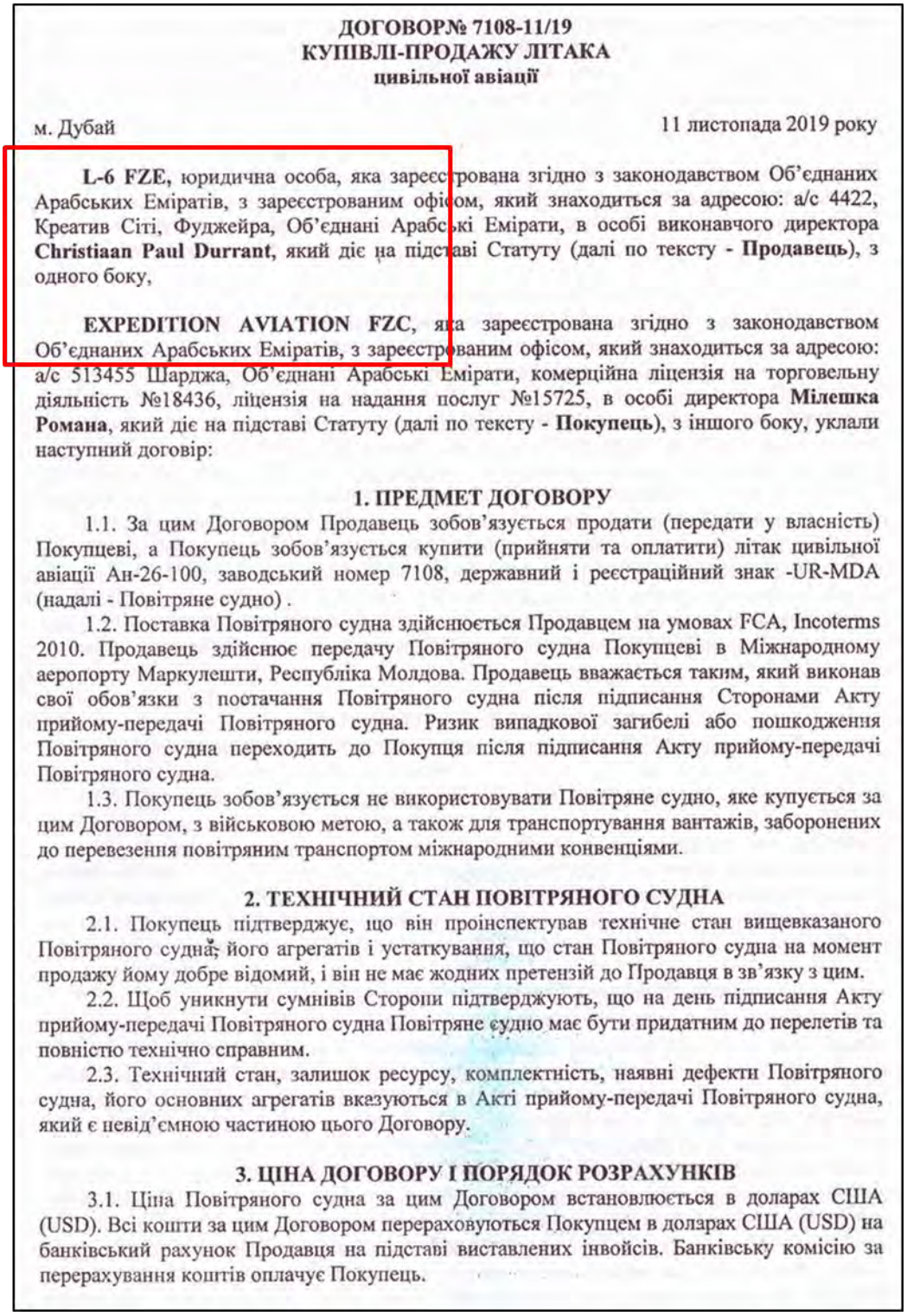
Euro$900k including war risk insurance

Please confirm you would like us to proceed

Thank you

Source: Confidential.

Figure 76.M.5
Subsequent purchase agreement between Expedition Aviation FZE and L-6 FZE



ДОГОВОР№ 7108-11/19
КУПІВЛІ-ПРОДАЖУ ЛІТАКА
цивільної авіації

м. Дубай 11 листопада 2019 року

L-6 FZE, юридична особа, яка зареєстрована згідно з законодавством Об'єднаних Арабських Еміратів, з зареєстрованим офісом, який знаходиться за адресою: a/c 4422, Креатив Сіті, Фуджейра, Об'єднані Арабські Емірати, в особі виконавчого директора **Christiaan Paul Durrant**, який діє на підставі Статуту (далі по тексту - **Продавець**), з одного боку,

EXPEDITION AVIATION FZC, яка зареєстрована згідно з законодавством Об'єднаних Арабських Еміратів, з зареєстрованим офісом, який знаходиться за адресою: a/c 513455 Шарджа, Об'єднані Арабські Емірати, комерційна ліцензія на торговельну діяльність №18436, ліцензія на надання послуг №15725, в особі директора **Мілешка Романа**, який діє на підставі Статуту (далі по тексту - **Покупець**), з іншого боку, уклали наступний договір:

1. ПРЕДМЕТ ДОГОВОРУ

1.1. За цим Договором Продавець зобов'язується продати (передати у власність) Покупцеві, а Покупець зобов'язується купити (прийняти та оплатити) літак цивільної авіації Ан-26-100, заводський номер 7108, державний і реєстраційний знак -UR-MDA (надалі - Повітряне судно) .

1.2. Поставка Повітряного судна здійснюється Продавцем на умовах FCA, Incoterms 2010. Продавець здійснює передачу Повітряного судна Покупцеві в Міжнародному аеропорту Маркулешти, Республіка Молдова. Продавець вважається таким, який виконав свої обов'язки з постачання Повітряного судна після підписання Сторонами Акту прийому-передачі Повітряного судна. Ризик випадкової загибелі або пошкодження Повітряного судна переходить до Покупця після підписання Акту прийому-передачі Повітряного судна.

1.3. Покупець зобов'язується не використовувати Повітряне судно, яке купується за цим Договором, з військовою метою, а також для транспортування вантажів, заборонених до перевезення повітряним транспортом міжнародними конвенціями.

2. ТЕХНІЧНИЙ СТАН ПОВІТРЯНОГО СУДНА

2.1. Покупець підтверджує, що він проінспектував технічне стан вищевказаного Повітряного судна, його агрегатів і устаткування, що стан Повітряного судна на момент продажу йому добре відомий, і він не має жодних претензій до Продавця в зв'язку з цим.

2.2. Щоб уникнути сумнівів Сторони підтверджують, що на день підписання Акту прийому-передачі Повітряного судна Повітряне судно має бути придатним до перелетів та повністю технічно справним.

2.3. Технічний стан, залишок ресурсу, комплектність, наявні дефекти Повітряного судна, його основних агрегатів вказуються в Акті прийому-передачі Повітряного судна, який є невід'ємною частиною цього Договору.

3. ЦІНА ДОГОВОРУ І ПОРЯДОК РОЗРАХУНКІВ

3.1. Ціна Повітряного судна за цим Договором встановлюється в доларах США (USD). Всі кошти за цим Договором перераховуються Покупцем в доларах США (USD) на банківський рахунок Продавця на підставі виставлених інвойсів. Банківську комісію за перерахування коштів оплачує Покупець.

No: AE 170520002410966270016
Swift Code: NISLAEAD.

Банківські реквізити:
Beneficiary bank:
Emirates NBD Bank PJSC
Bank Address: PO Box 777 Baniyas Road, Dubai, United Arab Emirates
IBAN No: AE74026000 1025323210602 Swift Code: EBILAEAD

ПІДПИСИ СТОРІН

ПРОДАВЕЦЬ
L-6 FZE

/підписано/

Я уповноважений укласти цей договір від імені Сторони.

Виконавчий директор
Christiaan Paul Durrant

Lauren Donovan, керівник відповідно до довіреності від 18.09.2019 р.

Печатка: L-6 FZE, ліцензія № 7751/2015, Creative City, Fujarah, United Fujarah

ПОКУПЕЦЬ
EXPEDITION AVIATION FZC

/підписано/

Я уповноважений укласти цей договір від імені Сторони.

Директор
Роман Мілешко

Печатка: EXPEDITION AVIATION (FZC), a/c 513455 Шарджа, Об'єднані Арабські Емірати

Акт прийому-передачі повітряного судна цивільної авіації

16 грудня 2019 р

Відповідно до Договору № 7108-11 / 19 купівлі-продажу літака цивільної авіації від 11 листопада 2019 року компанія L-6 FZE, іменована надалі «Продавець», передає, а компанія EXPEDITION AVIATION FZC, іменоване в подальшому «Покупець», приймає у власність повітряне судно Ан-26-100, заводський номер 7108, державний і реєстраційний знак UR-MDA, що знаходиться в Міжнародному Аеропорту Маркулешти, Республіка Молдова (в подальшому іменується "повітряне судно")

1. Основні дані Повітряного судна
- заводський номер - 7108.
- дата випуску - 25.10.1978 р

2. На Повітряному судні встановлені двигуни: АИ-24Вт №Н473ВТ071, АИ-24ВТ №Н431АТ028 і допоміжна силова установка РУ19А-300 № Р413144.

3. З Повітряним судном передається повний комплект формулярів Повітряного судна, паспортів аеронавігаційного обладнання, електронного радіообладнання, обладнання для зв'язку, гвинтів, двигунів, експлуатаційно-технічна документація, архівну документацію даного літака.

4. Даним актом підтверджується перехід права власності Повітряного судна від Продавця до Покупця.

ПОВІТРЯНЕ СУДНО ПЕРЕДАВ

Продавець

Виконавчий директор/
L-6 FZE

/ підписано /

Christiaan Paul Durrant

Печатка: L-6 FZE, ліцензія № 7751/2015, Creative City, Fujarah, United Fujarah

ПОВІТРЯНЕ СУДНО ПРИЙНЯВ

Покупець

директор
EXPEDITION AVIATION FZC

/ підписано /

Роман Мілешко

Печатка: EXPEDITION AVIATION (FZC), а / с 513 455 Шарджа, Об'єднані Арабські Емірати

/ Підписано /

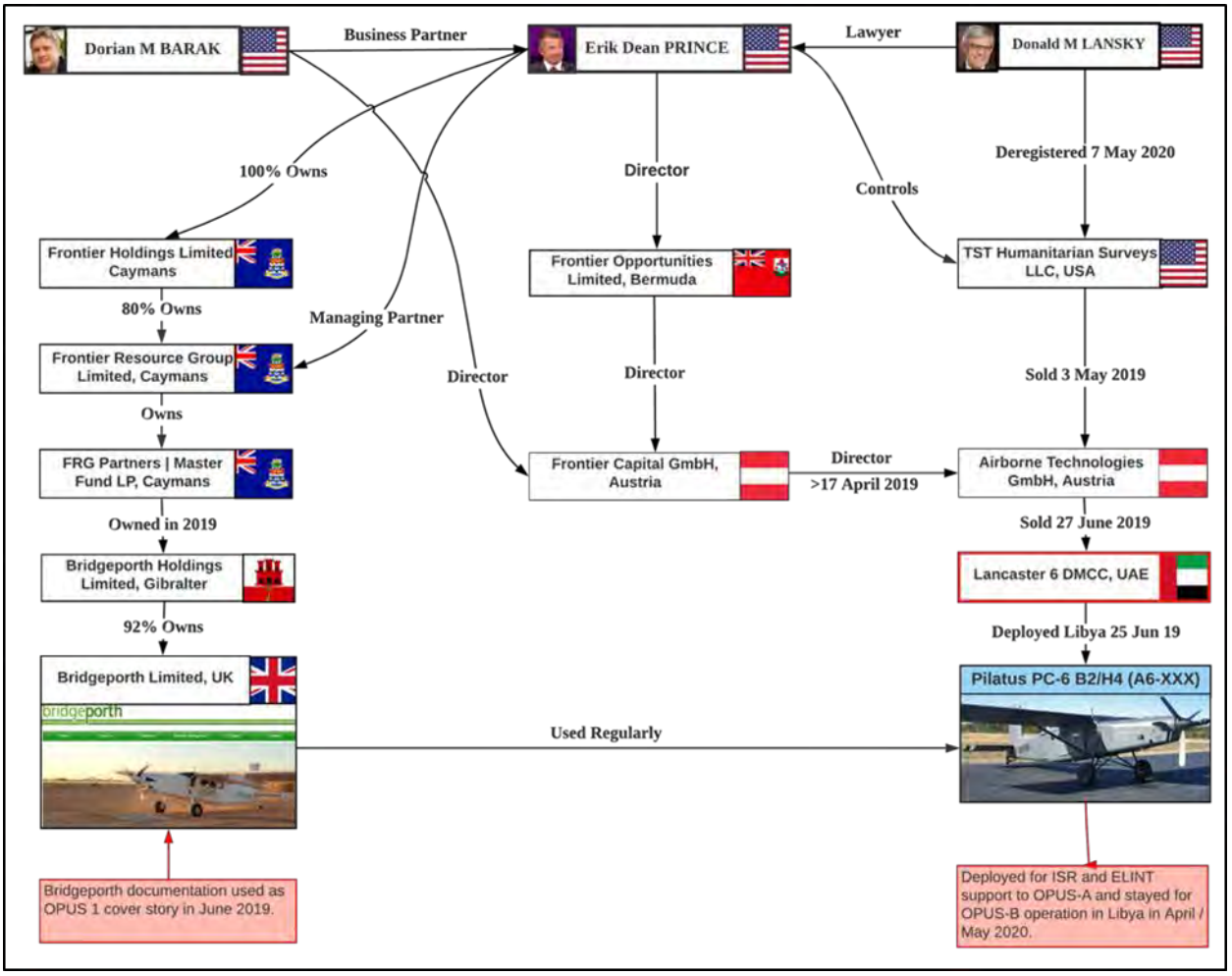
Лоурен Донован
Голова адміністрації
Довіреність підписана 18.09.2019 р

Печатка: EXPEDITION AVIATION (FZC), а / с 513 455 Шарджа, Об'єднані Арабські Емірати

Source: Confidential

Appendix N to Annex 76: Procurement of Pilatus PC-6 (#790)

Figure 76.N.1
Procurement of Pilatus PC-6 (#790) by L-6 FZE



Source: Panel analysis.

Figure 76.N.2
NL CAA registration of Pilatus PC-6 (#790) as PH-ABR



Human Environment and Transport
Inspectorate
Ministry of Infrastructure and Water Management

Human Environment and Transport Inspectorate
Civil Aviation Authority Netherlands

Correspondence address:
P.O. Box 16191, 2500 BD The Hague, The Netherlands

ICAO aircraft designator: POST
ICAO 24 bit address (hex): 484F33

CERTIFICATE OF REGISTRATION

1. Nat. & registration marks:	*2. Manufacturer and manufacturer's designation of aircraft:*	*3. Aircraft serial number:*
PH-ABT	Pilatus Flugzeugwerke AG PC-6/B2-H4	790

4, 5. Name and address of holder/owner:
Airborne Technologies GmbH
Viktor Lang-Strasse 8
2700 WIENER NEUSTADT
AUSTRIA

6. It is hereby certified that the above described aircraft has been duly entered on the register of Netherlands civil aircraft in accordance with the Convention on International Civil Aviation dated 7 December 1944, and with the Netherlands Aviation Act.

Date of issue: 22 May 2019

Signature:
THE MINISTER OF INFRASTRUCTURE AND WATER MANAGEMENT.

Limitations / Remarks:

D.J. de Lange
Aircraft registration officer

The validity of this certificate of registration is UNLIMITED, unless revoked.

This certificate shall be carried on board during all flights. **Document Number: PH-ABT.22.05.2019.REG/1**

Source: Member State

Figure 76.N.3
Pilatus PC-6 (#790) as PH-ABR at Cycloon Holland A.B



Source: http://www.aircraft-and-more.com/acadp_listings/pilatus-pc6-b2-h4/, accessed 14 June 2020.

Figure 76.N.4
Used aircraft purchase agreement (extract) for sale of Pilatus PC-6 (#790) to Lancaster 6 DMCC

USED AIRCRAFT PURCHASE AGREEMENT

THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of June 14, 2019, by and between **Airborne Technologies GmbH**, an Austrian limited liability company having an address of Viktor-Lang-Straße 8, 2700, Wr. Neustadt, Austria ("Seller"), and **Lancaster 6 DMCC**, 1409 X2, Cluster X, JLT, Dubai, United Arab Emirates ("Buyer").

In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. PURCHASE AND SALE OF THE AIRCRAFT

A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, a used civil aircraft Pilatus PC-6 including the airframe, engine, propeller blades, instruments, avionics and other items installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.

B. Warranty Assignment. The aircraft and the engine is freshly overhauled according to EASA standards and will be delivered "as is – where is" and no warranty shall apply.

C. Purchase Price; Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of EURO 1,000,000.00 (the "Purchase Price") for the Aircraft, Buyer shall pay the Purchase Price to an account designated by Seller at the Closing.

2. INSPECTION

A. Purchaser has had a full opportunity to make a suitable and appropriate inspection of the Aircraft and agrees to accept the Aircraft at Closing in the same condition it was at the conclusion of the inspection thereof.

3. CLOSING

A. Unless otherwise mutually agreed by the parties in writing, the closing (the "Closing") shall occur on a mutually agreed date no later than June 24, 2019 (the "Closing Date").

4. DELIVERY AND TRANSFER OF TITLE OF THE AIRCRAFT

A. At Closing, Seller shall transfer good and marketable title to the Aircraft to Purchaser, free and clear of all Liens, by bills of sale in the form attached hereto as Exhibit C (the "Bill of Sale").

B. The delivery of the Aircraft shall take place EXWORKS in Wiener Neustadt, AUSTRIA or at such other place as may be mutually agreed in writing by Purchaser and Seller ("Delivery Location ").

- 1 -

G. Agreement Negotiated. The parties are sophisticated and have been represented or had the opportunity to be represented in connection with the negotiation and performance of this Agreement. Consequently, the parties do not believe that any presumptions relating to the interpretation of contracts against the drafter of any particular clause should be applied in this case and, therefore, waive their effects.

H. Broker Indemnity. Not applicable

IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

PURCHASER: SELLER:



Source: Opus legal counsel.

Figure 76.N.5
NL CAA record of change of ownership of Pilatus PC-6 (#790) to L-6 FZE



Inspectie Leefomgeving en Transport
Ministerie van Infrastructuur en Waterstaat

Melding
Overdracht luchtvaartuig

Dit formulier kan worden gebruikt voor het melden van een overdracht (zoals bedoeld in artikel 3, van de "Regeling inschrijving Nederlandse burgerluchtvaartuigen", onder b van DGL/01.421075).

Dit formulier moet worden ondertekend door degene(n), die bevoegd is (zijn) te tekenen en door degene(n), die de rechtspersoon in en buiten rechte mag vertegenwoordigen. Voor verenigingen is dit meestal het dagelijks bestuur.

Onvolledig of onjuist ingevulde formulieren worden niet in behandeling genomen.

Stuur het formulier naar luchtvaartuigregister@ilent.nl of naar Inspectie Leefomgeving en Transport / Luchtvaart
Postbus 16191, 2500 BD Den Haag

Meer informatie
088 489 00 00 | www.ilent.nl

1 Gegevens nieuwe eigenaar

1.1	Naam en voorletter(s)	L6 FZE
1.2	Adres	1409X2, JLT
1.3	Postcode en plaats	Dubai
1.4	Land van vestiging	United Arab Emirates
1.5	Telefoonnummer(s)	+971552124340
1.6	E-mailadres	info@l6group.com

2 Gegevens luchtvaartuig

2.1	Inschrijvingskenmerk	PH- ABT	
2.2	Fabrikant en model	Pilatus Flugzeugwerke AG	PC-6/B2-H4
2.3	Serienummer	790	

3 Datum overdracht

3.1	Datum overdracht	27 06 2019

4 Doorhaling inschrijving

4.1	Moet de inschrijving in het Nederlandse register worden doorgehaald?	☐ Nee ■ Ja > *Origineel bewijs van inschrijving meezenden en het van toepassing zijnde tarief voldoen.*

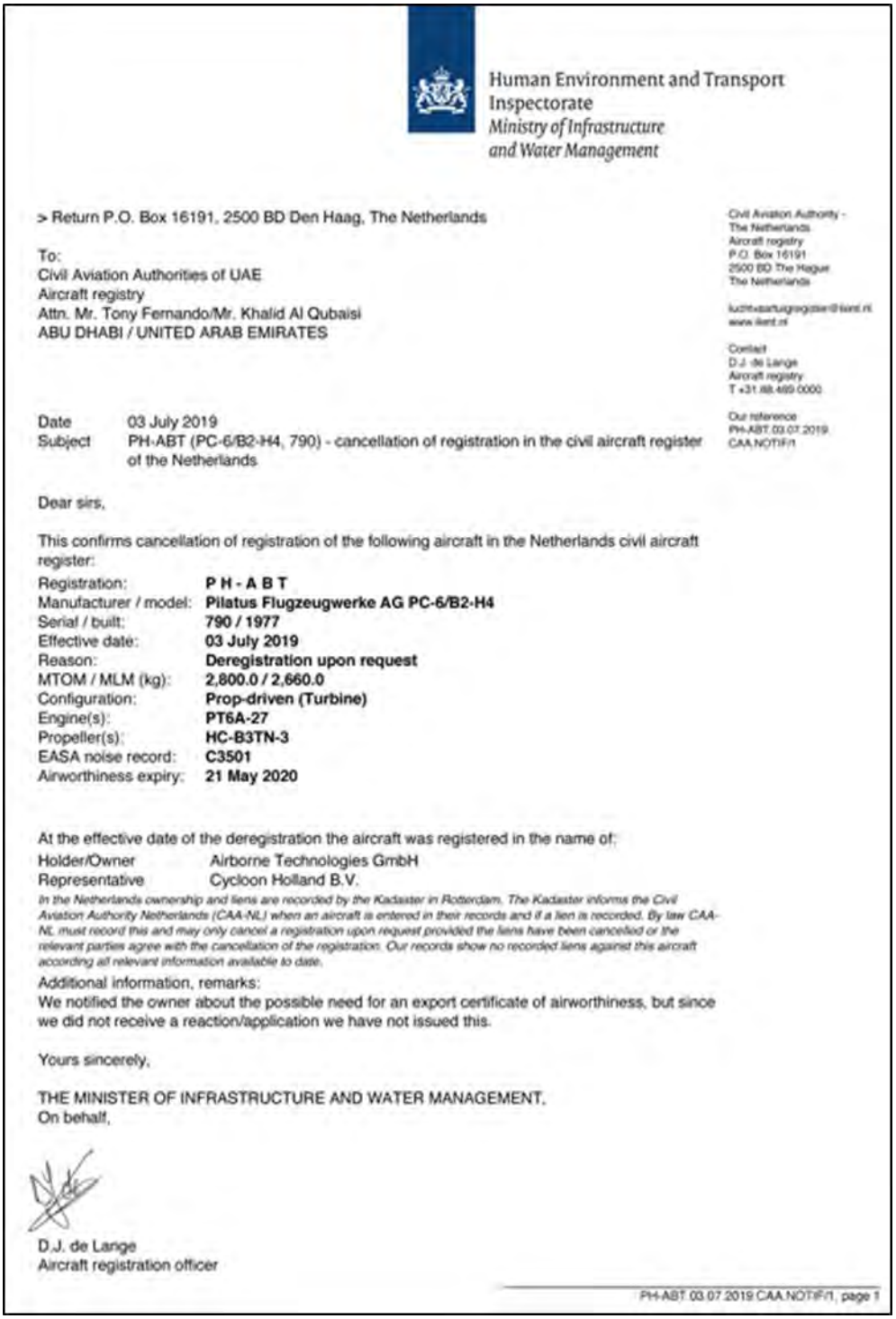
5 Ondertekening en gegevens vorige eigena(a)r(en)

Ondergetekende(n), eigena(a)r(en) van het luchtvaartuig genoemd in paragraaf 2, verklaren dat het luchtvaartuig genoemd in paragraaf 2 is overgedragen aan de nieuwe eigena(a)r(en) genoemd in paragraaf 1.

		Naam en voorletter(s)	Handtekening
5.1	Naam en voorletter(s) (vermeldt bij een rechtspersoon ook de naam van de persoon die ondertekent)	Airborne Technologies GmbH (Kristof Nagl, MD)	AIRBORNE
		Airborne Technologies GmbH (Marcus Gurtner, MD)	

Source: Member State

Figure 76.N.6
NL CAA de-registration of Pilatus PC-6 (#790) as PH-ABR (3 July 2019)



Human Environment and Transport Inspectorate
Ministry of Infrastructure and Water Management

> Return P.O. Box 16191, 2500 BD Den Haag, The Netherlands

To:
Civil Aviation Authorities of UAE
Aircraft registry
Attn. Mr. Tony Fernando/Mr. Khalid Al Qubaisi
ABU DHABI / UNITED ARAB EMIRATES

Civil Aviation Authority - The Netherlands
Aircraft registry
P.O. Box 16191
2500 BD The Hague
The Netherlands

luchtvaartuigregister@ilent.nl
www.ilent.nl

Contact
D.J. de Lange
Aircraft registry
T +31 88 489 0000

Our reference
PH-ABT 03.07.2019
CAA.NOTIF/1

Date 03 July 2019
Subject PH-ABT (PC-6/B2-H4, 790) - cancellation of registration in the civil aircraft register of the Netherlands

Dear sirs,

This confirms cancellation of registration of the following aircraft in the Netherlands civil aircraft register:

Registration:	**P H - A B T**
Manufacturer / model:	**Pilatus Flugzeugwerke AG PC-6/B2-H4**
Serial / built:	**790 / 1977**
Effective date:	**03 July 2019**
Reason:	**Deregistration upon request**
MTOM / MLM (kg):	**2,800.0 / 2,660.0**
Configuration:	**Prop-driven (Turbine)**
Engine(s):	**PT6A-27**
Propeller(s):	**HC-B3TN-3**
EASA noise record:	**C3501**
Airworthiness expiry:	**21 May 2020**

At the effective date of the deregistration the aircraft was registered in the name of:

Holder/Owner	Airborne Technologies GmbH
Representative	Cycloon Holland B.V.

In the Netherlands ownership and liens are recorded by the Kadaster in Rotterdam. The Kadaster informs the Civil Aviation Authority Netherlands (CAA-NL) when an aircraft is entered in their records and if a lien is recorded. By law CAA-NL must record this and may only cancel a registration upon request provided the liens have been cancelled or the relevant parties agree with the cancellation of the registration. Our records show no recorded liens against this aircraft according all relevant information available to date.

Additional information, remarks:
We notified the owner about the possible need for an export certificate of airworthiness, but since we did not receive a reaction/application we have not issued this.

Yours sincerely,

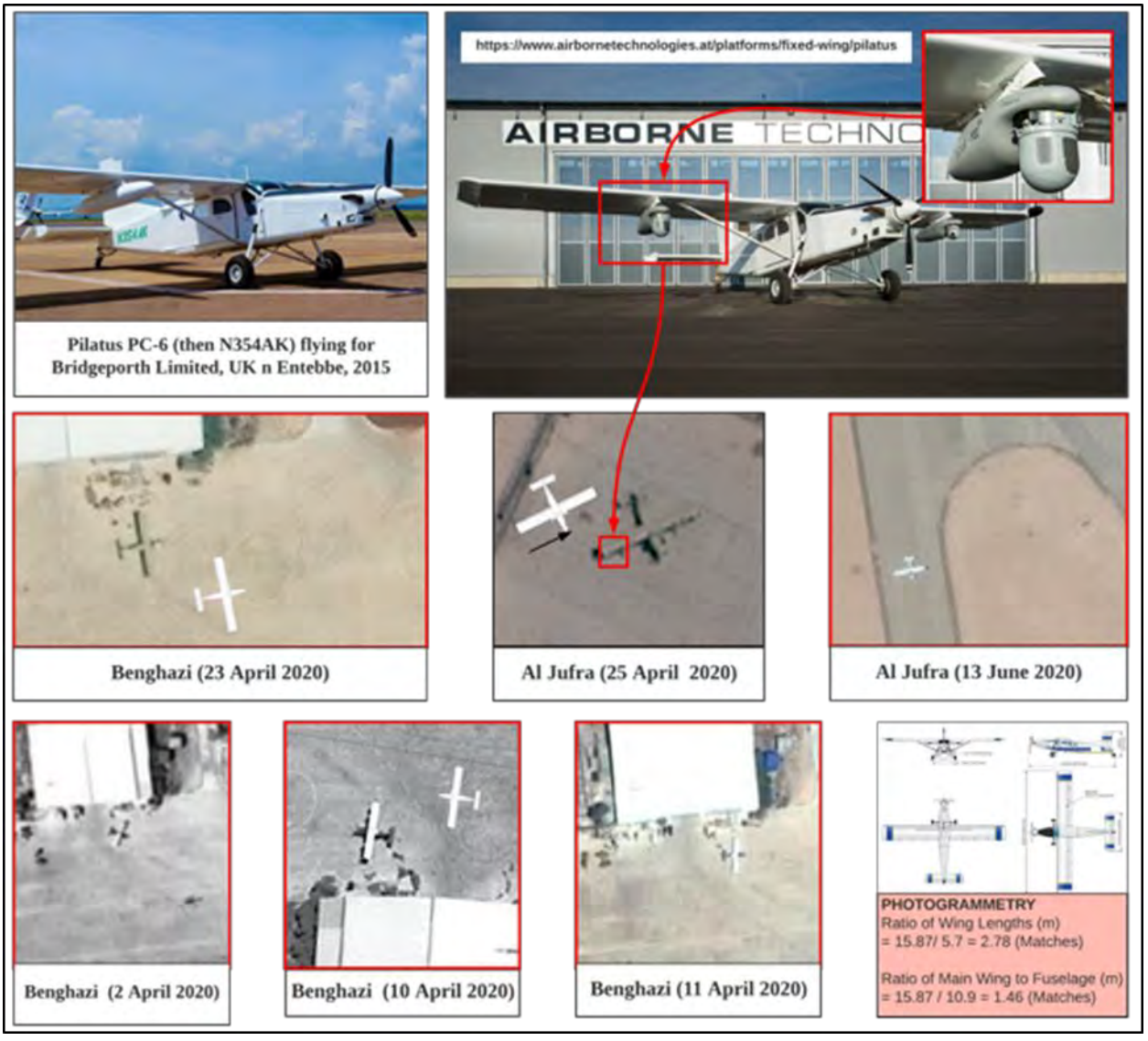
THE MINISTER OF INFRASTRUCTURE AND WATER MANAGEMENT,
On behalf,

D.J. de Lange
Aircraft registration officer

PH-ABT 03.07.2019 CAA.NOTIF/1, page 1

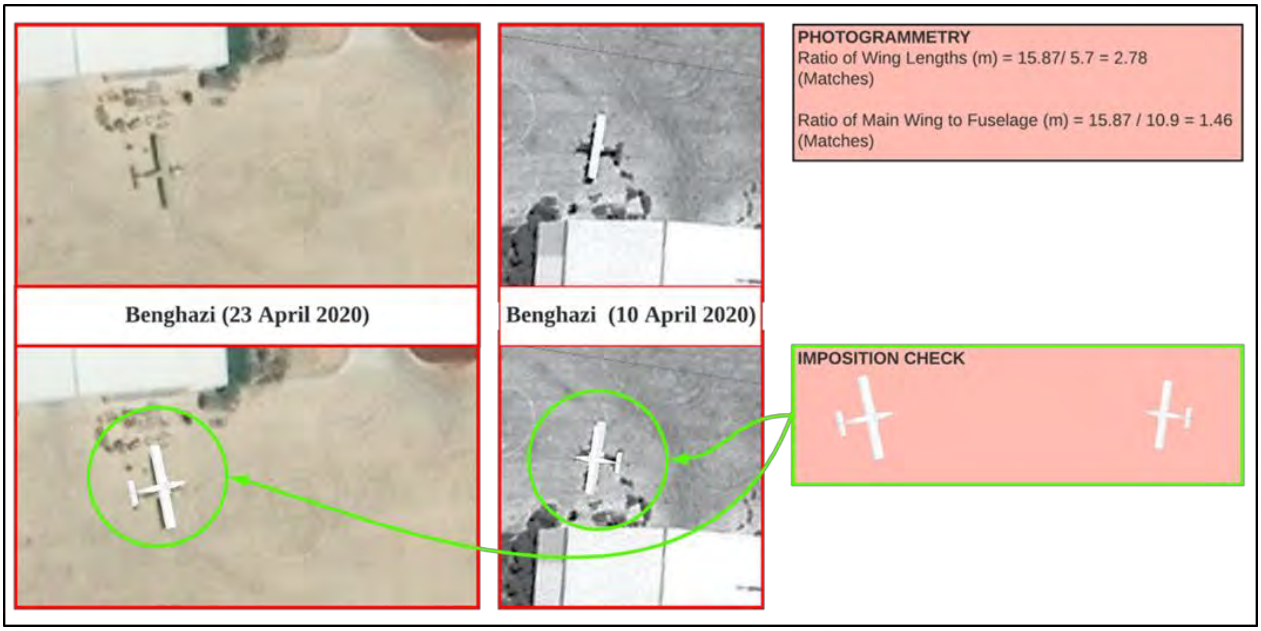
Source: Member State

Figure 76.N.7
Pilatus PC-6 (#790) deployed in Libya (June 2019 to Date)



Source: Panel analysis.

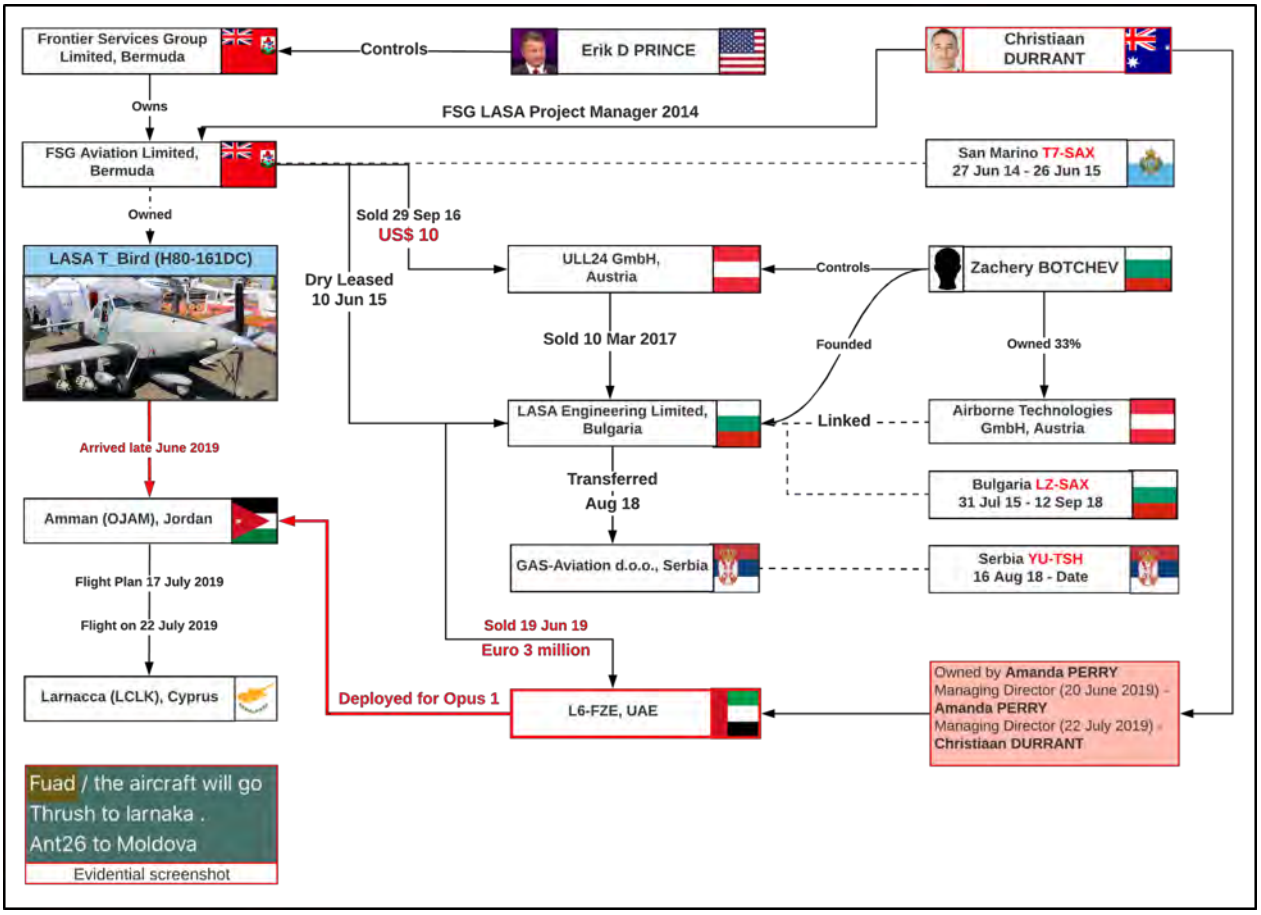
Figure 76.N.8
Photogrammetry comparison for Pilatus PC-6 (#790) deployed in Libya



Source: Panel analysis.

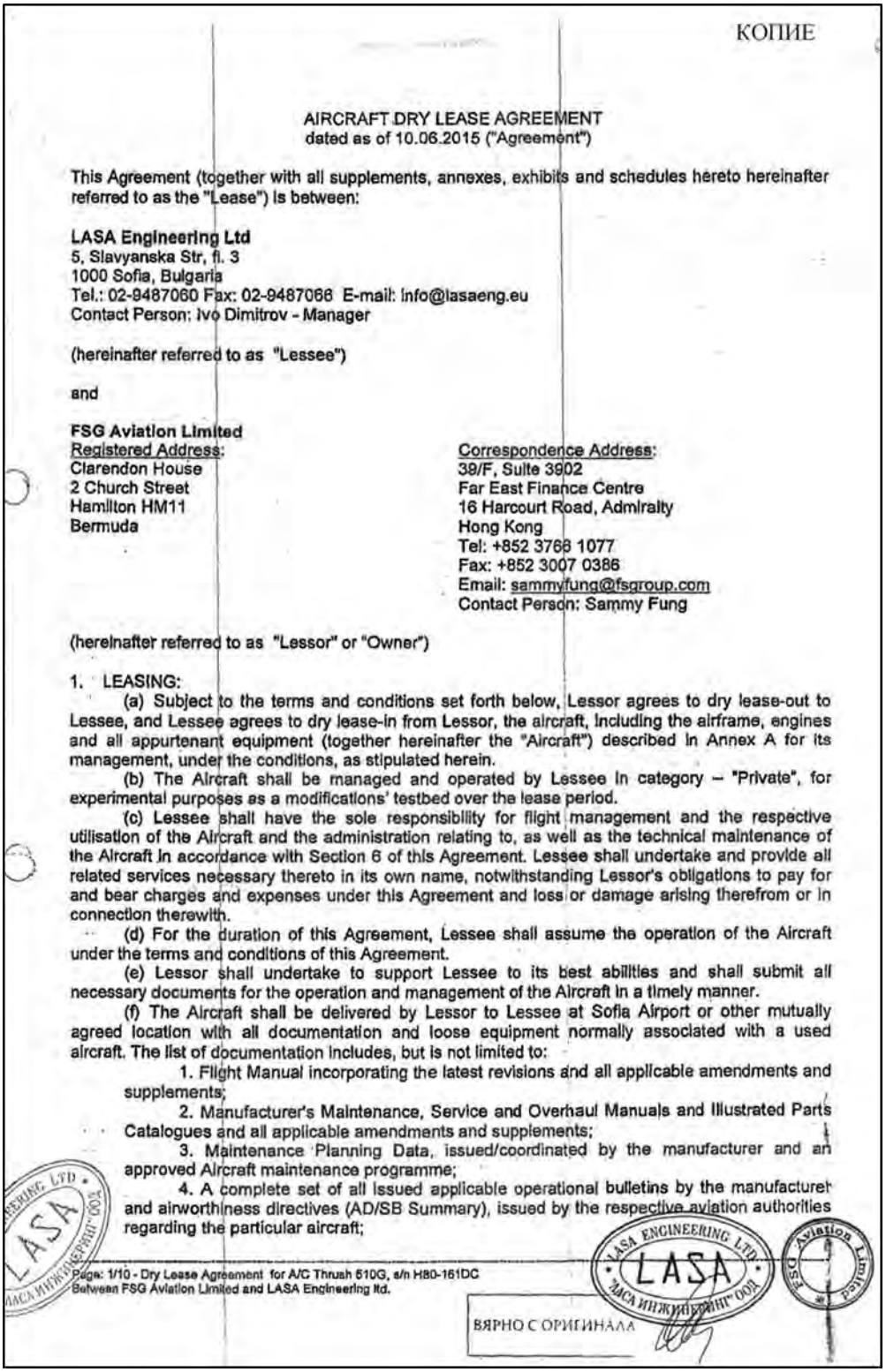
Appendix P to Annex 76: Procurement of LASA T-Bird (YU-THS)

Figure 76.P.1
Procurement of converted 2SR H80 Thrush 510G (construction number H180-161DC) by L-6 FZE



Source: Panel analysis

Figure 76.P.2
Dry lease of converted 2SR H80 *Thrush* 510G (construction number H180-161DC) FSG Aviation to LASA (extract). 10 June 2015



КОПИЕ

AIRCRAFT DRY LEASE AGREEMENT
dated as of 10.06.2015 ("Agreement")

This Agreement (together with all supplements, annexes, exhibits and schedules hereto hereinafter referred to as the "Lease") is between:

LASA Engineering Ltd
5, Slavyanska Str, fl. 3
1000 Sofia, Bulgaria
Tel.: 02-9487060 Fax: 02-9487066 E-mail: info@lasaeng.eu
Contact Person: Ivo Dimitrov - Manager

(hereinafter referred to as "Lessee")

and

FSG Aviation Limited
Registered Address:
Clarendon House
2 Church Street
Hamilton HM11
Bermuda

Correspondence Address:
39/F, Suite 3902
Far East Finance Centre
16 Harcourt Road, Admiralty
Hong Kong
Tel: +852 3768 1077
Fax: +852 3007 0386
Email: sammyfung@fsgroup.com
Contact Person: Sammy Fung

(hereinafter referred to as "Lessor" or "Owner")

1. LEASING:

(a) Subject to the terms and conditions set forth below, Lessor agrees to dry lease-out to Lessee, and Lessee agrees to dry lease-in from Lessor, the aircraft, including the airframe, engines and all appurtenant equipment (together hereinafter the "Aircraft") described in Annex A for its management, under the conditions, as stipulated herein.

(b) The Aircraft shall be managed and operated by Lessee in category – "Private", for experimental purposes as a modifications' testbed over the lease period.

(c) Lessee shall have the sole responsibility for flight management and the respective utilisation of the Aircraft and the administration relating to, as well as the technical maintenance of the Aircraft in accordance with Section 6 of this Agreement. Lessee shall undertake and provide all related services necessary thereto in its own name, notwithstanding Lessor's obligations to pay for and bear charges and expenses under this Agreement and loss or damage arising therefrom or in connection therewith.

(d) For the duration of this Agreement, Lessee shall assume the operation of the Aircraft under the terms and conditions of this Agreement.

(e) Lessor shall undertake to support Lessee to its best abilities and shall submit all necessary documents for the operation and management of the Aircraft in a timely manner.

(f) The Aircraft shall be delivered by Lessor to Lessee at Sofia Airport or other mutually agreed location with all documentation and loose equipment normally associated with a used aircraft. The list of documentation includes, but is not limited to:

1. Flight Manual incorporating the latest revisions and all applicable amendments and supplements;
2. Manufacturer's Maintenance, Service and Overhaul Manuals and Illustrated Parts Catalogues and all applicable amendments and supplements;
3. Maintenance Planning Data, issued/coordinated by the manufacturer and an approved Aircraft maintenance programme;
4. A complete set of all issued applicable operational bulletins by the manufacturer and airworthiness directives (AD/SB Summary), issued by the respective aviation authorities regarding the particular aircraft;

Page: 1/10 - Dry Lease Agreement for A/C Thrush 510G, s/n H80-161DC
Between FSG Aviation Limited and LASA Engineering ltd.

LASA ENGINEERING LTD. LASA ЛАСА ИНЖИНЕРИНГ ООД

FSG Aviation Limited

ВЯРНО С ОРИГИНАЛА

Lessor according to the terms and conditions of Article 10 of the present Agreement.

14. Miscellaneous:

(a) Should any provision of this Agreement be or become invalid either in whole or in part, the other provisions of this Agreement shall remain in force. It is understood by the Parties hereto that any invalid or incomplete provision shall be replaced or filled by a valid provision which accomplishes as far as legally possible the economic effects of the invalid or missing provision.

(b) Amendments to this Agreement may only be made in writing. This writing requirement shall also apply to any deviation from such requirement.

(c) Any understandings or arrangements (either in writing or orally, at or prior to the signing of this Agreement) shall be cancelled and superseded by this Agreement. This Agreement thus contains all terms and understandings as of the signing date between the Parties relating to the subject matter hereof.

(d) All notices and other communication hereunder shall be in writing (including e-mail or telefax with a transmission confirmation) to be effective. Any notices shall be addressed to the contact person and address, or e-mail or fax number set out herein, unless a Party has notified the other Party of a different contact person, address or fax number for such purpose.

(e) Each Party shall bear its own costs and expenses in connection with the negotiation and preparation of this Agreement.

(f) All rights and obligations under this Agreement shall be assigned to the respective singular or universal successor(s) jointly.

(g) This Agreement shall be executed in two counterparts, one for each Party.

(h) The competent Bulgarian court shall have exclusive jurisdiction for all disputes and claims under and in connection with this Agreement.

(i) This Agreement shall be ruled under the laws of Bulgaria.

IN WITNESS WHEREOF:

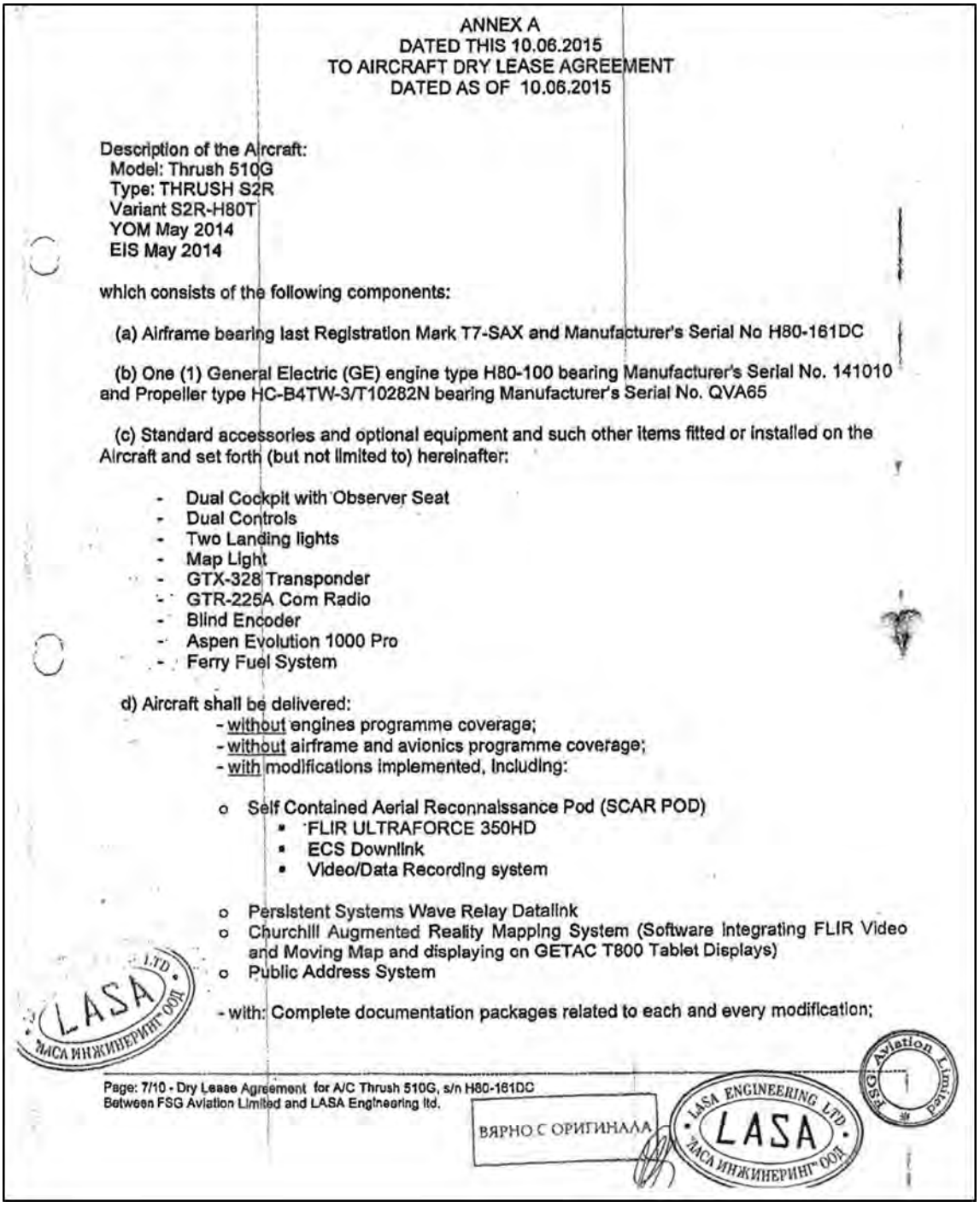
LESSOR: ..... LESSEE: .....

FSG Aviation Limited

LASA LTD. ЛАСА ИНЖИНЕРИНГ ООД

LASA ENGINEERING LTD. ЛАСА ИНЖИНЕРИНГ ООД LASA

ВЯРНО С ОРИГИНАЛА



ANNEX A
DATED THIS 10.06.2015
TO AIRCRAFT DRY LEASE AGREEMENT
DATED AS OF 10.06.2015

Description of the Aircraft:
Model: Thrush 510G
Type: THRUSH S2R
Variant S2R-H80T
YOM May 2014
EIS May 2014

which consists of the following components:

(a) Airframe bearing last Registration Mark T7-SAX and Manufacturer's Serial No H80-161DC

(b) One (1) General Electric (GE) engine type H80-100 bearing Manufacturer's Serial No. 141010 and Propeller type HC-B4TW-3/T10282N bearing Manufacturer's Serial No. QVA65

(c) Standard accessories and optional equipment and such other items fitted or installed on the Aircraft and set forth (but not limited to) hereinafter:

- Dual Cockpit with Observer Seat
- Dual Controls
- Two Landing lights
- Map Light
- GTX-328 Transponder
- GTR-225A Com Radio
- Blind Encoder
- Aspen Evolution 1000 Pro
- Ferry Fuel System

d) Aircraft shall be delivered:
- without engines programme coverage;
- without airframe and avionics programme coverage;
- with modifications implemented, including:

  - Self Contained Aerial Reconnaissance Pod (SCAR POD)
    - FLIR ULTRAFORCE 350HD
    - ECS Downlink
    - Video/Data Recording system
  - Persistent Systems Wave Relay Datalink
  - Churchill Augmented Reality Mapping System (Software integrating FLIR Video and Moving Map and displaying on GETAC T800 Tablet Displays)
  - Public Address System

- with: Complete documentation packages related to each and every modification;

LASA LTD ЛАСА ИНЖИНЕРИНГ ООД

Page: 7/10 - Dry Lease Agreement for A/C Thrush 510G, s/n H80-161DC
Between FSG Aviation Limited and LASA Engineering ltd.

ВЯРНО С ОРИГИНАЛА

LASA ENGINEERING LTD ЛАСА ИНЖИНЕРИНГ ООД

FSG Aviation Limited

Source: Confidential

Figure 76.P.3
Sale of converted 2SR H80 *Thrush* 510G (construction number H180-161DC) FSG Aviation to ULL24 (extract). 7 December 2016

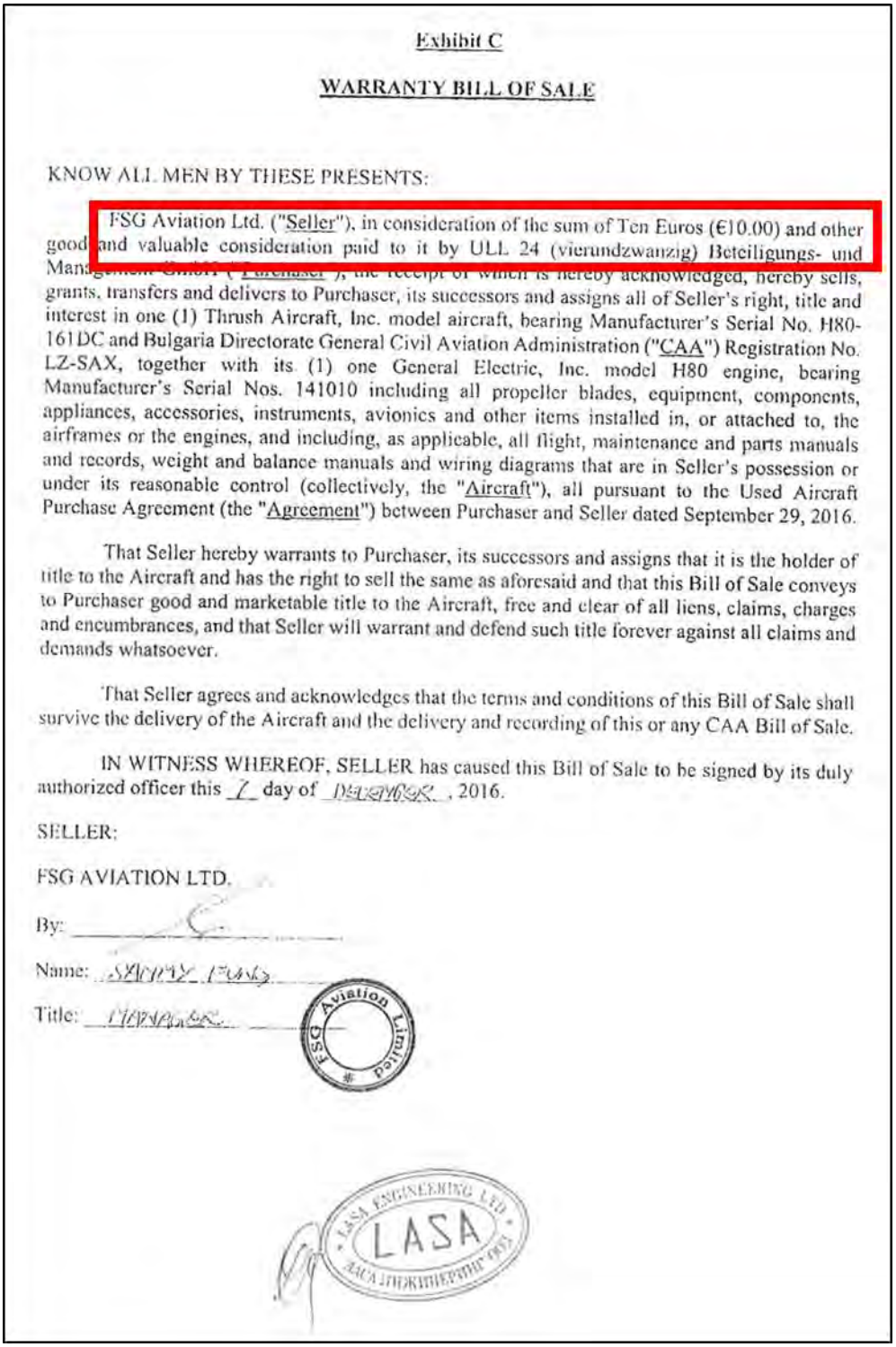


Exhibit C

WARRANTY BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS:

FSG Aviation Ltd. ("Seller"), in consideration of the sum of Ten Euros (€10.00) and other good and valuable consideration paid to it by ULL 24 (vierundzwanzig) Beteiligungs- und Man[illegible] ("Purchaser"), the receipt of which is hereby acknowledged, hereby sells, grants, transfers and delivers to Purchaser, its successors and assigns all of Seller's right, title and interest in one (1) Thrush Aircraft, Inc. model aircraft, bearing Manufacturer's Serial No. H80-161DC and Bulgaria Directorate General Civil Aviation Administration ("CAA") Registration No. LZ-SAX, together with its (1) one General Electric, Inc. model H80 engine, bearing Manufacturer's Serial Nos. 141010 including all propeller blades, equipment, components, appliances, accessories, instruments, avionics and other items installed in, or attached to, the airframes or the engines, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or under its reasonable control (collectively, the "Aircraft"), all pursuant to the Used Aircraft Purchase Agreement (the "Agreement") between Purchaser and Seller dated September 29, 2016.

That Seller hereby warrants to Purchaser, its successors and assigns that it is the holder of title to the Aircraft and has the right to sell the same as aforesaid and that this Bill of Sale conveys to Purchaser good and marketable title to the Aircraft, free and clear of all liens, claims, charges and encumbrances, and that Seller will warrant and defend such title forever against all claims and demands whatsoever.

That Seller agrees and acknowledges that the terms and conditions of this Bill of Sale shall survive the delivery of the Aircraft and the delivery and recording of this or any CAA Bill of Sale.

IN WITNESS WHEREOF, SELLER has caused this Bill of Sale to be signed by its duly authorized officer this 7 day of [illegible], 2016.

SELLER:

FSG AVIATION LTD.

By: [illegible]

Name: [illegible]

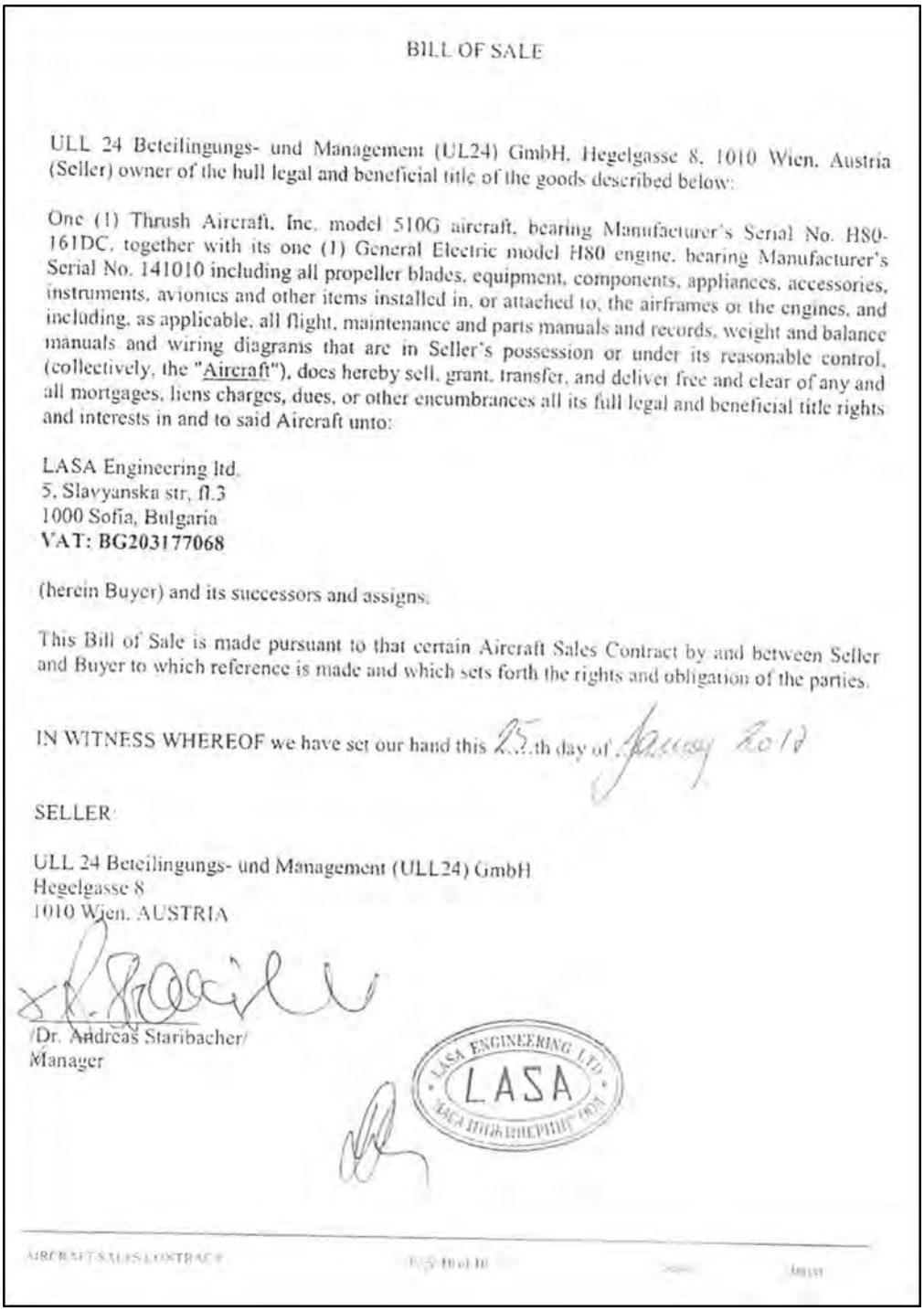
Title: [illegible]

FSG Aviation Limited

LASA ENGINEERING LTD. LASA

Source: Confidential

Figure 76.P.4
Sale of converted 2SR H80 Thrush 510G (construction number H180-161DC) ULL24 to LASA (extract). 25 January 2017



BILL OF SALE

ULL 24 Beteiligungs- und Management (UL24) GmbH, Hegelgasse 8, 1010 Wien, Austria (Seller) owner of the hull legal and beneficial title of the goods described below:

One (1) Thrush Aircraft, Inc. model 510G aircraft, bearing Manufacturer's Serial No. H80-161DC, together with its one (1) General Electric model H80 engine, bearing Manufacturer's Serial No. 141010 including all propeller blades, equipment, components, appliances, accessories, instruments, avionics and other items installed in, or attached to, the airframes or the engines, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or under its reasonable control, (collectively, the "Aircraft"), does hereby sell, grant, transfer, and deliver free and clear of any and all mortgages, liens charges, dues, or other encumbrances all its full legal and beneficial title rights and interests in and to said Aircraft unto:

LASA Engineering ltd.
5, Slavyanska str, fl.3
1000 Sofia, Bulgaria
VAT: BG203177068

(herein Buyer) and its successors and assigns.

This Bill of Sale is made pursuant to that certain Aircraft Sales Contract by and between Seller and Buyer to which reference is made and which sets forth the rights and obligation of the parties.

IN WITNESS WHEREOF we have set our hand this 25.th day of January 2017

SELLER:

ULL 24 Beteiligungs- und Management (ULL24) GmbH
Hegelgasse 8
1010 Wien, AUSTRIA

/Dr. Andreas Staribacher/
Manager

LASA ENGINEERING LTD
LASA
ЛАСА ИНЖЕНЕРИНГ ЕООД

AIRCRAFT SALES CONTRACT

Source: Confidential

Figure 76.P.5
Sale of converted 2SR H80 Thrush 510G (construction number H180-161DC) LASA to L-6 FZE (extract) 19 June 2019

HUSED AIRCRAFT PURCHASE AGREEMENT

THIS USED AIRCRAFT PURCHASE AGREEMENT (the "Agreement") is made as of 19.06. 2019, by and between **LASA ENGINEERING LTD (LEL),** a Bulgarian limited liability company having an address of Floor 3, No5 Slavyanska str, 1000 Sofia, BULGARIA, represented by Mr. Ivo Dimitrov in the capacity of Managing Director ("Seller"), and **L-6 FZE,** a United Arab Emirates Company company having an Address of 1409, X2, Cluster X, JLT, Dubai UAE, represented by Mrs Amanda Perry in the capacity of Managing Director ("Buyer").

In consideration of the premises and the mutual covenants contained herein, the parties agree as follows:

1. PURCHASE AND SALE OF THE AIRCRAFT

A. Sale of the Aircraft. On the terms and subject to the conditions of this Agreement, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, at the Closing, a used Aircraft Thrush 510G (Modified) including the airframe, engine, propeller blades, instruments, avionics and other items - loose or installed in, or attached to, the airframe or the engine, and including, as applicable, all flight, maintenance and parts manuals and records, weight and balance manuals and wiring diagrams that are in Seller's possession or reasonably under its control (collectively, the "Aircraft") as described in Exhibit A to this Agreement.

B. Warranty Assignment. The aircraft will be delivered "as is – where is" and no warranty shall apply.

C. Purchase Price; Payment Terms. Purchaser agrees to pay to Seller the aggregate purchase price of EUR 3,000,000.00 (three million euro) the "Purchase Price") for the Aircraft, Buyer shall pay the Purchase Price to an account designated by Seller at the Closing.

2. INSPECTION

A. Purchaser has had a full opportunity to make a suitable and appropriate inspection of the Aircraft and agrees to accept the Aircraft at Closing in the same condition it was at the conclusion of the inspection thereof.

3. CLOSING

A. Unless otherwise mutually agreed by the parties in writing, the closing (the "Closing") shall occur on a mutually agreed date no later than 05.07. 2019 (the "Closing DateThe obligation of Purchaser to purchase the Aircraft from Seller is subject to the satisfaction of each and all of the following conditions prior to the Closing:

i. Seller shall have performed or complied with all agreements, covenants and conditions required by this Agreement to be performed or complied with by Seller prior to or at the time of the Closing.

ii. Seller shall provide any and all lien releases, if applicable, to Purchaser and ensure the appropriate documents have been filed to provide the Aircraft free and clear of any liens, claims, third party retention rights, or encumbrances except to the extent arising from an act or omission of Purchaser (collectively, "Liens").

- 1 -

to permit Escrow Agent or other persons rendering services to such party in connection with this Agreement to render such services, or (iv) as may be required to permit such party to pursue all available remedies for a breach of this Agreement by the other party.

G. Agreement Negotiated. The parties are sophisticated and have been represented or had the opportunity to be represented in connection with the negotiation and performance of this Agreement. Consequently, the parties do not believe that any presumptions relating to the interpretation of contracts against the drafter of any particular clause should be applied in this case and, therefore, waive their effects.

H. Broker Indemnity. Not applicable

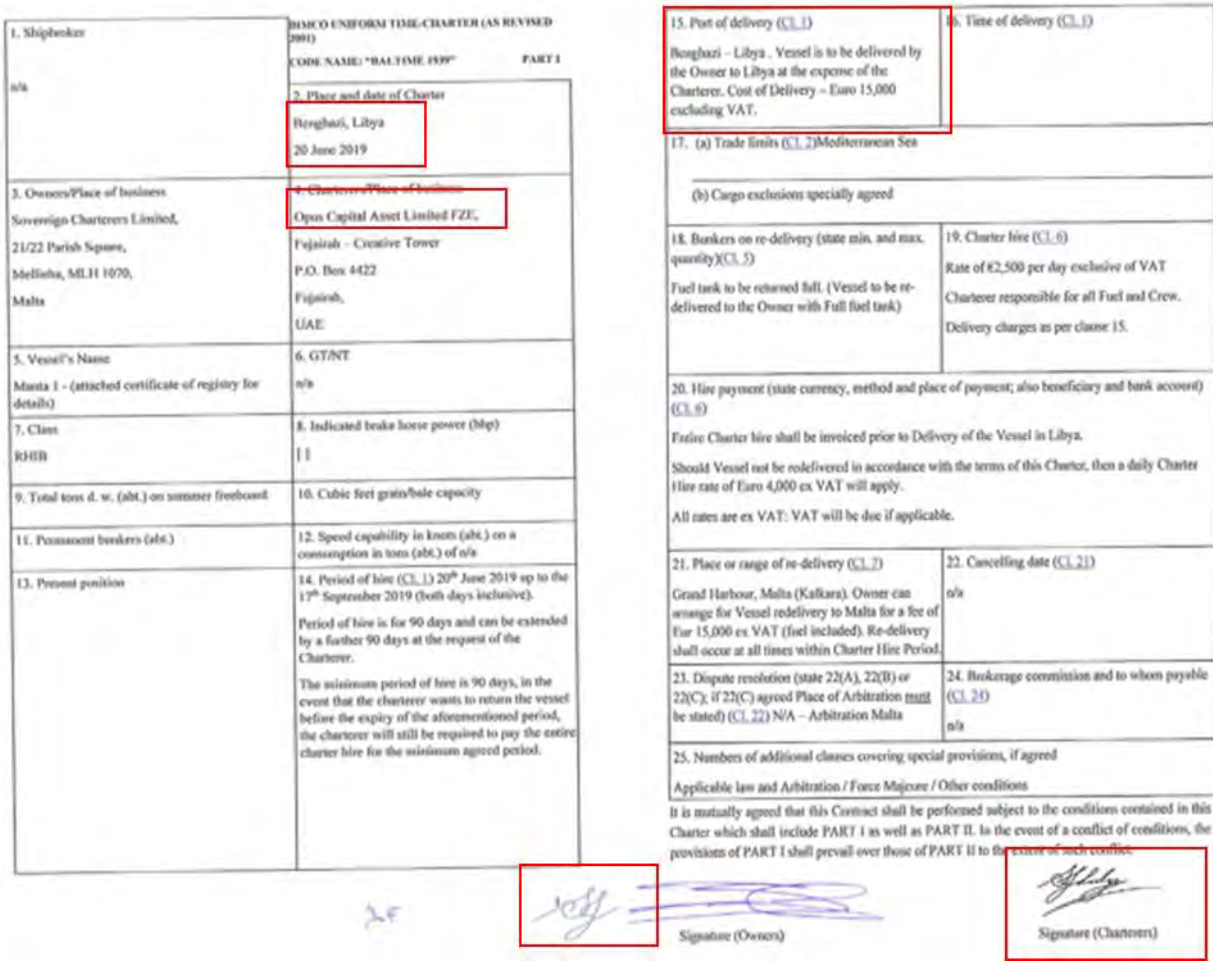
IN WITNESS WHEREOF, this Used Aircraft Purchase Agreement has been duly executed and delivered by the duly authorized officers of the parties hereto as of the date first above written.

PURCHASER:	SELLER:
L-6 FZE	LASA ENGINEERING LIMITED
By: _____	By: _____
Name: Amanda Perry	Name: _____
Title: CEO	Title: _____

Source: Confidential

Appendix Q to Annex 76: BIMCo charter documentation for MRC-1250 RHIB (Manta-1 and 2)

Figure 76.Q.1
BIMCo Charter for RHIB Manta-1 (Signed by Steven John Lodge)



BIMCO UNIFORM TIME-CHARTER (AS REVISED 2001)
CODE NAME: "BALTIME 1939" PART I

1. Shipbroker n/a	2. Place and date of Charter Benghazi, Libya 20 June 2019
3. Owners/Place of business Sovereign Charterers Limited, 21/22 Parish Square, Mellieha, MLH 1070, Malta	4. Charterers/Place of business Opus Capital Asset Limited FZE, Fujairah – Creative Tower P.O. Box 4422 Fujairah, UAE
5. Vessel's Name Manta 1 - (attached certificate of registry for details)	6. GT/NT n/a
7. Class RHIB	8. Indicated brake horse power (bhp) [ ]
9. Total tons d. w. (abt.) on summer freeboard	10. Cubic feet grain/bale capacity
11. Permanent bunkers (abt.)	12. Speed capability in knots (abt.) on a consumption in tons (abt.) of n/a
13. Present position	14. Period of hire (Cl. 1) 20th June 2019 up to the 17th September 2019 (both days inclusive). Period of hire is for 90 days and can be extended by a further 90 days at the request of the Charterer. The minimum period of hire is 90 days, in the event that the charterer wants to return the vessel before the expiry of the aforementioned period, the charterer will still be required to pay the entire charter hire for the minimum agreed period.

15. Port of delivery (Cl. 1) Benghazi – Libya . Vessel is to be delivered by the Owner to Libya at the expense of the Charterer. Cost of Delivery – Euro 15,000 excluding VAT.	16. Time of delivery (Cl. 1)
17. (a) Trade limits (Cl. 2)Mediterranean Sea (b) Cargo exclusions specially agreed	
18. Bunkers on re-delivery (state min. and max. quantity)(Cl. 5) Fuel tank to be returned full. (Vessel to be re-delivered to the Owner with Full fuel tank)	19. Charter hire (Cl. 6) Rate of €2,500 per day exclusive of VAT Charterer responsible for all Fuel and Crew. Delivery charges as per clause 15.

20. Hire payment (state currency, method and place of payment; also beneficiary and bank account) (Cl. 6)

Entire Charter hire shall be invoiced prior to Delivery of the Vessel in Libya.

Should Vessel not be redelivered in accordance with the terms of this Charter, then a daily Charter Hire rate of Euro 4,000 ex VAT will apply.

All rates are ex VAT: VAT will be due if applicable.

21. Place or range of re-delivery (Cl. 7) Grand Harbour, Malta (Kalkara). Owner can arrange for Vessel redelivery to Malta for a fee of Eur 15,000 ex VAT (fuel included). Re-delivery shall occur at all times within Charter Hire Period.	22. Cancelling date (Cl. 21) n/a
23. Dispute resolution (state 22(A), 22(B) or 22(C); if 22(C) agreed Place of Arbitration must be stated) (Cl. 22) N/A – Arbitration Malta	24. Brokerage commission and to whom payable (Cl. 24) n/a

25. Numbers of additional clauses covering special provisions, if agreed

Applicable law and Arbitration / Force Majeure / Other conditions

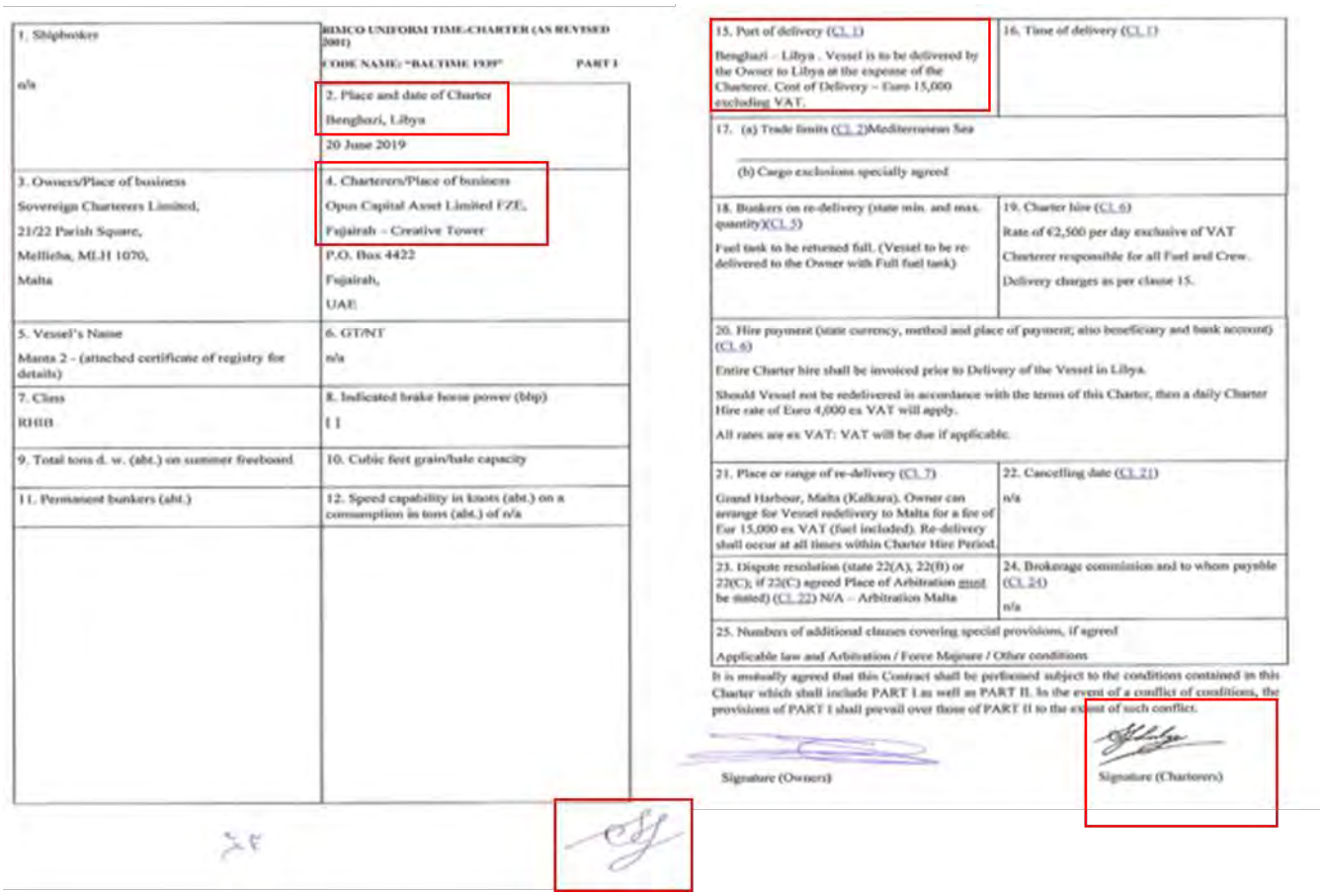
It is mutually agreed that this Contract shall be performed subject to the conditions contained in this Charter which shall include PART I as well as PART II. In the event of a conflict of conditions, the provisions of PART I shall prevail over those of PART II to the extent of such conflict.

Signature (Owners)

Signature (Charterers)

Source: Sovereign Charterers

Figure 76.Q.2
BIMCo Charter for RHIB Manta-2 (Signed by Steven John Lodge)



1. Shipbroker n/a	BIMCO UNIFORM TIME-CHARTER (AS REVISED 2001) CODE NAME: "BALTIME 1939" PART I
	2. Place and date of Charter Benghazi, Libya 20 June 2019
3. Owners/Place of business Sovereign Charterers Limited, 21/22 Parish Square, Mellieha, MLH 1070, Malta	4. Charterers/Place of business Opus Capital Asset Limited FZE, Fujairah – Creative Tower P.O. Box 4422 Fujairah, UAE
5. Vessel's Name Manta 2 - (attached certificate of registry for details)	6. GT/NT n/a
7. Class RHIB	8. Indicated brake horse power (bhp) [ ]
9. Total tons d. w. (abt.) on summer freeboard	10. Cubic feet grain/bale capacity
11. Permanent bunkers (abt.)	12. Speed capability in knots (abt.) on a consumption in tons (abt.) of n/a

15. Port of delivery (Cl. 1) Benghazi – Libya . Vessel is to be delivered by the Owner to Libya at the expense of the Charterer. Cost of Delivery – Euro 15,000 excluding VAT.	16. Time of delivery (Cl. 1)
17. (a) Trade limits (Cl. 2)Mediterranean Sea (b) Cargo exclusions specially agreed	
18. Bunkers on re-delivery (state min. and max. quantity)(Cl. 5) Fuel tank to be returned full. (Vessel to be re-delivered to the Owner with Full fuel tank)	19. Charter hire (Cl. 6) Rate of €2,500 per day exclusive of VAT Charterer responsible for all Fuel and Crew. Delivery charges as per clause 15.
20. Hire payment (state currency, method and place of payment; also beneficiary and bank account) (Cl. 6) Entire Charter hire shall be invoiced prior to Delivery of the Vessel in Libya. Should Vessel not be redelivered in accordance with the terms of this Charter, then a daily Charter Hire rate of Euro 4,000 ex VAT will apply. All rates are ex VAT: VAT will be due if applicable.	
21. Place or range of re-delivery (Cl. 7) Grand Harbour, Malta (Kalkara). Owner can arrange for Vessel redelivery to Malta for a fee of Eur 15,000 ex VAT (fuel included). Re-delivery shall occur at all times within Charter Hire Period.	22. Cancelling date (Cl. 21) n/a
23. Dispute resolution (state 22(A), 22(B) or 22(C); if 22(C) agreed Place of Arbitration must be stated) (Cl. 22) N/A – Arbitration Malta	24. Brokerage commission and to whom payable (Cl. 24) n/a
25. Numbers of additional clauses covering special provisions, if agreed Applicable law and Arbitration / Force Majeure / Other conditions It is mutually agreed that this Contract shall be performed subject to the conditions contained in this Charter which shall include PART I as well as PART II. In the event of a conflict of conditions, the provisions of PART I shall prevail over those of PART II to the extent of such conflict.	
Signature (Owners)	Signature (Charterers)

Source: Sovereign Charterers

Appendix R to Annex 76: Dispersal details of PMC operatives from the RHIB

1. Full biometric details for these individuals are available from the Panel on request.

2. All individuals stayed at the Radisson Blu Resort Hotel, Saint Julian's[247] whilst in Malta. All rooms were booked, and accommodation paid for via the www.expedia.com website.

Table 76.R.1
Accommodation and dispersal for individuals in Malta from RHIB Manta-1 (1-3 July 2019)

Room Code #	*Names*	*Nationality*	*Departed*		*Remarks*
			Date	*Destination / Routing*	
A	Steven John Lodge	RSA / UK	4 Jul 2019	MLA > AMS > UK (ABZ)	▪ Mastercard used as guarantee for hotel extras, but paid cash
B	David Cyrus Button	UK	4 Jul 2019	MLA > AMS > PTY > Columbia (MDE)	▪
	Sean Arthur Baker	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
C	Andrew Gordon Furness	UK	4 Jul 2019	MLA > UK (EMA)	▪ Taxi paid by Visa.
D	Sean Callaghan Louw	UK	4 Jul 2019	MLA > UK (LGW)	▪ Hotel extras covered by Mr Steven John Lodge
	Andrew Scott Ritchie	UK	4 Jul 2019	MLA > UK (LGW)	
	Abel Daniel Schoeman Smit	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	
E	Michael Barry James Hardy Allen	RSA / UK	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Mastercard used as guarantee for hotel extras.
	Lucas Cornilius Schutte	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
F	Matthew Coughlin	AUS	4 Jul 2019	MLA > CDG > Dubai (DXB)	▪ Paid hotel extras in cash.
	Quintan Charl Paul	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
G	Richard Milton Parish	AUS			▪ Paid hotel extras in cash.
H	Travis Alden Maki	USA	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Paid hotel extras in cash.

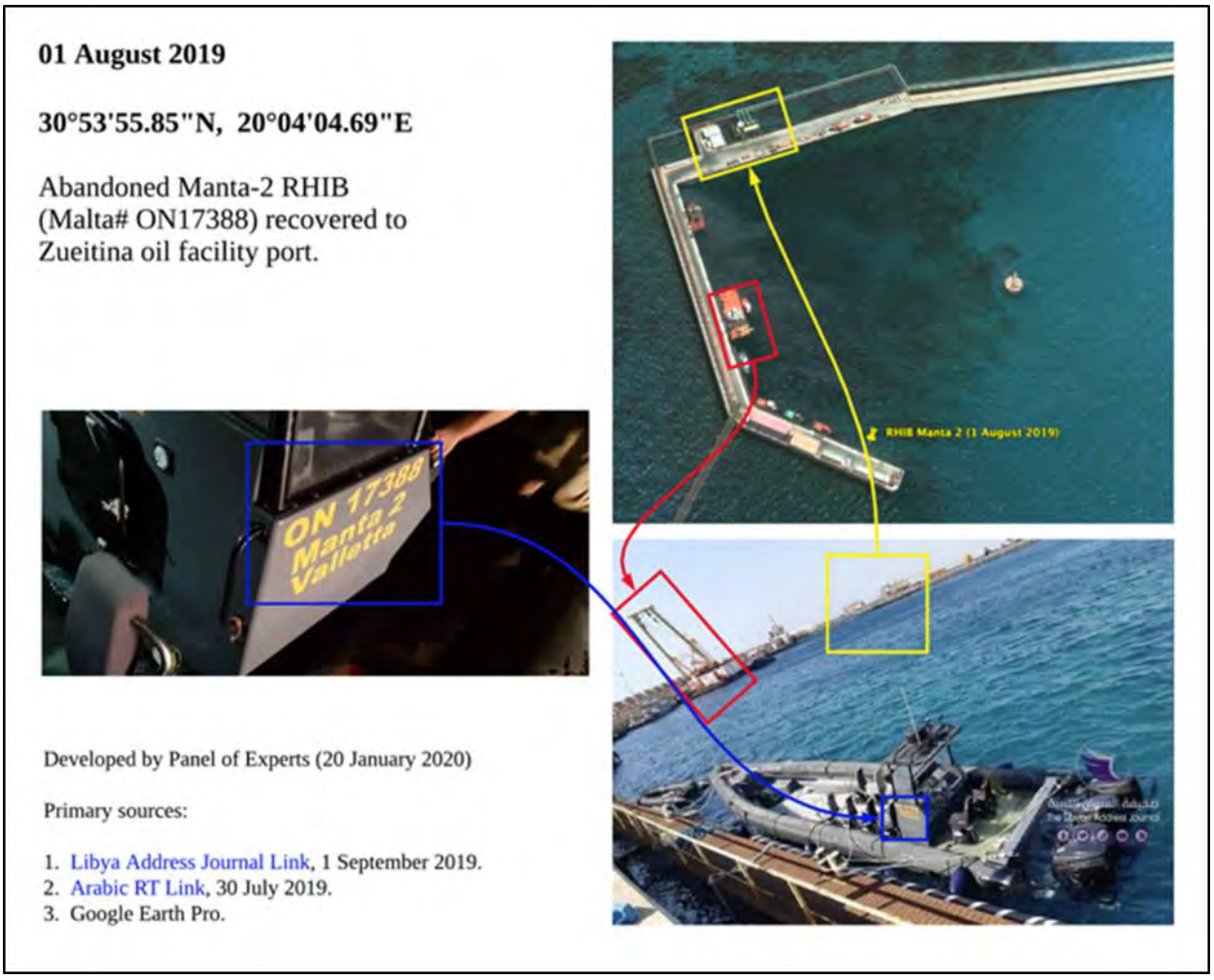
[247] https://www.radissonhotels.com/en-us/hotels/radisson-blu-resort-malta-st-julians, accessed 14 January 2020.

Room Code #	*Names*	*Nationality*	*Departed*		*Remarks*
			Date	*Destination / Routing*	
J	Ryan Hogan	RSA	4 Jul 2019	MLA > UK (LGW)	▪ Paid one night with Mastercard.
K	Andre Melt greyvenstein	RSA	4 Jul 2019	MLA > LCA > Dubai (DXB)	▪ Paid hotel extras in cash.
	Christian Nicolaas Gerhardus du preez	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
L	Giliam Ferdie Joubert	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
	Hendrick Johannes Bam	RSA	4 Jul 2019	MLA > FRA > South Africa (JNB)	▪
M	Rudi koekemoer	RSA			▪
	Joseph Benjamin Joubert	RSA			▪

Source. Confidential (CS5)

Appendix S to Annex 76: MRC-1250 RHIB in Zuetina, Libya

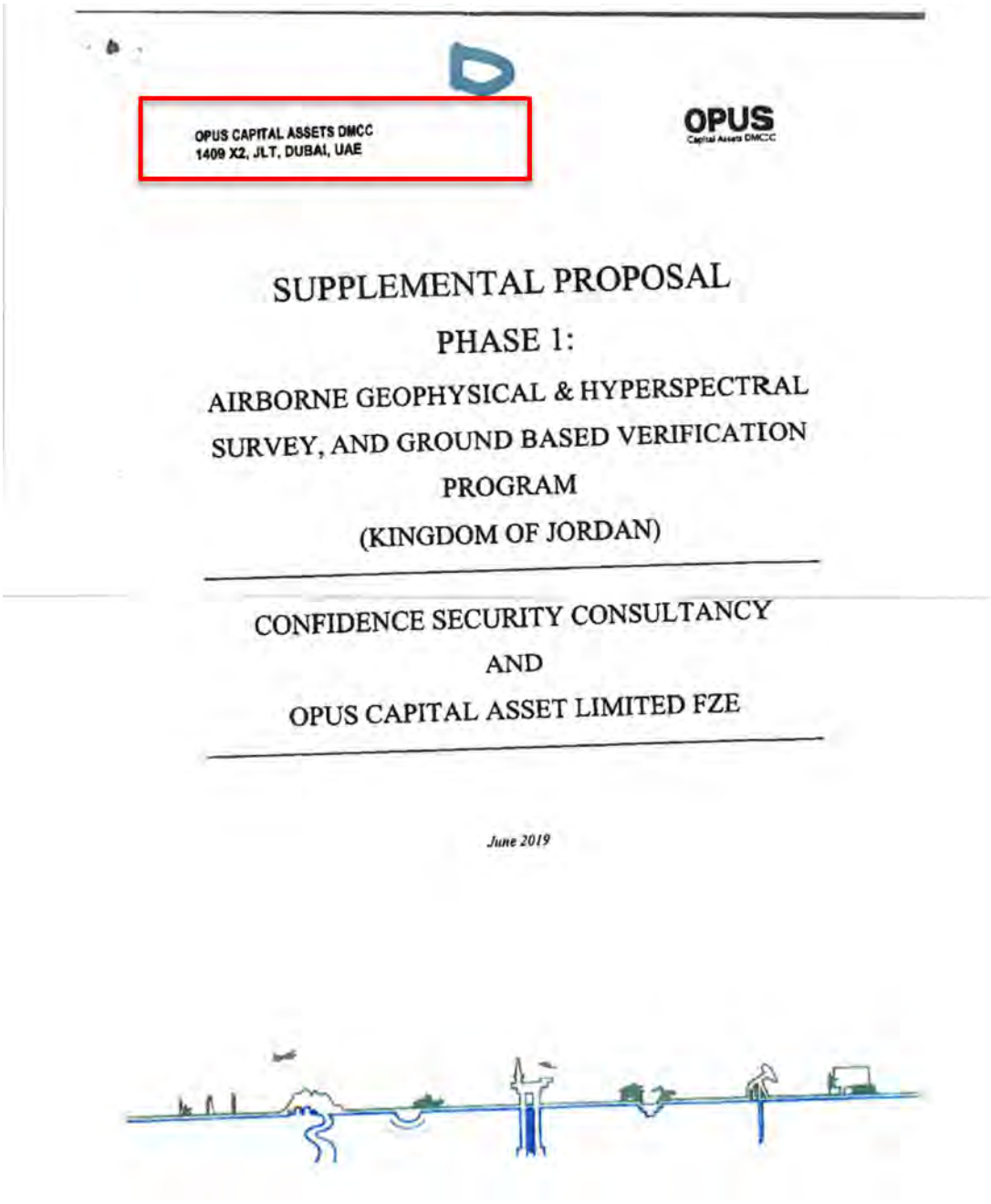
Figure 76.S.1
MRC-1250 RHIB recovered to Zueitina



Source: Panel analysis.

Appendix T to Annex 76: Counterfeit document used to support air transportation

Figure 76.T.1
Extract from counterfeit document used to support air transportation



Source: Member State.

List 76.T.1
Discrepancies identified by the Panel

1. No company registration number, URL address or EMail addresses for either Confidence Security Consulting nor Opus Capital Assets DMCC appears anywhere in the documentation.

2. No name for the Confidence Security Consulting signatory appears in the documentation.

3. Opus Capital Assets appears as a DMCC company throughout the document, but as an FZE company on the cover page.

4. No post nominals appear after the Confidence Security Consulting name anywhere in the document to indicate where the company is registered (e.g, F.Z.E, P.J.S.C, plc, etc).

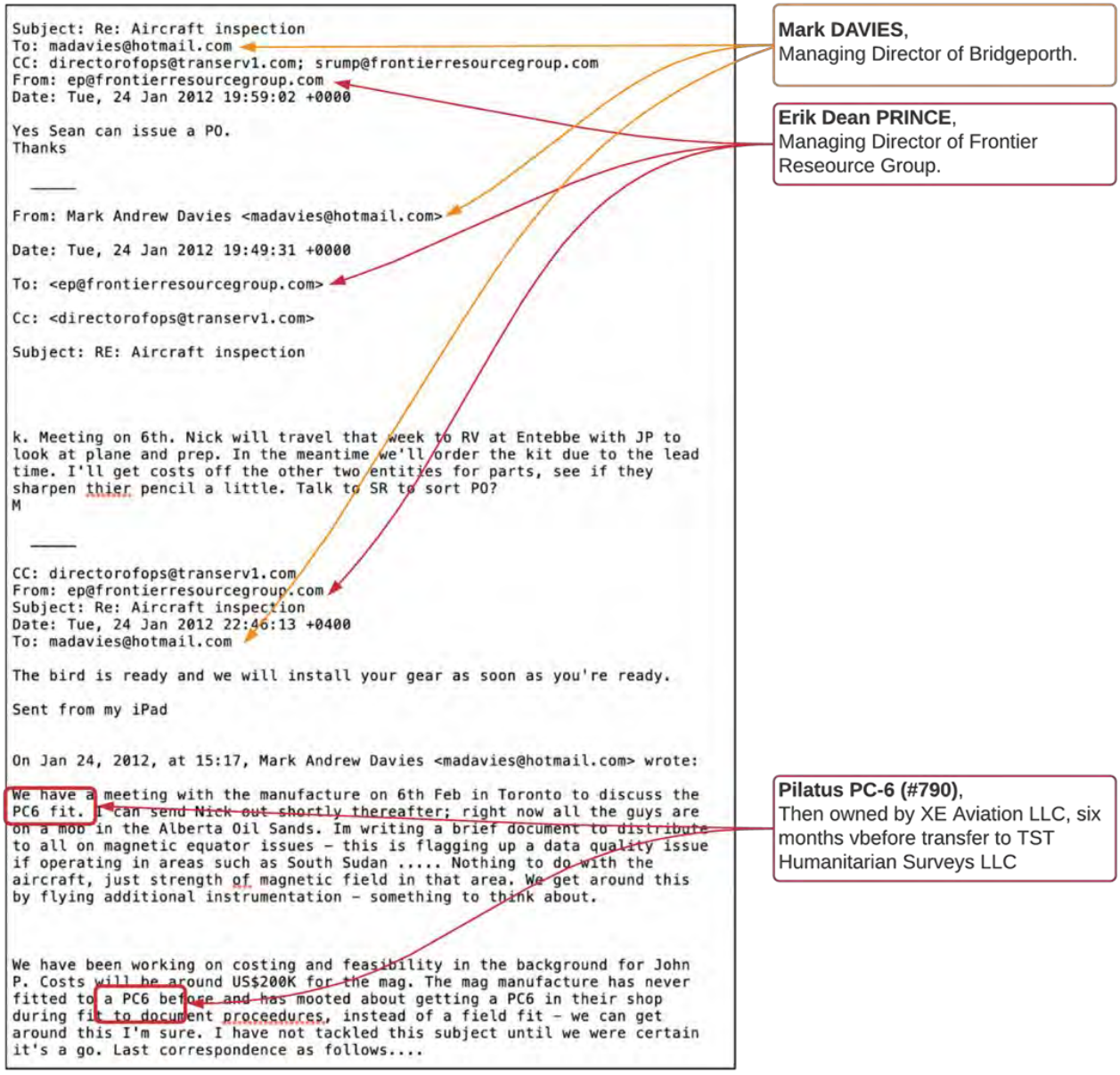
5. Although the RfP does include the fact that three AS332 *Super-Puma* and three SA341 *Gazelle* are to be used in the survey, the image of the *Super-Puma* displays a registration number N7801F. This particular aircraft was listed as belonging to Heligroup Puma L.L.C in Missoula, MT, USA on 12 June 2018, and then sold to Air Centre Helicopters, Burleston, Texas and registered as N830AC.[248] The aircraft is currently (as at 10 September 2019) assisting the Hurricane Dorian relief operations in the Bahamas, and is almost certainly not owned by Opus Capital Assets DMCC.

6. The document also shows an image of an Antonov AN-26 with the registration UK-MDA. That registration prefix is used by Uzbekistan. The image is that of a Ukrainian registered aircraft, UR-MDA, which flies with a Frontier Services Group logo on the fuselage.[249] The aircraft is owned by FSG Aviation Limited (Bermuda)[250] and operated by Meridian Aviation Enterprise of Special Purpose PJSC. (Ukraine).[251]

7. The document is poorly laid out and an obvious “cut and paste” fake. It is nowhere near the quality of an RfP been professionally prepared for a contract listed at US$ 85 million in the document.

[248] www.helis.com/database/cn/25955/. Accessed on 9 September 2019.
[249] www.jetphotos.com/photo/8157762. Accessed on 15 September 2019.
[250] www.atdb.org. Search on 14 September 2019.
[251] Ibid.

Appendix U to Annex 76: Email thread linking Bridgeport, PC-6 and Prince



Source: Confidential.

Appendix V to Annex 76: Christiaan Paul Durrant's response to the Panel's opportunity to reply

PANEL NOTE: This summary is based on contemporaneous notes taken by both Panel members during the interview in London on 16 September 2020.

1. The Panel explained the appropriate Security Council resolutions to Christiaan Paul Durrant and explained the mandate and working methods of the Panel. The Panel also explained the timelines and subsequent status of the final mandated report of the Panel. Christiaan Paul Durrant was offered the opportunity to make an initial opening statement, in which he covered:

(a) His concerns about the leaks to the press of the Panel's updates to the Committee and press access to documentation.

(b) That the investigation was politically motivated and that Erik Prince was obviously the target of the investigation. He emphasised that whilst Erik Prince was a personal friend he was not involved with the operation;

(c) He expressed concerns about the wide number of violations and hoped the Panel were pursuing all with equal zeal; and

(d) He denied any violations of the Libya arms embargo.

2. The Panel responded by explaining:

(a) That the Panel was equally concerned by press leakages as it was not helpful to the wider investigations of the Panel if witnesses thought the Panel leaked. Christiaan Paul Durrant was assured that the leaks were not from the Panel nor the UN Secretariat, but were wider than that;

(b) The Panel explained that its investigations were carried out strictly in accordance with: 1) the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997); 2) Annex III to Experts' Terms of Reference *Building a Statement of Case for Security Council Sanctions Regimes (Version of 26 January 2017*; and 3) Appendix B to Annex 3 of Panel report S/2019/914. The Panel emphasized that their investigations were not politically motivated and that they purely "followed the evidence". The Panel expressed surprise that Erik Prince was again being linked to this operation by statements from HFW clients,[252] as this name had not been used by the Panel in any updates or requests for information; and

(c) The Panel informed Christiaan Paul Durrant that whilst it would be inappropriate to share details, that the Panel was investigating a wide variety of cases with similar due diligence, which would become apparent on publication of the Panel's final report in early 2021.

3. The Panel then asked Christiaan Paul Durrant a wide range of detailed questions which he was reticent to reply demanding to know their relevance to sanctions violations in Libya. The Panel

[252] First mentioned in written statement by Steven Lodge dated 13 September 2020.

explained that they were trying to get an overall view of the operation, and that his answers may verify, or otherwise, information already in the possession of the Panel. The questions and answers below are of relevance:

(a) When asked about the company structure of L-6 FZE, Lancaster6 DMCC and Opus Capital Assets FZE Christiaan Paul Durrant explained that: 1) L-6 FZE acted as an "asset holding company"; 2) Lancaster6 DMCC as a "consulting company"; and 3) Opus Capital Assets FZE as a "logistic services provider. Christiaan Paul Durrant stated that he was Managing Director of all three companies, which were established using his personal capital.

(b) When asked about Opus Capital Asset DMCC Christiaan Paul Durrant said that he had meant DMCC in his previous answer and that he had no knowledge of the FZE company. This is contrary to statements previously provided by his legal counsel that the Opus DMCC company was nothing to do with their clients and they did not represent that company.

(c) On each question relating to a company, Christiaan Paul Durrant specifically and voluntarily advised that Erik Prince was not involved with that particular company.

(d) He was reluctant to tell the Panel who the authorized signatories were to the companies' bank accounts mentioned by the Panel,[253] but stated that they had all now been closed.

(e) Christiaan Paul Durrant explained that he had resigned as a Director of Umbra Aviation, although was still a 50% shareholder. When asked why South African official records showed him as a Director he had no credible explanation.

(f) Christiaan Paul Durrant stated he was aware of the company Confidence Security Consultancy (CSC), which was Lebanese owned and based in the UAE. He explained that Opus had a contract with them for an Oil and Gas Survey of Jordan, and that the proposal had used background information on Jordan obtained through a commercial agreement with Bridgeporth. Bridgeporth had previously denied any contractual agreements with Opus.[254] In response to a further enquiry by the Panel[255] regarding CSC he stated[256] that they were *prevented by confidentiality obligations from supplying this information*. CSC did not respond to the Panels request for information.[257]

(g) Christiaan Paul Durrant then explained that the Jordan contract fell through in late June 2019 so he instructed that the helicopters from South Africa be diverted from Jordan to Libya. He could not be specific on the date. The Panel has evidence to the contrary in that the initial contract on 20 June 2019 for the charter of the IL-76 aircraft clearly stated the charter was from Gaborone, Angola to Benghazi, Libya.

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[253] Lancaster6 DMCC: Noor Bank (000241096278XXXX) and Emirates Islamic Bank (000370745605XXXX). Opus Capital Assets FZE or DMCC: Emirates NBD Bank (101546753XXXX).

[254] EMail to Panel of 5 December 2019. The Panel sent a further letter on 18 September 2020 to Bridgeporths' lawyers, Boies, Schiller, Flexner LLP (BSF), New York, but has yet to receive a response. The Panel notes it is unusual for a UK based company to use the services of a US legal firm.

[255] Panel letter of 25 September 2020.

[256] Opus legal counsel letter of 9 October 2020.

[257] Confidence Security Co, 7 Floor, Office 702A, Kamala Tower 2, Al Had Street, Al Khalidiyah, Abu Dhabi, UAE. +971 2 6760660. The Panel has not elicited a response to this number.

(h) Christiaan Paul Durrant then explained that the Opus A team in Jordan from 1 June 2019 was there to inspect Royal Jordanian Air Force helicopters for sale on behalf of other clients. When pressed he could not name any clients and the Panel wrote[258] asking for evidence of this statement. HFW responded on 9 October 2020 that at the 16 September 2020 meeting Christiaan Paul Durrant had "*indicated that there was a special permission in place from the Jordanian Government (…). There is no engineering data (…) in our client's possession".*

PANEL NOTE: The Panel is not convinced by this statement as: 1) the 18 June 2019 SITREP, which Christiaan Paul Durrant accepts came from his team makes it clear what his presence in Jordan was really for; and 2) the Jordanian Government informed the Panel that it *does not have any relationship with (…) private military operation under investigation"*[259] and that *"the individuals (…) are not known to the Jordanian authorities and they have not dealt with them".*[260]

(i) Christiaan Paul Durrant explained that the operation in Libya was to establish a logistic hub as he had evidence of such a market requirement.

PANEL NOTE: The Panel notes that this is now a variation of previous "cover stories", and refer to it as 'Cover Story 3'.

(j) Christiaan Paul Durrant was unaware of the purchase costs for the three 'Super Puma' helicopters and could not provide even a rough estimate.

PANEL NOTE: The Panel is unconvinced by this response, as it is highly unlikely that the Managing Director of a personally funded company would not know the value of the company's major assets, particularly as his lawyer had already informed the Panel that *company assets in excess of 15M USD*[261] were *abandoned in Libya*.[262]

(k) Christiaan Paul Durrant agreed that a normal purchase for an aircraft would be to inspect and receive an aircraft before transferring funds. He could not explain why the procurement process for the Antonov 26B was so truncated, nor why the documentation was signed two weeks after L-6 FZE took possession of the aircraft in Jordan.

(l) When asked about the LASA T-Bird Christiaan Paul Durrant emphasized that it wasn't weaponized and that it deployed to Jordan without the ISR sensor. When asked what the point of the deployment was then, he explained that the sensor was due to arrive separately and that there was a legal case outstanding with LASA Engineering in Bulgaria over this issue.

PANEL NOTE: The Panel accepts that it is possible the aircraft deployed without any wing mounts for weapons but notes they could be carried internally or shipped separately and easily retrofitted anyway. The Panel is totally unconvinced that the aircraft was not weaponized, in that all the armoured seats, explosion protected mesh fuel cell, internal cabling, targeting computers, sensor

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[258] Panel letter of 25 September 2020.
[259] Letter from Jordan dated 6 April 2020.
[260] Letter from Jordan dated 10 August 2020.
[261] As the only know assets abandoned were the three *Gazelle* and three *Super Puma* helicopters, and the three *Gazelle* were purchased for an estimated USD2M, then the *Super Puma* were probably purchased for USD4M each.
[262] HFW letter of 7 January 2020.

controls, weapon release controls that were fitted in 2015/2016, when Christiaan Paul Durrant was the Project Manager for the LASA development, were almost certainly not removed prior to this deployment. Christiaan Paul Durrant claims not to know the name of the pilots or crew of any of the aforementioned aircraft; this the Panel finds highly unlikely considering the small size of the companies concerned and Christiaan Paul Durrant's history with this particular aircraft.

(m) In the written supplementary questions from the Panel of 25 September 2020, Christiaan Paul Durrant stated that; 1) was unable to supply information on the crew of the AN-26B owned and operated by his company at that time; 2) provide the location of the LASA T-Bird – a major asset owned by his company; 3) provide the current registration for the Pilatus PC-6 owned and operated by his company and operating in Libya from late June 2019 to date.

PANEL NOTE: The Panel considers it highly unlikely that he did not know this information, nor had access to it.

(n) Christiaan Paul Durrant was not prepared to answer any questions relating to the US lobbying firm, Federal Advocates Inc, contracted by Opus FZE on 17 September 2019.

PANEL NOTE: Federal Advocates Inc (USA) disclosed on 17 September that they had been engaged to provide lobbying services relating to *Defence Fuel/Gas/ - Working with the Administration on geopolitical issues*. This was changed on 16 October 2019 to "*Oil and gas logistics service – providing educational background to the administration*. The company failed to cooperate with the Panels' requests for information and clarification.

(o) Christiaan Paul Durrant finally explained in his interview that all the work in Libya was unfunded by external sources, there were no contracts for the deployment and that all the risk was self-insured. Again, the Panel is unconvinced of this explanation.

(p) In his response to the written supplementary questions from the Panel of 25 September 2020, Christiaan Paul Durrant stated that the PowerPoint presentations at appendix B to annex 76 were being "*falsely attributed to Opus*" and were the "*property and work of other unrelated groups looking to be active in Libya*". He claimed to have "*substantial amounts of information*" which he would only share if "*satisfied that the investigative process is being conducted in accordance with internationally accepted standards relating to due process and which also affords proper protection to individuals who offer their cooperation"*.

PANEL NOTE: As the Opus legal counsel have been informed on a number of occasions as to the mandate, working practices and processes of the Panel, it is difficult to see what would persuade Christiaan Paul Durrant to release this "*relevant information*" such as it exists. Indeed, based on the evidence to date linking him to the Opus A operation, his lack of cooperation at a substantive and detailed level, and the fact that three 'cover stories' have now been used, the Panel considers that Christiaan Paul Durrant's offer is just another delaying tactic. However, in order to follow due process at that stage of an ongoing investigation, the Panel wrote to Christiaan Paul Durrant a final time[263] requesting that any further information be released to the Panel. His response of 12 November 2020 was again to refuse to share this "*relevant information*".

[263] Panel letter of 15 October 2020.

Appendix W to Annex 76: James Fenech and Sovereign Charters' legal response to the Panel's opportunity to reply

PANEL NOTE: The original version of this document was submitted by Email to the Panel at 12:19 hours on 3 February 2020. The Panel certifies that this is a true copy of the content, style and layout of the original document received by the Panel on 3 February 2020.

I'll start off by reproducing the part of your email which is of particular concern to us.

> *"The Panel will very likely include your client's name, and his company Sovereign Charters Limited (Malta), in the forthcoming update to the Sanctions Committee as having being in **technical** non-compliance with paragraph 9 of resolution 1970 (2011) for the provision and transfer of military equipment to a private military company supporting an armed group in Libya. The Panel will emphasise that Mr Fenech cooperated fully with the Panel and acceded readily to all information requests during the investigation. The Panel also considers that Mr Fenech was unaware that the transfer of an unarmed military vessel would be a non-compliance of the sanctions measures, and will reflect this in their update. Please not the use of the word Technical as opposed to deliberate.*
>
> *The two RHIB vessels his company chartered to Opus Capital Asset FZE are advertised on the Sovereign Charterers website as being "special forces RHIBs … hardened for maritime security operations". The Panel thus finds them to be military equipment under the ambit of paragraph 9 to resolution 1970 (2011). This finding is supported by the definition in Common Military List of the European Union. ML9.(a).1. " (…) other surface vessels. Vessels (…) modified for military use (…) regardless of whether or not they contain (…) weapon delivery systems"."*

We trust you appreciate that including my client's name and his company's name in an update to the Sanctions Committee could potentially have devastating consequences on him personally and on his company's business and future. We understand the distinction you make between being "technically" non-compliant and "deliberately" non-compliant. The latter form of non-compliance has been correctly discarded by your good self and we will therefore not go into the matter.

We respectfully point out that we are gravely concerned by the fact that your conclusions regarding technical non-compliance are founded on a serious misconception regarding the RHIBS in question. This misconception stems from the fact that it is evident to us that your conclusions regarding the military nature of the RHIBS rely solely on the description given on the Sovereign Charterers website. We concede that the description on the website, which is intended solely for business purposes, may be misleading.

PANEL NOTE: The Panel's finding of the military nature of the vessels does not rely solely on Sovereign Charterers description on their website. Indeed, the Panel finds that description to have been accurate, rather than as is now claimed "misleading". The Panel notes that the description has changed subsequent to the Panel's first showing interest in this matter to Mr Fenech and Sovereign Charterers Limited.

We therefore request that, prior to reaching a conclusion that could potentially have dire consequences for client and his company, we would like to invite you in physically examine the RHIBS to remove any doubts that you may have as to their military nature. One of these vessels is in client's possession and we are at your disposal to make it available for proper examination and inspection.

The other vessel has been reported lost at sea. From the initial data provided by the charterer, Manta 2 hit a rock during the evacuation procedures soon afterwards the vessel systems started to fail and water started to flood the vessel following the single catastrophic event. Client personnel had no choice but to go on board the other Rhib abandon the vessel and continue towards Malta. From media reports the vessel was visibly submerged but floating indicating the charterers version of events.

PANEL NOTES: (1) The other vessel is not lost at sea, but is in Zuetina harbour, Libya. (2) This statement contradicts that of Mr Gordon, Opus legal counsel's response to the Panel of 31 January 2020 to an OTR to his clients, in which he states that "*the vessel did not suffer any incident other than that it was possibly unsuitable for the voyage being undertaken at such short notice*".

Apart from this we are attaching a number of documents that will evidentiate the misunderstanding resulting from an exclusive reading of the description given on the website.

One document that we are attaching is a survey report dated 29th January 2020 drawn up by Engineer Paul D. Cardona. This report, which was drawn up for registration and classification purposes in compliance with national regulatory requirements, refers to surveys carried out in the years 2017 and 2018, i.e. prior to the incident in question. It is also evident from this report that no modifications on the vessels were carried out. The report also includes a list of installations on one of the vessels, which installations were carried out by the client in order to try and upgrade the vessel classification from "pleasure" to "commercial" which are mandatory at law.

We invite you to contact Ing. Paul D. Cardona in order for him to confirm his findings.

Another document that we are attaching relates to the technical specifications of the RHIBS in question. This document was drawn up by the manufacturers New Madera RIBs B.V. It is also evident from this document that the RHIBS in question were not manufactured with any special material, design and/or equipped with any equipment which is required for Military applications. The same RHIBS can be procured by private individuals or companies without the need of any licences,

End User Certificates and other pertinent legal requirements for purchase of new military Naval Vessels.

PANEL NOTE: The Panel has consulted with New Madera RIBs B.V regarding this issue. The companies own website lists virtually identical vessels under their military section rather than civilian section as shown in figures 76.W.1 to 76.W.4 for comparison. The company also confirmed to the Panel that it rarely, if ever, sold all black RHIBs with all black engines, to other than military or security clients. Vessels destined for rescue, passenger or commercial work were usually coloured. The Panel finds that specifications alone are not necessarily the definitive criteria as to a vessel's intended function and use.

Figure 76.W.1
Madera MR-1250 Commando from manufacturers website [a]



Figure 76.W.2
Sovereign Charterers MRC-1250 Manta-1 and 2 [b]



Figure 76.W.3
Madera MR-1250 Cargo from manufacturers website [b]



Figure 76.W.4
Sovereign Charters MRC-1250 Manta-1 or 2 [d]



[a] Image 2/12 from https://www.m-ribs.eu/boat/mr-1250-commando/, accessed 3 February 2020.
[b] Confidential source.
[c] Image 1/7 from https://www.m-ribs.eu/boat/mr-1250-cargo/, accessed 3 February 2020.
[d] Confidential source.

Another document/s we are attaching are Certificates of Survey issued by Transport Malta, dated 2nd March 2017, wherein the vessels are clearly classified as "Pleasure Boat[s]".

PANEL NOTE. The Panel accepts that the vessels were probably used in a pleasure or commercial capacity when in Malta.

We also attach, for all intents and purposes, a letter from Dr Nicholas Valenzia whose law firm Mamo TCV Advocates was engaged by client to draft the charter party agreements. In this letter it is stated that client requested a due diligence exercise to be carried out on Opus Capital Asset Limited FZE which exercise resulted in the negative.

PANEL NOTE: It is not for the Panel to comment on the effectiveness of a due diligence exercise conducted by a third party.

It is evident that client had undertaken reasonable steps to ensure that the charterer was neither identified with illegal activities (through background checks) nor was intending or permitted under the terms of the charter agreement to commit such illegal acts. Instead, client understood that the vessels were chartered for the exclusive purpose of evacuation.

PANEL NOTE: Considering Mr Fenech's known close linkages to private military and security companies, and their operatives through the auspices of his other businesses, (e.g. Fieldsports Limited, Malta (C54571), PBM (*Precision Ballistic Munitions*) Limited, Malta (C78445) (who also own Blackwater Ammunition, Malta)), the Panel finds it unlikely that he found this to be a credible explanation considering the individuals and organizations involved in the charter of the vessels.

We request that in your review of the original charter contract you take note that client had expressly stated that responsibility for any and all actions subsequent to delivery lied solely with the chartering party. This to the extent that the charterer is expressly indemnified by the chartering party and the charterer dissociated from any consequent actions or inactions until the point of return of the vessel. Such steps as could be taken to understand the background of the charterer, and to contractually prevent them from undertaking any illegal activity were taken by client. In such circumstances we feel that it would be unreasonable to name my client in your report. We also feel it unreasonable to directly or indirectly associate client with whatever actions may have been undertaken by the chartering party.

PANEL NOTE: As above.

We trust that an examination of all the attached documents together with an examination of the RHIBS in questions will eliminate any doubt you may have regarding technical compliance.

Once again client kindly requests that your queries be made in writing and reiterates his intention to cooperate fully with your investigation.

Regards

Steve

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t: +356 21224276 **m:** +356 79010797

Confidentiality Note:
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Appendix X to Annex 76: Statement by Steven John Lodge in response to the Panel's opportunity to reply (13 September 2019)

PANEL NOTE. The original .pdf version of this statement was converted into .docx format to allow for the Panel to make appropriate notations in response to Lodge's comments. The Panel certifies that this is a true copy of the content, style and layout of the original document received by the Panel on 13 September 2020. The Panel sent a letter on 17 September 2020 with supplementary questions and Mr. Lodge's responses (dated 29 September 2020) are included under Panel Notes below, as appropriate.

PRIVATE AND CONFIDENTIAL

STATEMENT TO THE PANEL OF EXPERTS FOR LIBYA ("PANEL"), UN SECURITY COUNCIL SANCTIONS COMMITTEE ("UNSC") by STEVEN LODGE

1. I am providing this voluntary statement on the basis that the information is provided subject to absolutely confidentiality being provided by the Panel and the UNSC. It is also solely provided to the Panel and the UNSC for the purposes stated below and may not be provided to, or relied upon, by any other party or entity.

PANEL. The Panel has asked Mr. Lodge if he wishes any redacted version to be included in the final public Panel Report. Mr. Lodge is content for this Statement to be included in full in the final public report to the Committee.

2. I am providing this voluntary statement so as to cooperate with the Panel and specifically to respond to their requests for information. It would be incorrect accordingly for the Panel to consider or report that I have failed to cooperate with the Panel and I am replying by this statement to their offer of an opportunity to reply. It would also be incorrect and fail due process for the Panel to base its reporting on information it otherwise may hold without taking into account this statement.

3. I am providing this voluntary statement so as to clarify various aspects of your investigation and show that my actions were not in contravention of or non-compliance with Paragraph 9 of UNSC resolution 1970 (2011).

4. I have not directly or indirectly supplied arms and related materiel or technical assistance, training, financial or assistance related to military activities or the provision, maintenance for use of any arms in related materiel, including the provision of arms or mercenary personnel.

5. I have not violated, or assisted in the evasion of, the provisions of the arms embargo in Libya established by UNSC resolution 1970 (2011). I should not be named or recommended for designation in any Panel or UNSC report.

6. I have not been provided any evidence or proof to the contrary or shown any evidence that is the basis of any allegations to the contrary. As expressed previously, I have significant concerns about

engaging with the Panel's requests for co-operation in its investigations, particularly where I have had no fair opportunity to review or respond documents, whilst the investigation is ongoing, and I therefore remain unable to comment in any substance.

PANEL. Mr. Lodge would have had some documentary evidence explained to him during a formal OTR interview, which he declined. The Panel was not prepared to share any copies of the documentary evidence with him at that time as this evidence also applies to other individuals who would be forewarned of the case against them. This was a legitimate Panel decision to protect the integrity of their investigation. The decision was taken under the ambit of paragraph 2 (b) (v) of Appendix B to Annex 3 of Panel Report S/2019/914 "*for any other reason that can be clearly demonstrated as reasonable and justifiable in the prevailing circumstances"*. The Panel shared appropriate documentation relating to this case with his legal counsel on 22 December 2010.

7. What I do want is for misinformation to be cleared up and for a fair enquiry to be conducted by the Panel.

PANEL. The investigation has been carried out strictly in accordance with: 1) the best practices and methods recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997); 2) Annex III to Experts' Terms of Reference *Building a Statement of Case for Security Council Sanctions Regimes (Version of 26 January 2017*; and 3) Appendix B to Annex 3 of the Panel's Interim Report to the Committee.

8. I note that the Panel's previous confidential report was leaked following its presentation to the UNSC, and that the contents of the report have now been widely circulated in the media. I have been hounded by the press as a result of this. Aside from prejudicing the investigation itself, the apparently wide circulation of the Panel's report has been highly prejudicial to my private life and business interests.

9. My trust and confidence in the investigative process has been seriously undermined by the disclosures made to the media. I am justifiably concerned that any further engagement with the Panel's investigation would lead to the same outcome.

PANEL. The leak is unfortunately also exogenous to the Panel. As indicated, the Panel conducts its investigations following the best practices and methods above indicated and maintains absolute confidentiality about its investigations.

10. I ask that I be given an opportunity to respond or to comment on anything that is proposed to be included in any reports, because clearly once it is in a report, whether or not it is confidential or subsequently appears elsewhere, it is too late once the report has been provided. Given the potential adverse consequences for me, it is incredibly important that I be given a real opportunity to understand the allegations and it would be completely inappropriate for the allegations to be included in your reports to the UNSC without having my informed reply.

PANEL. Mr. Lodge was offered an opportunity to reply interview (Email of 20 July), he initially accepted but then had to delay due *to family circumstances* (E Mail of 29 July 2020). He was offered a later date (in an Email of 17 August 2020) but declined (Email of 2 September 2020). He was again offered a later date (Email of 2 September 2020), which he again declined preferring instead to make

this written statement. Mr. Lodge has stated that he has provided a “detailed and substantive” statement. The Panel will comment on this later in this document.

11. Finally, I put to the Panel whether they are pursuing all alleged participants in the current Libya conflict with the same zeal which they are pursuing me and these events – it is not at all clear why the "non- events" that I was involved with in June 2019 are being singled out in this way when every day there seems to be reporting of activities which are much more clearly in breach of the arms embargo which the Panel is entrusted with monitoring.

PANEL. His legal counsel was informed prior to the interview with Mr. Durrant on 16 September 2020, that whilst it would be inappropriate of the Panel to share details, that the Panel was investigating a wide variety of cases with similar due diligence, which would become apparent on publication of the Panel’s Final Report in early 2021. It is reasonable to assume that this information would have been passed on to Mr. Lodge.

12. In addition, I would like to know if an internal investigation of the Panel and UNSC members has been undertaken by an independent external authority to determine who is responsible for the leaks for the reports to the media. If none has been actioned then I wish to know why not.

PANEL. His legal counsel was informed immediately prior to the interview with Mr. Durrant on 16 September 2020, that they could be assured that neither the Panel nor Secretariat were the sources of any leaks. Beyond that it would be inappropriate for Panel to comment further. Mr. Lodge was informed that this is a matter which is not within the purview of the Panel’s mandate or work and hence the Panel is unable to comment further. Mr. Lodge subsequently requested details of where breaches of confidentiality are most appropriately referred to at the United Nations. He was informed in October 2020 that this was *a matter which is not within the purview of the Panel’s mandate nor work and hence the Panel is unable to comment further*.

13. By submitting this statement I do not waive any of my rights (and expressly reserve them) or any applicable privilege or protection. I continue to request that the Panel and UNSC keeps this matter confidential and does not make public the fact that it is in contact with me. This includes in respect of journalists and the media.

Background

14. The following background is provided with intent to assist your greater understanding of the narrative of the events under investigation.

15. I am an aviation professional, specialising in helicopter services.

16. I was approached and engaged on a pilot's rate in April 2019 regarding assisting with a project to establish a logistics hub involving helicopters in Middle East/North Africa Region.

PANEL. Mr. Lodge was subsequently asked in a letter of 17 September 2020 to provide documentary evidence of this in the form of contracts and bank statements. Mr. Lodge responded that such documents were not managed or handled by him and were outside his scope of work. This is not consistent with the statement of Mr. Durrant who stated that there were no such documents, as the venture into Libya was purely speculative, and was taken at financial risk to the company.

PANEL. The Panel was informed on 17 December 2019 that Opus was involved in a project in Libya in Summer 2019, and that Opus provide oil and gas support services. On 31 January 2020 the Panel was then informed that Opus was to provide oil support services for a contract initially in Jordan, and then the helicopters were diverted for a project in Libya. This statement is the first mention of the establishment of a logistics hub. The Panel does not consider, for example, that a PC-6 aircraft fitted with two ISR pods, or a LASA T-Bird aircraft with internal fitments to target and deliver weapons, are the sort of aircraft required for a logistic support hub.

17. My role was to manage logistics and assemble the helicopters when they arrived.

18. I gathered with other personnel in the middle of June 2019 in Amman, Jordan. This was a small team of approximately 20 personnel who, like me, were aviation and logistics specialists.

PANEL. This is incorrect as the Panel has flight record evidence that Mr. Lodge first flew to Jordan on 1 June, leaving on 16 June 2020. His return date from Dubai to Jordan prior to deployment to Libya is not known. Mr. Lodge was subsequently asked to provide flight and accommodation details. He could not remember the accommodation used in Jordan, nor the flight details as he had not booked them.

PANEL. Mr. Lodge was subsequently asked for a copy of his entry and exit Visas for Jordan. He responded that he was not required to gain an entry visa for Jordan. This is contrary to the information supplied by the Government of Jordan (http://www.dirco.gov.za/foreign/bilateral/jordan.html), which advises that although visas are available on arrival it is recommended they are obtained in advance.

PANEL. Mr. Lodge was subsequently asked for a copy of his entry Visa for Libya. He responded that he assumed he could get an entry visa on arrival; however this did not occur. The Panel has confirmed that only Jordanian and Tunisian citizens may enter Libya without a visa. The lack of a visa for Mr. Lodge can only mean that his entry into Libya was facilitated by the Haftar administration, or he entered illegally.

19. This team was tasked to travel from Amman to Benghazi via chartered IL76 in late June. We took in no military equipment. Our loads were principally water, MREs (meals ready to eat), tents and camp cots.

PANEL. The Panel asked for details of the IL-76 cargo aircraft (registration # and flight #), and also why an aircraft with a payload of 50 tonnes was needed for such a small deployment. Mr. Lodge provided no substantive comment and stated he was not responsible for the cargo manifest or air waybill for that flight.

20. The deployment of assets and personnel to Libya resulted in aircrew, engineers, medics, technical and security staff being deployed from Jordan to Libya. Security staff were provided to secure the project's assets and personnel; they had NO weapons with them.

21. We were instructed to establish a camp and helicopters for the purpose of providing logistics services.

PANEL. The Panel subsequently requested the geo-coordinates of the Opus camp, and also contact details for their Libyan interlocuters. Mr. Lodge responded that he could not be certain of the location as their driver took an indirect route. The Panel is unconvinced of this response, as: 1) if Mr. Lodge did not know where the camp was, how could he know an indirect route was used; and 2) as a former professional military officer it would be second nature for him to be aware of his location at all times, if only for security reasons.

22. No helicopters arrived during the period we were there. i.e. the helicopters arrived after our personnel had departed.

PANEL. Mr. Lodge was asked to reconsider this statement as the Panel is aware that the three Gazelle helicopters arrived at 10:36 hours on 29 June 2019 (Flight KTR7722), eleven hours before the stated time of departure. The air waybill for this flight had Mr. Lodge's name and cell phone number as the contact point on arrival. Mr. Lodge stood by his initial statement. Again the Panel is unconvinced of the veracity of this response.

23. After we had been on the ground in Benghazi for a short period, I became concerned for the safety of our personnel. There were multiple un-identified military personnel around where we were located, which increased steadily. I was approached by various individuals who seemed to be associated with military organizations there who started insisting that the helicopters (which were yet to arrive) be used for illegal tasks.

PANEL. The Panel subsequently requested details of these organizations and individuals and where such approaches took place. Mr. Lodge did not provide any further substantial detail as they spoke Arabic and he didn't. The Panel has information from a confidential source within the operation that local armed guards were provided to guard the Opus team. It would be reasonable to presume that they assisted Mr. Lodge in his communication with the unidentified military personnel.

24. They did not heed my insistence that the helicopters did not and would not have any military capability to do what they requested. Understanding that this would be illegal and in breach of international sanctions and not the reason why we were there; I was not prepared to undertake this work and became concerned as to our security and continued safety in these circumstances. We let Mr. Christiaan Durrant know this and he agreed with the decision, including the decision to evacuate. The evacuation plan was set in motion under my direction, and all personnel and no Libyans were harmed at any stage.

PANEL. This statement is inconsistent with Mr. Lodge'S response above, as it is obvious from this statement that he could communicate with at least some of the unidentified military personnel. Also, if as stated Mr. Lodge has not seen any helicopters on arrival, then how would these unidentified military personnel have connected the Opus team with the helicopters?

25. The RHIBs on which we were evacuated were not engaged for any military purpose but for emergency support for helicopters.

PANEL. The Panel requested clarification of why a helicopter would require the emergency support of a RHIB with a maximum speed of less than 25% of that of the helicopters. Mr. Lodge responded that this required for an emergency response in remote coastal areas, which he stated is a normal

practice for any aviation task in a coastal area. The Panel has communicated with other aviation professionals who do not support this statement of Mr. Lodge, stating that it would be much more effective to respond using another aviation asset. Unless there was an aviation incident directly on the coastline a RHIB could provide little practical support, even if it could be communicated with and was in the immediate area of the emergency.

26. Notwithstanding some promotional marketing as to their capabilities, the RHIBs were not militarised or had any military items in any sense and should be considered as commercial vessels which were registered in Malta as pleasure craft.

PANEL. The Panel disagrees and has made a finding otherwise. The Panel's finding of the military nature of the vessels does not rely solely on Sovereign Charterers description on their website that the vessels are *special forces (...) hardened for maritime security operations.* The panel consulted with the original manufacturer New Madera RIBs B.V regarding this issue. The company's own website lists virtually identical vessels under their military section rather than civilian section. The company also confirmed to the Panel that the company rarely, if ever, sold all black RHIBs with all black engines, to other than military or security clients. Vessels destined for rescue, passenger or commercial work were usually coloured. The Panel finds that specifications alone are not necessarily the definitive criteria as to a vessel's intended function and use.

27. I was advised that a Maltese lawyer was engaged to assist the evacuees with immigration matters on their arrival in Malta, as many did not (and had not contemplated the need to) have visas for arriving in Malta. None of the evacuees used the lawyer as it was not required, and the Maltese Police were very efficient, polite and sorted out visas for those who did not have. A RHIB was lost during the evacuation (noting the vessel did not suffer any incident other than it was probably unsuitable for the voyage being undertaken at short notice).

28. I was not involved in the engagement of or payment for the RHIBs.

PANEL. This is incorrect as demonstrated by the 20 June 2019 BIMCO Time-Charter Contracts, which had Mr. Lodge's electronic signature affixed to them.

Specific comments on aircraft

29. For clarity, I have the following comments regarding the aircraft referred to in this statement.

30. I was not authorised to sign for L-6 for IL76 services such as transaction for helicopters to be transported between Botswana and Jordan; and was not involved in arranging any payment for such services. I am not aware of where those IL76 aircraft now are.

PANEL. This is incorrect as demonstrated by the 20 June 2019 IWAS IL-76TD charter document for the flights from Gaborone to Benghazi, which had Mr. Lodge's electronic signature affixed to it.

31. There seems to be confusion regarding the three Gazelle helicopters and three Super Puma helicopters. All of these helicopters were registered as civilian aircraft and in particular the Gazelles were classified as demilitarized or non-military items in South Africa.

32. I understand that all of the Helicopters were registered with the South African Civil Aviation Authority ("SACAA") as civilian aircraft. Further, we understand that ARMSCOR (South Africa's Department of Defence acquisition agency) confirmed to the SACAA as part of those registrations that the Gazelle helicopters were demilitarized. Regarding the Super Pumas, we understand and have knowledge that these were registered and operated by their prior owners as civilian aircraft. All aircraft were painted white as far as I am aware.

33. I am not aware of where the three Gazelle helicopters are, who owns them or what registration they are on. They had not arrived before I had evacuated Benghazi.

PANEL: This is incorrect as Mr. Lodge's electronic signature was affixed to the bill of sale with Fulcrum Holdings UAE on behalf of L-6 FZE. Indeed the owner of Fulcrum is a past private military associate of Mr. Lodge and a personal friend of his. These particular helicopters had arrived before he left Benghazi, see paragraph 22 above.

34. I was not involved with the purchase or charter of a PC-6 aircraft. This type of aircraft is a purely civilian aircraft, best used for surveillance and survey purposes. A PC-6 did arrive shortly before our departure from Benghazi as a survey aircraft, with one crew member, who evacuated with the rest of the personnel. It was white in colour.

PANEL. This corroborates the deployment of the PC-6 to Libya in late June/early July 2019. From his comment that the aircraft was white in colour it can be reasonably concluded that he either saw the aircraft at Benghazi airport, or had previous knowledge of it and thus its capabilities.

35. I am not aware of the current location of the PC-6 aircraft.

36. I was not and have not been involved with any Antonov AN-32 purchase.

37. I do not know where the Antonov AN-32 aircraft is now.

38. I was not involved with any purchase or contract relating to a T-Bird.

39. I am not aware of the current location of the T-Bird aircraft.

40. There was no UAV capability or components thereof with myself or the logistics personnel.

41. I re-iterate that I had no involvement or knowledge of contracts or payments relating to the above aircraft.

Specific statements

42. I have had the opportunity to review the queries you have asked in letters to our lawyers, together with the queries that were put to Ms. Amanda Perry in her interview with you on 20 July 2020. In light of those queries I provide the following statements.

43. I have no business or social connections with Erik Prince. He is not a shareholder, director or working with me in any context.

PANEL. The Panel was surprised to see a reference to a Mr. Erik Prince in the statement as the Panel has not mentioned a Mr. Erik Prince in any request for information to Mr. Lodge or his lawyers. Mr.

Lodge was subsequently asked to clarify why he included a Mr. Erik. Prince in his statement? Mr. Lodge responded that it was because he had seen Mr. Prince's name in media reports linked to the Opus operation. The Panel still considers his reference to Mr. Prince unusual.

44. I am not aware of a proposal made to Confidence Security Consultancy and had not heard of this name prior to the Panel raising the question.

PANEL. This is contrary to the evidence provided by Mr. Durrant in his interview of 16 September 2020, in which he admitted to knowing the company and was aware of a contract with them. As Mr. Lodge was clearly involved in the planning of the operation it could be reasonably concluded he was aware of the company named as the initial client in Cover Story 1.

45. I do not know about a proposal submitted to Bridgeporth Limited. I only became aware of this name through media reports.

PANEL. This is contrary to the evidence provided by Mr. Durrant in his interview of 16 September 2020, in which he stated that Bridgeporth Limited had provided background information for the project proposal to Confidence Security Consulting, which was used as a document to support the movement of helicopters from Gaborone to Benghazi. Lodge having affixed his electronic signature to the contract for that charter.

46. I know Slade Thomas at Starlite Aviation and was aware that they wanted to sell three civilian specification Super Pumas.

47. I knew the sellers of the three Gazelle helicopters, which was Fulcrum. These helicopters were confirmed as demilitarized helicopters on a civilian registration.

PANEL. Lodge fails to mention that he purchased these three Gazelle helicopters representing L-6 FZE on behalf of Opus.

48. I am not aware of the relationship between Opus and L6.

PANEL. The Panel subsequently asked Lodge to clarify the exact company names. He responded L-6 FZE and Opus Capital Asset FZE, but that the company names were of no consequence to him as he is unaware of any relationship between them. The Panel again is unconvinced by the veracity of that response, when compared to Mr. Durrant's statement that L-6 FZE was an asset holding company (whom Lodge had represented), Opus Capital Asset Limited FZE was the service delivery company (whom he was Libya country team leader for, and from whom his salary was most probably paid as other team members were paid from this account) and Lancaster 6 DMCC was a consulting company (who he admitted had employed him before (see paragraph 50)).

49. I was never employed as Aviation Manager of L-6 FZE.

50. I was employed by Lancaster6 DMCC from 1 September to 30 November 2018 as Aviation SME (Subject Matter Expert). I did not hold that position beyond that period. During that period no proposals or contracts in connection with the events the subject of the Panel's investigation were executed by me.

PANEL. Mr. Lodge had signed official documentation during that period stating he was the Aviation Manager of Lancaster 6, not the Aviation SME.

51. I was never Aviation Manager for Lancaster 6 (registered in Malta as #C76128). I understand that this company has no connection with the events the subject of the Panel's investigation.

52. I was never Aviation Manager for L6 Group Holdings Limited (registered in the British Virgin Islands as #1910176). I understand that this company has no connection with the events the subject of the Panel's investigation.

53. I am not aware of any other companies with a similar sounding name to L-6, L6, Lancaster6 or Lancaster 6 which have any connection with the events the subject of the Panel's investigation.

54. Regarding Opus Capital Asset Limited FZE, I have not signed any contracts for it in any capacity.

PANEL. This is incorrect (see paragraph 28 regarding BIMCO contracts).

55. I never acted as a contract representative for L-6 FZE, nor have signed any contracts for it in any capacity.

PANEL. This is incorrect. See paragraph 30 regarding IL-76TD charter and paragraph 23 for the Deed of Sale for the three Gazelle helicopters.

56. I was aware that two RHIBS for safety support were contracted as they arrived in our location.

PANEL. Lodge contracted them (see paragraph 28).

57. I am not aware of any previous business relationship between Mr. James Fenech and L-6 FZE, Lancaster6 DMCC or Opus FZE.

58. I do not know the relationships between Opus, Lancaster6 or L-6.

PANEL. See Panel response to paragraph 48.

59. I do not consider the personnel I worked with in regard to the events being investigated by the Panel as private military operatives.

PANEL. The Panel has evidence to the contrary in that many of the personnel on this operation were commonly known to be private military operatives, with some having operational experience of working with Mr. Lodge before.

60. I do not know about bank accounts or which bank accounts were used to make any payments.

61. I did recommend Mr. Willie van Der Stoep as a reliable person to arrange the movement of helicopters from South Africa to Jordan but was not involved in the contracting nor payments.

62. I do not know about the preparation or use of customs documentation for the movement of helicopters from South Africa to Jordan or Libya.

63. I was not involved in the negotiation, preparation or execution of airway bills for transport between South Africa/Botswana and Jordan.

64. No helicopters had arrived in Benghazi prior to our group's departure from Benghazi.

PANEL. This is incorrect. See Panel response to paragraphs 25 and 33.

65. One of the RHIBs was mechanically unsound and that is why it was lost.

66. I am not aware of where the second RHIB is now.

67. I was not involved in any lobbying in any country.

68. Umbra Aviation has no connection with the events being investigated by the Panel. That company has been a dormant corporate entity since approximately July 2018.

PANEL. The dormancy claim is incorrect as the Panel has evidence of a proposal made by Umbra Aviation to the Government of Mozambique in 2019.

69. **No military items** were brought into Libya by this team.

70. The only documents that I authorised my signature to be used for on an electronic basis was for personnel contracts, and I have no issue if that occurred. My signature was not authorised by me to be used for any other purpose.

PANEL. This is incorrect, as two individuals with knowledge of the contract documentation confirmed that Mr. Lodge had sent documents with his signature and initials affixed. Mr. Lodge was in Dubai at the time all the relevant documentation for the purchase of the helicopters, logistic agreement with IWAS and BIMCo charter documents etc were contractually agreed. The Panel considers that the balance of evidence supports a finding that Mr. Lodge affixed an electronic copy of his signature to these documents as individuals/entities have confirmed that he emailed the documents to them.

Steven Lodge

13 September 2020

Annex 77 ChVK Wagner in Libya

A. Introduction

1. The Panel has identified the presence of private military operatives from ChVK Wagner being in Libya since October 2018. ChVK Wagner has been providing technical support for the repair of military vehicles, participating in combat operations and engaging in influence operations.

2. Background information on ChVK Wagner, which operates using an opaque shell of similarly named and interlinked shell companies as cover for the organization's activities to disguise the direct involvement of Yevegeny Prigozhin, is at appendix A for information.

3. Information obtained by the Panel demonstrates that the working relationships between HAF and their PMC counterparts were initially strained, and that even after a year of deployment there were still tensions between the two groups.

B. Contacts between Khalifa Haftar and Yevegeny Prigozhin

4. Khalifa Haftar and senior representatives from his organization have maintained regular engagement and contact with Russian interlocuters since at least 29 November 2016.[264] Such contacts including a meeting in Moscow on 7 November 2018 with Defence Minister Sergei Shigu and Yevegeny Prigozhin (see figures 77.1 and 77.2),[265] and visits to Benghazi by Prigozhin on 11 and 15 January 2019.[266]

[264] https://www.theguardian.com/world/2016/nov/29/libyan-general-khalifa-haftar-meets-russian-minister-to-seek-help, 29 November 2016 All footnote URL in this document accessed on 7 March 2020 unless otherwise stated. Flight details for visits are at appendix B.

[265] https://ria.ru/20181110/1532510417.html, 10 November 2018. Russian officials stated that Prigozhin was only present in his capacity as caterer. The Panel notes it would be highly unusual for a caterer to be sat at the primary table during an official meeting. Also see https://novayagazeta.ru/articles/2018/11/09/78517-na-etoy-kuhne-chto-to-gotovitsya, 9 November 2018; and https://jamestown.org/program/moscow-laying-groundwork-for-deeper-military-involvement-in-libya/, 13 November 2018.

[266] https://www.africaintelligence.com/mce/business-circles/2019/01/31/russia-s-wagner-group-offers-to-help-khalifa-haftar-in-the-fezzan,108342715-eve, 31 January 2019. Supported by flight records of PRIGOZHIN's private jet aircraft (also see appendix B).

Figure 77.1
Prigozhin and Haftar (7 November 2018)



Figure 77.2
Prigozhin at 7 November 2018 meeting



[a] Extracted from video imagery at https://ria.ru/20181110/1532510417.html, 10 November 2018.

5. The Panel has confirmed that during 2019 and early 2020 a senior HAF liaison officer to the Russian Federation PMC entities present in Libya is Colonel Khalifa abu Sheigar (a.k.a.: 1) Abou Chaigar; and 2) Abou-Shweier).[267] The Panel spoke to Colonel Sheigar by phone on 30 January 2020, when he confirmed that Russian nationals were present repairing military equipment, but he referred all other enquiries to HQ HAF.

C. Influence operations

6. The Stanford Internet Observatory[268] identified the use of an extensive social media campaign by a ChVK Wagner linked entity, designed to support Haftar and his ground operations.[269] Social media was used in late 2018 to spread a thematic message suggesting that only Haftar would bring 'security and peace' to Libya and that HAF operations were justified. On 30 October 2019, the social media company Facebook removed content pages of influence networks targeting Libya that Facebook stated were linked to Yevegeny Prigozhin controlled entities. Facebook removed 468 pages of content supporting Haftar, which was submitted by Facebook User ID 207521970189143 from IPv4 IP Address 157.240.22.35.[270]

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[267] Contact details being: 1) +21891411XXXX; 2) +218 914 1XXXX (IMEI 6060101093XXXX); and 3) +218 926 69XXXX. The IMEI number was untraceable on www.imei.info, but the initial digits (616 01) are those used by the Al Madar Libya mobile network.

[268] https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/29oct2019_sio_-_russia_linked_influence_operations_in_africa.final_.pdf, p7, 29 October 2019.

[269] A similar complementary social media operation, backed up by opinion surveys and the refurbishment of an old TV broadcast unit, was used to engender political support for Saif Al-Islam Qadhafi (LYi.017). Although this operation was in support of a designated individual, the Panel does not consider that political lobbying activities fall under the auspices of the designation criteria listed at paragraph 11 to resolution 2213 (2015) as they are unrelated to the specific sanctions measures and provide no direct financial benefits. Facebook removed at least 572 pages of content, which were submitted by Facebook User ID 100040574768873 from IPv4 IP Address 157.240.22.35. This content covered the period 25 December 2018 to 9 October 2019. This is the same IP address as used for the influence operations.

[270] The content covered the period 27 December 2018 to 14 October 2019. Source: Dr Shelby Grossman, Stanford Internet Observatory.

7. The Panel considers this activity falls under the military category of 'psychological operations'[271] in that they were designed to convey information to selected target audiences with the aim of influencing their objective reasoning and ultimately their behaviour in regard to HAF. As such, the deployment of this capability is a non-compliance with paragraph 9 of resolution 1970 (2011) in that it falls under "*technical (…) or other assistance*" to wider HAF operations.

D. Path to military engagement

8. The Panel noted open-source information[272] relating to alleged ChVK Wagner engagement in Libya. The information is based on a tranche of internal communications between Prigozhin linked organizations in Libya and Saint Petersburg.[273] The Panel fact-checked a significant percentage of that information relating to specific events against other independent sources and finds the information to be credible.[274]

9. This documentation proves the presence of ChVK Wagner in Libya and that they were reporting on wide military issues to their Headquarters in Saint Petersburg. The information of relevance to the Panel's mandate is summarised in table 77.1, with extracts from the original communications and official UN translations at appendix C.

Table 77.1
Summary of information relevant to ChVK Wagner involvement and sanctions measures

Date	*Author*	*Summary of content*	*Remarks*
20 Mar 2019	Bychkov [a]	Confirms military technical support for vehicle repair and refurbishment. Reports that Khalifa Haftar will not allow Russian specialists to work, provides an example on 18 January 2019 of a travel ban. Reports that Khalifa Haftar has imposed restrictions on information sharing with Russians, and that Russian experts have been deliberately misinformed on occasions.	▪ See paragraph 11.
28 Mar 2019	Bychkov	A graphic in Appendix 1 to a ChVK Wagner Libya Situation Report of that day reflects the presence of 6 x Military Experts and 23 Repair Unit Specialists. Also contains identical data on military vehicles inspected and repaired.	▪ See figure 77.3 for graphic. ▪ See paragraph 11.

[271] Psychological operations are one core component of 'Information Operations', which includes complementary core components of: 1) electronic warfare; 2) computer network operations; 3) military deception; and 4) operational security. Derived from the Journal of Information warfare. https://www.jinfowar.com.
[272] 1) http://www.interpretermag.com/on-the-situation-in-libya/. 12 September 2019; 2) https://www.thedailybeast.com/russias-WAGNER-mercenaries-have-moved-into-libya-good-luck-with-that, 12 September 2018 (updated 29 September 2018); and 3) https://www.proekt.media/investigation/prigozhin-libya/, 12 September 2018.
[273] https://dossier.center/, accessed 10 December 2019.
[274] The Panel compared statements in the reports against reported or subsequent events using a range of sources, including UNSMIL reports, open source media and confidential sources.

Date	*Author*	*Summary of content*	*Remarks*
6 Apr 2019	SITREP [b]	Reported an appeal to Kholzakov[c] from HAF for access to Russian unmanned aerial vehicles (UAV) for intelligence, surveillance and reconnaissance (ISR) tasks which was denied.[d]	▪ This was in response to the use of 155mm Laser Homing Projectiles (LHP) by HAF.[e]
10 Apr 2019	Bychkov	Confirms refusal by the Russian Ministry of Defence on 2 April 2019 to provide Khalifa Haftar with official Russian military support. Khalifa Haftar spread false information on 3 April 2019 about presence of 300 ChVK Wagner operatives. Placed false Russian "112" number plates on Kamaz trucks.	▪ False plates removed by ChVK Wagner staff in Libya.
22 Apr 2019	"Ivan"	Mentions an "enormous consumption of ammunition" by HAF requiring three IL-76 resupply sorties of Russian weapons from the UAE via Jordan. Covers a request by HAF for the Russian HQ to relocate to Jufra or Gharyan and provide air defence capability by MANPADS.	▪ Not clear if Russian supplied weapons or weapons procured from Russia by UAE and then supplied to HAF.
14 May 2019	"Ivan"	Reported that a C-17 cargo aircraft delivers ammunition from Egypt daily. States that indiscriminate ammunition consumption requires resupply by 2 x IL-76 aircraft from Egypt but does not specify delivery airfield.	▪ Links to 22 April 2019 "Ivan" report above.

[a] Pyotr Bychkov, an employee of the Prigozhin-linked Fund for the Defense of National Values.

[b] WAGNER organization initiated Situation Report. The Panel has seen SITREPS covering the period from 16 March to 22 April 2019.

[c] Reported to be Lieutenant General Andrei Vladimirovich *Kholzakov*. Formerly a Deputy Commander of Russian Airborne Assault Forces (VDV[275]).[276]

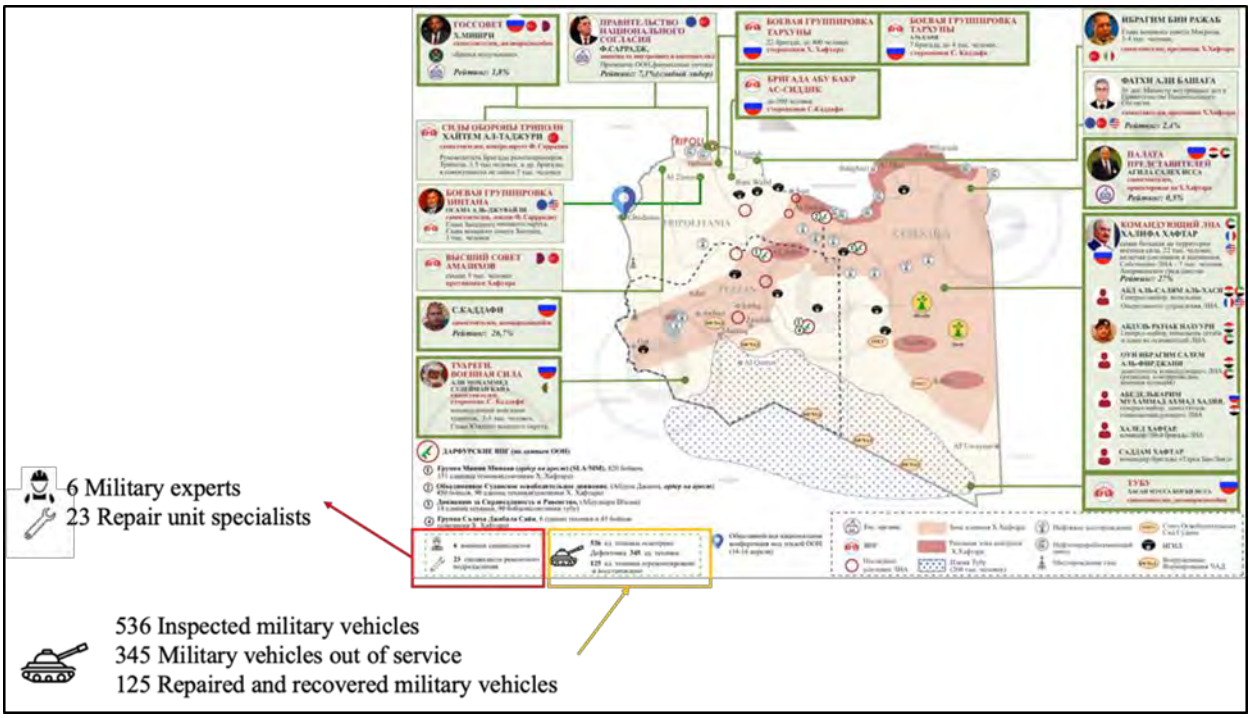
[d] In S/2019/914 , para.122 and annex 51 the Panel reported on the unexplained presence of a Russian Federation manufactured Orlan-10 ISR UAV, which was downed on 29 April 2019.

[e] In S/2019/914 , para.95 and annex39 the Panel reported on the presence of 155mm high-explosive laser-homing projectile GP6 round in the possession of HAF.

[275] Vozdushno-Desantnye Royska Rossii.

[276] https://www.rand.org/content/dam/rand/pubs/research_reports/RR3000/RR3099/RAND_RR3099z1.appendixes.pdf, p153.

Figure 77.3
Appendix 1 to ChVK Wagner Situation Report of 28 March 2019



Source. Dossier Centre (https://dossier.center), received 11 December 2019.

E. Military logistic support to HAF

10. Although ChVK Wagner is well funded by companies and organizations under the control of Yevgeny Prigozhin, it does not have indigenous logistic resources to allow the organization to operate independently on major deployments. It requires external hybrid commercial and military logistic support, in particular aviation and maritime assets, to deploy and sustain its operations.

F. Land service equipment repair and maintenance

11. A 23-person repair team[277] from ChVK Wagner was deployed to Libya from 17 October 2018 and 12 March 2019 to inspect, make damage assessments of, and overhaul of reportedly over 500 armoured vehicles and field artillery of HAF.[278]

12. This military technical support activity was confirmed in a statement by the HAF spokesperson Major General Ahmed al-Mesmari on 23 November 2019, in which he said: "*if there are Russians, I will tell you for the first time, in your channel, I'll tell you frankly, there might be one or two technical teams on tanks and artillery, to repair and re-engage some parts in the combat, especially because*

[277] Some individuals identified in a list of Wagner personnel obtained by the Panel..
[278] Source: Dossier Centre (https://dossier.center). See figure 3 at paragraph 9.

all those weapons are Russian (...)".[279] The reported full list of equipment[280] and details of nine of the technical specialists known to have deployed to Libya are at appendix D.[281]

G. Air Line of Communication

13. An Air Line of Communication (ALoC)[282] was put in place between the Russian Federation and Eastern Libya, with the majority of cargo flights routing through the Russian military airbase (Hmeymim)[283] co-located with Latakia (Bassel al-Assad) international airport (OSLK) in Syria.

14. The Panel identified that Tupolev TU-154M aircraft of the Russian Federation Ministry of Defence 223rd Flight Detachment (registration numbers RA-85041 and RA-85155) have been previously used for air transport by ChVK Wagner and its affiliates on other operations.[284] The Panel notes that two flights made by the TU-154M RA-85155 into Libya were made in the same time period as the deployment of the technical specialists (October 2018) (see paragraph 11). Flights of TU-154M aircraft, including RA-85155, from the 223rd Flight Detachment to Benghazi then recommenced in January 2020 (see table 77.2).

Table 77.2
TU-154M flights (Libya)

Date	*From*	*To*	*Aircraft #*	*Flight #*	*Remarks*
17 Oct 2018	Khartoum (HSSS)	Benghazi (HLLB)	RA-85155		
17 Oct 2018	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		En route to Moscow (UUMS).
22 Oct 2018	Khartoum (HSSS)	Benghazi (HLLB)	RA-85155		
22 Oct 2018	Benghazi (HLLB)	Moscow (UMUU)	RA-85155		
4 Jan 2020	Latakia (OSLK)	Benghazi (HLLB)	RA-85042	RFF77[a]	
4 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85042	RFF78	
6 Jan 2020	Latakia (OSLK)	Benghazi (HLLB)	RA-85042	RFF77[b]	

[279] https://www.youtube.com/watch?v=jYaNjlHVybA&feature=youtu.be, 23 November 2019.
[280] 1) https://www.proekt.media/investigation/prigozhin-libya/1, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.
[281] Confidential source.
[282] A Line of Communication (LoC) is the route that connects an operating military unit with its supply base.
[283] https://tass.com/defense/926348, 20 January 2017. Centred on 35°24'27.07"N, 35°57'8.00"E.
[284] For example Agreement # B218/04/119 dated 30 July 2018 between M-INVEST L.L.C. and the 223rd Flight Detachment was for eight flights at a budgetary cost of RUB 56 million (approx. US$900,238 from www.xe.com database). M-INVEST L.L.C. is a company engaged in exploitation of mineral resources owned by Yevegeny Prizoghin, and is used as cover structure for ChVK Wagner operations in Sudan. (https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-wagner-group/, 4 October 2019). An M-INVEST L.L.C. subsidiary, M-LOBAYE, is used for ChVK Wagner operations in the Central African Republic. Confidential source.

Date	*From*	*To*	*Aircraft #*	*Flight #*	*Remarks*
6 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85042	RFF78	
12 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		via Cairo[c]
14 Jan 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155		
24 Feb 2020	Benghazi (HLLB)	Latakia (OSLK)	RA-85155	RFF8062[d]	

Source: Confidential source

[a] https://www.itamilradar.com/2020/01/04/russian-af-tu-154-landed-in-benghazi/, 4 January 2020.
[b] https://www.itamilradar.com/2020/01/06/russian-af-tupolev-again-in-benghazi/, 6 January 2020.
[c] https://twitter.com/YorukIsik/status/1215987251466903553, 12 January 2020.
[d] https://twitter.com/Gerjon_/status/1232017012110626818, 24 February 2020.

15. Since Khalifa Haftars's meeting in Moscow on 7 November 2018, Russian Federation military cargo aircraft flights into Libya have become routine (see appendix A to Annex 55). The Panel has requested information[285] from the Member State concerning the flight manifests and air waybills for the flights and is awaiting a response.

16. Analysis of the cargo capacity for the initial Russian Federation military cargo flights shows three peak delivery periods in 2018 and 2019. The first period being during November and December 2018, immediately after the deployment of the ChVK Wagner technical support team. The second period being September 2019, covering the period of open-source information concerning ChVK Wagner training and combat operations (see paragraphs I to 26). The rationale for the third peak period of December to January 2020 has yet to be fully identified by the Panel but is possibly to provide support for the increased private military operatives deployed.

H. Post-deployment training

17. The Panel received copies of maps used by ChVK Wagner. These regarded the location of a temporary training camp that was established in the Jabal al Nuqqay area[286] of south-east Libya from approximately 1 October to 20 November 2019 (see figures 77.4 and 77.5).

Figure 77.4
Marked PMC map in Russian language



Figure 77.5
Marked location on PMC map

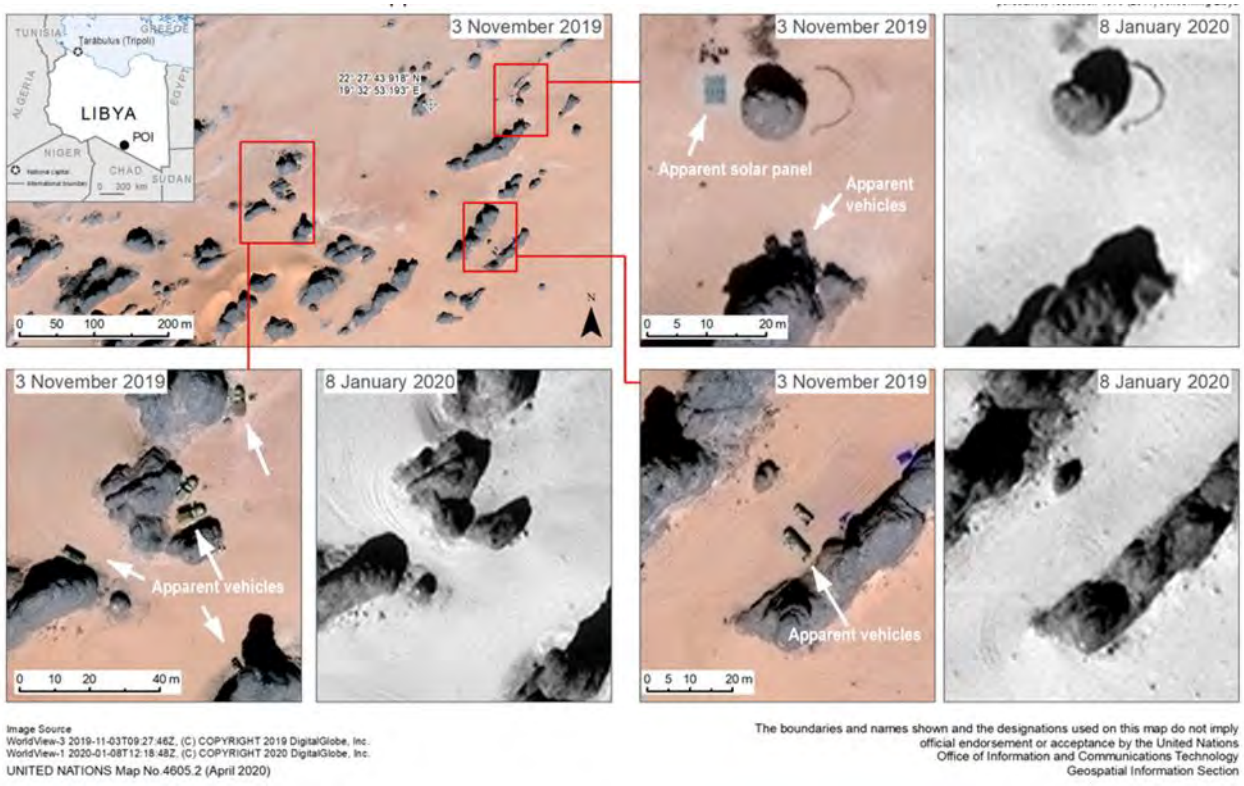


Source: Dossier Centre (https://dossier.center/). Note names are in cyrillic text.

[285] Panel letter of 6 April 2020.
[286] Centred around 22°27'44.14"N, 19°32'56.83"E.

18. The Panel obtained commercial satellite imagery of this location dated 3 November 2019 and 8 January 2020 that clearly shows a new low structure of approximately 4m x 5m, and at least nine vehicles. The number of vehicles on the satellite imagery (nine) correlates with the nine vehicles mentioned by the source(s).[287] See figure 77.6. Satellite imagery of the same area taken on 2 October 2019 showed no objects of interest at all.

Figure 77.6
Satellite analysis



Source: Confidential source and Panel analysis.

19. The training team were deployed and recovered using an Antonov AN-26 (registration reported as #25 SAI LY).[288] This registration number is not in the format used by any Member States' civil aircraft register. The Panel searched the details for all 851 AN-26 recorded as still being operational and could not find any immediate matches.[289] The Panel noted that the prefix 25 format was used by the then Soviet Air Force for aircraft placed in long term storage and there are three AN-26 with this

[287] 1) Two armed vehicles; 2) One armoured 'Technical' 4x4: and 3) Four utility 4x4 vehicle
[288] The Panel requested clarification from the confidential source twice as to this number, which was confirmed.
[289] https://rzjets.net/aircraft/?reg=330385, accessed 4 February 2020.

prefix recorded as now being back in operational use. It is also possible that a fake registration number was painted on the aircraft for this operation.[290]

20. Communications were via a satellite Broadband Global Area Network (BGAN) terminal (IMEI: 35844405004270)[291] (Inmarsat Sat# 901112112615812). The manufacturer sold the device to Morsviazsputnik[292] of the Russian Federation on 5 December 2014; the same company also being the communication provider. The Panel has confirmed[293] that this system was operational within Libya between 1 April and 31 December 2019, and more specifically was operational in the area of the field training camp between 1 October to 18 November 2019. As it is a BGAN terminal it has not yet been possible to identify the contact details of individuals or entities that the BGAN terminal connected with.

I. Combat operations (Land)

21. On 12 September 2019, a media source released documentation stating that approximately 300 ChVK Wagner operatives had been deployed to Libya in support of HAF.[294] On 25 September 2019, the media then reported that more than 100 ChVK Wagner operatives were deployed to Libya as reinforcements to the ongoing operation.[296]

22. The Panel was provided details of 122 ChVK Wagner operatives of whom many are highly probably operational, or have been operational, within Libya.[297] Of these, 39 are from the ChVK Wagner specialist sniper group and open sources have reported on the tactical impact of the recent presence of skilled Russian snipers on the frontlines.[298] The remaining 83 operatives are from the ChVK Wagner 1st Attack and Reconnaissance Company or other combat units.

23. There were increasing social media and open-source reporting of the engagement of Russian based private military operatives in combat operations during 2019, but details were not always verifiable at that time. Although there have been efforts to spread false information on this issue, the

[290] An AN-26 aircraft operating in support of HAF was destroyed on the runway at Tarhuna air strip (32°20'01.5"N, 13°34'49.7"E) on 5 April 2020. There is no evidence yet this is the same aircraft, and this is reported for information purposes only at this stage.
[291] From www.imei.info this traces as an EXPLORER710 Thrane and Thrane BGAN Terminal. TAC: 358444 FAC: 05 Serial #: 004270 CD 2.
[292] https://www.marsat.ru/en/enterprise, accessed 8 January 2020. Morsviazsputnik is administered by the Russian Federal Agency of Maritime and River Transport (http://www.morflot.ru/).
[293] Confidential source.
[294] https://www.thedailybeast.com/russias-wagner-mercenaries-have-moved-into-libya-good-luck-with-that?ref=home. 12 September 2019.
[296] https://www.bloomberg.com/news/articles/2019-09-25/-putin-s-chef-deploys-mercenaries-to-libya-in-latest-adventure. 25 September 2019. In the article HAF denied the deployment of any Russian personnel, which is contrary to their later statement (see paragraph 11).
[297] According to confidential source. The commander of these individuals, who appears on the list, has subsequently been confirmed as injured in Libya (see paragraph 38). The Panel is in possession of the list.
[298] Including, for example, https://www.nytimes.com/2019/11/05/world/middleeast/russia-libya-mercenaries.html, 5 November 2019.

Panel finds some of this reporting credible and convincing. This is summarized at table 77.3 and illustrated at figures 77.6 to 77.8:

Table 77.3
Open source and social media reporting of Russian based private military operatives on combat operations[299]

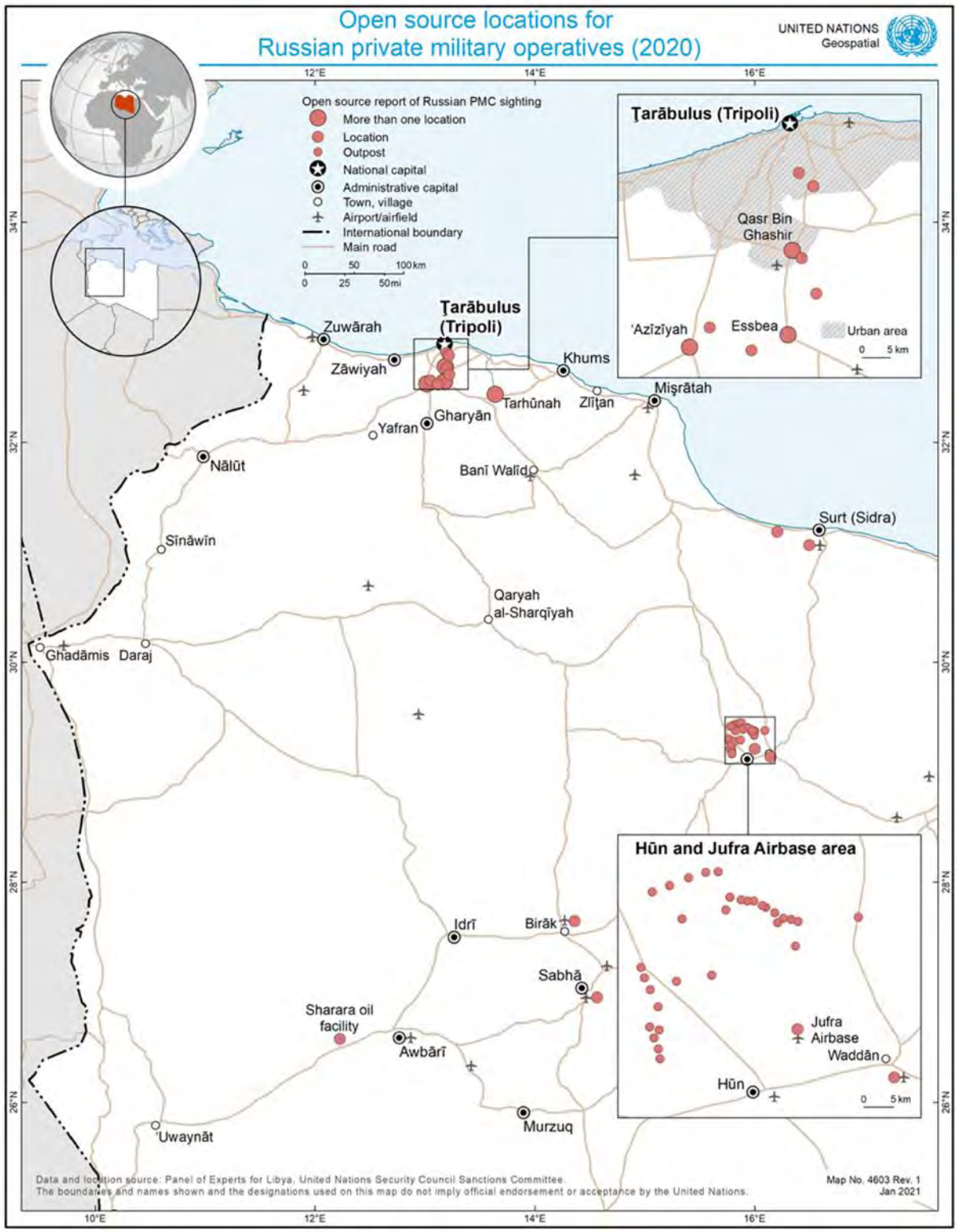
Date	*Location*	*Event*	*Remarks*
9 Sep 2019	Souk al-Sabat [a]	Reports of seven Russian based private military operative casualties due to GNA strike. [b]	▪
19 Sep 2019	Espiaa [c]	Russian private military operatives seen with LNA forces. [d]	▪
19 Sep 2019	Tarhuna	Bodies of 15 Russian based private military operatives killed in air strike between Tarhuna and Bani Walid received at Benina (Benghazi).[e]	▪ Initially thought to be Libyan casualties.
22 Sep 2019		Imagery of alleged ChVK Wagner operatives appear on social media.[f]	▪
23 Sep 2019	Espiaa	Reports of three Russian "mercenaries" killed by GNA air strikes on HAF operations room. [g]	▪ Sebha front line
25 Sep 2019	Qasr bin Ghashir [h]	Deployed with HAF 106 battalion. [j]	▪ Supporting imagery is at figure 77.7.
13 Oct 2019	Espiaa	Russian military operative's equipment captured by GNA-AF.	▪
17 Oct 2019	Nesma	Reports of Russian military operatives transiting through the area on return from the Tripoli Area of Operations (AO). [k]	▪
30 Nov 2019	Qasr bin Ghashir	GNA statement on 2 December 2019 referring to destruction of a "mercenaries" operations room. [l]	▪
11 Jan 2020	Tripoli	GNA Commander, Nasir Ammar, stated that Wagner Group fighters had begun to withdraw from the front lines, and were being flown to Jufra air base by helicopter.[m] He further stated that there were then over 500 Russian mercenaries on Salah Al-Deen, Yarmouk, Khallatat, and Abu Salim frontlines.[n]	▪
25 Feb 2020	Tripoli [o]	Imagery published of Russian private military operatives using a mini UAV.	▪ Supporting imagery at figure 77.8.

[a] Centred on 32°28'39.00"N, 11°53'30.80"E.
[b] 1) https://twitter.com/TvFebruary/status/1171098768734916609, 9 September 2019; 2) https://www.libyaobserver.ly/news/foreign-mercenaries-fighting-alongside-haftars-forces-killed-airstrikes-southern-tripoli, 9 September 2019.
[c] Centred on 32°33'2.71"N, 13°10'37.02"E.

[299] Many of these are reported as "Russian" private military operatives. The Panel can only confirm those from ChVK Wagner where specifically stated in the table. As other Russian based PMC are now known to be present, it is possible that individuals belong to those organizations.

[d] https://twitter.com/sky_wael/status/1174718985482440705, 19 September 2019.
[e] Confidential source (CS3).
[f] https://www.libyaobserver.ly/news/libyas-army-advances-strategic-frontlines-southern-tripoli-pushing-away-haftars-forces, 22 September 2019.
[g] 1) https://www.libyaobserver.ly/news/libya-airstrikes-libyan-army-kill-senior-leaders-haftars-forces-russian-mercenaries, 23 September 2019; and 2) https://www.iol.co.za/news/africa/russian-mercenaries-senior-rebel-leaders-killed-in-libya-air-strikes-33502754, 24 September 2019.
[h] Near 32°41'13.79"N, 13°11'1.39"E.
[j] https://twitter.com/emad_badi/status/1176976694323949568. 25 September 2019. See figure 6 for the "more evidence" referred to.
[k] Confidential source .
[l] https://www.marsad.ly/en/2019/12/02/libyan-army-destroys-mercenaries-run-operation-room-for-haftar/, accessed 4 December 2019.
[m] https://www.dailysabah.com/africa/2020/01/11/number-of-russian-mercenaries-withdraw-following-call-for-libya-cease-fire-gna-commander-says, 11 January 2020.
[n] https://www.libyaobserver.ly/news/army-official-russian-wagner-group-mercenaries-have-started-pulling-out-tripoli-frontlines, 12 January 2020.
[o] Geo-located to 32°47'27.73"N, 13°13'5.04"E. https://twitter.com/il_kanguru/status/1232382687526244354, 25 February 2020.

Figure 77.6
Reported sightings of Russian PMC operatives in Libya (September 2019 to December 2020)[300]



[300] Table 3 refers.

Figure 77.7
Imagery of alleged ChVK Wagner PMC operatives in Qasr bin Gashir (25 September 2019) [a, b, c]








[a] Extracted from https://twitter.com/Apgybape11/status/1176980085318070278, 25 September 2019. On other imagery from that source the insignia of the HAF 106 battalion can clearly be identified on the bonnet of the 4x4 vehicle. A video subsequently released on social media includes the individuals shown in this imagery: https://m.facebook.com/126130904224556/videos/570051700235111/?refsrc=https%3A%2F%2Fm.facebook.com%2Fstory.php&__rdr, 27 December 2019.
[b] Russian voices can be clearly heard on further video imagery released on social media of the same event: 1) https://twitter.com/LostWeapons/status/1211218269417246721, 29 December 2019; 2) https://twitter.com/LostWeapons/status/1211219397274042374, 29 December 2019; and 3 December 2019) https://twitter.com/LostWeapons/status/1211219797519687682, 29 December 2019.
[c] Geo-located at 32°36'56.40"N, 13° 8'11.69"E by https://twitter.com/il_kanguru/status/1210709236096946182, 27 December 2019.

Figure 77.8
Imagery of alleged Russian PMC operatives in South Tripoli (25 February 2020) [a, b, c]







[a] https://twitter.com/Libyancitizen6/status/1232288849256120320/photo/1, 25 February 2020.
[b] https://twitter.com/Oded121351/status/1232608402364411905, 26 February 2020.
[c] Geo-located to 32°47'27.73"N, 13°13'5.04"E, near Emad al-Elm school. https://twitter.com/il_kanguru/status/1232382687526244354, 25 February 2020.

24. On 29 September 2019, a GNA-AF source stated to Libya Al-Ahrar TV that Al-Wattiya airbase[301] was then under the control of "Russian Forces", and that a Sukhoi Su-22 fighter ground attack (FGA) aircraft had been based there.[302] The Panel notes though that the HAF air operations already had access to an Su-22 FGA, which had recently been used to deliver explosive ordnance against Zuwarah airport on 15 and 16 August 2019. The Panel finds it highly probable that a HAF

[301] Centred on 32°28'39.00"N, 11°53'30.80"E.
[302] https://www.libyaobserver.ly/inbrief/government-source-russian-military-forces-take-control-al-wattiyah-airbase. 29 September 2019.

Su-22 FGA had been made airworthy again, with foreign technical support (see paragraph 12),[303] rather than a Russian Air Force Su-22 being deployed there. The airbase was captured by GNA-AF in May 2020 and no longer available for HAF use.

25. In a GNA report dated November 2019,[304] the GNA Ministry of Interior stated that in September 2019 Russian mercenaries entered the Tripoli military operations area, particularly in the areas of Airport Road, Wadi al-Rabia and Sabea (extract from full report at annex 8). This correlates to the locations in table 77.3.

26. On 3 December 2019, an interview appeared on the Al Aan social media channel of an individual from ChVK Wagner.[305] The Panel has consulted with confidential sources who consider the interview as credible. A Panel summary of the interview content is appendix 6.[306]

27. On 11 January 2020, it was reported that ChVK Wagner operatives had been withdrawn from the frontlines, and that this was linked to a meeting in Istanbul on 8 January 2020 between Presidents Erdogan and Putin that discussed a ceasefire.[307] A confidential source reports that 400 ChVK Wagner operatives and 200 RSB operatives[308] withdrew from the front lines to Al Jufra.

J. Land (Syrian foreign fighters)

28. On 7 January 2020, the first reports emerged of Syrian foreign fighters being recruited by a Russian PMC to fight in Libya in support of HAF.[1309] More detail was provided by 14 February 2020 with reports that the fighters were being recruited from Douma in eastern Ghouta, Syria on a salary of US$ 800 per month for a three-month contract.[310] This report also stated that transfer to Libya was by Cham Wings Airlines from Damascus. On 19 February 2020, an open source reported that Syrian fighters were being recruited by ChVK Wagner through the auspices of the Syrian National Youth

[303] https://twitter.com/hunter224466/status/1183956547124236289, 14 October 2019. This alleges that a Sukhoi SU-22 FGS was repaired at Jabal Abdul Nasser air base in Tobruk, before being deployed to Al-Wattiya air base for operations.
[304] Titled, "*The full report on the violations perpetrated by the forces of the war criminal Haftar - November 2019*". The full 170 page report was prepared by the team of the counsellors of the Media Bureau of the Minister of Interior.
[305] https://www.youtube.com/watch?time_continue=7&v=i5Qb5hjfUJk&feature=emb_logo, 3 December 2019.
[306] On 27 December 2019, the Panel received a video containing testimony from a junior LNA fighter, Meftah Massib Idriss Ehmeida, in which he refers to the use of Russians with laser guidance equipment being used to "clear paths" for the LNA. The testimony lacked detail so it is not relied on by the Panel as a primary source of information. Consulted CS4.
[307] https://lenta.ru/news/2020/01/11/gone/, 11 January 2020.
[308] This is the first report seen by the Panel that RSB operatives had deployed in a combat capability rather than the technical support capability reported at paragraph 15.
[309] https://www.aa.com.tr/en/africa/russia-sends-fighters-to-up-haftars-forces-in-libya/1694935, 7 January 2020.
[310] 1) https://aawsat.com/english/home/article/2130986/russia-sends-syrians-fight-libya-clashes-reach-misrata, 14 February 2020; and 2) https://t.me/new_militarycolumnist/28316, 14 February 2020. Also stated in https://aawsat.com/english/home/article/2172357/exclusive-erdogan-'infiltrates'-idlib-haftar-'strolls'-damascus, 10 March 2020.

Party in Suweida. Further open-source information on 5 March 2020 supported this statement, also claiming that salaries of between US$1,000 to US$1,500 per month were available.[311]

29. In a statement on 20 March 2020, the GNA stated that it had evidence that Cham Wings Airlines were transferring Syrian foreign fighters specifically with links to ChVK Wagner. The Panel has requested more detail from the Libyan authorities and awaits a response. The Panel has identified regular flights from Damascus to Benghazi by aircraft operated by the Syrian company Cham Wings Airlines since the start of the current conflict in Libya on 4 April 2019 (see Annex 55). On 17 July 2019 the Panel requested information from the Syrian Arab Republic regarding the initial flights,[312] and was informed by the Member State[313] that the flights were to provide transportation for civilian passengers, particularly those Syrians living in Libya. The Panel is unconvinced of the veracity of that response, as: 1) it was not possible to book a flight on that route on the airline's web portal;[2314] and 2) Benghazi does not appear as a scheduled destination on Cham Wings Airlines web portal, even after an announcement that scheduled flights would begin on 11 October 2019.[315] There is also a body of evidence of Cham Wings Airlines acting in support of ChVK Wagner operations in Syria,[316] and there have been multiple and credible open source reports alleging that Russian private military operatives and fighters recruited in the Syrian Arab Republic[317] have arrived in Benghazi and Misrata from the Syrian Arab Republic.

30. The Panel has subsequently identified 33 flights by Cham Wings Airlines since 1 January 2020 (see Annex 55), which would allow for the potential transfer of approximately 4,950 passengers. It is estimated from ground sources that the number of Syrian foreign fighters supporting HAF operations is less than 2,000. Subsequent open-source reporting places the number of Syrian fighters present in Libya to be nearer 5,000,[318] but this almost certainly includes those fighters recruited by Turkey in support of the GNA.[319]

31. The Cham Wings flights reportedly left from the military terminal at Damascus and not the civilian airport, and many of the passengers are dressed in military attire.[320] The Panel has analysed the

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[311] 1) https://syrianobserver.com/EN/news/56150/wagner-mercenary-group-recruits-syrians-to-fight-in-libya-report.html, 19 February 2020: updated by 2) https://www.libyaobserver.ly/news/le-monde-syrians-mostly-druze-are-fighting-haftar-libya, 5 March 2020.

[312] 17 July 2019.

[313] 21 October 2019.

[314] http://www.chamwings.com/. Attempts to book flights show "no flights available" for a random range of booking dates. Attempts made between 15 November to 31 December 2019. Also see https://twitter.com/Balzawawi_ly/status/1212038209426866179, 31 December 2019.

[315] https://www.eanlibya.com/, accessed on 12 December 2019.

[316] https://www.reuters.com/investigates/special-report/russia-flights/, 6 April 2018.

[317] 1) https://twitter.com/BurkanLy/status/1176594585361027073, 29 September 2019; 2) https://aawsat.com/english/home/article/2130986/russia-sends-syrians-fight-libya-clashes-reach-misrata, 14 February 2020; and 3) https://www.libyaobserver.ly/news/le-monde-syrians-mostly-druze-are-fighting-haftar-libya, 5 March 2020.

[318] https://aawsat.com/english/home/article/2172357/exclusive-erdogan-'infiltrates'-idlib-haftar-'strolls'-damascus, 10 March 2020.

[319] More details in Panel update to the Committee of 26 January 2020 (S/AC.52/2020/PE/OC.36).

[320] https://arabicpost.net/, 30 March 2020.

ADS-B data[321] for flights made by Cham Wings aircraft since 12 April 2019. Common features which indicate covert activity include: 1) flights are timed to primarily land at Benghazi at night (there is no common schedule); 2) ADS-B data disappears at a consistent point before the aircraft change track by 90^0 South to Benghazi (note for flight at figure 77.8 that the pilot was late in stopping ADS-B broadcasts, and on figure 77.9 an inadvertent single transmission was made); 3) the aircraft tracks out of Damascus closely follow the Flight Information region (FIR) boundaries in order to try and avoid reporting to either FIR; and 4) the flights are recorded as non-scheduled or special flights with air traffic management systems. Examples of data analysis for three flights are at figures 77.8 to 77.10, on which the yellow dots represented an ADS-B reporting point.[322]

Figure 77.8
Cham Wings YK-BAB flight of 6 September 2019

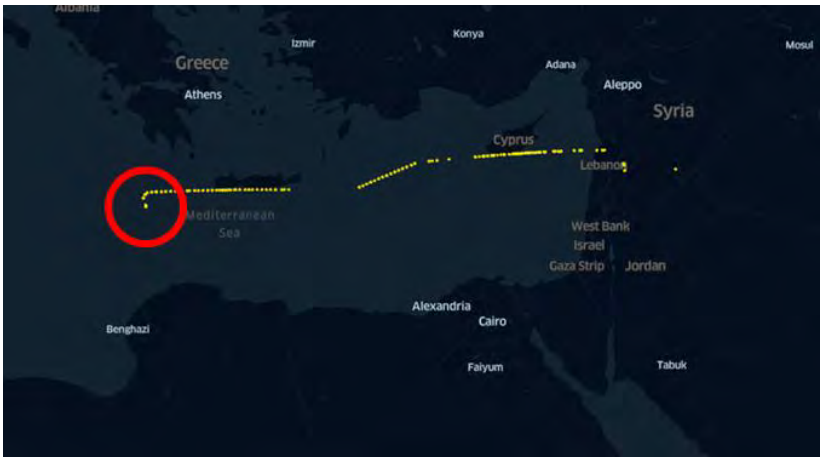
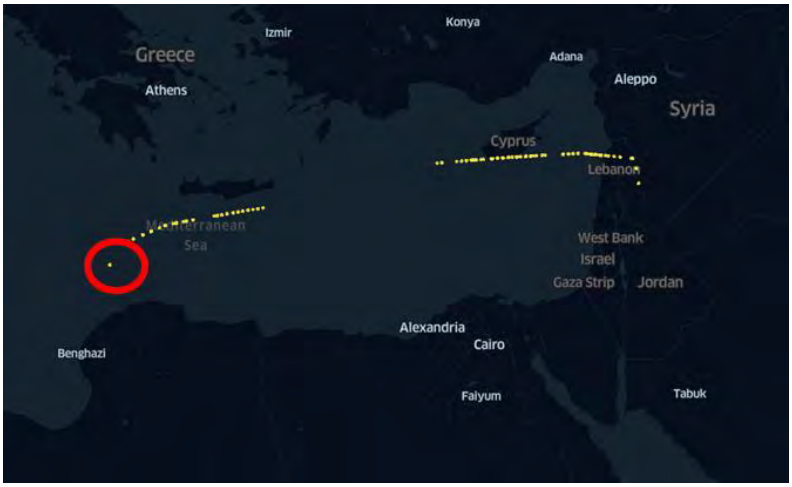


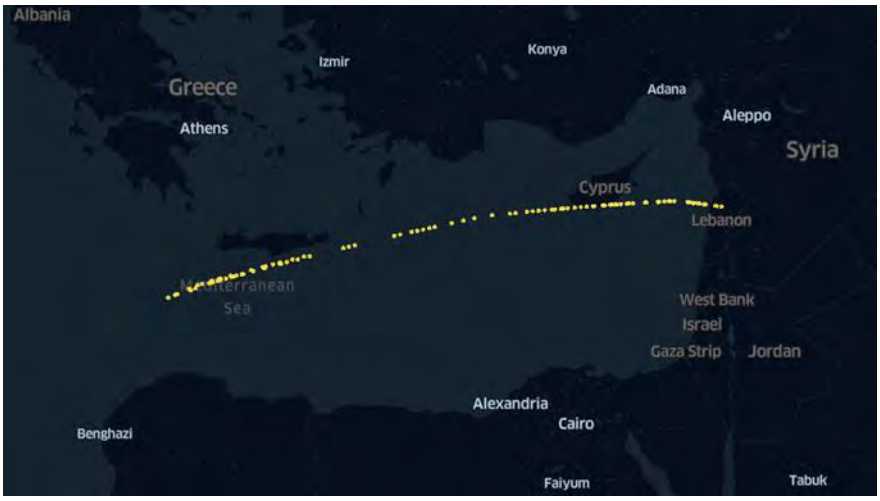
Figure 77.9
Cham Wings YK-BAB flight of 24 September 2019



[321] With data analysis technical support from C4ADS (www.c4ads.org). Report LY20200109.

[322] The Panel has a single source reporting that ChVK Wagner private military operatives are also transferred on tourist charter flights on Nordwin Airlines (www.nordwin.ru/en) from Rostov-on-Don (URRP) via Monastir (DTMB) Tunisia. This route is still under investigation.

Figure 77.10
Cham Wings YK-BAB flight of 8 November 2019



Sources for figures 13 to 15: 1) www.flightradar24.org: 2) http://www.c4ads.org/; and 3) Panel.

K. Weapons

32. The GNA-AF captured 30mm VOG-17M grenades designed for use with the AGS-17 and AGS 30, 30mm automatic grenade launchers (see figures 77.11 and 77.12), and a VOG-25 40mm grenade (figure 77.13) designed for use with the 6T17 GP-25 'Bonfire' under-barrel grenade launcher. These systems have not been identified as being used by either GNA-AF or HAF in Libya to date and are typical of the weaponry observed being used by ChVK Wagner operatives elsewhere in eastern Ukraine and the Syrian Arab Republic.[323]

Figure 77.11
VOG-17M 30mm grenades [a]



Figure 77.12
VOG-17M 30mm grenades [b]



Figure 77.13
VOG-25 40mm grenade [c]

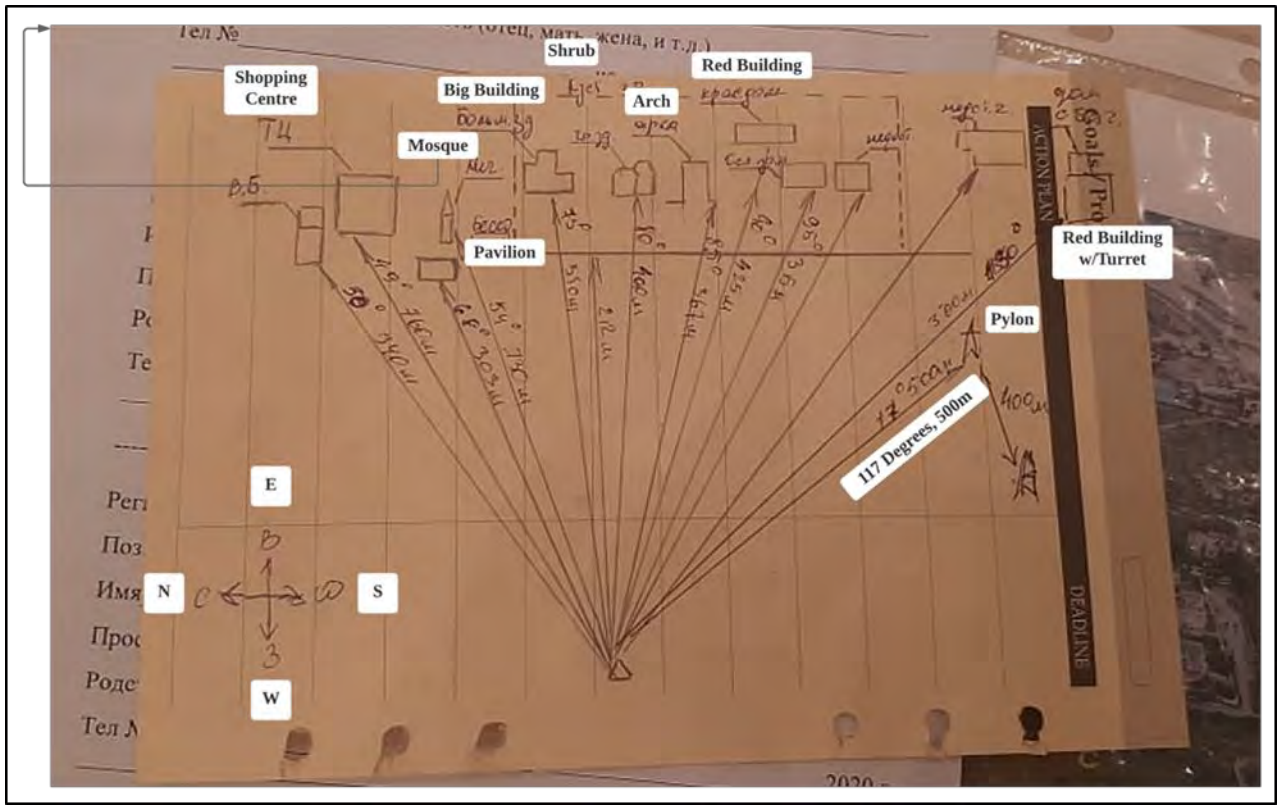


[a] Extracted from https://twitter.com/februarychannel/status/1182713833678409729?s=12, 11 October 2019.
[b] https://twitter.com/Oded121351/status/1183349955983020033/photo/3, 13 October 2019.
[c] Extracted from https://twitter.com/Oded121351/status/1183349955983020033/photo/4, 13 October 2019.

[323] For example, 6T 17 GP25 'Bonfire" clearly identified in group images of Wagner operatives in: 1) Ukraine, https://112.international/conflict-in-eastern-ukraine/militants-of-wagner-group-may-arrive-in-donbas-over-next-few-days-sbu-28526.html, 15 May 2018; and 2) Syria (https://diyaruna.com/en_GB/articles/cnmi_di/features/2019/02/21/feature-01, 21 February 2019.

33. The Panel received imagery from a confidential source of Range Cards recovered from defensive positions south of Tripoli. The range cards were in Russian, thus confirming the deployment of Russian Federation private military operatives to these locations

Figure 77.14
Range Card



Contractual issues

34. On 17 October 2019, a single pro-GNA open source[324] published a report that a ChVK Wagner component[325] had temporarily withdrawn from the Tripoli frontlines. This component explained their rationale[326] for withdrawal to the HAF General Command as being due to:

(a) Failure to receive instructions from HAF or support forces;

(b) Lack of HAF experience and discipline on the battlefield;

[324] https://www.facebook.com/2Libya17/posts/482402469043233, 17 October 2019. Similar information was conveyed by a confidential source to the Panel.
[325] The component allegedly consisted of: 1) 12 x consultants; 2) 22 x technicians; 3) 19 field commanders; 4) 26 snipers; and 5) 11 x signallers.
[326] The reasons listed were also corroborated by other confidential sources,

(c) Lack of effective coordination with HAF forces, leading to intermittent "friendly fire" incidents;

(d) Air strike targeting errors, and failure to pre-warn of strikes;

(e) Alcohol use in HAF units;

(f) Area of Responsibility (TAOR)[327] allocated being too large for available ChVK Wagner forces;

(g) Enemy intelligence techniques are facilitating the targeting of ChVK Wagner positions; and

(h) Enemy reinforcements after ChVK Wagner progress are made in any sector.

35. On 17 October 2019, the above source information was supported by a social media report[328] that eight High Mobility Vehicles (HMV) and two armoured vehicles carrying Russian private military operatives had been observed withdrawing from the Tripoli area of operations moving east towards Benghazi.

36. On 17 October 2019, social media reports[329] also emerged that the six-month contract between HAF and ChVK Wagner had expired on 15 October 2019. By this time HAF had allegedly only paid 53.2% (US$ 92.5 million) of the contracted US$ 173.9 million. The Panel continues to investigate this issue.

L. Casualties

37. Table 77.4 summarizes the reported "Russian" private military operative casualties reported to date in open-source media.

Table 77.4
Russian private military operative casualties

Date	*Location*	*Event*	*# Fatalities*	*# Wounded*
9 Sep 2019	Souk al-Sabat	GNA airstrike.[a]		7[b]
23 Sep 2019	Sabea front line	GNA airstrike.[c]	15+	
30 Nov 2019	Qasr bin Ghashir	Destruction of a "mercenaries" operations room.[c]	9	

[a] 1) https://twitter.com/TvFebruary/status/1171098768734916609, 9 September 2019; 2) https://www.libyaobserver.ly/news/foreign-mercenaries-fighting-alongside-haftars-forces-killed-airstrikes-southern-tripoli, 9 September 2019.
[b] Total fatalities and wounded combined.
[c] 1) https://www.libyaobserver.ly/news/libya-airstrikes-libyan-army-kill-senior-leaders-haftars-forces-russian-mercenaries, 23 September 2019; and 2) https://www.iol.co.za/news/africa/russian-mercenaries-senior-rebel-leaders-killed-in-libya-air-strikes-

[327] A TAORhttps://en.wikipedia.org/wiki/Tactical_area_of_responsibility - cite_note-1 is a prescribed area in a theatre of combat which has been assigned to a unit commander who is responsible for, and has the authority to act on, the development and maintenance of installations and the conduct of tactical operations, area defence, coordination of support, and for conducting patrols.
[328] https://twitter.com/madaNea14/status/1184792229442981888, 17 October 2019.
[329] https://www.facebook.com/2Libya17/posts/482402469043233, 17 October 2019.

33502754, 24 September 2019.
[d] https://www.marsad.ly/en/2019/12/02/libyan-army-destroys-mercenaries-run-operation-room-for-haftar/, accessed 4 December 2019.

38. The casualties from the 23 September 2019 air strike included the Commander of ChVK Wagner 1st Attack and Reconnaissance Company, Aleksandr Sergevich Kuznetsov ("Ratibor").[330] He was evacuated to a Saint Petersburg military hospital due to the seriousness of his injuries. On 8 January 2020, open-source media reported[331] on the admission of injured ChVK Wagner private military operatives, including Kuznetsov, to the Sogaz International Medical Centre, Saint Petersburg.[332]

39. A list of confirmed ChVK Wagner operative fatalities to date and the supporting evidence was published on the Meduza investigative journalism website on 2 October 2019[333] (see summary at appendix G). The Panel finds this evidence credible. To date, and unlike previous conflicts, the death certificates and military decorations have not been forwarded to the families.

[330] https://www.lepoint.fr/monde/ces-miliciens-russes-morts-en-libye-qui-embarrassent-moscou-08-10-2019-2340022_24.php, 8 October 2019.
[331] https://www.reuters.com/article/us-russia-putin-mercenaries-exclusive/exclusive-russian-clinic-treated-mercenaries-injured-in-secret-wars-idUSKBN1Z61A7, 7 January 2020.
[332] https://www.sogaz-clinic.ru. Accessed 8 January 2020.
[333] https://meduza.io/en/feature/2019/10/02/a-small-price-to-pay-for-tripoli. Accessed 3 October 2019.

Appendix A to Annex 77: Background on the ChVK Wagner organization

1. Initially ChVK Wagner did not officially exist and was a shadow organization named after the callsign for Dimitry Valeriiovych Utkin who now leads the organization and plans the operations.[334] On 9 December 2016, Utkin was presented with an award, together with Alexandr Kuznetsov (M-0271) who was subsequently injured fighting in Libya, in Saint Georges Hall, Kremlin.[335] On 14 November 2017 Utkin took over as Chief Executive Officer (CEO) of the Yevegeny Prigozhin owned Concord Management and Consulting company.

2. ChVK Wagner is now assessed as being over 5,000 individuals strong, with expertise available within it across the full spectrum of military specialities.[336] Membership also includes citizens of Belarus, Moldova, Serbia and Ukraine, although it is predominantly still staffed by Russians. The organization has allegedly operated in the Central African Republic, Mozambique (2019), Ukraine (2014>), Sudan, and the Syrian Arab Republic (2015>).

3. ChVK Wagner operatives have been identified using equipment typically reserved for the Russian Federation Armed Forces, such as the BPM-97 Vystrel all-terrain vehicle.[337] ChVK Wagner operatives also train at a GRU compound in Molkino, southwestern Russia.[338] It is noteworthy that during Summer 2018 a chapel was erected to commemorate ChVK Wagner operatives killed in the Syrian Arab Republic near the town of Goryachy Klyuch,[339] 20km from Molkino. The construction works were undertaken by another Prigozhin enterprise OOO Megaline (see table A.77.1).[340]

4. In order to place ChVK Wagner on a more legitimate footing within Russia The Federal Law on Military Duty and Military Service was amended to allow *a citizen on the mobilization reserve*

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[334] Utkin was formally the Commander of the 700th Special Forces Detachment, 2nd Spetsnatz Brigade, Russian Military Intelligence Directorate ("GRU").
[335] 1) https://meduza.io/en/news/2017/08/21/vladimir-putin-posed-for-a-banquet-photo-with-a-mercenary-previously-convicted-of-kidnapping-and-robbery; 2) http://tass.ru/politika/3875744; and 3) https://www.rbc.ru/politics/15/12/2016/585278bb9a7947efc948945b. Also presented with awards at this ceremony were Oleksandr Serhiiovych KUZNETSOV (M-0271) and Andrei Mychailovich Bogatov (M-1601).
[336] Confidential source . Specialities include Special Operations, Offensive Operations, Cyber Operations, Armour, Artillery, Communications, Combat Engineering, Training, Logistics, Equipment Maintenance and Finance.
[337] http://euromaidanpress.com/2018/06/22/new-footage-shows-russian-pmc-WAGNER-involved-in-crucial-2015-debaltseve-battle-in-ukraine/, 22 June 2018.
[338] https://www.fpri.org/article/2019/10/diplomacy-and-dividends-who-really-controls-the-WAGNER-group/, 4 October 2019. GRU 10th Special Forces Brigade compound is located at 44°47'38.22"N, 39°13'22.47"E (centre point).
[339] Town centred on 44°38'6.14"N, 39° 8'6.26"E.
[340] https://jamestown.org/program/russian-pmcs-in-the-syrian-civil-war-from-slavonic-corps-to-wagner-group-and-beyond/, 18 December 2019.

(...) to participate in activities to maintain or restore international peace and security or to suppress terrorist activities outside the territory of the Russian Federation.[341]

Table A.77.1
ChVK Wagner command structure

ID [a]	*Forename*	*Surname*	*Callsign*	*Role*
M-0209	Dimitri Valeriiovych	Utkin	Wagner	Commander [b]
M-2010	Alexander Elizarovich	Eermolaev		Deputy Commander (Morale)
	Andrei Mykolayvych	Troshev	Siedoy	Chief of Staff
M-0971	Sergei Borisocivh	Kim		Deputy Chief of Staff
M-1364	Viktor Antonovich	Rehman		Deputy Chief of Staff (Armaments)
M-1511	Konstantin Anatoliyevech	Timerman		Chief of Training Branch
M-0271	Aleksandr Sergeevich	Kuznetsov[c]	Ratibor	Commander, 1st Attack and Reconnaissance Company
M-1601	Andrei Mychailovych	Bogatov	Brodiaga	Commander, 4th Attack and Reconnaissance Company
M-5658	Valeriy Nikolaevich	Zakharov		Head, M-FINANCE L.L.C. Security Services (CAR)
	Olena Anatoliivna	Kochina		Head, M-FINANCE L.L.C.

Source: Confidential source.

[a] All ChVK Wagner operatives have a unique four-digit identification number preceded by the letter M (M-XXXX).
[b] Previously Head of Security for Prigozhin.
[c] Seriously injured in Libya and confirmed evacuated to Saint Petersburg military hospital in September 2019.

[341] Article 37 as amended by the Federal law of 28 December 2016 No512-FZ – Compilation of the Legislation of the Russian Federation, 2017, No1, Article 53. On 8 October 2017 a Presidential Decree allowed for the involvement of foreigners in Russian Federation military operations outside its territory. On 3 September 2018, by Presidential Decree 506 information about employees hired by the foreign intelligence agencies of the Russian Federation to perform reconnaissance missions who are not staff members of those agencies was classified as a state secret.

Appendix B to Annex 77: Aircraft flights for Russian interlocuters to eastern Libya

1. The Panel has identified the following flights between the Russian Federation and eastern Libya made by civilian aircraft strongly linked to, or owned by, ChVK Wagner or related companies (table B.77.1).

Table B.77.1
Libya related flights by ChVK Wagner linked aircraft

Date	*A/C #*	*From*	*To*
15 Aug 2018	M-VITO [a]	Beirut (OLBS)[b]	Misrata (HLMS)
15 Aug 2018	M-VITO	Misrata (HLMS)	Khartoum (HSSS)[c]
15 Sep 2018	M-VITO	Beirut (OLBA)	Misrata (HLMS)
13 Dec 2018	VP-CSP [d]	Tunis (DTTA)	El Beida (HLLQ)
13 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
14 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
14 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
15 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
15 Dec 2018	VP-CSP	El Beida (HLLQ)	Moscow (UUEE)
16 Dec 2018	VP-CSP	Moscow (UUEE)	El Beida (HLLQ)
16 Dec 2018	VP-CSP	El Beida (HLLQ)	Saint Petersburg (ULLI)
20 Dec 2018	VP-CSP	Saint Petersburg (ULLI)	Benghazi (HLLB)
22 Dec 2018	VP-CSP	Benghazi (HLLB)	Beirut (OLBA)
27 Dec 2018	VP-CSP	Moscow (UUEE)	Benghazi (HLLB)
27 Dec 2018	VP-CSP	Benghazi (HLLB)	Moscow (UUEE)
29 Dec 2018	VP-CSP	Benghazi (HLLB)	Saint Petersburg (ULLI)
10 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
10 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
13 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
13 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
15 Jan 2019	M-VITO	Beirut (OLBA)	Benghazi (HLLB)
15 Jan 2019	M-VITO	Benghazi (HLLB)	Beirut (OLBA)
22 Jul 2019	VP-CSP	Saint Petersburg (ULLI)	Benghazi (HLLB)
22 Jul 2019	VP-CSP	Benghazi (HLLB)	Sochi (URSS)
23 Jul 2019	VP-CSP	Sochi (URSS)	Benghazi (HLLB)
23 Jul 2019	VP-CSP	Benghazi (HLLB)	Saint Petersburg (ULLI)
9 Aug 2019	VP-CSP	Benghazi (HLLB)	Beirut (OLBA)

Source: Confidential source .

[a] Hawker 800XP (Serial # 258812) owned by Beratex Group Limited (Seychelles). Beratex (Moscow) controlled by Anastasia SAUTINA, who was CEO of the Prigozhin owned Concord Management and Consulting Limited until 2017, when replaced by Dimitri UTKIN (M-0209) Head of WAGNER organization.[342] Registered in Isle of Man until the registration was withdrawn on 4 April 2019. Now registered in Russia as RA-02791. The name of catering company linked to Prigozhin is VITO-1,[343] surely not a coincidence as VITO was specifically requested as the registration # from the Isle of Man aircraft registry.[345]

[b] The aircraft flew from Damascus, Syria to Beirut. WAGNER are known to be operating in Syria.

[c] 1) WAGNER are known to be operating in Sudan; and 2) the aircraft then flew to Bangui, Central African Republic, where WAGNER are also known to be operating. https://www.businessinsider.com/russia-WAGNER-group-mercenaries-where-operate-2018-4?r=US&IR=T, 19 November 2019.

[d] A British Aerospace 125-800B VP-CSP (Serial # 258210) allegedly owned by Springline Limited, Moscow.

2. The Panel has identified the following flights, to and from Libya to the Russian Federation, made by aircraft known to have been, or strongly suspected to have been chartered by HAF (tables B.77.2 and B.77.3).

Table B.77.2
HAF related Russia flights (P4-RMA)

Date	*A/C #*	*From*	*To*	*Remarks*
5 Nov 2018	P4-RMA [a]	Moscow (UUEE)	El Beida (HLLQ)	Haftar confirmed as a passenger. Dates of meeting with Prigozhin.
8 Nov 2018	P4-RMA	Moscow (UUEE)	El Beida (HLLQ)	Return flight to collect Haftar.
24 Aug 2019 [b]	P4-RMA	Moscow (UUEE)	Benghazi (HLLB)	

[a] Dassault Falcon 900 owned by Sonnig International Private Jet Limited (Hong Kong, China) and operated by Golden Eagle Trading F.Z.E. (UAE).

[b] Haftar reported as being in Moscow from 20 to 24 August 2019. https://www.africaintelligence.com/mce/corridors-of-power/2019/08/29/khalifa-haftar-makes-anti-g7-trip-to-moscow,108370080-art.

Table B.77.3
HAF related Russia flights (P4-BAA)

Date	*A/C #*	*From*	*To*	*Remarks*
12 Apr 2019	P4-BAA[a]	Moscow (UUEE)	El Beida (HLLQ)	
20 Apr 2019	P4-BAA	El Beida (HLLQ)	Beirut (OLBA)	En-route to Moscow[b]
26 Apr 2019	P4-BAA	Beirut (OLBA)	El Beida (HLLQ)	
30 May 2019	P4-BAA	Moscow (UUEE)	El Beida (HLLQ)	
15 Jul 2019	P4-BAA	Moscow (UUEE)	El Beida (HLLQ)	

[342] https://www.uawire.org/WAGNER-group-commander-becomes-ceo-of-putin-s-friend-s-catering-business, 16 November 2017.
[343] https://www.occrp.org/en/27-ccwatch/cc-watch-briefs/11051-putin-s-chef-to-pay-meager-compensation, 4 November 2019.
[345] The Panel has copies of all the appropriate registration and deregistration documentation, as well as the comprehensive flight records regarding flights to and from Libya.

[a] Dassault Falcon EX50 operated by Falcon Wings LLC (www.falconwings.com) (UAE). This is a new aircraft of interest to the Panel and investigations as to its provenance continue.

[b] Kheiri Al TAMIMI, Military Aide to Khalifa Haftar attended Conference on International Security in Moscow on 24 April 2019. https://uk.reuters.com/article/uk-russia-security-conference/aide-to-libyan-commander-haftar-visits-moscow-idUKKCN1S01WX, 24 April 2019.

Appendix C to Annex 77: Summary of Chvk Wagner communications of relevance to sanctions measures (2019)

1. Bychkov Report (Extract) 20 March 2019

RUSSIAN ORIGINAL

О ситуации в Ливии

После визитов Халифы Хафтара в Москву 07.11.2018 и Сочи 25-26.11.2018 им были подтверждены запросы о военно-технической поддержке и помощи в установлении диалога с военно-политическими группами Ливии, а также о разработке стратегии его предвыборной кампании в президенты Ливии. При этом, он гарантировал передачу РФ нефтяных и других экономических активов на подконтрольной ЛНА территории.

Большинство запросов Хафтара российская сторона выполнила: проведен политологический анализ ситуации, разработаны рекомендации для усиления политического влияния Маршала в Ливии, включая рекомендации по работе со СМИ и социальным сетям, запущена газета «Голос Народа» тиражом в 300000 экз., осуществляется консультирование телеканала Аль-Хадас, проведены переговоры и налажено тесное сотрудничество с основными военно-политическими группами Ливии (А. Салех, Х. Мишри, представители племен туареги, амазиги, тубу и городов Мисурата, Бани-Валид, Тархуна), организованы переговоры Х. Хафтара и С. Каддафи, осуществлена военно-техническая поддержка (осмотрено 536, отремонтировано и восстановлено 125 ед. техники).

Со стороны Хафтара встречных шагов по сотрудничеству нет, экономических проектов не предложено, более того фиксируется недружественная позиция по ряду ключевых позиций:

1. Российские специалисты не допускаются к реальной работе, обсуждению важных решений. Например, Хафтар отказал в разрешении на вылет 18.01.2019 г. самолета, направлявшихся по его же просьбе на переговоры с Сейфом Каддафи.

2. Ввел ограничения на доступ к информации о своей деятельности и действиях ЛНА. Советники маршала специально дезинформируют российских специалистов по ряду вопросов.

3. Получает финансовую помощь от ОАЭ. Например, за 20 млн долларов, полученных от ОАЭ, была куплена лояльность крепости Себха. В отличие от отношений с Россией, в обмен ОАЭ получили контракты на управление портом Бенгази и подряды на восстановление города.

OFFICIAL UN TRANSLATION

The situation in Libya

After visiting Moscow on 7 November 2018 and Sochi on 25 and 26 November 2018, Khalifah Haftar

reiterated his requests for military and technical support and assistance in establishing a dialogue with the various political and military groups in Libya, and with regard to developing his campaign strategy for the presidential elections in that country. He also gave assurances that oil and other economic assets in territory controlled by the Libyan National Army would be transferred to the Russian Federation.

Russia has met most of Haftar's requests: it has conducted a political analysis of the situation; made recommendations on how to boost the General's political influence in Libya, including through the media and social networks; launched a newspaper, *The Voice of the People*, with a print run of 300,000 copies; carried out consultations, which are ongoing, with Al-Hadath television channel; held talks and initiated close cooperation with the main military and political groups in Libya (Aqilah Salah, Khalid al-Mishri, representatives of Tuareg, Amazigh and Tabu tribes and the authorities of the cities of Misrata, Bani Walid and Tarhuna); organized negotiations between Khalifah Haftar and Saif al-Islam Qadhafi; and provided military and technical support (maintenance checks were carried out on 536 military vehicles, 125 of which were repaired).

No reciprocal moves on cooperation have been forthcoming on Haftar's part, nor have any economic projects been proposed. Indeed, his response has been less than amicable on a range of key issues:

1. Russian specialists are not permitted to do any meaningful work or participate in key decision-making. For example, on 18 January 2019, Haftar denied clearance for an aircraft to depart with personnel heading, at his request, to participate in talks with Saif al-Islam Qadhafi.

2. He has placed restrictions on access to information about his activities and the movements of the Libyan National Army. The General's advisers deliberately misinform Russian specialists on various matters.

3. He is receiving financial backing from the United Arab Emirates. For example, he used $20 million provided by that country to buy the loyalty of the Sabha citadel garrison. In return, unlike Russia, the United Arab Emirates received contracts to manage the port and rebuild the city of Benghazi.

2. Situation Report (Extract) 6 April 2019

RUSSIAN ORIGINAL

Справка по ситуации в Ливии по состоянию на 06.04.2019, 09.00

1) Вечером 05.04 7-ая бригада получила от Хафтара денег и оружие и согласилась принять участие в штурме Триполи. ЛНА контролирует Тархуну, Гарьян, Сабрату, Сарман, на половину Зинтан. ЛНА заявляет:

- высадке Спецназа ВМФ ЛНА на базе морской пехоты Сиди-Билал, в 17 км к западу от Триполи (численность не известна).

2) По мнению экспертов, сил ЛНА недостаточно для взятия Триполи:

- 04.04.2019г., с направления Зинтан (точное место неизвестно), силами подконтрольными Командующему «Западным военным округом» (ПНС) генералу-майору Усаме аль Жуайли, был нанесен арт. удар высокоточными

снарядами по силам ЛНА. Использовали арт. орудие калибром 150 мм (производство ОАЭ). Два орудия и высокоточные боеприпасы, а также средство подсветки (БЛА с целеуказателем) были поставлены в Ливию во время правления М.Кадаффи. В результате нанесенного удара был уничтожен пикап одним выстрелом. Потери л/с до 4-6 убитых и раненых. Представители ЛНА обратились к Командующему группировки РФ г/л-ту Халзакову А.В. с просьбой, выделить расчет БЛА от РФ, для выявления место положения этих орудий и дальнейшего захвата или уничтожения их, силами ЛНА в чем им было отказано.

OFFICIAL UN TRANSLATION

Update on the situation in Libya as at 9 a.m., 6 April 2019

1. On the evening of 5 April, the 7th Brigade received money and weapons from Haftar and agreed to join the assault on Tripoli. The Libyan National Army now controls Tarhuna, Gharyan, Sabratah, Surman and half of Zintan.

- According to the Libyan National Army, a group of its navy commandos has taken the Sidi Bilal marines base, 17 km west of Tripoli. The number of personnel involved in the operation is unknown.

2. Experts have concluded that the Libyan National Army forces are insufficient to capture Tripoli.

- On 4 April 2019, forces controlled by Brigadier Usamah al-Juwayli, Commander of the western military district under the Government of National Accord, carried out precision shelling of Libyan National Army positions from the Zintan area (exact position unknown). They used 155mm artillery manufactured in the United Arab Emirates. Two such artillery pieces, along with high-precision rounds and battlefield illumination equipment (drones equipped with target designators) were delivered to Libya when Muammar Qadhafi was in power. One pick-up truck was destroyed by a single round in the shelling, and losses amounted to between four and six combatants killed or wounded. Libyan National Army representatives approached the commander of a Russian Federation group of combatants, Major General A. V. Kholzakov, with a request for a full breakdown of the whereabouts of drones supplied by the Russian Federation, with a view to seizing or destroying them. The request was turned down.

3. Bychkov Report (Extract) 10 April 2019

RUSSIAN ORIGINAL

Возможные мотивы визита Х.Хафтара в РФ

3. После отказа 02.04.2019 предоставить официальную поддержку военной операции МИД РФ и участия российских военных для в ней, разместил в СМИ и соцсетях фотографии колонны ЛНА, включающей «белых» военнослужащих европейской внешности. Напечатанные на бумаге госномера 112 региона РФ разместил на военной технике и грузовиках Камаз, часть этих номеров удалось снять представителям Компании.

Таким образом, Хафтар намеренно демонстрирует политическим игрокам внутри Ливии и заинтересованным международным силам свои тесные отношения и военное сотрудничество с РФ, дабы повысить свою значимость («стоимость») и устрашить соперников.

OFFICIAL UN TRANSLATION

Possible motives for Khalifah Haftar's visit to the Russian Federation

3. After the refusal on 2 April 2019 by the Ministry of Foreign Affairs of the Russian Federation to officially support his military operation or provide Russian troops, Haftar released photos of a Libyan National Army convoy with "white" soldiers of European appearance to media and social media outlets. Paper number plates from 112 districts in the Russian Federation were affixed to military vehicles and KAMAZ trucks. Company officials managed to remove some them.

Haftar is attempting to bolster his standing and intimidate rivals by showing off his close ties to and military cooperation with the Russian Federation to political figures in Libya and international forces with a stake in the country.

4. "Ivan" report 22 April 2019

RUSSIAN ORIGINAL

руководителю

Информационное сообщение по итогам встречи 22.04.19 с российским военным аналитиком на территории

2. Очевидно, что противник значительно превосходит ЛНА по подготовленности, боеспособности и опытности личного состава. Несмотря на огромный расход боеприпасов (ежедневно совершается три самолето/вылета ИЛ-76 для доставки российского оружия из ОАЭ через Иорданию, также идут поставки из Египта), ЛНА так и не добилась никаких значимых военных успехов, и уже теряет завоеванные позиции. О качестве боевого управления в ЛНА можно судить хотя бы то следующему факту: в армии фактически неофициально признались в том, что сами по ошибке сбили недавно собственный самолет (две ракеты в самолет, принятый за самолет противника, запустили бойцы батальона «Тарик ибн Зияд», которым командует сын ХХ Саддам).

5. Командование ЛНА постоянно обращается с просьбами к российским военным в Ливии предоставить оружие и средства навигации и контроля (РЛС, комплексы «Игла» и др.), а также передислоцировать российский штаб в Джуфру или Гарьян (и обеспечить его для защиты с воздуха российскими ПЗРК) для консультаций операции на западе страны. Рефреном звучит фраза «помогайте нам как в Дерне». Однако никаких действий сейчас российская сторона не предпринимает, объясняя это невозможностью какого-либо участия в боевых действиях без санкции вышестоящего командования.

С уважением, Иван
22.04.2019

OFFICIAL UN TRANSLATION

To the Director

Report on the outcome of the meeting held on 22 April 2019 with a Russian military analyst on the ground

2. The opponent's forces are clearly superior to the Libyan National Army in terms of training, battle-readiness and experience. Despite the vast amounts of military supplies expended (Ilyushin IL-76 aircraft supply Russian weaponry from the United Arab Emirates via Jordan three times daily and deliveries from Egypt are also under way), the Libyan National Army has achieved no significant military success and is already losing ground it had taken. The quality of its combat command may be judged by a single incident: the Libyan National Army has more or less officially admitted that it recently shot down one of its own aircraft by mistake (combatants of the Tariq bin Ziyad battalion, commanded by Saddam Haftar, fired two missiles at the aircraft, wrongly identified as belonging to the opponent).

5. Libyan National Army commanders are continually pestering the Russian military in Libya for weaponry and navigation and control equipment (such as radar and Igla surface-to-air missile systems). They also keep requesting the redeployment of the Russian base, equipped with MANPADS for air defence, to Jufra or Gharyan for the purpose of advising them on operations in the west of the country. "Help us the way you did at Derne," they say. The Russians, however, have thus far refrained from taking any action, explaining that they cannot become involved in hostilities without the go-ahead from senior commanders.

Yours sincerely, Ivan
22 April 2019

5. Benghazi Mission Report 14 May 2019

RUSSIAN ORIGINAL

Руководителю

Отчёт о деятельности миссии в Бенгази
в период 5 – 13 апреля 2019 г. (состав миссии с 31.03.19 – 2 чел.)

Приложение 8

Информационное сообщение о ситуации по состоянию на 11.04.19
По итогам встречи с российским военным аналитиком на территории

11. Силы ПВО армии ХХ фактически равны нулю. Системы «Квадрат», по оценке нашего собеседника – по факту нерабочие. ЛНА обратилось к российским военным с просьбой о подготовке 10 военнослужащих для использования ПЗРК. Также ЛНА просит о предоставлении беспилотников.

12. О «профессионализме» бойцов ЛНА говорит огромный расход боеприпасов («палят без разбора»). Есть сведения о том, что для бригад 106 и «Тарик Бензият» самолетом С-17 на аэродром Харуб ежедневно доставляются боеприпасы из Египта (эти бригады используют вооружение, к которому подходят только патроны американского производства). Также с 6.04. ежедневно совершается два самолето/вылета ИЛ-76 для доставки российского оружия из ОАЭ через Иорданию. Каждый самолет доставляет до 500 тонн боеприпасов. Также есть сведения, что 9.04. в аэропорт Бенин (Бенгази) прибыл с боеприпасами транспортник С-130 «Геркулес» ВВС Франции.

13. 10.04. ХХ отбыл в Москву со списком требований о поставках оружия на 4-х страницах. Вместе с ним в Россию отправились советник Нурии Абдела Али и пресс-атташе Хейсам Касруддин Аль-Башир.

OFFICIAL UN TRANSLATION

The Director

Report on the mission to Benghazi
from 5 to 13 April 2019 (mission composition as at 31.03.19 - 2 persons)

Annex 8

Information on the situation as at 11.04.19
Following a meeting with the Russian military analyst on the ground

11. The anti-aircraft capabilities of the XX Army are effectively non-existent. In the view of our interlocutor, the Kvadrat systems are de facto not operational. The LNA has requested the Russian military to train 10 soldiers to use man-portable air defence systems. The LNA is also asking for drones.

12. The "professionalism" of the LNA fighters is evidenced by a huge consumption of ammunition ("they fire indiscriminately"). There are indications that C-17 aircraft make daily deliveries to Harub airfield of ammunition from Egypt for the 106th Brigade and the Tariq Ibn Ziyad Brigade (these brigades use weapons that can only use American-made cartridges). In addition, since 6.04 there have been two daily IL-76 departures to deliver Russian weapons from the United Arab Emirates via Jordan. Each aircraft delivers up to 500 tons of ammunition. There is also information that on 9.04 a French Air Force C-130 Hercules transporter arrived at Benina Airport (Benghazi) with ammunition.

13. On 10.04 XX departed to Moscow with a four-page list of weapons needs. Accompanying XX to Russia were Nouri's adviser Abdel Ali and press attaché Haysam Kasruddin Al-Bashir.

Appendix D to Annex 77: HAF military vehicle repairs

1. The reported list of ChVK Wagner specialists is shown below in table D.77.1.[346]

Table D.77.1
ChVK Wagner technical specialists deployed to Libya[347]

#	*WAGNER ID*	*Forename*	*Surname*	*Date of Birth*	*Cell #*
R1	M-1017	Enver Erstemovich	Didichev	26 Nov 1967	
R2	M-1359	Yury Eliseevich	Eliseev	3 May 1955	
R3	M-1014	Nikolai Mikhailovich	Gorbanev	10 Dec 1958	
R4	M-1357	Valery Meruzhanovich	Manasyan	18 Oct 1951	
R5	M-1598	Igor Vasilevich	Murin	5 Jan 1964	
R6	M-1361	Dmitry Leonidovich	Shinkerenko	21 Apr 1983	+79615140XXX
R7	M-1801	Rinat Khabibyanovich	Suleimanov	18 Oct 1971	+79024799XXX
R8	M-1358	Aleksei Anatolevich	Uskov	20 Oct 1980	+79284262XXX
R9	M-2158	Oleg Pavlovich	Volobuev	7 May 1970	

Source: Confidential source.

2. The reported list of armoured vehicles and artillery assessed by ChVK Wagner specialists is shown below in table D.77.2.[348]

Table D.77.2
HAF military vehicles assessed by ChVK Wagner specialists[349]

#	*Vehicle*	*Inspected*	*Damage assessments*	*Minor repairs*	*Overhauls*
1	T-55 MBT[a]	100	67	16	31
2	T-62 MBT	35	31	4	9
3	T-72 MBT	10	7		1
4	BMP-1 IAFV[b]	77	57	14	4
5	BTR-60 APC[c]	210	126	32	
6	BTR-80 APC (*Brem*)	21	9	3	
7	BRDM-2 CRPV[d]	41	30	3	1
8	2S1 122mm Howitzer (*Gvozdika*)	20	11	1	6

[346] 1) https://www.proekt.media/investigation/prigozhin-libya/1, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.
[347] Official UN translation 1919341E. 12 November 2019.
[348] 1) https://www.proekt.media/investigation/prigozhin-libya/1, 12 September 2019; and 2) Binnie J.A. *Leaked document says Russians are repairing LNA heavy equipment*. Janes Defence Weekly. 13 September 2019.
[349] From official UN translation 1919341E of figure 4.2. 12 November 2019.

#	*Vehicle*	*Inspected*	*Damage assessments*	*Minor repairs*	*Overhauls*
9	BM-21 122mm MBRL (*Grad*)[e]	6	3		
10	Tactical vehicle[f]	5			
11	MT-LB MPAAV (*Izdeliye*)[g]	10	4		
12	2S3 152mm Howitzer (*Akatsia*)	1			
	Total	**536**	**345**	**73**	**52**

[a] Main Battle Tank
[b] Infantry Armoured Fighting Vehicle
[c] Armoured Personnel Carrier
[d] Combat Reconnaissance Patrol Vehicle
[e] Multi-Barrel Rocket Launcher
[f] Type not known.
[g] Multi-Purpose Amphibious Armoured Vehicle

3. The restored vehicles were handed over to HAF in accordance with handover certificates and were available for use from 12 March 2019. The Panel noted the movement of apparently refurbished 2S1 122mm self-propelled artillery on 16 October 2019 near Suq Al Ahad (figure D.77.1).

Figure D.77.1
Apparently refurbished 2S1 122mm self-propelled artillery during road movement (16 October 2019) [a]



[a] Near Souk Al Ahad. Source. 20 October 2019.

4. Spare parts were procured for the T-55, BMP-1 and 2S1 military vehicles at a cost of RUB 6,712,796 (US$ 102,166).[350] Heaters for the T-55, T-72 and BMP-1 military vehicles were also purchased and delivered at a cost of RUB 12,125,000 (US$ 184,538).

[350] At www.xe.com mid-market rate of 12 March 20-19. US$1.00 = RUB 65.74.

Figure D.77.2
Original document (12 March 2019) [a]

СПРАВКА
по работе ремонтной бригады из РФ в Ливии

В период с 17 октября 2018 г. по настоящее время ремонтная бригада специалистов из РФ в составе 23 человек произвела осмотр, дефектовку и восстановление БТВТ, как ниже указано:

№ п/п	Наименование техники	Осмотрено	Дефектовка	Произведен мелкий ремонт	Восста-новлено
1	Танк Т-55	100	67	16	31
2	Танк Т-62	35	31	4	9
3	Танк Т-72	10	7		1
4	БМП1	77	57	14	4
5	БТР60	210	126	32	
6	БРЭМ	21	9	3	
7	БРДМ2	41	30	3	1
8	2С1	20	11	1	6
9	БМ-21	6	3		
10	ВАТ	5			
11	МТЛБ	10	4		
12	2С3	1			
	Итого	**536**	**345**	**73**	**52**

Вся восстановленная техника передана Ливийской стороне по актам приема-передачи и используется по назначению.

Так же были закуплены и поставлены запасные части для Т-55, БМП-1, 2С1 на сумму 6 712 796 рублей и радиаторы на Т-55, Т-72, БМП-1 на сумму 12 125 000 рублей.

12 марта 2019 г.

[a] Source: Dossier Centre (https://dossier.center/).

Appendix E to Annex 77: Ministry of Interior report (November 2019)

Figure E.77.1
Original[351]



ت- حالة الإستعانة بالمرتزقة الروس:

بدء من شهر سبتمبر 2019، لوحظ دخول قوات من المرتزقة الروس إلى منطقة العمليات العسكرية في نطاق طرابلس وخاصة محاور طريق المطار ووادي الربيع والسبيعة،حيث تقوم هذه القوات بمرافقة قوات حفتر لغرض القيام ببعض العمليات الخاصة، وبغض النظر عن شهود العيان الذين لاحظوا بشكل مباشر وجود هؤلاء المرتزقة،استطعنا الحصول على صور لهؤلاء المرتزقة الروس خلال تواجدهم في هذه المحاور، كما يثبت حضور رئيس شركة فاغنر التي تزود حفتر بالمرتزقة خلال اجتماع قام به حفتر مع مسؤولين روس في موسكوا، وعثر على صور أخرى شخصية وكذلك تثبت خلفية هؤلاء المرتزقة في هاتف شخصي يعود لأحدهم.[2]

وقد ثبت من خلال بعض الأدلة الصحفية مقتل حوالي 35 مرتزق روسي على أسوار طرابلس[43]

Source: Confidential.

OFFICIAL UN TRANSLATION [1921162E]

[*Document entitled: "Gharyan capture The report.pdf"*]

[*Notation at bottom of all pages in this document:*]

"Prepared by the advisor team in the Media Office of the Ministry of the Interior"

[*Page 5 of original*]

B. The situation with regard to the use of Russian mercenaries

Beginning in September 2019, it was observed that Russian mercenary forces were arriving in the military operations area around Tripoli, and in particular the airport road, Wadi Rabi` and Sabi'ah. Those forces accompanied the Haftar forces in carrying out certain special operations. Leaving aside the eyewitnesses who observed the presence of those mercenaries directly, we have been able to obtain photographs of those Russian mercenaries at while they were present at those battlefronts. There is evidence that the President of the Wagner Group, which is supplying Haftar with

[351] Extracted from "*The full report on the violations perpetrated by the forces of the war criminal Haftar - November 2019*". The full 170 page report was prepared by the team of the counsellors of the Media Bureau of the Minister of Interior.

mercenaries, was present at a meeting between Haftar and Russian officials in Moscow. There have also been personal photographs uncovered. The background of the mercenaries was also confirmed by one mercenary's telephone.

Some journalistic evidence has confirmed that around 35 Russian mercenaries have been killed on the outskirts of Tripoli.[352, 353]

[352] https://www.themoscowtimes.com/2019/10/03/dozens-of-russian-mercenaries-killed-in-libya-meduza-a67569, 3 October 2019.
[353] https://www.thetimes.co.uk/article/airstrike-kills-kremlin-mercenaries-backing-libyan-strongman-khalifa-haftar-nbq0szmhz, 4 October 2019.

Appendix F to Annex 77: Panel summary of ChVK Wagner operative's interview on Al Aan TV (3 December 2019)

1. The following is a Panel translation of the cover page for a TV interview that was broadcast on www.youtube.com on 3 December 2019 by Al Aan TV.[354]

> Individuals undergoing military training, deploy on secret missions and receive direct financial and technical support from Russia. This is part of the reality of the role of Russian ChVK Wagner mercenaries in conflict and civil war areas. From Syria to the two dams, Libya has the same presence and goals. Igor Kulikov, a fighter of Russian ChVK Wagner mercenaries, returned home after being hit on Russian soil where we met him, but he insisted on hiding his face for fear of being identified. Igor Kulikov says that ChVK Wagner is deployed in Benghazi and Tripoli, but he took it upon himself not to talk about his role in Libya and what he was doing. Kulikov described ChVK Wagner as a commercial company and said that he had supervised group training in Libya. He noted that his motivation for joining ChVK Wagner was money, especially as they paid relatively good money. What Kulikov said refutes much of the talk and denials about the presence of ChVK Wagner mercenaries in Libya and their military and combat role there. It categorically proves their heavy military presence and the goal of obtaining financial may justify any act or violation committed.

2. The following is a Panel summary of the key points made in the interview:

- A few months ago he was fighting in Benghazi and Tripoli, although mainly Tripoli.
- He was an instructor training groups on fighting in built up areas (FIBUA).
- He is from a village in Siberia and is ex-military , in the 'Serdekov'. ChVK Wagner offered him a job.
- He stated that financial and technical support came from Russia.
- He was once injured in Libya and was transferred to Russia for treatment, and then returned to Libya as he was still under contract.
- He and his colleagues do not care who is dealing with who in this conflict. He affirms being a mercenary and considers it a job, as do his colleagues.
- He added that any member of the group who commits 'violations' or 'crimes' are laid off and never contracted again.
- He was keen on keeping his identity secret but the TV channel indicates that his name is Igor KOLIKOV (the Panel cannot corroborate this).

[354] https://www.youtube.com/watch?time_continue=7&v=i5Qb5hjfUJk&feature=emb_logo, 3 December 2019.

Appendix G to Annex 77: Confirmed ChVK Wagner casualties

Table G.77.1
ChVK Wagner casualties [a]

Date	*Forename*	*Surname*	*Date of Birth*	*Remarks*
7 Sep 2019	Vadim	Bekshenev [b]		▪ Confirmed by recovered Sherbank Visa Card (4276 xxxx xxxx 2738) (Expires 08/22) found in area of operations.
7 Sep 2019	Ignat	Borichev		▪ a.k.a. “Benya”
7 Sep 2019 or 12 Sep 2019	Arytom Alexseevich	Nevyantsev [c]	30 Apr 1981	▪ a.k.a. “Hulk” ▪ 2nd Chechyen War and Ukraine “Steop” Task Force.
Sep 2019	Gleb Aleksandrovich	Zverev [d]	1 Aug 1992	▪
Not known	Denis			▪ a.k.a. “Vector” ▪ From Kushchevskaya
Not known				▪ a.k.a. “Academician”
27 Jan 2020	Vladimir	Skopinov [e]		▪ a’k’a’ “Marin” ▪ Donbass veteran from Saint Petersburg. ▪ Deployed on 7 December 2019.
				▪

[a] Primary source: https://meduza.io/en/feature/2019/10/02/a-small-price-to-pay-for-tripoli. Accessed 3 October 2019.

[b] https://citeam.org/wagner-mercenaries-on-the-frontline-in-libya/?lang=en. Accessed 27 October 2019.

[c] https://myrotvorets.center/criminal/nevyancev-artem-alekseevich/. Accessed 12 December 2019.

[d] https://twitter.com/CITeam_en/status/1186282467550027776. Accessed 27 October 2019. And multiple other sources.

[e] https://m.vk.com/memorial_dnr. 07:47pm, 27 January 2020.

Figure 10.1
Vadim Bekshenyov [a]

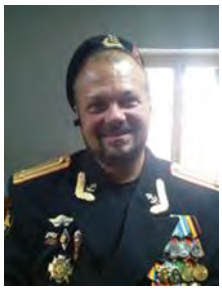


Figure 10.2
Sergei Yurevich Golubenko [b]



Figure 10.3
Gleb Zverev [c]



Figure 10.4
Vladimir Skopinov [d]



[a] https://twitter.com/CITeam_en/status/1186282467550027776. 27 September 2019. Original posted 2 March 2016.
[b] https://myrotvorets.center/criminal/golubenko-sergej-yurevich/. 28 March 2017.
[c] https://twitter.com/CITeam_en/status/1186282467550027776. 27 September 2019.
[d] https://m.vk.com/memorial_dnr. 07:47pm, 27 January 2020.

Annex 78 Member States and regional organizations responses during 2020 to arms embargo violations

1. Some Member States and regional organizations have taken a range of unilateral actions during 2020 in response to non-compliances with the arms embargo by entities based or registered within their territories (see table X.1).

Table 78.1
Member State responses

Date	*Perpetrator*	*Equipment*	*Reference*	*Member State*	*Response*
21 Apr 20	Azee Air LLC, Kazakhstan	IL-76TD (UP-I7650) (UP-I7651) (UP-I7654)		Kazakhstan	▪ AOC suspended for 6 months on 21 Apr 2020. ▪ AOC not renewed
29 May 20	Sigma Airlines, Kazakhstan	IL-76TD (UP-I7602) (UP-I7645) (UP-I7655) B-747 (UP-B4702) A-300 (UP-A3003)	S/2019/914, annexes 28 and 52	Kazakhstan	▪ AOC suspended for 6 months on 29 May 2020. ▪ AOC removed on 23 Sep 2020.[a]
20 Jun 20	HAF	AN-32B (EY-332)		Tajikistan	▪ Deregistered aircraft on 20 Jun 2020.
2 Jul 20	Jenis Air LLC, Kazakhstan	IL-76TD (UP-I7646) (UP-I7652) (UP-I7656)		Kazakhstan	▪ AOC suspended for 6 months on 3 July 2020. ▪ AOC not renewed
21 Sep 20	Sigma Airlines, Kazakhstan	As above	S/2019/914, annexes 28 and 52	European Union	▪ Assets freeze
21 Sep 20	Avrasya Shipping, Turkey	MV *Cirkin*		European Union	▪ Assets freeze
21 Sep 20	Med Wave, Shipping, Jordan and Lebanon	MV *Bana*		European Union	▪ Assets freeze
14 Oct 20	Yevgeny Prigozhin	ChVK Wagner		European Union	▪ Entry ban and assets freeze

[a] https://www.barrons.com/news/kazakhstan-suspends-three-airlines-for-breaking-un-libya-embargo-01600847703. 23 September 2020.

Annex 79 Oil blockade

1. On 17 January 2020, purportedly spontaneous demonstrations by the local population in Zueitina[355] called for a blockade of the oil and gas export terminals in the East. Citizens were allegedly protesting against a Turkish intervention against HAF in the country. The spokesman for the HAF, Ahmad al-Mismari, indicated that "*the closure of the fields and the terminals is purely a popular decision. It is the people who decided this*".[356]

2. The Panel however ascertained that the demonstrations were not spontaneous and independently confirmed that senior representatives of the Petroleum Facilities Guards (PFG) for the Central and Eastern Region, led by Major General Nagi al-Moghrabi, verbally ordered the heads of the NOC subsidiaries in eastern Libya to halt export operations and enforce the closure of facilities.

3. As result of the above, NOC was compelled to declare *force majeure* on 18 January 2020 in the five crude oil and gas export terminals in the East[357], and on 20 January 2020 on the Sharara[358] and Al Feel[359] oilfields. *Force majeure* was declared to minimize losses and limit Libyan state contractual liabilities. While it affected all operations in these ports, it did not affect operations in other eastern commercial ports. Oil product vessels continued discharging both imported and domestically refined products in Benghazi and Tobruk, following a planned schedule.

4. *Force majeure* was gradually lifted between September and October 2020[360] as result of an agreement between the GNA and HAF. At the centre of this agreement is the issue of the distribution of the oil revenues. The lifting was possible after both parties agreed that the oil revenues will remain frozen in the NOC's account in the Libyan Foreign Bank, where revenues are deposited, as an exceptional and temporary measure until a more durable economic arrangement is negotiated. To date, USD 2.35 billion of oil revenues remain frozen.

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[355] Located at 30°53'56.2"N 20°04'22.1"E.

[356] 'UN Libya mission 'concerned' over threats to block oil exports', Al Jazeera, 18 January 2020, https://www.aljazeera.com/news/2020/01/libya-national-oil-company-warns-export-blockade-200118062412807.html

[357] These are: Sidra (30°38'08.7"N 18°22'02.9"E); Ras Lanuf (30°29'06.2"N 18°34'55.9"E); Brega (30°24'52.5"N 19°35'27.2"E): Zueitina (30°53'56.2"N 20°04'22.1"E): and 5) Hariga (Tobruk) (32°03'43.9"N 23°59'31.8"E).

[358] Centred at 26°34'36"N, 12°13'05"E.

[359] Centred at 26°02'08"N 11°58'33"E.

[360] In Brega and Hariga (Tobruk) export terminals on 19 September 2020; in Zueitina export terminal on 22 September 2020; in Sharara oilfiled on 11 October 2020; in Sidra and Ras Lanuf export terminals on 23 October 2020; and in Al Feel oilfield on 26 October 2020.

Annex 80 Letters from eastern authorities challenging the NOC legitimacy

Figure 80.1
Official translation of communications received from the Chairman of the eastern National Oil Corporation

2001700E

Translated from Arabic

National Oil Corporation

Ref.: 1/9/28/2020 Date:30 January 2020
File: 1/9

Sir,

Mass protests that have shut down the oil ports and, as a consequence, force majeure was declared at most oil fields and ports. Given that all oil imports and fuel destined for the Brega Petroleum Marketing Company are contracted for by the National Oil Company in Tripoli, we should like to draw your attention to the following:

1. Mr. Sanalla, in an attempt to support the illegitimate strongman, has sought to prevent the tanker *Tazerpo* from carrying cooking gas from the port of Zuwaytinah to the port of Benghazi.
2. Mr. Sanalla has consistently not supplied the eastern and southern regions with fuel that they were scheduled to receive. This is clearly demonstrated by the manner in which the recently acquired gas cylinders were distributed. Of the 1 million cylinders that were brought in, only 60,000 were sent to the eastern region.
3. Mr. Sanalla has stopped supplying kerosene heating fuel since 4 April 2019, despite the great need for it in winter.
4. Mr. Sanalla has stopped shipping aviation fuel since 4 April 2019. This has had an adverse effect on civil aviation.
5. The Brega Petroleum Marketing Company allocates only 40 per cent of available fuel for the eastern and central regions, even though the eastern arm of the Company serves an area that covers more than 90 per cent of Libya, including the South and Jabal al-Gharbi (Tarhunah, Sabha, Jufrah, Ghat, Bani Walid and others).
6. Mr. Sanalla has held back the budgets of projects that would increase fuel storage capacity in the eastern region, causing fuel shortages.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Al-Mabruk Sa'id **Sultan**
Chair of the Board of Directors

2011041E

Translated from Arabic

National Oil Corporation

Ref.: 1/9/182/20
File: 1/9

Date: 23 August 2020

Sir,

We should like to inform you that the force majeure declared by Mr. Mustafa Sanalla at the oil ports has created many serious problems, which, in turn, might cause the following humanitarian crises and technical difficulties. Following are those problems:

- The inability to distribute the production of local refineries has led to a complete lack of storage capacity at the ports of Burayqah and Hariqah. As a result, production at local refineries has come to an almost complete halt, thus causing a shortage of petrol, diesel and jet fuel.
- The inability to distribute the associated gas produced at the fields of the Sirte Oil Company has caused the condensate storage tanks to reach capacity. As a result, gas production has declined, thus causing blackouts in the eastern region.
- The ammonia storage tank in Brega cannot be emptied. Although precautions have been taken, this highly explosive substance presents a serious threat to lives and facilities in the Brega industrial area.

The National Oil Corporation, from its legal domicile in Benghazi, reiterates that it will begin to dispose of those products in order to safeguard lives and facilities.

We ask the United Nations mission to grant the required authorization. We will hold the mission liable for any dangers arising from delays in disposing of those products.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Al-Mabruk Sa'id **Sultan**
Chair of the Board of Directors

Figure 80.2
Official translation of a communication from the parallel ministry of foreign affairs in Al Baida

2011911E 1

(*Translated from Arabic*)

State of Libya
The Libyan Government
Ministry of Foreign Affairs and International Cooperation
Office of the Minister

Date: / /
No.: 1430

Note verbale

The Ministry of Foreign Affairs and International Cooperation (Office of the Minister) of the Libyan Government presents its compliments to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, and has the honour to convey to you a letter from His Excellency Dr. Abdulhadi Ibrahim al-Hawaij, Minister for Foreign Affairs and International Cooperation of the Libyan Government, regarding the Ministry's request for pressure to be put on the National Oil Corporation to supply power plants with the gas and fuel needed by the eastern, southern and central regions of the country to meet the urgent humanitarian needs of Libyan citizens.

The Ministry hopes that you receive this well and take note.

The Ministry of Foreign Affairs and International Cooperation (Office of the Minister) of the Libyan Government takes this opportunity to convey to the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya the assurances of its highest consideration.

[*Illegible signature*]

[*Seal of the Office of the Minister*]

To: The Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya
Benghazi, 13 September 2020

State of Libya
The Libyan Government
Ministry of Foreign Affairs and International Cooperation
Office of the Minister

Date: / /
No.: 1430

A number of parts of my country – notably the eastern, central and southern regions – are facing a growing shortfall in electricity generation owing to the declaration by the Chair of the National Oil Corporation, Mustafa Sanallah, of force majeure in a number of ports. That has prevented gas and diesel shipments from reaching electric power plants, resulting in the suspension of operation of a number of power plants and a shortage of energy supplies.

That has had a negative impact on the provision of services to citizens by such public institutions as hospitals, health centres and banks. The country is in dire need of such supplies, especially in the light of the Corona pandemic and the growing numbers of infections, as well as the lack of liquidity and frequent power cuts.

The Ministry of Foreign Affairs and International Cooperation demands that pressure be put on the National Oil Corporation to supply power plants with the gas they need on a regular basis. We note that for five full years, power plants in the eastern region did not face any technical problems and provided high levels of electricity services. Unfortunately, Mustafa Sanallah has been trying to transfer electricity problems from the western region to the eastern region for reasons that appear to be political rather than technical. In addition, for five months now, shipments of airplane fuel have been blocked on the feeblest of pretexts. That has negatively affected capacities to provide humanitarian services (notably air ambulance services), as well as to operate passenger aircraft and cargo planes – services the importance of which is no secret to you. We note that aircraft fuel is available in the western region, an indication of a blatant double standard in the conduct of the National Oil Corporation.

H.E. Jürgen Schulz
Deputy Permanent Representative of Germany to the United Nations
Chair of the Security Council Committee established pursuant to resolution 1970 (2011)

We shall hold the international community responsible in the event that a humanitarian catastrophe should result from these unjust measures and the recurring blockade being imposed on our people in the eastern, southern and central regions.

In conclusion, we expect that you will understand and appreciate our humanitarian situation, and urge the National Oil Corporation not to exploit humanitarian needs for political ends of which Libyan citizens will be the primary victims. Alternatively, you could allow the Libyan Government to import gas and fuel in exchange for exporting shipments of crude oil, for purely humanitarian reasons stemming from urgent need and with a view to alleviating the hardship being suffered by Libyan citizens.

(*Signed*) Abdulhadi Ibrahim **al-Hawaij**
Minister for Foreign Affairs and International Cooperation

Annex 81 New Board of Directors of Brega Petroleum Marketing Company

Figure 81.1
Official translation of the decision of the Board of Directors of Brega Petroleum Marketing Company

State of Libya
National Oil Corporation

Decision No. 50 (A.H. 1441 / A.D. 2020) of the Board of Directors of the Company, in plenary assembly, reconfiguring the Steering Committee of the Brega Petroleum Marketing Company

Board of Directors

Having considered the interim Constitutional Declaration, as amended;
Act No. 25 (1955) concerning petroleum, as amended;
Act No. 24 (1970) reorganizing the National Oil Corporation, as amended;
Decision No. 10 (1979) reorganizing the National Oil Corporation, as amended;
Decision No. 3 (2011) of the Minister of Oil and Gas reconfiguring the Board of Directors of the National Oil Corporation;
Decision No. 50 (2014) of the acting Minister of Oil and Gas granting a member the functions of chair of the Board of Directors of the Corporation and appointing another member;
Decision No. 79 (2018) of the Board of Directors of the Company, in plenary assembly, reconfiguring the Steering Committee of the Brega Petroleum Marketing Company; and
The deliberations of the Board of Directors at its seventh ordinary meeting held in Tripoli on 26 April 2020;

Decides

Article I

The Steering Committee of the Company shall be reconfigured as follows:

1.	Ibrahim Ahmad Abu Buraydi'ah	Chair
2.	Abdulrahman Abdulsalam al-Ubaydi	Member
3.	Miftah al-Rimah al-Asqa'	Member
4.	Muhammad Khalifah Abu al-Hasan	Member
5.	Faraj Ali Muhammad al-Ja'idi	Member

Article II

This decision shall enter into force on the date of issue. Any existing provisions to the contrary are hereby rescinded. The competent parties are obligated to implement this decision.

(*Signed*) Mustafa Abdullah **Sanalla**
Chair, Board of Directors

Done at Tripoli on 7 Ramadan A.H. 1441 (30 April A.D. 2020).

Annex 82 Attempts to illicitly export crude oil

Figure 82.1
Contract extension for a crude oil sale and purchase agreement



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

24/08/2020 التاريخ : الموافق :

C.O.M.20.08.067 الإشارة : المصدر :

To : Oil & gas Global Services Ltd
Attention : MR. Emil Kotzev
Reference No. : C.O.M.20.08.067
Subject : Contract Extension

Subject: Contract Extension:

With Regards to the FOB contract **(Oil & gas Global Services Ltd),** registration No **(2019-C-003) & the contract No, [007-June-2019]**, signed on the **20th of June 2019**. The National Oil Corporation of Libya (NOC) would like to inform you with reference to the Paragraph (4) **Quantity and Duration.** The time period has been extended for another **90 working days**.

Yours Sincerely,

Libyan Interim Government
National Oil Corporation
Crude, Gas & Products Marketing Manager

Dr. Farag H. Gaith
Crude, Gas & Products Marketing Manager
National Oil Corporation, (NOC)

cc:
- NOC Chairman
- Member of the Board of Director for Marketing
- Crude Dept
- Company file

(00218)614782560 - (00218)614782561 البريقة - بنغازي
www.noc-ly.org info@noc-ly.org

Figure 82.2
Allocation certificate of 1 million barrels of crude oil



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ : 24/08/2020
الموافق :

الإشارى : C.O.M.20.08.066
الملف :

To : Oil & gas Global Services Ltd
Attention : Mr. Emil Kotzev
Reference No. : C.O.M.20.08.066
Subject : Allocation Certificate

Allocation Certificate No: 001/08/2020

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **Oil and Gas Global Services Ltd** in our call, 1,000,000 bbls of Sarir/Messla blend crude oil loading Marsa El Hariga On FOB Oil and Gas Global Services Ltd (007-June-2019) (2019-C-003) port (Marsa El Hariga), to be loaded between 01st of Sebtmeber 2020 to 15th of October 2020, as per contract No; Oil and Gas Global Services Ltd **(007-June-2019) (2019-C-003)**
And we will accommodate your nominated vessel accordingly.

Yours Sincerely,

Libyan Interim Government
National Oil Corporation
Crude, Gas & Products Marketing Manager

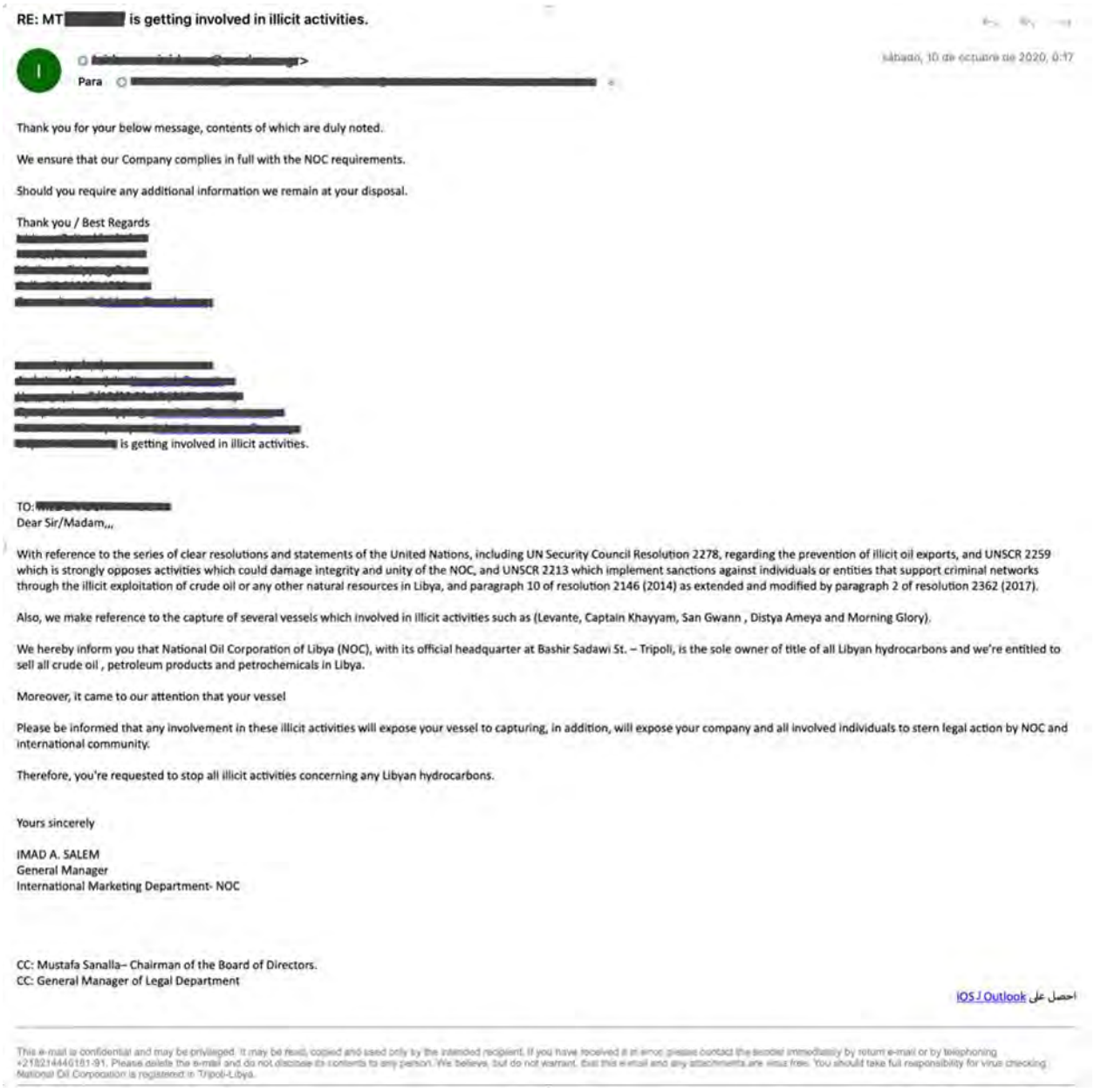
Dr. Farag H. Ghaith
Crude, Gas & Products Marketing manager
National Oil Corporation (NOC)

cc:
- NOC Chairman
- Member of the Board of Director for Marketing
- Crude Dept.
- Company file

(00218)614782560 - (00218)614782561 بنغازي - البرقة
www.noc-ly.org info@noc-ly.org

Annex 83 Attempts to illicitly export condensate

Figure 83.1
Email exchange after vessel was nominated for a condensate export



RE: MT[redacted] is getting involved in illicit activities.

[redacted]> sábado, 10 de octubre de 2020, 0:17

Para [redacted]

Thank you for your below message, contents of which are duly noted.

We ensure that our Company complies in full with the NOC requirements.

Should you require any additional information we remain at your disposal.

Thank you / Best Regards

[redacted]

[redacted] is getting involved in illicit activities.

TO: [redacted]

Dear Sir/Madam,,,

With reference to the series of clear resolutions and statements of the United Nations, including UN Security Council Resolution 2278, regarding the prevention of illicit oil exports, and UNSCR 2259 which is strongly opposes activities which could damage integrity and unity of the NOC, and UNSCR 2213 which implement sanctions against individuals or entities that support criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya, and paragraph 10 of resolution 2146 (2014) as extended and modified by paragraph 2 of resolution 2362 (2017).

Also, we make reference to the capture of several vessels which involved in illicit activities such as (Levante, Captain Khayyam, San Gwann , Distya Ameya and Morning Glory).

We hereby inform you that National Oil Corporation of Libya (NOC), with its official headquarter at Bashir Sadawi St. – Tripoli, is the sole owner of title of all Libyan hydrocarbons and we're entitled to sell all crude oil , petroleum products and petrochemicals in Libya.

Moreover, it came to our attention that your vessel

Please be informed that any involvement in these illicit activities will expose your vessel to capturing, in addition, will expose your company and all involved individuals to stern legal action by NOC and international community.

Therefore, you're requested to stop all illicit activities concerning any Libyan hydrocarbons.

Yours sincerely

IMAD A. SALEM
General Manager
International Marketing Department- NOC

CC: Mustafa Sanalla– Chairman of the Board of Directors.
CC: General Manager of Legal Department

احصل على iOS / Outlook

This e-mail is confidential and may be privileged. It may be read, copied and used only by the intended recipient. If you have received it in error, please contact the sender immediately by return e-mail or by telephoning +218214440181-91. Please delete the e-mail and do not disclose its contents to any person. We believe, but do not warrant, that this e-mail and any attachments are virus free. You should take full responsibility for virus checking. National Oil Corporation is registered in Tripoli-Libya.

Annex 84 Establishment of the ‘Joint Forces’ to fight fuel smuggling

Figure 84.1
Official translation of the decision establishing the ‘Joint Forces’.

Libyan Army
Office of the Chiefs of Staff
Joint Operations Room, Western Region

Subject: Referral of decision
Date: **10 Dhu’lqa‘dah A.H. 1441**
Corresponding to 1 July 2020
No.: *ghayn ayn ghayn* /167/357

To:

10605 Staff Brigadier General Khalifah Salim Gharabil

We hereby forward to you our Decision No. 1 of 2020 establishing a force and appointing you as its commander, so that you may carry out the Decision’s contents.

Please take appropriate measures.

Annexes: Copy of the decision

(*Signed*) Usamah Abdulsalam **Juwayli**
General
Commander of the Joint Operations Room, Western Region

cc:
Department of military intelligence / for information
General file / for records

Decision of the Commander of the Joint Operations Room, Western Region

No. 1 of 2020

concerning the creation of a force and the appointment of its commander

Having considered:

The interim Constitutional Declaration of 3 August 2011 and amendments thereto;

The political agreement signed on 17 December 2015;

Act No. 40 of 1974 concerning military service and amendments thereto;

Act No. 43 of 1974 concerning retirement from the military and amendments thereto;

Act No. 35 of 1977 concerning the reorganization of the Libyan army (formerly the armed forces);

Act No. 11 of 2012 concerning the authorities of the command levels of the Libyan Army;

Commander-in-Chief Decision No. 37 of 2019 concerning the establishment of a Joint Operations Room in the Western Region;

And the best interests of the public,

It is decided as follows:

Article 1

A force shall be formed consisting of units that took part in repelling the aggression against the city of Tripoli (operation Volcano of Anger). There will units of 500 personnel for each region. It shall be called the Joint Force.

Article 2

Staff Brigadier General Fayturi Khalifah Salim Gharabil (No. 10605), shall be appointed commander of the force.

Article 3

The force shall be charged with the following tasks:

1. It will secure the entrances and exits to the Western Region and control the movement of vehicles and weapons.
2. It will evacuate public and private premises where groups are stationed in violation of the law, and hand them over to the official authorities.
3. It will apprehend armed gangs that threaten public and private institutions, and confiscate vehicles and weapons.
4. It will combat fuel and food smuggling, illegal immigration and related activities.
5. It will support the competent authorities in dismantling informal buildings and preventing encroachment on public lands.
6. It will perform any other tasks it is charged with by the Commander of the Joint Operations Room in the Western Region.

Article 4

This decision shall enter into force on the date of its issuance. The relevant parties shall be required to implement all activities related to it.

(*Signed*) Usamah Abdulsalam **Juwayli**
General
Commander of the Joint Operations Room, Western Region

Issued on: 10 Dhu'lqa'dah A.H. 1441
Corresponding to 1 July 2020

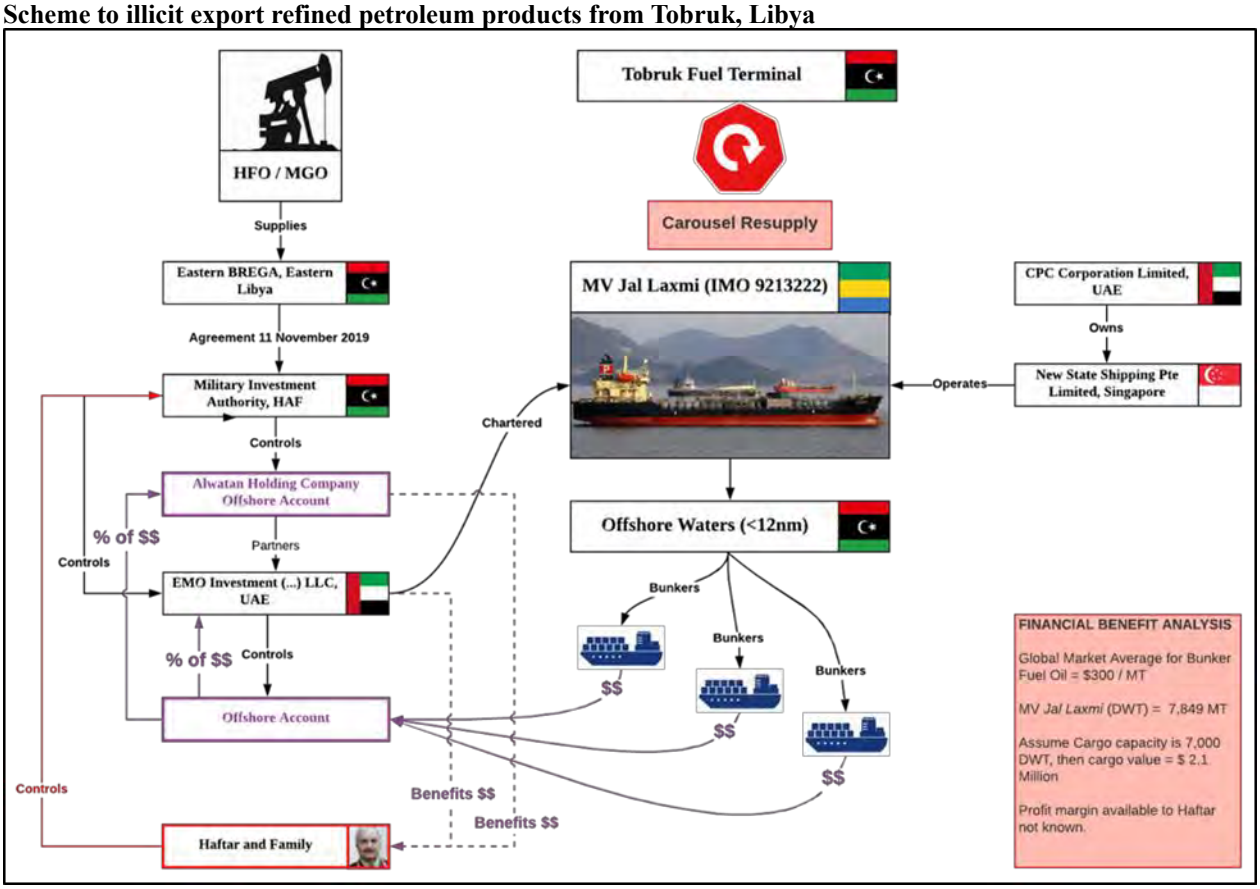
Annex 85 The case of M/T Jal Laxmi

1. On 21 May 2020 the Panel informed the Committee that the Gabon-flagged tanker, M/T *Jal Laxmi* (IMO 9213222), intended to call at Tobruk port to load a cargo of Libyan bunker fuel including heavy fuel oil (HFO) and marine gasoil (MGO).

2. The operation, which eventually did not take place, was based on two agreements: 1) between the Military Investment Authority (MIA) of the LNA and the parallel Eastern Brega (see paragraph 139 of S/2019/914); and 2) between the MIA and EMO Investment, Trading and Marketing of Oil and Derivatives LLC, a company based in Abu Dhabi, United Arab Emirates, that had chartered M/T *Jal Laxmi* (IMO 9213222) (see figure 60.1).

3. By virtue of these agreements, M/T *Jal Laxmi* (IMO 9213222) would have been performing the role of a supplier and marketer of bunker fuels (HFO and MGO) to vessels outside port limits, for vessel consumption and not bulk quantities. A description of the illicit export scheme can be found in figure 85.1.

Figure 85.1
Scheme to illicit export refined petroleum products from Tobruk, Libya



Source: Panel of Experts

Figure 85.2
Unofficial translation of the agreement between the MIA and EMO Investment, Trading and Marketing of Oil and Derivatives LLC

Translation from Arabic

In the Name of God the most Gracious and merciful

An Investment and Operating Contract

On Wednesday corresponding to 20 /11/2019 it was agreed between both of:

First: The Military Investment Authority at the General Command of the Libyan Arab Armed Forces represented in Alwatan Holding Co. and represented in signing this contract by:

Mr. Major General (Pilot) Mohamed Almadani Abdelhafeedh Younis, in his capacity as the Chairman of the Board of Directors of the Military Investment Authority and the Chairman of the Board of Alwatan Holding Co. and the legal representatives of both entities

And referred to in this Contract as First Party

Second: Emo Investments Trading & Marketing of Oil and Derivatives L.L.C and represented in this Contract by:

Mr./ Ahmed Amer Omar Salah Omar, in his capacity as the legal representative of the Company.

And referred to in this Contract as Second Party

1

Preamble

Whereas the First Party owns exclusively selling the diesel and the heavy oil for supplying ships at (Tobruk, Benghazi, Brega) ports in the anchor area and offshore under Fuel Sale Contract for supplying ships with (diesel – heavy oil) signed between the First Party and Brega Petroleum Marketing Company which is the only entity authorized to sell ships fuel in both types pursuant to its establishment law and its Articles of Association

Whereas the Second Party has shown its wish and capability in implementing the terms of the contract signed between the First Party and Brega Petroleum Marketing Company of which a copy is attached to this Contract.

The Two Parties agreed to enter into and sign this Contract according to the following terms and conditions:

Article (1)

The above preamble shall be inseparable part of this contract as well as Law No (3) of the year 2018 regarding the establishment of (Military Investment Authority) and its executive regulation.

Article (2)

The Second Party represents that it has become familiar with the contract signed between the First Party and Brega Petroleum Marketing Company, accepted it and shall comply with implementing all the conditions and obligations contained therein.

Article (3)

The First Party shall comply with and permits the Second Party to implement (by subcontracting) the whole terms of the contract mentioned in the preamble above, where the First Party has obtained the written non-objection of Brega Petroleum

Marketing Company, under its letter No. (2019-047) dated 17/11/2019 of which a copy is attached to this contract.

Article (4)

The Second Party shall comply with providing and operating the fuel supplying ships at the ports of (Tobruk, Benghazi, Brega) as per the needs of the market and on its own cost bearing all their costs including and not limited to the costs of their operation, sustainability, management and security. The Second Party shall also transfer the First Party's share agreed on by percentage of (%) of the net profits to the bank account of the First Party at the end of each fiscal year of the State of Libya.

Article (5)

The First Party shall open a bank account or more to the Second Party and in its name and under its full will in the local and foreign currency at one or more of the banks working in Libya.

Article (6)

The First Party shall limit its activity within the scope of this contract to the Second Party alone with nobody else throughout the contract period and its extensions. If the First Party wishes after signing this contract to terminate it or suspend it or take any other similar action the First Party shall not commence such procedure except after the payment of the entire and full costs and expenses that the Second Party has paid including the price of fuel supply ships and the expected profits to the Second Party for the remainder period of the contract or the extension.

Article (7)

The First Party shall not intervene in the management, operating and marketing of the Second Party throughout the period of the contract and its extensions and only the Second Party and no one else has the full freedom in the management, operating and marketing of the contract. The First Party also grants the Second Party the full

freedom in entering a partner or more provided that the provisions, terms and obligations of this contract shall apply to every partner of the Second Party.

Article (8)

The First Party undertakes that the Second Party will enjoy the benefits that the First Party enjoys including taxes and fees exemption and any other exemptions or privileges provided under Law No. (3) of the year (2018) regarding the establishment of (Military Investment Authority) or its executive regulation and any other privileges permitted by law. The First Party shall enable the Second Party to import supplying ships, material and equipment used to implement this contract in the name of the First Party whenever the Second Party so demands. The First Party shall also oblige to the right of the Second Party to purchase the fuel in the name of the First Party.

Article (9)

The Parties hereby agree that the validity of this contract shall be (ten years) starting from 11/11/2019, the date on which the First Party signed the Contract with Brega Petroleum Marketing Company and shall be renewed when it is renewed.

Article (10)

If any dispute or disagreement arises between the Parties, it shall be settled amicably. If the dispute persists then the text of Article (65) of the Executive Regulation of Law No. (3) of the year (2018) regarding the establishment of (the Military Investment Authority) shall be applied.

Article (11)

Any annex or more signed between the Parties as a complement, an amendment or revoking this Contract or one of its articles, without prejudice to the provisions of the contract signed with Brega Petroleum Marketing Company and its annexes, if any.

Article (12)

The Parties shall adhere to confidentiality of this Contract and shall not disclose it to anyone else without prior written permission from the other Party, except for the judicial authority.

Article (13)

This Contract was entered into pursuant to the provisions of Law No. (3) of the year (2018) regarding the establishment of (Military Investment Authority) and its Executive Regulation and shall be governed by both of these provisions and regulation throughout the term of this Contract and according to the copies delivered to the Second Party and approved by the First Party.

Article (14)

This Contract was concluded in Arabic Language (of three pages) and (fourteen Articles) and (four copies) originals of which each Party keeps two copies. This Contract shall be governed and interpreted pursuant to Law (3) of the year (2018) regarding the establishment of (Military Investment Authority) and its Executive Regulation and the Libyan Law only.

The First Party

(signed and stamped) by (The General Command of the Armed Forces- Chairman of the Authority – the Military Investment Authority

The Second Party

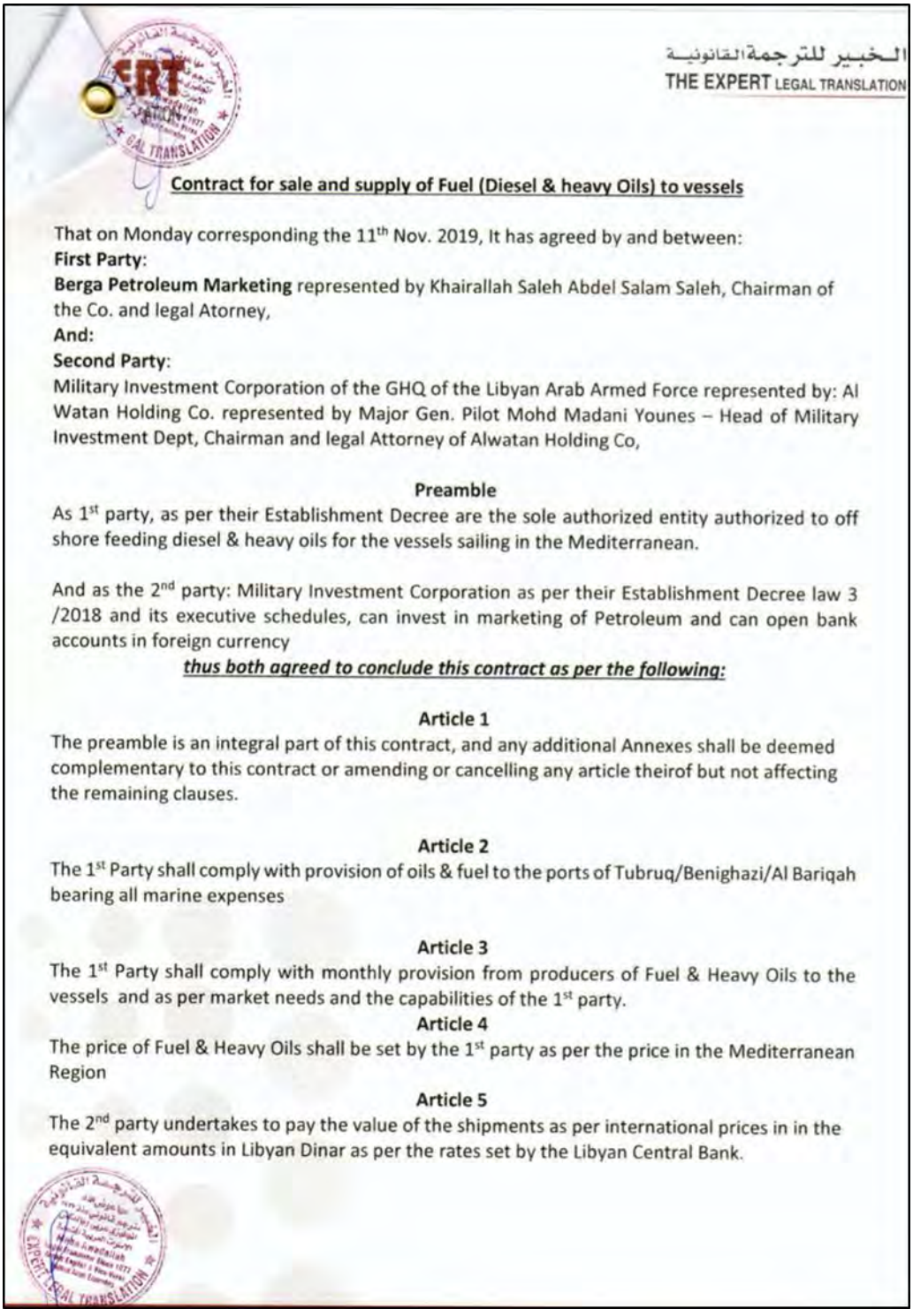
(signed and stamped by) Alwatan Holdings Co. – Chairman

EMO Investments Trading & Marketing of Oil and Derivatives L.L.C, Dubai, U.A.E.

5

Source: Confidential.

Figure 85.3
Legal translation of the agreement between the MIA and the Eastern Brega



الخبير للترجمة القانونية
THE EXPERT LEGAL TRANSLATION

Contract for sale and supply of Fuel (Diesel & heavy Oils) to vessels

That on Monday corresponding the 11th Nov. 2019, It has agreed by and between:
First Party:
Berga Petroleum Marketing represented by Khairallah Saleh Abdel Salam Saleh, Chairman of the Co. and legal Atorney,
And:
Second Party:
Military Investment Corporation of the GHQ of the Libyan Arab Armed Force represented by: Al Watan Holding Co. represented by Major Gen. Pilot Mohd Madani Younes – Head of Military Investment Dept, Chairman and legal Attorney of Alwatan Holding Co,

Preamble

As 1st party, as per their Establishment Decree are the sole authorized entity authorized to off shore feeding diesel & heavy oils for the vessels sailing in the Mediterranean.

And as the 2nd party: Military Investment Corporation as per their Establishment Decree law 3 /2018 and its executive schedules, can invest in marketing of Petroleum and can open bank accounts in foreign currency

thus both agreed to conclude this contract as per the following:

Article 1

The preamble is an integral part of this contract, and any additional Annexes shall be deemed complementary to this contract or amending or cancelling any article theirof but not affecting the remaining clauses.

Article 2

The 1st Party shall comply with provision of oils & fuel to the ports of Tubruq/Benighazi/Al Bariqah bearing all marine expenses

Article 3

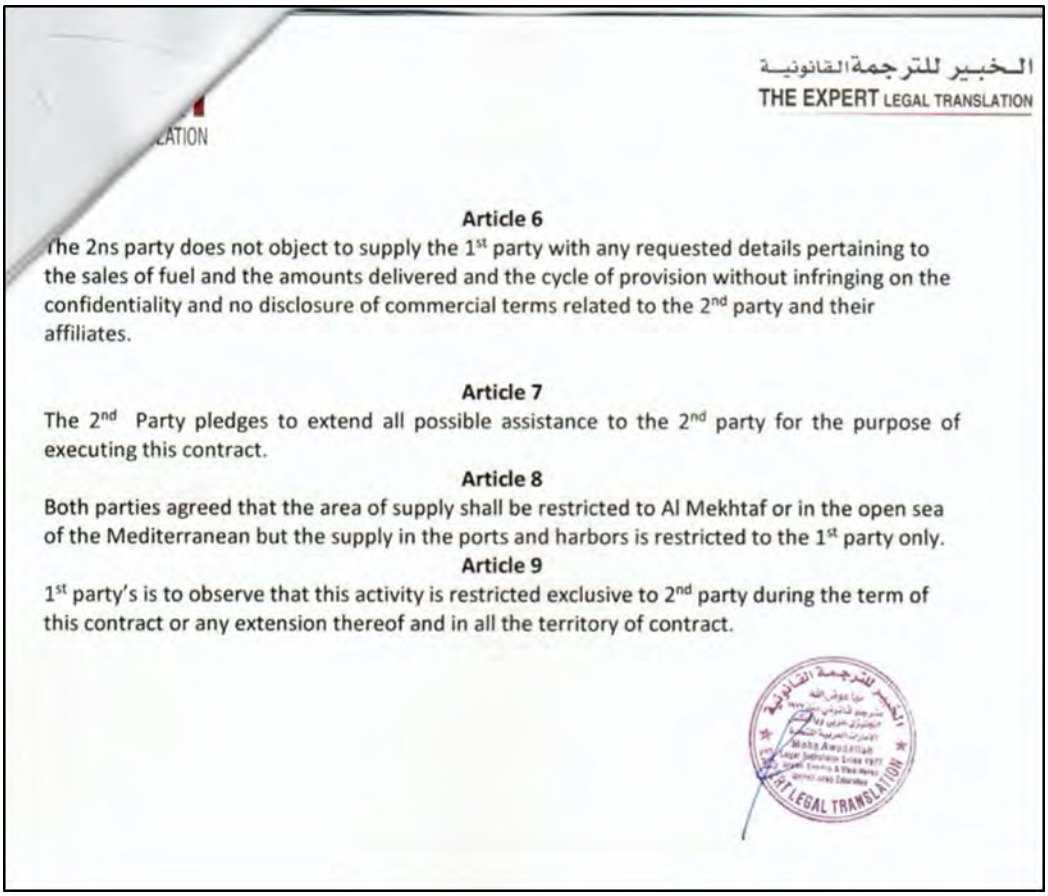
The 1st Party shall comply with monthly provision from producers of Fuel & Heavy Oils to the vessels and as per market needs and the capabilities of the 1st party.

Article 4

The price of Fuel & Heavy Oils shall be set by the 1st party as per the price in the Mediterranean Region

Article 5

The 2nd party undertakes to pay the value of the shipments as per international prices in in the equivalent amounts in Libyan Dinar as per the rates set by the Libyan Central Bank.



الخبير للترجمة القانونية
THE EXPERT LEGAL TRANSLATION

Article 6

The 2ns party does not object to supply the 1st party with any requested details pertaining to the sales of fuel and the amounts delivered and the cycle of provision without infringing on the confidentiality and no disclosure of commercial terms related to the 2nd party and their affiliates.

Article 7

The 2nd Party pledges to extend all possible assistance to the 2nd party for the purpose of executing this contract.

Article 8

Both parties agreed that the area of supply shall be restricted to Al Mekhtaf or in the open sea of the Mediterranean but the supply in the ports and harbors is restricted to the 1st party only.

Article 9

1st party's is to observe that this activity is restricted exclusive to 2nd party during the term of this contract or any extension thereof and in all the territory of contract.

Source: Confidential.

Annex 86 The case of M/T Gulf Petroleum 4 and M/T Royal Diamond 7

M/T Gulf Petroleum 4

4. On 13 March 2020, a Liberian-flagged tanker, M/T *Gulf Petroleum 4* (IMO 9439345) discharged 10,954 metric tonnes of Jet A-1 aviation fuel at Benghazi port, Libya. The products tanker had departed Emarat Oil Terminal number 18, Sharjah port, UAE, on 27 February 2020. The vessel left Benghazi on 16 March 2020 heading west.

5. On 19 March 2020, the tanker suffered a fire and/or explosion while in the Gulf of Surt, outside Libyan territorial waters, that resulted in one crew member injured. At 15:31 hours of 22 March 2020 a distress call was received and a few hours later, the GNA announced that the vessel had been seized by the authorities.[361] The tanker was escorted to Qasr Ahmed port, Libyan Iron and Steel terminal, Misratah,[362] where it remains to date.

6. According to the documentation obtained by the Panel, the declared shipper and consignee of the cargo are Afrifin Logistics FZE, with offices in Saif Zone, Sharjah, UAE, and Libyan Express Airlines,[363] with offices in Benghazi Seaport, Libya, respectively (see figure 86.1). The tanker is operated by Gulf Shipping Services FZE,[364] a company registered in UAE that manages no other vessels. The Panel continues investigating the individuals and organizations that are involved in this illicit importation.

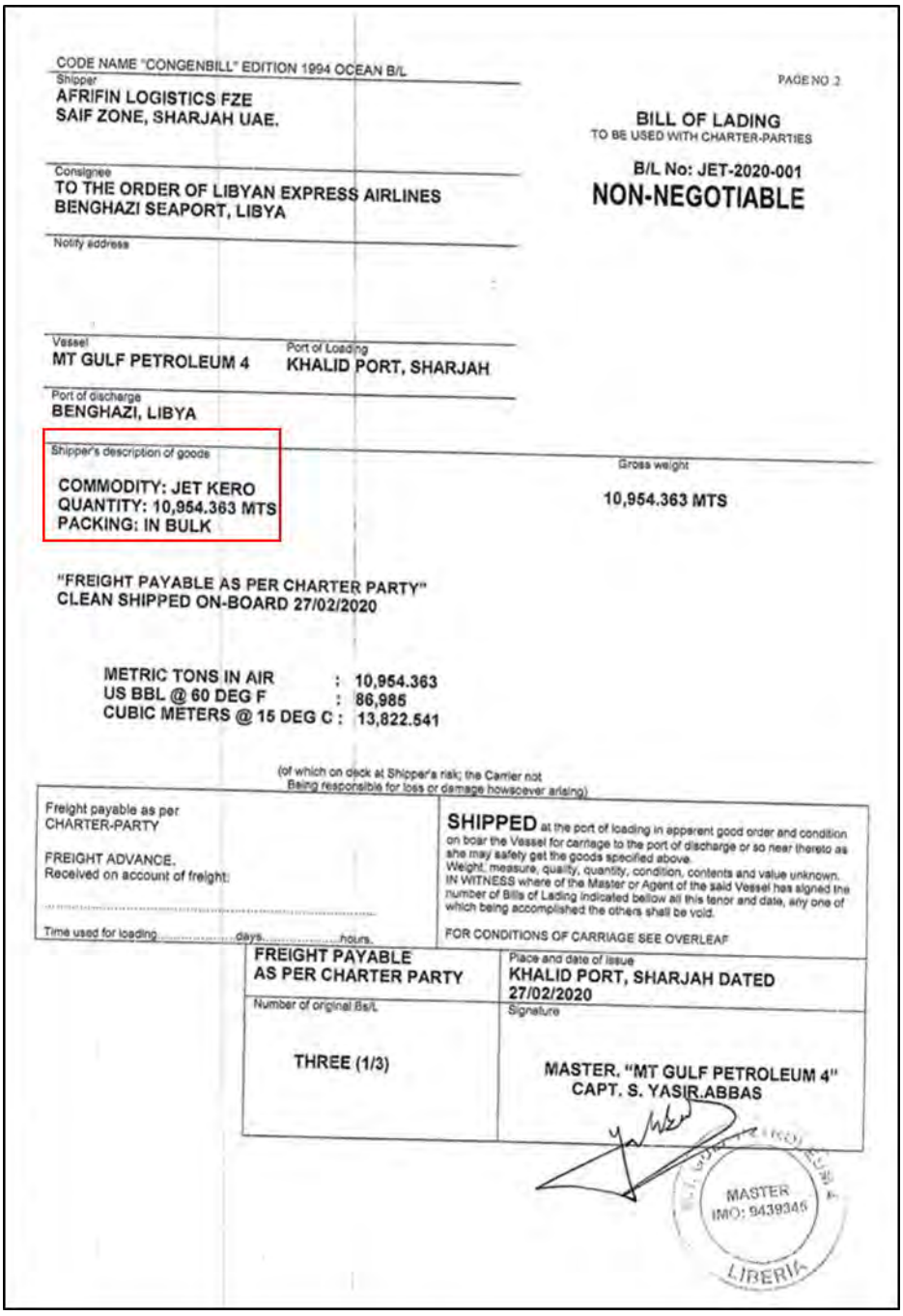
[361] 1) Libya's navy forces seize ship transporting aviation fuel to Haftar, The Libya Observer, 23 March 2020. https://www.libyaobserver.ly/inbrief/libyas-navy-forces-seize-ship-transporting-aviation-fuel-haftar; and 2) https://twitter.com/emad_badi/status/1241804110132842496, 22 March 2020.

[362] Moored at 32°20'57.10"N, 15°14'53.00"E.

[363] A Company that has no relation with “Libyan Express” (www.libyan.express), which is based in Tripoli with offices in Misrata.

[364] Gulf Shipping Services FZC, Gate 4, Land C1-3A, Ajman Port, Ajman Free Zone, Ajman, UAE. Fax: +971 6 740 9982. E-mail: gulf.petroleum@hotmail.com.

Figure 86.1
Bill of Lading of the Jet A-1 aviation fuel illicit importation



CODE NAME "CONGENBILL" EDITION 1994 OCEAN B/L

PAGE NO 2

Shipper
AFRIFIN LOGISTICS FZE
SAIF ZONE, SHARJAH UAE.

BILL OF LADING
TO BE USED WITH CHARTER-PARTIES

B/L No: JET-2020-001
NON-NEGOTIABLE

Consignee
TO THE ORDER OF LIBYAN EXPRESS AIRLINES
BENGHAZI SEAPORT, LIBYA

Notify address

Vessel
MT GULF PETROLEUM 4

Port of Loading
KHALID PORT, SHARJAH

Port of discharge
BENGHAZI, LIBYA

Shipper's description of goods

COMMODITY: JET KERO
QUANTITY: 10,954.363 MTS
PACKING: IN BULK

Gross weight

10,954.363 MTS

"FREIGHT PAYABLE AS PER CHARTER PARTY"
CLEAN SHIPPED ON-BOARD 27/02/2020

METRIC TONS IN AIR : 10,954.363
US BBL @ 60 DEG F : 86,985
CUBIC METERS @ 15 DEG C : 13,822.541

(of which on deck at Shipper's risk; the Carrier not Being responsible for loss or damage howsoever arising)

Freight payable as per CHARTER-PARTY

FREIGHT ADVANCE.
Received on account of freight:

Time used for loading ..... days ..... hours.

SHIPPED at the port of loading in apparent good order and condition on boar the Vessel for carriage to the port of discharge or so near thereto as she may safety get the goods specified above.
Weight, measure, quality, quantity, condition, contents and value unknown.
IN WITNESS where of the Master or Agent of the said Vessel has signed the number of Bills of Lading indicated bellow all this tenor and date, any one of which being accomplished the others shall be void.

FOR CONDITIONS OF CARRIAGE SEE OVERLEAF

FREIGHT PAYABLE AS PER CHARTER PARTY

Place and date of issue
KHALID PORT, SHARJAH DATED 27/02/2020

Number of original Bs/L
THREE (1/3)

Signature
MASTER. "MT GULF PETROLEUM 4"
CAPT. S. YASIR ABBAS

MASTER
IMO: 9439345
LIBERIA

Source: Confidential.

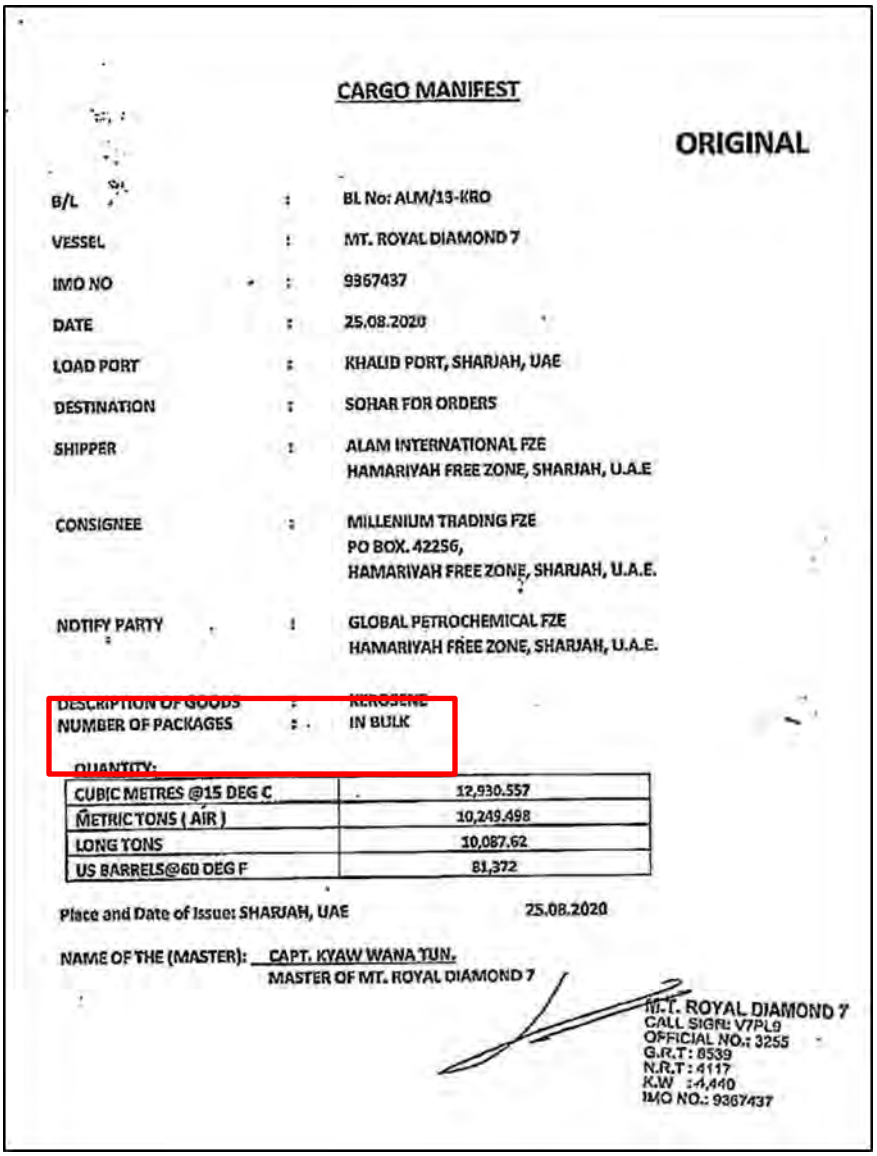
Royal Diamond 7

7. On 8 September 2020, the Panel received specific information indicating that the Marshall-Island flagged M/T Royal Diamond 7 (IMO 9367437) was expected to call at Benghazi port on 10 September 2020. The tanker departed on 26 August 2020 from Emarat Oil Terminal number 18,

Sharjah port, UAE. It is relevant to note that M/T Royal Diamond 7 (IMO 9367437) was loaded and departed from the same terminal as M/T *Gulf Petroleum 4* (IMO 9439345).

8. On 9 September 2020, the EU NAVFOR Operation IRINI naval asset, FGS *Hamburg* (F-220) conducted several hailings of M/T Royal Diamond 7 (IMO 9367437). The Master of the vessel declared that the tanker was transporting 10,249 metric tonnes (air) of kerosene in bulk, but was reluctant to confirm the exact specification of the fuel and no clear answers were given regarding the final consignee in Bengahzi. Jet A-1 aviation fuel is a form of kerosene. The cargo manifest that was initially provided was suspicious in its lack of detail regarding the specific cargo type and the final consignee. See figure 86.2.

Figure 86.2
Cargo manifest on board M/T Royal Diamond 7 (IMO 9367437)



CARGO MANIFEST

ORIGINAL

B/L	:	BL No: ALM/13-KRO
VESSEL	:	MT. ROYAL DIAMOND 7
IMO NO	:	9367437
DATE	:	25.08.2020
LOAD PORT	:	KHALID PORT, SHARJAH, UAE
DESTINATION	:	SOHAR FOR ORDERS
SHIPPER	:	ALAM INTERNATIONAL FZE HAMARIYAH FREE ZONE, SHARJAH, U.A.E
CONSIGNEE	:	MILLENIUM TRADING FZE PO BOX. 42256, HAMARIYAH FREE ZONE, SHARJAH, U.A.E.
NOTIFY PARTY	:	GLOBAL PETROCHEMICAL FZE HAMARIYAH FREE ZONE, SHARJAH, U.A.E.
DESCRIPTION OF GOODS	:	KEROSENE
NUMBER OF PACKAGES	:	IN BULK

QUANTITY:

CUBIC METRES @15 DEG C	12,930.557
METRIC TONS (AIR)	10,249.498
LONG TONS	10,087.62
US BARRELS@60 DEG F	81,372

Place and Date of Issue: SHARJAH, UAE 25.08.2020

NAME OF THE (MASTER): CAPT. KYAW WANA TUN.
MASTER OF MT. ROYAL DIAMOND 7

M.T. ROYAL DIAMOND 7
CALL SIGN: V7PL9
OFFICIAL NO.: 3255
G.R.T: 8539
N.R.T: 4117
K.W : 4,440
IMO NO.: 9367437

Source: Confidential.

9. At 07:12 hours (UTC) on 10 September 2020 the EU NAVFOR Operation IRINI FGS Hamburg F-220 boarded M/T Royal Diamond 7 (IMO 9367437) under the ambit of paragraph 4 to resolution 2292 (2016) as most recently extended by resolution 2526 (2020). During this boarding, a second cargo manifest was provided, in which the description of the cargo is "Jet Kerosene" (see figure 86.3). After this inspection, EU NAVFOR Operation IRINI seized the tanker and its cargo under the ambit of paragraph 5 to resolution 2292 (2016) as extended by resolution 2526 (2020).

Figure 86.3
Second cargo manifest on board M/T Royal Diamond 7 (IMO 9367437)



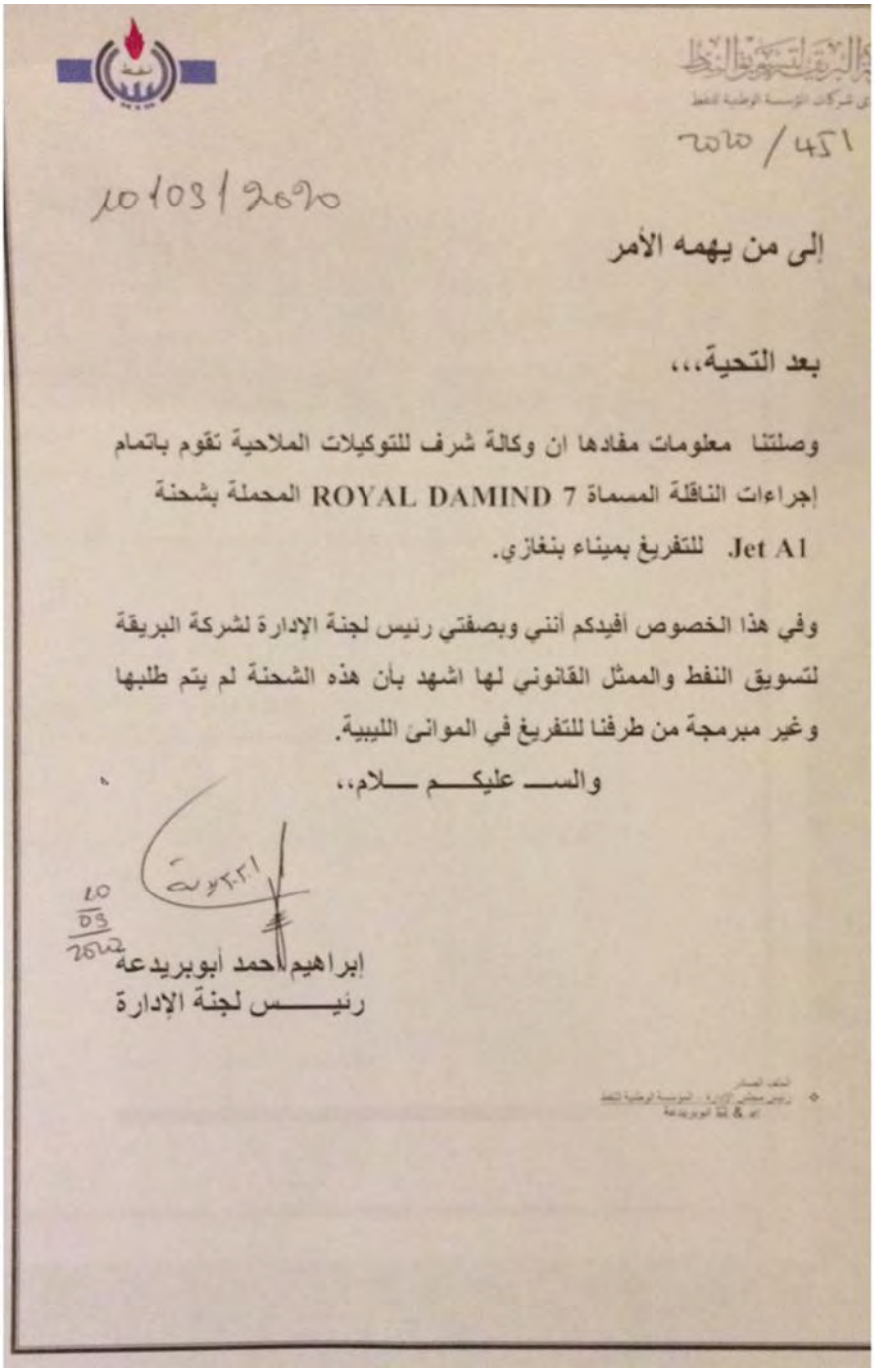
CARGO MANIFEST

Ship : M/T ROYAL DIAMOND 7	Flag: MARSHALL ISLANDS	Name Of Master: Capt. KYAW WANA TUN	
Port of Loading	Port of Discharge:	DATE	BL NO.
MIDDLE EAST PORT ARABIAN GULF	BENGAHZI, LIBYA	25.08.2020	
SHIPPER/CONSIGNEE/NOTIFY PARTY	MARK / NO.	DISCRIPTION OF GOODS	Weight in MT
SHIPPER: GLOBAL PETROCHEMICAL FZE P2-ELOB OFFICE NO HAMRIYAH FREE ZONE SHARJAH, UAE CONSIGNEE : EXPERT OF EXCELLENCE P.O BOX: 6782 JEDDA INDUSTRIAL CITY JEDDA 22942, KSA NOTIFY PARTY :		JET KEROSENE	12,930.557 CUBIC METRES @15 DEG C 10,249.498 METRIC TONS (AIR) 10,087.62 LONG TONS 51,372 US BARRELS@60 DEG F

Source: Confidential.

10. On 10 September 2020, the Libyan focal point pursuant resolution 2146 (2014) reiterated to the Panel that the NOC neither ordered nor approved the import of the cargo carried by M/T Royal Diamond 7 (IMO 9367437). The focal point also provided a letter from Brega Petroleum Marketing Company, the NOC subsidiary in charge of fuel distribution, stating that company was also not involved with the import of the cargo on this vessel cargo (figure 86.4)

Figure 86.4
Letter from Brega Petroleum Marketing Company denying any relationship with the cargo carried by M/T Royal Diamond 7 (IMO 9367437)



إلى من يهمه الأمر

بعد التحية،،،

وصلتنا معلومات مفادها ان وكالة شرف للتوكيلات الملاحية تقوم باتمام إجراءات الناقلة المسماة ROYAL DAMIND 7 المحملة بشحنة Jet A1 للتفريغ بميناء بنغازي.

وفي هذا الخصوص أفيدكم أنني وبصفتي رئيس لجنة الإدارة لشركة البريقة لتسويق النفط والممثل القانوني لها اشهد بأن هذه الشحنة لم يتم طلبها وغير مبرمجة من طرفنا للتفريغ في الموانئ الليبية.

والســـ عليكـــم ســـلام،،

إبراهيم أحمد أبوبريدعة
رئيـــــس لجنة الإدارة

Source: National Oil Corporation.

11. M/T Royal Diamond 7 was escorted by Operation IRINI naval assets to Agios Georgios, Greece, where the cargo was formally seized on 25 September 2020 by the Central Port Authority of

Lavrio under the ambit of paragraph 9 of resolution 1970 (2011), as modified by subsequent resolutions.

Aviation fuel distribution in Libya

12. The NOC is the single legitimate entity authorized to export and import petroleum products in Libya, including Jet A-1 aviation fuel. Any import of refined products into Libya conducted outside the scope of the NOC is considered to be illicit under Libyan law. Distribution in Libya is done solely by the NOC's marketing wing, Brega Petroleum Marketing Company.

13. Since 2011, NOC has not imported military grade aviation fuels[365] for jet engines. In its composition, Jet A-1 and military grade aviation jet fuels are very similar. Military jet fuels contain particular additive packages to enhance safety, stability and performance under hardship conditions.[366]

14. The Panel analysed the Jet A-1 aviation fuel consumed in Libya by the armed forces and air companies over the last 3 years (see table 86.1). Consumption of Jet A-1 fuel by the armed forces in the East has increased in relation to the conflict dynamics. Although commercial aviation activity drastically reduced in the whole country, particularly in 2019, the distribution of Jet A-1 fuel to air companies also increased.

Table 86.1
Armed forces and air companies Jet A-1 aviation fuel consumption (metric tonnes)[a]

Year		*East and Centre*	*Percentage over previous year (%)*	*West and South*	*Percentage over previous year (%)*
2018					
	Armed Forces	12,925		2,801	
	Air Companies	17,092		90,936	
2019					
	Armed Forces	46,564	(+) 260,2	906	(-) 67,6
	Air Companies	22,048	(+) 28,9	106,518	(+) 17,1
2020[b]					
	Armed Forces	31,802	(-) 31,7	2,712	(+) 199,3
	Air Companies	9,403	(-) 57,3	20,156	(-) 81,07

[a] Source: National Oil Corporation.
[b] Data as of August 2020.

[365] The most common being JP-5 (NATO Code F-44) and JP-8 (NATO Code F-34).
[366] Chapter 15: Fuels, Oils, Lubricants and Petroleum Handling Equipmen.t NATO Logistics Handbook, October 1997. https://www.nato.int/docu/logi-en/1997/lo-15a.htm. Last accessed, January 2021.

15. The Panel considers that unilateral and illicit imports of aviation fuel fall under the ambit of "military materiel" and are therefore in non-compliance with paragraph 9 of resolution 1970 (2011). In addition, the Panel further considers that transfer of such products to entities under the control of HAF falls under the ambit of "other assistance, related to military activities", also in non-compliance with paragraph 9 of resolution 1970 (2011). The Panel finds that such imports or attempts to import constitute a threat to the integrity of the NOC.

Annex 87 Subsidiaries

Grounds for considering the application of sanctions to subsidiaries

1. Most of the assets are not held directly by the parent company but by the subsidiaries. For instance, the total declared assets of LIA are approximately USD 65 billion, of which roughly USD 20 billion is in cash, much of it at the Central Bank of Libya. Investment in associates and subsidiaries is roughly USD 25 billion, which is 38% of the total assets, or more than 50% of the assets if cash is excluded. A similar situation applies at LAIP, itself one of the LIA's subsidiaries and a designated entity, where the amounts invested in and loaned to subsidiaries comprise some 50% of its original paid in capital. Consequently, the assets freeze is likely to be materially impaired and easy to circumvent if it is not maintained for all subsidiaries as well as the designated entities themselves.

2. Currently there is a lack of transparency of activities, assets and financial position of the subsidiaries, of which there may be more than 500. LIA has not produced any financial statements in recent years, in contravention of Law No. 13, which sets out the applicable Libyan law. In fact, the LIA current proposal is to prepare separate financial statements for the holding company for 2019 and 2018, with 2017 opening balances. Consolidated financial statements would be the usual way of reporting for an entity of its size and with its resources and would probably be considered best practice. The suggested financial statements are therefore likely to be in breach of principle 11 of the Santiago Principles for Sovereign Wealth Funds, to which the LIA was a signatory and to fail to meet the requirements of Law No. 13. The LIA's inability to account properly for all of its subsidiaries is indicative of a serious lack of transparency.

3. The Panel has seen evidence that many of the subsidiaries have made or are making substantial losses, both in absolute terms and as a proportion of the money invested as capital or loans. The scale of the losses suggests that the prudent course of action would be to ensure that the assets freeze is rigorously applied to the subsidiaries while explanations are sought for the losses and proper accounting and financial controls are put in place.

4. The designated entities have 100% shareholdings in most of their subsidiaries. Consequently they nominate the Boards of Directors of the subsidiaries and play a major role in the decision making and governance of the subsidiaries. Considering the degree of control that the parent companies exert on the subsidiaries, they are responsible for monitoring and ensuring proper accounting and financial controls.

5. The current lack of transparency means that there is more risk of dissipation of assets, as there is limited visibility of transactions involving or carried out by the subsidiaries. For example, in 2015 LAIP transferred its interest in one of its own subsidiaries (LAP GreenN) to another company.

6. In many jurisdictions, the concepts of beneficial ownership and control are relevant when determining application of the assets freeze. If the ultimate beneficial ownership of an entity rests with a designated person, then all entities that are part of the ownership chain are subject to financial

sanctions. This approach is prevalent in most jurisdictions where the designated entities or their subsidiaries operate. Hence, guidance in IAN 1 notwithstanding, subsidiaries controlled by the designated entities, are also subject to the assets freeze.

7. Many of the subsidiaries do not appear to be performing well and consequently require ingestion of large sums of money from the parent companies. Most are in the form of loans and current accounts which have remained outstanding, at least over the last nine years. One such case is that of LAICO, which was receiving funds from LIA apparently for the debt payments of the hotels under its management.

8. There could be a conflict of interest when a director in the main managing body of a holding company often occupies an important position in a subsidiary company monitored by that very holding company. To deal with just such a conflict the LIA claimed in August 2019 to have introduced new rules, by amendment of its articles of association, whereby a member of its Board of Directors cannot also serve on the board of any of its affiliates. Three LIA Board members were, however, subsequently appointed as directors of the British subsidiary, LIA Advisory Services (UK) Limited, on 30 June 2020 and the Chairman of the LIA joined the subsidiary board on 14 September 2020. This emphasises the need for the LIA to adopt clear and consistent policies with regard to conflicts of interest and to implement and enforce them. In the absence of clear policies that are implemented and enforced there is an evident need to enforce the financial sanctions on the subsidiaries whose assets are put at risk by the lack of appropriate policies.

9. There is frequently a lack of clarity concerning the beneficial ownership, legal ownership and the control of investments within the LIA group. Assets may be owned by one entity but controlled by another. The three Upper Brook Funds are each beneficially owned by the LAIP, the LIA and the LFB (for ESDF) but their directors were appointed and controlled solely by the LIA. This is a recipe for uncertainty, lack of accountability and conflict. It emphasizes the need for consolidated accounts, so that the same asset cannot be claimed as beneficially owned by two or more entities and for the asset freeze to be maintained and enforced on subsidiaries and their assets while ownership and control of those assets are clear.

The LIA, LAIP and subsidiaries

10. The Panel provides further details about the two designated entities, LIA and LAIP, in the context of management of subsidiaries.

11. It was already clear, when the sanctions were first imposed, that the designated entities had been subject to mismanagement and fraud on a large scale. The Société Générale[367] case is one of many examples. The asset freeze was imposed to make it harder to misappropriate the LIA's assets against a background of political uncertainty.

[367] https://www.lesechos.fr/04/05/2017/lesechos.fr/0212037699698_litiges---societe-generale-verse-pres-d-un-milliard-au-fonds-souverain-libyen.htm#

Accounting Information

12. LAIP provided financial statements for the years ending 31 December 2012 and 2018. It is greatly to LAIP's credit that, in difficult circumstances, it was able to produce a set of audited and (mostly) consolidated financial statements for 2012. The financial statements for 2018 are only in draft form, have not been consolidated and there is no audit report. While this represents a less satisfactory state of affairs than for 2012, there was nevertheless effort made to provide the Panel with meaningful information. This is in contrast to the LIA, which has only provided two pages of unaudited and unconsolidated accounts for 2012. The Panel considers that its findings in relation to the LAIP financial statements would very likely apply to the LIA financial statements when provided.

13. The LAIP controls several holding companies such as LAIP Mauritius, OLA Energy Holdings Ltd. (Mauritius), Libyan African Holding Company for Industry and Mining (UAE), Libyan African Agricultural Holding Company (UAE), Aklal Holding N.V. (Curacao) and Libyan African Investment Company (LAICO) (Libya) (appendix A). For example:

(a) LAICO has 32 companies (of which two are stated to be under liquidation) in which it holds shares of varying percentages. In nineteen of these, LAICO is the sole shareholder.

(b) LAIP Mauritius has a further five subsidiaries, of which one, OLA Energy Holdings Ltd. (also incorporated in Mauritius), has several subsidiaries and joint ventures. There were two other subsidiaries of LAIP Mauritius – Libya Oil Aviation Ltd. and Libya Oil Lubes Ltd., both of which were wound up in July 2017. Most of these companies are incorporated in Mauritius.

14. The LAIP 2012 financial statement was partially consolidated and the basis for consolidation was indicated as follows:

> "*Where the Portfolio has the power to govern the financial and operating policies of another entity or business so as to obtain benefits from its activities, it is classified as a subsidiary. Consolidated financial statements present the results of the Portfolio and its subsidiaries as if they formed a single entity. Intercompany transactions and balances between group companies are eliminated.*

15. This means that the performance of all the companies are linked and this has a bearing on revenue and losses. Total revenue in 2012 was USD 5.7 billion, the major amount of USD 5.6 billion being from oil and gas related activities. This information is not available for 2018 as a standalone financial statement was submitted.

16. The principal company, LAIP, has limited activity. The subsidiaries are the ones with the biggest operations as evident, for instance, from the revenues yielded by oil and gas services in 2012. Without the consolidated accounts for 2017 and 2018, the complete picture cannot be seen. LAIP has, however, confirmed that Oil Libya/Ola Energy and FM Capital are the major revenue generators.

The Proportion of assets invested in subsidiaries

17. The report mentions, without going into detail, that the LAIP had invested a considerable part of its net worth in subsidiaries or other entities within the LIA "group". The numbers, excluding associates and joint ventures and before write-downs, as at 31 December 2018 were as follows:

Table 87.1
LAIP investments in subsidiaries as at 31 December 2018

	USD billion
Cost of investment in subsidiaries	1.116
Due from related parties, before write-downs	1.424
Total	2.540
Net assets of LAIP	2.828
Total investments in and loans to related parties as a proportion of LAIP's net assets	89.8%

18. A significant proportion of LAIP's net assets are invested in, or advanced to, their subsidiary companies. Unless all these companies are captured within the asset freeze shell, the sanctions are ineffective and easily circumvented. The Libyan people's money is at risk.

Group losses

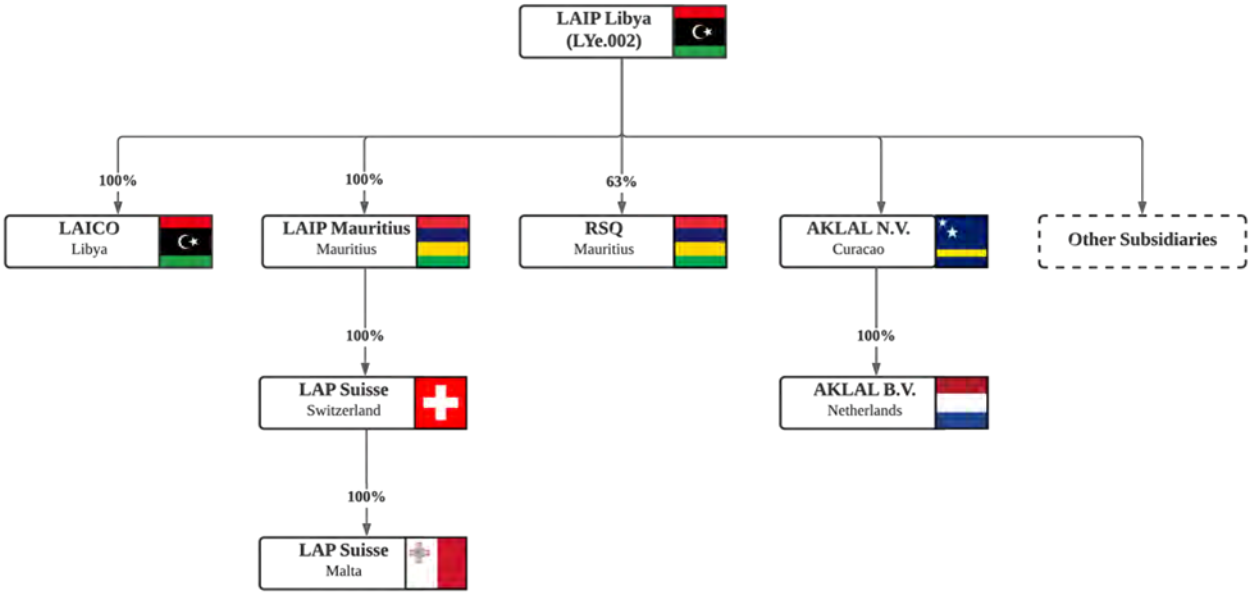
19. The LAIP financial statements show significant losses arising in some (unspecified) subsidiaries (see table 87.2). These indicate widespread mismanagement and illustrate why protective sanctions are required.

Table 87.2
LAIP financial losses

Investments	USD million	
Cost of investment in subsidiaries	1,116	100%
Provisions for losses	(430)	39%
Investment after provisions	686	61%
Loans		
Due from related parties, before write-downs	1,424	100%
Provisions for losses	1,008	71%
Net amount due, after provisions for losses	416	29%

Financial support to LAIP subsidiaries

Figure 87.1
Examples of LAIP financial support of subsidiaries



20. Loans, interest and current accounts of subsidiaries went up from USD 0.4 billion in 2012 to USD 1.4 billion in 2018, of which over a billion went to LAICO, LAIP Mauritius, and Rascom Star QAF (RSQ). Below are examples of requests by LAIP to use frozen funds to ensure the business continuity of its subsidiaries (not acceded to).

Table 87.3
Examples of LAIP requests to use frozen funds to support subsidiaries as at 31 December 2018

Subsidiary	*Parent Company(ies)*	*LAIP action*
RSQ	LAIP	To pay liabilities of a direct subsidiary
AKLAL B.V.	AKLAL N.V., LAIP	To pay 2016 to 2018 taxes of a subsidiary of a subsidiary
LAP Suisse Malta Branch	LAP Suisse, LAIP Mauritius, LAIP	To pay 2018 taxes of a subsidiary of a subsidiary of a subsidiary

21. If the subsidiary's financial position is not available for examination, it is not clear as to whether it had (or did not have) the capacity to pay these dues and whether reliance on the assets of designated entities was warranted.

Transactions Involving the Sale or Transfer of Subsidiaries

22. The main report refers to the 2015 transfer of LAP GreenN by LAIP to the Libyan Post, Telecommunications and Information Technology Holding Company, often known as LPTIC. Hidden in the "notes forming part of the financial statements" is information regarding the paid in

capital of LAIP, which was originally USD 5 billion but has been reduced to USD 4.25 billion. This reads:

> *"Pain-in-Capital (sic)*
>
> *The aggregate equity resources allocated for the Portfolio against capital are USD 5 billion.*
>
> *On Aug 2015 the prime minster Of Libya, issues a resolution to reduce the Capital of Laip with the amounts were invested in Lap Green, and to transfer the ownership of Lap Green to the Libyan Telecommunication Holding Company"*

23. Rather than reflecting the transfer of LAP GreenN as a USD 0.75 billion loss in the income statement as per common accounting practices, LAIP reduced its capital by a similar amount. This conceals the loss from layperson readers of the accounts. A loss of this size is obviously a cause for concern, both as an absolute number and as a proportion of the net assets of the LAIP. The transfer also had the effect of moving LAP GreenN out of the control of a designated entity (LAIP) and into the control of an entity that was not subject to the asset freeze (LPTIC). Such transfers are in non-compliance with the assets freeze, as already pointed out in the report.

Uncertainty concerning ownership and control

24. The transaction involving LAP GreenN also raises questions about decision-making within LAIP and the LIA. The Prime Minister is, ex officio, Chairman of the Board of Trustees of the LIA. The Board of Trustees appoints a Board of Directors of the LIA, which in turn appoints a Board of Directors of LAIP, the latter being a 100% subsidiary of the LIA. It is thus unclear how the Prime Minister could authorise a transfer of LAP GreenN from LAIP and specify a non-standard accounting method within the LAIP's financial statements, when, as the audit report in the 2012 accounts states, "Management is responsible for the preparation and fair presentation of these consolidated financial statements". This lack of a clear line of responsibility reinforces the need for the sanctions to be rigorously applied throughout the LIA group, including all of its subsidiaries.

25. The situation regarding the ownership and control of the Libya Oil group of companies is another example of an unclear and therefore unsatisfactory situation. The LAIP 2012 financial statements reflect ownership of the Libya Oil group. For example, the employee benefits payable by the various Libya Holdings operating companies are shown within the LAIP consolidated financial statements. This would suggest that Libya Oil was a subsidiary of LAIP at 31 December 2012. However, the 2012 financial statements also refer to Libya Oil Holdings as a "fellow subsidiary" of the LIA together with LAIP. The Libya Oil group has since rebranded itself as "OLA Energy". It is not clear where the ownership and control of OLA Energy now lies. This is a matter of concern in itself and may leave the assets and future cashflows of at risk of misappropriation.

26. The above should provide sufficient information to underline the need to apply the assets freeze to all subsidiaries within the LIA group. In recent months, the management of the LIA has claimed in various press announcements to have made great progress. This has not yet been reflected in any information supplied to the Panel. These claims are often accompanied by LIA requests for a "smart

sanctions" regime. Yet its inability to produce anything close to meaningful financial statements would suggest that it is premature to start to change the regime. It is more important to ensure that the existing regime is effectively implemented and not being circumvented.

Appendix A to Annex 87: Opportunity to respond

Libyan Investment Authority

المؤسسة الليبية للاستثمار

Libyan Investment Authority
Omar Ben Alkhattab
Abu Nauwas,
Gergarsh Road,
Tripoli, Libya
P.O. Box 93099

Date : 11th Jan 2021

Ref : 10

TO:	**FROM:**
Lipika Majumdar Roy Choudhury, Coordinator of the UN Panel of Experts on Libya	Dr Ali Hassan Mahmoud Chairman of the LIA Board of Directors
Email: [redacted]	
TOTAL NUMBERS OF TRANSMITTED PAGES INCLUDING THIS PAGE: 6	

Please find attached a letter from the Chairman of the LIA Board of Directors addressed to Ms Lipika Majumdar Roy Choudhury, Coordinator of the UN Panel of Experts on Libya.

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Libyan Investment Authority

المؤسسة الليبية للاستثمار

Subject: Response to Ms Lipika Choudhury's email dated 30 December 2020

Dear Ms. Choudhury,

I am writing to you as Chairman of the Board of Directors of the Libyan Investment Authority (the "**LIA**") in response to your email dated 30 December 2020 regarding issues that the UN Panel of Experts plans to cite in its final report.

In my reply below, I address (i) your specific queries; and (ii) the position with respect to the subsidiaries and their assets more generally.

The LIA's Subsidiaries

In your email, you state that the UN Panel of Experts' report will mention *"the importance of having visibility of the operations of the subsidiaries of the designated entities"*, in view of the fact that approximately *"38% of LIA's assets are investments in subsidiaries"*. You also make observations about the relationship (financial and governance) between the LIA and its subsidiaries.

As the UN Panel of Experts is aware, under my leadership and with the support of the recognised Libyan government and UNSMIL, the LIA has designed and implemented a transformation strategy which has led to increased governance, transparency and accountability which extends to its subsidiaries.

The LIA shall shortly provide the UN Panel with information concerning the value of its subsidiaries and their assets (where such information is available) which has been prepared by the independent professional services firm Deloitte. Ernst & Young have also been instructed to audit the LIA's standalone financial statements.

Both these measures will provide greater visibility of the assets of the subsidiaries and the consequences of UN sanctions on them.

In the meantime, we note that, based on the 2019 valuation exercise carried out by Deloitte, approximately 18% of the LIA (Direct) and LIA principal subsidiaries' value is invested in business assets and real estate. The percentage held varies by business assets, from minority shareholdings to fully-owned subsidiaries.

Under Libyan law, the LIA's Board of Directors has statutory obligations to act in the best interests of the LIA and its group and subsidiary companies, in line with the LIA's stated objectives. These decisions, like any, may result in value creation, reduction or maintenance. When analysing the LIA's portfolio, it is evident that it is a large and complex portfolio, and the Board of Directors' leadership has led to value creation. Of course, the sanctions regime has made normal investment decisions impossible, and so there have also been instances of loss of value, as one might expect.

The LIA's Board of Directors continue to make appropriate decisions to safeguard the LIA's assets and in the best interests of the LIA and in conformity with Law 13. Being prevented from making difficult (but justified) decisions and/or being hindered in its decision-making on account of the imposition of further sanctions would be extremely detrimental for the LIA, its subsidiaries and the countries within which they operate.

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Loans Extended to LIA's Subsidiaries

In your email you state that:

"several subsidiaries have received large loans from parent companies, as seen in the case of LAIP and its subsidiaries" and that there is evidence that they *"are incurring substantial losses and their assets might thus be at risk, it would be suggested that the assets freeze is applied to the subsidiaries too."*

We do not see the connection that you seek to draw between the loans (made from non-frozen funds) to subsidiaries and the need to freeze the assets of those subsidiaries, and we welcome further explanation and specific evidence in support of your suggestion.

The fact is that a number of subsidiaries are suffering financially, for various reasons, including the consequences of the UN sanctions regime. Without the support of the LIA/parent companies in the group, these subsidiaries would be forced into insolvency. The consequences of insolvency will, in turn, be detrimental to the LIA and its wider group. Such financial support has been extended legitimately, using funds that are not subject to sanctions, to preserve value within the wider LIA group and in line with stated LIA objectives and processes.

Disposal of LAP GreenN

In your email you stated that:

"limited visibility of transactions involving subsidiaries and dissipation of assets...appear[s] to be an indication of non-compliance with the assets freeze as this involves transfer of assets of LAIP".

LAP GreenN is a holding company incorporated in Mauritius. Through its operating subsidiaries, it is active in the telecommunication sector in Africa.

The Group structure is:

- LAP GreenN is fully owned by LAIP Mauritius;
- LAIP Mauritius is fully owned by LAP; and
- LAP is fully owned by LIA.

Further to Cabinet Resolution No. 384 of 2015 of Libya's Interim Government dated 16 August 2015, it was resolved to transfer LAIP's 100% shareholding in LAP GreenN to the Libyan Post, Telecommunications & Information Technology Holding Company ("**LPTIC**"), including its associated assets and liabilities. The transfer was executed by a Share Transfer Agreement dated 30 November 2015 entered into by LAIP and LPTIC (Mauritius) Limited and transferred the full and unrestricted ownership and title to the shares. The LIA has not received any reports concerning the performance of LAP GreenN since the transfer and is therefore unable to comment on any losses it has incurred.

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Importantly, the transfer of shares in LAP GreenN occurred over five years ago in accordance with the processes of that time, by decision of the interim Al-Thinni Government and ***before*** the adoption of the Libya Political Agreement on 17 December 2015 and the advent of the Government of National Accord.

The decision preceded the tremendous change that has taken place within Libya and within the LIA and before the current leadership of the LIA was appointed and the LIA's transformation strategy put in place.

Extending the current asset freeze to the LIA's subsidiaries

In your email you state that, in light of the *"substantial losses"* being incurred by subsidiaries, the current asset freeze should be extended to the LIA's subsidiaries as well.

The UN Panel of Experts included a similar recommendation in its last Report, which was ultimately not implemented. Despite this, the Panel has not sought to justify this repeated suggestion and does not appear to have weighed up the benefits to the international community as against the detrimental impact on not only the LIA and its group companies, but the individuals who work within those companies across the world and especially in Africa.

The LIA's position remains consistent on this matter. The extension of the sanctions and the asset freeze to the LIA's subsidiaries serves no valid purpose; is inconsistent with the scope of the applicable UN Sanctions Resolutions; and will only extend the already adverse consequences suffered by the LIA, its subsidiaries and Libya as whole, on account of the way in which UN sanctions operate over the LIA's assets.

Extending the current regime to the LIA's subsidiaries will be extremely detrimental to those subsidiaries' operations in Africa, in many cases causing their closure and loss of valuable assets.

The closure or loss of such assets by way of forfeiture of long leases or confiscation of real estate will not only deprive the LIA and its subsidiaries of the asset itself, but is also likely to result in widespread redundancies and unemployment (either for employees directly employed by a subsidiary or by third party trading tenants).

In Africa, such hotels and commercial ventures tend to be large-scale employers and the impact on a large number of local communities could have devastating effects at both a community, national and regional level across a number of countries.

By way of only one immediate example, OLA Energy has a significant presence across Africa and represents a strategic investment into the growing African fuel market. OLA Energy employs over a thousand people directly, and many more indirectly. Without full access to its funds, the risks to its operations, infrastructure and employees is obvious: with severe and negative effects on already fragile and turbulent economies and societies in a region which is beset by political turmoil and in the past year, a pandemic. OLA Energy employs 185 people in Tunisia and 150 in Kenya. In Kenya, the company is about to embark on a new LPG terminal, which would clearly be prejudiced by such a blanket freeze. Across the rest of Africa, the LIA subsidiaries, especially in the hospitality sector, employ tens of thousands of individuals. For further information on the impact of extended sanctions on OLA Energy and other LIA subsidiaries, please see Appendices 9 and 10 of my letter dated 17 December 2019 to H.E. Ambassador Jürgen Schulz, copied to the UN Panel of Experts, and which is enclosed again here for your reference.

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Furthermore, we do not understand the basis upon which the UN Panel of Experts is considering that LIA subsidiaries should be subject to the same asset freeze measures as the LIA, as the UN Sanctions Committee Resolutions remain in exactly the same terms as they did when IAN#1 was issued. It is also unclear what has changed since earlier UN Panel Reports (2012, 2013 and 2016) which confirmed the position that UN Sanctions do not apply to the LIA's subsidiaries.

We have clearly set out our position as to why there is no justification for extending the asset freeze to the LIA's subsidiaries, and indeed why it will cause excessive and unnecessary damage to do so, both in meetings with the UN Panel (for example, in January 2020) and in correspondence with both the UN Panel and the Libya Sanctions Committee (for example, please see my letter dated 17 December 2019). We also provided an opinion received from leading English counsel, Alan Maclean QC, which was included at Appendix 2 of my letter dated 17 December 2019.

To date, there has been no proper engagement in reply from the UN Panel on these matters; nor any evidence presented to support its position; or counter the LIA's position.

The LIA is fully committed to complying with the UN sanctions regime; but has long maintained that the UN Sanctions regime is no longer fit for purpose. Meanwhile, the LIA sees no benefit to be achieved for the LIA, its subsidiaries or Libya and its people by the proposed extension of sanctions to its subsidiaries.

Despite the clear risk to the liquidity and solvency of the LIA subsidiaries and the clear financial risk to individuals' livelihoods if the asset freeze is extended, we do not understand the risk of asset dissipation which is perceived by the Panel, what assets are perceived to be at risk, and / or why.

Conclusion - summary

Under the current UN sanctions regime, which has been in place since IAN#1, the LIA's subsidiaries have been exempt from the asset freeze during periods of great political turmoil and upheaval in Libya.

The negative political impact in Libya of any move to freeze the assets of the LIA's subsidiaries is not to be underestimated.

With the help of UNSMIL, Libya is working towards democratic elections in December 2021, and the Libyan Political Dialogue Forum is currently agreeing on the selection criteria and method for selecting a new executive authority.

The LIA is now even more committed to accountability and professional management practices than at any time since 2011 when the UN Sanctions Committee adopted Resolution 1970. The LIA fully recognises and accepts that any sanctioned funds cannot be transferred to or used for the benefit of any of its subsidiaries. Therefore, the rationale behind this new step by the UN Panel is confusing.

Punishment

As you are aware, a peaceful resolution to the conflict in Libya requires positive engagement from all Libyans. Therefore, I am deeply concerned that further sanctions will be perceived as a further and unnecessary incursion by the international community and, indeed, a punishment on the Libyan people, in view of the negative consequences which will follow.

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Such extended sanctions (and even the proposal for such an extension) will undermine and delegitimise the very Libyans who are pushing for national reconciliation and compliance with international values and standards. As any amendment to the UN sanctions regime is likely to remain in place for years to come, it will inevitably hold back Libya's future prospects and prosperity. Cutting off access to all principle and interest globally will cause billions of dollars in missed payments, failed business ventures, and losses to local economies across the region and worldwide. Tens of thousands of livelihoods across both Libya and Africa as a whole will be impacted by such an amendment but such punishment of ordinary individuals will bring no greater security or tangible benefits to the UN member states.

Support

The LIA has supported UNSMIL's three-track approach to the peace process and welcomed the ceasefire, the Libya Political Dialogue Forum and the work of the Economic Working Group. With its new three-year mandate, the LIA's Board of Directors stands ready to support the transitional government and the new government that we hope will unite the country after the elections in December. The LIA stand ready to play an active role in the important agenda of economic reform that will be vital to Libya's political stability and future prosperity.

The UN-led process has raised the hopes and expectations of the Libyan people. A recommendation by the UN Panel of Experts to the UN Sanctions Committee to freeze the assets of LIA subsidiaries would send an overwhelmingly negative message to the Libyan people at this very delicate time.

On behalf of the LIA, my fellow Directors and I sincerely encourage you not to consider further extending the sanctions to include the LIA's subsidiaries. Such a step, at this point in time, will be to the detriment of not only the LIA and its subsidiaries but also political and economic stability in Libya, and ultimately, the people of Libya.

I remain at your disposal should you wish to discuss this matter further.

We thank you for your continued support.

Yours sincerely,

Dr. Ali M. Hassen Mohammed
Chairman of the Board of Directors and CEO

Libyan Investment Authority (1)

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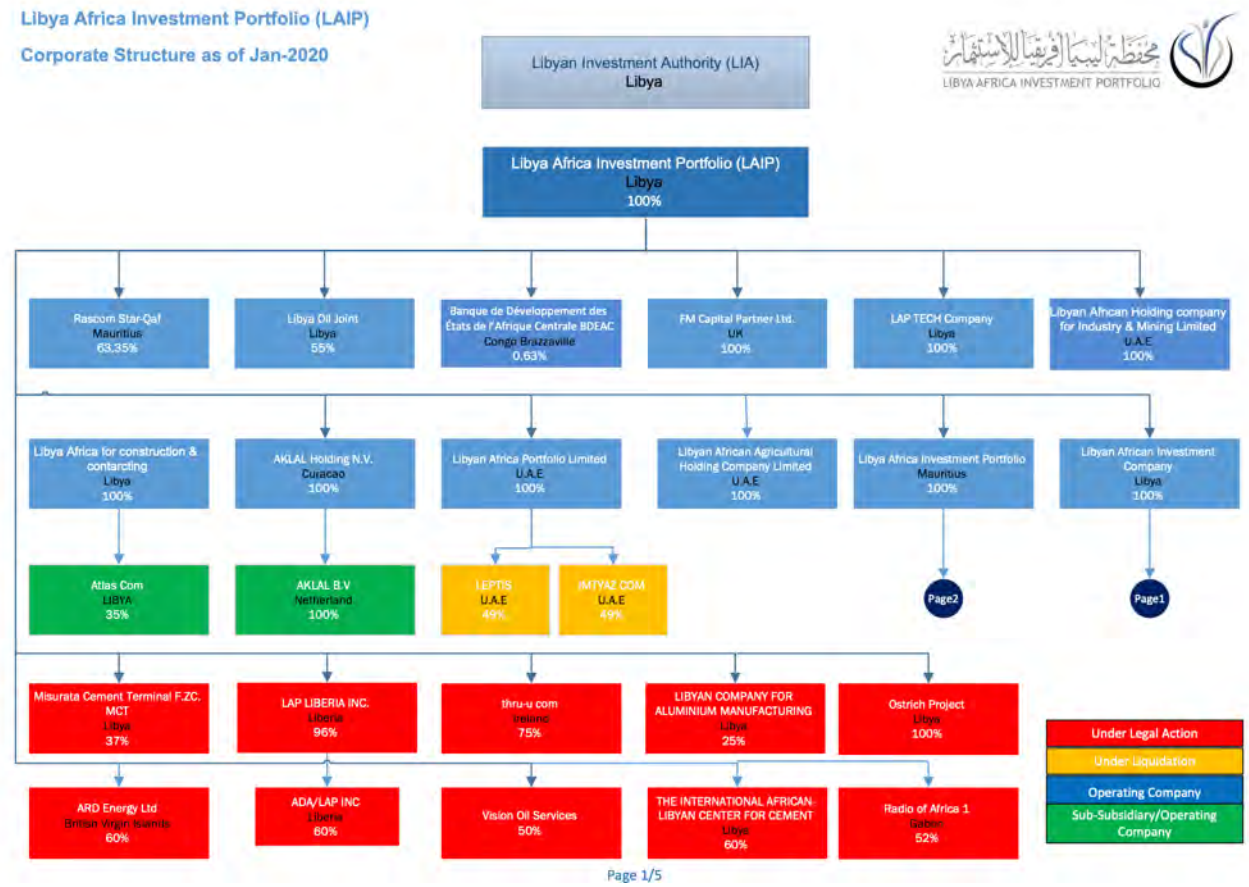
Appendix B to Annex 87: Panel's comments on the LIA's response

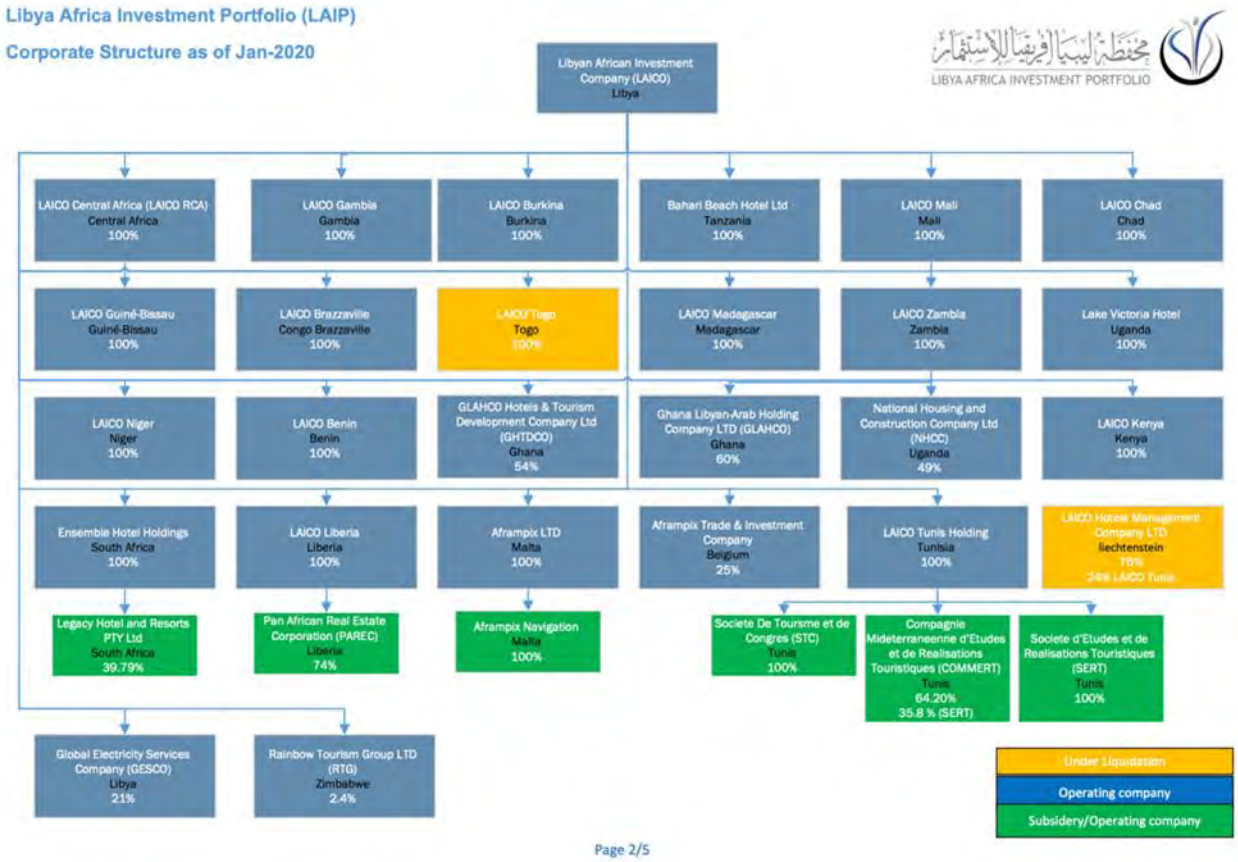
1. The Panel will monitor the implementation of the LIA's transformation strategy, once it commences, and notes that these necessary reforms can take place even in the event of additional assets freeze.

2. As for loans to the subsidiaries, the Panel agrees with the LIA's assessment that the subsidiaries are suffering financially. This highlights concerns over bad governance. LIA loans to subsidiaries have remained outstanding for years, and to the Panel's knowledge, there has been no apparent effort to review or streamline the performance of these subsidiaries. There is no evidence that losses have been reduced, performance has improved, or that the underperformance of subsidiaries is the consequence of the UN sanctions regime. The only case brought to the Panel's attention was LAICO, a company subject to EU sanctions but not to UN sanctions. Simply put, the constant financial support from LIA implies the non-viability of the subsidiaries and would result in the dilution of the assets of the parent companies. The case of LAP GreenN highlights this point and illustrates an instance of non-compliance as it involved the transfer of assets of LAIP, a designated entity.

3. For its analysis the Panel relied solely on the financial statements available to highlight the risk of dissipation of assets. The Panel has explained the legal basis for its position and has shown the large outlay of funds from parent companies, wherever this information was provided by the designated entities. The Panel has also made it clear in this and in previous reports that any 'adverse consequences' were minimal. The LIA's stated concern over forfeiture of long leases, confiscation of real estate, etc., grossly misrepresents the effect of the UN sanctions, which do not envisage forfeiture or confiscation. The Panel is aware that in certain cases such situations arose because of disputes between LIA and its joint venture partners or sovereign governments, or because the subsidiaries were incurring losses. The OLA Energy case cited in the reply presumes the company will not have access to its funds at all, which is not the case as there are derogations built into the resolutions.

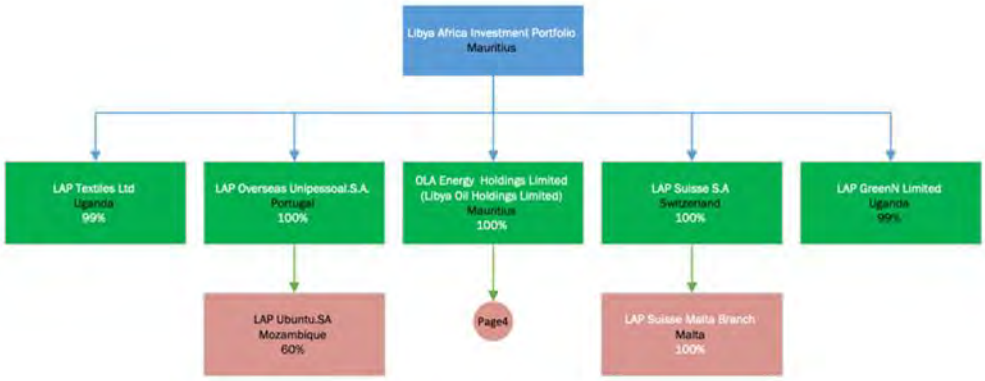
Appendix C to Annex 87: LAIP organigram




Libya Africa Investment Portfolio (LAIP)
Corporate Structure as of Jan-2020
LIBYA AFRICA INVESTMENT PORTFOLIO
Libyan African Investment Company (LAICO) Libya
LAICO Central Africa (LAICO RCA) Central Africa 100%
LAICO Gambia Gambia 100%
LAICO Burkina Burkina 100%
Bahari Beach Hotel Ltd Tanzania 100%
LAICO Mali Mali 100%
LAICO Chad Chad 100%
LAICO Guiné-Bissau Guiné-Bissau 100%
LAICO Brazzaville Congo Brazzaville 100%
LAICO Togo Togo 100%
LAICO Madagascar Madagascar 100%
LAICO Zambia Zambia 100%
Lake Victoria Hotel Uganda 100%
LAICO Niger Niger 100%
LAICO Benin Benin 100%
GLAHCO Hotels & Tourism Development Company Ltd (GHTDCO) Ghana 54%
Ghana Libyan-Arab Holding Company LTD (GLAHCO) Ghana 60%
National Housing and Construction Company Ltd (NHCC) Uganda 49%
LAICO Kenya Kenya 100%
Ensemble Hotel Holdings South Africa 100%
LAICO Liberia Liberia 100%
Aframpix LTD Malta 100%
Aframpix Trade & Investment Company Belgium 25%
LAICO Tunis Holding Tunisia 100%
LAICO Hotels Management Company LTD liechtenstein 75% 24% LAICO Tunis
Legacy Hotel and Resorts PTY Ltd South Africa 39.79%
Pan African Real Estate Corporation (PAREC) Liberia 74%
Aframpix Navigation Malta 100%
Societe De Tourisme et de Congres (STC) Tunis 100%
Compagnie Mideterraneenne d'Etudes et de Realisations Touristiques (COMMERT) Tunis 64.20% 35.8 % (SERT)
Societe d'Etudes et de Realisations Touristiques (SERT) Tunis 100%
Global Electricity Services Company (GESCO) Libya 21%
Rainbow Tourism Group LTD (RTG) Zimbabwe 2.4%
Under Liquidation
Operating company
Subsidery/Operating company
Page 2/5

Libya Africa Investment Portfolio (LAIP)

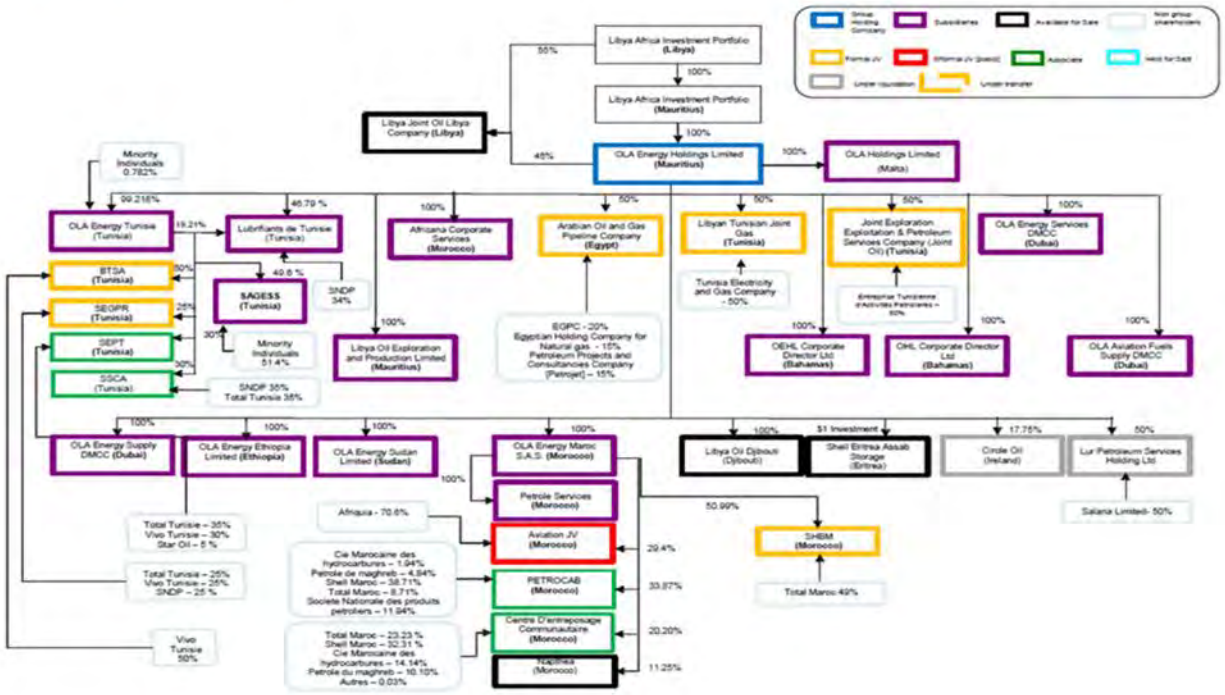
Corporate Structure as of Jan-2020

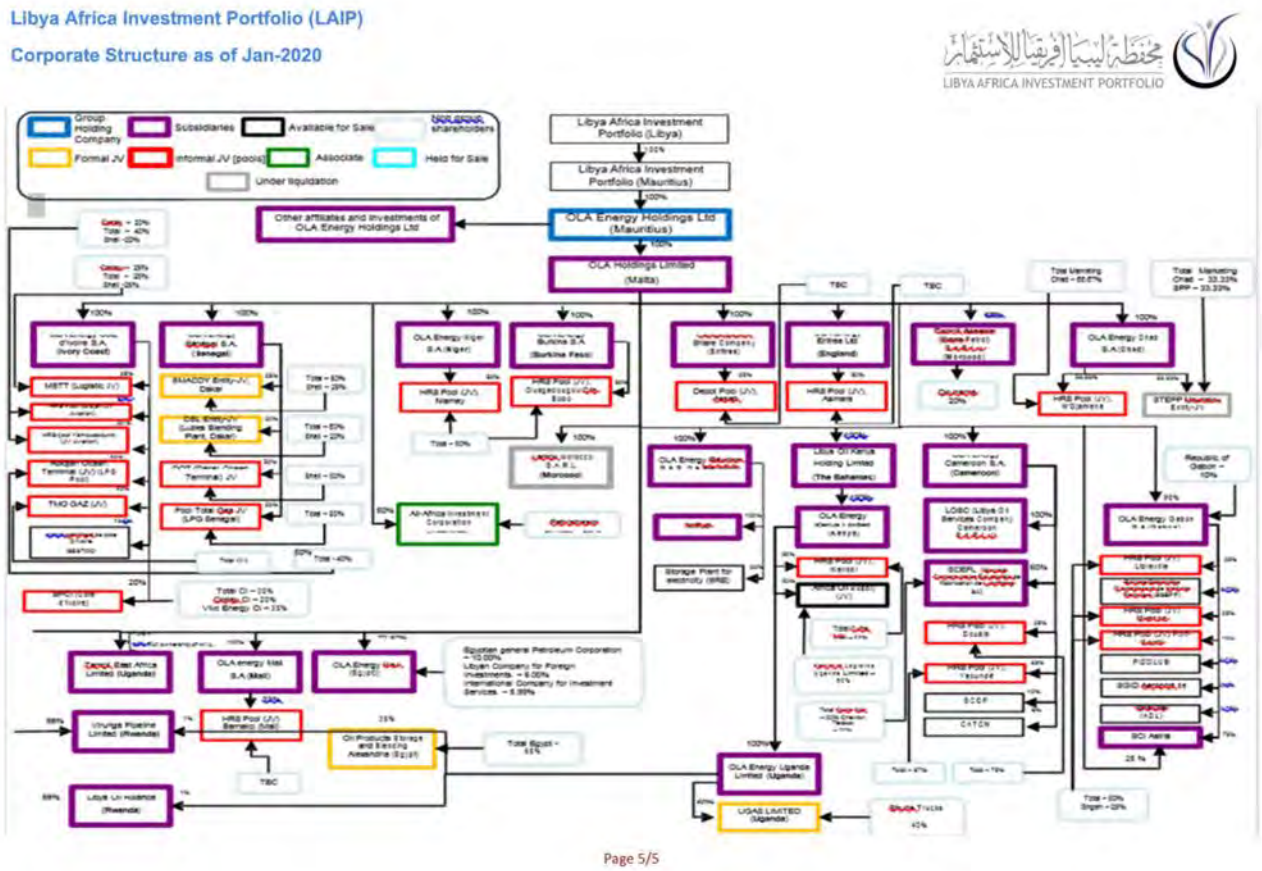


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Libya Africa Investment Portfolio (LAIP)

Corporate Structure as of Jan-2020




Libya Africa Investment Portfolio (LAIP)
Corporate Structure as of Jan-2020
LIBYA AFRICA INVESTMENT PORTFOLIO
Group Holding Company
Subsidiaries
Available for Sale
Formal JV
Informal JV (pools)
Associate
Held for Sale
Under liquidation
Libya Africa Investment Portfolio (Libya)
Libya Africa Investment Portfolio (Mauritius)
OLA Energy Holdings Ltd (Mauritius)
OLA Holdings Limited (Malta)
Other affiliates and investments of OLA Energy Holdings Ltd
Page 5/5

Source: LAIP

Annex 88 Documentation regarding LAP GreenN transfer

Figure 88.1
Cabinet resolution related to the transfer of shares

The Interim Government
Prime Ministry Bureau
Resolutions

Cabinet Resolution # (384) of (2015)
Enforcing some provisions related to the transfer of shares
To the Libyan Post Telecommunication & Information Technology Holding Company

The Cabinet After reviewing:

- The interim constitutional declaration issued on August 3rd 2011 and amendments thereof. The fiscal system of the State, balance sheet, accounts, and stocks law and amendments thereof.
- Law No. 12 of 2010 on issuance of the business relationships law and its internal regulations.
- Law No. 13 of 2010 on establishing the Libyan Investment Authority.
- Law No. 23 of 2010 on commercial activities and amendments thereof.
- Parliament resolution No. 22 of 2014 appointing the prime minister of the Interim Libyan Government.
- Parliament resolution No. 24 of 2014 declaring confidence in the interim government.
- The resolution of the General People's Committee \ previously No. 63 of 2005 on establishing the Libyan Post Telecommunication & Information Technology Holding Company.
- The resolution of the General People's Committee \ previously No. 15 of 2006 on establishing Libya Africa Investment Portfolio (LAIP).
- Cabinet resolution No. 644 of 2013 amending resolution No. 345 of 2013 delegating its mandate to the prime minister.
- Cabinet resolution No. 6 of 2014 on endorsing the organizational structure and establishing the administrative body of the Prime Ministry's bureau.
- Cabinet resolution No. 374 of 2015 on permitting withdrawal of a cash amount.
- The minutes of the general assembly's meeting of the Libyan Post Telecommunication & Information Technology Holding Company held on Wednesday 25/02/2015.
- The minutes of the Libyan Investment Authority's board of trustees meeting held in AlBaidha'a city on Saturday 08/08/2015.

The Cabinet resolved the following:

Article (1)
All shares owned by Libya Africa Investment Portfolio (LAIP) in LAP GreenN shall be transferred to the Libyan Post Telecommunication & Information Technology Holding Company, including all of its associated assets and liabilities. Providing that the value of funds invested in LAP GreenN; consisting in equities, outstanding balance of the current account, and the outstanding balances of

loans granted to the earlier are deducted at the same value on the date of the transfer from the funds of Libya Africa Investment Portfolio.

Article (2)

The Libyan Post Telecommunication & Information Technology Holding Company shall be permitted to take the legal actions necessary to appraise LAP GreenN Telecommunication's assets in order to determine the fair value of the company and to record the same in the appropriate books.

Article (3)

The Libyan Post Telecommunication & Information Technology Holding Company shall be empowered to take the legal actions necessary to purchase foreign currencies to ensure its conformity with Cabinet resolution No. 374 of 2015 which allows the withdrawal of a cash amount to maintain sound management of LAP GreenN Company.

Article (4)

This resolution shall enter into force as at the date of issue and shall supersede and render void any other conflicting provisions. All competent authorities shall enforce the resolution immediately upon its publication in the official gazette.

The Cabinet
(Signed)

Sealed:

The Interim Libyan Government
Resolutions

Issued in: Al-Baidha'a city
On: 16/08/2015

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Floriana FRN 1914 MALTA
TEL: 22030000

Figure 88.2
Decision of the Board of Directors

Translated from Arabic

Decision of the Board of Directors of Libya Africa Investment Portfolio
Decision No. 15 (2015)
Concerning the implementation of a decision

Having considered:

- Act No. 13 (2010) concerning the organization of the Libyan Investment Authority and the decisions adopted pursuant thereto;
- General People's Committee (defunct) decision No. 15 (2006) concerning the establishment of Libya Africa Investment Portfolio;
- General People's Committee (defunct) decision No. 197 (2006) concerning the adoption of the statutes of the Libya Africa Investment Portfolio;
- General People's Committee (defunct) decision No. 136 (2009) approving certain provisions relating to the Libya Africa Investment Portfolio;
- Libyan Investment Authority decision No. 2 (2015) concerning the establishment of the Board of Directors of Libya Africa Investment Portfolio;
- Prime Ministerial decision No. 384 (2015) concerning the conveyance of LAP Green to the Libyan Post, Telecommunications and Information Technology Holding Company.

Decision

Article 1

The executive management of the Portfolio is authorized to implement Prime Ministerial decision No. 384 (2015) (copy annexed) concerning the conveyance of its entire share, including all assets and liabilities, in LAP Green to the Libyan Post, Telecommunications and Information Technology Holding Company, and to take all measures required to complete the conveyance process.

Article 2

The present decision shall enter into force on the date of its issuance, and the relevant parties shall be required to implement it.

(*Signed*) [signature illegible]
Board of Directors of the Portfolio

Issued on 15 October 2015

Annex 89 Palladyne/Upper Brook Case

1. The Panel has considered the following statements of the LIA:

(a) LIA commented on the difficulties faced when the two Directors of the Palladyne/Upper Brook funds (the 'Funds') (appointed in 2014) refused to recognise Ali Mahmoud's authority. According to the LIA, following the successful conclusion of the authority dispute, a limited dialogue has been possible and cooperation among the directors has improved;

(b) LIA is now funding the litigation in the Dutch proceedings. The four directors of the Funds worked together in ensuring necessary filings could be made on behalf of the Funds in relation to the fees of Palladyne International Asset Management (PIAM). Subsequently, a fifth director was appointed; and

(c) LIA stated that PIAM continues to generate monthly performance reports of the Funds, which include a statement that the Net Asset Value (NAV) set out in those reports has been independently audited by the fund administrator. The Panel notes that this occurred after the Panel's observations in S/2019/914, paras. 184 to 192.

2. The Panel's preliminary findings, on examination of documents provided by LIA and discussions with relevant interlocutors, are:

(a) LIA has neither visibility nor control over the assets (originally valued at USD 700 million). The Monthly Performance Reports only indicate the asset class allocation, geographical region and sector distribution, without specifying the companies in which the funds are investing.

(b) PIAM, as investment manager, has conducted very little investment activity since 2011. Significant amounts were retained in cash.

(c) On 16 August 2012, PIAM, the fund managers, established Palint Stichting, a Dutch foundation. The directors of Palint Stichting are also company officers of PIAM. The relationship, therefore, does not appear to be at arm's length.

(d) The three Funds were gradually divested of their control of the assets. Each fund had signed the custodian agreement with Fortis Bank, in 2007. In 2008, when the assets were then transferred to State Street Bank, only PIAM signed the custody agreements. In November 2012, PIAM appointed the Deutsche Bank as the new custodian of 98.5 percent of the assets. The Panel noted that Palint Stichting entered into custody agreements with Deutsche Bank.

(e) In 2014, Deutsche Bank withdrew from the custodian agreement. It, however, continues to hold the assets for safekeeping as PIAM/Palint Stichting did not withdraw them. PIAM/Palint Stichting initiated litigation in the Netherlands to contest the termination of the custodian agreement. In September 2019, the Court found that the Deutsche Bank custodian relationship was validly terminated and that the bank owes no continuing obligation to provide custodian services to Palin Stichtingt/PIAM (other than safekeeping).

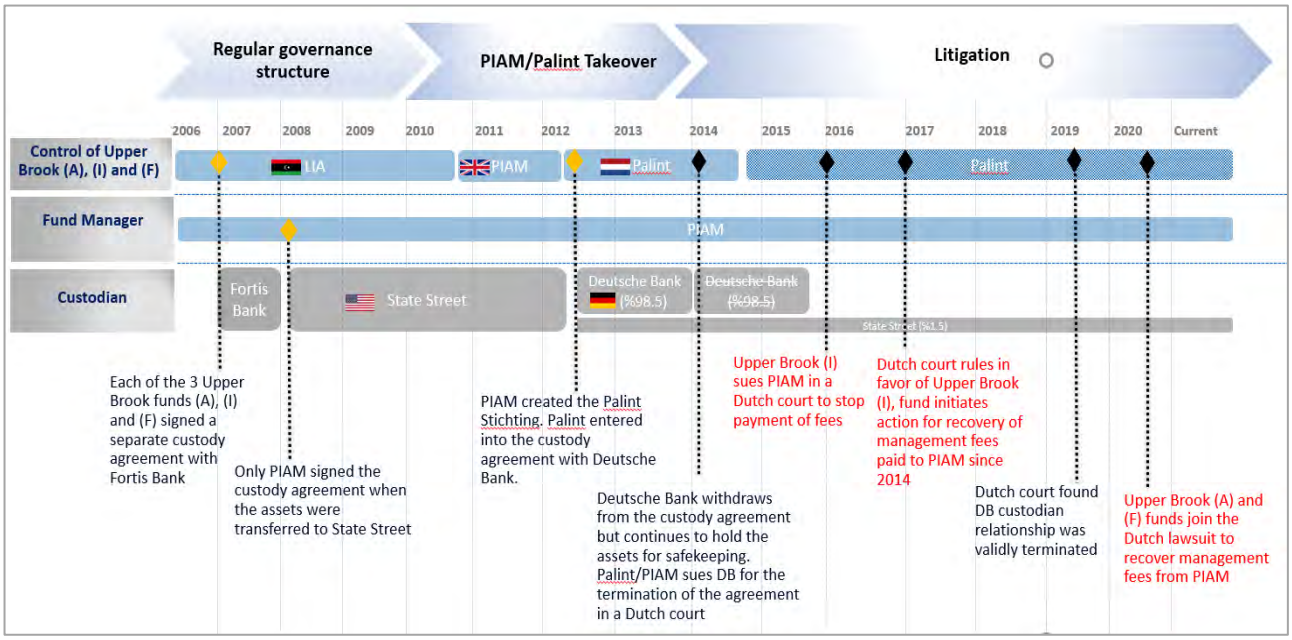
(f) In 2016, the Upper Brook (I) fund initiated litigation in the Netherlands to stop payment of management fees to PIAM. In 2017, a Dutch Court ruled in favour of Upper Brook (I), which initiated action for recovery of management fees paid to PIAM since 2014. In December 2020, Upper Brook (A) and (F) joined the Dutch lawsuit to similarly recover fees paid to PIAM.

(g) Palint Stichting still maintains full control of the assets but has given PIAM the Power of Attorney to operate the bank accounts. The Upper Brook funds have no agreement with Palint Stichting and are therefore unable to give them any instructions.

(h) PIAM continues as the fund manager. Their management fees are considered to be excessive, although one fund did manage to get a reduction in fees in 2013, after intervention of its subscriber (LAIP). The two other funds appear content to continue paying the higher rate despite ongoing litigation with the fund manager.

(i) The LIA has made no effort to regain control of the assets or to ensure that Palint Stichting no longer has ownership of the assets.

Figure 89.1
Timeline showing the gradual divesting of the Upper Brook Funds of control over the assets



Source: Panel analysis.

3. The Panel requested LIA's comments on the Upper Brook case. The LIA offered the following:

(a) With regard to the observation on efforts "*to regain control of the assets*", LIA stated that the assets belong to the Upper Brook Funds, of which the LIA is shareholder/beneficial owner, and not to the LIA directly. It is unclear what further steps the Panel considers the LIA should be taking in that capacity. LIA has further listed out the concrete steps taken in

order to maintain effective oversight and control of the Upper Brook Funds, such as appointment of new directors of the three Funds, funding litigation in the Netherlands and appointing a company to undertake forensic review of the Funds' assets.

(b) With regards to the control of the assets by Palint Stichting, LIA repeats the general statement that such structures are legitimate investment vehicles for the express purpose of separating functions of ownership and control. It admits that the rationale for the use of such a structure is unclear.

4. LIA is now stating that the forensic audit is not yet complete. The Panel was clearly informed in late 2020 that the audit was completed but the results could not be shared as the AGO had not permitted it. The LIA is now making an attempt to distinguish between the Upper Brook Funds and the LIA, emphasising that it only provides assistance to the boards of the Funds. This is an attempt to distance itself from direct involvement, in contradiction to previous actions of LIA. In January 2019, the LIA had taken direct action by removing the two directors (appointed in 2014) of the Upper Brook Funds and reappointing PIAM as the director of these Funds. The resolutions were withdrawn in April 2019 (S/2019/914, paras 185 and 189). The LAIP has confirmed that it has given the authority to the LIA to handle issues relating to the Funds.

5. Moreover, as sole shareholder of one fund, the attorney-in-fact for the second fund and the sole shareholder of LAIP (the subscriber to the third fund), the LIA cannot distance itself from the management of the assets which ultimately belong to it and to the LAIP. The shareholder is the legal owner of the company. This is relevant in the context of preservation of assets for the Libyan people.

6. Considering that USD 700 million of the Libyan people's money is under the control of Palint and that the Funds have no control over this substantial sum since 2013, it is surprising that no concrete steps have been taken to regain control. An investigation at this belated stage is only delaying matters further. The LIA has never categorically stated what action it will take to regain control of the assets, despite all the litigation. These, in the Panel's opinion, are dilatory tactics. The LIA is shirking responsibility by repeatedly saying that the boards of the Funds and their legal advisors are actively considering this issue and that the LIA will provide any further assistance requested by the boards.

7. All the statements now being made are thus at variance with the LIA's actions and the undue haste with which PIAM was given back control of the funds in January 2019 by the LIA Board of Directors itself

8. The Panel notes the varying approaches of Member States with regards to the application of sanctions in the case of the Palladyne/Upper Brook Funds, and consequently the licensing requirements. The Panel would like to highlight the risk this carries of dissipation of assets:

(a) The three Cayman Islands incorporated Funds were frozen in terms of The Libya (Financial Sanctions) Order 2011 and The Libya (Restrictive Measures)(Overseas Territories) Order 2011. In the Cayman Islands, the UN sanctions were given effect by The Libya (Restrictive

Measures)(Overseas Territories) Order 2011. PIAM obtained licences from the UK and the US authorities for managing the assets of the Funds.

(b) PIAM moved 98.5% of the total assets from State Street Bank to Deutsche Bank in 2013 under a licence from OFAC for transfer of the funds. The licence was issued in March 2013 and the assets were transferred to Deutsche Bank in or about August 2013.

(c) In January 2013, the Deutsche Bundesbank informed PIAM of the following view concerning investment funds that are not listed (in Annex II of the Council Regulation (EU) 2011/204), but whose shares are owned by listed entities. Per the Panel's understanding, Deutsche Bundesbank took the position that Council Regulation (EU) 2011/204 applied to fund shares, but did not apply to the assets belonging to the fund, which are legally autonomous. As such the German authorities determined that there was no licensing requirement in the case of Palladyne, despite the fact that the funds were frozen in the UK jurisdiction.

(d) The Panel was informed that PIAM never sought any licences from the Dutch authorities. In support thereof, PIAM relied on a circular dated 11 March 2011 issued by De Nederlandsche Bank which stated that "…*we are informed by the Ministry of Finance, the assets of legal persons and entities who are controlled by the listed natural and legal persons, entities and bodies do not need to be frozen; business operations may continue, subject to conditions. Such legal persons and entities may not, however, make assets and economic resources available to the listed persons and entities, nor may the interests of the listed entities be expanded or reduced*." On 14 March 2011, the Dutch Authority for the Financial Market (AFM) also apparently conveyed a similar position to PIAM. The latter stated that it did inform the AFM of its activities in relation to the funds.

(e) The German authorities have since confirmed their position stated above. According to them, the assets freeze does not automatically apply to subsidiaries and they referred to a court ruling in the EU on the strict interpretation of designation. On the application of guidelines on ownership and control, the German authorities stated that the Upper Brook Funds being distinct legal entities, they needed more details to make the determination.

(f) The Panel awaits further clarifications from the Dutch authorities.

Annex 90 LTP as a separate entity

1. In 1986, the Libyan Arab Foreign Investment Corporation (LFIC) (LYe.001) (a.k.a. LAFICO) sold its 15% stake in Italian company FIAT for USD 3 billion in 1986. The LAFICO Board of Directors later decided to allocate these funds to a newly created portfolio called the Long Term Portfolio (LTP), in order to manage these funds in international bonds, stocks and commercial real estate. No specific company was created for this portfolio and it did not have a separate legal status. It was under the control of the Investment Department at LAFICO. All of its assets were in the name of LAFICO when the assets freeze was imposed. This is still the case, in particular regarding the assets held by Euroclear and the corresponding custodian banks, ABC Bahrain and HSBC, UK.

2. The LIA has relied on two Qadhafi era decisions (see appendix A) that aimed to separate LTP funds from LAFICO accounts. The Panel has determined these decisions were never implemented as the funds remain in LAFICO's name.

3. The LIA also stated that LTP became a subsidiary of LIA in 2007 (Article 7 of Decision 125 of 2007) and that this new affiliation of LTP is reflected in Article 16 of Law 13 (2010). The Panel finds that LTP may well have been under the control of LIA as a portfolio but not as an independent company, as discussed below.

4. After 2011, a steering committee was formed for LTP but it was never registered as a separate company. Former LIA Chairmen had recommended the integration of LTP into LIA, but this was not done. Gradually, the steering committee began to act independently of LAFICO even though the assets were in the latter's name and LTP still did not have a separate legal status.

5. In 2014, the then Chairman of the Steering Committee of LTP, Sami Mabrouk, moved his office to Jordan, with the permission of the then Chairman of LIA, Hassan Bouhadi. Finding difficulties in registering in Jordan, in the absence of any registration as a commercial independent company in Libya, LIA approved LTP Articles of Association on 10 May 2015 and LTP was registered in Bayda on 11 May 2015. On the basis of the registration in Bayda, LTP obtained a registration certificate of a non-operating foreign company in Jordan, on 6 August 2015. At that time, there was no registration in Tripoli, the declared headquarters of LTP (see appendix D).

6. The 2015 LTP Articles of Association do not mention a separate board of directors for the Portfolio. Article 9, however, explicitly mentions a Portfolio Management Committee to be appointed by the LIA BoD. The Panel is in possession of a February 2017 official correspondence from LTP to Etihad Bank, submitted on LAFICO letterhead with Sami Mabrouk signing as the "Chair of the Long Term Investment Portfolio Management Committee" (see appendix F).

7. In 2017, the LIA Board of Directors issued a decision that created a "Board of Directors" for LTP. The newly created LTP "Board of Directors" had to register in Tripoli in order to take control of the funds and the representative office in Jordan. The LTP was eventually registered in Tripoli on 27 January 2018. The Jordanian authorities accepted the Tripoli registration showing the paid-in

capital in USD after having rejected an initial registration erroneously filed in Libyan dinars (see appendices D and E).

8. The LIA provided the Panel with an amended statute of the LTP, prepared pursuant to a 25 August 2019 extraordinary meeting of the LTP General Assembly. Article 1 of the amended statute describes the LTP as a legal person and separate financial entity, subject to the provisions of the Commercial Activity Act. It goes on further to stipulate the functions of the "Board of Directors". There is no evidence to show how the transition (if any) from a Management Committee to a "Board of Directors" took place.

9. The Panel's view is that the LIA's insistence on the LTP being a separate corporate entity is not supported by the facts on record. The LTP General Assembly cannot simply declare the Portfolio to be a separate legal and financial entity from LAFICO. The Panel finds that this Portfolio continues to be a division of LAFICO, which remains the legal owner of the funds. The LIA's insistence that LTP is a separate company might result in dissipation of assets.

10. LTP's structure and management practices run counter to all modern management principles of transparency, best practices, and accountability for sovereign wealth funds. Allowing LTP to operate independently without proper oversight and controls, as has been happening since the 2014 establishment of the Jordan office, would risk the considerable funds at its disposal.

Analysis of financial statements

11. The paid-in-capital of LTP is USD 4.5 billion. Shares in subsidiaries, and affiliated and publicly traded corporations, amount to approx. USD 0.69 billion.

12. The case of one company, Sabtina Limited, highlights the confusion the LIA created by maintaining that LTP is an independent entity. Sabtina is declared in LTP's financial statement as a direct subsidiary. In the UK sanctions list, however, Sabtina is shown as a subsidiary of LAFICO. Sabtina's 2019 financial statement also confirms that it is indeed a subsidiary of LAFICO. An incorrect picture is therefore being presented in LTP's financial statements to reinforce its unfounded claim of legal independence.

13. Shares in Arab Banking Corporation in Bahrain and Bank El Etihad in Jordan are also held in LAFICO's name. LTP falsely claimed in its financial statement, however, that it holds the shares in Bank El Etihad.

14. In its financial statements, LTP includes accounts and term deposits, totalling approx. USD 2 billion, in several banks, of which 50% is held in the Libyan Foreign Bank (LFB). This account is in the name of LAFICO. The status of the funds held by LFB (approx. USD 1 billion) is under examination as these may not be in Libya. If held in accounts outside of Libya, the funds will have to be frozen.

15. There is no clarity on the provenance of the funds used to establish the Jordan office. The former Chairman of the Management Committee, Sami Mabrouk, informed the Panel that in June 2013, he

created a new portfolio from interest and dividends. This was used to buy 97 million USD worth of shares in Safwa Bank.

16. The LTP office in Jordan, having access to funds regarded as not being subject to the assets freeze, was often a source of funding for LIA and other companies. There was a transfer of 20 million euros to LIA Malta in 2015. In 2017, LIA Malta demanded another transfer of 2 million euros. A current account was opened in Bank El Etihad, Jordan, in the name of LIA. These amounts were for the LIA Malta office administrative expenses. According to the Libyan Audit Bureau, the LTP Jordan office disbursed a total of 2.5 million euros in 2015 to cover expenditures for LIA's Malta office. That amount rose to 3.6 million euros in 2016. After the 2017 audit, the Audit Bureau observed that it was not able to gain access to statements for the LIA's current account in Bank El Etihad.

Appendix A to Annex 90: The 1992 decision of the Peoples Committee on LAFICO, LTP and LAFICO's consequential communication

Figure 90.A.1
Official translation of the decision

Translated from Arabic

In the name of God, the Merciful, the Compassionate

The Libyan Arab Foreign Investment Company
No democracy without People's Congresses

Date _____ MWR ___ Corresponding to _____ 19__ Ref. No.:

Decision of the Secretary of the People's Committee
No. 44 (1992)
concerning separation of the funds of the Libyan Long-Term Portfolio
Having considered:
- Act No. 6 (1981 concerning the establishment of the Libyan Arab Investment Company
- General People's Committee Decision No. 767 (1991) concerning the establishment of the Long-Term Investment Portfolio
- The presentation of the Director of the General Investment Department on the inventory of the total value of the funds of the Long-Term Investment Portfolio as of 30 September 1991.

We hereby decide as follows:

Article I
The Portfolio's net assets as of 30 September 1991, amounting to $3,634,141,929.51 are to be separated as follows:
United States dollars

2 826 086 070.00	Funds of the Long-Term Investment Portfolio
808 055 859.51	Funds of the Libyan Arab Foreign Investment Company

Article 2
The funds of the Long-Term Investment Portfolio shall be separated from the accounts of the Libyan Arab Foreign Investment Company's in the amount of the share provided for in article 1.

Article 3
The directors of the General Investment Department and the General Finance Department shall execute this decision and act on it as of 30 September 1991.

(*Signed*) Muhammad Ali al-Hawij
Secretary of the People's Committee

Done on 15 Shawwal A.H. 1401
Corresponding to 18 April 1992

Figure 90.A.2
Decisions of LAFICO

Umar Mustafa al-Muntasir
Chair of the Board of Directors of the Libyan Long-Term Portfolio

Sir,

I write in reference to General People's Committee Decision No. 601 (1993) issued on 15 Safar MWR 1403, corresponding to 4 August 1993, amending Decision No. 767 (1991) establishing the Long-Term Investment Portfolio.

We hereby inform you that the Libyan Arab Foreign Investment Company will prepare a statement of financial position of the funds of the Portfolio on the date that it received of the above-mentioned resolution, which was 12 August 1993, in preparation for procedures for your Board to take delivery of said funds.

As of 12 August 1993, the executive management of the Libyan Arab Foreign Investment Company shall no longer be legally authorized to conduct any financial transactions with Portfolio funds, unless temporarily authorized otherwise by you, until the Portfolio takes final delivery of the funds.

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

(*Signed*) Muhammad Ali al-Hawij
Chair of the Board of Directors

_____

Appendix B to Annex 90: 2015 Articles of Association of LTP

Figure 90.B.1
LTP articles of association

State of Libya
Articles of Association of the Long Term Investment Portfolio

Article No. (1)
Establishment of the Portfolio

Long Term Investment Portfolio was established under the former General People's Committee Resolution No. (767) for the year 1991 to establish the Long Term Investment Portfolio, amended by the former General People's Committee Resolution No. (601) for the year 1993, pursuant to Law No. (13) for the year 2010 to organize the Libyan Investment Authority.

Article No. (2)
Portfolio Headquarter

The Portfolio headquarter and legal place shall be in the city of Tripoli, Libya, and may under a resolution of the Portfolio Management Committee establish branches or offices as required and needed inside and abroad.

Article No. (3)

The Long Term Investment Portfolio shall have special logo referring to its business.

Article (4)
Portfolio Objectives and Purposes

The Portfolio aims to set up investment strategy to invest its assets and funds in a balance way in terms of performance and transparency to invest what its allocated to it from the funds of the State of Libya and any funds it manages to third parties in accordance with a long term sustainable vision to ensure a diversified source of wealth for future generations and support the State's resources. The Portfolio shall receive the funds allocated for investment and shall be responsible for investing and growing, and reinvesting such funds by acquiring, selling, managing, operating and funding different economic, service, and financial activities outside the country, for example but not limited to:

1. Develop and follow up the policy of funds allocated for investment.
2. Keep, manage and invest the funds allocated for investment, collect the return on such investments and reinvest them.
3. Invest and reinvest any real-estate or moveable properties, rights or assets, tangible or intangible, including but not limited to all types of shares, bonds, securities, financial and commercial instruments, foreign currencies, metals, goods and commodities, and all other investable items.
4. Sell or exchange any properties in cash or by facilities and deal in all other financial derivatives.
5. Reorganize, merger, consolidate, acquire or liquidate any investments related to the Portfolio or properties held by the Portfolio, and carry out all legal actions necessary for that.
6. Transfer or exchange any documents related to any investment operation or any part of the funds allocated for the investment.
7. Provide necessary financial or legal guarantees on its account and/or on the account of its affiliated companies to fulfill its contractual or financial obligations based on agreements concluded with third parties.
8. Carry out all other acts necessary to achieve its purposes and manage its affairs.

9. Perform all financial and legal acts as regards its invested funds and manage the same for third parties in accordance with the management agreements and the regulations in force
10. Conclude agreements and contracts with third parties to help the Portfolio achieve its objectives and purposes.

Article No. (5)
Portfolio Term

The legal term of the Portfolio shall be fifty years commencing from the resolution of establishment thereof under the former General People's Committee Resolution No. (767) for the year 1991. The term may be extended for other term or terms under a resolution of the Board of Trustees of the Libyan Investment Authority.

Article No. (6)
Portfolio Capital

The Portfolio's capital consists of the funds allocated to the Portfolio under the former General People's Committee Resolution No. (767) for the year 1991 to establish the Long Term Investment Portfolio amounting 4.600.000.000.00 (four billions six hundred million US Dollar) from the net profits and returns of investing the Portfolio funds and the assets or investments transferred or devolved upon it from pursuant to the provisions of the related laws and resolutions.

Article No. (7)
Borrowing

To achieve its purposes, the Portfolio may borrow from local or international financial institutions or any other party under the approval of the Management Committee upon the proposal of the General Manager of Medium and Long Term Borrowing.

Article No. (8)
General Assembly

The Board of Directors of the Libyan Investment Authority shall act as the general assembly of the Long Term Investment Portfolio. The general assembly shall convene once a year in the country of headquarter or in any other place determined by the Management Committee to pass the annual accounts of the Portfolio, and as needed upon the invitation of the Management Committee.

Article No. (9)
Portfolio Management Committee

The Portfolio Management Committee consists of five members including the head of the Portfolio Management Committee and the general manager. They shall be appointed and their membership shall be renewed under a resolution of the Board of Directors of the Libyan Investment Authority.

Article No. (10)
Portfolio Management Committee Powers and Authorities

The Long Term Investment Portfolio Management Committee shall have all powers and authorities to achieve the objectives and run the affairs of the Portfolio, develop policies, and invest its funds in investment projects as provided for in these Articles of Association. To ensure its sound performance of its tasks and responsibilities, the Portfolio may:

1. Define the general policy of the Portfolio in line with the related regulations and laws and in force.
2. Discus the quarterly reports on investment operations and the sound work progress of the Portfolio.
3. Develop rules and systems and take necessary measures to run the works of the Portfolio.
4. Take decisions on borrowing, lending, and issuing bonds.
5. Set up the organizational structure and the administrative, financial and technical regulations of the Portfolio.
6. Appoint auditors and advisors and determine their remunerations and benefits.
7. Give permission to conclude contracts and agreements with third parties who run or practice works similar to the Portfolio purposes and help achieve its objectives.
8. Develop policies, standards and decisions necessary to invest the Portfolio funds in different fields.
9. Open branches and offices inside and abroad as the public good requires, establish companies abroad, subscribe or dispose of the same, increase or decrease their capitals in accordance with the related laws and regulations.
10. The Management Committee may delegate some of the established powers and authorities to the head of the Management Committee to run the work of the Portfolio.
11. Give permission to contract with the top management employees in accordance with the Portfolio Personnel Affairs Regulations.
12. Form any technical committees the committee deems necessary to perform the task of the Portfolio.

Article No. (11)
Management Committee Meetings

The Management Committee shall hold its ordinary meetings at least once every three months at the Portfolio headquarter or in any other place inside or abroad as the Management Committee determines. The Management Committee shall also convene as needed upon the invitation of the Head of the Management Committee or who he delegates. The invitation shall be sent to the members at least one week prior the date of the meeting and to attach the agenda and the meeting file to the invitation. The meeting file shall include memos on the topics presented to the committee. The Management Committee meetings shall be valid if attended by majority of committee members. The resolutions of the committee shall be issued by the majority of present members. In case the members attending the meeting are equal, the head of committee shall have a casting vote.

Article No. (12)
Urgency

The urgent topics may be presented to each member of the committee by pass to take what is appropriate on the presented issue. In such case, the resolutions shall be taken by unanimously and shall be presented in the first coming meeting of the Management Committee for approval.

Article No. 913)
Secretary of the Management Committee

The Management Committee shall appoint a secretary to the committee who shall be responsible for the following:

- The administrative preparation of the committee meetings and inform the members of the meeting and the agenda.
- Attend the committee's meetings and take minutes of the meetings.
- Prepare the resolutions to implement the committee's recommendations.
- Keep all documents records related to the committee in a strict confidentiality.

Article No. (14)
Minutes of Meetings of the Management Committee

The minutes of meetings of the Management Committee shall be taken and presented to the committee on the following meeting for approval. Such minutes shall be registered in a special record signed by the Head of Committee and the secretary.

Article No. (15)

To achieve the purposes of the Portfolio, resolution from the minutes of meetings of the Management Committee shall be taken and signed by the Head of the management commit and sealed by the official seal of the Portfolio.

Article No. (16)
Head of the Management Committee

The Head of the Management Committee powers and authorities:

1. Represent the Portfolio in its relations with third parties, before judicial, government and official departments. He may delegate such powers and authorities to the general manager or others under a written authorization.
2. Call the Management Committee for meeting and run its sessions.
3. Propose and present the meeting agenda to the Management Committee members.
4. Discuss what is presented from the Board of Directors or the Chief Executive Officer of the Libya Investment Authority or any other government entity concerned with the Portfolio activity.
5. Give permission to seek the help of specialized experts to carry out works of special nature.
6. General supervision of the Portfolio and implement the Portfolio policies and what is related to this position. He may delegate authorities to carry out other duties as decided by the Management Committee from time to time.

7. Take necessary resolutions in line with the Portfolio strategy and objectives.
8. Conclude agreements with financial institutions and any cooperation agreements with third parties.
9. Delegate employees or others to carry out any task he deems necessary to achieve the purposes of the Portfolio.
10. Preside the meetings of the Management Committee.

Article (17)
General Manager

The general manager powers and responsibilities include:

1. Assist the Head of the Portfolio Management Committee in all tasks related to the management of the Portfolio works
2. Carry out the works and powers entrusted to him by the Head of the Management Committee or the Management Committee.
3. Practice his powers and authorities under the related laws and regulations in force.
4. Develop plans and programs necessary to implement the resolutions and recommendations of the Management Committee and the Head of the Management Committee.
5. Prepare the draft annual final accounts and budget to present them to the Management Committee for approval.
6. Prepare periodic reports on the Portfolio activities every three months to present them to the Management Committee for discussion.
7. Prepare the draft balance sheet to present it to the Management Committee.
8. Receive reports on the performance of the affiliated companies from the managers of the Portfolio entities and discus such reports with the managers.
9. Prepare the annual report on the Portfolio works at the end of each financial year to present it to the Management Committee.
10. Manage and run the Portfolio daily affairs.
11. Direct supervision of the board of directors and Portfolio affiliated companies to ensure the implementation of the Management Committee resolutions.
12. Supervise the follow up of the daily work at the different departments of the Portfolio to ensure their sound work progress.
13. Propose jobs, salary scale, and benefits thereof, contracting conditions, delegation, training, secondment and tasks system of the Portfolio staff and propose implementation mechanisms.

Article No. (18)
Signing Financial Transactions

The Head of the Management Committee, the general manager, or any other persons delegated by the Management Committee for this purposes shall have the right to sign on behalf of the Portfolio upon a proposal of the Head of Management Committee on the terms and conditions determined by the committee.

Article No.(19)
Transactions Requirements

The Portfolio transactions shall be carried out in accordance with the terms and conditions deemed appropriate by the Management Committee for each case where no project shall not be funded before completing its study and implementation program and verifying its economic feasibility.

Article No. (20)
Limits of Financial Transactions

The Management Committee shall develop rules related to the maximum limits of the loans, guarantees and investment of the Portfolio as well as other obligations with due consideration to the Portfolio's resources and the safety of its financial positions.

Article No. (21)
Controls of Work Principles

The Portfolio shall carry out its works in accordance with the following principles:

1. The Portfolio may not engage in any transaction contradicts with its objectives and purposes.
2. The Portfolio shall apply the principles recognized in funding investment with due consideration to the transparency standards.
3. The Portfolio shall carry out its funding transactions under conditions suitable to the nature of each transaction without prejudicing the soundness of its financial position.
4. The Portfolio shall take into account, at carrying out funding transactions, the project ability to fulfill the funding principal and interests.
5. To take necessary measures to ensure that any funding provided by it is used only for the purposes for which such funding is granted with due consideration to the economic considerations as regards costs and efficient implementation.
6. Prioritize the investment objectives of the Portfolio funds as follows: return, guarantee, and liquidity.
7. Emphasize the special nature of the Portfolio as an economic investment portfolio for the purpose of long term investment.

Article No. (22)
Financial Year

The financial year of the Portfolio shall start at the beginning of the financial year of Libyan Investment Authority and ends at the end of the financial year of Libyan Investment Authority.

Article No. 23)
Accounts Auditing

The Audit Bureau shall audit and review the accounts of the Portfolio in accordance with the provisions of Act No. (19) of 2013, as amended, concerning the reorganization of the Court of Accounts, Act No. (2) of 2013 concerning the establishment of the Administrative Control Authority, and then applicable laws. The Portfolio may seek the assistance of international auditors after the approval of the Portfolio Management Committee, if needed.

Article No. (24)
Accounts Keeping

The Management Committee shall define the rules of accounts keeping and necessary records taking into consideration the financial records the Portfolio is required to keep in accordance with the Commercial Law.

Article No. (25)
Publication

This Articles of Association shall be deposited and published in accordance with the law and the Portfolio shall be registered in the commercial register and with other official departments stipulated by law.

Board of Directors of Libyan Investment Authority

Issued on 10/5/2015.

Appendix C to Annex 90: LTP registration in Bayda and first registration in Tripoli

Figure 90.C.1
Official translation of LTP registration in Bayda

Translated from Arabic

Transitional Government of Libya

Ministry of Economic Affairs

Department of Corporations and Commercial Registration Entry number: 4211-35-05

Commercial Register Office, Jabal al-Akhdar Date: 11 May 2015

Commercial Register Extract

Trade name: Long-Term Investment Portfolio **Legal structure:** public share company

Established pursuant to decision No. 767 (1991) **Duration:** 50 years* **Start date:** 29 September 1991 **End date:** 29 September 2041

Headquarters address: Tripoli **Branch:** **Facsimile:** 021478155 **E-mail:** info@ltp.fund

Object of company: As in attached statutes

Subscribed capital: 4.6 billion United States dollars

Information regarding business owner, members of the board of directors or general partners:

No.	Name	Card No.	Nationality	Title	Date of appointment	Place of residence	Address
01	Sami Muhammad al-Mabruk	********	Libyan				

02	Bashir Abu al-Qasim Ma'tuq	********	Libyan				
03	Mustafa Muhammad al-Salih	********	Libyan				
04	Ahmad Faraj al-Farajani	********	Libyan				
05	Ahmed Huwaydi Ammush	********	Libyan				
	Legal representative:						
No.	**Name**	**Card No.**	**Nationality**	**Title**	**Date of appointment**	**Place of residence**	**Address**
01	Sami Muhammad al-Mabruk	********	Libyan	Chair of the Board of Directors	13 June 2012	Tripoli	Tripoli

Branches or agencies:

No.	**Name**	**Card No.**	**Nationality**	**Title**	**Date of appointment**	**Place of residence**	**Address**
01	----------	-----	-----	-----	-----	-----	-----
02	----------	-----	-----	-----	-----	-----	-----
03	----------	-----	-----	-----	-----	-----	-----
04	----------	-----	-----	-----	-----	-----	-----

Comments:

The Board of Directors was appointed pursuant to decision No. 2 (2012). One member was added and another removed pursuant to decision No. 30 (2013).

Fees paid per receipt No.: **Date:**

Validity: One year from date of issuance*

Done at: Bayda' **Date:** 11 **Month:** May **Year:** 2015 **Time:** 10.40 a.m.

Document void if marked or altered in any way

Signature of the competent official

Name: Abdulsalam Abdulrahim Jalid

Position: Head of Office

Signature:

Figure 90.C.2
Official translation of LTP first registration in Tripoli

State of Libya **Entry number:** 83821

Ministry of Economic Affairs **Date:** 27 January 2018

Tripoli Economic Control

Commercial Register Extract

Trade name or name of company: Long-Term Investment Portfolio **Type:** Share company

The company was established pursuant to General People's Committee (defunct) decision No. 767 (1991)

Duration: 50 years **Start date:** 29 September 1991 **End date:** 29 September 2041

Headquarters: Andalus neighbourhood, Tripoli **P.O. Box** 4538 **Facsimile:** +218 (21) 5541874

E-mail: info@ltp.ly **Tel:** +218 (21) 4781452

Object of company: Grow the funds allocated to it by the Libyan State for investment or any other funds for the benefit of third parties, and to reinvest such by repurchasing, selling, managing, operating and financing various economic, service and financial enterprises outside the country.*

Subscribed capital: 4.6 billion Libyan dinars **Paid-up capital:** 4.6 billion Libyan dinars **In-kind:** —

Members of the Board or partners

#	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
01	Atif Maylud Umran al-Bahri	Libyan	Chair of the Board of Directors	5 December 2017	F97K3RC8	Tripoli	Tripoli

* *Translator's note*: The translator made his best effort with this line, parts of which are practically illegible.

#	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
02	Miftah Ali Sulayman Abdullah	Libyan	Member of the Board of Directors	5 December 2017	KZFNKR7F	Aryan	Aryan
03	Abdulsattar Muhammad Sayf al-Nasr Sayf al-Nasr	Libyan	Member of the Board of Directors	5 December 2017	KO69RLOF	Sabha	Sabha
04	Hasan Khalifah Khamis Abu Hasan	Libyan	Member of the Board of Directors	5 December 2017	JYZ9K68I	Gharyan	Gharyan
05	Salim Ali Miftah al-Kadiki	Libyan	Member of the Board of Directors	5 December 2017	J8938740	Tubruq	Tubruq
	Idris Abu Bakr Mas‘ud Umar	Libyan	Member of the Board of Directors	5 December 2017	PPNRPZKZ	Benghazi	Benghazi
No.	Imad Hasan Khalifah al-Shaybani	Libyan	Member of the Board of Directors	5 December 2017	P33JHOK5	Tripoli	Tripoli

Legal representative

No.	Name	Nationality	Title	Date of appointment	Personal identification No.	Place of residence	Address
01	Atif Maylud Umran al-Bahri	Libyan	Chair of the Board of Directors	5 December 2017	F97K3RC8	Tripoli	Tripoli

[*Translator’s note*: page 3 is completely illegible and was not translated]

Appendix D to Annex 90: LTP second registration in Tripoli

Figure 90.D.1
Official translation of the second registration showing USD

Translated from Arabic
Government of National Accord — Entry No.: 83821
Bureau of the Ministry of Economy — Date of entry: 17 January 2018

Extract from the Local Commercial Register of Tripoli

Commercial name of company / partnership: The Long-Term Investment Portfolio company — Type: Joint-stock
Company / partnership established by: (Former) General People's Committee Decision No. 767 of 1991
Company duration: 50 years — Starting on: 29 September 1991 — Ending on: 29 September 2041
Headquarters: City of Tripoli, Andalus neighbourhood, P. O. box 4538 — Fax: 002018215541874
Email: info@ltp.ly — Telephone: 002018214781452
Purpose of company / partnership: To manage funds allocated to it by the Libyan State for investment or any funds it administers on behalf of a third party, and to repurchase, sell, manage, operate and finance various economic, service-related and financial activities outside the country
Capital: $4,600,000,000 — Paid up: Cash: $4,600,000,000 — In kind: 0.000

Board members or partners

No.	Name	Nationality	Title	Date of appointment	Personal confirmation no.	Place of residence	Address
01	Atif Maylud Imran Al-Bahr	Libyan	Chairman of the Board	05 December 2017	F97K3rc8	City of Tripoli	Tripoli
02	Miftah Ali Sulayman	Libyan	Board member	05 December 2017	jim/Kzfnkr7f	City of Aryan	Aryan
03	Abdulsattar Muhammad Sayf al-Nasr Sayf al-Nasr	Libyan	Board member	05 December 2017	jim/K069rl0f	City of Sabha	Sabha

04	Hasan Khalifah Khamis Abu Al-Hasan	Libyan	Board member	05 December 2017	jim/jyz9k68j	City of Gharyan	Gharyan
05	Salem Ali Miftah Al-Kadiki	Libyan	Board member	05 December 2017	jim/j8938740	City of Tobruk	Tobruk
06	Idris Abu Bakr Mas'ud Umar	Libyan	Board member	05 December 2017	jim/ppnrpzkz	City of Benghazi	Benghazi
07	Imad Hasan Khalifah Al-Shaybani	Libyan	Board member	05 December 2017	jim/p33jhoks	City of Tripoli	Tripoli
08	***	***	***	***	***	***	

Legal representative

No.	Name	Nationality	Title	Date of appointment	Personal confirmation no.	Place of residence	Address
01	Atif Maylud Imran Al-Bahr	Libyan	Chairman of the Board	05 December 2017	F97K3rc8	City of Tripoli	Tripoli

Branches

No.	Address	Date established	Commercially registered office	Registration no.
01				
02				
03				
04				
05				

Proceedings	Amendments
	Amendment/reconstitution of the Board of Directors of the Long-Term Investment Portfolio in accordance with Libyan Investment Authority Board of Directors Decision No. 20 (2017) adopted at its fifth meeting held on 5 December 2017.

Note: In violation of the provisions of article 24 of Act No. 23 (2010) on commercial activity, and article 2 of the Statute of the Investment Portfolio adopted by the Libyan Investment Corporation with its Decision No. 11 (2015), the Long-Term Investment Portfolio was previously given an entry in the Commercial Register on 11 May 2015 under registration number 05-35-4211.

Note: Based on the provisions of articles 24, 491 and 495 of Act No. 23 (2010) on commercial activity, the Long-Term Investment Portfolio was registered with Tripoli Commercial Registry Office (the correct jurisdiction) under entry No. 8382.

Note: Commercial registration No. 4211, issued on 11 May 2015 issued by Bayda' Commercial Register, which oversees economic activity in the Jabal al-Akhdar region, was cancelled by judicial order of the Presiding Judge of the Tripoli Court.

Fee payment no.: 8779598 Date: 14 July 2019
Prepared on: 05 July 2019 Month: July Year: 2019 Time: 1130 hours
Validity: 15 July 2020

Seal:

Competent official
Name: Miftah al-Sanusi Abdulkarim
Position: Chief of the Local Commercial Register of Tripoli
Signed: (signature)

Appendix E to Annex 90: Chronology of the legal status of the LTP

Figure 90.E.1
Chronology prepared by LIA

Translated from Arabic\

Chronology of the legal status of the Long-Term Investment Portfolio

On 29 September 1991, the defunct General People's Committee adopted decision No. 767 (1991) establishing the Long-Term Investment Portfolio as a long-term investment vehicle, in order to expand the economic base, diversify sources of income and create additional sources of foreign currency. The principal amount invested in the Long-Term Investment Portfolio was set at $2,826,086,070, pursuant to article 3 of that decision.

From 30 September 1991, the accounts of the Long-Term Investment Portfolio were separated and placed in independent ledgers, pursuant to article 8 of General People's Committee decision No. 767 (1991) and decision No. 44 (1992) of the Secretary of the People's Committee for the Libyan Arab Foreign Investment Company concerning separate ledgers for the assets of the Long-Term Investment Portfolio.

The Long-Term Investment Portfolio Management Committee was formed pursuant article 4 of General People's Committee decision No. 767 (1991) of 29 September 1991. In accordance with the provisions of the aforementioned decision and its amendments, the Management Committee exercised its authority by adopting regulations, setting investment policies and objectives, establishing general technical standards for internal and external investment, prioritizing investment objectives in the light of prevailing conditions in international financial markets, issuing executive decisions, following up regularly on business results, evaluating performance and comparing it against market standards, and reviewing investment policies and objectives periodically in the light of economic variables and prospects in the international financial markets and of the possibilities for movement.

Pursuant to a decision taken by the Chair of the Portfolio Management Committee on 16 September 1993, the Libyan Arab Foreign Investment Company continued to manage the funds invested in the Long-Term Investment Portfolio through its technical body until 12 June 2004, in accordance with the objectives and investment policies adopted and the decisions taken by the Management Committee. Accordingly, all the assets of the Long-Term Investment Portfolio are registered in the name of the Libyan [Arab] Foreign Investment Company.

Several committees that were formed pursuant to article 4 of General People's Committee decision No. 767 (1991) of 29 September 1991 were responsible for managing the funds of the Long-Term Investment Portfolio. They all exercised their authority in accordance with the provisions of the aforementioned decision and its amendments.

On 28 August 2006, the Libyan Investment Authority began managing and investing the assets of the Long-Term Investment Portfolio pursuant article 5 of General People's Committee decision No. 205 (2006) establishing the Libyan Investment Authority.

On 10 March 2007, the Long-Term Investment Portfolio became subordinate to the Libyan Investment Authority pursuant to article 7 of General People's Committee decision No. 125 (2007) concerning the reorganization of the Libyan Investment Authority.

Article 16 of Act No. 13 (2010), concerning the organization of the Libyan Investment Authority, provides that the Long-Term Investment Portfolio is subordinate to the Libyan Investment Authority.

Accordingly, the legal status of the Portfolio can be summarized as that is entity that is subordinate to the Libyan Investment Authority in the form of an investment portfolio that it is both financially independent and a legal person under the law and pursuant to the aforementioned decisions.

Appendix F to Annex 90: Shares at Bank al Etihad, Jordan

Figure 90.F.1
Letter from LAFICO for membership of the Board of Directors

The Libyan Foreign Investment Company
a Libyan joint-stock company
with a capitalization of 2 billion Libyan dinars

Date: A.H. / / Corresponding to: 9 February 2017 Ref.: 049 *mim ayn* 2017

The Honourable Chair of the Board of Directors
Bank al Etihad
Amman, Jordan

Subject: Assumption by the Libyan Foreign Investment Company of membership of the Board of Directors of Bank al Etihad

Sir,

Please take the measures necessary to appoint Mr. Idris Muhammad al-Uhaymir al-Warfali as a member of the Board of Directors of Bank al Etihad for Savings and Investment, Amman, representing the Libyan Foreign Investment Company, as of this date.

Thank you for your cooperation.

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

Sami Muhammad al-Mabruk
Chair of the Long-Term Investment Portfolio Management Committee

Sirt Securities International NV
Registered in the Netherlands - Antilles - Registration No. 52972.

11 February 2017

Mr. Isam Salfiti
Chair of the Board of Directors of Bank al Etihad
Amman, Jordan

Sir,

Subsequent to the transaction transferring Bank al Etihad shares owned by Sirt Securities International NV to the Libyan Foreign Investment Company (LAFICO), we hereby inform you that the Sirt company has resigned from the Board of Directors of Bank al Etihad.

Please take the appropriate measures, and accept my best wishes for your success.

Accept, Sir, the assurances of my highest consideration.

Samir Imhammad Abu Rawi
Sirt Securities International

Annex 91 Access to frozen funds

1. In accordance with paragraphs 19 and 21 of resolution 1970 (2011) and paragraph 16 of resolution 2009 (2011) Member States are required to notify the Committee of their intention to authorise access to frozen funds.

2. . The Panel has noted two specific cases, one in 2018 and another in 2019 where this was not done. The Member State has since clarified that this was due to procedural oversight.

3. The regulatory authorities in some Member States, including the United Kingdom, have informed the Panel that they do not hold information on earnings on frozen funds. In one case, the Panel requested details of any funds of designated entities held in two financial institutions. The request was refused on the grounds that these financial institutions themselves are not designated entities and there is no evidence that suggests those financial institutions are non-compliant with the sanctions regime. The fact that the information was being sought regarding funds of designated entities was overlooked. The fact that there is very limited oversight by the regulatory authorities in several countries, and their reliance and acceptance of the accuracy of reports provided by financial institutions, is a strong indicator to the Panel that implementation of the assets freeze may not be very effective.

4. In S/2018/812, para. 227 and S/2019/914, para. 211, the Panel reported on the lack of accurate financial data being made available by some Member States. Replies to detailed information requests by the Panel include: (1) the information is not at the disposal of the authorities; (2) Member States' reliance on information provided by the financial institutions; (3) data of earnings on frozen funds could not be provided on the grounds that financial institutions are not required to provide this information to the Member State regulatory authority. Only in-depth detailed analysis of financial data can identify cases of non-compliance and allow for recommendations on a more effective implementation of the assets freeze measure.

Points raised by designated entities:

5. The LIA representatives pointed out their inability to access frozen funds for all their various expenses. They did accept that the exemption provisions in the resolutions do not cover many of their essential disbursements. This undermines the LIA's ability: (a) to meet its established commitments to third parties (to pay for sums as they fall due); and/or (b) to enter into relationships with third parties given the difficulties in making payments promptly. The LIA would struggle to meet payments for business-critical services; plan its expenditure and budgets or to service its financial obligations.

6. They requested that the main principle behind the assets freeze, viz., the protection of Libyan assets, be kept in mind.

7. Some of the cases cited were partial payments to be made to professional service firms, including audit and accountancy firms and payments required for oil exploration and production

agreements. If the LIA cannot meet its contractual obligations, it becomes liable for significant penalty payments and may lose its allocated participation rights in the exploration and production of oil.

8. After documentary analysis and examination of the exemption provisions in the resolutions, the Panel does not support the arguments of LIA for access to the frozen funds for such payments.

9. The LIA therefore requested further guidance from the Sanctions Committee regarding which expenses fall within the 'basic expenses' and 'extraordinary expenses' exemptions; and that the scope of the exemptions be amended to enable the LIA to make payments of the nature described above.

10. The LIA has represented that due to delays in obtaining licences from the regulatory authorities of Bahrain it does not have the operational funds available to make payments for critical services such as: (1) independent auditing services; (2) staff training; (3) staff insurance; and (4) essential institutional reform. Outstanding invoices hinder the LIA's ability to implement its transformation strategy. The lack of a confirmed time frame is delaying the filing of seven applications, and a decision is awaited on three applications. The LIA position is that these unexplained, long delays have placed the LIA in an impossible position vis-à-vis a number of its contractual requirements.

11. The LIA also faces problems with banks even after obtaining the relevant permissions from the Sanctions Committee. In a case where the funds had to be withdrawn from a dollar account to make payments in Libyan dinars, the bank asked for an OFAC licence. The LIA also highlighted the procedural delays in obtaining OFAC licenses, sometimes even up to six months.

12. Similarly, the LFIC has explained that a lack of response from the UK regulatory authorities regarding licences for handling frozen assets is now impacting their ability to manage their funds. The United Kingdom clarified that it has no record of LFIC ever pursuing a formal complaint with the regulatory authorities. Priority is given to urgent and humanitarian licence applications that involve a risk of harm or a threat to life and otherwise the authorities commit to engage with licence applications within four weeks. An applicant is expected to provide clear justifications for why a case is urgent. Applicants are also responsible for taking independent legal advice and performing due diligence to ensure compliance with financial sanctions.

LIA concerns over attachments:

13. Further to para. 171 in the main report, the LIA has emphasized that both the LIA and LFIC are separate entities from the State of Libya, incorporated by Libyan Laws, with their own legal capacity and financial independence. The LIA also stated that it cannot be liable for the debts of the State of Libya.