



关于利比亚的第 1973 (2011) 号决议所设专家小组的最后报告

摘要

专家小组对利比亚政治过渡的监测侧重于《利比亚政治协议》在没有得到众议院核准的情况下未得到完全执行的情况。这减损了总统委员会提名的民族团结政府的正当性。而对立双方的总理阿卜杜拉·萨尼和 Khalifa al-Ghweil 继续挑战总统委员会主席 Faye al-Serraj 对国家的领导。总统委员会在执行社会和经济政策方面也有很大的困难，这进一步加强了武装和非武装反对派的权威。

为化解政治僵局，联合国利比亚支助团已于 2016 年 10 月起草了一份新的路线图，修订《利比亚政治协议》。这导致在阿尔及利亚、埃及和突尼斯主持下进行的区域对话倡议。然而，各区域的分裂继续阻碍利比亚的政治解决办法。

政治危机因武装冲突升级进一步加剧。尽管从伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)手中解放了苏尔特和班加西部分地区，但是利比亚总体安全局势恶化。不安全局势的表现是附属米苏拉塔的武装团体和附属的黎波里的武装团体之间在黎波里的竞争日益激烈，因而减损了总统委员会的权威，并对首都居民安全造成威胁。

利比亚国民军、班加西防卫旅和米苏拉塔武装团体在南部和石油新月地带的军事行动，包括通过使用空袭，使当地居民遭受越来越多的暴力。进一步的安全威胁，包括专家小组记录的招募外国雇佣军的武装集团和极端主义运动的长期活动。

武装团体，包括其中一些已经获得众议院或总统委员会授权或至少承认的武装团体尚未受到任何有意义的司法控制。因而这些团体参与侵犯人权行为，包括绑架、任意拘留和即决处决行为的情况进一步增加。专家小组所调查的案件包括虐待利比亚的黎波里和班加西居民以及战俘和移民的行为。

专家小组记录了几起武装团体参与实际违反或可能违反武器禁运的情况。这些团体继续获得军事装备和相关物资，这一点也反映于武装冲突的升级，特别是空袭。在这方面，专家小组记录了来自利比亚东部和米苏拉塔的武装团体如何通过物资转让、翻修以前不能使用的飞机和扩大军用空军基地使其空军能力倍增。



专家小组也着重指出了外国对两个派别的支持。

此外，专家小组发现若干次违反军火禁运的交付活动，所交付的货物常常被称为非致命物资。而在利比亚的情况下部署和使用这类物资大大增加了不安全局势，也无疑导致了更多的伤亡。特别是(装甲)车辆和电子拦截设备，便属于这种情况。

在没有武器和弹药管理能力的情况下，物资被转移的风险仍然是一个令人关切的重大问题，因此有必要进行强有力的武器禁运。利比亚武装团体参与境内和跨界的武器贩运。利比亚仍然是非法武器流向邻国的一项重要枢纽。专家小组记录了尼日尔和突尼斯缉获武器情况，而无法获得其他国家的缉获资料仍然是个问题。

专家小组认定，利比亚的主要金融和经济机构依然处于分裂状态，缺乏监督，且存在挪用资金的情况。总统委员会在其若干机构的组织和任命方面处于分裂状态，其决定也遭到挑战。因此，工作人员的效忠仍按照对立的两个主管当局而分化，每个主管当局都试图作出自己的任命。这种分裂状况继续对利比亚稳定造成威胁，如关于在黎波里的利比亚中央银行政策的争议以及关于其东部分行采取的一些单方面行动的争议即显示了这一点。

专家小组已查明了相互对立的两个管理层人马和其政治支持者继续试图通过各种战略加强其能力，包括采取法律行动和获得武装团体的支助。在黎波里，武装团体对各机构，如利比亚投资管理局和利比亚邮政、电信和信息技术公司管理和财务的干预令人担忧，不可维系。

与上述消极的事态发展形成对照的是，利比亚的石油部门已经稳定下来。交战方在石油新月地带基本上避免了破坏石油设施，他们始终将对石油终端库的权力交给国家石油公司管理层，尽管对该地区的控制频频易手。令人遗憾的是，尽管各自管理层作出了相当大的努力，但是统一东部国家石油公司和西部国家石油公司的协议未能得到执行。不过，这一努力已导致石油生产增加。

国家石油公司的继续分裂将可能导致新的企图非法出口原油活动。第2146(2014)号决议规定的制裁得到成功实施的情况发生了一次。同时，东部国家石油公司第一次企图从利比亚走私运出一批石油衍生产品，但未成功。

武装团体和犯罪网络继续利用不同资金来源，如偷运移民和燃料。专家小组已查明沿西海岸的那些网络，它们在这偷运移民和燃料方面都在进行活动。

关于冻结资产的若干调查表明提供给名单所列个人的一些资金的复杂性，其受益所有权人隐藏在许多表面受益人和幌子公司背后。调查还表明，让名单所列个人受益的交易有时是通过大量现金处理的。此外，专家小组调查了利比亚的一些被盗资产，这些资产要么在名单所列个人的控制之下，要么有被挪用的风险，要么两者情况兼而有之。确定乃至追回所有这些资金将需要大量资源和坚决的努力。这将需要通过一个不容置疑的主管当局赋予无可争议的授权，增强利比亚调查人员的权能。

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* 注：附件仅以提交的原文分发，未经编辑。由于监测机制报告有字数限制，专家小组在本报告附件中就若干调查工作提供了进一步细节。简称和缩写表见附件 1。

一. 背景

1. 本报告载有利比亚问题专家小组截至 2017 年 4 月的调查结果。附件 2 概述了利比亚制裁制度的演变情况。

A. 任务和任命

2. 专家小组的任务和任命情况详见附件 3。

B. 方法

3. 专家小组决心确保遵守安全理事会关于制裁一般性问题非正式工作组报告(S/2006/997, 附件)提议的标准。这些标准要求尽可能依据经核实的真实文件、具体证据和专家现场观察, 包括拍摄照片。如无法亲临现场, 专家小组将争取用多个独立的消息来源证实信息, 酌情达到尽可能高的标准, 并较为重视主要行为人和事件第一手证人的陈述。专家小组希望尽可能以透明方式行事, 但如果指明消息来源会使专家小组成员或其他人面临不可接受的安全风险, 专家小组将不披露身份信息, 并将相关证据保存在安全的联合国档案中。

4. 专家小组无论调查任何一方不遵守决议的情况, 都致力于做到不偏不倚。

5. 专家小组同样致力于最大限度实现公平, 并努力酌情和尽可能向有关各方通知报告中可能提到的其涉及违规事件或未遵守规定事件的信息, 供其在规定时限内审阅、发表意见、作出反应。为进一步维护答辩权及保持准确性, 专家小组将考虑在报告后附上所有反驳意见, 并附上关于这些意见可信度的评估。

6. 专家小组维护其工作的独立性, 反对任何削弱其公正性的企图和使人认为它持有偏见的企图。

C. 与各利益攸关方和各组织合作

7. 询问过的机构、组织和个人名单见附件 4。发出的信件清单见附件 5, 回复情况见附件 6。

1. 会员国

8. 自 2016 年 3 月提交上一次报告(S/2016/209)以来, 专家小组正式访问了下列国家, 会晤了国家当局和其他相关的利益攸关方: 奥地利、乍得、埃及、德国、利比亚、马耳他、尼日尔、卡塔尔、苏丹、瑞典、突尼斯、土耳其、阿拉伯联合酋长国、大不列颠及北爱尔兰联合王国和美利坚合众国。

9. 此外, 专家小组得以前往下列地方, 会晤对话者, 包括利比亚侨民: 布鲁塞尔、恩贾梅纳、开罗、巴黎、罗马、安曼、贝鲁特、的黎波里、拉巴特、南非约翰内斯堡、日内瓦、突尼斯, 土耳其伊斯坦布尔和伦敦以及米苏拉塔和图卜鲁格。

10. 在本报告所述期间, 专家小组访问了除阿尔及利亚外的所有利比亚邻国。专家小组已连续四年请求访问阿尔及利亚, 但仍然没有得到答复。此外, 虽然根据其任务规定, 在斯希拉特与利比亚对话者举行了会议, 但是摩洛哥在纽约的常驻

联合国代表团要求专家小组停止其所有行动并离开该国，专家小组于是按此要求行事。专家小组与摩洛哥常驻代表团讨论了这一事件，以避免此类事件再次发生。

2. 利比亚

11. 自 2016 年 5 月再次获得任命以来，专家小组已 4 次访问利比亚。联合国利比亚支助团(联利支助团)定期运作进入利比亚的航班，联利支助团强有力的支持和灵活性，均增加了专家小组的通行便利。由于安全局势仍然脆弱，联合国代表团继续受到旅行限制。因此，专家小组的访问时间限于一天，这妨碍了其在利比亚境内调查线索和追踪联系人的能力。除亲自前往利比亚外，专家小组还远程访谈了在利比亚的对话者。

12. 2016 年 6 月 16 日，专家小组访问了的黎波里，并与临时安全委员会和总统委员会成员讨论了专家小组的工作。会晤是在米提加机场和 Abu Sittah 海军基地举行的。7 月 20 日，专家小组前往米苏拉塔并会见了参与在苏尔特对伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)发动军事行动的指挥官。11 月 15 日，专家小组在图卜鲁格会见了众议院的一个代表团。专家小组 2017 年 1 月 19 日第二次访问了的黎波里的海军基地，会晤了利比亚中央银行的代表和总统委员会任命的国防部长。另外三次增加的对利比亚的访问因各种原因而被取消：没有飞机、目的地安全事件、以及无利比亚对话者。虽然获得了重要信息，但为期一天的访问使其无法对查获的军用物资进行实际检查，也无法视察武器和弹药储存设施。

13. 目前仍难以确定能够以权威身份发言并提供官方资料的适当的利比亚对话者。总统委员会的行动能力很薄弱，对政府的控制非常有限。此外，其他权力中心仍然存在，并获得民众和武装团体的支持。

3. 联合国实体

14. 专家小组经常与联利支助团开展互动。专家小组几次会见了秘书长特别代表马丁-科布勒，并一再与联利支助团的重要部门，包括特派团联合分析中心，即专家小组的协调中心进行交流。此外，专家小组的工作还因支助团更多地分享信息而受益。事实证明，联利支助团在后勤和分享信息两方面提供的支助都对专家小组有效执行任务至关重要。专家小组将进一步得益于更频繁地分享文件。

15. 第 1526(2004)号决议所设专家小组与分析支助和制裁监测组、朝鲜民主主义人民共和国问题专家小组、苏丹问题专家小组、南苏丹问题专家小组、联合国毒品和犯罪问题办公室、联合国区域间犯罪和司法研究所以及联合国排雷行动处交换了意见。

16. 专家小组协助编写了安全理事会第 2292(2016)号决议要求的、伊拉克和黎凡特伊斯兰国(达伊沙)、基地组织及关联个人、团体、企业和实体所招募或主动加入其中的外国恐怖主义战斗人员对利比亚及其邻国，包括利比亚沿海造成的威胁报告(S/2016/627)。

4. 其他组织

17. 在第 2292(2016)号决议通过后，专家小组在布鲁塞尔和罗马会见了欧洲联盟海军地中海“索菲亚”行动的代表团。专家小组仍与该行动保持接触。

18. 2016年11月，专家小组在恩贾梅纳听取了新月形沙丘行动的通报。该行动是法国与五个萨赫勒国家合作开展的反恐行动。其目标包括防止对极端主义团体有利的武器和有关军用物资非法流动。专家小组继续期待着收到有关资料，说明缉获武器或可疑行动的情况。

19. 专家小组还与国际刑事法院和非政府组织的代表交换了意见。

D. 行政支助和报告时间表

20. 秘书处配备了专门的支助工作人员，这大大减少了专家小组在行政和后勤问题上花费的时间。专家小组感谢将其任务期限从12个月延长至15个月，并建议保留这一任务期限。这些对上一次报告所述期间的重要修改使得专家小组能够更有效地集中精力进行其所有必要的调查，并组织对利比亚及其邻国的访问，这也反映在它的旅行日程之中。

21. 虽然专家小组旅行的手续处理时间有所加快，但目前的行政规则和程序方面的限制继续有损于专家小组的效率。最紧迫的问题是，正在按“最经济，最直接的路线”票价预订机票，且必须不超出旅行时间方面的某些参数，而且只按会议开始和结束日期订票，飞行时间和转机时间也不是最合理的。因此，平均旅行时间大大增加，导致用于外地的时间减少。

22. 尽管专家小组频繁前往高风险环境，根据安全理事会的授权进行具有敏感性的调查，但其成员却仍然未获得针对冲突地区的适当保险。在专家小组为执行任务而必须前往的国家，常规健康和旅行保险不涵盖治疗或后送。虽然专家受联合国恶意行为保险的覆盖，但是在对一些高风险国家期间由于非恶意事故或突然生病而发生的损害则无覆盖(见建议16)。

二. 政治事态发展和相关标准

23. 自2016年3月30日抵达的黎波里，在Fayez al-Serraj领导下的总统委员会未能依据《利比亚政治协议》行使充分的权力。

24. 迄今为止，总统委员会没有能够说服众议院确认民族团结政府，也未能推出重大的社会和经济政策。在黎波里，总统委员会与Khalifa al-Ghweil领导下的强硬派武装团体的持续冲突，以及其对黎波里的武装团体的依靠，¹可能削弱在米苏拉塔有势力的同盟，例如米苏拉塔市理事会的支持。²在努力遏制来自众议

¹ 为了保证自己的安全和协助黎波里“治安”，总统委员会还依靠拉达部队、黎波里革命者旅和Ghnewa旅等武装团体组成的当地安全部队。

² “Misrata says relations with PC frozen; road to Tripoli is blockaded”, Libya Herald, 18 March 2017. 可查阅：www.libyaherald.com/2017/03/18/misratans-say-relations-with-pc-frozen-gate-into-city-from-tripoli-is-blockaded/.

院和 Al-Ghweil 的政治挑战过程中，Al-Serraj 促进在总统委员会主持下与其对手政治的对话。³

A. 总统委员会中的分裂

25. 总统委员会面临持续的内部分裂。Musa al-Koni 和 Ammar al-Aswad 等成员向专家小组表示，他们对总统委员会的组成和运作不无怀疑(见附件 7)。而 Al-Koni 2017 年 1 月辞职，同时承认自己在总统委员会“失败”中的责任，则进一步暴露了这一分裂状况。

26. 专家小组了解到，Al-Serraj 的权威不断受到所有副主席的质疑。总统委员会东部成员 Ali Faraj al-Qatrani 和 Fathi al-Mejbari 反对 Al-Serraj 的若干政治举措，以限制他的政治空间。据指总统委员会提名的国防部长人选 Mahdi al-Barghathi 与班加西防卫旅之间有关联，这似乎已导致总统委员会进一步分裂，且到了立场不可调和的地步。

27. 在与专家小组讨论时，来自南部部落和前政权的支持者群体的代表谴责了总统委员会有限的代表性。

B. 另外两个政府

28. 民族救亡政府总理 Khalifa Al-Ghweil 继续破坏《利比亚和平协议》。他一直通过对各部委和设在 Rixos 旅馆的国家高级理事会总部的一系列袭击，试图恢复《利比亚政治协议》前的状况，有了总统委员会后，民族救亡政府即失去对该旅馆的控制。⁴ Al-Ghweil 的返回使得总统委员会必须更多地依赖的黎波里的武装团体保卫有关机构。2017 年 3 月，在 Al-Ghweil 被逐出的黎波里且据报受伤后，民族救亡政府的力量削弱了。

29. 对总统委员会企图通过设立由来自米苏拉塔和的黎波里的“反民族团结政府”的武装团体组成的国民警卫队来建立一支总统卫队，Al-Ghweil 提出质疑。⁵ 这一部队的设立引发了一系列在的黎波里发生的武装冲突。支持 Al-Ghweil 的武装团体，如国民警卫队、Al-Marsa al-Kubra 旅以及前利比亚伊斯兰战斗组织支持的团体与来自的黎波里的团体，如特别威慑部队、阿布萨利姆旅及的黎波里革命者旅发生了冲突(见第 55 段)。后面这一派团体在支持总统委员会方面表现出了机会主义，即通过确保总统委员会的安全，以换取承认和财政支助。(见建议 1)。

³ “Al-Serraj: ‘I will submit a new government to the Libyan Parliament. We welcome Haftar’”, Al Arabiya, 28 September 2016. 可查阅: www.alarabiya.net/ar/north-africa/libya/2016/09/28/السراج-يحدث-ترويض-الرحب-ال-ليبي-ل-برلمان-جديدة-حكومة-سأقدم.html.

⁴ “Armed groups led by Khalifa al-Ghweil control the Ministries of Defence and Justice in Libya”, Al Weeam, 12 January 2017. 可查阅: www.alweeam.com.sa/444293/زيادة-مساحة-مجموعات-ال-غوييل-تسيطر-على-الخوادم.

⁵ “Clashes between GNA and NSG forces in Tripoli”, Afrigatenews, 8 February 2017. 可查阅: www.afrigatenews.net/content/طرابلس-الغوييل-والوفاق-الإنقاذي-واتحاد-بين-معارك.

D. 利比亚国民军的军事统治

37. 利比亚东部一个关键的政治发展是众议院任命了德尔纳·本·贾瓦德地区军事总督，导致文职市长被军事人员替代。军事总督 Abd al-Razzak al-Nadhuri，同时也是利比亚国民军的参谋长，他作出的决定包括严重限制利比亚东部公众自由。例如，他发布了一项决定，禁止在没有他的书面许可情况下在班加西举行示威。

38. 利比亚国民军在图卜鲁格至本·贾瓦德一带地区拘留或恐吓数十名活动家、众议院议员、司法和安全人员，以压制政治反对派的声音。

39. 2017年2月16日，Abd al-Razzak al-Nadhuri 发布一项决定，禁止无人陪伴的60岁以下妇女旅行。¹¹ 2013年 Mufti Al-Gharyani 曾发布一项类似的教令。此外，所有利比亚人必须获得一般调查机构(称为“内部安全”机构)的安全许可才能旅行(见附件10)。

40. 沙拉菲主义影响力上升和利比亚国民军的军事统治二者相互增强对社会的控制。2017年1月，刑事调查处在 Marj 没收了一批书籍，此行动是经伊斯兰宗教基金委员会批准的，因此损害了信息和文化部的权威。这一事件表明了利比亚东部 Madkhali¹² 神职人员对国家机构的影响。¹³ 伊斯兰宗教基金委员会负责人 Mas'oud al-Nadhuri 由沙特酋长 Usama al-Utaibi 于2014年选定，负责教授沙拉菲-Madkhali 主义信仰(见附件11)。这一选择得到一位著名的沙特沙拉菲学者 Rabi' al-Madkhali 的验证。¹⁴

三. 安全事态发展和相关标准

A. 苏尔特的影响和伊黎伊斯兰国的地位

41. 在苏尔特开展的“布尼安·马苏斯”行动的最后阶段并非没有挑战。据在米苏拉塔的军事联络人报告，因为缺乏弹药，该行动于2016年10月28日至11月2日中断。该行动迫使总统委员会为他们提供3000万第纳尔，用于在塞卜哈的黑市上购买弹药。

1. 代表列入名单的个人或实体或以其名义或按其指示行事

42. 伊黎伊斯兰国在苏尔特设立了一个设有各部门的行政当局。专家小组收集了一些宣传证据和文件，表明其有组织地安排集体银行、武器管理和家庭生活(见

¹¹ “Al-Nadhuri: ban on Libyan women’s travel without a guardian was decided by national security considerations”, Al-Wasat, 20 February 2017. 可查阅: <http://alwasat.ly/ar/news/libya/133492/>.

¹² Strict version of quietist apolitical Salafism, referring to Saudi scholar Rabi’ al-Madkhali; it calls for absolute obedience to rulers.

¹³ “The true facts about the books seized in Marj”, Al-Wasat, 22 January 2017. 可查阅: <http://alwasat.ly/ar/news/culture/130772/>.

¹⁴ “A compendium of sheikhs’ endorsements of certain religious students in the eastern region – Marj”, Bayenah Salaf, 16 September 2014. 可查阅: <http://bayenahsalaf.com/vb/showthread.php?t=22097>.

附件 12)。专家小组还从苏尔特获得了一份文件，提及伊黎伊斯兰国从 Ibrahim Jadhnan 的亲兄弟 Usama Jadhnan 手中购买弹药。专家小组正在调查弹药是否源自中部地区石油设施警卫队(见第 76 段和附件 22)。

2. 威胁和平的行为

伊黎伊斯兰国的地位

43. 米苏拉塔在苏尔特打败伊黎伊斯兰国，这使其能够挑战 Haftar 的一个说法，即利比亚国民军是唯一打击恐怖主义的利比亚部队。这加强了总统委员会的国际合法性，若干外国政府祝贺 Al-Serraj 消除来自地中海海岸的威胁。¹⁵

44. 伊黎伊斯兰国仍然对整个区域的安全构成威胁。伊黎伊斯兰国基层组织存在于苏尔特郊区，如 Jiza、Ghuraybat、Wadi Zamzam、Suq al-Khamis、Awaynat 和 Idrir 等地，这一点是显然的，因为有小股配备 14.5 毫米口径枪支的人员侵入。¹⁶ “布尼安·马苏斯”行动指定一支反恐部队逮捕涉嫌恐怖分子并将其转交一个特设的军事法院。¹⁷

“布尼安·马苏斯”行动部队内部的紧张关系

45. 负责保障苏尔特安全和协助排雷行动的“布尼安·马苏斯”行动的各组成部分之间关系极其紧张。这威胁到苏尔特的稳定。

46. 隶属于“布尼安·马苏斯”行动并主要由米苏拉塔战斗人员组成的一个旅负责警卫苏尔特的主要入口(见附件 13)。¹⁸ 另一部队，沙拉菲“604”营，负责监督镇中心。“604”营大部分部队来自苏尔特，都倾向于 Madkhali 信仰。他们接受过的黎波里的 Abd al-Raouf Kara 特别威慑部队的培训和装备。但是，它们通过其埃米尔，即来自 Khalifa Haftar 的 Ferjan 部落的 Abd al-Hamid Ibrahim Bin Rajeb al-Ferjani，与利比亚国民军总指挥部也保持密切联系。“604”营的代表据报多次从黎波里前往 Bayda。

47. 2017 年 1 月 16 日，“604”营警告穆斯林兄弟会和前利比亚伊斯兰战斗组织的附属武装团体不要有对“东部部队开辟第二条战线”的任何企图。¹⁹

¹⁵ “Britain’s Foreign Office congratulates the Chair on liberating Sirte from the grip of the organization”, Ean Libya, 15 December 2016. 可查阅: www.eanlibya.com/archives/104584.

¹⁶ “Monitoring the movements of Da’esh operatives in Zamzam, Wadi Tininay, Urban and Suq al-Khamis”, Al-Wasat, 8 January 2017. 可查阅: <http://alwasat.ly/ar/news/libya/129438/>.

¹⁷ “Al Ghasri: personnel from Operation Bunyan Marsus will join counter-terrorism force”, Libya al-Mostakbal, 5 January 2017. 可查阅: www.libya-al-mostakbal.org/88/13121 [عناصر-الغصري-الإرهاب-مكاف-حالة-جهاز-سد-بضمون-الأمر-صوص-ال-بنيان-من.html](http://www.libya-al-mostakbal.org/88/13121).

¹⁸ “Proposal: military force to be tasked with securing Sirte main entrances”, Libya Observer, 17 December 2016. 可查阅: www.libyaobserver.ly/news/proposal-military-force-be-tasked-securing-sirte-main-entrances.

¹⁹ “‘604 Infantry’: Muslim Brothers and Libyan Islamic Fighting Group seek to open a front against eastern Libyan forces”, Al-Wasat, 16 January 2017. 可查阅: <http://alwasat.ly/ar/news/libya/130172/>.

B. 班加西的战斗

48. 尽管利比亚国民军在班加西开展消耗战，极端武装团体，如班加西伊斯兰教法辅士组织(QDe.146)和班加西革命者协商委员会表现出了韧性。利比亚国民军在 Souq al-Hout、Bousnib 和萨布里等地区取得相对军事胜利。截至 2017 年 3 月，利比亚国民军成功地控制了班加西大部分地区，包括 Qawarshah 和 Qanfudah。利比亚国民军打死了班加西革命者协商委员会一名高级领导人 Jalal Makhzoum，其尸体被肢解并在班加西的大街上拖行。²⁰

49. 利比亚国民军的行动严重依赖国外武器供应，其空军指挥官 Saqr al-Jarushi 承认了这一点。Al-Jarushi 指出，Haftar 的儿子 Saddam Haftar 和利比亚国民军特使 Ayoub al-Ferjani 被派往国外，负责维持的武器供应。²¹ Haftar 核心圈子密切管理武器供应。前线的情报来源向专家小组解释说，他们继续供应弹药的条件是，利比亚国民军全力以赴去实现掌控全国的野心。

50. 一再有人指责利比亚国民军允许伊黎伊斯兰国战斗人员从班加西逃到巴尼瓦利德。在一次约谈中，利比亚国民军一位高级官员没有否认这些指控。²²

51. 班加西革命者协商委员会继续从米苏拉塔招募人员，直至至少 2017 年 1 月。利比亚钢铁公司的工厂是战斗人员的一个集结点(见附件 14)。在这里，他们得到第一次工资(2 000 第纳尔)和一件武器。米苏拉塔的商人阿什拉夫·本·伊斯梅尔监督班加西战斗人员包括班加西伊斯兰教法辅士组织(QDe.146)成员的医疗运输和护理。2016 年 12 月，米苏拉塔市议会发布一项命令，旨在打击任何对班加西革命者协商委员会的军事支助。作为回应，班加西革命者协商委员会试图开辟了另外的战斗人员“供应链”，包括从南部 Mahamid 部落吸收战斗人员。

52. 2016 年 11 月底，欧洲联盟海军地中海“索菲亚”行动检查了一艘利比亚拖网渔船“Luffy”号，该船当时正从班加西驶向米苏拉塔。该行动告诉专家小组说，Luffy 号被“民族团结政府控制的部队”租用，用于人道主义目的，该船享有主权豁免。因此，当时并不是根据第 2292(2016)号决议前往检查。然而，该行动应邀多次登上该船。每次都观察到受伤的战斗人员和武器。船长告诉该行动，这些武器是为了自卫目的。据当地消息来源称，Luffy 的船主是一位海岸警卫队军官，且是米苏拉塔军事委员会成员。他们还说，拖网渔船定期运送受伤士兵和包裹起来的武器(迫击炮、反坦克武器)(见建议 1 和 3)。

²⁰ 见 <https://youtu.be/2FpGAPW8iLw>。

²¹ 见 <https://youtu.be/WFqD010pwuI>。

²² 见 <https://www.youtube.com/watch?feature=youtu.be&v=TywCfngz>。

C. 的黎波里和利比亚西部发生的事件

1. 威胁和平的行为

米苏拉塔附属各旅和的黎波里附属各旅之间的竞争

53. 米苏拉塔附属武装团体和的黎波里附属武装团体之间的冲突继续减损总统委员会的权威及利比亚首都的安全，造成许多平民伤亡。这些冲突有多种驱动因素。

54. 首先，米苏拉塔附属团体的勒索和绑架助长了紧张局势。例如，2017 年 3 月，Qurji、Ghot al-Shaal 和 Hay al-Andalus 居民封锁道路，袭击了米苏拉塔和 Jadu 所属各旅保卫的建筑物。抗议活动演变成的黎波里革命旅与 Abu Salim 旅与忠于 Al-Ghweil 的米苏拉塔旅之间的一次武装对抗(见附件 15)。后者被逐出 Qusur、Fallah 和 Qargarish 地区。

55. 其次，争夺各机构的权力斗争也在持续进行。一个例子是 2016 年 8 月的黎波里革命旅接管设于 Hay al-Andalus(在那里扣押了重要的档案)的总情报处²³ 和米苏拉塔随后的反应，即派遣一支由 Salah Badi 率领的部队收回了失去的阵地。据“布尼安·马苏斯”行动一名指挥官称，“苏尔特是一个陷阱，目的是削弱我们在的黎波里的力量。在这一战争中我们失去了许多男子和车辆。我们正在试图应对这一局势”。

56. 在没有总统委员会的控制和权威的情况下，这种竞争有可能导致新的冲突，尽管 2017 年 3 月 15 日签署了《的黎波里协定》(见附件 16)。

重要人物被暗杀

57. Dar al-Iftaa 学院一位著名的利比亚学者 Nader al-Omrani 被暗杀，进一步加剧了紧张局势。一些媒体报道指称一名 Abd al-Raouf Kara 前成员 Abd al-Hakim Meqdash 参与了暗杀事件。此类袭击加剧了的黎波里的分裂，使之进一步分割为处于敌对武装团体控制之下的若干个区，限制了行动自由，包括高知名度人士的行动自由。

与犯罪网络的联系

58. 沿黎波里和突尼斯边境之间的海岸线，许多武装团体参与贩卖人口和走私燃料，从中谋取大量财富(见第 251 段)。在过去一年中，这些犯罪网络直接或通过代理人一再发生冲突，(见附件 17)。在扎维耶，据报 2016 和 2017 年有数十人伤亡。参与犯罪活动的武装团体还挑战地方当局，例如塞卜拉泰市议会，因而威胁到和平(见附件 18)。

59. 2016 年 8 月 17 日，一艘快艇袭击了无国界医生组织在利比亚近海的一艘船只。Della 海岸警卫队的两名海岸警卫队员参与了这次袭击事件。这两名被指出

²³ “Forces loyal to the Government of National Accord take control of a General Intelligence position in Tripoli”, Libya Channel, 14 August 2017. 可查阅: www.libyaschannel.com/2016/08/14/مق-على-ت-سد-بطل-الوف-اق-ل-حكومة-موال-ية-وات.

的袭击者是忠于扎维耶海岸警卫队队长 Abd al-Rahman Milad(别名 Bija)的，并参与了走私活动。

2. 对利比亚境内任何口岸的攻击或对利比亚国家机构或设施的攻击

60. 2016年10月14日，在一个武装团体联盟帮助下，Khalifa al-Ghweil 重返设在黎波里 Rixos 旅馆的国家高级理事会职位。²⁴ 2017年1月12日，民族救亡政府控制了几个部委，包括国防部和司法部。Al-Ghweil 利用了某些基于的黎波里的武装团体对总统委员会的反对，以及其他武装团体(包括前利比亚伊斯兰战斗组织)对《利比亚政治协议》的模棱两可态度。当时，本应是总统委员会盟军的黎波里革命旅和 ASB 在金钱的驱使下，拒绝反对 Al-Ghweil 返回的黎波里。

61. 2017年3月18日，负责保护 Mitiga 机场的 Buni 旅成员袭击了设在 Abu Sittah 的总统委员会总部，试图将总统委员会从黎波里逐出。该团体的领导人与 Mustafa Nuh 和 Abd al-Hakim Belhaj 关系密切。

62. 2017年4月10日，一支由10辆武装车组成的部队袭击了利比亚中央银行行长在黎波里的住所。据利比亚中央银行消息来源称，这次袭击是由黎波里革命旅和 ASB 进行的，Hashim Bishr 参与其中。武装团体经常试图干预金融财政机构业务，以谋取政治或经济利益，包括通过恐吓实施干预(见第191段及其后各段)。

63. 2016年10月10日，一个与 Al-Ghweil 关系密切的武装团体袭击了民事登记局，杀害了该局的主任 Sadiq al-Nuhaysi。武装团体多次袭击民事登记局分支机构，操纵该局的数据，以便能够制作非法签发的护照。

64. 2017年4月13日对米苏拉塔市议会的袭击凸显出紧张局势加剧，该城市不可调和的两个政治趋势相互争斗。在《利比亚政治协议》、与东部选区对话、与激进运动的关联和利比亚南部的局势等问题上，各方立场分歧。

3. 代表列入名单的个人或实体或以其名义或按其指示行事

65. 所有各方，包括班加西伊斯兰教法辅士组织(QDe.146)和苏尔特伊斯兰教法辅士组织竞争对民政登记局和护照管理局的控制。这种控制使他们能够非法签发护照，包括为随后会前往国外的外国战斗人员签发护照。专家小组审查了非法签发护照的复印件并得以证实一名苏丹国民的身份，此人在米苏拉塔获得这种护照，然后于2015年5月前往土耳其(见附件19)。2015年8月，土耳其当局规定利比亚国民必须获得签证方可前往土耳其，以限制利比亚政治事态发展所带来的安全风险。²⁵

²⁴ “Khalifa Al-Ghweil, head of the ‘revolutionary’ Salvation Government”, Al Jazeera, 29 October 2017. 可查阅：www.aljazeera.net/encyclopedia/icons/2016/10/27/ [إحكومة ترنيس-الغويول-لخليفة](#) [الناشرة-الليبية-لإندقان](#).

²⁵ “Turkey imposes visa requirements on Libyans”, TRT Arabic, 27 August 2015. 可查阅：www.trtarabic.tv/ [الليبيين-على-الدخول-تأشيرة-فرضت-تركيا](#).

66. 在若干地点，包括的黎波里接收班加西伊斯兰教法辅士组织(QDe.146)和苏尔特伊斯兰教法辅士组织从外国招募的人员。他们参加了破坏稳定的行动，如 2016 年 10 月袭击的黎波里的国家高级理事会。2016 年 10 月有外国战斗人员出现在分别为 Tareq al-Gadban 和 Khaled al-Sharif 所控制的 Ghabat al-Nasr 和哈德巴地区，此二人均为前利比亚伊斯兰战斗组织的人物。

67. 尽管其先前与伊黎伊斯兰国在当地的分子有关联，但是 2016 年 Anas al-Dabbashi 旅在塞卜拉泰积极打击伊黎伊斯兰国，并向的黎波里的特别威慑部队移交了一名伊黎伊斯兰国高级指挥官。不清楚的是，此后，该旅与联合国清单所列实体是否保持了任何关系。

D. 南部的冲突

68. 自 2017 年 4 月起，利比亚南部出现前所未有的暴力升级，包括来自敌对空军的空袭，这也是目前权力斗争的一种表现。总统委员会及其提名的国防部长明显参与其中，命令攻击在 Tamanhint 行动的利比亚国民军的部队，这加深了政治分歧(见附件 20)。

69. Tamanhint 是米苏拉塔在南部的最后一个军事阵地。在上一轮战斗中，班加西防卫旅和南盾旅的参与阻止了利比亚国民军指挥官 Mohammand ben Nayel 占领 Tamanhint，但预计会再次爆发战斗。班加西防卫旅和南盾旅的成员分别与 AAS Benghazi(QDe.146)和基地组织(QDe.004)有联系，这一事实将导致进一步的不稳定，并将使国际社会更多地关注利比亚南部(见附件 21)。

70. Tebu 社区对利比亚国民军未能给予支助感到失望，正日益陷入分裂。例如，来自 Kufrah 有影响力的军事指挥官 Hassan Mussa 和 Ali Sidi 2017 年 3 月曾为不同的冲突方(分别为班加西防卫旅和利比亚国民军)作战。Awlad Sulayman 的分裂也在加深，该团体在 Tamanhint 冲突中曾与两个交战方都并肩作战过。

71. Kufrah 的局势仍然非常紧张。10 000 名 Tebu 族人，其中大多数是平民，仍在 Zway 旅的包围中。

72. 在 Awbari，尽管有 2015 年 11 月在多哈签署的停火协议，²⁶ 但是与 Tebu 族和图阿雷格族领导人的讨论暴露出长期存在的紧张局势，而导致这种局势的因素在于整个国家的分裂状况和总统委员会在南方缺乏联系接触。

73. 以前获得付费并充当正规部队的武装团体现在正越来越多地参与非法活动，以此为其在利比亚南部的军事存在供资。

E. 石油新月地带的冲突

1. 对和平的威胁

74. 过去几个月来，对石油新月地带的控制的争夺已达到其最激烈的阶段，其形式越来越多地成为东部和西部部队之间的冲突。有来自的黎波里、米苏拉塔、

²⁶ “Ban praises Qatar’s role in the agreement among Libyan tribes”, Al Jazeera, 11 November 2015. 可查阅: www.aljazeera.net/news/arabic/2015/11/25/لبنان يدين قطر بالدور في اتفاق وقف إطلاق النار بين فريقي طرابلس ودرج

Khums、Zliten 和南盾旅的战斗人员加入班加西防卫旅(得到总统委员会提名的国防部长 Barghathi 支持)。这是对利比亚稳定及其领土的完整一个关键威胁。

75. 2016 年 9 月至 2017 年 3 月间在石油新月地带发生的一系列事件暴露了当地人口在面对装备精良和有充分资助的武装团体时的脆弱性。征募和动员当地民众的活动,则导致进一步分裂,班加西防卫旅最近于 2017 年 3 月发生的对石油终端库的袭击即证明了这一点,当时对立双方各自招募的 Magharba 部落数十名成员先被班加西防卫旅逮捕,后被利比亚国民军逮捕。因受到这些团体的任意行为威胁,当地居民更容易接受极端主义武装团体的影响。

2. 代表列入名单的个人或实体或以其名义或按其指示行事

76. 与基地组织有联系的组织在石油新月地带的存在可追溯到 2011 年以前,特别是在 Nawfaliyah 地区。在苏尔特和艾季达比耶的伊斯兰教法辅士组织分支建立过程中,基地组织的存在得到增长,因为它们受益于 Khaled al-Sharif 和 Ibrahim Jadhnan 分别提供的国家资源。²⁷ 专家小组得到的一份伊黎伊斯兰国文件表明了 Usama Jadhnan 和伊黎伊斯兰国指挥官 Abu Usama al-Tunsi 之间的业务联系。2016 年 10 月 Al-Tunsi 被“布尼安·马苏斯”行动刺杀,而他的名字出现在“布尼安·马苏斯”行动缴获的伊黎伊斯兰国另一份文件中(见附件 22)。

77. 据的黎波里国防部消息来源称,伊黎伊斯兰国的基层单位已遍及整个石油新月地带,特别是在巴尼瓦利德和 Nawfaliyah 地区。Ahmad al-Hasnawi(与基地组织有关联)在 2017 年 3 月上一次班加西防卫旅袭击过程中在 Nawfaliyah 出现,这引起若干涉及基地组织与伊黎伊斯兰国基层组织关系的问题。伊黎伊斯兰国与基地组织之间的对立在利比亚不太明显。这可有助于与基地组织有关联的团体吸收逃离苏尔特的伊黎伊斯兰国成员(见附件 21)。

78. 专家小组收到的报告称,极端主义武装团体在山区,即自 Lut 至石油新月地带南部边缘的 Abu Nujaym 有动向。

3. 对利比亚境内任何口岸的攻击或对利比亚国家机构或设施的攻击

79. 来自乍得和苏丹的外国武装团体参与了抢劫石油公司拥有的汽车,然后在 Tinah 市向苏丹市场出售。

80. 目前局势不安全,以及 Ibrahim Jadhnan 的石油设施卫队关闭石油终端库两年多,直至利比亚国民军 2016 年 9 月接管,这些因素导致基础设施普遍恶化,因为缺乏维修。

四. 区域政治和安全发展

81. 为化解政治僵局,联利支助团已于 2016 年 10 月起草了一份新的路线图。这一路线图导致在阿尔及利亚、埃及和突尼斯主持下进行的三方倡议。随后 2017

²⁷ Ansar al-Shari'ah Sirte 成员作为苏尔特旅隶属国防部的各旅,如来自米苏拉塔的 Faruq 旅成员收到薪金。

年 2 月的《开罗宣言》没有导致立即的进展。²⁸ 虽然专家小组访问的该区域国家表示，利比亚危机是他们的一个优先事项，一致支持《利比亚政治协议》，但观点和意见存在重大差异。一些区域国家也向替代政治进程提供了支持。²⁹

82. 然而，区域分裂继续阻碍利比亚的政治解决办法。通过本次会议得以将观点专注于利比亚，并安排了一次与 Haftar 的会议。两个区域联盟已经围绕利比亚联合起来。乍得、埃及和阿拉伯联合酋长国广泛地协调了彼此立场，卡塔尔、苏丹和土耳其也是如此。

A. 雇佣军的参与

83. 外国在利比亚的干涉采取了更直接的形式，乍得和苏丹雇佣军越来越多地参与其中。他们在石油新月地带的行动直接威胁到利比亚的安全和经济稳定(见附件 23)。雇佣军参与了犯罪活动，包括贩运人口和毒品。此外，外国武装团伙在利比亚南部对个人和财产的一再袭击增加了社区的脆弱感和对利比亚国民军及米苏拉塔第三部队的不信任。

84. 苏丹解放军/明尼·米纳维派的前指挥官向专家小组证实，阿拉伯的中间人和前政权分子协助达尔富尔主要指挥官与利比亚国民军总指挥部之间的和解。现金转移为此提供了便利。专家小组还收到报告说，2016 年 10 月中旬苏丹解放军/米纳维派指挥官在 Marj 受到接待。

85. 乍得团体还在 Hjar al-Sud 和 Sabha 由米苏拉塔控制的基地安顿下来。他们 2016 年 4 月成立了武装团体 Front pour l'alternance et la concorde au Tchad，此前他们获得重要的财政和军事支持，以换取他们在利比亚的调动。³⁰ 据该团体中的消息来源称，该团体只参加了反伊黎伊斯兰国的行动。消息来源还说，所有各方，包括利比亚国民军都表示要征募他们。然而，专家小组的调查表明，该团体参加了 2017 年 3 月班加西防卫旅主导的袭击，在该次袭击中该团体损失了一名主要指挥官。

B. 雇佣军武装团体的区域影响

86. 苏丹向专家小组表示关切的是，介入利比亚局势的苏丹武装团体将损害在达尔富尔的和平努力。乍得当局在与专家小组的一次会议上极力淡化在利比亚境内乍得反叛分子的影响。然而，2017 年 1 月 6 日，乍得宣布关闭其与利比亚的边界，以防止乍得反叛战斗人员渗透，因为此前利比亚国民军的空军于 2016 年 12 月袭击了“乍得变化与和谐阵线”在 Jufrah 的阵地。2017 年 1 月 19 日，法国当局对

²⁸ “Full details of the Haftar-Al-Serraj agreement in Cairo”, Al-Arabiya, 15 February 2017. 可查阅：www.alarabiya.net/ar/north-africa/2017/02/15/فاق-الكاملة-التفاصيل-فاصل-القاء-في-القاهرة-ي-والسراج-ح-ف-تر-لات-فاق-الكاملة-التفاصيل-فاصل-يل.html.

²⁹ “Tunisian National Salvation Front asks for financial and media support from the United Arab Emirates”, Al Arabi 21, 19 January 2017. 可查阅：<http://m.arabi21.com/story/979349/الوند-الند-قاد/الإمارات-من-وإعلام-يامال-بإدعمات-طلب-ونية>.

³⁰ “Le ‘FACT’, nouvelle rébellion créée dans le nord du Tchad”, Journal du Tchad, 12 April 2016. 可查阅：www.journaldutchad.com/article.php?aid=9047.

“乍得变化与和谐阵线”创始人穆罕默德·努里和迈赫迪·阿里·穆罕默德实施金融制裁，为期六个月。法国未向专家小组澄清，这是否与该团体在利比亚的雇佣军活动有关(见附件 23)。

C. 在的黎波里的军事顾问

87. 专家小组证实在的黎波里有巴勒斯坦的军事专家。专家小组约谈的一名巴勒斯坦官员否认其在利比亚进行任何活动。然而，他确认，他的派别有八名成员 2016 年在的黎波里被逮捕，这些人是巴勒斯坦在利比亚的侨民。专家小组仍在调查此案。

五. 违反有关国际人权法或国际人道主义法的行为或践踏人权的 行为

88. 专家小组继续收到严重侵犯人权事件的报告。缺乏法治和对武装团体的体制控制，且其中一些团体继续持有正式的授权而进行活动，这导致人权状况恶化(见建议 13)。

A. 绑架、任意拘留和酷刑

89. 在整个利比亚，拘留条件仍不人道，并且武装团体控制着正式和非正式的拘留中心。武装团体的逮捕和拘留不遵守适当程序。专家小组收到了许多关于武装团体为政治或物质利益而进行绑架和任意拘留的报告。政界人士、活动家、银行雇员和记者经常成为目标。

1. 利比亚东部

90. 专家小组收到的证词表明，在 Shahhat 有一个“Gernadah 监狱秘密部分”。受害者说，他们是被一个以 Ahmad al-Gharour(2017 年 3 月死于在艾季达比耶)为首的地方武装团体绑架的。他们后来被移交给利比亚国民军，关押在 Gernadah 的一个秘密部分。据报告，发生了拒绝给予卫生条件、施加心理酷刑，以及“野蛮殴打一些囚犯”的情况。根据证词，Munir Belaz 和 Rabi al-Sharif(来自沙拉菲 al-Tawhid 旅)主管这个秘密部分。Munir Belaz 获得利比亚国民军参谋长 Abd al-Razzak al-Nadhuri 的正式授权，负责守卫监狱的周边地带。班加西的农村地区也有利比亚国民军的秘密拘留中心，由 Salah al-Huweidi 和 Mahmud al-Warfalli 管理。在许多情况下，没有向人权组织和被拘留者的家属提供囚犯的名单。

91. 专家小组还记录了在受 Mohammad Idriss al-Seaiti 上校指挥、设在 Kuwayfiah 的内部安全机构部门中发生的若干起酷刑案件和一起性攻击案件(见附件 24)。

2. 利比亚西部

92. 专家小组收到证据表明，在的黎波里的 Hadbah 监狱中发生了虐待、酷刑以及剥夺医疗保健条件的情况。监狱负责人 Khaled al-Sharif 利用在 Hadbah 对前政权主要人物的监禁获得 2016 年 4 月在多哈举行的民族和解会谈期间对前政权支持者群体的政治影响力。监狱有几个负责人直接参与践踏人权的行为(见附件 25)。

与民族救亡政府有关联的武装团体

93. 与民族救亡政府有关联的武装团体参与了多起绑架和酷刑。由穆罕默德·萨利姆·迪莫纳统领的总统安全部队使用了 Felah 地区的拘留中心(打击非法移民部拘留中心)和在 Rixos 旅馆地区的拘留中心(见附件 26)。2017 年 3 月搬到的黎波里国际机场的迪莫纳对若干个人, 包括高知名度的人物的绑架负有直接责任。

与总统委员会有关联的武装团体

94. 专家小组收到的证词称 Haytham al-Tajuri 涉嫌绑架、任意拘留和虐待记者和分子的行为。他先得到民族救亡政府的正式授权, 后得到民族团结政府的正式授权, 成为的黎波里革命旅(现称为中央一般安全局第一安全司)的指挥官(见附件 27 和 28, 另见建议 1)。

95. Abd al-Raouf Kara 统领的特别威慑部队管理着一个设在 Mitiga 的拘留中心, 在那里, 有一个单独部分, 其中关押有 300 至 500 人, 均为因涉嫌加入“恐怖组织”而被囚禁的。这些囚犯的名单没有提供给人权组织, 人权组织也无法访问单独设立的“政治”部分。专家小组收到报告称发生了酷刑和虐待, 但无法核实这些指控。

96. 在瓦尔沙法那, 绑架勒索仍然普遍存在。瓦尔沙法那旅的负责人 Nasr al-Din Bu Omayed 2016 年初处决了一名拘留在他的非正式拘留中心的利比亚官员。瓦尔沙法那的绑架有些也出于报复或为了组织交换“他们”被的黎波里的武装团体绑架的人。

B. 大规模杀戮

97. 2016 年 7 月 22 日和 10 月 28 日, 在班加西分别发现了 14 和 10 具尸体。尸体有枪伤和遭受酷刑的迹象, 表明受害人是被处决的。专家小组了解到, 至少十名受害人身份被确定, 而且, 其中一些人曾在利比亚国民军控制地区失踪。专家小组约谈的利比亚国民军官员说, 此调查属于 Darnah-Bin Jawwad 地区军事总督的职权范围。

98. 2016 年 6 月 11 日, 在的黎波里发现了 11 名前政权支持者的尸体。他们曾被关押在 Ruwaymi 拘留中心, 的黎波里的一个法院 2016 年 6 月 8 日已下令将他们释放。据报告, 监狱当局故意拖延了他们的释放, 并将他们交给一个武装团体, 而该团体将他们处决。2016 年 6 月 8 日, Dar al-Iftaa 拒绝释放一些前政权的囚犯, 裁定若释放则违反伊斯兰法。³¹

C. 即决处决囚犯

99. 在苏尔特和班加西, 武装团体进行了即决处决战犯, 明显违反了《日内瓦四公约》。³²

³¹ “At the outset of the blessed month of Ramadan, 12 truths to remember and learn from”, Ifta.Ly, 5 June 2016. 可查阅: <https://ifta.ly/web/index.php/2013-04-23-10-53-45/3352-12factsinramadan>.

³² 见 1949 年 8 月 12 日《日内瓦四公约》第 3 条和 1977 年 6 月 8 日《第二附加议定书》第 4(2)(a)条。

100. 社交媒体上的两段录像显示了利比亚国民军人员，其中包括上校 Mahmud al-Warfalli 即决处决四名班加西革命者协商委员会囚犯的情形。利比亚国民军告知专家小组，Al-Warfalli 已被逮捕。然而，2017年4月9日，Al-Warfalli 似乎仍是国民军特别部队的前线指挥官。2016年6月，专家小组就曾收到报告称，Al-Warfalli 进行了即决处决(见附件 29)。利比亚国民军的沙拉菲指挥官公开要求处决“叛教者”。³³

101. “布尼安·马苏斯”行动各旅也在苏尔特进行了即决处决。据“布尼安·马苏斯”行动的战地指挥官称，已有数十人被处决。专家小组仍在调查这些案件。

D. 不加区分的攻击

102. 伊黎伊斯兰国和班加西革命者协商委员会反复炮击处于利比亚国民军控制下的班加西平民居住区。他们还经常在居民区使用简易爆炸装置，造成许多平民死亡和受伤。³⁴

103. 同时，利比亚国民军领导人显示他们无视被困在 Ganfudah 和德尔纳地区的平民死活，因而造成了若干平民死亡。为安全疏散被困在 Ganfudah 的平民而进行的谈判没有成功，因为国民军和班加西革命者协商委员会缺乏真正的承诺。

5. 移民的人权受到侵犯

104. 针对移民的行为，包括处决、酷刑、剥夺食物、水和卫生设施的情况被广泛报道。国际移民组织(移民组织)也报告了奴役撒哈拉以南移民工人的情况。³⁵走私者，还有打击非法移民部和海岸警卫队直接参与这种严重侵犯人权的行为(另见第 245 段)。

105. Abd al-Rahman Milad(别名 Bija)，以及海岸警卫队其他成员直接参与使用火器击沉移民船只的事件。在扎维耶，Mohammad Koshlaf 在扎维耶炼油厂开设了一个简陋的移民拘留中心。专家小组收集了关于若干个人虐待移民的信息(见附件 30)。此外，专家小组收集了关于 Khums、米苏拉塔和的黎波里移民拘留中心恶劣条件的报告(见第 93 段和附件 31)。

六. 武器禁运的执行情况

A. 概览

106. 武器继续被定期非法转移，进出利比亚。流出数量仍不大，且其中主要是小武器和轻武器，而进入利比亚物资的性质却日益复杂。以直接支助、培训和技術援助方式提供给武装团体的外部援助也有所增加。至少有两个在利比亚开展行

³³ 见 www.youtube.com/watch?v=wfQJxu2W6Zc。

³⁴ “Three children die in Gwarsha explosion: update”, Libya Herald, 2 May 2016. 可查阅: www.libyaherald.com/2016/05/02/four-children-die-in-gwarsha-explosion.

³⁵ IOM, “IOM learns of ‘slave market’ conditions endangering migrants in North Africa”, 11 April 2017. 可查阅: www.iom.int/news/iom-learns-slave-market-conditions-endangering-migrants-north-africa.

动的武装团体扩大了空军，并将之用于对其他武装团体的攻击和相互攻击中。专家小组审查了有关利比亚机场的商业卫星图像，以便调查空运能力的发展情况。

107. 对武器禁运规定例外情况是旨在支持政治进程，但这一进程尚未按预期的方式发展，武装团体与政治实体的关系仍然是过渡性的和交易性的。民族团结政府没有提供资料，说明其控制的安全部队的结构，也没有展现这种控制。

108. 这些问题突出表明，必须继续进行武器禁运并明确确定那些能够合法受益于例外和豁免请求的武装和安全部队。

B. 革命期间(2011年2月至9月)向利比亚转让的物资

109. 专家小组继续调查革命期间交付武器和弹药的情况。

1. 突尼斯

110. 西部战线的叛乱分子依赖于从班加西通过海路转让进入突尼斯，接着运入纳夫萨山脉的物资。³⁶ 在已故将军 Abd al-Fattah Younis 和外国代表 2011 年 4 月的一次会晤后，作出决定将组织一次给西部战线的重大物资交付。³⁷

111. 专家小组收集了 8 个以上由海路提供物资的账户，这些物资均由卡塔尔支付，是约 40 吨的军事装备，运往 Zarzis 并据称由突尼斯武装部队护送到与利比亚边境上的 Dhehiba-Wazin 边境哨所。³⁸ 专家小组发现，2011 年 4 月底前有一批货物通过海路运至 Zarzis 港口。此外，在 Al-Arabiya 电视频道的采访中，突尼斯过渡政府前总理 Beji Ca ĩl Essebsi 确认收到卡塔尔已获准利用距 Dhehiba-Wazin 边界哨所约 52 公里 Remada 军事机场，³⁹ 通过突尼斯转让军事装备给利比亚。⁴⁰

112. 2011 年 5 月和 6 月间，津坦镇南部的土路面简易机场进行了平整，以便安全起降军用货机，如 C-17。自那时以来，大多数向西部战线的转移通过空中进行，绕过了突尼斯(见 S/2012/163 第 94 段和 S/2013/99 第 70 至 91 段)。

³⁶ Matt Robinson, "Qatari weapons reaching rebels in Libyan mountains", Reuters, 31 May 2011, 可查阅：www.reuters.com/article/us-libya-weapons-idUSTRE74U3C520110531; Elizabeth Dickinson, "The gun smuggler's lament", Foreign Policy, 2 November 2015, 可查阅：<http://foreignpolicy.com/2015/10/02/the-gun-smugglers-lament-libya-zawiya-osama-kubbar-qatar-weapons-arms-proxy/>.

³⁷ "Libya conflict: France airdropped arms to rebels", BBC News, 29 June 2011. 可查阅：www.bbc.com/news/world-africa-13955751.

³⁸ Wolfram Lacher and Ahmed Labnoui, "Factionalism resurgent: the war in the Jabal Nafusa", in *The Libyan Revolution and its Aftermath*, Peter Cole and Brian McQuinn, eds. (Oxford University Press, 2015), pp. 257 ff.

³⁹ 见 www.youtube.com/watch?v=y9O4VMEFFhM; 在革命期间军事装备采购方面的两位重要人物，即 Abd al-Hakim Belhaj 和 Ali Muhammad al-Sallabi 表明了与此同样的看法，见 www.youtube.com/watch?v=02vhWVAl6Y 和 <http://www.youtube.com/watch?v=ea-e4KtYs0M>。

⁴⁰ Remada 军事机场的代码是 DTTD，见 <http://ourairports.com/airports/DTTD/>。

2. Turi

113. 专家小组以前曾报告 Marc Turi and the Turi 防务公司(见 S/2016/209, 第 112 段和附件 23)2011 年企图向利比亚出口武器的情况。

114. 美国司法部对 Turi 的起诉按计划应于 2016 年 11 月 8 日在亚利桑那州菲尼克斯开始。该案件于 2016 年 10 月撤诉, 检察官称“美国地区法院法官在证据发现阶段作出的裁定[……]是决定本案撤诉的原因之一”。⁴¹ 联合驳回动议见附件 32。专家小组注意到, 该文件指出, “虽然当事双方对案件事实意见分歧, 且被告否认有任何犯罪行为, 但被告承认, 本案所提出的指控依据了事实”, 这表明旨在向利比亚进口武器的网络的确存在。

115. 专家小组通过向美国询问, 要求提供关于该案的进一步资料, 但未能获得任何详细补充资料, 而专家小组试图接触 Turi 的法律代表, 则没有得到回应。

3. 意大利网络

116. 2017 年 1 月意大利警察逮捕了三名意大利国民。他们被控于 2011 至 2015 年间向利比亚(和伊朗伊斯兰共和国)走私直升机和武器, 包括地对空导弹、突击步枪和反坦克导弹。⁴²

117. 该案件仍处于意大利正在进行的一个法律程序之中, 专家小组也在继续调查。

118. 专家小组以往曾于报告 2011 年自意大利进行武器转让的情况(见 S/2015/128, 附件 17)。关于一起可能涉及据称从圣斯特凡诺岛向班加西转让武器的案件, 专家小组从一名前革命分子口中证实, 他收到了从意大利运来的“源于巴尔干”的武器。

C. 革命(2011 年 9 月至 2014 年 8 月)后的军用物资转让

119. 专家小组以往曾表示关注在没有透明和可追溯采购做法情况下转让军事设备的影响。在达成的若干次交易中, 最终用户证书签署人是当时的副国防部长 Khaled al-Sharif, 包括已通知委员会的交易, 在以前的一份报告(S/2015/128, 第 112 至 117 和 134 段)讨论过这些交易。这类物资的转让如今继续进行(见附件 33)。

120. 在这方面, 专家小组目前正在调查据称两家利比亚私营公司购买用于 2013 年设立的班加西联合安全室的军事装备, 该安全室则汇集了班加西特别部队、利比亚盾牌和若干极端主义武装团体。该交易是一家约旦公司促成的, 运输则通过

⁴¹ Kenneth Vogel and Josh Gerstein, “Obama DOJ drops charges against alleged broker of Libyan weapons”, Politico, 5 October 2016. 可查阅: www.politico.com/story/2016/10/marc-turi-libyan-rebels-hillary-clinton-229115.

⁴² “Italy police arrest four for smuggling arms to Iran, Libya”, Malta Today, 31 January 2017. 可查阅: www.maltatoday.com.mt/news/world/73976/italy_police_arrest_four_for_smuggling_arms_to_iran_libya#.WOD3TBLyvgE.

一家美国注册的公司利比亚的附属公司办理。就所订购的军事装备，并未向委员会发出任何豁免通知。专家小组仍在进行调查。补充资料单独提供给委员会。

D. 自 2014 年 8 月加强军火禁运以来向利比亚转让或可能转让的军用物资，以及提供的培训和技术援助

121. 武器和弹药继续被转让到利比亚各方手中，并有会员国和经纪人参与其中。会员国和外国武装行为体的直接支助也增加了，包括建立军事设施。

1. 利比亚国民军空军的发展

米-24P 直升机

122. 专家小组收到的信息表明，有攻击直升机于 2015 年 4 月交付利比亚国民军。专家小组还收到了相关的照片，显示利比亚东部的一个军事基地的一架米-24P 型直升机，尾号为 785，序列号为 21785。专家小组追查发现，直升机来自白俄罗斯。白俄罗斯已向专家小组证实，一架带有上述标记的米-24P 型直升机 2014 年被转让到阿拉伯联合酋长国，是交付的四架米-24P 型直升机之一。白俄罗斯颁发了一份最终用户证书，并将这一转让登记在《2015 年联合国常规武器登记册》之内(A/70/168，第 6 页)。

123. 关于这架直升机的转让，委员会未收到豁免请求。白俄罗斯没有收到阿拉伯联合酋长国关于授权这一直升机再出口的任何请求。专家小组已致函阿拉伯联合酋长国，要求提供说明将这一攻击直升机转让到利比亚的详细资料，但尚未收到答复。

图 1

米-24p 型飞机，编号 785，尾部有利比亚标记



资料来源：保密。

图 2
序列号 21785 近拍



来源：保密。

Khadim 空军基地

124. 下面的图片显示了利比亚东部 Khadim 空军基地自 2014 年以来的发展，其空中资产相应增加。

图 3
Khadim 空军基地卫星图像，2014 年 7 月 (左) 和 2017 年 3 月 (右)



资料来源：Digital Globe, WorldView 1, 2014 年 7 月 2 日及 Digital Globe, WorldView2, 2017 年 3 月 3 日。

图 4
Khadim 主停机坪卫星图像，2014 年 7 月：该空军基地无任何机体或基础设施，
仅有一个停机坪



资料来源：Digital Globe, WorldView 1, 2014 年 7 月 2 日。

图 5

Khadim 主停机坪卫星图像，2016 年 6 月：增建了基础设施，停有翼龙无人机(见附件 34)、AT-802 攻击机(见第 126 段及其后各段)和数架 UH-60 直升机



资料来源：Digital Globe, World View 1, 2016 年 6 月 24 日。

图 6

Khadim 主停机坪卫星图像，2016 年 10 月：可看到的 AT-802 攻击机数量增加。建造了机库，很可能是为了防止更多的航空资产曝光

注意：据 IHS Janes 报告显示，2016 年 7 月在 Khadim 有 6 架 AT-802 攻击机(另见下文)⁴³



资料来源：Digital Globe，World View 3，2016 年 10 月 16 日。

⁴³ Jeremy Binnie, "UAE's forward operating base in Libya revealed", *IHS Jane's Defence Weekly*, 28 October 2016. 可查阅：www.janes.com/article/64980/uae-s-forward-operating-base-in-libya-revealed.

图 7

Khadim 主停机坪卫星图像，2016 年 12 月：仍能看到数架 UH-60 和一架 AT-802 攻击机。机库容纳能力已大大增加



资料来源：Digital Globe，World View 3，2016 年 12 月 30 日。

图 8

Khadim 主停机坪卫星图像，2017 年 3 月：进一步发展了机库容纳能力。现在看不到任何机体



资料来源：Digital Globe, World View 2, 2017 年 3 月 3 日。

图 9

Khadim 南停机坪卫星图像，2014 年 7 月(左)和 2017 年 3 月(右)：已进行了重大工程，建设一个南停机坪和增加机库，表明打算进一步增加从该空军基地运行的航空资产数量

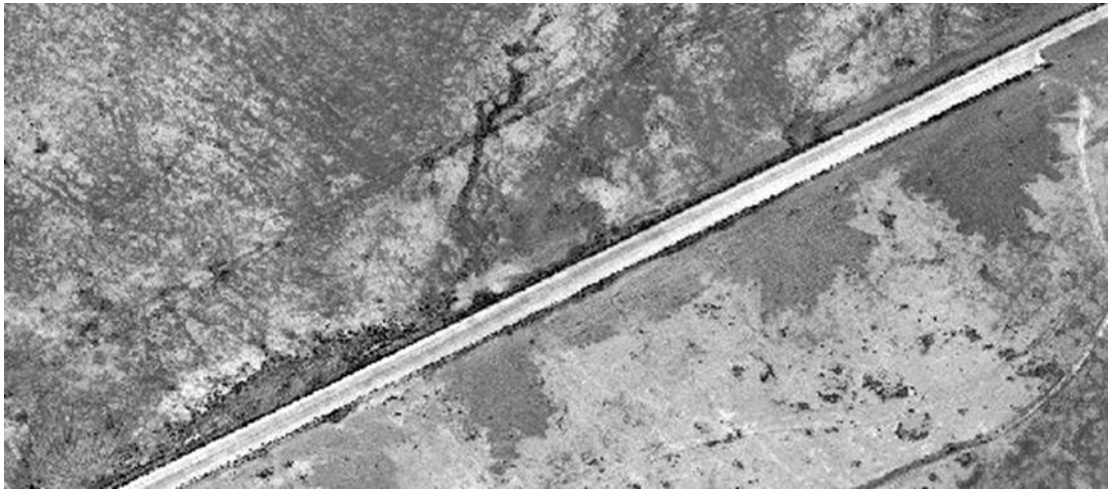


资料来源：Digital Globe, World View 1, 2014 年 7 月 2 日及 Digital Globe, World View 2, 2017 年 3 月 3 日。

军营和入口

图 10

Khadim 入口区卫星图像，2014 年 7 月



资料来源：Digital Globe, World View 1, 2014 年 7 月 2 日。

图 11
Khadim 入口区卫星图像，公路上方的建筑，2014 年 3 月



资料来源：Digital Globe，World View 2，2017 年 3 月 3 日。

图 12
Khadim 入口区卫星图像，公路上的安全设施，2014 年 3 月



资料来源：Digital Globe，World View 2，2017 年 3 月 3 日。

125. 上述图像显示进行了建筑建设，以支持在该空军基地增加的活动，并在入口处修建了实质性安全工程，以进行进出控制。

AT-802i 固定翼飞机

126. 专家小组收到了在利比亚东部国民军基地一架 AT-802i 固定翼飞机的照片证据。Iomax USA 公司研发并改装了商业农业/消防飞机，使之可用于反叛乱和边境保护，现在营销的品牌是“Archangel”。专家小组可证实，2017 年 2 月之前 Iomax 的唯一客户是阿拉伯联合酋长国，为该国生产并向其销售了 48 架这种飞机。

127. 第一代 Archangels 基于 AT-802i，即美国 Air Tractor 公司建造的一款单引擎飞机。下面的照片所示飞机是于 2011 年 3 月交付给阿拉伯联合酋长国的货物的一部分。

图 13

尾号为 2282 的 AT-802i 飞机照片



资料来源：Military Edge(http://militaryedge.org/wp-content/uploads/2014/07/AT-802_UAE.jpg)。

128. 在利比亚看到的第一架 AT-802i 飞机尾号为 2287，⁴⁴ 是 2011 年 3 月交付给阿拉伯联合酋长国的同一批货物中的一部分。在利比亚的这架飞机显示了六处翼下硬点和安装在一个 Iomax 灵活吊舱系统上的前视式红外线系统指定仪炮塔。

⁴⁴ 见 www.airport-data.com/aircraft/2287.html。

图 14
在利比亚看到的 AT-802i 照片，尾号 2287 的(右)，国旗被抹掉



资料来源：Arnaud Delalande。

129. 关于在 Khadim 看到的运输飞机的信息，见附件 35。这些飞机被认为参与了据报几家在摩尔多瓦注册登记的航空公司运送与 Haftar 的国民军结盟的武装团体人员和指挥官的活动(见建议 5)。

130. Labraq 空军基地的发展详情见附件 36，津坦空军基地的发展情况见附件 37。

其他企图转让的行为

131. 专家小组感到关切的是，再转让被用来掩盖国民军是真正最终用户的事实。专家小组正调查一起进行中的案件，涉及未向委员会提交豁免请求即向 Haftar 的国民军空军提供的米-24v 型攻击直升机(见附件 38)。

国民军得到的国际支持

阿拉伯联合酋长国

132. 阿拉伯联合酋长国一直向国民军提供物资支持(见第 122 段及其后各段)和直接支助(见第 124 段及其后各段)，这大大增加了国民军可用的空中支助。专家小组向阿拉伯联合酋长国查询，但没有收到答复。

法国

133. 国民军直升机坠毁在班加西市附近造成三名人员死亡后，法国国防部已经公开承认法国军事人员在利比亚的存在。⁴⁵ 这三名士兵据报在利比亚东部执行收集情报任务。法国已对专家小组表示，其在利比亚的军事活动符合国际法。

其他支助

134. 最近为支持国民军收复一些石油终端库而对石油新月地带目标进行的空袭展现出执行夜间轰炸任务的能力，而这一能力被认为超出国民军自有空中能力的范围。机密消息表明，区域一国对此负有责任。专家小组正在进行调查。

2. 米苏拉塔空军的发展

对于航空能力和雇佣军的调查

135. 2016 年以来，继续有自米苏拉塔空军基地发动的空袭。两架幻影 F1 战斗机投入运行，至少三名外国飞行员作为雇佣军驾驶了这些飞机。据报，这些战机从 3 月至 7 月的第三周一直在飞。其中一名飞行员于 2016 年 6 月 2 日在完成了对苏尔特的伊黎伊斯兰国袭击后坠机身亡。自该坠机事件之后，米苏拉塔只有一架幻影 F1 仍在运行。

136. 虽然专家小组得以查明身亡的飞行员是葡萄牙国民和德国永久居民，但后者尚未提供有关信息，以帮助披露相关线索，用于查清是什么人雇佣了他并在利比亚的服务付费。

137. 一组厄瓜多尔工程师负责幻影 F1 的维护。专家小组与厄瓜多尔联系，但该国表示不知悉此类活动。虽然已经确定与向工程师付费有关的银行账户，但是厄瓜多尔没有答复专家关于向专家小组提供进一步详细资料的要求。

138. 征聘工程师的公司是“Gateway to MENA for Logistics Services”公司，注册于约旦(见附件 39)。合同内写明的该公司的代表是摩尔多瓦公民赛尔久·巴纳利。摩尔多瓦共和国确认，巴纳利与军火商拉米·迦南有关联，后者拥有美国和约旦双重公民身份。迦南也参与了这些厄瓜多尔船员的招募。迦南于 2015 年 12 月 8 日在希腊被捕，⁴⁶ 此前据称他试图非法向真主党运送武器。

139. 该公司承认“向民族团结政府提供了一些服务”，并说，它与“一名前雇员”发生了争吵，专家小组 2016 年最后报告提到此人，并确定他是从米苏拉塔驾驶幻影 F1 飞机的飞行员之一(见 S/2016/209，第 169 段)。

140. 在大不列颠及北爱尔兰联合王国注册的公司定期从拉脱维亚邮政银行(拉脱维亚)转账(见附件 39，第 4 段)，而受益人则是若干厄瓜多尔公民，这些人曾是

⁴⁵ “French Government acknowledges ‘secret war’ in Libya as three soldiers killed fighting ISIL militants”, *The Telegraph*, 20 July 2016. 可查阅: www.telegraph.co.uk/news/2016/07/20/three-french-soldiers-killed-in-libya-as-government-acknowledges/.

⁴⁶ TO BHMA, “Police arrest 49-year-old man for arms smuggling”, 9 December 2015. 可查阅: www.tovima.gr/en/article/?aid=760510.

厄瓜多尔空军成员。发现 2015 年 12 月至 2015 年 6 月期间曾给这些个人定期付款。工程师每月收到近 10 000 万美元，而飞行员每月收到 20 000 美元。专家小组要求厄瓜多尔银行和联合王国提供进一步的银行详细资料，但尚没有收到所要求的资料。

141. 专家小组获悉，迦南被捕后，几个来自米苏拉塔的个人直接与厄瓜多尔这一班人订约。已查明一些参与的个人(见附件 39，第 7 段)。一些消息来源确认，米苏拉塔著名商人 **Abdul Salam Fakroum** 也参与在空军基地外在米苏拉塔市接待一些机组人员工作，协助后勤方面。他还向幻影 F 飞行员提供袭击目标坐标，至少直至打击在苏尔特的伊黎伊斯兰国的行动开始之时。

米苏拉塔空军基地

142. 自 2014 年以来，米苏拉塔空军基地的基础设施有所增加，航空资产集聚。下文两个图像表明自 2014 年以来机场主停机坪北侧一带的建设情况。

图 15

米苏拉塔空军基地主停机坪北侧一带卫星图像, 2014 年 2 月(上) 和 2017 年 3 月(下)



资料来源: Digital Globe, GeoEye-1, 2014 年 2 月 15 日及 WorldView-3, 2017 年 3 月 4 日。

143. 此处有了新的加固滑行道和建有围堤的停机地点，米苏拉塔方面将 G2-Galeb 和 L-39 固定翼飞机集中于在这一地点。也可以看到一架米-24/米-35 型攻击直升机和两架 Mi-2 型直升机。专家小组无法确认在此集中的飞机是否与在利比亚进行的转让有关。专家小组评估认为，新飞机转让进入利比亚不太可能发生；更可能的情况是，修复了以前不能使用的飞机。这显示可能进行了备件转让和提供了技术援助。

图 16

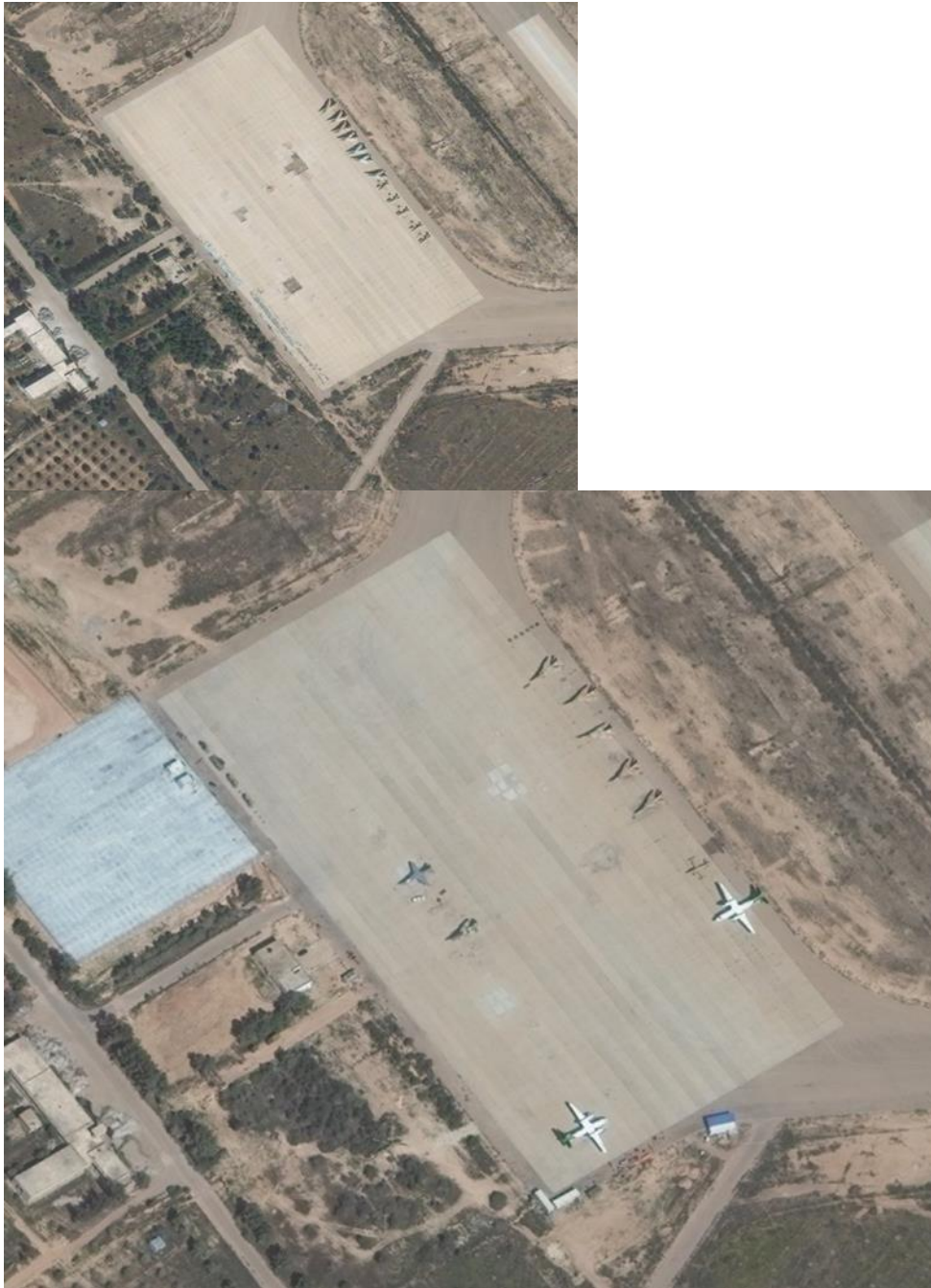
米苏拉塔空军基地主停机坪卫星图像，2014 年 2 月(上)，2017 年 3 月(下)



资料来源：DigitalGlobe, GeoEye-1, 2014 年 2 月 15 日和 WorldView-3, 2017 年 3 月 4 日。

144. 主停机坪的图像(见图 16)也表明，自 2014 年以来，军用飞机的使用增加，包括 Mi-24/35，甚至可能有米-8 型直升机。一架米格-25 战斗机也被移到主停机坪(右下角)。

图 17
米苏拉塔空军基地南停机坪卫星图像，2014 年 2 月(上)，2017 年 3 月(下)



资料来源：DigitalGlobe，GeoEye-1，2014 年 2 月 15 日和 WorldView-3，2017 年 3 月 4 日。

145. 虽然沿南部停机坪东北部边缘停靠的飞机(见图 17)也许不能使用，但更靠中间位置的两架米格-23(其中一架机翼折叠收回)据评估可以使用。上左侧可以看到新建的混凝土地基。

“布尼安·马苏斯”行动获得的国际支持

空袭

146. 在结束奥德赛闪电行动时，美国军方 2016 年 12 月 20 日说，⁴⁷ 已作为开始于 2016 年 8 月 1 日的该行动一部分，在利比亚进行了 495 次空袭。据报这些空袭针对伊黎伊斯兰国的指挥和控制资产、战斗阵地、车载简易爆炸装置、工程设备、坦克、重型武器和车辆。作为该行动一部分的大多数空袭是在苏尔特进行的。美国一再指出，它的空袭“是应民族团结政府的请求并与之协调”而进行的。⁴⁸

特种部队

147. 专家小组收到一致的报告显示，意大利、联合王国和美国的特种部队人员支持了 Bunyan Marsus 行动的有关行动，提供了技术援助以及直接支助。没有一个国家就专家小组关于这些国家向利比亚派遣特别部队一事的调查作出评论。⁴⁹

E. 利比亚获得的国际支持

148. 第 2095(2013)号决议第 10 段规定对“专供保安或协助利比亚政府开展解除武装工作的非致命军事装备用品以及任何技术援助、培训或资金援助的提供”的武器禁运例外。第 2292(2016)号决议序言部分第 12 段则进一步澄清，其中规定“只是用于保障安全或协助民族团结政府和它掌控的国家安全部队开展解除武装工作时”，则可例外。第 2292(2016)号决议还重申了安理会的一项要求，即民族团结政府根据第 2278(2016)号决议第 6 段的规定，任命一位协调员，“在接获委员会要求时向委员会通报情况并提供与委员会相关工作有关的信息，即说明该政府掌控下的安全部队的结构”。在编写本报告时，没有收到这方面的资料。

149. 这些决议没有规定其他机制，以认定民族团结政府控制下的国家安全部队。鉴于政治进程有关问题和武装团体效忠关系的过渡和交易性质，包括目前向总统委员会提供支持的武装团体的效忠关系也是如此，专家小组不认为目前应给予任何团体这一例外。有鉴于此，专家小组认为，向武装团体提供任何非致命军事装备用品、技术援助、培训或财务援助，且不经委员会批准，则违反武器禁运。

⁴⁷United States Africa Command, “AFRICOM concludes Operation Odyssey Lightning”, press release, 20 December 2016. 可查阅：www.africom.mil/media-room/pressrelease/28564/africom-concludes-operation-odyssey-lightning www。

⁴⁸ United States Africa Command, “US air strikes in support of GNA”, 4, 7, 8 and 17 August 2016. 可查阅：www.africom.mil/media-room/pressrelease/.www。

⁴⁹ “Libyans say Italian soldiers are fighting alongside them against Islamic State”, La Repubblica, 10 August 2017, 可查阅：www.repubblica.it/esteri/2016/08/10/news/soldati_italiani_in_libia_sirte-145702675/; Anthony Loyd, “British special forces destroy suicide truck”, The Times, 26 May 2016, 可查阅：www.thetimes.co.uk/article/british-special-forces-destroy-suicide-truck-8dpx3r3qt; Hayder al-Khoei, Ellie Geranmayeh and Mattia Toaldo, After ISIS: How to Win the Peace in Iraq and Libya (London, European Council on Foreign Relations, 2017), 可查阅：www.ecfr.eu/publications/summary/after_isis_how_to_win_the_peace_in_iraq_and_libya_7212; Nick Paton Walsh, “US special forces take the fight to ISIS in Libya”, CNN, 26 May 2016, 可查阅：<http://edition.cnn.com/2016/05/18/middleeast/libya-isis-us-special-forces/>。

1. 培训活动

海岸警卫队

150. EUNAVFOR MED 据报于 2016 年 10 月在其两个海军船只上首先向 78 名利比亚人提供了一套初步培训。这套初步培训据称⁵⁰ 包括基本的水兵和更高级的专业技能。据同一份文件指出，培训对象包括利比亚海岸警卫队和利比亚海军。随后的一项声明表明，有 89 人接受了第一套培训。⁵¹

151. 第二套培训开始于 2017 年 1 月 30 日，有 20 名利比亚海岸警卫队和海军人员受训。⁵² 欧洲联盟发表声明，提供了有关细节，其中再次指出，只有 78 人接受了第一套培训。声明还指出，它是与“利比亚海军海岸警卫队”，而不是与作为两个单独实体的海军和海岸警卫队签署最初的谅解备忘录的，而欧洲联盟在同一声明中其他地方和在其其他公开声明中都是这样提及的。在第 2312(2016)号决议序言部分第十八段中，安理会注意到欧洲联盟决定扩大 EUNAVFOR MED 任务，使之包括对利比亚海岸警卫队和海军的海上执法培训。然而，主席 2016 年 12 月 6 日报告(见 S/PV.7827)着重提到的，预期 EUNAVFOR MED 就其活动向委员会进行的通报并未发生。

152. 海岸警卫队和海军均未被作为民族团结政府控制下的安全部队而告知委员会，而多次涉及海岸警卫队犯罪活动的报告(见第 104 段)则凸显了控制的问题，尤其是联利支助团报告称：“移民以及开展搜索和救援行动的国际非政府组织的代表还叙述了武装人员进行的危险、威胁生命的拦截，据信这些武装人员来自利比亚海岸警卫队。遭拦截之后，移民常常遭到殴打、抢劫并被带到拘留中心或私人房屋和农场，在那里他们被强迫劳动、遭受强奸和其他性暴力”。⁵³

153. 这些报告还凸显出，在受训者被审查的程度问题上有进一步的关切，专家小组也听取到了这些关切。

⁵⁰ Union External Action, “EUNAVFOR MED Operation Sophia starts training of Libyan coastguard and Libyan navy”, 27 October 2016. 可查阅：https://eeas.europa.eu/headquarters/headquarters-homepage/13195/eunavfor-med-operation-sophia-starts-training-of-libyan-navy-coast-guard-and-libyan-navy_en。

⁵¹ European Union External Action, “EUNAVFOR MED Operation Sophia: HRVP Mogherini attends graduation ceremony of first training package of Libyan navy coastguard and Libyan navy”, 7 February 2017. 可查阅：https://eeas.europa.eu/headquarters/headquarters-homepage/20095/eunavfor-med-operation-sophia-hrvp-mogherini-attends-graduation-ceremony-first-training_en。

⁵² European Union External Action “Operation Sophia: package 2 of the Libyan navy coastguard and Libyan navy training launched today”, 30 January 2017. 可查阅：https://eeas.europa.eu/headquarters/headquarters-homepage/19518/operation-sophia-package-2-libyan-navy-coast-guard-and-libyan-navy-training-launched-today_en。

⁵³ United Nations Support Mission in Libya and Office of the United Nations High Commissioner for Human Rights, “Detained and dehumanized: report on human rights abuses against migrants in Libya”, 13 December 2016. 可查阅：<http://unsmil.unmissions.org/Portals/unsmil/Documents/Migrants%20report-EN.pdf>。

总统卫队

154. 法国向总统卫队在黎波里的一个单位提供了贴身保护训练。专家小组了解到，培训正在分批进行，到 2017 年中总共大约有 80 名工作人员接受培训。

结论

155. 欧洲联盟和法国已向专家小组表示，培训是应总统委员会和 Al-Serraj 分别提出的要求进行的。二者均援引第 2095(2013)号决议第 10 段作为培训的授权，但没有提及之后的各项决议。专家小组认为，在对这些决议有着不同解释的情况下，仍不清楚能给予谁这一例外(见建议 1、2、3 和 15)。

2. 意大利军事人员

156. 据报，在向米苏拉塔机场部署一个意大利军事医院的同时，也部署了至少 100 名武装军事人员。⁵⁴ 与专家小组的正式来文证实了作为对医院的一种保护措施而存在装军事人员。委员会没有收到豁免请求或通知。

F. 更多物资转让进入利比亚

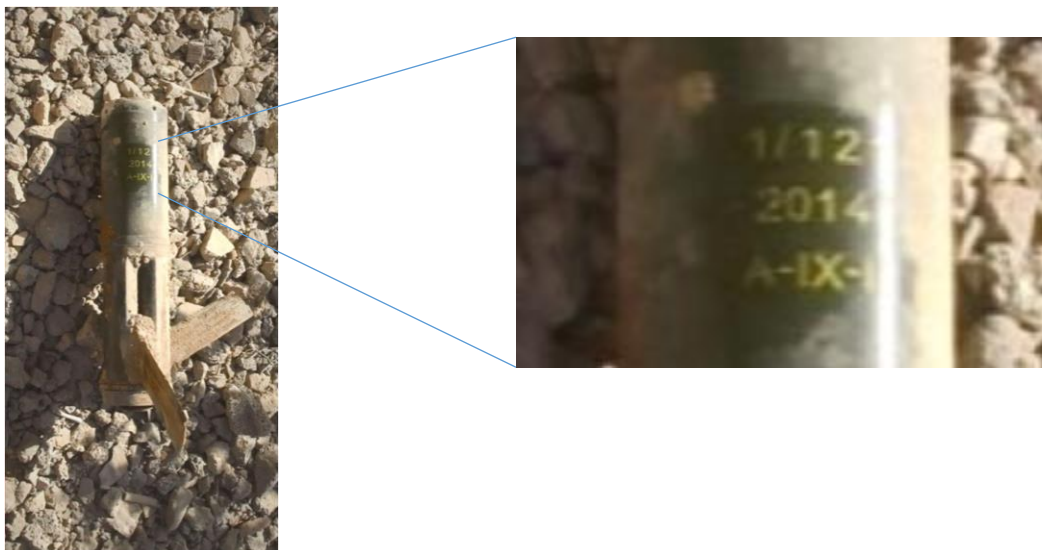
1. 制导炮弹

157. 下文火炮射弹的照片由班加西革命者协商委员会拍摄并于 2016 年 10 月 30 日通过社交媒体公布。协商委员会最初报告称该射弹是一枚美国制造的火箭。IHS Jane's 随后对图像进行了分析和报道。⁵⁵ 射弹被确定为 KBP Instrument Design Bureau 设计的 Krasnapol 射弹。委员会没有收到豁免请求或通知。

⁵⁴ Hayder al-Khoei, Ellie Geranmayeh and Mattia Toaldo, *After ISIS: How to Win the Peace in Iraq and Libya* (London, European Council on Foreign Relations, 2017), 可查阅: www.ecfr.eu/publications/summary/after_isis_how_to_win_the_peace_in_iraq_and_libya_7212; “Libya: Pinotti says Italian hospital is operational in Misrata”, ANSA Med, 24 October 2016, 可查阅: www.ansamed.info/ansamed/it/notizie/rubriche/cronaca/2016/10/20/libia-pinotti-operativo-ospedale-italiano-a-misurata_fafbc21c-49b4-48b8-8907-d3e9960893ee.html.

⁵⁵ Jeremy Binnie and Neil Gibson, “Evidence of guided artillery usage seen in Libya”, IHS Jane's Defence Weekly, 31 October 2016. 可查阅: www.janes.com/article/65066/evidence-of-guided-artillery-usage-seen-in-libya.

图 18
在班加西回收的制导火炮弹药的照片



资料来源：IHS Janes，2016 年 10 月 31 日。

射弹上的标记：

1/121(表明批号)

2014(制造年份)

A-IX-I(表明爆炸物装填)

158. 在答复专家小组的询问时，俄罗斯联邦指出 Krasnapol 制导炮弹由在图拉 AO Shipunov KBP Instrument Design Bureau 设计，由在 Izhesk 的 AO Kalashnikov Concern 制造。然而，AO Kalashnikov Concern 2014 年未制造 Krasnapol 射弹，也没有向外国客户出口这种射弹。俄罗斯联邦还表示，装填的爆炸物也不是此类射弹所用的爆炸物，而且制造商 AO Kalashnikov Concern 也不使用如图所示的批号这种标记。

159. 专家小组还调查了该射弹是中国北方工业公司制造的 GP-1 或 a GP-6 的可能性，这两种射弹与 Krasnapol 具有相同的特点；不过，迄今为止中国无任何回应。调查还在继续。

2. 交付装甲运兵车和其他车辆

160. 专家小组已证实，关于 2016 年 4 月 17 日在图卜鲁格向国民军运送装甲车的新的报告属实。⁵⁶ 根据提单，交付物件包括 93 辆装甲运兵车和 549 辆装甲车和非装甲车辆。93 辆运兵车可能包括 75 辆 Minerva Special Purpose Vehicles 公司

⁵⁶ Abdulkader Assad, "A huge number of vehicles and ammunition for Haftar's militias arrive in Tobruk", Libya Observer, 24 April 2016. 可查阅: www.libyaobserver.ly/news/huge-number-vehicles-and-ammunition-haftar%E2%80%99s-militias-arrive-tobruk。

生产的 Panther T6、18 年辆 Mezcal 公司(从前者分离出来的公司)制造的 Tygra 款车辆, 这两个公司本部均设在阿拉伯联合酋长国。

161. 这些装甲运兵车是专家组以前报告(S/2016/209, 附件 29 和 30)的相同合同的一部分, 是通过总部设在阿拉伯联合酋长国的 Ard el Theqa General Trading 公司⁵⁷ 中介达成的交易, 并指明利比亚内政部作为最终用户。Mezcal 的一名代表 2015 年向专家小组确认, 它以前曾将 10 辆 Tygra 运到图卜鲁格。

162. 专家小组的调查表明, Bahri Abha 号船(海事组织编号 9620944)曾从阿拉伯联合酋长国运送车辆。Bahri Abha 在沙特阿拉伯注册, 属于沙特一家国有航运公司。专家小组与沙特当局联系, 后者确认了这批货物的运输, 并提供了提单。(见附件 40)。该船于 2016 年 3 月 24 日离开杰贝阿里港(阿拉伯联合酋长国), 2016 年 4 月 17 日停靠图卜鲁格。

163. 在 549 辆汽车中, 195 辆 Toyota Land Cruiser 皮车在沙特阿拉伯吉的伊斯兰港口装船。下文的照片显示交付中装甲运兵车以及为车辆安装武器的车间。

图 19

在图卜鲁格交付 Panthera T6 的照片



资料来源: www.elbalad.news/2159540?bar=1。

164. 对利比亚的武装团体而言, 丰田小卡车(主要是单排座 HZJ79 款)似乎比装甲车更为重要, 因为此类车辆更便于装配各种步兵支持武器, 尤其是 12.7 毫米和 14.5 毫米机枪和 106 毫米无后坐力步枪。专家小组的评估认为, 若这类车辆的最终用户是武装和安全部队, 则应被视为军事物资(见建议 2)。

165. 此外, 专家小组收到会员国的报告表明, 利比亚武装团体也将卡车用作易货贸易的物件, 以换取武器和弹药以及用作给雇佣军的付款。

⁵⁷ 同一公司名曾被另一经纪人、代表国民军工作的 Mohammed Tag 使用。

166. 在本报告所述期间，专家小组收到关于 2017 年 1 月 16 日和 4 月 4 日向图卜鲁格运送大批丰田小卡车和装甲四轮驱动汽车的信息(见附件 41)。

图 20

2017 年 1 月 16 日向图卜鲁格运送的丰田车照片



资料来源：社交媒体。

图 21

2017 年 1 月 16 日向图卜鲁格运送的丰田车照片



资料来源：社交媒体。

图 22

图卜鲁格为民用车辆安装武器的车间照片在该国其他地方，包括在米苏拉塔有类似的车间



资料来源：国民军行动脸书网页(www.facebook.com/armylibya1/photos)。

图 23

国民军车间照片，正在安装 12.7 毫米和 14.5 毫米机枪



资料来源：<https://libertedecrire.wordpress.com/2017/03/07/daily-reports-of-the-oil-crescent-war-in-libya/#jp-carousel-3856>。

图 24

一辆丰田车的照片-其前盖的保护胶带尚未去除，装有 14.5 毫米防空机枪-该车属于国民军的盟军旅，2017 年 3 月 7 日正在前往石油新月地带途中



资料来源：同上。

图 25

2017 年 3 月阿布萨利姆旅集结展示全新小卡车情景的照片



资料来源：“Deterrent force refuses military ruling”，Libya Prospect，17 March 2017。可查阅：
<http://libyaprospect.com/index.php/2017/03/17/deterrent-force-refuses-military-ruling/>。

图 26

自封的利比亚国民警卫队在的黎波里游行展示新车辆的照片



资料来源：“Libyan national guard parade in Tripoli”, Libya Observer, 9 February 2017。可查阅：www.libyaobserver.ly/videos/libyan-national-guard-parade-tripoli。

图 27

在石油新月区的班加西防卫旅及其新的小卡车照片



资料来源：“Benghazi defence brigades quit Jufra as PC defence minister orders action against LNA”, Libya Herald, 9 April 2017, 可查阅：www.libyaherald.com/2017/04/09/benghazi-defence-brigade-quit-jufra-as-pc-defence-minister-orders-action-against-lna/; “Defense brigades announces controlling Al-Magroun”, Libya Prospect, 15 July 2017, 可查阅：<http://libyaprospect.com/index.php/2016/07/15/defense-brigades-announces-controlling-al-magroun/>。

167. 正单独向委员会提交关于可能发生的向西部武装团体运送小卡车一事的补充资料。

3. 监听设备

168. 有关方面向专家小组确认,关于第 2174(2014)号决议 2014 年 8 月通过以来有拦截和干扰设备被运送到的黎波里的报告属实。专家小组获得了利比亚邮政、电信和信息技术公司给一个物资供应商的一封信(见附件 42)。专家小组还约谈了多次前往西班牙 Marbella, 购买这些设备的一位利比亚购买商。

169. 这些设备部署在的黎波里的几个地区, 这些地区分别处于不同的武装团体控制下, 包括全国机动部队、特别威慑部队、国民警卫队和阿布萨利姆旅。这些团体参与了严重侵犯人权行为和犯罪活动。能够窃听移动电话交谈内容和看到私

人讯息这一点增加了其行动效力和战术优势，提供了对敌对武装团体的一个重要优势。更重要的是，在一个银行抢劫、绑架和杀人事件频频发生的城市，方便获取能够用于跟踪平民行动的资料这一点是一项重要的对和平与安全的威胁。专家小组收到的资料表明，这些设备已被用于勒索和策划绑架(见建议 4)。

4. 私人安保公司

170. 专家小组目前正在调查关于利比亚存在私营保安公司的报告，特别是关于与俄罗斯公司 RSB Group 订约由其承包利比亚水泥公司在班加西的设施排雷的确切细节(见附件 43)。

G. 利比亚对外转让物资

1. 突尼斯

171. 关于伊黎伊斯兰国成员 2016 年 3 月 7 日，发起了一次重大攻击警察和国民警卫队的地点，以及一个军事营地，在突尼斯 Ben Gardane 镇南部，位于利比亚边境 20 公里)。突尼斯安全部队缉获了相当数量的武器，并经随后的调查，找到了设在利比亚边境附近的整个 Ben Gardane 地区的六个武器储藏处。安全理事会“最强烈地谴责 3 月 7 日的恐怖袭击，致使突尼斯安全部队 12 名成员和 7 名平民死亡，以及 17 多人受伤”。⁵⁸ 2017 年 4 月，突尼斯当局结束了调查并对 77 人进行起诉。

172. 突尼斯武装部队准许专家小组查看安全部队 2016 年 3 月和 4 月在袭击发生后在整个 Ben Gardane 地区缉获的物资(见附件 44)。

托伦滑膛枪

173. 在突尼斯当局的支持下，专家小组确定了 Torun Silah Sanayi 制造的、2016 年 3 月从 Ben Gardane 袭击后发现的一个武器储藏处缉获的从利比亚偷运到该国的一系列立式双管多伦滑膛枪。

174. 在技专家小组向土耳其当局询问后，Torun Silah Sanayi 声称向贝鲁特的一家滑膛枪分销商“Yassine Middle East Company”出售了滑膛枪。据土耳其当局称，海关申报材料称，这些滑膛枪被装上 Haddad 一号船，该船 2015 年 9 月则被希腊海岸警卫队拦截。哈达德一号船上的物资被希腊扣押(另见 S/2016/209，第 153 号)。

175. 然而，专家小组在突尼斯记录的序列号似乎不符合 Torun Silah Sanayi 通过土耳其当局提供的包装单由所示。专家小组还发现希腊警方的初步调查与以前土耳其当局提供的文件之间存在不一致之处，(见 S/2016/209，附件 34)。在希腊登临 Haddad 一号后缉获滑膛枪后似乎不可能的被移交给利比亚。专家小组要求澄清土耳其和希腊当局。

⁵⁸ 安全理事会就突尼斯恐怖袭击事件向新闻界发表的谈话(SC/12273-AFR/3340)，2016 年 3 月 8 日。可查阅：www.un.org/press/en/2016/sc12273.doc.htm。

图 28
突尼斯扣押的“2015 新”多伦立式滑膛枪照片



资料来源：专家小组，2015 年 1 月。

图 29
突尼斯扣押的“2015 新”多伦立式滑膛枪照片



资料来源：专家小组，2017 年 1 月。

176. 另一关注的物件是 Night Owl 的 NONB2FF 款夜视装置，序列号 50003063，其标识表明是由白俄罗斯制造。

177. 专家小组研究指出，Night Owl Optics 的经营由一家公司地址在美国得克萨斯州的公司负责。美国没有答复专家小组的资料要求。

178. 回收项目的进一步例子见附件 44。

图 30
Night Owl Optics 夜视设备照片



资料来源：专家小组，2017 年 1 月。

2. 埃及

179. 埃及当局提供了一份 2016 年 1 月 1 日至 11 月 11 日期间在从利比亚向埃及偷运过程中被缉获的武器清单，清单按类型和数量分类。数量最多的一种武器是收缴的 1 395 支滑膛枪。埃及当局没有提供进一步的细节，专家小组继续与埃及当局接触，以获得进一步的细节，以便确定这些武器的原供应者。完整的清单见附件 45。

3. 尼日尔

180. 官员尼日尔报告说，2017 年从利比亚贩运的武器规模减少；然而，他们提出了一些问题，如移徙者被用作运输武器“骡子”，以及 Tebu 社区为在利比亚的伊黎伊斯兰国与“博科圣地”组织之间提供了联系渠道。向尼日尔的武器转让详情列于附件 46。

4. 马里

181. 从图阿雷格社区内部，专家小组收到多次报告称以 Mohammed Ingtallah 为首设在 Awbari 的 Ansar el Haqq 组织向马里境内的 Ansar Eddine (QDe.135) 转让了武器。据称交付的物件包括轻武器，如 Zastava M80 突击步枪、反坦克武器和爆炸物。据称行动由 Ingtallah 的儿子协调。

5. 阿尔及利亚

182. 专家小组审查了阿尔及利亚当局报告的缉获情况，但未能对有关物件进行实物检查(见附件 47)。

七. 依照第 2146(2014) 号决议防止非法石油出口

183. 2016 年 4 月 27 日，根据第 2146(2014) 号决议第 10 段的规定，Distya Ameya 号船(海事组织编号 9077343)因违反有关企图非法从利比亚出口原油的措施而成

为被加入制裁名单的第一艘船只。⁵⁹ 该油轮被指认后返回利比亚，在扎维耶载货，于 2016 年 5 月 6 日卸货完毕。经船旗国印度请求，在利比亚也表示不反对的情况下，委员会 2016 年 5 月 16 日将该船只除名(见附件 48)。

184. 值得注意的是，在企图进行出口时，总统委员会尚未按照第 2146(2014)号决议的要求任命其联络人。而是由利比亚常驻联合国代表将该案件提交给委员会。

185. 2016 年 11 月 4 日，委员会通过利比亚常驻代表团收到 Abdella Ateiga 的一份来文，此人称自己是总统委员会任命的协调人，但没有提供详细联系方式，并警告可能会发生企图非法出售原油的行为。委员会要求提供其详细联系方式；然而，利比亚常驻代表团通知专家小组，没有从黎波里收到相关资料(见附件 49)。

186. Ateiga 警告的这批货物已得到东部国家石油公司确认。该公司向专家小组解释说，已命令阿拉伯海湾石油公司(隶属于国家石油公司)准备 200 万桶以待 2016 年 11 月 11 日运往埃及。专家小组获得了一些关于装载这批货物的船只的文件，但在文件中其名称和海事组织编号已被修改过(见附件 49)。

187. 东部国家石油公司内的消息来源指出，这批货物“是埃及”根据 2015 年 12 月 29 日即《利比亚政治协议》获得核可前一天签署的谅解备忘录“提出的”。埃及否认商定了这一批货物，但承认这份备忘录的存在。不过，它没有采取任何行动执行这一备忘录，或执行任何其他合同。

188. Ateiga 也未向委员会透露船只的名称，据专家小组了解，这批货物从未成行。

189. 东部国家石油公司另一次企图出口原油的行为涉及其与 Europa Shipping SA 公司签署的一份合同。按合同，定于 2016 年 11 月 25 至 30 日从 Marsa al-Hariqah 运一批原油(见附件 50)。按合同所述，这一原油出口的数量是 300 万桶 Sarir/Mesla 混合油。这一出口迄今没有发生。

190. 西部国家石油公司知悉这些企图，并向试图获取利比亚石油贸易机会的有关公司发出公开警告。⁶⁰ 而东部当局 2017 年 3 月 27 日则发表了一项反驳声明关于(见附件 51)。

⁵⁹ 西部国家石油公司 2016 年 4 月 21 日告知总统委员会有关这一案件的情况。见 National Oil Corporation, “NOC acts to block illicit export of oil from Libya by parallel administration”, statement, 22 April 2016. 可查阅: <http://noc.ly/index.php/en/new-4/1452-noc-acts-to-block-illicit-export-of-oil-from-libya-by-parallel-administration>。

⁶⁰ National Oil Corporation, “National Oil Corporation warns oil market against illegal contracts”, statement, 26 March 2017. 可查阅 <http://noc.ly/index.php/en/new-4/2148-national-oil-corporation-warns-oil-market-against-illegal-contracts>。

八. 国家机构的统一和国家资金的挪用

191. 专家小组认为，利比亚关键金融财政机构仍处于分裂状况，而且比以往任何时候都更加分裂。可能除国家石油公司外，对这些机构基础设施、资产和人员的控制进一步支离破碎。这减少了监督，使可能挪用的风险增加。

192. 总统委员会在关键机构的组织和任命问题上出现分裂。例如，Fathi al-Mustafa 试图取代 Mejbri Sanallah 执掌国家石油公司，而 Ahmed Maetig 则一再主张将 Faisal Gergab 踢出利比亚邮政、电信和信息技术公司。此外，即便在总统委员会达成决定的情况下，其决定在委员会外又受到质疑，其任务授权也受到质疑。

193. 因此，工作人员的效忠关系仍然按两个相互竞争的主管当局选边分化，而这两个主管当局都试图进行自己的任命。两个当局及其政治支持者继续试图加强其地位，为此采用了各种战略，包括法律行动和武装团体的支持，往往造成破坏稳定的影响(见建议 14)。

194. 专家小组询问过的消息来源都一致认为，武装团体在黎波里的干涉有所增加。相互竞争的两个当局有时积极争取武装团体的服务，以加强它们的揽权主张。有时，武装团体使自己成为不可或缺的力量。在某些情况下，武装团体成员被纳入这些机构的工作人员或管理层。

195. 利比亚审计局就持续存在的分裂状况对预算的影响，表达了重要的关切。审计局向专家小组指出，国家开支仍然太高，特别是政府薪金单上的雇员人数被夸大。此外，Al-Ghweil 和萨尼政府继续以利比亚国的名义订立合同。总统委员会本身也对滥开支负有责任，例如 2016 年年中该委员会曾向 Ibrahim Jadhraan 转账 4 200 万美元。提出的其他问题包括许多涉案价值高达数百万美元的诉讼案件进一步削弱了利比亚机构的地位，这些案件往往是在企图从中获利的利比亚国民的协助下提起的。最后，经常有人试图出售利比亚机构和公司的资产，以获得流动资金。没有统一和稳定，这些问题是无法解决的。

196. 专家小组收到几十个受访人，其中许多是内部人员的许多指控，称有人侵吞国家资金。鉴于这些案件的复杂性，前往利比亚的机会有限，以及专家小组的可用资源不多，专家小组不可能彻底和详细地调查所有这些指控。

A. 国家石油公司

1. 机构

197. 利比亚试图在总统委员会的“麾下”统一国家石油公司，取得了一些进展，但 2016 年 5 月 16 日在维也纳签署初步协议后仍然缺乏具体成果。最终，东欧国家石油公司 2017 年 3 月 13 日退出协议。

198. 两个对立竞争的机构在维也纳签署的政治协议⁶¹ (见附件 52)以及随后在伊斯坦布尔签署的技术协议⁶² 对于分裂的利比亚来说是一项重大的成就。然而, 协议得到的支持不足。首先, 众议院没有明确承诺(见第 202 段)。其次, 总统委员会内部的争端阻碍了国家石油公司所需财政资源的分配,⁶³ 使之无法支付石油生产的费用。国家石油公司和总统委员会之间的分歧是在整个报告所述期间的一个重要情况。⁶⁴

199. 两个对手公司的执行董事会内部的消息来源向专家小组证实, 两位相互竞争的主席, 即 Mustafa Sanallah 和 Naji al-Maghrebi, 是在的黎波里设立总统委员会之前就已开始接触。谈判期间出现了一些挫折, 特别是 Distya Ameya 号油轮进入 Marsa al-Hariqah 港装载原油以履行与东部国家石油公司签署的合同一事。油轮装货后于 2016 年 4 月 26 日离开, 即在签署维也纳协定前仅仅 20 天, 且是在两位主席在突尼斯、马耳他和土耳其举行谈判之后。在 2016 年 5 月之前, 东部国家石油公司继续试图达成此类交易,⁶⁵ 而西部国家石油公司则试图阻止各石油公司与东部国家石油公司进行谈判(见附件 53)。

200. 作为对 Distya Ameya 被列名的回应, 东部当局进行报复, 阻止 Seachance 号油轮 2016 年 5 月 3 日按西部国家石油公司签署的合同从 Marsa al-Hariqah 装载原油。⁶⁶

201. 据东部国家石油公司称, Distya Ameya 事件并非旨在破坏谈判; 这是始于数月之前的一个持续事态。这也可能表明东部国家石油公司内部缺乏沟通或东部董事会成员采取了单方面行动(见第 250 段)。

202. 《维也纳协定》由东部国家石油公司提交众议院能源委员会后, 没有受到欢迎。委员会表示关切的两个问题是: 分享收入和 Al-Maghrebi 是东部国家石油公司在统一的董事会中的唯一代表。众议院针对该协定发表了若干负面的声明(见附件 54)。Sanallah 和 Al-Maghrebi 在整个过程中都承受了来自各不同利益攸关方的巨大压力。

⁶¹ Libby George and Ahmad Ghaddar, “Libya to resume oil shipments from Hariga after talks”, Reuters, 16 May 2016. 可查阅: www.reuters.com/article/libya-oil-exports-idUSL5N18D46D。

⁶² Patrick Markey, “In sign of progress, Libya’s rival NOC companies agree to merge”, Reuters, 3 July 2016. 可查阅: www.reuters.com/article/us-libya-security-energy-idUSKCN0ZJ0H7。

⁶³ Ahmad Ghaddar and Libby George, “Libya needs big spend to boost vital oil revenue-NOC boss”, Reuters, 13 August 2016. 可查阅: <http://af.reuters.com/article/investingNews/idAFKCN1000AR>。

⁶⁴ “NOC given no money to pay salaries, let alone invest: Mustafa Sanalla”, Libya Herald, 22 March 2017. 可查阅: www.libyaherald.com/2017/03/22/noc-given-no-money-to-pay-salaries-let-alone-invest-mustafa-sanalla。

⁶⁵ Laura Hurst and Hatem Mohareb, “National Oil in west Libya warns about illicit sales from east”, Bloomberg, 7 February 2016. 可查阅: www.bloomberg.com/news/articles/2016-02-07/national-oil-in-west-libya-warns-about-illicit-sales-from-east。

⁶⁶ “Eastern NOC blocks Tobruk tanker loading”, Libya Herald, 3 May 2016. 可查阅: www.libyaherald.com/2016/05/03/eastern-noc-blocks-tobruk-tanker-loading/。

203. 东部国家石油公司对其西部的对应方不愿将总部到班加西，感到沮丧，另外在《维也纳协定》执行问题的其他方面也缺乏进展，这些因素导致统一事宜于2016年底“暂停”。东部国家石油公司2017年3月13日发表了一项声明，宣布退出该协定(见附件55)。此外，2017年3月27日，萨尼政府副总理向石油行业的利益攸关方发表了一份声明，声称设在班加西的国家石油公司是利比亚境内唯一有权签订石油合同的机构(见附件51)。而前一天，西方国家石油公司则向愿意与东部国家石油公司交易的公司发出了相反的讯息。⁶⁷

204. 2016年10月，东部国家石油公司已经重新启动平行活动，并向委员会警告称又有人企图运送石油(见第185段及其后各段)。

205. 虽然这两个董事会都仍然存在，但是西方国家石油公司似乎在体制上和技术上发挥主导作用。尽管签署了《维也纳协定》且这两个机构之间出现了短暂的和解，但是一个为利比亚其他有关的重复机构树立榜样的良机失去了。此外，这两个机构都继续运作，也增加了非法交易的可能性。

2. 设施

206. 国民军2016年9月控制了中部地区终端库和油井(见第80段)之后，将设施控制器“给”了(截至当时)统一的国家石油公司，后者于是重新出口原油。班加西防卫旅2017年3月初的进攻后，终端库的控制权仍在统一的国家石油公司手中。⁶⁸ 国民军2017年3月14日重新控制终端库后，Sidrah石油港口在西部国家石油公司控制下恢复活动。⁶⁹

207. 值得指出的是，在东部国家石油公司退出维也纳协定之后，各交战阵营三次将石油设施控制权移交给Sanallah领导下的国家石油公司。

208. 在本报告所述期间石油生产是不正常的，但过去几个月有所增加，主要是因为经过长时间的谈判，Rayayinah阀门2016年12月20日重新打开，使Sharara和Feel油田可以恢复生产并分别向Zawiyah和Mellitah综合设施发送原油。⁷⁰ 但是，这种情况不稳定，且预期还会出现中断。⁷¹

⁶⁷ National Oil Corporation, “National Oil Corporation warns oil market against illegal contracts”, statement, 26 March 2017. 可查阅: <http://noc.ly/index.php/en/new-4/2148-national-oil-corporation-warns-oil-market-against-illegal-contracts>。

⁶⁸ Fadi Fornaji, “NOC lifts force majeure at eastern oil terminals”, Libya Herald, 15 September 2016. 可查阅: www.libyaherald.com/2016/09/15/noc-lifts-force-majeure-at-eastern-oil-terminals。

⁶⁹ Abdulkader Assad, “Essidra oil port resumes exports after end of clashes”, Libya Observer, 26 March 2017. 可查阅: www.libyaobserver.ly/inbrief/essidra-oil-port-resumes-exports-after-end-clashes。

⁷⁰ National Oil Corporation, “NOC confirms re-opening of Sharara and El Feel fields”, statement, 20 December 2016. 可查阅: <http://noc.ly/index.php/en/new-4/1919-noc-confirms-re-opening-of-sharara-and-el-feel-fields>。

⁷¹ Moutaz Ali, “Oil output plunges a third with closure of El-Fil and Sharara pipeline”, Libya Herald, 28 March 2017. 可查阅: www.libyaherald.com/2017/03/28/oil-input-plunges-a-third-with-closure-of-El-Fil-and-Sharara-pipeline。

B. 利比亚中央银行

209. 利比亚中央银行的分裂状况自专家小组前一次最后报告(见 S/2016/209, 第 217 至 226 段)印发以来,一直持续。有两个人继续声称自己是中央银行行长。中央银行职责主要是从黎波里行使, Sadiq al-Kabir 在那里担任行长。在贝达, Ali Salim al-Hibri 主管中央银行东部分行, 同时也声称自己是行长。

210. Al-Kabir 管理中央银行的账户和大多数工作人员, 控制总统委员会的经费。他对总统委员会的支持是迟缓而有限的, Al-Serraj 因此发出一系列公开指责, 包括称 Al-Kabir 是搅局者。⁷² Al-Kabir 和中央银行董事会成员 Tarik Yousef al-Magariaf 告诉专家小组说, 他们认为, 总统委员会本身对资金拖延负有责任。他们说, 他们只接受财政部发出的付款令, 而不是直接由总统委员会成员发出的付款令。他们还说, 总统委员会编制的应急预算质量差, 缺乏必要的细节。

211. 总统委员会和西部的利比亚中央银行在其他问题, 尤其是关于利比亚第纳尔贬值问题上也有争执。⁷³ 虽然总统委员会坚持贬值, 使其在罗马和伦敦举行的会谈期间成为一个核心问题, 但西部的中央银行已予以拒绝。Al-Magariaf 向专家小组解释说, 中央银行在原则上赞成贬值, 但总统委员会必须首先有一系列配套政策到位。

212. Al-Hibri 被萨尼政府和众议院认为是中央银行行长。尽管他没有对中央银行在黎波里的总部的控制, 也不能控制其来自石油出口的收入, 但是他对公共财政具有重大影响, 这进一步凸显了该机构的分裂状态。

213. 首先, 在持续抱怨的黎波里运送来的现金不够(见 S/2016/209, 第 219 段)之后, 东部的中央银行开始自己印钞。钞票由另一个印钞公司印制, 不同于中央银行通常的印钞公司。虽然明确努力印制出几乎相同的钞票, 但仍然存在重大差异(见附件 56)。因为自身在首都面临现金短缺, 总统委员会批准了该钞票的流通, 也即批准了东部中央银行之举。⁷⁴ 但是, 西部的中央银行已阻止了该钞票在首都的流通。

214. 其次, 东部的行政管理者向专家小组声称, 西部的中央银行尚未支付相当大比例的东部薪金。他们说, 到 2016 年底, Al-Hibri 已借了 30 亿第纳尔商业贷款来解决这个问题。这些贷款增加了国家债务, 将需要未来的统一政府偿还。

⁷² Sami Zaptia, “Serraj blames Hafter, Saleh, Elkaber and Ghariani for Libya’s problems, Libya Herald, 2 November 2016. 可查阅: www.libyaherald.com/2016/11/02/serraj-blames-hafter-salah-elkaber-and-ghariani-for-libyas-problems/。

⁷³ 据报, 第纳尔的黑市价值远低于 4 月初(即总统委员会刚刚抵达的黎波里之后)的 3 个利比亚第纳尔兑 1 美元。然而, 到 2016 年 7 月几乎翻了一番, 超过 5 第纳尔 1 美元, 2017 年 3 月又贬至 7 第纳尔 1 美元。

⁷⁴ Ajnadin Mustfa and Moutaz Ali, “PC decides it will now accept the east’s new ‘Russian’ banknotes”, Libya Herald, 26 May 2016. 可查阅: www.libyaherald.com/2016/05/26/pc-decides-it-will-now-accept-the-east-s-new-russian-banknotes/。

215. 2016 年全年，为统一这两个相互竞争的分支而进行的努力取得了一些进展，但最终未能成功。Al-Kebir 和 Al-Hibri 年中在突尼斯举行了两次会议，但计划在利比亚举行的第三次会议被取消了。短期内不可能解决这一问题。一方面，东部的中央银行坚持对方必须作出一系列相当大的让步：就现金分配(两种版本)达成协议；增加中央银行为东部批准的信用证，目前据东部报称，东部的信用证只占全国总数的 17%；恢复东部对中央银行的信息技术系统的使用权；中央银行全部承担东部的某些费用。另一方面，统一和妥协似乎不是西部的中央银行的优先事项，后者也显然处于更有强势的地位。

C. 利比亚投资管理局

216. 自总统委员会抵达的黎波里以来，对利比亚投资管理局的管辖权威的争执一直持续，并为此多次使用了武力。

217. 最初，总统委员会保持与两位对立的首席执行官的沟通：从管理局在马耳他的办事处运作的 Hassan Bouhadi 和在的黎波里的 Abdulmagid Breish)。

218. 在第一起事件中，萨尼政府强迫 Bouhadi 批准任命一名新的首席执行官 Ali Shamekh。2016 年 7 月 25 日，班加西刑事调查局逮捕了 Bouhadi，恐吓和阻止其旅行，直到他举行董事会会议将 Shamekh 选入董事会(见附件 57)。据报，萨尼政府派遣“特使”，即武装团体领导人 Abdel Majid Mlektah 进一步施加压力。之所以排挤 Bouhadi，似乎是因为他与总统委员会建立联系。东部在总统委员会成员和众议院成员 Al-Qatrani 公开牵头下，抵制可能在总统委员会下对管理局进行统一(见附件 58)。

219. 在这些事件后，总统委员会最后在 2016 年 8 月下旬任命了一个新的“临时指导委员会”，作为首席执行官和执行董事会，直至其通过正确的正式程序将投资管理局的治理结构移交给的黎波里。指导委员会由投资管理局执行董事会前成员 Ali Mahmoud 领导。

220. 指导委员会的任命导致随后的若干事件：马哈茂德被拒绝进入该机构在的黎波里的办公室，而在那里 Breish 并不准备下台。在给专家小组的信中，Breish 声称，总统委员会任命指导委员会的决定是无效的，因为不符合利比亚法律。他就此向的黎波里行政法院提起诉讼。

221. 指导委员会在一些人员的协助下迫使 Breish 离开管理局的办公室，这些人员被确定为属于“的黎波里塔安保和安全办事处”，且通常持有武装。的黎波里塔周围的广大地区当时处于卡拉的特别威慑部队的控制下。

222. 2017 年 2 月 5 日，在的黎波里行政法院作出裁决拒绝承认总统委员会任命的主指导委员会之后，Breish 恢复了对管理局办公室的控制。他在一队似乎听命于卡拉的人员的协助下返回。指导委员会和总统委员会宣称，这些人持有武装，但 Breish 拒绝承认这一报告属实。不过如何，专家小组认为，控制黎波里塔的安保人员显然在谁占有管理局的总部问题上有最后发言权，这是不能维系的。

223. 在的黎波里行政法院的裁定之后，总统委员会以“临时管理委员会”取代了临时指导委员会，完全复制了前一项法令。总统委员会向所有高级公务员通告，针对 **Breish**，指出“根据总统委员会有关决定，禁止一切与没有合法和正当身份的个人或机构处理事务”（见附件 62）。

224. 同时，管理委员会离开的黎波里塔，搬入 **Abd al-Gadir Rweyati** 指挥的一武装团体保护下的一个区域。

225. 利比亚投资管理局的持续分裂状况导致工作人员承受所有各方压力，面临越来越多的不确定性。这导致了在的黎波里的各办公室 2 月 8 日的罢工。⁷⁵ 投资管理局的分裂状况是在应对不断有报告的挪用款项(未遂)案件方面一个主要的限制因素。

226. 与此同时，根据安全理事会各项有关决议，投资管理局 2011 年 9 月 16 日之前在利比亚境外持有的所有直接资产仍被冻结。**Bouhadi** 和 **Breish** 均向专家小组确认，资产被冻结的状况造成银行和基金的管理人员无视投资管理局的指示，这种态度似乎由于在谁合法代表主权财富基金方面存在的不确定性而进一步强化。

227. 专家小组曾报告，目前的制裁制度不灵活，以及管理局的资产在成熟后因不能再投资而失去价值(见 S/2016/209，第 252 段及其后各段)。这种情况仍未改变，让管理局的管理者感到沮丧。然而，在基金仍然意见分歧的情况下，难以改变制裁制度和解决这种管理问题。当事方任何都没有冻结资产对此提出异议。

D. 利比亚邮政、电信和信息技术公司

228. 利比亚邮政、电信和信息技术公司是另一个有重复和挪用资金风险的利比亚关键战略机构。此外，它的资产总值超过 200 亿美元，其中 70 亿美元是存在的黎波里的各银行的现金资产。2015 和 2016 年，该实体的收入占利比亚预算的 10%。它也是一个主要雇主，为 17 000 多人支付薪金。

229. 对该公司的控制权主要在于其 2013 年管理班子手中，这个班子自 2014 年 8 月起从贝达和马耳他运作。该管理班子由主席 **Faisel Gergab** 领导，他也获得总统委员会承认(见附件 59)且可比较自由地在全国各地，包括在的黎波里旅行。然而，它的权威受到东部和西部的质疑，而并非其所有子公司都作出应对。此外，它不能进入的黎波里的总部。

230. 对权威最强的挑战来自与民族救国政府下属的个人。2014 年 10 月，民族救亡政府任命了一个临时“指导委员会”，由 **Majdi al-Shibani** 领导，试图取代该公司传统的治理结构。**Al-Shibani** 和其替代者 **Adel Markows** 均向民族救亡政府的电信部前部长 **Sami al-Fantazi** 作出回应，**Sami al-Fantazi** 是武装团体国家机动部

⁷⁵ Sami Zaptia, “Mass staff walkout at LIA’s Tripoli Tower HQ in protest at continued disputed chairmanship”, *Libya Herald*, 9 February 2017. 可查阅: www.libyaherald.com/2017/02/09/mass-staff-walkout-at-lia-tripoli-tower-hq-in-protest-at-continued-disputed-chairmanship.

队的一名指挥官(见第 169 段)。Al-Fantazi 仍然负责电信部, 他的部队控制该公司位于 Zawiyah 街的总部。

231. 专家小组收到的信息显示, Al-Fantazi 和“指导委员会”自 2014 年以来将该公司资产输送给民族救亡政府。专家小组正在调查文件以及有关上述二者至少分别两次向民族救亡政府提供直接财政援助的指控(见附件 60)。

232. 萨尼政府还试图加强其对该公司的公司管理结构的控制, 类似于其对利比亚投资管理局采取的行动。不过, 看来这些企图没有成功。

E. 利比亚非洲投资局

233. 利比亚非洲投资局是利比亚投资管理局一个附属单位, 单独列入制裁名单。这是一个价值超过 30 亿美元的投资基金。由于其与管理局的机构关联, 一直受同样的分裂状况影响, 尽管程度较轻。

234. 2014 年“黎明”行动期间, 现任管理层总裁 Ahmed Kashadah 搬到该基金在马耳他的办事处。民族救亡政府任命了一替代管理层, 因而导致出现平行的机构。虽然对投资局的控制似乎主要集中在 Kashadah 手中, 但是这一再受到挑战, 有时似乎有一些子公司听命于对立的管理班子。此外, Kashadah 还被卡拉指挥下的特别威慑部队阻止, 无法进入的黎波里塔中的总部。

235. 与利比亚投资管理局指导委员会形成对照的是, Kashadah 在的黎波里法院赢得了诉讼, 击败了对手。然而, 迄今这尚未帮助他进入的黎波里塔。

236. 投资组合的状况表明存在武装团体的行动和利益。有几次报告称, 武装团体进行了干预。与利比亚邮政、电信和信息技术公司类似, 投资局及其子公司能够动用利比亚境内的大量现金和资源。这些公司因而能够“便利”总统委员会的旅行和工作费用。但是, 这也使它们成为本身也在寻找资金的武装团体和政治人物的最明显的靶子。有关事件, 包括证明文件的概览载于附件 61。

F. 利比亚国外投资公司

237. 利比亚国外投资公司, 在运营中使用的简称是 LAFICO, 它是利比亚投资管理局附属机构中实体数量最大的。然而, 它在利比亚境内本身没有许多资产, 总体上流动资产有限。因此, 它不太容易成为企图挪用公款行为的选择目标。事实上, 投资公司继续从的黎波里塔经营, 情况相对稳定。对首席执行官 Khaled Algonsel 的职位, 没有发送争斗。

238. 虽然英文简称 LAFICO 目前未被列入制裁名单, 但该公司的全称作为利比亚投资管理局(LYe.001)的一个别名, 与缩写 LFIC 一道列入其中⁷⁶。将之作为别名列入是不正确的。如以往报告所述(见 S/2013/99, 第 225 段), 它实际上是管理局的一个附属机构, 而不是前身。这可能引起混淆, 但并未影响其业务运作。除了其在联合王国的几个子公司(Baroque Investments Limited 和 Ashton Global Investments Limited)资产依照欧洲联盟的单独制裁名单而被冻结外, 投资公司可

⁷⁶ 该公司在运营中似乎不使用这一缩写, 而是继续使用 LAFICO。

完全地取用其资产。然而，若干会员国已要求委员会就该公司的附属机构作出澄清(见建议 7)。

九. 武装团体的资金来源

239. 有各种来源的资金提供给武装团体，其中大部分已在专家小组以前的报告中着重提及。在本报告所述期间，专家小组专门调查了四个重要资金来源：燃料走私、贩运人口、介入有关机构和当地武器贸易。以前关于其他犯罪活动收入和国家资助的调查结果仍然符合实际情况。

A. 走私燃料

1. 海路

240. 国家石油公司决定积极打击走私燃料行为。该公司的一个附属公司 Brega Petroleum 公司设立了“石油和石油衍生物监督委员会”，负责调查这一问题。根据该委员会的调查结果，该公司在 2017 年初对某些公司和个人⁷⁷采取行动。事实上，该公司指控在 Zawiyah 炼油厂的石油设施警卫队参加了燃料走私活动(见建议 11)。⁷⁸

241. 专家小组还继续观察到在沿海城镇 Zuwarah 附近有船只航行方式异常，且出没频率不同寻常。前几次报告所述个人和公司(见 S/2016/209，第 205 至 206 段)仍在运作。2016 年，利比亚海岸警卫队在同一地区涉及燃料走私的事件中扣押了几艘船只。

船名	海事组织编号	船旗国	扣押日期	附件 63 部分
Captain Khayyama	8927814	塞拉利昂	2016年2月13日	A
San Gwann	8987515	多哥	2016年5月10日	B
Temeteron	8917170	伯利兹	2016年6月28日	C

242. 犯罪网络向海岸警卫队提供消息，以此使对立帮派进行的走私活动无法得手。Zawiyah 的海岸警卫队也参与走私的生意。⁷⁹

⁷⁷ Abdulkader Assad, “Attorney General’s office issues arrest warrants, travel bans against several government officials”, Libya Observer, 26 January 2017. 可查阅: www.libyaobserver.ly/economy/attorney-general%E2%80%99s-office-issues-arrest-warrants-travel-bans-against-several-government。

⁷⁸ Abdulkader Assad, “PFG relinquishes Al-Zawiya refinery, NOC moves to secure it”, Libya Observer, 7 January 2017. 可查阅: www.libyaobserver.ly/news/pfg-relinquishes-al-zawiya-refinery-noc-moves-secure-it。

⁷⁹ Tom Kington, “EU navies find training Libyan coastguard no easy task”, Defense News, 20 March 2017. 可查阅: www.defensenews.com/articles/eu-navies-find-training-libyan-coast-guard-no-easy-task。

243. 在本报告所述期间，受关注的其他船只：

船名	海事组织编号	船旗国	附件64部分
Sukran C	9280196	土耳其	A
Selay	8870865	土耳其	B
Haci Telli	9353163	土耳其	C
Hulin	9447043	马耳他	D
Transnav Hazel	9452268	不详	E
Aqasia	9556753	马耳他	F
Bukhara	9015345	帕劳	海地古德
Sichem Singapore	9322061	马耳他	H

244. 但众议院经济、贸易和投资委员会 2016 年 7 月 17 日对马耳他当局发表一项声明，指出享受补贴的产品不符合出口资格(见附件 65)。⁸⁰ 2016 年 10 月 25 日，西部国家石油公司致函外交部，要求后者向邻国发出提醒通知，即西部国家石油公司是唯一有法律授权原油及其衍生物进口或出口的实体(见附件 66)。

245. 如第 240 段所述，Zawiyah 石油设施警卫队队长 Mohamed Koshlaf，又名 Kasib 或 Gsab(见第 105 和 258 段)参与为走私者采购燃料。他还指挥着所谓的 Nasr 民兵。⁸¹ 他的兄弟，Walid Koshlaf，又名 Walid al-Hadi al-Arbi Koshlaf 负责这项生意的财务方面。Zawiyah 海岸警卫队队长 Abd al-Rahman Milad(别名 Bija)(另见第 59、105 和 258 段)是 Koshlaf 燃料生意的一个重要合作者。

246. 另一个从 Zawiyah 进行活动的人是 Ibrahim Hneish，此人领导着自己的武装团体。⁸²

247. 在燃料生意的另一端，则是经纪公司通过既定渠道联系船主从利比亚购买燃料(见附件 67)。西部的国家石油公司在了解到这些交易提议时，与所涉公司进行了联络，提醒其注意所拟议的交易的非法性质。

248. 燃料走私者向船只的船长提供了看起来正式的文件。在其一艘船只被扣押之后，与他们取得了联系，其中一些人提及这些文件，称这批货物合法。

249. Sichem Singapore 号的案子(见附件 64, H 部分)是专家小组所知第一个试图出售在利比亚境内开采和提炼的产品(制成重油)的案子。这也是专家小组所知第一个试图从东海岸线走私的案子。这个案子表明，在没有可信的威慑的情况下，走私燃料活动会迅速扩大(见建议 10)。

⁸⁰ 总统委员会成员 Ali Faraj al-Qatrani 为该委员会的主席。

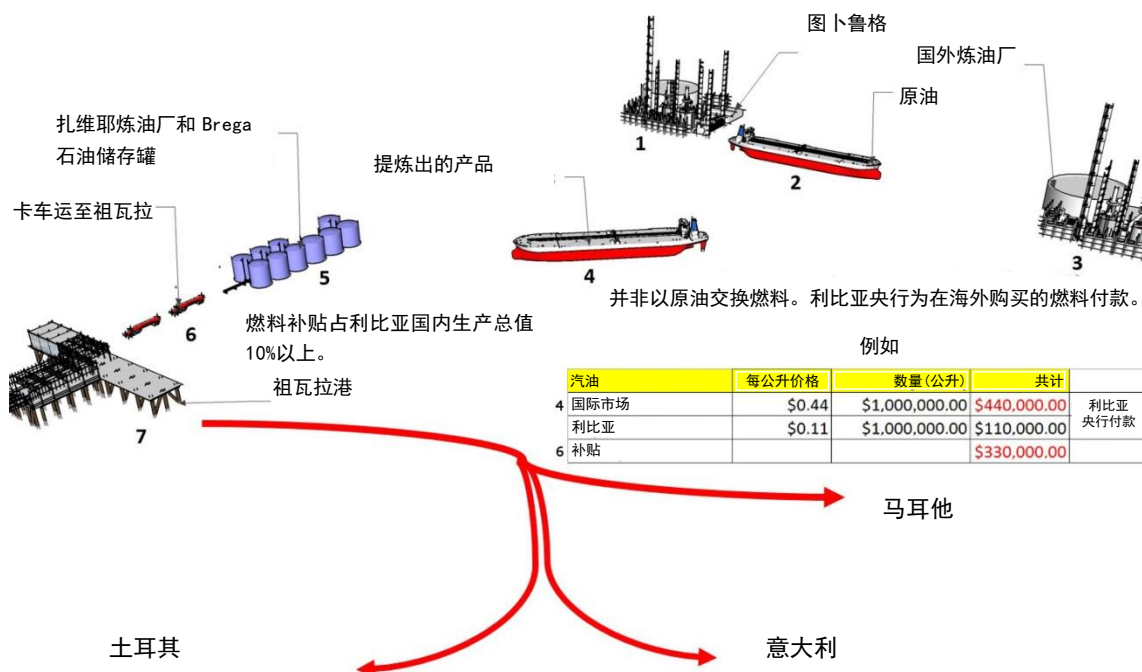
⁸¹ Sami Zaptia, “PFG western division Nasr brigadewithdraws from Zawia refinery after Sanalla public accusation of fuel smuggling collusion”, Libya Herald, 5 January 2017. 可查阅：[错误!超链接引用无效。](#)

⁸² Moutaz Ali, “Zawia elders attempt new ceasefire as clashes erupt again”, Libya Herald, 9 November 2016. 可查阅：www.libyaherald.com/2016/11/09/zawia-elders-attempt-new-ceasefire-as-clashes-erupt-again.

250. 东部国家石油公司已否认参与该案，尽管其董事会至少有一名成员似乎参与其中。这可能表明，董事会内部存在分裂状况，导致其一些成员采取单方面行动(见第 201 段)。

251. 图 31 试图说明燃料走私如何损及利比亚的财富，并影响到原油生产和燃料补贴制度。

图 31
利比亚石油周期



2. 陆路

252. 燃料从 Zawiyah 运到 Zuwarah、Ujaylat、Riqdalin 及 Jumayl，然后经陆路走私到突尼斯。

253. 2016 年 7 月“石油和石油衍生物监督委员会”对 Ras Ajdir 和 Zuwarah 进行了实地考察。其报告通过国家石油公司送交总统委员会，报告述及陆地和海上的走私活动(见附件 68)。这种贸易也成为突尼斯当局的一个关切。

254. 最近，据报告突尼斯已采取措施，以减少非法燃料流动。⁸³

⁸³ Abdulkader Assad, “Fuel and gas crisis committee confirms success of anti-fuel-smuggling campaign”, Libya Observer, 1 April 2017. 可查阅：www.libyaobserver.ly/news/fuel-and-gas-crisis-committee-confirms-success-anti-fuel-smuggling-campaign。

B. 偷运移民和贩运人口

255. 偷运移民和贩运人口的活动融入了其他走私活动，例如走私武器、毒品和黄金。武装团体积极参与偷运或拿走部分利润。走私活动几乎不受阻挠，因为缺乏可靠的安全部队。

1. 利比亚西部

256. 移民从尼日尔阿加德兹抵达后，被聚集在位于 Qatrun、Awbari、Sabha 和 Murzuq 的仓库，几个团体在此收取“提供便利”的报酬。Tebu 和图阿雷格族偷运者“提供便利”帮助让移民通过南部边界的过境点。Adamu Tchéké 和 Abu Bakr al-Suqi 等 Tebu 族领导人收取从边界至 Sabha 的过路费现金。Cherif Aberdine 等图阿雷格族领导人则控制前往 Murzuq 的路线。⁸⁴

257. 在塞卜哈，Awlad Suleiman 部落成员据说组织了偷运活动。从 Ghadamis 至 Bani Walid 和 Nalut，Zintanis Mohamed Maatoug 和 Ali Salek 是被频频提到的主要移民(和大麻)运送者。

258. 在海岸上，主要协调人则从 Zawiyah、祖瓦拉和索布拉塔进行活动。其中包括武装团体指挥官 Mohamed Koshlaf and Ahmed Dabbashi(别名 Amu)。海岸警卫队指挥官 Abd al-Rahman Milad(别名 Bija)与 Koshlaf 协作(见第 59、105 和 245 段)。⁸⁵ 主要离境地点似乎是索布拉塔度假地设施中的 Talil 海滩。

2. 利比亚东部

259. 东部的路线是由来自厄立特里亚、埃塞俄比亚和索马里的“敲定者”负责，他们确定离境者人选，并处理财务。利比亚人安排其境内的运输。走这条路线的移民一贯报告称，有穿制服的人监督他们的通行。

260. 边境地区 Kufrah 的协调通常由 Tebus、Zways 以及沿与苏丹边界部署的苏丹境内快速支援部队成员安排。⁸⁶

261. 直至 2016 年，大多数移民被从 Kufrah 运至艾季达比耶，交由石油设施警卫队指挥官 Ibrahim Jadhran 管控。一名厄立特里亚人在艾季达比耶被拘留了一年，此人告诉专家小组说，石油设施警卫队将移民用于排雷行动，且不提供任何军事培训或防护装备。石油设施警卫队最后将他转交给索布拉塔的另一武装团体。

⁸⁴ 一个潜在的别名；偷运者可能使用了已于 2016 年 2 月死亡的尼日尔总统顾问、臭名昭著的走私犯 Cherif Abidine 的姓名。

⁸⁵ Nancy Porsia, “The kingpin of Libya’s human trafficking mafia”, TRT World, 22 February 2017. 可查阅：www.trtworld.com/magazine/the-kingpin-of-libyas-human-trafficking-mafia-301505。

⁸⁶ Suliman Baldo, “Border control from hell: how the EU’s migration partnership legitimizes Sudan’s ‘militia State’” (The Enough Project, April 2017). 可查阅：[www.enoughproject.org/files/Border Control_April2017_Enough_Final.pdf](http://www.enoughproject.org/files/Border%20Control_April2017_Enough_Final.pdf)。

262. 专家小组正在调查发自移民在瑞典的亲戚的一些银行转账。这些存款被存入瑞典的移民偷运者的银行账户，然后通过设在迪拜、苏丹和阿拉伯联合酋长国的哈瓦拉系统进一步转账，从而进行洗钱。

C. 武装团体对国家机构的干预

263. 武装团体对国家机构的干预有所增加。专家小组与此问题有关的调查结果见第八节。

D. 从地方武器贸易中获取资金

264. 利比亚境内的武器贸易是各武装团体一项重要的收入来源。专家小组收到的报告称，津坦、米苏拉塔、艾季达比耶和 Waw 市场上军火贸易活跃。销售的物资包括更重型和更先进的系统。例如，一个运作良好的米兰反坦克系统连同四枚导弹卖价可为 9 000 美元。有时，卖家将战斗人员与武器一道提供。

265. 地方武器贸易也通过虚拟市场安排进行。专家小组继续观察到在利比亚 Facebook 网站上出售武器的情况。《小武器调查》最近着重报道了武装团体及其成员使用这类网站的情况(见附件 33)。⁸⁷

266. 最后，武装团体也参与将非致命性装备，如卡车、发射空包弹的枪支或弹药等改为军用(见第 164 段和附件 46)。

十. 执行冻结资产

A. 冻结资产

1. 穆塔西姆·卡扎菲

267. 专家小组正在分析三个疑似已身亡的穆塔西姆·卡扎菲(LYi.014)设在马耳他的相互联系的幌子公司的银行账户。第一个公司 Mezen International Limited Mezen 在卡扎菲资产冻结后，即不再活跃，其重要性仅仅在于它表明原先的关系和联系。在其主要账户 2010 年 6 月关闭时，超过 5 500 万欧元的剩余余额转入第二家公司 Capital Resources Limited。按照制裁规定，该公司在马耳他的账户被冻结。

268. 然而，Mezen 账户在 2010 年的主要资金来源是第三家公司 Moncada International Limited，后者在这一年中分三期付款超过 4 000 万欧元。此外，Moncada Mezen 在关闭其账户之前两周从后者收到 300 万欧元的转账。马耳他当局向专家小组解释说，Moncada 于 2013 年 9 月被从公司登记册中除名。然而，公司账目表明，在卡扎菲被列名时即 2011 年 2 月 26 日之后，仍有大量资金转账。2011 年 2 月 26 日至 7 月 14 日，有 1 000 万欧元被转出 Moncada 账户，该账户也

⁸⁷ N.R. Jenzen-Jones and Ian McCollum, “Web trafficking: analysing the online trade of small arms and light weapons in Libya”, Working Paper No. 26 (Small Arms Survey, April 2017)。

从未被冻结。专家小组最近致函马耳他强调，追踪这笔资金并调查其来源至关重要。

269. 专家小组还向意大利询问穆塔西姆·卡扎菲据指拥有的一处昂贵公寓的状况。这一价值 5 500 万欧元的公寓似乎是一个幌子公司 Diamond VIP Service SRL 购买的。该公司合伙人之一，Saleh R. KHDrah，是 Moncada International Limited 董事。地契上业主的名字是 Ali Ahmed Beinen，此人也是 Diamond VIP 的合伙人。利比亚诉讼人怀疑 Beinen 是卡扎菲的亲信。在购买该公寓的前一个月，Beinen 还收到 Moncada 的价值 91 000 欧元的咨询费。公寓的临时租户，Vanessa Hessler，则公开宣称与卡扎菲有关关系。她还在罗马的法院对 Beinen 提起诉讼，声称真正的所有人卡扎菲将该公寓作为礼物送给了她(见附件 69)。意大利答复专家小组，目前没有理由将这一财产与卡扎菲联系起来，因此不能予以冻结。

2. 萨阿迪·卡扎菲

270. 专家小组继续调查以乌干达 Aurelius Holdings 公司的名义所开立的账户的资金来源，其中的资金是以萨阿迪·卡扎菲的名义持有的(见 S/2016/209，第 268 至 270 段)，目的是将资金从尼日尔转至乌干达。账户上有超过 100 万美元，绝大多数来自三个来源：三次银行转账和一次现金存款。转入此账户的所有款项均违反资产冻结规定。

271. 这笔现金转移的存款人被确定为乌干达人 Paul Nkangi，此人是 Kagimu Habib 的个人助理，后者是 Aurelius 的共同董事，是其银行账户的两位签署人之一。关于如何获得这笔现金的陈述相互矛盾，专家小组均无法证实。专家小组了解到，卡扎菲居住在尼日尔期间至少可获用 200 万资金(见附件 70)，包括大量现金。

272. 专家组已确定向 Aurelius 进行其中一项转账的一家公司，即设在突尼斯的 Al-Firdaws International Trading Company。突尼斯当局确认 Al-Firdaws 公司参与此事，并向小组报告说，该公司账户因涉嫌洗钱而已被冻结。重要的是，Al-Firdaws 在其向 Aurelius 转账 400 000 美元的同日收到 600 000 美元现金。

273. 专家小组还确定了向 Aurelius 进行转账的第二家公司，即 Adena Way General Trading。Adena Way 是设在阿拉伯联合酋长国的一家公司，在那里由利比亚国民 Adel Abdalla Omar Deyab 管理。其在阿拉伯联合酋长国的公司账户没有显示任何向 Aurelius 的转账，并于 2014 年 8 月关闭。然而，该公司在突尼斯也有一个账户，正是从这一账户向 Aurelius 转账，借口是一批茶叶的付款。阿拉伯联合酋长国的账户显示有相对整数数额的资金系统地转账进出账户，这是洗钱活动的典型特征。这些账户还表明，与 Adena Way 在突尼斯账户有关联。从 Adena Way 在突尼斯的账户向 Aurelius 付款之前，Adena Way 先从一家利比亚公司获付。专家小组正在调查这一转账。

274. 第三个转账的来源无法核实。专家小组已两次请求乌干达协助提供所有银行相关文件的副本并安排与 Nkangi 和 Kagimu 会面。所有这些请求都没有得到答复。

275. 向为协助 Saadi Qadhafi 可能搬至乌干达一事而开设的 Aurelius 账户注资的各种来源表明, 前政权成员的财务组织情况十分复杂。还表明, 许多这些交易是以大量现金进行的。追踪这些资金将需要大量资源和专门的努力。专家小组认为, 在利比亚恢复稳定以及利比亚的调查员获得一个无可争议的当局赋予其不容置疑的任务, 从而具有职权职能之前, 这是不可能的(见建议 8 和 9)。

3. 汉尼巴尔·卡扎菲

276. 专家小组收到的资料表明, 在 2011 年前革命之前汉尼巴尔·卡扎菲从至少四家公司大数额和有系统地收到支付款: Mariner for Maritime Transport、Golden Delta Mariner Shipping、Diamond Delta Mariner Shipping 和 Um al Houqol。这四家公司的股东、管理层和地点密切相关。

277. Mariner for Maritime Transport, 可获得的文件(见附件 71)表明, 卡扎菲被确认为该公司的董事会成员。然而, 利比亚的消息来源怀疑他实际上是该公司的所有人。

278. Mariner 的收入似乎主要源自利比亚石油和天然气部门: 国家石油公司、Mabruk 石油业务、Zawiyah 石油和天然气炼油厂、Brega 销售公司和几个其他若干公司。每月还有数十万欧元和美元的支付款从这些公司账户进一步转到不同目的地。其中一些交易被确定为是直接支付给汉尼巴尔·卡扎菲个人的银行账户, 而汇款缘由的说明则是不大可能的“个人贷款”等。专家小组尚不清楚, 究竟 Mariner 因向上述公司提供了哪些服务而获得这些付款。

279. 2011 年 2 月 26 日之后, 向 Mariner 各账户的资金转账停止。⁸⁸ 然而这些公司主管继续参与在塞浦路斯、意大利和突尼斯等国有海外账户或活动的许多国际公司。其中许多公司有类似的名称, 但其开展的真实活动则不清楚。然而, 在革命后数年间仍有数额非常巨大的资金——数以百万计的硬货币——进出这些账户。其中一些资金流动显得可疑, 包括已于 2009 年 10 月 21 日解散的公司支付的大笔红利或转拨的款项。

280. 上述可疑流动表明, 所涉实体可能是或曾经是幌子公司。考虑到这些公司主管、其公司和汉尼巴尔·卡扎菲之间原有的关系, 这就提高了这样一种可能性, 即这些人继续为名单所列人员管理资金, 而这是违反资产冻结规定的。专家小组正在向有关会员国进行调查。

4. 联合王国

281. 专家小组已经向联合王国询问正在进行的对接近前政权的个人的资产调查情况, 但迄今没有收到答复。

B. 被盗资产

282. 专家小组正在调查若干列入名单的个人(或实体)控制下的利比亚资产被盗或可能挪用, 或两种情况兼而有之的案件。据报告在非洲大陆上若干国家存在这

⁸⁸ 除了 2011 年 4 月一次从 Mellitah 天然气和石油炼油厂转账的 1 137 000 欧元是一个例外。

些资产。若这些资金处于一列入名单的个人控制之下，则需予以冻结。若其中利比亚相互竞争的政治派别中任一派别正试图获得这些资金，则需要确保这项资金不被挪用或用于任何威胁到该国和平与安全的行动。无论何种情况，都必须保证指称的案件有充分透明度(见建议 6)。

283. 迫切需要确定和获取这些资产，是 2016 年 8 月在中央银行内重新设立一个追回被盗资产股的重要驱动因素之一。该股直接向在黎波里的中央银行行长负责，也依赖与利比亚司法部诉公司以及总检察长办公室的合作。专家小组并不认为这三方均完全致力于支持该股的工作。该股还积极与各利益攸关方联络。看来，总统委员会没有参与设立或指挥该股(见建议 8)。

284. 专家小组对被盗资产的调查详列于附件 72，而在利比亚，新设的追回被盗资产股也正在审议所有这些资产。

十一. 旅行禁令执行情况

285. 专家小组就名单所列个人的目前的位置和行动，提出了以下意见。

286. Safia Farkash Al-Barassi(LYi.019)确认，她目前居住在埃及，同时出于人道主义原因请求予以豁免，以便前往阿曼。委员会核准了这一请求。

287. 专家小组证实汉尼巴尔·卡扎菲(LYi.010)在黎巴嫩。黎巴嫩提供信息表明，卡扎菲是以“政治难民的身份居住在【阿拉伯叙利亚共和国】的”，此后他“被一个武装团体绑架，并于 2015 年 12 月 6 日被非法带到黎巴嫩”。在绑架者将其释放之后，卡扎菲被黎巴嫩国内治安部队总局情报部门拘禁。

288. 其他消息来源证实，汉尼巴尔-卡扎菲此前曾在阿拉伯叙利亚共和国大马士革度过一段时间。叙利亚没有答复专家小组让其作出澄清要求。据黎巴嫩称，同时其他消息来源也印证，卡扎菲是在黎巴嫩不知情或未准许的情况下前往黎巴嫩的，因此这种情况不是故意违反规定，而只是不符合规定。

289. 从可获得的信息来看，似乎汉尼巴尔-卡扎菲前往阿拉伯叙利亚共和国构成了违反旅行禁令的情况。

十二. 建议

专家小组建议：

武器禁运

给安全理事会的建议

建议 1. 为大会会员国的利益起见，澄清有关机制，以便会员国可依之确定民族团结政府控制下的哪些国家安全部队能受益于第 2095(2013)号决议第 10 段所述任何技术援助、培训或财务援助的例外情况。[见第 29、52、94 和 155 段]

- 建议 2. 在维持第 2095(2013)号决议第 10 段所述对技术援助、培训或资金援助的例外的同时，暂停同一段中所述对纯粹作为安保或解除武装援助而向利比亚政府提供的非致命军事装备的例外，即回到第 2009(2011)号决议第 13(a)段所述关于非致命军事装备的程序。[见第 155 和 164 段]

给委员会的建议

- 建议 3. 在根据第 2278(2016)号决议第 6 段听取协调员的情况通报后，向公众公布民族团结政府控制下的安全部队结构，以便会员国核准提供给利比亚的安全援助。[见第 52 和 155 段]
- 建议 4. 考虑将电子窃听设备归类为利比亚制裁制度下的军事装备，并向广大会员国发出相应的通知。[见第 169 段]

给会员国的建议

- 建议 5. 增加空中管制方面的区域合作，以便威慑空中违反武器禁运的行为，也有助于确定这种违规行为，并将有关案件报告给委员会。[第 129 段]

资产冻结

给安全理事会的建议

- 建议 6. 要求会员国报告存在于其领土上的被盗利比亚资产，然后再将之返还利比亚政府，并说明资产是否与列入名单的个人和实体有任何可能的关系。[第 282 段]

给委员会的建议

- 建议 7. 将别名“利比亚国外投资公司(LFIC)”从制裁名单上利比亚投资管理局(LYe.001)这一条目下删除；或者，制裁名单上利比亚投资管理局(LYe.001)这一条目下增列别名“利比亚国外投资公司(LAFICO)”。[第 238 段]

给利比亚的建议

- 建议 8. 向利比亚中央银行追回被盗资产股提供必要的准入及获取权、支助和资源。[第 275 段]

给会员国的建议

- 建议 9. 向利比亚中央银行追回被盗资产股提供必要的准入及获取权和支助。[见第 275 和 283 段]

制止企图从利比亚非法出口原油行为的措施

给安全理事会的建议

- 建议 10. 将第 2146(2014)号决议规定的措施扩延，使之包括企图非法出口在利比亚开采和提炼的石油衍生产品行为。[见第 249 段]
- 建议 11. 将第 2146(2014)号决议规定的措施扩延，使之包括企图非法出口利比亚之前进口的石油产品。[见第 240 段]

指认标准

给委员会的建议

- 建议 12. 考虑专家小组单独提供的关于符合安理会有关决议所述指认标准的个人的信息。
- 建议 13. 通过考虑根据利比亚制裁制度指认严重侵犯人权和违反国际人道主义法的人，促进利比亚消除当前的有罪不罚环境。[见第 88 段]

给利比亚的建议

- 建议 14. 审议专家小组前一份最后报告(见 S/2016/209，建议 18)提出的一个事项，也是委员会曾因之采取行动致函利比亚常驻联合国代表团的事项，事关利比亚中央银行、利比亚投资局和利比亚邮政、电信和信息技术公司。在这方面，关于国家石油公司，专家小组提出了下列可能的步骤，可促进国家金融财政机构的统一：国家石油公司的总部迅速迁至班加西；将东部国家石油公司前董事会成员纳入统一的管理结构；恢复中央银行东部分行对中央信息技术系统的使用权；根据《利比亚政治协议》关于上述机构的第 15 条的规定，在的黎波里启动谈判。[见第 193 段]

一般建议

给委员会的建议

- 建议 15. 修订委员会的准则，以反映利比亚制裁制度目前的状况。[见 155 段]

给会员国的建议

- 建议 16. 提请大会第五委员会注意，需要分配经费，使在制裁监测机构任职的专家能够在高风险国家旅行时获得补充医疗和后送保险(“战争保险”)。[见第 22 段]

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附件一

Abbreviations and acronyms

AAS	Ansar al-Sharia / Ansar al-Charia
ABAM	Al-Bunyan al-Marsous
AGOCO	Arabian Gulf Oil Company
APC	Armoured personnel carrier
AQIM	Al-Qaida in the Islamic Maghreb
ASB	Abu Salim Brigade
BDB	Benghazi Defence Brigades
BRSC	Benghazi Revolutionaries Shura Council
CBL	Central Bank of Libya
CID	Criminal Investigation Department
Committee	Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya
Council	United Nations Security Council
CRA	Civil Registration Authority
DCIM	Department to Counter Illegal Migration
EU	European Union
EUNAVFOR MED	European Union Naval Forces Mediterranean
EUR	Euro
FACT	Front pour l'Alternance et la Concorde au Tchad
FLIR	Forward Looking Infra Red
GNA	Government of National Accord
GTM	Gateway to Mena
HoR	House of Representatives
HSC	High State Council
ICRC	International Committee of the Red Cross
ISIL	Islamic State in Iraq and the Levant
LC	Letters of credit
LIA	Libyan Investment Authority
LIFG	Libyan Islamic Fighting Group
LISCO	Libyan Iron and Steel Company
LNA	Libyan National Army
LPA	Libyan Political Agreement
LPTIC	Libya's Post, Telecommunication and Information Technology Company
LYD	Libyan dinar
MANPADS	Man Portable Air Defence System
MGDB	Military Governor of the Derna-Ben Jawad Region
MoU	Memorandum of Understanding
MSF	Médecins sans frontières
MSPV	Minerva Special Purpose Vehicles
NGO	Non-governmental organization

NMF	National Mobile Forces
NOC	National Oil Corporation
NSG	National Salvation Government
Panel	Panel of Experts
PC	Presidency Council
PFG	Petroleum Facilities Guard
RSF	(Sudanese) Rapid Support Forces
SALW	Small Arms and Light Weapons
SDF	Special Deterrence Force
SLA/MM	Sudan Liberation Army/Minni Minawi
SRSF	Special Representative of the Secretary-General
StAR	Stolen assets recovery
TAC	Tripoli Administrative Court
TRB	Tripoli Revolutionaries Brigade
TSC	Temporary Security Committee
UN	United Nations
UNICRI	United Nations Interregional Crime and Justice Research Institute
UNMAS	United Nations Mine Action Service
UNODC	United Nations Office on Drugs and Crime
UNSMIL	United Nations Support Mission in Libya
USD	United States Dollar
VBIED	Vehicle-borne improvised explosive device

附件二

Overview of the evolution of the Libyan sanctions regime

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

8. By resolution 2146 (2014), the Council decided to impose measures, on vessels to be designated by the Committee, in relation to attempts to illicitly export crude oil from Libya and authorized Member States to undertake inspections of such designated vessels.
9. By resolution 2174 (2014), the Council introduced additional designation criteria and requested the Panel to provide information on individuals or entities engaging or providing support for acts that threaten the peace, stability or security of Libya or obstructing the completion of the political transition. The resolution strengthened the arms embargo, by requiring prior approval of the Committee for the supply, sale or transfer of arms and related materiel, including related ammunition and spare parts, to Libya intended for security or disarmament assistance to the Libyan government, with the exception of non-lethal military equipment intended solely for the Libyan government. The Council also renewed its call upon Member States to undertake inspections related to the arms embargo, and required them to report on such inspections.
10. By resolution 2213 (2015), the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil from Libya until 31 March 2016. The resolution further elaborated the designation criteria listed in resolution 2174 (2014).
11. By resolution 2214 (2015), the Council called on the 1970 Committee on Libya to consider expeditiously arms embargo exemption requests by the Libyan government for the use by its official armed forces to combat specific terrorist groups named in that resolution.
12. By resolution 2259 (2015), the Council confirmed that individuals and entities providing support for acts that threaten the peace, stability or security of Libya or that obstruct or undermine the successful completion of the political transition must be held accountable, and recalled the travel ban and assets freeze in this regard.
13. By resolution 2278 (2016) the Council extended the authorizations and measures in relation to attempts to illicitly export crude oil, while calling on the Libyan Government of National Accord (GNA) to improve oversight and control over its oil sector, financial institutions and security forces.
14. On 27 April 2016, the Committee designated a vessel illicitly exporting crude oil. The designation was lifted on 12 May 2016.
15. 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.
16. To date the Committee has published four implementation assistance notices which are available on the Committee's website.⁸⁹

⁸⁹ Available under <http://www.un.org/sc/committees/1970/notices.shtml>.

附件三

Mandate and appointment

1. By resolution 2278 (2016), the Council extended the mandate of the Panel of Experts established pursuant to resolution 1973 (2011) for a period of 15 months, to carry out the following tasks: to assist the Committee in carrying out its mandate as specified in paragraph 24 of resolution 1970 (2011); to gather, examine and analyse information from States, relevant United Nations bodies, regional organizations and other interested parties regarding the implementation of the measures decided upon in resolution 1970 (2011), 1973 (2011) and modified in resolutions 2009 (2011), 2040 (2012), 2095 (2013), 2144 (2014), 2146 (2014), 2174 (2014) and 2213 (2015) in particular incidents of non-compliance; to make recommendations on actions that the Council, the Committee, the Libyan government or other States may consider to improve implementation of the relevant measures; and to provide to the Council an interim report on its work no later than 180 days after its appointment and a final report no later than 15 June 2017 with its findings and recommendations.
2. In resolution 2095 (2013) the Council also encouraged the Panel, while mindful of the responsibility of the United Nations Support Mission in Libya (UNSMIL), to assist the Libyan authorities to counter illicit proliferation of all arms and related materiel of all types, in particular heavy and light weapons, small arms and man-portable surface-to-air missiles (MANPADS), and to secure and manage Libya's borders, to continue to expedite its investigations regarding sanctions non-compliance, including illicit transfers of arms and related materiel to and from Libya, and the assets of individuals subject to the assets freeze established in resolutions 1970 (2011) and 1973 (2011) and modified in resolution 2009 (2011), 2040 (2012) and 2095 (2013) and encouraged UNSMIL and the Libyan government to support Panel investigatory work inside Libya, including by sharing information, facilitating transport and granting access to weapons storage facilities, as appropriate.
3. In resolution 2146 (2014), the Council expanded the Panel's mandate to the measures imposed by that resolution and directed the Panel to monitor the implementation of these measures.
4. In resolution 2174 (2014) the Council requested the Panel to provide information on individuals and entities who meet additional designation criteria related to acts that threaten the peace, stability or security of Libya, or obstruct or undermine the successful completion of its political transition.
5. Following the adoption of resolution 2278 (2016), five of the Panel's experts were appointed on 12 May 2016 and the sixth on 31 May 2016.

附件四

Institutions/individuals consulted**List of institutions/individuals consulted**

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

Austria	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice
Belgium	
<i>Embassies</i>	Libya
<i>Organisations</i>	EEAS
Chad	
<i>Embassies</i>	France, Italy, USA, Libya
<i>Organizations</i>	Operation Barkhane, Intelligence Fusion Cell
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence, Ministry of Interior
Egypt	
<i>Government</i>	Ministry of Foreign Affairs
<i>Organizations</i>	Justice First Foundation
France	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence
Germany	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence, Ministry of Interior
<i>Organizations</i>	US AFRICOM
Italy	
<i>Organizations</i>	EUNAVFOR, Combined Fusion Cell on Libya, San Egidio Community
Libya	
<i>Government</i>	Presidency Council, House of Representatives, Temporary Security Committee, Operation Room Sirte-Misrata, Misrata Military Council, Misrata Municipal Council
Malta	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Justice
Niger	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of the Interior, Ministry of Defence
Qatar	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence
Sudan	
<i>Government</i>	Ministry of Foreign Affairs, National Intelligence and Security Service
Sweden	
<i>Government</i>	Ministry of Foreign Affairs
Switzerland	
<i>Organizations</i>	Small Arms Survey
Tunisia	

<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence
<i>Organizations</i>	UNSMIL, UNMAS, International Crisis Group, Libya Institute for Advanced Studies
<i>Embassies</i>	France, Spain, UK
Turkey	
<i>Government</i>	Ministry of Foreign Affairs
United Arab Emirates	
<i>Government</i>	Ministry of Foreign Affairs
United Kingdom	
<i>Government</i>	Foreign & Commonwealth Office, Home Office, Ministry of Defence, Department for International Development
USA	
<i>Government</i>	State Department, Department of Justice, Department of the Treasury
<i>Organizations</i>	UNIDIR

附件五

Outgoing correspondence

Panel official outgoing correspondence to Member States since the drafting of submission of its last final report (S/2016/209)

OC no.	Addressee	About	Date
2213 mandate			
18	United Arab Emirates	Assets Freeze	12-Feb-16
19	Tunisia	Assets Freeze	12-Feb-16
20	Malta	Oil measures, Designation Criteria, Arms Embargo	12-Feb-16
21	Security Council	Final report	4-Mar-16
22	CBL	Assets Freeze	23-Mar-16
23	Lebanon	Travel Ban	29-Mar-16
2278 mandate			
24	Individual; cc: Committee Chair	Individual's reply to Panel's investigations	31-Mar-16
25	Committee Chair	Info about Vessel Distya Ameya	22-Apr-16
26	Committee Chair	Vessel Distya Ameya update	26-Apr-16
27	Lebanon	Travel Ban	27-Apr-16
28	Committee Chair	Arms Embargo	28-Apr-16
29	Egypt	Visit	23-May-16
30	Libya	Visit and visas	27-May-16
31	Libya	Visit	3-Jun-16
32	Libya	Visa	15-Jun-16
33	Morocco	Visit	17-Jun-16
34	Chad	Arms Embargo queries and visit	17-Jun-16
35	Sudan	Arms Embargo queries and visit	17-Jun-16
36	Greece	Designation Criteria	17-Jun-16
37	Committee Chair	FTF report inputs res. 2292	7-Jul-16
38	Libya	Arms Embargo, Visit	8-Jul-16
39	Spain	Arms Embargo	8-Jul-16
40	Algeria	Arms Embargo queries and visit	13-Jul-16
41	Committee Chair	Technical updates to IAN 3	13-Jul-16
42	Chad	Visit and visas	15-Jul-16
43	Lebanon	Visit	15-Jul-16
44	Chad	Visit	28-Jul-16
45	Ghana	Assets Freeze	3-Aug-16
46	United Arab Emirates	Arms Embargo queries and visit	4-Aug-16
47	Libya	Arms Embargo	4-Aug-16
48	Tunisia	Oil measures, Designation Criteria	5-Aug-16
49	Germany	Arms Embargo	9-Aug-16
50	Libya	Arms Embargo	9-Aug-16
51	US	Arms Embargo	9-Aug-16
52	US	Arms Embargo	9-Aug-16

OC no.	Addressee	About	Date
53	UK	Arms Embargo	9-Aug-16
54	France	Arms Embargo	9-Aug-16
55	Jordan	Arms Embargo	12-Aug-16
56	United Arab Emirates	Visit	16-Aug-16
57	Syria	Travel Ban	1-Sep-16
58	Jordan	Travel Ban	1-Sep-16
59	Oman	Travel Ban	1-Sep-16
60	Saudi Arabia	Arms Embargo	16-Sep-16
61	Tunisia	Visit	16-Sep-16
62	Malta	Assets Freeze	21-Sep-16
63	Libya	Assets Freeze	27-Sep-16
64	SC President	Interim report	28-Sep-16
65	Caracal International LLC	Arms Embargo	3-Oct-2016
66	Committee Chair	Arms Embargo	3-Oct-2016
67	Czech Republic	Arms Embargo	4-Oct-2016
68	Egypt	Visit	4-Oct-2016
69	Niger	Visit	4-Oct-2016
70	Chad	Visit	4-Oct-2016
71	Ecuador	Arms Embargo	12-Oct-2016
72	United States	Arms Embargo	14-Oct-2016
73	Germany	Visit	14-Oct-2016
74	Spain	Arms Embargo	14-Oct-2016
75	Sudan	Arms Embargo	18-Oct-2016
76	Committee Chair	Recommendation 8	26-Oct-2016
77	Committee Chair	Input on request for guidance on Arms Embargo	31-Oct-2016
78	United States	Arms Embargo	7-Nov-2016
79	Malta	Assets Freeze	7-Nov-2016
80	Committee Chair	2146 focal point letter	8-Nov-2016
81	Committee Chair	Input on an assets freeze exemption request	9-Nov-2016
82	Turkey	Visit	16-Nov-2016
83	Qatar	Visit	16-Nov-2016
84	Tunisia	Visit	30-Nov-2016
85	Committee Chair	IAN 4 update	1-Dec-2016
86	Egypt	Visit	2-Dec-2016
87	Mr. Erik Goaid	Assets Freeze	2-Dec-2016
88	Sam Serj	Assets Freeze	2-Dec-2016
89	Niger	Visit	8-Dec-2016
90	Libya	Renewal of visas	15-Dec-2016
91	Chad	Visit	22-Dec-2016
92	Committee Chair	Input on an assets freeze exemption request	19-Dec-2016
93	Russian Federation	Arms Embargo	21-Dec-2016
94	Moldova	Arms Embargo	22-Dec-2016
95	United Kingdom	Assets Freeze	29-Dec-2016
2017			
1	Sudan	Visit	4-Jan-2017
2	Latvia	Arms Embargo	6-Jan-2017
3	United Kingdom	Arms Embargo	6-Jan-2017
4	Tunisia	Visit	9-Jan-2017

OC no.	Addressee	About	Date
5	Russian Federation	Visit	12-Jan-2017
6	Turkey	Visit	20-Jan-2017
7	Qatar	Visit	30-Jan-2017
8	Sudan	Visit	1-Feb-2017
9	Ghana	Assets Freeze	1-Feb-2017
10	Egypt	Visit	2-Feb-2017
11	Kenya	Assets Freeze	2-Feb-2017
12	Italy	Arms Embargo	3-Feb-2017
13	Italy	Arms Embargo	3-Feb-2017
14	United States	Visit	3-Feb-2017
15	Qatar	Visit	8-Feb-2017
16	Tunisia	Visit	10-Feb-2017
17	Montenegro	Arms Embargo	10-Feb-2017
18	Sweden	Arms Embargo	10-Feb-2017
19	Turkey	Arms Embargo	10-Feb-2017
20	United States	Arms Embargo	10-Feb-2017
21	Brazil	Arms Embargo	10-Feb-2017
22	Burkina Faso	Assets Freeze	17-Feb-2017
23	Ecuador	Arms Embargo	17-Feb-2017
24	France	Assets Freeze	17-Feb-2017
25	Qatar	Arms Embargo	20-Feb-2017
26	EUNAVFOR	Arms Embargo	20-Feb-2017
27	Greece	Arms Embargo	22-Feb-2017
28	Marshall Islands	Arms Embargo	22-Feb-2017
29	Egypt	Arms Embargo	23-Feb-2017
30	United Arab Emirates	Arms Embargo	23-Feb-2017
31	South Africa	Assets Freeze	27-Feb-2017
32	Committee Chair	Vessel Sicheem S. Oil	28-Feb-2017
33	France	Arms Embargo	2-Mar-2017
34	Italy	Arms Embargo	28-Mar-2017
35	China	Arms Embargo	15-Mar-2017
36	Austria	Arms Embargo	21-Mar-2017
37	Tunisia	Visit	21-Mar-2017
38	Russian Federation	Arms Embargo	24-Mar-2017
39	France	Arms Embargo	24-Mar-2017
40	Committee Chair	Vessels update	3-Apr-2017
41	Bulgaria	Arms Embargo	3-Apr-2017
42	China	Arms Embargo	6-Apr-2017
43	France	Arms Embargo	6-Apr-2017
44	Italy	Assets Freeze	7-Apr-2017
45	Greece	Arms Embargo	7-Apr-2017
46	Tunisia	Assets Freeze	7-Apr-2017

附件六

Table showing level of responsiveness by Member States or Organizations to requests for information and/or visit from the Panel sent from 25 January 2016 until 7 April 2017

Member State or Organization	Number of letters sent	Requested info fully supplied	Info partially supplied	No answer / information not supplied	Request for visit
Algeria	1			1	Pending
Austria	1	1			N/A
Brazil	1			1	N/A
Bulgaria	1			1 (recent letter)	N/A
Burkina Faso	1	1			N/A
Chad	4	4			Granted
China	2			2 (1 recent letter)	N/A
Czech Republic	1	1			N/A
Ecuador	2		1	1	N/A
Egypt	4	3	1		Granted
France	5	1	1	3	N/A
Germany	2	1	1		Granted
Ghana	2			2	N/A
Greece	3	3			N/A
Italy	4	2	2		N/A
Jordan	2	1	1		N/A
Kenya	1			1	N/A
Latvia	1	1			N/A
Lebanon	2		2		N/A
Libya	8	3		5	Granted
Malta	3	3			Granted
Marshall Islands	1			1	N/A
Moldova	1	1			N/A
Montenegro	1	1			N/A
Niger	2	2			Granted
Oman	1	1			N/A
Qatar	4	3		1	Granted
Russian Federation	3	2		1 (recent letter)	N/A
Saudi Arabia	1	1			N/A
South Africa	1			1	N/A
Spain	2	2			N/A

Sudan	4	4			Granted
Sweden	1			1	N/A
Syria	1			1	N/A
Tunisia	9	7	1	1	Granted
Turkey	3	3			Granted
United Arab Emirates	3	2		1	Granted
United Kingdom	3		1	2	N/A
United States	4	1	1	2	N/A

附件七

Umar al-Aswad criticizing the PC and the CBL

1. For the LPA's first anniversary, Umar al-Aswad, a boycotting member of the Presidency Council, drafted an open letter in which he asserts that the PC is weak and paralysed. He points out a lack of transparency within the Libyan executive bodies and the financial institutions.
2. In addition, al-Aswad threatens to sue the Governor of the CBL in Tripoli, Sadiq al-Kebir, because of his alleged use of frozen assets from the Libyan Investment Authority. He also calls on the President of the Audit Bureau to issue an order to stop the members of the GNA from using public funds as they have not been endorsed by the HoR.

المجلس الرئاسي



دولة ليبيا

2016 / 12 / 18

خطاب مفتوح

الى السادة : الجهات الداخلية والخارجية الميمنة في هذا الخطاب .

بات من اللازم و الضروري أمام تصاعد حمى العيث بمستقبل ليبيا و المسماس بكيانها ومستقبلها، وأمام هذا الكم الهائل من الظلم والظلال و الجهالات ، مساساً بسيادة ليبيا وتصرفاً عشوائياً بأموالها الثابتة والمنقولة تصرفاً معيباً وباطلاً ومشبوهاً في أن ، بات لزاماً أن أتوجه بها الخطاب المفتوح إلى جهات داخل ليبيا و أخرى خارجها لكي يتيقن في حقها تماماً عنصري العلم و الإرادة وهي تقوم بهذه التصرفات ، و أنها إنما تقوم بها عن سابق تصور وتصميم ، تحقيقاً لمصالحها الخاصة و استغلالاً لوظيفتها بالنسبة للجهات في الداخل ، وبالنسبة للجهات في الخارج إنما تعمل لصالح شركاتها ومؤسساتها ، ضاربين جميعاً بعرض الحائط سيادة ليبيا على أموالها وحق الشعب الليبي في صون أمواله و مندراته من الأموال المجددة بموجب قرارات مجلس الأمن ذات العلاقة التي اتخذت في العام 2011 ، وواقع الحال أن الشعب الليبي أحوج اليوم قبل أى وقت مضى لاستمرار الإبقاء على تجميدها حيث الأوضاع الداخلية ليست بخافية على أحد متدهورة للغاية.

وإنما ننقل هذا بكل وضوح إلى هذه الجهات التي سيرد ذكرها ، حتى نؤسس لمقاضاتها بأفضل بناء قانوني ، إن لزم الأمر .

أولاً : الجهات الداخلية :

1- السادة الزملاء رئيس و أعضاء المجلس الرئاسي .

القرارات التي تصدرونها تأتي بالمخالفة للاتفاق السياسي وبنوده ، وبالتالي فجميع قراراتكم باطلّة . وجود أعضاء خارج المجلس الرئاسي لم يوقعوا على هذه القرارات ، هو فيتو على هذه القرارات يبطلها ، حكومتكم غير شرعية لم توقع عليها ، لأنها تمت بالمخالفة للاتفاق السياسي م1 ف2 ، من ان يتم اختيار مجلس الوزراء على أساس الكفاءة ومبدأ تكافؤ الفرص ، و الجميع يعلم كيف تم اختيار الحكومة عندما أوضحنا ذلك للشعب الليبي تحت قبة البرلمان بحضوركم وبأدلة لا تقبل اثبات العكس ، لا يصحح وضع الحكومة قانوناً إضافة كلمة المفوض على الإطلاق ، وضعها منعدم وقراراتها معدومة قانوناً بلا أدنى شك ، دليل ذلك إلغاء قرارات صدرت عنكم بأحكام من القضاء وأول العيث قطرة . الحكومة لم تعتمد من مجلس النواب ولم تؤدى اليمين القانونية ، وبالتالي لا شرعية لها وهذا الأمر من البيدييات .

اللجنة المالية أيضا غير قانونية بالمطلق ، وقد صدر حكم قضائي أيضا بعدم شرعيتها ، وكل مشارك في هذه الأفعال سيكون مسؤول أمام القانون . الهروب الى الأمام لا يفيد في شيء ،



أن تعيشوا وهم الشرعية الخارجية لا يفيد ، إنما الشرعية تأتي من الداخل . ألم تسألوا أنفسكم ماذا قدم المجلس الرئاسي للشعب الليبي طوال عام كامل ؟ وماذا قدمت هذه الحكومة المفوضة - على حد تعبيركم - ، و الحديث يطول في هذا المجال فلا تضيعوا البلد وتضيعوا أنفسكم .

لقد عقدنا اجتماعا على هامش اجتماع لجنة الحوار يوم 2016/9/6 بتونس ، بعد رفض مجلس النواب الحكومة في جلسته يوم 2016/8/22 ولم يستمر سوا ساعتين ، ولم تعقد اجتماعا إلا بعد 31 يوما استغرقت في السفر خارج ليبيا أي في يوم 2016/10/7 ، اتفقتنا فيه على أن تعرض القرارات المتخذة للإطلاع عليها ، كما طلبنا الإطلاع على المصروفات المالية للمجلس ، وعلى أن أستطلع كل من مدينتي جادو وغدامس ليختار المجلس المدينة الأنسب لاحتضان مشاورات تشكيل الحكومة الثالثة ونفذت ما طلب مني ، إلا أن القرارات و المصروفات لم تعرض علينا حتى يومنا هذا .

يبدو أنكم استحسنتم هذا الوضع لكن نتائجه القانونية بالتأكيد ستكون وخيمة عليكم عاجلاً أم أجلاً سنتعاقب ليبيا بأذن الله وميسال كل شخص عن أفعاله.

2- السادة الذين يتصرفون باسم وزراء كل فيما يخصه ، إنما يقوم بذلك انتحالاً للشخصية دون سند من القانون (أي دون اعتماد من مجلس النواب ، ودون حلف اليمين) الأمر الذي يجعل من تصرفاتكم معدومة فضلاً عن التهم الجنائية المترتبة على الأفعال المسندة إليكم .

3- السادة رئيس و أعضاء المجلس الأعلى للقضاء سند العدالة وجورها (إن التأخير في الفصل في القضايا التي تتعلق بمصير الأمة وثرواتها لا يُرضى الله إذا تأخر لحين فوات الأوان ، وقد اتفق شراح القانون على أن العدل البطيء هو نوع من الظلم ، مع تقديرنا الكامل لجهازنا القضائي .

4- السيد محافظ مصرف ليبيا المركزي بحكم عملك ومركزك القانوني وتاريخك الوظيفي ، أنت أول من يعلم ماهو صندوق الاستثمار الليبي ، وماهي الأموال المجمدة ، وأن سماحك باستخدامها أو الوصول إليها أمر بالغ الخطورة ومسئول عنه لا محاله عاجلاً أم أجلاً ، ولن ينفعك أحد إذا تهاونت وفي التاريخ الحديث عبرة لمن يعتبر ، فقد سبق الى المحكمة رؤساء دول و أركان حكم ، وهذا الأمر بلا شك ينطبق على الجميع .

5- السيد رئيس ديوان المحاسبة : تحمل مسئوليتك القانونية و الرقابية فيما يخص المساس بالأموال المجمدة وصندوق الاستثمار، ولن يغفر التاريخ ولا القانون لك أو لغيرك من الجهات ذات العلاقة السكوت عن هذا الخطر الماحق . لا تسمح لحكومة لم تنل ثقة السلطة التشريعية وهو البرلمان ولم تودى القسم أن تتصرف في أي مبلغ كان ، إن الصرف يجب أن يكون من خلال ميزانية معتمدة و الصرف من خارج الميزانية أمر مجرم ، سيكون المانح و المتلقي كلاهما



مسئول عن هذا الفعل ، وكذلك من يقف متفرجاً متى كان واقع على كاهله رفض ومنع هذه التجاوزات .

لا ينكر أحد أنك أصدرت تقارير ومراسلات تتعلق ببعض الموضوعات و التجاوزات المالية وهو أمر جيد ، لكنني أصارحك بأنه ألمني كثيراً أن أراك تجلس خارج ليبيا تناقش أموراً المالية و السيادية ومصروفاتها و أموالاً تمثل جزءاً من ميزانيتها و أنت رئيساً لجهاز رقابي في سابقة هي الأولى عبر التاريخ القديم و الحديث. لكن موقفك الذي يجب أن يكون في موضوع الأموال المجددة و التهافت في السيطرة على صندوق الاستثمار أمر ملح وحيوي و هام ، فأنت عين الرقابة و أدائها.

6- السيد النائب العام : أنتم ممثل الدعوى العمومية في المجتمع و النائب عنه في مباشرة الدعوى بحسب القانون ، اضطلوعوا بدوركم في حماية الشعب الليبي من الأفعال التي تهدد مصالحه القومية و الاقتصادية لأن المساس بها تهديد لأمنه القومي . الصندوق السيادي الليبي رابع أكبر صندوق استثماري في العالم ، رصيد الأجيال القادمة ، لا تسمحوا لأحد أن يتلاعب به و اللاعيون أكثر . لا تتفرجوا على جرائم مالية ترتكب ، افتحوا تحقيقات موسعة و استفاجنون و تصدمون بما يجري .

7- السادة الموظفون السامون العاملون بصندوق الاستثمار و محفظة ليبيا و شركات الاستثمار الداخلية و الخارجية و المصارف الداخلية و الخارجية التي لديها أموال ليبية بجميع مسمياتها و دائع أو أسهم أو سندات أو قروض دائنة . تحسسوا مواقعكم و مراكزكم القانونية ، فإن أي مساس بالأموال أو ما شابهها من أموال ليبيا و الليبيين ستسألون عنها ولن تمر دون عقاب . ولن ينفع أحد منكم من يستقوى بالخارج ، اعلموا أن ليس هناك دولة واحدة تضحي بمصالحها مع دولة أخرى من أجل شخص باع وطنه و شعبه و ضميره و ساهم في خراب اقتصاد بلده ، فلا احترام لمن باعوا مصالح أو وطنهم بأي ثمن .

ثانياً: الجهات الخارجية :

- السيد معالي الأمين العام للأمم المتحدة .
- السيد الممثل الخاص للأمين العام للأمم المتحدة رئيس بعثة الدعم في ليبيا .
- السادة سفراء الدول دائمة العضوية في مجلس الأمن .
- السيد معالي الأمين العام في الجامعة العربية .
- السيد معالي الأمين العام للاتحاد الأفريقي .
- السيدة ممثل الإدعاء بمحكمة الجنايات الدولية .
- السادة لجنة العقوبات .
- السادة سفراء الإتحاد الأوربي .

附件八

Abdullah al-Thinni accuses the PC of being protected by Italian Special Forces deployed in Libya and handing the country to foreign powers (10 January 2017)

ديوان رئاسة الوزراء



الحكومة الليبية المؤقتة

بيان الحكومة الليبية المؤقتة رقم (2) لسنة 2017 بشأن تواجد القوات الإيطالية فوق الأراضي الليبية

تمر ليبيا هذه الفترة الزمنية من تاريخها بمرحلة حلكة السواد في ظل هذا الانقسام السياسي الحاد وتدخل الغرباء وتربص الأعداء وخيانة من أرضعتهم من ثديها وأعتبرتهم أبناء حيث الوضع الأنساني الذي أقل ما يوصف بأنه مأساوي والأنفلات الأمني وانتشار السلاح والوضع الصحي المنهار مع نقص السيولة الذي يوشك أن يوقع الجميع في كارثة لا تبقي ولا تدر وذلك كله بفعل أهواء ومصالح ثلة من الذين يعتقدون بأنهم يمثلون الشعب الليبي وحريصون على مصلحة ليبيا وكرامتها وبعد أن تحولت ليبيا إلى مسرحاً للعبث السياسي وحلبة لتصارع القوى الكبرى التي لا يهملها سوى مصالحها رغم أذعائها المتكرر بأنها حريصة على وحدة التراب الليبي ولم شمل الليبيين بينما لم تتوقف حكومات تلك القوى على صب الزيت على النار وإذكاء الفتنة بين أبناء الشعب الليبي والعمل على إطالة أمد الأزمة بالرغم من مطالبة جموع الليبيين على ضرورة أن يكون الحل متمثلاً في حواراً وطنياً وليس سياسياً ومصالحية مجتمعية وفي الوقت الذي يخوض فيه الجيش الليبي رغم قلة العدد والعتاد حرباً ضروساً ومقدسة على الإرهاب ومحاولة البرلمان الدبلوماسية في إقناع الأطراف الدولية على تبني طرح حل الحوار الليبي الليبي والمجهودات التي تبذلها الحكومة المؤقتة على الرغم من عدم وجود موارد تغطي المشاريع الخدمية المزمع تنفيذها لصالح المواطن نتفاجأ بنزول وحدات من القوات الإيطالية بالعاصمة طرابلس وبمعلومات أخرى تشير إلى وجود أكثر من ألف جندي أمريكي دخلوا خلصة وتمركزين بإحدى ضواحي العاصمة الأمر الذي يعكس عدم رغبة المجتمع الدولي في إيجاد تسوية للأزمة الليبية بل أصبح ماض وبشكل شبه مؤكد على أستنساخ التجربة العراقية في ليبيا وإدخال ليبيا والليبيين في جحيم لا يخفف من وطأته سوى عمل الشرفاء من الوطنيين ودعاء الصالحين وبناءً على ذلك.. فإن الحكومة الليبية المؤقتة تعتبر تلك الخطوة تدخلاً سافراً في الشأن الداخلي بل تعده احتلالاً صريحاً سوف يجابه بالرفض والمقاومة من كافة الليبيين أبناء وأحفاد المجاهدين في حقبة إيطاليا الفاشية.

ديوان رئاسة الوزراء



الحكومة الليبية المؤقتة

وتدعو الحكومة الليبية المؤقتة الإيطالية إلى احترام المعاهدات والمواثيق والقوانين الدولية وسيادة ليبيا العضو بالجامعة العربية والأمم المتحدة وتحمل الحكومة الليبية الإيطالية المسؤولية الكاملة جراء تواجد هذه القوات وما سوف ينجم عنه من ردود فعل شعبية يكون ضحيتها جنود شباب زج بهم في أتون حرب مع شعب ضاق الأمرين من إيطاليا وهزمها وسيهزمها بإذن الله لأنه يدافع عن شرفه وأرضه.



حفظ الله ليبيا وشعبها
الحكومة الليبية المؤقتة

صدر في البيضاء يوم الثلاثاء الثاني عشر من شهر ربيع الثاني 1438 هجرية الموافق 2017/01/10

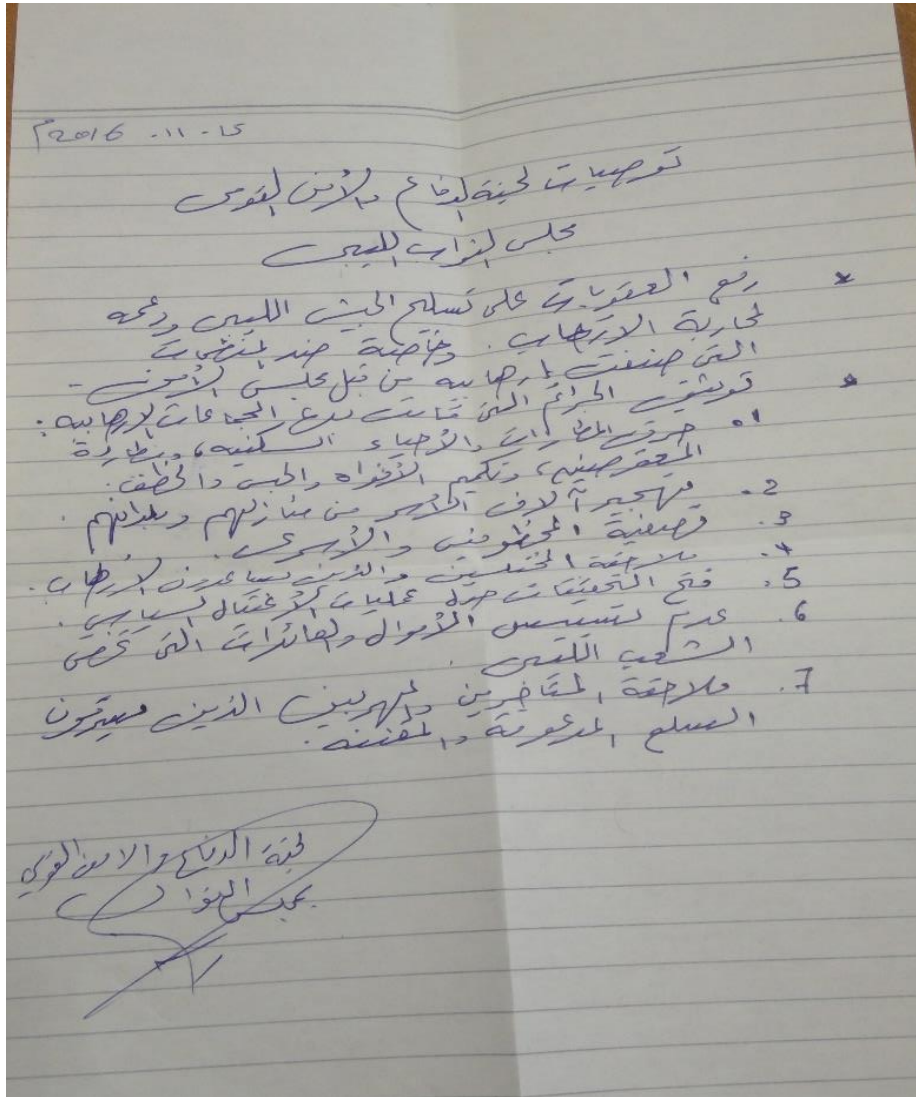
www.pm-ly.com +218 69 462 0602 +218 69 462 0601 البيضاء - المجمع الإداري

Source: Internet⁹⁰

⁹⁰ <https://www.facebook.com/GovernmentLY/photos/pcb.239021459870658/239021413203996/?type=3&theater>

附件九

Handwritten and signed letter from the HoR's Defence and Security Committee to the Panel, 15 November 2016



Source: House of Representatives, Defence and Security Committee

Unofficial Translation:

15/11/2016

Recommendations from the
Defence and Security Committee of the HoR

*To lift the embargo imposed on the Libyan National Army. To support the LNA's struggle against terrorism especially against groups classified as terrorist by the Security Council;

* To document the crimes committed by terrorist groups such as:

1/ Burning airports and built-up areas. Persecuting political opponents (detention, kidnappings);

2/Displacing thousands of families from their homes;

3/ Executing kidnapped people and prisoners;

4/ Bribing and supporting terrorist groups

5/ Political assassinations;

6/ Embezzlement of funds and income belonging to the Libyan people;

7/ Profiting from the trade in subsidized products.

Defence and Security Committee

附件十

Military Rule of the LNA

1. Security clearance documents are signed and delivered by the General Investigations Apparatus (referred to as the Internal Security – *al Amn al Dakhili*) in eastern Libya. The process of obtaining such clearance is imposed on all Libyans wanting to travel abroad through al-Labraq. The Internal Security - Benghazi was involved in several cases of torture, kidnapping and arbitrary detention.

Mandatory security clearance form delivered by the General Investigations Apparatus, delivered in Benghazi, on 26 March 2017



Source: Confidential

附件十一

List of Salafi Ulemas vetted by Usama al Utaibi in 2014 and authorized to teach Salafi-Madkhali creed in eastern Libya

Salem al Wissari (Abu al-Abbass)
Hamad ben Issa (Abu Ays)
Adel al Qwarsha (Abu Hamza)
Faraj al Maliki (Abu al Abbass)
Al Mabrouk al-Qadi (Abu Jaber)
Mas'oud al Nadhuri (Abu al Rabi)
Ezzeddine Mouhammad (Abu Munir)

Source: Internet⁹¹

⁹¹ <http://bayenahsalaf.com/vb/showthread.php?t=22097>.

附件十二

ISIL organization

1. The documents below have been found by the al-Bunyan al-Marsous (ABAM) Operation in the aftermath of their capture of Sirte in January 2017.
2. The first document shows an identity card. On the last line, as a part of ISIL's careful arms management, appears the fighter's weapon type and serial number.

Identity card of an ISIL foreign fighter

الكنية : طاهر الكنتوش	
العمر : 30	البلد الأصلي : غانا
المدينة : سرت	الولاية : طرابلس
الوظيفة : جندي	المركز : ديوان الجند
لون العينين : أسود	لون الوجه : أسود
فصيلة الدم : O+	لون الشعر : أسود
رقم السلاح : 5943	نوع السلاح : كلاشنكوف

Source: ABAM

Name: Tahar al-Kantush

Governorate: Tripoli

City: Sirte

Nationality: Ghana

Age: 30

Based: Soldiers Barracks

Position: soldier

Face color: black

Eyes color: black

Hair color: black

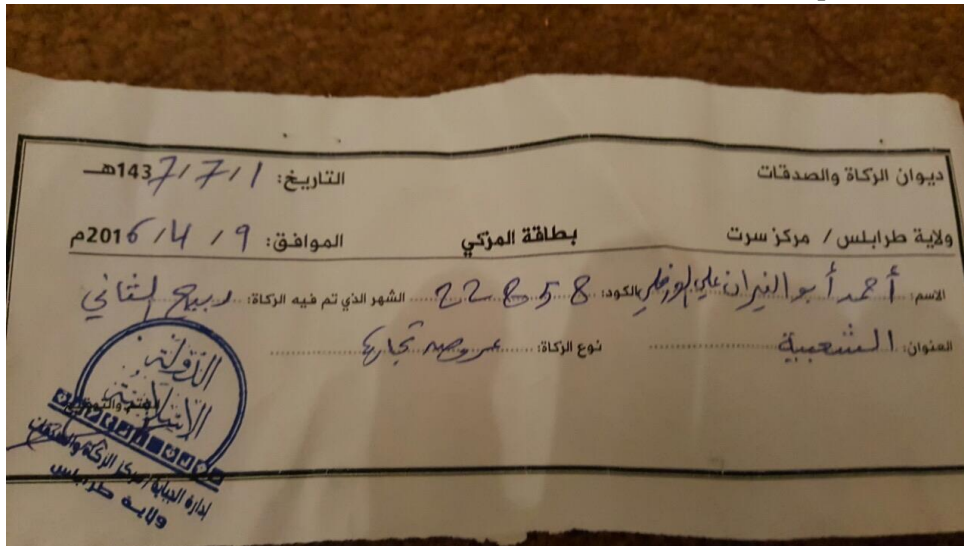
Blood group: O+

Weapon type: Kalashnikov

Serial number: 5943

3. The main source of financing for ISIL came from a system of taxation based on monthly ‘alms’ (religious contributions or *Zakat*) withheld from the soldiers’ salaries.

Voucher handed out to a soldier, Ahmed al-Niran Al-Warfalli, after he paid his monthly tax



Source: ABAM

附件十三

Brigade ABAM securing Sirte

Brigade Bunyan al-Marsous securing 20 bombs previously abandoned by ISIL



Source : Internet⁹²

⁹² <http://www.libya-al-mostakbal.org/88/15451/البنیان-المرصوص-البنیان-20-على-عثرنا-المرصوص-البنیان.html>

附件十四

Libyan Iron and Steel Company (LISCO) plant in Misrata (December 2016)

1. The plant is in close proximity of the company's port terminal. The imagery below shows a square "military zone", in which arms and ammunition are stored. It is also a gathering and starting point for the fighters joining armed groups in Benghazi.

Aerial view of the distance from the Military compound to the LISCO port



Imagery source: Digital Globe, TBC, 19 December 2016
Geospatial Information Section (formerly Cartographic Section)
Department of Field Support

Source: Google Earth, unknown date (left) and Digital Globe, World View 3, 19 December 2016 (right)

LISCO plant

Source: Google Earth

2. According to several contacts in Misrata, the LISCO plant is a key hub for the military support provided to the BRSC.
3. The same sources report that one of the BRSC supply routes from Misrata to Benghazi originates from the Hun arms storage (Juffra region). The ammunition is transported by land from Hun to the LISCO plant in Misrata. The equipment is then stored in containers in the LISCO military compound.
4. From there, arms and ammunition are loaded onto a trawler or a fishing vessel at the LISCO port terminal. The trawlers sail to Benghazi, remaining most of the time inside territorial waters. Sometimes, while underway, shipments are loaded on a Misrata coast guard speedboat to continue the journey to Benghazi. Lately, many such speedboats have been intercepted by LNA airstrikes. On their way back to Misrata, the speedboats transport injured fighters.

附件十五

List of armed groups that supported Khalifa al-Ghweil

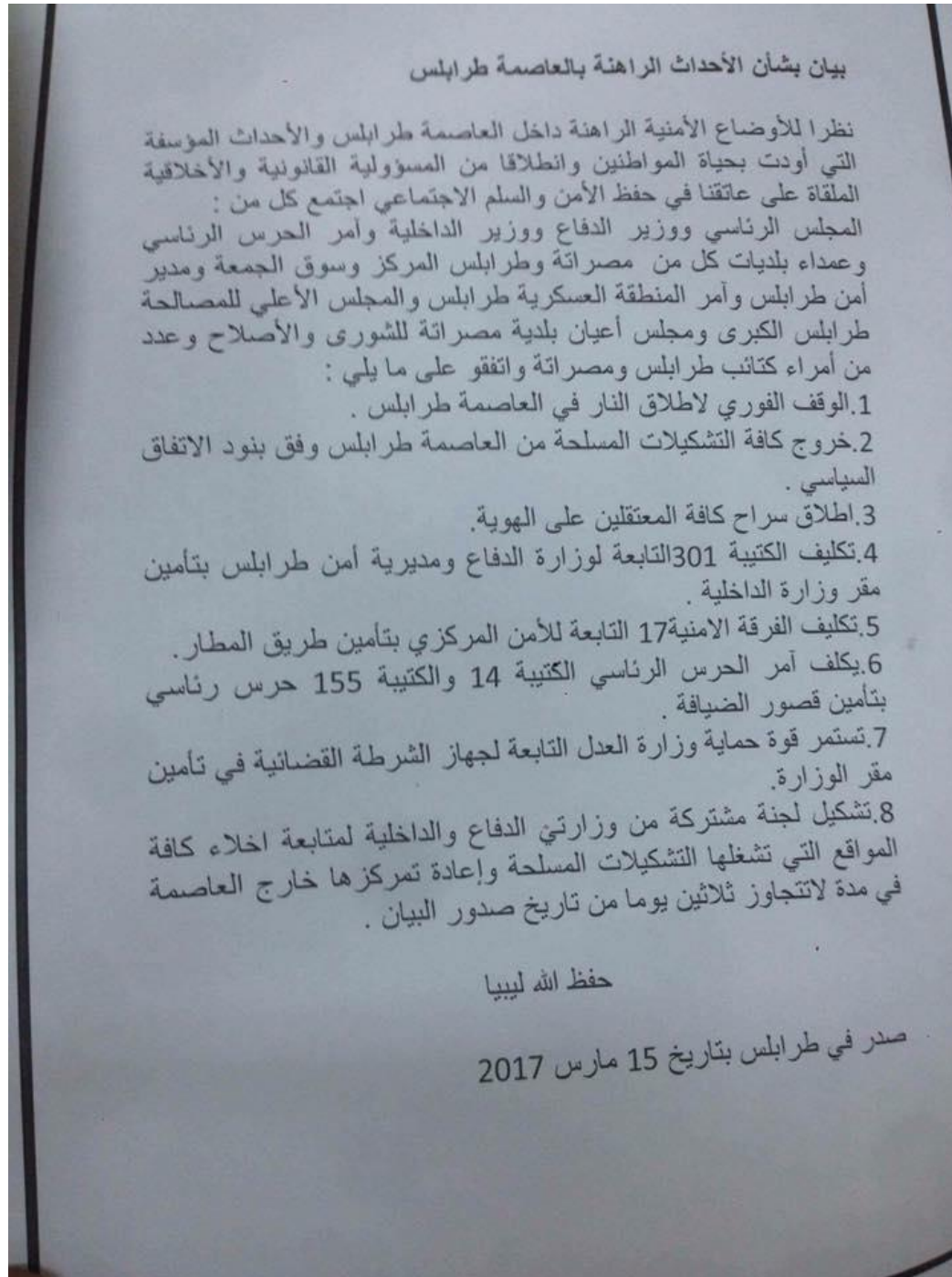
1. The National Guard (created in February 2017) is mostly composed of Misratan brigades. It also includes a number of Ex-LIFG and militant Islamist groups in Tripoli. Its composition seems to be different from the National Guard created in 2013, under the leadership of Khaled al-Sharif and deployed in al-Hadba. Either way, both groups support the NSG.

Armed Group	Location	Commander
Al-Ihsan Brigade (Ex-LIFG)	Ghabat al-Nasr	Tareq al-Gadban
Al-Marsa al-Kubra Brigade (Misrata)	Tripoli International Airport / Qasr Ben Ghashir	Salem al-Zufri
Mobile National Forces (Amazigh)	Janzur and Seraj (Previously Ghot al-Shaal and Seyahiya)	
Suhadaa Qaswara/ al-Haraka (Misrata)	Tripoli International Airport / Qasr Ben Ghashir	Salah Badi
Presidential Security (Misrata)	Tripoli International Airport/ (Previously al-Qusur)	Mohammad Salem Dimona
Usud al-Wadi (Misrata)		Hassan Said
Jamal al-Ghazawi Brigade	Old City Tripoli	
Salah al-Burki (Misrata)	Salaheddine (Previously Abu Selim)	
Brigade Bashir al-Baqra - (Islamist Militancy)	Tajura	Bashir al-Baqra
Abu Azam Brigade - 12 th Security Unit - (Islamist Militancy)	Al-Madina al-Riyadiya	Abdallah al-Buseyfi
Baeyo Brigade (Misrata)	Qasr Ben Ghashir	Mohammad Baeyo (alias Sherikhan)
Ahmad al-Khoja Brigade (Tripoli)	Tariq al-Seqa	Ahmad al-Khoja
National Guard (Ex-LIFG)	Al-Hadba	Khaled al-Sharif
Libya Revolutionaries Operation Room – 11 Cie (Zawiya)		Ahmad Ben Naji

Source: Panel interviews with various sources from Tripoli

附件十六

Tripoli agreement signed on 15 March 2017



Source: Social Media

附件十七

Links between armed groups, criminal groups and the Coast guard in Zawiya

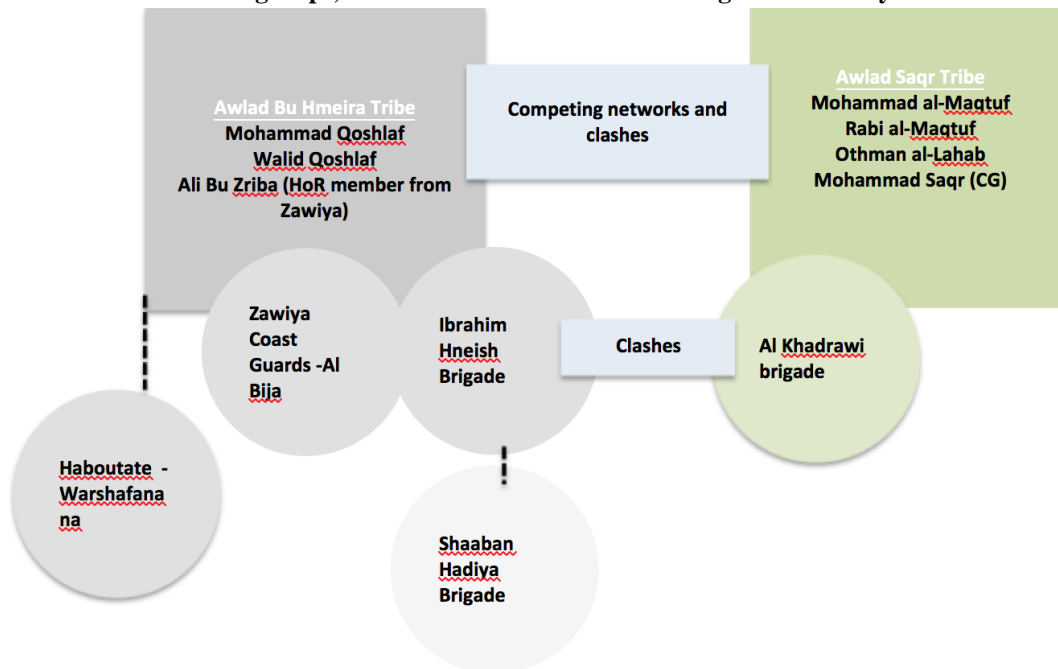
1. Sources provided the Panel with a detailed description of the modus operandi of smuggling networks in Zawiya.
2. Competition over the control of the fuel smuggling business in Zawiya has deepened historic tribal divisions between Awlad Bu Hmeira and Awlad Saqr in Zawiya. Since 2012, the Nasr Brigade, under the command of Mohammad Koshlaf from the Awlad Bu Hmeira tribe, has been in control of the Zawiya refinery. Koshlaf's monopoly over the refinery has since been disputed by Awlad Saqr and the allied armed groups of Othman al-Lahab and al-Khadrawi.
3. In late 2014, the expansion of the migrant smuggling and human trafficking business in Zawiya further increased the competition. The commander of the al-Nasr brigade opened a detention centre in Zawiya. The Panel received information that the detention centre, commanded by a former army Colonel, Fathi al-Far, is used to 'sell' migrants to other smugglers. Meanwhile, Koshlaf also became active in migrant smuggling.
4. Since 2014, Koshlaf's network gained influence over the coast guard operations in Zawiya, notably through the officer Abd al-Rahman Milad (also from the Awlad Bu Hmeira tribe). In 2015, The Zawiya coast guard's patrol boat (see photograph below), operated by Abd al-Rahman Milad (alias al-Bija), was involved in intercepting migrants and transferring them to the al-Nasr detention centre. An armed group from Awlad Saqr, also involved in the migrant smuggling business, attempted to take over control of the boat in March 2016.
5. Repeated violent clashes in Zawiya in 2016 and 2017, between armed groups controlled by Ibrahim Hneish and Mohammad Koshlaf on one side and al-Khadrawi and al-Lahab on the other, show how strong the competition over the criminal business is.
6. According to several sources, competing groups have regularly targeted migrants under the custody of their rivals, provoking death and injury of several migrants.
7. Shaaban Hadiya's armed group involvement in the smuggling business, if any, is unclear. However, a commander of Hadiya's group was seen by Panel's sources fighting alongside Ibrahim Hneish, which might indicate links between Shaaban Hadiya and the Koshlaf clan.
8. Koshlaf's al-Nasr brigade in Zawiya collaborates with the al-Haboutate brigade of Warshafana, in organizing the migrant smuggling. Reportedly, this has led to the opening of the coastal road between Zawiya and Tripoli over the last few weeks.

Coast guard's patrol boat in Zawiya. This is the only patrol boat of this size operating between Tripoli and the Tunisian border



Source: Confidential

Links between armed groups, criminal networks and the coast guard in Zawiya



Source: Panel of Experts interviews

附件十八

Communiqué by Municipality of Sabratha issued on 27 March

The Sabratha Municipal Council denounces fuel smuggling networks and fuel shortages caused by the smuggling. It also denounces the lack of means at its disposal to deal with these networks.





التاريخ: 27 / 3 / 2017م
 الموافق: / /

رقم إشاري: 4/ص/2017
 رقم الملف:

بيان المجلس البلدي صبراتة رقم (4) لسنة 2017م بشأن عمليات تهريب الوقود (البنزين والناظفة)

يعرب المجلس البلدي صبراتة عن استيائه الشديد من كثرة عمليات تهريب الوقود (البنزين والناظفة) وعبورها من بلدية صبراتة وانتشارها بشكل كبير خلال الفترة الأخيرة إلى أن أصبحت تجارة رانجة يمارسها تجار الأزمات والمهربين بشكل يومي .

وفي الوقت الذي أتخذ فيه المجلس كافة التدابير والاجراءات التي من شأنها مكافحة ومحاربة هذه الظاهرة في نطاق صلاحياته وبحسب الامكانيات المتاحة لديه إلا أنها لم تفي بالغرض ولم تساهم في إيقاف هذه الظاهرة التي أثقلت كاهل الاقتصاد الليبي وتسببت في نقص وانقطاع الوقود بأنواعه وغلاء سعره في بلدية صبراتة و تسببت أيضا في غلق أغلب محطات الوقود الرسمية في البلدية وكثيرة طوابير السيارات على المحطات التي تعمل بصورة متقطعة .

وفي ذات السياق فقد لوحظ ازدياد هذه العمليات في الأونة الأخيرة وخاصة في الفترة الليلية وفي الصباح الباكر وبحمائية من مجموعات مسلحة في ظل عجز الجهات الأمنية على مكافحتها ومحاسبة ومعاقبة المتورطين فيها .

و إذ نقدم هذا البيان لنعلم الجميع أسفين عن عجزنا وعدم قدرتنا على إيجاد حل لإيقاف عمليات تهريب الوقود خصوصا وأنها تمس قوت المواطن اليومي وما استطعنا علاجه من توفير أسطوانات الغاز وتوزيعها بشكل عادل بين المواطنين وغيرها من الخدمات الأخرى هو من صميم عملنا ولن نقصر في ما استطعنا عليه خدمة للمواطن .

وأخيرا ندعو كافة الجهات الأمنية في المدينة والمنطقة بشكل عام لوضع حل جذري لهذه الظاهرة ومعالجتها من مصدرها الرئيسي كما ندعو أولياء الأمور والفاعلين في المنطقة لمناصحة أبنائهم وحثهم على الابتعاد عن إهدار مقدرات البلد وسرقة أموال الليبيين .




218 233 62 2353
 218 233 62 2353

صبراتة - الطريق الساحلي الشرقي
 www.sabratha.gov.ly
 info@sabratha.gov.ly

Source: Social Media

附件十九

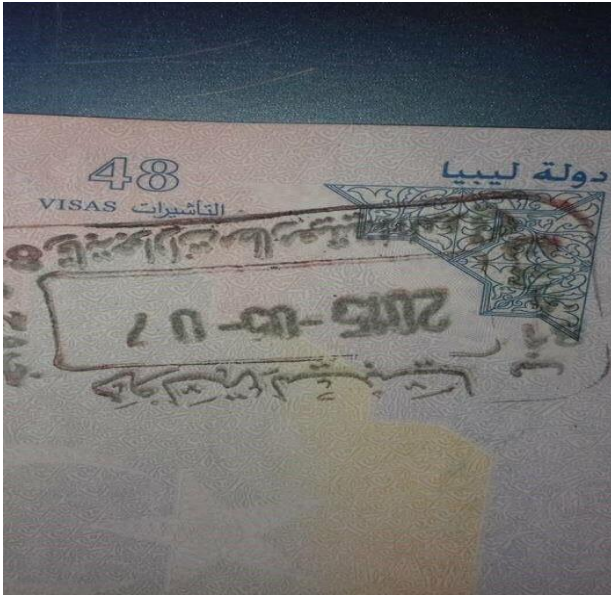
Illegally issued passports delivered in Misrata in May 2015

1. Civil Register Agency sources confirmed to the Panel that they do not have a Libyan national under the same name figuring in the passport below and born in Benghazi on 1 January 1987 in their register. They also confirmed that the passport was issued illegally in Misrata. The beneficiary of the passport (a Sudanese national) used this passport to travel to Turkey between May and September 2015. This is not an isolated incident. In January 2015, AAS Sirte had taken control of the Passport Administration in order to facilitate international travels of its foreign fighters. In Benghazi, AAS Benghazi had also taken control of the Passport Administration before they lost it to the LNA in 2015.

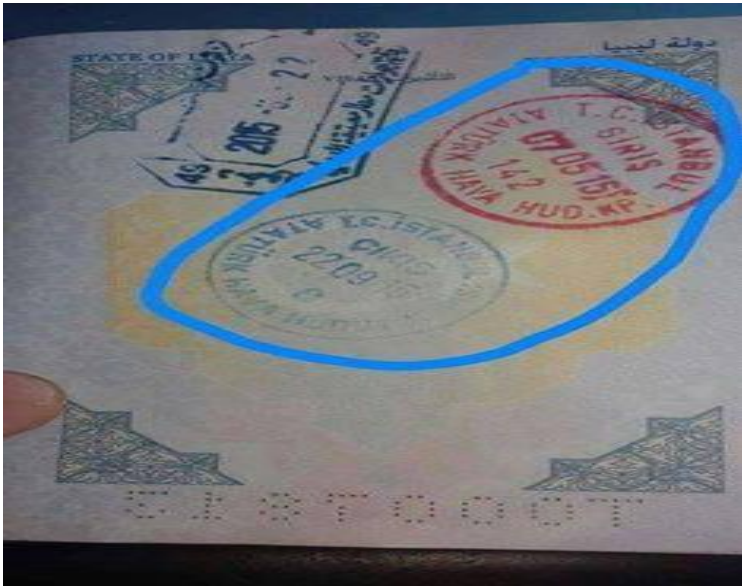
Photo of an illegally issued passport



Departure Stamp at Mitiga Airport on 7 May 2015



Arrival and departure stamps at Istanbul Ataturk Airport on 7 May 2015 and 22 September 2015. Entrance stamp in Mitiga on 22 September 2015



Source: Confidential

附件二十

PC-affiliated Minister of Defense orders the Air Force to deter and destroy any warplane attacking Tamanhint Air Base, 6 April 2017



Source: Social Media

附件二十一

Third Force, BDB and the South Shield Coalition, links with the BRSC and listed organizations

Head of the Misrata Military Council Ibrahim Ben Rajab, accompanied by members of the Misrata Military Council and elements of the BDB in al-Jufra (unknown date).



Source: BDB Media Center

Ahmad al-Tajuri from the BDB, Ahmad al-Hasnawi commander of the South Shield and Ismail al-Sallabi from the BRSC in Tamanhint, in April 2017



Source: Social Media

Ahmad al-Hasnawi at Misrata Military Academy posing in front of an L-39 aircraft



Source: Social Media

Ahmad al-Hasnawi links with al-Qaida affiliated movements and ISIL

1. Ahmad al-Hasnawi is known for providing logistical support to Jihadist networks operating in the Sahel region, including AQIM (QDe.014), al-Mourabitoun and Ansar al-Dine (QDe.135), as confirmed by several sources, including amongst his allies in the south. The Panel also received reports of business links between al-Hasnawi and ISIL. During the BDB offensive against oil terminals in March 2017, the presence of al-Hasnawi in al-Nowfliya, where ISIL elements are still active according to the ministry of Defence sources in Tripoli, raises a number of questions concerning the extent of his relations with ISIL.

Potential links between the BDB, AAS Benghazi and ISIL elements in Sirte

2. In 2015, ISIL and the BRSC (including AAS Benghazi), had been fighting side by side in several locations in Benghazi, including al-Saberi and al-Qwarsha. By early 2016, the BRSC and ISIL in Benghazi stopped jointefforts. Both movements made their disagreements public. During the same period, a series of victories by the LNA forced many BRSC commanders, including Ismail al-Sallabi, Ziad Balam and Wissam Bin Hmeid to move to Misrata.

3. However, relations have continued between some BRSC commanders (who later founded the BDB) and some ISIL figures in Sirte. Several sources in Misrata indicated that Wissam Bin Hmeid tried to mediate for the safety of some of ISIL's leaders in Sirte in 2015, in spite of repeated attacks against Misrata-controlled checkpoints. The sense of a common cause, and in certain cases, family and tribal links, play a role in preserving those alliances. In May 2016, during preparations to launch

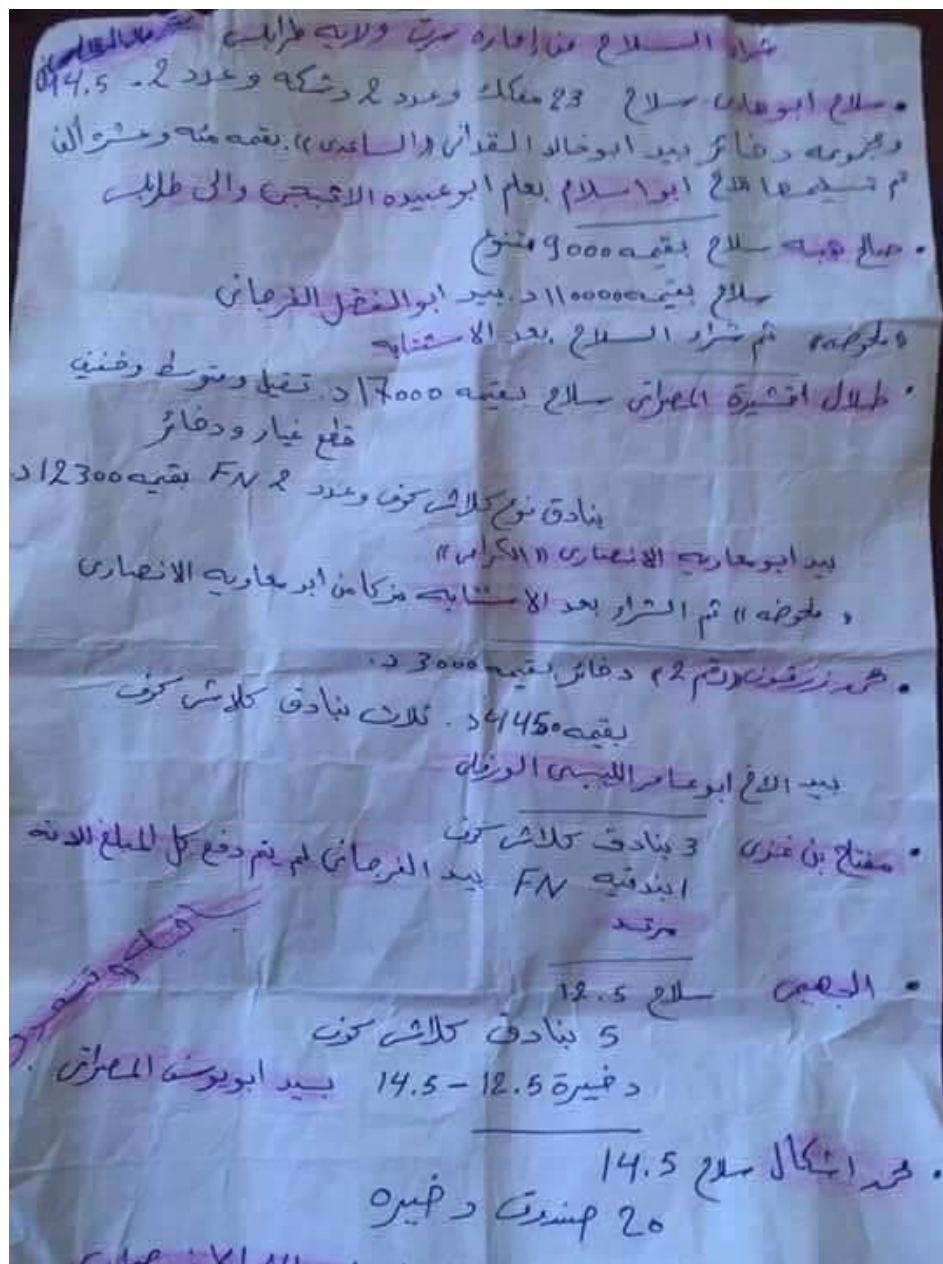
ABAM operation, Wissam Bin Hmeid was put under house arrest due to his suspected links with ISIL elements in Sirte.

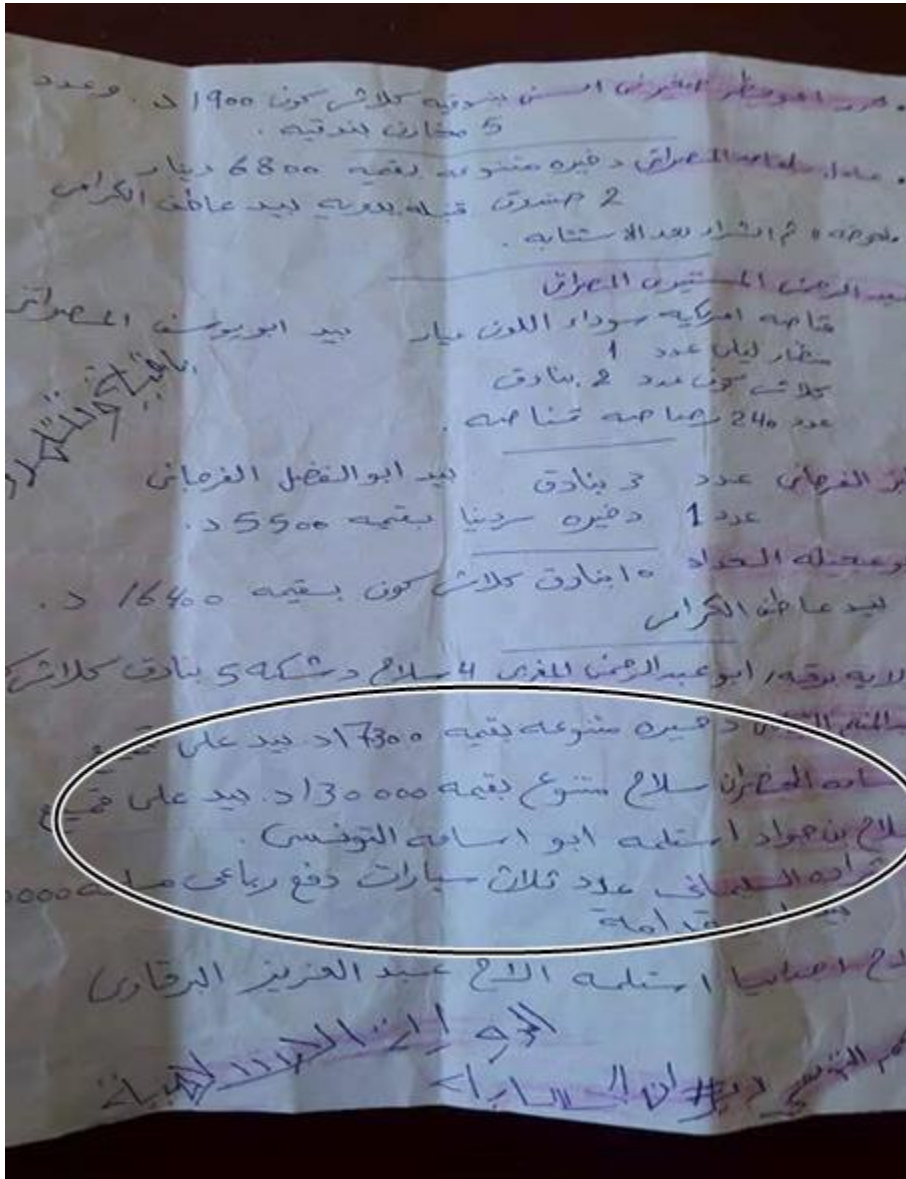
4. Moreover, the launching of Operation ABAM has further divided Misrata, between those who are suspicious of BRSC commanders based in Misrata, and those who are 'ready to tolerate the BDB's undesirable links with ISIL and AAS Benghazi for the sake of the cause'. Military sources in Misrata emphasized that 'the leadership of the BDB has no links with listed organizations, but some commanders from Benghazi have links with AAS Benghazi'. During Operation ABAM, the BDB was not part of the attacking forces in Sirte. However, they were put in charge of guarding of the strategic al-Lud checkpoint between Bu Njeim and Wadan, a region that has witnessed extremist activity since 2015. Reports indicated that some ISIL leaders in Sirte were allowed to pass through this checkpoint, shortly before and during Operation ABAM. The BDB was also put in charge of protecting the southern flank of Misratan forces from the LNA position in Zela.

附件二十二

List of arms transfers from Libyans brokers to ISIL

Usama Jadhran, brother of Ibrahim Jadhran, sold weapons to Abu Usama al-Tunsi, an ISIL figurehead in Sirte, for an amount of 130,000 LYD





Source: Confidential

A list of marriage contracts of ISIL showing the name of Usama al-Tunsi again

عقود النكاح

الرقم	اسم الزوج	اسم الزوجة	الصداق المعجل	القدر المؤجل
١	أبو أحمد السويسي	أم آدم الفرنسية	ساعة يدوية	لا شيء
٢	أبو أسامة التونسي	أم آدم الفرنسية	ساعة يدوية	لا شيء
٣	أبو إسلم العرسي	أم خدير	خاتم ذهب	لا شيء
٤	أبو الدرداء الأمريكي	بيان محمد	٥٠٠ دينار ليبي	لا شيء
٥	أبو النور التونسي	رحمة الله النيجيرية	لا شيء	مصحف و بنديقة كلاشنكوف
٦	أبو أمير السوداني	رحمة الله النيجيرية	لا شيء	لا شيء
٧	أبو أنور المهاجر	زهرة	١٠٠٠ دينار ليبي	لا شيء
٨	أبو حمزة الكتاني	جازية	١٠٠٠ دينار ليبي	لا شيء
٩	أبو سعيد المالي	فاطمة النيجيرية	لا شيء	بنديقة كلاشنكوف
١٠	أبو صهيب المصري	مريم	لا شيء	٥٠٠ دينار ليبي
١١	أبو عبد الرحمن	ليلة	١٠٠٠ دينار ليبي	٢٠٠ دينار ليبي
١٢	أبو عبدة السنغالي	براندي سخنة	لا شيء	قراءة تفسير سورتي التوبة و الأنفال
١٣	أبو علاء التونسي	فتحية	٢٠٠ دينار ليبي	لا شيء
١٤	أبو مالك الكتاني	أم خديجة	١٠٠٠ دينار ليبي بعد إعطائه المنحة	لا شيء
١٥	أبو منصور التونسي	مريم النيجيرية	لا شيء	حزام ناسف
١٦	أبو يحيى السوداني	عائشة	٥٠٠ دينار ليبي	لا شيء
١٧	أبو يحيى الصومالي	أم شنز	جلاكسي S4	لا شيء
١٨	الأمين زيني ولد حمدان (أبو عمر المالي)	مباركة بابا حبيب	٢٠٠٠ دينار ليبي	٥٠ جراماً من الذهب
١٩	جبريل عبد الله محمد	سالمة ونيس	١٠٠٠ دينار ليبي	٢٠٠ جرام ذهب
٢٠	زكريا الفلبيني	ليلي	لا شيء	لا شيء
٢١	صلاح فرج	حنان محمد	١٠٠٠ دينار ليبي	١٠ أوقيات ذهب
٢٢	عبد الرحمن الفرنسي	رحمة	٢٠٠ دينار ليبي	لا شيء
٢٣	عمر عيسى محمد	خديجة أبو بكر	٥٠٠٠ دينار ليبي	لا شيء
٢٤	مسكين	أم طلحة	١٠٠٠ دينار ليبي	لا شيء

الدولة الإسلامية
فاضي محكمة الأحوال الشخصية
والأية طرابلس / مصراتة

بنتها الحرة

Source: Confidential

附件二十三

Presence of foreign armed groups in Libya since 2013

Sudanese Groups

Sudanese Liberation Army/ Minni Minawi (SLA/MM)

1. The deployment of Sudanese armed groups, with the approval of their hierarchy, started in March 2015, notably with the presence of SLA/MM in Ubari, al-Waw and al-Wig areas. At first, SLA/MM fighters joined Tebu-led brigades in the South of Libya, and in later phases in Benghazi. By March 2016, they had gained autonomy and played a key role in the capture and protection of oil installations by the LNA.
2. In early 2017, according to internal sources, some SLA/MM field commanders decided to withdraw from Libya due to insufficient levels of remuneration and fears of political repercussions. In fact, they blamed the movement's leaders for 'keeping the money for themselves'. A field commander interviewed by the Panel in February 2017 confirmed that mid-ranking commanders and the rank and file had been looking to go back to Sudan. He added that he himself was waiting to gather enough fuel and money to leave Libya.

Sudanese Liberation Army/ Al-Nur and Ex-JEM commanders

3. In addition to SLA/MM forces, SLA/Al-Nur is engaged in Libya, alongside the LNA. According to sources within the movement, they had 1,500 fighters in Libya by mid-2016. They had been approached by Arab intermediaries to facilitate their contacts with the LNA.
4. Ex-JEM commanders have also joined the Libyan armed conflicts. Abdallah Jana is such an Ex-JEM commander. He entered Libya with 13 vehicles in 2016, but increased his assets to 70 vehicles by February 2017. He is reported to visit Sudan every two to three months to recruit new fighters.
5. Abdallah Banda, an Ex-JEM commander and Justice and Liberation Movement's deputy chief, is familiar with Libya's former regime networks. According to Justice and Liberation Movement (JLM) sources, he facilitated contacts between Libyan and Darfuri armed group commanders. He regularly moves between Libya and Darfur.

Justice and Equality Movement

6. JEM officials interviewed in 2016 confirmed that the JEM had been approached by several Libyan parties, including Islamist figures and the LNA, but they denied any actual involvement in Libya. However, interviews with JEM and Ex-JEM officials revealed that there was at least one attempt to join Libya from South Sudan, in late 2015. Yehya Omda, Artillery Chief of Staff of the movement, was able to leave South Sudan and deployed along the Chadian-Libyan border. Ex-JEM sources also reported that Omda is recruiting amongst Sudanese refugees in the region of Um Nabaq in Chad.

*Chadian groups*Le Front pour l'alternance et la concorde au Tchad (FACT)

7. The FACT was founded in April 2016 by Mahamat Nuri and Mahdi Ali Mahamat. The two men broke ties and Mahdi is now heading the movement and coordinating its activities in Libya. The presence of Chadian groups in the Fezzan dates back to late 2014. They were unable to operate on the Chadian side of the Libyan-Chadian border and were hosted in Sabha by the Third Force on the condition of ceasing their military actions against the Chadian regime, according to Third Force sources. However, the security developments in Libya and the spread of fighting to Sirte, Sabha, al-Jufra and Braq al-Shate' led to FACT's recruitment by Misrata-allied forces. They are deployed at the al-Hjara al Sawda base in al-Jufra and in Sabha. According to FACT sources, they had 700 fighters deployed in Libya by the end of 2016. However, other sources mentioned a force composed of 1,000 to 1,500 fighters.

Conseil de Commandement Militaire Pour le Salut de la Republique (CCMSR)

8. Created in July 2016 by former UFDD spokesperson, Mahamat Hassan Boulemaye, the CCMSR has split from the FACT. On 14 April 2016, a CCMSR base in Doualki, near Sabha, was bombed by LNA forces resulting in six dead. This was confirmed by Boulemaye who blamed President Deby for the attack.

Rassemblement des forces democratiques (RFC)

9. The group had started operating in the southeast of Libya by the end of 2015. It was allegedly involved in attacks against convoys of drug traffickers. Allegedly, it was deployed in the Oil Crescent, alongside the LNA. The Panel could not reach out to sources within the movement. Two of the checkpoints (between Rebiana and Sabha) run by the group were allegedly attacked by ISIL cells early 2016.

Mahdi Ali Mahamat visiting the FACT base in Sabha in October 2016



Source: Confidential

French decrees of January 2017 imposing financial sanctions against Mahamat Nuri and Mahdi Ali Mahamat

JORF n°0016 du 19 janvier 2017
texte n° 10

**Arrêté du 18 janvier 2017 portant application des articles
L. 562-1, L. 562-3 et suivants du code monétaire et
financier**

NOR: ECFT1701040A

ELI: <https://www.legifrance.gouv.fr/eli/arrete/2017/1/18/ECFT1701040A/jo/texte>

Par arrêté du ministre de l'économie et des finances et du ministre de l'intérieur en date du 18 janvier 2017, vu le [code monétaire et financier](#), notamment ses articles L. 562-1, L. 562-3 et suivants, sont gelés les fonds, instruments financiers et ressources économiques qui appartiennent à M. Mahamat MAHADI ALI, alias Mahadi Ali MAHAMAT, alias Mhadi Ali MAHAMAT, alias Mahadi Issa Gorane, né le 9 juin 1969 à Moussoro Kanem (Tchad), de nationalité tchadienne, pour une durée de six mois.

Les mouvements ou transferts de fonds, instruments financiers et ressources économiques au bénéfice de cette personne sont interdits pour une durée de six mois.

Le ministre de l'économie et des finances et le ministre de l'intérieur sont chargés, chacun en ce qui le concerne, de la mise en œuvre du présent arrêté, qui entre en vigueur à la date de sa publication au Journal officiel de la République française.

Notification des voies et délais de recours

Le présent arrêté peut être contesté dans les deux mois à compter de sa notification :

- par recours gracieux adressé au ministre de l'intérieur, direction des libertés publiques et des affaires juridiques, place Beauvau, 75800 Paris Cedex 08, ou au ministre de l'économie et des finances, 139, rue de Bercy, 75572 Paris Cedex 12, télédéc 233, liste-nationale@service-eco.fr ;
- ou par recours contentieux auprès du tribunal administratif de Paris, 7, rue de Jouy, 75181 Paris Cedex 04, téléphone : [01-44-59-44-00](tel:01-44-59-44-00), télécopie : [01-44-59-46-46](tel:01-44-59-46-46), urgences télécopie référés : [01-44-59-44-99](tel:01-44-59-44-99), greffe.ta-paris@juradm.fr.

JORF n°0016 du 19 janvier 2017
texte n° 11

**Arrêté du 18 janvier 2017 portant application des articles
L. 562-1, L. 562-3 et suivants du code monétaire et
financier**

NOR: ECFT1701041A

ELI: <https://www.legifrance.gouv.fr/eli/arrêté/2017/1/18/ECFT1701041A/pe/texte>

Par arrêté du ministre de l'économie et des finances et du ministre de l'intérieur en date du 18 janvier 2017, vu le [code monétaire et financier](#), notamment ses articles L. 562-1, L. 562-3 et suivants, sont gelés les fonds, instruments financiers et ressources économiques qui appartiennent à M. Mahamat NOURI, alias Nouri Allatchi MAHAMAT, alias Mahamat NOURI ALLATCHI, alias Mahamat ALLATCHI NOURI, alias Mahamat NOURI ALLATCHIMI, né en 1947 à Faya-Largeau (Tchad), de nationalité tchadienne, pour une durée de six mois. Les mouvements ou transferts de fonds, instruments financiers et ressources économiques au bénéfice de cette personne sont interdits pour une durée de six mois. Le ministre de l'économie et des finances et le ministre de l'intérieur sont chargés, chacun en ce qui le concerne, de la mise en œuvre du présent arrêté, qui entre en vigueur à la date de sa publication au Journal officiel de la République française.

Notification des voies et délais de recours

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- ou par recours contentieux auprès du tribunal administratif de Paris, 7, rue de Jouy, 75181 Paris Cedex 04, téléphone : [01-44-59-44-00](tel:01-44-59-44-00), télécopie : [01-44-59-46-46](tel:01-44-59-46-46), urgences télécopie référés : [01-44-59-44-99](tel:01-44-59-44-99), greffe.ta-paris@juradm.fr.

Source: Legifrance.gouv.fr

附件二十四

Letters of appointment issued by Abd al-Razak al-Nadhuri

Letter of appointment by Abd al-Razzak al-Nadhuri for Munir Bulaz to secure Gernada prison



Source: Confidential

Letter by Abd al-Razzak al-Nadhuri extending the mandate of Colonel Idriss al-Seati as the head of the General Investigations Department in Benghazi

الموضوع: بشأن الاستمرار في العمل
 الموافق: 02 / 02 / 2017 م
 الرقم الاشاري: ح - ع / 167
 127

مجلس النواب الليبي
 الحاكم العسكري
 درنة - بن جواد

عقيد / ادريس محمد السعيطي
 مدير مكتب جهاز المباحث العامة / بنغازي

اشارة الي كتابكم المرقم ص 485 بتاريخ 2017.1.31م بشأن
 ماتتطلبه المرحلة ولحساسية الموقف الامني داخل بلدنا وخاصة مدينة
 بنغازي والتي شارف اعلان تحريرها من الدواعش والارهابيين
 ولمقتضيات المصلحة العامة .
 عليه /
 يطلب منكم الاستمرار في عملكم كمدير لمكتب جهاز المباحث
 العامة / بنغازي
 والسلام عليكم ..

لسواء /
 عبدالرازق حسين جمعه الناظوري
 الحاكم العسكري درنة بن جواد

صوره منه الى /

- سيدي القائد العام للقوات المسلحة / للعلم
- رئيس الوزراء بالحكـ ومة المؤقتة / للعلم
- رئيس جهاز المباحث العامة / للعلم
- مدير مكاتب جهاز المباحث العامة بالمنطقة الشرقية / للعلم والتنفيذ
- الملف العام / للحفاظ

Source: social media

附件二十五

The list of al-Hadba prison supervisors involved in torture and other abuses against prisoners

1. Some of the al-Hadba personnel were selected from among relatives of victims from the Abu Selim prison massacre, committed by Qadhafi's security services and resulting in the death of more than 1,200 prisoners. Armed groups in Libya have often recruited relatives of victims of the former regime, some of whom have sought vengeance. The prison manager Saleh al-Deaiki, who was seen in a video footage beating Saadi al-Qadhafi, is a former prisoner of Abu Selim.

List of al-Hadba supervisors

Saleh al-Deaiki – Prison supervisor
Abd al-Basset Abd al-Salam Ben Naji
Khaled al-Tamzini
Walid al-Qamudi
Najmi al-Rheibi
Ali Mashlit

附件二十六

Presidential Security

1. The 'Presidential Security' is run by the Dimona clan (Mohammad, Bassem and Ali Dimona). It has been involved in attacks against individuals and commercial entities, including banks, in Hay al-Andalus in Tripoli in March 2017. The clan has also been involved in several kidnappings, as reported by former detainees interviewed by the Panel. Until recently, the 'Presidential Security' was in control of the al-Felah Department to Counter Illegal Migration (DCIM) centre, which was also used as an informal detention centre for Libyans. The Dimona clan also organised other informal detention facilities, including at Tripoli International Airport, to where it retreated following its ousting from al-Felah and al-Qusur areas in March 2017.
2. A document signed by Sergeant Mohammad Salem Dimona, in charge of the 'Presidential Security', denying his responsibility in attacking the HSC. However, according to several sources, Dimona's group was indeed responsible for the attack.

Communiqué by the Presidential Security denying its responsibility in the attack against the HSC president on 20 February 2017



Source: Social Media

附件二十七

Tripoli Revolutionaries Brigade

The case of Mohammad Imheisen (March 2016)

1. Misratan journalist Mohammad Imheisen was kidnapped at a checkpoint where al-Tajuri was present, in central Tripoli on 30 March 2016. Imheisen was detained and tortured in a prison in Mitiga, controlled by al-Tajuri, before being transferred to another prison under the control of Abd al-Ghani al-Kikli. Al-Tajuri and al-Kikli were reported to be present during at least one of the torture sessions.

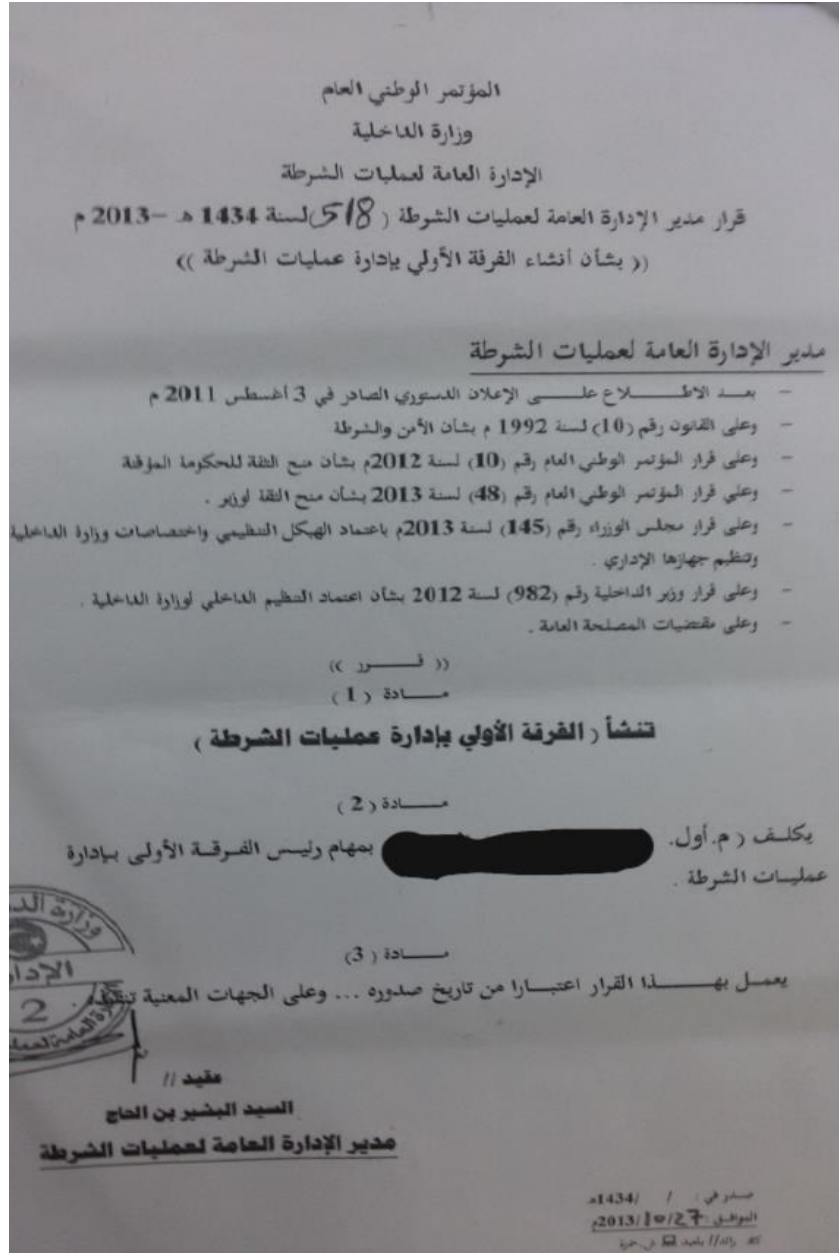
The case of Jamal Zubia, former NSG Media Office Director (August-December 2016)

2. Jamal Zubia was kidnapped during a rally on 29 July 2016 held on Martyrs' Square in Tripoli. He was first kidnapped by a group affiliated with the ASB of Abd al-Ghani al-Kikli, before being handed over to Haytham al-Tajuri personally. Zubia and other detainees were later transferred to a detention facility in Mitiga base, under the control of al-Tajuri. On 9 October 2016, following the ousting of Haytham al-Tajuri from Mitiga, Zubia was transferred to a detention center under the nominal control of the Diplomatic Police. Zubia reported scenes of torture in that detention facility. He was finally released in December 2016, as a result of tribal mediation.

附件二十八

Official documents on the establishment and mandates of the First Security Division (*al-Ferqa al-Amniya al-Oula*), under the command of Haytham al-Tajuri

Decree to establish the First Security Division in 2013.



Source: social media

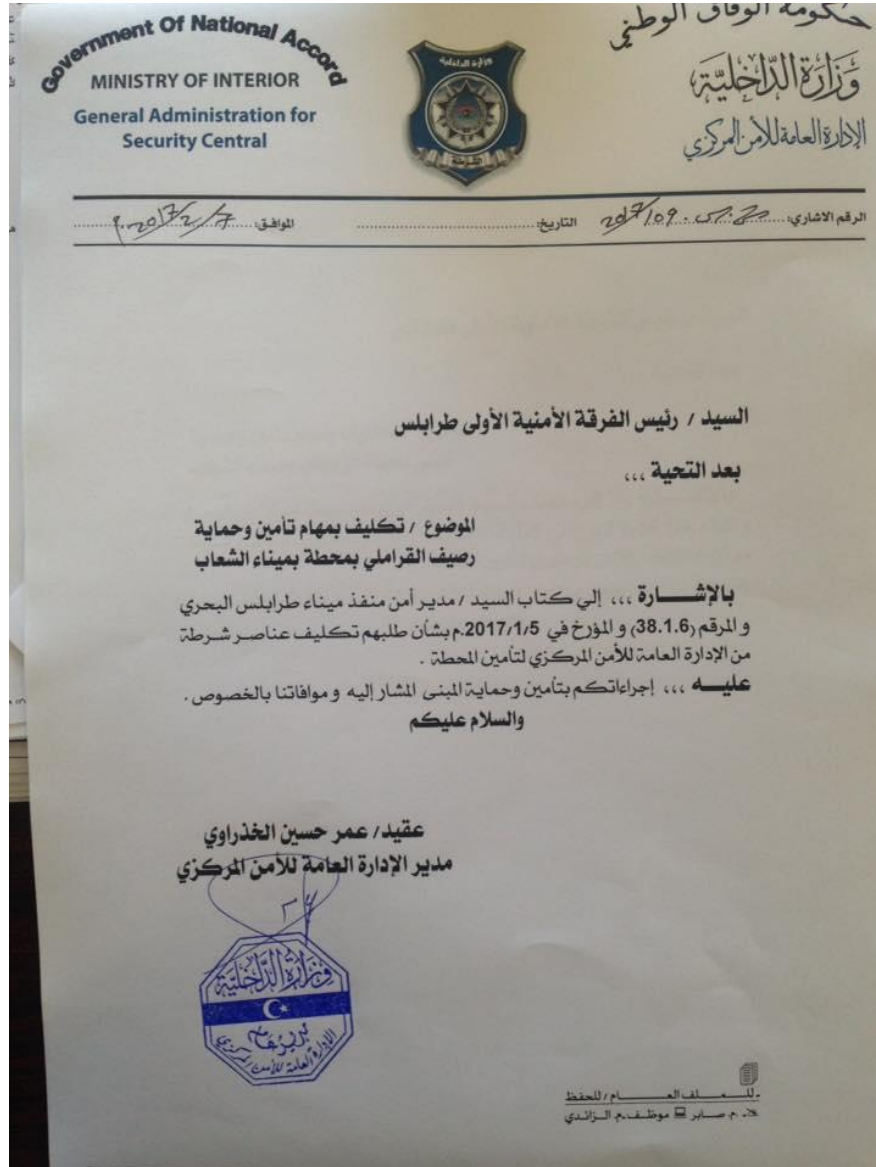
1. The First Security Division under al-Tajuri is in charge of providing security for diplomatic representations established in or visiting Tripoli. It has much more resources at its disposal than the 'normal' diplomatic police forces.

Letter of introduction signed by the Commander of the Diplomatic Police and addressed to the Commander of the First Division.



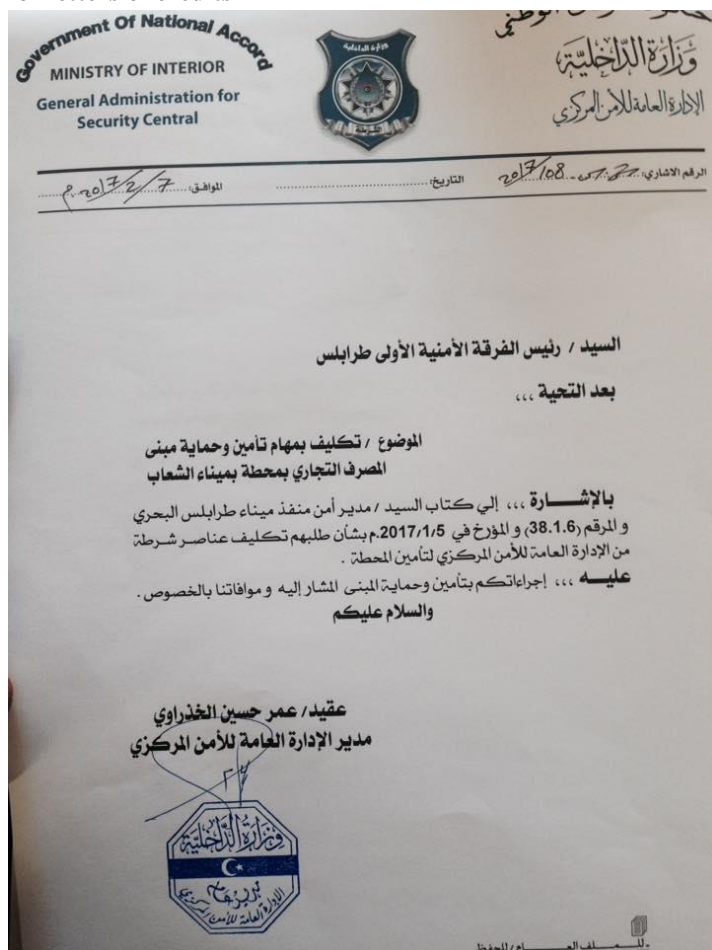
Source: social media

Letter by the Director of the Central Security Administration, Omar al-Khadrawi, mandating the First Security Division to protect the port of Tripoli on 7 February 2017, in spite of al-Tajuri's involvement in currency exchange schemes and related illegal or fake importations



Source: social media

Letter dated 7 February 2017 by the Director of the Central Security Administration, Omar al-Khadrawi, mandating the First Security Division to protect the Commercial Bank branch of Tripoli port. This mandate is issued in spite of the involvement of al-Tajuri in attacks against bank employees in order to obtain authorizations for letters of credits



Source: Social media

附件二十九

Fronts Commander of the Special Forces

Military order signed by Mahmud al-Warfalli on 9 April 2017, after the LNA had reported to the Panel in a meeting on 24 March that he had been imprisoned



Source: Confidential

Photos believed to be taken in January and February 2017 showing Mahmud al-Warfalli executing several unidentified individuals



Source: Social Media



Source: Confidential



Source: Confidential

Mahmud al-Warfalli (left) in a photo next to the exhumed body of Jalal al-Makhzoum, a BRSC military commander



Source: Social Media

附件三十

Human rights violations against migrants in Zawiya

1. Abd al-Rahman Milad (alias al-Bija) is the head of the Zawiya branch of the coast guard. He obtained this position thanks to the support of Mohammad Koshlaf and Walid Koshlaf. Both had leverage over the coast guard hierarchy, according to internal sources in the coast guard.
2. Fathi al-Far, a former army colonel, is the head of al-Nasr detention centre. The centre is under the de facto control of al-Nasr Brigade of Mohammad Koshlaf. The Panel collected testimonies of the inhumane detention conditions at al-Nasr, which is not suitably equipped to hold migrants. Women and children live in critical conditions.
3. In addition, many migrants are frequently beaten, while others, notably women from sub-Saharan countries and Morocco, were sold on the local market as ‘sex slaves’.
4. Tareq al-Hengari is also a member of the coast guard. He shot at migrants’ boats at sea, causing the death of an unknown number of migrants, in an attempt to undermine the smuggling business of Koshlaf’s competitors.

附件三十一

Migrant detention centres*'Al-Felah' detention centre in Tripoli – March 2017*

1. The following photographs, showing inhumane conditions of detention in the al-Felah detention centres, were taken following the ousting of the Presidential Security from al-Felah and al-Qusur areas in Tripoli.





Source: Confidential

The al-Krarim detention center in Misrata – March 2017

2. Conditions are marginally better from other centres but remain extremely poor and inhumane, according to human rights activists who visited the prison.



Source: Confidential

Detention centre in Zliten– March 2017



Source: Confidential

附件三十二

Marc Turi

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

1. Marc Turi, and
2. Turi Defense Group,
Defendants.

CR-14-00191-PHX-DGC

**JOINT MOTION TO DISMISS WITH
PREJUDICE**

The United States of America, by and through undersigned counsel, and Marc Turi and Turi Defense Group, by and through their respective counsel, move this Court under Rule 48(a) of the Federal Rules of Criminal Procedure for an order dismissing all counts with prejudice in the above-captioned matter for the reasons stated herein.

MEMORANDUM OF POINTS AND AUTHORITIES

The issue of discovery has been extensively litigated in this matter. On October 3, 2014, Defendants filed a motion seeking in part “documents or other evidence relating to instances in which the United States assisted or considered assisting in the covert

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1 transportation, provision, acquisition, transfer, or transport of ‘Defense Articles’ to or
2 from any person, entity, group of people, quasi-governmental entity, or government within
3 the territory of Libya from 2010 to the date of the request.” (Dkt. No. 63 at 3) (citing Dkt.
4 No. 55 at 5).

5 On October 22, 2014, the Court found Defendants’ request was “overly broad” and
6 required the government to produce “a narrower category of information: documents which
7 relate to efforts by the United States to arrange for arms brokers to arrange covert transfers
8 of weapons to the NTC in Libya between the beginning of 2010 and the end of 2011”
9 (“Category 2 documents”). (Dkt. No. 63 at 4).

10 The government searched for records as required by the October 22, 2014 order.
11 The government apprised the Court of the results of its search for such documents through
12 a motion under Section 4 of the Classified Information Procedures Act, 18 U.S.C. App. 3 §
13 4. Subsequently, the Government apprised counsel for Defendant Turi of the results in a
14 classified document.

15 On June 16, 2015, Defendants filed a motion seeking an order requiring the
16 government to show cause why it should not be sanctioned for failing to produce Category
17 2 documents relating to the Court’s October 22, 2014 Order. (Dkt. No. 171). The motion
18 was briefed and the Court conducted a status conference on August 11, 2015, during which
19 there was an extensive discussion of the meaning of the terms “efforts” versus
20 “contemplation,” and that the government’s disclosure obligations were limited to “efforts.”
21 During the hearing, the Court noted that, by its October 22, 2014 Order, it intended to order
22 the disclosure of a document “if it relates to an effort to arm rebels, something that actually
23 occurred, then it should be disclosed,” but it also pointed out that “there is a difference
24 between actively contemplating and doing it.” (RT 8/11/15 at 7, 9). On October 2, 2015,
25 the Court denied the Defendants’ motion and again reiterated that “Category 2 does not call
26 for documents relating to ‘possible efforts’ or ‘contemplated efforts’ to arm Libyan rebels.”
(Dkt. No. 249 at 4).

27 Defendants again filed a motion seeking to compel additional information. On
28 March 25, 2016, the Court issued an order reversing its prior rulings and ordered more

1 extensive discovery. As a result, government counsel consulted various government entities
2 in accordance with the order.

3 While the latest discovery order was pending, Defendants negotiated with the
4 Directorate of Defense Trade Controls ("DDTC").¹ Defendants and DDTC have now
5 reached an administrative settlement that is memorialized in a signed consent agreement
6 between DDTC and the Defendants (Attached as sealed Exhibit A).

7 In light of the Court's discovery rulings, the administrative resolution between
8 DDTC and the defendant, and other factors, the government seeks leave of the Court to
9 dismiss the criminal matter with prejudice pursuant to Rule 48(a). Dismissal is appropriate
10 under Rule 48(a) in these circumstances. *See, e.g., United States v. Gonzales*, 58 F.3d 459,
11 461 (9th Cir. 1995) (reversing denial of prosecution's motion to dismiss charges with
12 prejudice, made with consent of defendant, and noting that "in the category of cases in which
13 the defendant consents to the prosecution's request, there is a question as to whether a
14 district court may ever deny an uncontested Rule 48(a) motion").

15 While the parties disagree on the facts of this case and the defendants' deny any
16 criminal conduct, the defendants' acknowledge that the charges obtained in this case were

17 ///

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19 ///

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26
27 ¹ DDTC is the regulatory body responsible for enforcing compliance with the
28 International Traffic in Arms Regulations ("ITAR"), 22 C.F.R. Chapter 1, Subchapter M,
Parts 120 - 130.

1 based in fact. Undersigned counsel avows that counsel for Turi and Turi Defense Group
2 join in this motion and the relief requested herein.

3 Respectfully submitted this ____ day of October, 2016.

4 JOHN S. LEONARDO
5 United States Attorney
6 District of Arizona

PERKINS COIE LLP

6 /s/ Kristen Brook
7 KRISTEN BROOK
8 DAVID A. PIMSNER
9 Assistant U.S. Attorneys

/s/ Jean-Jacques "J" Cabou
JEAN-JACQUES "J" CABOU
Counsel for Marc Turi

/s/ Thomas D. Ryerson
THOMAS D. RYERSON
/s/ Alexis E. Danneman
ALEXIS E. DANNEMAN
Pro bono Counsel for
Turi Defense Group

14 **CERTIFICATE OF SERVICE**

15
16 I hereby certify that on or about October 3, 2016, I electronically transmitted the attached
17 document to the Clerk's office using the CM/ECF System and sent a copy of the attached
18 document to the following CM/ECF registrants:

19 Jean-Jacques Cabou, Attorney for Defendant Turi, and
20 Thomas Ryerson and Alexis Danneman, Attorneys for Turi Defense Group

21 KB/nh

附件三十三

Zastava M93 on the black market

1. Monitoring of social media by the Panel indicates that arms dealers within Libya continue to use online markets to sell and/or acquire material such as rocket propelled grenade (RPG) launchers, recoilless rifles, anti-tank guided missile systems, heavy machine guns (12.7mm and 14.5mm), and man-portable air-defence systems (MANPADS).⁹³ Among the weapons for sale on a Libyan Facebook page were two Zastava Arms M-93 ‘Black Arrow’ anti-materiel rifles.⁹⁴ In 2015, Serbia had already confirmed to the Panel the delivery of 25 M93 to the Libyan Ministry of Defence for the amount of USD 126,250 (see delivery certificate below), after a successful exemption notification to the Committee. In all likelihood, they were diverted. In April 2016, Facebook closed six accounts that had been used for arms sales in Libya.⁹⁵

⁹³ see C.J. Chivers, “Facebook Groups Act as Weapons Bazaars for Militias”, New York Times, 6 April 2016, http://www.nytimes.com/2016/04/07/world/middleeast/facebook-weapons-syria-libya-iraq.html?_r=0;

Michael Smallwood, “9K32M MANPADS components offered for sale in Libya via social media”, Armament Research Services, 6 March 2015, <http://armamentresearch.com/9k32m-manpads-components-offered-for-sale-in-libya-via-social-media/>.

⁹⁴ N. R. Jenzen-Jones and Graeme Rice, “The Online Trade of Light Weapons in Libya”, Security Assessment in North Africa Dispatch No. 6, April 2016, p.7. <http://www.smallarmssurvey.org/sana/publications/listed-in-chronological-order/dispatches/sana-dispatch-6.html>.

⁹⁵ Internet links can obviously not be provided, but were documented in the reports cited below.

ICAO Annex 9
APPENDIX 3

CARGO MANIFEST

Operator: RSB		Agent:				
Marks of Nationality and registration:		RUBY STAR				
Flight number	RSB	Date:	23.maj			
DEPARTURE FROM	NIS	ARRIVAL AT	TRIPOLI			
<small>(Place and country)</small>		<small>(Place and country)</small>				
Point of loading	INI	Point of unloading	TIP			
Air Waybill Number	Number of Packages	KG	PALLETS	Nature of goods	For use by operator only	For official use only
006-0000-4876	890	32833		1. ROCKET 60MM HEAT M-76A FOR HRL M-76 - 1,000 PCS 2. HAND ROCKET LAUNCHER 100MM M-73 - 40 PCS 3. PISTOL, 2016MM CZ-993 - 200 PCS 4. SUBMACHINE GUN 7,62X39MM M92 - 500 PCS 5. MACHINE GUN 7,62X54MM 694 PRM - 200 PCS 6. MACHINE GUN 12,7X108MM M-62 COYOTE - 10 PCS 7. LONG RANGE RIFLE 12,7X108MM M-63 - 20 PCS PCA AIRPORT NIS (INCOTERMS 2010)		
MANIFEST TOTAL		890	32833			



*** To be completed only when required by the State.

Prepared By
P. Opatkovic
[Signature] 23.maj.14

Source: Republic of Serbia

تاريخ / Date
 2017/5/29
 رقم القيد / Ref. number
 6686-66



Ministry of Defense

رئاسة مجلس الوزراء
 وزارة الدفاع
 ديوان الوزارة

DELIVERY VERIFICATION CERTIFICATE

We, Ministry of Defense of Libya confirm receiving the item hereunder, delivered from Republic of Serbia, according to the following End User Certificates:

- End User Certificate No. 7208-60/01 dated 19. 05. 2013. and
- End User Certificate No. 7208-60/03 dated 19. 05. 2013.,

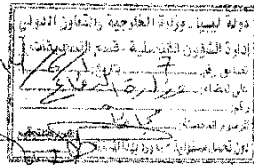
from the seller company "Charso Limited", address: 210 Makariou III Avenue, Eli Court, 3030 Limassol, Cyprus.

Specification of the delivered goods:

No.	Description of the goods	Quantity/ Pcs
1.	Hand Rocket Launcher 90mm M-79	40
2.	Rocket 90mm HEAT M-79 for HRL M-79	2.000
3.	Submachine gun 7,62x39mm M-92	500
4.	Machine gun 7,62x54mm M-84 PKM	200
5.	Machine gun 12,7x108mm M02 Coyote	15
6.	Long range sniper rifle 12,7mm M93	25
7.	Pistol 9mm CZ999 Scorpion	200

We undersigned confirmed that all of the facts contained in this certificate are true and correct to the best of its knowledge and belief.

For and behalf of
 Ministry of Defense of Libya
 Col - Kaled Omar



Tel. - Fax : +218 21 461 2535, +218 21 461 1214
 www.defense.gov.ly

Source: Republic of Serbia

附件三十四

Unmanned Aerial Vehicles (UAVs)

Wing Loong and Schiebel Camcopters

1. As the satellite imagery in the arms embargo section of the report shows, two Wing Loong UAVs have been operating from al-Khadim airbase since June 2016. In September 2016, the Benghazi Revolutionaries' Shura Council (BRSC) claimed that the United Arab Emirates and Italy were operating MQ 9 Reaper, Predator, and Schiebel Camcopter S 100 UAVs over Benghazi. However, BRSC mistakenly identified the Wing Loong UAV as a MQ 9 Reaper. Later BRSC claimed that the Wing Loong UAVs used missiles to hit specific targets in BRSC-controlled areas in Benghazi.

Picture: Wing Loong UAV, the description "MQ-9 Reaper" is false. The Wing Loong has a dihedral (upward) V-tails in contrast to the Reapers anhedral (downward) V-tails.



Source: BRSC information channel reposted on social media⁹⁶

2. The Wing Loong must be operated by a foreign country, most probably the United Arab Emirates from al-Khadim airbase. The UAV was developed by the Chengdu Aircraft Industry Group in the

⁹⁶ <https://twitter.com/oded121351/status/793842662407335936>; Twitter account Menastream, posted on 26 December 2016, <https://twitter.com/menastream/status/813427624605339648>.

People's Republic of China and the Panel can confirm that the United Arab Emirates was one of the first foreign customers. Saudi Arabia and later Egypt are the two other countries in the region to have purchased first generation Wing Loong, which have only one pod for guided weaponry with a maximum load of 100kg.

3. The Khamis Brigade had purchased four Schiebel Camcopter S 100 in 2009⁹⁷ and armed groups have been operating at least two of them. One was shot down by *Fajr Libya* in 2015 near the al-Watya airbase in the west of Libya.⁹⁸
4. It is possible that a foreign country is operating these UAVs over Benghazi. The Camcopter was developed by the Austrian company Schiebel in cooperation with the United Arab Emirates's Abu Dhabi Autonomous Systems Investments Company (ADASI).⁹⁹

Picture: Schiebel Camcopter



Source: BRSC information channel reposted on social media¹⁰⁰

⁹⁷ “Rot-wei ßrote Drohnen in Gaddafis Diensten”, Der Standard, 1 March 2011, <http://derstandard.at/1297819293825/Austro-Kriegsmaterial-Rot-weiss-rote-Drohnen-in-Gaddafis-Diensten>.

⁹⁸ “Austrian-made UAV Schiebel Camcopter S-100 Shot Down in Libya”, defence-blog.com, 15 January 2015, <http://defence-blog.com/news/austrian-made-uav-schiebel-camcopter-s-100-shot-down-in-libya.html>.

⁹⁹ <http://www.adasi.ae/al-sabr-system.aspx>.

¹⁰⁰ Twitter account Oded Berkowitz, posted on 2 November 2016, <https://twitter.com/oded121351/status/793842662407335936>.

Photograph: Schiebel Camcopter shot down in the vicinity of al-Watya airbase in January 2015



Source: defence-blog.com¹⁰¹

¹⁰¹ “Austrian-made UAV Schiebel Camcopter S100 Shot Down in Libya”, op.cit.

附件三十五

Transport aircraft at al-Khadim airbase

1. On 27 June 2016 satellite imagery analysed by IHS¹⁰² captured next to the two Wing Loong two Il-76 cargo planes and an Il-18 turboprop airliner. The presence of these specific aircraft provides evidence for the Panel's assessment that a series of Il-76TD and one IL-18D owned by a network of Moldovan companies, are operating in Libya, with at least two of them operated without registration. The Panel has received information that the planes are chartered by Haftar's LNA and the United Arab Emirates to transport personnel, equipment and cash.
2. The IHS's analysis identified the Il-18 on 27 June 2016 noting that "the only known operators of the type are North Korea's air force and Air Koyo airline and the Russian aerospace research and development company NPP Mir." Only three Il-18 are still registered world-wide. However, the Panel's investigation on a series of Moldovan aircraft operating regularly in Libya shows that one IL-18 with tail number ER-ICS is flying although it is not registered. The same Il-18 as well as an Il-76 was documented on satellite imagery on 30 December 2016.

Picture: Il-18, al-Khadim air base, 30 December 2016**Source: Digital Globe, WorldView 3, 30 December 2016**

¹⁰² IHS, "Analysis: UAE's forward operating base in Libya revealed", Jane's Defence Weekly, 27 October 2016.

Picture: IL-76, al-Khadim air base, 30 December 2016



Source: Digital Globe, WorldView 3, 30 December 2016

IL-18D

3. Recent reports have highlighted that several airlines registered in Moldova were sighted transporting officers and commanders of armed groups allied to Haftar's LNA. The Il-18D with tail-number ER-ICS was documented on 15 September 2016 at the Zintan airport (see photograph). According to information received by the Panel, the plane was chartered by an United Arab Emirates-based entity to fly tribal elders from the east to a reconciliation conference in Nalut in the Nafusa mountains. The Panel had further received information that the same plane was regularly chartered to transport cash and military equipment to forces allied to Haftar's LNA.¹⁰³ The plane was also documented in Benina on 25 November 2016, unloading materiel for the LNA, and in Zintan on 1 January 2017, with military officers allegedly returning from their graduation in another Member State.¹⁰⁴ As mentioned above, the Panel documented through satellite imagery an IL-18 on 30 December 2016 and IHS on 27 June 2016 on the al-Khadim air base mentioned above.

¹⁰³ Similar information were obtained by the think tank Africa Intelligence, see 'Ghilan Family Gives Khalifa Haftar Air Support', Maghreb Confidential n°1232, Paris, 19 January 2017, p.1.

¹⁰⁴ Arnauld Delalande, "Erik Prince's Mercenaries Are Bombing Libya. For-profit combat pilots fly Emirati Air Tractorshttp", War is Boring, 14 January 2017, //warisboring.com/erik-princes-mauercenaries-are-bombing-libya/

Photograph: IL-18D in Zintan on 15 September 2016



Source: Confidential

Pictures: the same IL-18D in Benina on 25 November 2016 being unloaded by LNA soldiers



Source: Social media¹⁰⁵

¹⁰⁵ Twitter account of Arnaud Delalande, 26 November 2016 https://twitter.com/Arn_Del/status/802565205372768256

The same IL-18D registered with Moldovan company Grixona, Chisinau 30 September 2013. The unique colour scheme has remained unchanged.



Source: Russianplanes.net¹⁰⁶

4. The IL-18D was owned by Grixona since 2007. The company was renamed Sky Prim Air in 2013. The Panel requested the log information for the flights mentioned above, but the Moldovan authorities explained that the airplane has been de-registered from their Aviation register since 8 July 2015. It has not been re-registered since in any other country, i.e. this plane currently operates in Libya without proper registration and thus with no aviation authority to report to.

Registration history of IL-18d with tail number ER-ICS:

<u>ER-ICS</u>	<u>IL-18D</u>	<u>187009903</u>	<u>Grixona</u>	<u>ex UR-CEO @ Sevastopol-Avia</u>	<u>2007</u>	<u>2013</u>	<u>to Sky Prim Air @ Sky Prim Air</u>
<u>ER-ICS</u>	<u>IL-18D</u>	<u>187009903</u>	<u>Sky Prim Air</u>		<u>2013</u>	<u>2015</u>	<u>Libya unregistered</u>

Source Aerotransport.org data bank and Moldovan Aviation Registry

5. Grixona and Sky Prim Air are private companies owned by Griogore Ghilian. Based on flight data the Panel has received from Libyan airport administration, Sky Prim Air has been operating

¹⁰⁶ Photo by Aleksei Grichkov, photo ID 159938, 20 September 2013, <http://russianplanes.net/id159938>

four IL-76TD cargo planes in Libya in 2014-15. Flights were regularly conducted from the United Arab Emirates and from Sudan.

6. Sky Prim Air was flying four different IL-76TDs:
 - 1) ER-IAM
 - 2) ER-IAH
 - 3) ER-IAK
 - 4) ER-IAN
7. The planes have since been re-registered with other Moldovan companies. Two (ER-IAM and ER-IAH) are registered under ER-IBI and ER-IBU with Air Stork, a company that has the same address as Aerotranscargo (the Panel has reported on suspicious flights from Ostend, Belgium, to Libya (see [S/2015/128](#), paragraphs 130 and 174). Aerotranscargo aircraft have previously been chartered by the Libyan company Global Aviation and Services Group (GASG) owned by Libyan businessman Abd al-Salam Aradi. Aerotranscargo had operated cargo flights for GASG in the same time period.
8. Another IL-76TD (ER-IAK) is now registered under ER-IAZ with Oscar Jet – a Moldovan company allegedly owned by Valdimir Ghilan, the son of Griogore Ghilian.¹⁰⁷ It was previously purchased by Grixona/Sky Prim Air purchased in March 2013 from Veteran Avia, an Armenian company that figured prominently in previous Panel reports in connection with arms transfers (see [S/2015/128](#), paragraph 173 and [S/2016/209](#), paragraph 141).

Registration history ER-IAK now owned by Oscar Jet as ER-IAZ:

<u>EK-76401</u>	<u>IL-76TD</u>	<u>1023412399</u>	<u>Veteran Airline</u>	<u>ex RA-76401 @ Moscow Airline</u>	<u>12.07.2011</u>	<u>Mrz 13</u>	<u>to ER-IAK @ Grixona</u>
<u>ER-IAK</u>	<u>IL-76TD</u>	<u>1023412399</u>	<u>Grixona</u>	<u>ex EK-76401 @ Veteran Airline</u>	<u>Mrz 13</u>	<u>2013</u>	<u>to Sky Prim Air @ Sky Prim Air</u>
<u>ER-IAK</u>	<u>IL-76TD</u>	<u>1023412399</u>	<u>Sky Prim Air</u>	<u>ex EK-76401 @ Veteran Airline</u>	<u>2013</u>	<u>Dez 15</u>	<u>to ER-IAZ @ Oscar Jet</u>
<u>ER-IAZ</u>	<u>IL-76TD</u>	<u>1023412399</u>	<u>Oscar Jet</u>	<u>ex ER-IAK @ Sky Prim Air</u>	<u>Dez 15</u>		<u>Active</u>

Source: [Aertransport.org](#) data bank

9. Further, the IL-76TD with tail number ER-IAN was documented as being operated by Sky Prim Air on 22 February 2015 from Khartoum to al-Hamada airstrip and on 8 February from Sharjah, United Arab Emirates, to Tobruk. Yet, according to aircraft databases, this plane was registered with Aerotranscargo until 23 December 2014. Again, the Moldovan authorities confirmed that the plane was definitively de-registered. The aircraft has since not been registered with any other aviation authority.

¹⁰⁷ see 'Ghilan Family Gives Khalifa Haftar Air Support', Maghreb Confidential n°1232, Paris, 19 January 2017, p.1.

10. Finally, as mentioned above the Panel has noted several flights conducted in Libya by the IL-76TD cargo plane with the tail number ER-AIX owned by Oscar Jet.

Registration history of ER-IAX

<u>ER-IAR</u>	<u>IL-76TD</u>	<u>63470088</u>	<u>Sky Prim Air</u>	<u>ex EY-701</u> <u>@ Khatlon</u> <u>Air</u>	<u>Jun 2015</u>	<u>Feb 2016</u>	<u>to ER-IAX</u> <u>@ Oscar Jet</u>
<u>ER-IAR</u>	<u>IL-76TD</u>	<u>63470088</u>	<u>Buraq Air</u> <u>Transport</u>	<u>leased from</u> <u>Sky Prim Air</u>	<u>08.08.2015</u>	<u>2015</u>	<u>Leased &</u> <u>Returned</u>
<u>ER-IAX</u>	<u>IL-76TD</u>	<u>63470088</u>	<u>Oscar Jet</u>	<u>ex ER-IAR</u> <u>@ Buraq Air</u> <u>Transport</u>	<u>Feb 2016</u>		<u>Active</u>

Source: Aerotransport.org data bank

11. On 11 December 2016, a few days after the 12th Brigade allied to the LNA had taken the Brak al-Shati military air base, Brig. Gen. Mohammed Bin Nayel flew on board of an IL-76TD cargo airplane with the tail number ER-IAX operated by OscarJet.¹⁰⁸

Picture: IL-76TD wit tail number ER-IAX on 11 December in Brak al-Shati



Source: Social media¹⁰⁹

¹⁰⁸ Arnaud Delalande, op.cit.

¹⁰⁹ Twitter account of Oded Berkowitz, 12 December 2016, <https://twitter.com/oded121351/status/808194311904985088>



Source: Video, n.a.

附件三十六

Build-up of Rotary Wing assets - Labraq

Satellite imagery 14: Labraq airfield, central apron, March 2014



Source: Digital Globe, GeoEye 1, 05 March 2014

Satellite imagery 15: Labraq airfield, central apron, March 2017



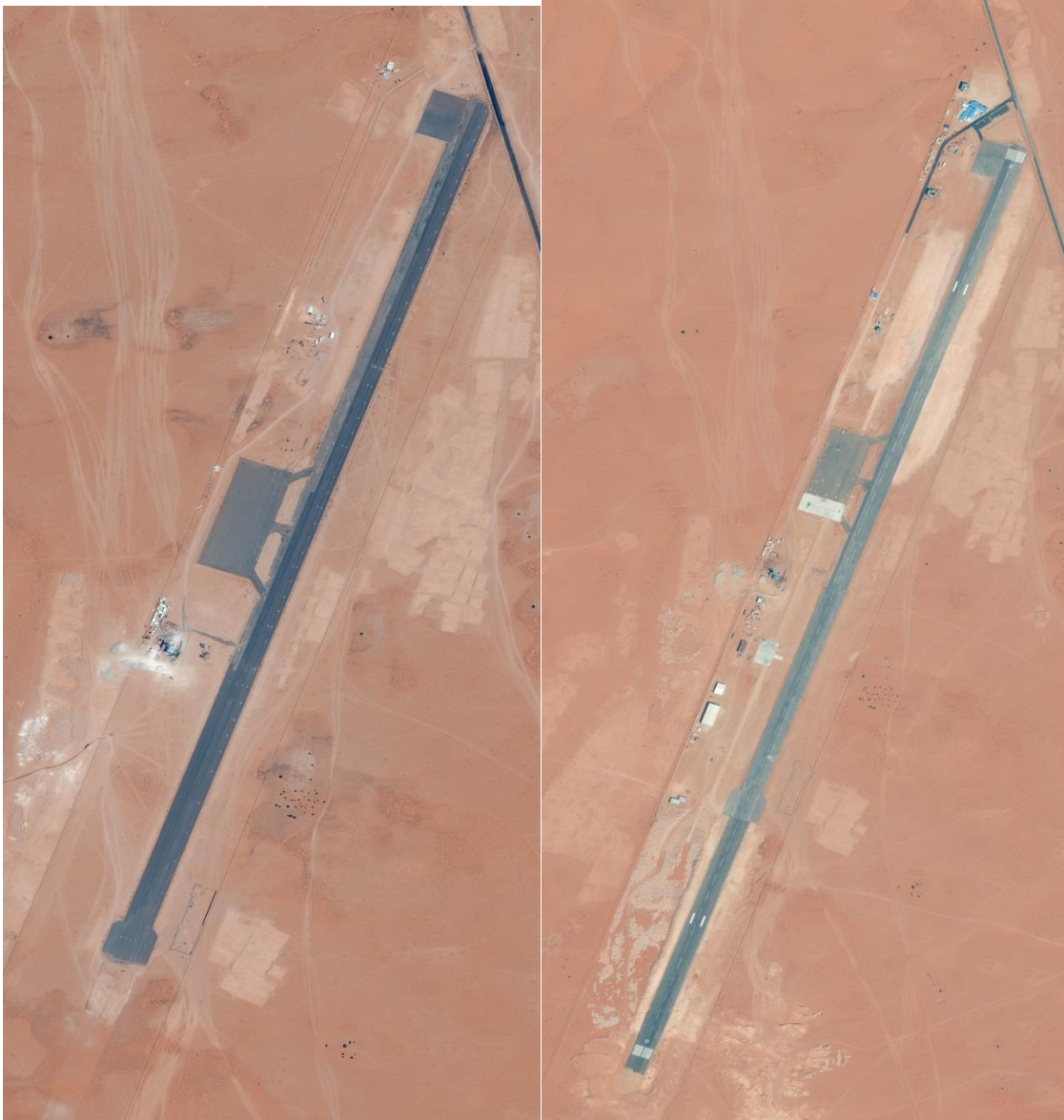
Source: Digital Globe, World View 2, 06 March 2017

1. Rotary wing assets have increased at Labraq airbase since 2014 with two probable Mi-24/35 attack helicopters and a support helicopter.

附件三十七

Zintan airbase

Satellite imagery 16: Zintan airbase, May 2014 (left) and September 2016 (right)



Source: Digital Globe, WorldView 2, 04 May 2014 and GeoEye 1, 15 September 2016

1. The images show the extension of the runway at Zintan from 2,000 meters in 2014 to 2,778 meters in 2016. The only aircraft identified at the airfield are rotary wing, including two attack helicopters and a support helicopter, assessed as Mi-24 and an Mi-8, shown below, which were not present in 2014.

Satellite imagery 17: Zintan airbase apron



Source: Digital Globe, WorldView, 15 September 2016

附件三十八

Czech Mi-24v

1. After receiving information on a potential re-transfer of Mi-24v rotary wing aircraft sold by the Czech state-owned company LOM Praha s.p. to the United Arab Emirates, the Panel contacted the Czech authorities, who confirmed that seven Mi-24v were sold to the United Arab Emirates and the export license granted in September 2015. The contract contained, according to the Czech authorities, a standard anti-retransfer clause. As of October 2016 the overhauled airframes and gearboxes had been delivered to the United Arab Emirates, yet not the engines and auxiliary units.
2. By the end of January 2017, the Panel received a confidential copy of a contract signed by Gen. Saqr Jerushi, the head of the LNA's Air Force for the purchase of eleven Mi-24v helicopters as well as armament to be fitted, such as 9K114 anti-tank guided missiles, GSH-23L twin-barrel auto-cannon with their container, 12.7mm machine guns, PKM machine guns (7.62x54mm), self-loading rifles (7.62x39mm), and 9mm handguns with suppressors. The technical descriptions of seven of the eleven helicopters as well as serial numbers are identical to the information provided to the Panel by the Czech authorities. Pending the progress of ongoing investigations by national law enforcement agencies, the Panel should be able to provide more details its next report.

附件三十九

Crews of Mirage F1 in Misrata**Contract signed by Gateway to MENA For Logistics Services (GTM)**

TECHNICAL SERVICES CONTRACT


On this 14 September 2015, between

1. Gateway to Mena for logistic services, registered 200138167, with registered office at 43 Abdul Hamid Sharaf St. P.O. Box 950691 Amman 11195 Jordan, hereinafter referred to as "Mandator" as one of the parties,

and

2. [REDACTED] hereinafter referred to as "Contractor" as the other party,

1. The Mandator requires from the Contractor the services of Engine mechanic / Armament and Arming Technician / Aeronautical and Radio electrician / Body Technician for maintenance and repair of Mirage F1 aircraft (the "Services").
2. The Contractor, acting as independent contractor, undertakes the provision of the services under the conditions of this agreement.
3. The place of the Services is Libya.
4. The contract is valid for 90 days period with possible extension for another 90 days Starting date of the Services is the date of Contractor's arrival at 19.09.2015
5. The Contractor undertakes to execute any and all of his obligations under this agreement with due diligence, at the highest professional level, with skill and to the best of his ability, while maintaining a high professional standard, all subject and in accordance with the Mandator's needs, instructions and supervision.
While delivering the Services, the Contractor shall be fully under the operational control and shall strictly follow the instructions of an appointed Supervisor of the Mandator who will be solely responsible for their supervision, daily direction and control.
Services shall be delivered on 24/7 basis.
6. The Mandator undertakes to provide the Contractor with all the materials, consumables, etc., concerning the provision of the Services, as well as any information, required by the Contractor, necessary for the proper performance of his duties.
The Mandator undertakes to position the Contractor for execution of the Services in operational and equipped maintenance warehouses in a zone free from hostile activities.
The Mandator undertakes to provide the Contractor:
 - with full hospitality of minimum 3 star accommodation on room and board basis;
 - life insurance;
 - health insurance;
 Insurances could be dealt by the Contractor and expenses reimbursed by the Mandator, based on preliminary approval of the insurance policy and cost.
7. Remuneration of the Contractor for due delivery of his Services is agreed to be 10 000 \$ monthly.
As a guarantee for the due performance of this agreement a 15% deposit is to be withhold from each payment by the Mandator and shall be payed upon the Contractor's obligations fulfillment and termination of this agreement.
Payment of the remuneration is monthly, between the 15st and the 20th of each



month in cash against receipt or by wire transfer to the following bank account: [REDACTED]

Each party shall be responsible for its own taxes, social security payments and/or banking charges, etc., in relation to this agreement.

8. The Contractor fully indemnifies the Mandator for any and all damages to health, life, profits, equipment and personal belongings, given the life and health insurance policies are validly issued and paid for. This indemnification stretches to the heirs of the Contractor. In case the heirs claim against the Mandator any payments for compensation, damage etc., the Mandator is entitled to a compensation lump sum against the Contractor's property/inheritance to the amount of the claims.

9. Independent Contractor: Contractor acknowledges that he shall perform his obligations hereunder as an independent contractor and not as an employee nor agent of the Mandator. Contractor further acknowledge that he is not on Mandator's payroll and social security or tax withholding rolls.

10. This contract is terminated:
- upon its term expiration;
 - by unilateral notification by the Mandator in case the Contractor fails to provide the required quality of Services – in such case the performance deposit of the Contractor serves as a compensation to the Mandator.

11. All disputes that may arise in connection with the performance of the present contract shall be settled in the way of agreement. If this proves impossible all disputes and disagreements shall be governed by and construed in accordance with Serbian Law by the courts in Belgrade.

This Agreement has been signed in two uniform copies, for each of the Parties.

For and on behalf of the Mandator:

Contractor:

Name: Banari Sergiu

Signature: 

Signature: 

For and on behalf of the Mandator:

Contractor:



Source: Confidential

1. The relation between Rami Ghanem and Sergiu Banari is also confirmed through the analysis of their respective Facebook accounts, adding to the information provided by a Member State. Both individuals are related through their Facebook, as well as their wives.

2. The money transfers from accounts at *Latvijas Pasta Bank* (Latvia) lead to a number of Ecuadorian citizens linked to the Ecuadorian Air Force (although their current relation with this institution is unknown). The transfers detected happened between June 2015 and December 2015. It is to be noted that Ghanem was arrested in December 2015. The companies ordering the transfers are also identified in the following table.

DATE	BENEFICIARY	CONCEPT	AMOUNT	FM	TO
18/06/2015	Individual 1	Payment for it services	9,900.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
18/06/2015	Individual 2	Payment for it services	9,900.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
15/07/2015	Individual 3	Payment for law services	9,887.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
15/07/2015	Individual 4	Payment for law services	9,887.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
15/07/2015	Individual 5	Payment for law services	9,887.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
15/07/2015	Individual 1	Payment for it services	9,887.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
15/07/2015	Individual 2	Payment for it services	9,887.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
27/07/2015	Individual 6	Payment for law services	9,858.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
15/09/2015	Individual 7	Payment for it services	9,857.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
15/09/2015	Individual 8	Payment for it services	9,857.00	IREWORK TRADING LP	BANCO PICHINCHA
21/09/2015	Individual 1	Payment for it services	10,175.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
22/09/2015	Individual 9	Payment for it services	19,826.00	IREWORK TRADING LP	BANK OF AMERICA
29/09/2015	Individual 2	Payment for law services	9,856.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
05/10/2015	Individual 6	Payment for law services	9,857.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.

26/10/2015	Individual 1	Payment for it services	9,858.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
26/10/2015	Individual 9	Payment for it services	19,993.00	IREWORK TRADING LP	BANK OF AMERICA
06/11/2015	Individual 7	Payment for it services	9,857.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
06/11/2015	Individual 8	Payment for law services	9,857.00	DEAL LOGIC DOX LP	BANCO PICHINCHA
10/11/2015	Individual 6	Payment for law services	9,860.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.
13/11/2015	Individual 2	Payment for it services	9,860.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
11/12/2015	Individual 7	Payment for it services	9,808.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
14/12/2015	Individual 1	Payment for it services	9,808.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
16/12/2015	Individual 2	Payment for it services	15,690.00	IREWORK TRADING LP	BANCO GENERAL RUMINAHUI S.A.
22/12/2015	Individual 6	Payment for law services	9,870.00	DEAL LOGIC DOX LP	BANCO GENERAL RUMINAHUI S.A.

3. There are nine different individuals involved. The amounts transferred indicate that the pilots received almost USD 20,000 per month and the engineers USD 10,000. The discontinuous payments suggest that other salaries were paid from and deposited to different accounts. All of the destination accounts but one (Individual 9, actually one pilot), belong to Ecuadorian banks.

BENEFICIARY	BANCO GENERAL RUMINAHUI S.A.	BANCO PICHINCHA	BANK OF AMERICA
Individual 9			2
Individual 1		5	
Individual 7		3	
Individual 5		1	
Individual 3		1	
Individual 2		5	
Individual 8			2
Individual 6		4	

Individual 4	1		
Total	20	2	2

4. The Panel is currently investigating the business network behind the two ordering customers (United Kingdom registered). This network of companies goes through the Marshall Islands back to the United Kingdom. Both ordering companies are registered at the same address in Scotland.

COMPANY	COMPANY NUMBER	ADDRESS
Deal Logic Dox LP	SL015607	12 South Bridge, Suite 1, Edinburgh, Scotland, EH1 1DD
Irework Trading LP	SL011876	12 South Bridge, Suite 1, Edinburgh, Scotland, EH1 1DD

Source: UK Companies House

5. After the arrest of Rami Ghanem, some Libyan military officers at the air force academy in Misrata have taken the lead in contracting at least one of these Ecuadorian citizens, as shown in the excerpts below:

**Presidency of General Staff
Air Academy**

Employment Contract ([REDACTED]):

Today, [REDACTED]/12/2016, this contract entered at the premises of the Air Force Academy, Misrata between the following:


1- The Air Academy, located in Misrata city, represented for signing this contract by, **Colonel Eng. Alhadi Ali Makhoulf**, in charge of planning office of Mir-F1 and, the commander of technical affairs at the academy, referred hereinafter as the (First Party).

This contract is made in Arabic and English of four copies for each language and each party keeps two copies of each couple.


Signatories:

Air Force Academy, (First Party), represented by:

- Name: Eng. , Alhadi Ali Makhlouf

Signature: 

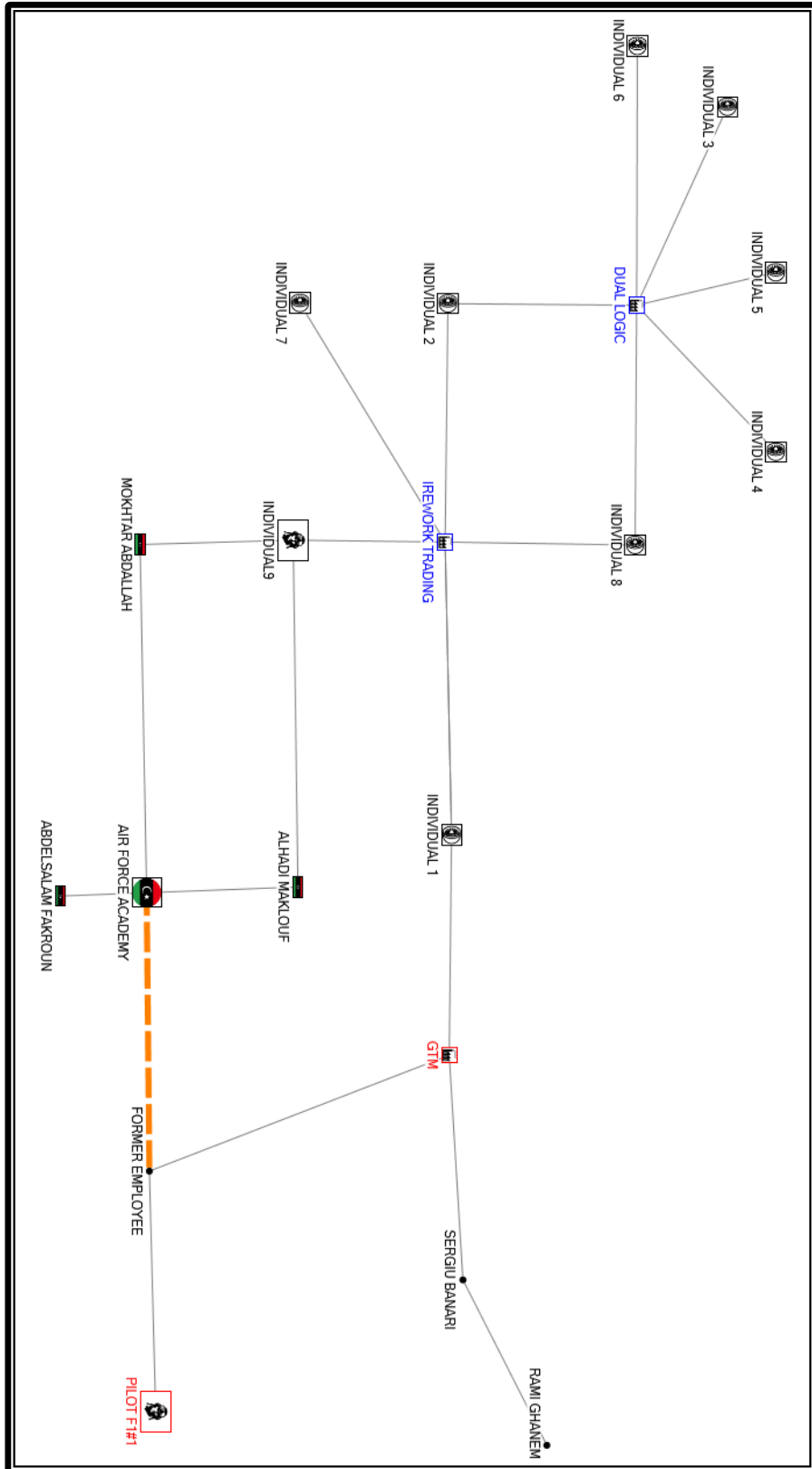
- Name: Technician Mokhtar Abdallah

Signature: 



Source: Confidential

6. The following graph explains the connections. Individual 1 is the engineer mentioned in the contract arranged by GTM, shown at the beginning of this Annex. Individual 9 is the individual contracted by GTM with whom it has an altercation.



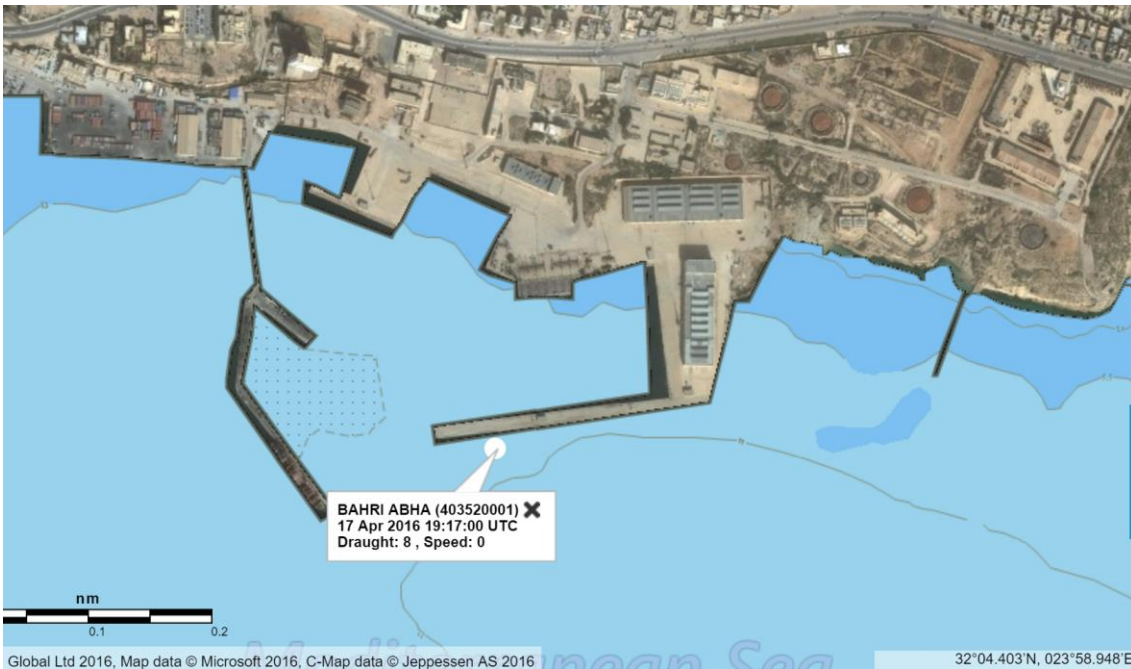
附件四十

Armoured vehicles transferred to Libya

Panthera armoured vehicles with turrets (ready to be equipped with weapon systems)



Source: Libyan Observer, 24 April 2016



This is the position of the vessel BAHRO ABHA while docked in Tobruk (AIS data):

32°04.403'N, 023°58.948'E

Bill of lading of the vessel 'Bahri Abha' (IMO 9620944) delivering APCs:

BILL OF LADING
FOR COMBINED TRANSPORT
FROM PORT TO PORT SHIPMENT

THE NATIONAL SHIPPING COMPANY OF SAUDI ARABIA
(BAHRI) - FMC CRG. NO. 004197



SHIPPER/EXPORTER (1) NEW IDEAL TRADING EST. JEDDAH SAUDI ARABIA		DOCUMENT NO (4) NSAUBA010JELK001
CONSIGNEE (2) (NOT NEGOTIABLE UNLESS CONSIGNED TO ORDER) (NAME, ADDR. PHONE) LIBYA CAPITAL FOR IMPORTING OF ARAB AND PARTS. Tel: 00218918598865 TOBRUK-LIBYA.		EXPORT REFERENCES (5)
NOTIFY PARTY (3) (COMPLETE NAME, ADDRESS AND TELEPHONE NO.) SAME AS CONSIGNEE		FORWARDING AGENT - REFERENCES - NAME, ADDRESS & TELEPHONE NO. (6) NEW IDEAL TRADING EST. JEDDAH SAUDI ARABIA
PRE-CARRIAGE BY (9*)		CARRIER'S AGENT AT PORT OF DISCHARGE AND TELEPHONE NO. (8) RAS ALHILAL MARINE SERVICES CO. SHIPPING AGENCY ALFATEH TOWERS 2, 16 GROUND FLOOR TRIPOLI-LIBYA
PLACE OF RECEIPT (9A*)	ONWARD INLAND ROUTING (14*)	
CARRIER (10) BAHIA NAO10	PORT OF LOADING (11) JEDDAH, SAUDI ARABIA	PLACE OF DELIVERY (15*)
PORT OF DISCHARGE FROM VESSEL (12) TOBRUK, LIBYA	FOR TRANSHIPMENT TO (13)	

CARRIER'S RECEIPT		PARTICULARS FURNISHED BY SHIPPER - CARRIER NOT RESPONSIBLE (SEE SUB-CLAUSE 3 (d))		
MARKS AND NUMBERS (16)	NO. OF PKGS. (17)	DESCRIPTION OF GOODS (18)	GROSS WEIGHT (19)	MEASUREMENT (20)
AS ADRS ROFO SHIPMENT	195	195 UNITS TOYOTA LAND CRUISER PICKUP SINGLE CAB, 4.0LTRS, V6, 2010YM. CARRIER NOT RESPONSIBLE FOR ANY SCRATCHES OR MINOR DENTS FREIGHT PREPAID LINER IN FREE OUT	429000	3705.000

RECEIVED in apparent good order and condition unless otherwise stated herein for carriage from the port of loading named herein or a place of receipt (Doc 9A above), if mentioned herein, to the port of discharge named herein or at the place of delivery (Doc 15 above), if mentioned herein. Such carriage being always subject to the terms, rights, duties, provisions, conditions, exceptions, limitations and liabilities contained on the reverse side hereof numbered 1-25 and those terms and conditions contained in the carrier's applicable tariff. The Merchant's attention is drawn in particular to the carrier's liabilities in respect of on-deck stowage (see Clause 10) and potential routes and liabilities (see Clause 6). In accepting this Bill of Lading, the Merchant agrees to be bound by all terms and conditions stated herein whether written, printed, stamped or incorporated on the face or reverse side hereof.

IN WITNESS WHEREOF, three (3) original Bills of Lading, all of like tenor, have been executed on behalf of the Carrier National Shipping Company of Saudi Arabia (hereinafter Bahri), ONE of which being accomplished the others shall stand void.

By: _____
As Agents for the Carrier Bahri

Bill of Lading No. NSAUBA010JELK001

Date: JEDDAH - 07/04/2016

Place of Issue: _____

*APPLICABLE ONLY WHEN DOCUMENT USED AS A COMBINED TRANSPORT BILL OF LADING (See Clause 5(b)).

FREIGHT DETAILS, CHARGES ETC. (See Clauses 9 and 15)

COPY-NOT NEGOTIABLE

FREIGHT AS ARRANGED

Declared Value \$ _____
If Merchant enters actual value of the Goods and pays the applicable AD VALOREM tariff rate, the Carrier's Package Limitation shall not apply.

(CONTINUED ON REVERSE SIDE)

DATE/TIME: 16/05/16 17:17:07
 Mode: ROR
 Page: 1

Vessel: PANRI ASHA 010 NA
 Place of Receipt: JEBEL ALI (DUBAI)
 Date of Loading: 25/02/16
 Port of Loading: JEBEL ALI (DUBAI)
 Vessel: PANRI ASHA 010 NA
 Place of Delivery: JEBEL ALI (DUBAI)
 Date of Delivery: 16/05/16
 Mode: ROR
 Page: 1

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 Vessel: PANRI ASHA 010 NA
 Place of Delivery: JEBEL ALI (DUBAI)
 Date of Delivery: 16/05/16
 Mode: ROR
 Page: 1

B/L No.	Shippers	Consignees	Weight	Unit	Description of goods	Weight	Unit	Freight	Cur	Rate	Collect
00000000000000000000	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	421041	120 UNIT	120 UNIT 12 X 6 METERS 270X120 X 60 REINFORCING BARS - METRIC CLASS S20	421041	120 UNIT	11390.00	USD	11390.00	
	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	240000		>>>PORT/PORT LINER IN FREE OUT<< >>>PORT/PORT LINER IN FREE OUT<< SHIPPED IN AS RECEIVED CONDITION. CARRIER IS NOT RESPONSIBLE FOR SMALL SCRATCHES AND DEPTS.	240000			USD		
	TOTAL NUMBER OF PAGES: 120										

B/L No.	Shippers	Consignees	Weight	Unit	Description of goods	Weight	Unit	Freight	Cur	Rate	Collect
00000000000000000000	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	390333	134 UNIT	134 UNIT 12 X 6 METERS 270X120 X 60 REINFORCING BARS - METRIC CLASS S20	390333	134 UNIT	9380.00	USD	9380.00	
	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	240000		>>>PORT/PORT LINER IN FREE OUT<< >>>PORT/PORT LINER IN FREE OUT<< SHIPPED IN AS RECEIVED CONDITION. CARRIER IS NOT RESPONSIBLE FOR SMALL SCRATCHES AND DEPTS.	240000			USD		
	TOTAL NUMBER OF PAGES: 134										

B/L No.	Shippers	Consignees	Weight	Unit	Description of goods	Weight	Unit	Freight	Cur	Rate	Collect
00000000000000000000	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	442861	110 UNIT	110 UNIT 12 X 6 METERS 270X120 X 60 REINFORCING BARS - METRIC CLASS S20	442861	110 UNIT	7190.00	USD	7190.00	
	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	240000		>>>PORT/PORT LINER IN FREE OUT<< >>>PORT/PORT LINER IN FREE OUT<< SHIPPED IN AS RECEIVED CONDITION. CARRIER IS NOT RESPONSIBLE FOR SMALL SCRATCHES AND DEPTS.	240000			USD		
	TOTAL NUMBER OF PAGES: 110										

DATE/TIME: 16/05/16 17:17:07
 Mode: ROR
 Page: 2

Vessel: PANRI ASHA 010 NA
 Place of Receipt: JEBEL ALI (DUBAI)
 Date of Loading: 25/02/16
 Port of Loading: JEBEL ALI (DUBAI)
 Vessel: PANRI ASHA 010 NA
 Place of Delivery: JEBEL ALI (DUBAI)
 Date of Delivery: 16/05/16
 Mode: ROR
 Page: 2

Vessel: PANRI ASHA 010 NA
 Place of Receipt: JEBEL ALI (DUBAI)
 Date of Loading: 25/02/16
 Port of Loading: JEBEL ALI (DUBAI)
 Vessel: PANRI ASHA 010 NA
 Place of Delivery: JEBEL ALI (DUBAI)
 Date of Delivery: 16/05/16
 Mode: ROR
 Page: 2

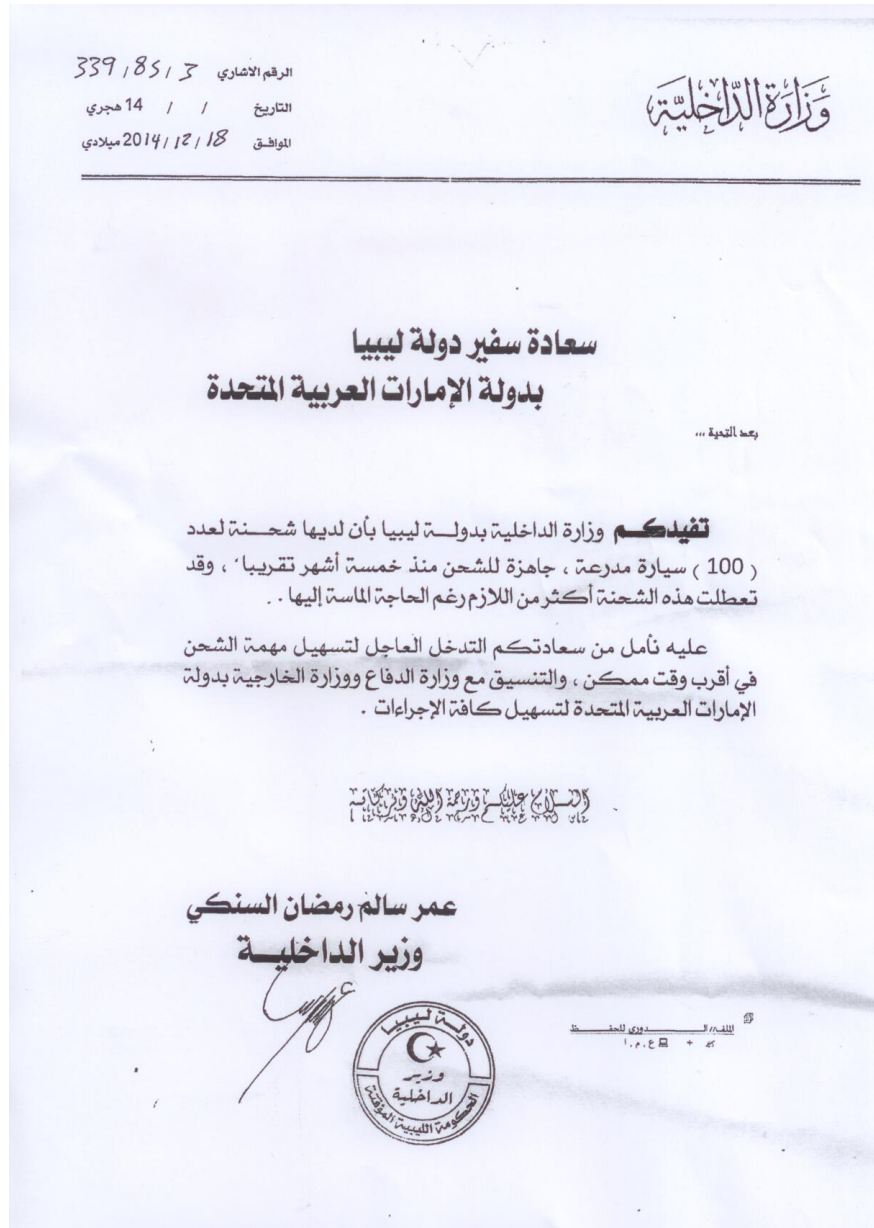
Vessel: PANRI ASHA 010 NA
 Place of Receipt: JEBEL ALI (DUBAI)
 Date of Loading: 25/02/16
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B/L No.	Shippers	Consignees	Weight	Unit	Description of goods	Weight	Unit	Freight	Cur	Rate	Collect
00000000000000000000	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	(SU) GS STEEL GENERAL TRADING (LLC) PO BOX 181734 DUBAI UNITED ARAB EMIRATES	442861	110 UNIT	110 UNIT 12 X 6 METERS 270X120 X 60 REINFORCING BARS - METRIC CLASS S20	442861	110 UNIT	7190.00	USD	7190.00	
	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	(SU) AL MUTAWASSIT AL HADITHI FOR CARS IMPORTING TUBRUK, LIBYA TEL: 0218922455	240000		>>>PORT/PORT LINER IN FREE OUT<< >>>PORT/PORT LINER IN FREE OUT<< SHIPPED IN AS RECEIVED CONDITION. CARRIER IS NOT RESPONSIBLE FOR SMALL SCRATCHES AND DEPTS.	240000			USD		
	TOTAL NUMBER OF PAGES: 110										

IPN: 891-833-6445	TOTAL NUMBER OF PAGES: 1101									
STROMSTUCCERBYTTI (SB) IS STEEL GENERAL TRADING (LLC) P.O. BOX 24734 DUBAI	ENGINES V280R									
URRING AAR ENGINES 1001 AAR AS AAR FOR IMPORTING CAR TORONTO, ONT TEL: 905-477-8229	110 UNIT 11 W R.E. 13841.77011.970 (H) UNITS AS RECEIVED IN FREE PORT QUANTITY NO.: DETAILS ATTACHED: SERIES NO. 257400/501 UNITS AS RECEIVED IN FREE PORT SERIES NO. 257400/501 UNITS AS RECEIVED IN FREE PORT SERIES NO. 257400/501		217400/501 257400/501	217400/501	257400/501		257400/501	257400/501		257400/501
1001 AAR AS AAR FOR IMPORTING CAR TORONTO, ONT TEL: 905-477-8229										
TOTAL NUMBER OF PAGES: 110										

Source: Kingdom of Saudi Arabia

Letter from the former Libyan Minister of Interior dated 18 December 2014 asking the Libyan Ambassador to the United Arab Emirates to intervene in the blockage of the transfer of 100 armoured vehicles and coordinate with the United Arab Emirates Ministries of Defence and Foreign Affairs.



Source: MSPV, 2015

附件四十一

Vehicles Delivered to Tobruk for LNA Affiliated Armed Groups

1. The Panel received from several sources information on a delivery of over 300 Toyota pickups and armoured Landcruisers to Tobruk on 16 January 2017. A verification of maritime data showed that the only vessel appropriate to carrying vehicles and docked in Tobruk is the SHAM 1.
2. The SHAM 1 (IMO 7920857) is a vehicle carrier. It called at Tobruk port on 16 Jan 2017, mooring for 36 hours.

7920857	Tobruk	Libya	15-Jan-17 07:11	2017-0 1-16	SHAM 1	VEHICLES CARRIER	Med Wave Shipping SA
7920857	Tobruk	Libya	19-Dec-16 19:51	2016-1 2-21	SHAM 1	VEHICLES CARRIER	Med Wave Shipping SA
7920857	Tobruk	Libya	07-Nov-16 10:05	2016-1 1-07	SHAM 1	VEHICLES CARRIER	Med Wave Shipping SA
7920857	Tobruk	Libya	23-Oct-15 22:44	2015-1 0-23	SHAM 1	VEHICLES CARRIER	Med Wave Shipping SA

Source: IHS Seaweb

3. The vessel's details are:

Ship Name	SHAM 1	Shiptype	Vehicles Carrier
LR/IMO No.	7920857	Gross	9,367
Call Sign	ODWM	Deadweight	4,401
MMSI No.	450568000	Year of Build	1980
Flag	Lebanon	Status	In Service/Commission
Operator	Med Wave Shipping SA	Shipbuilder	Usuki Iron Works - Usuki

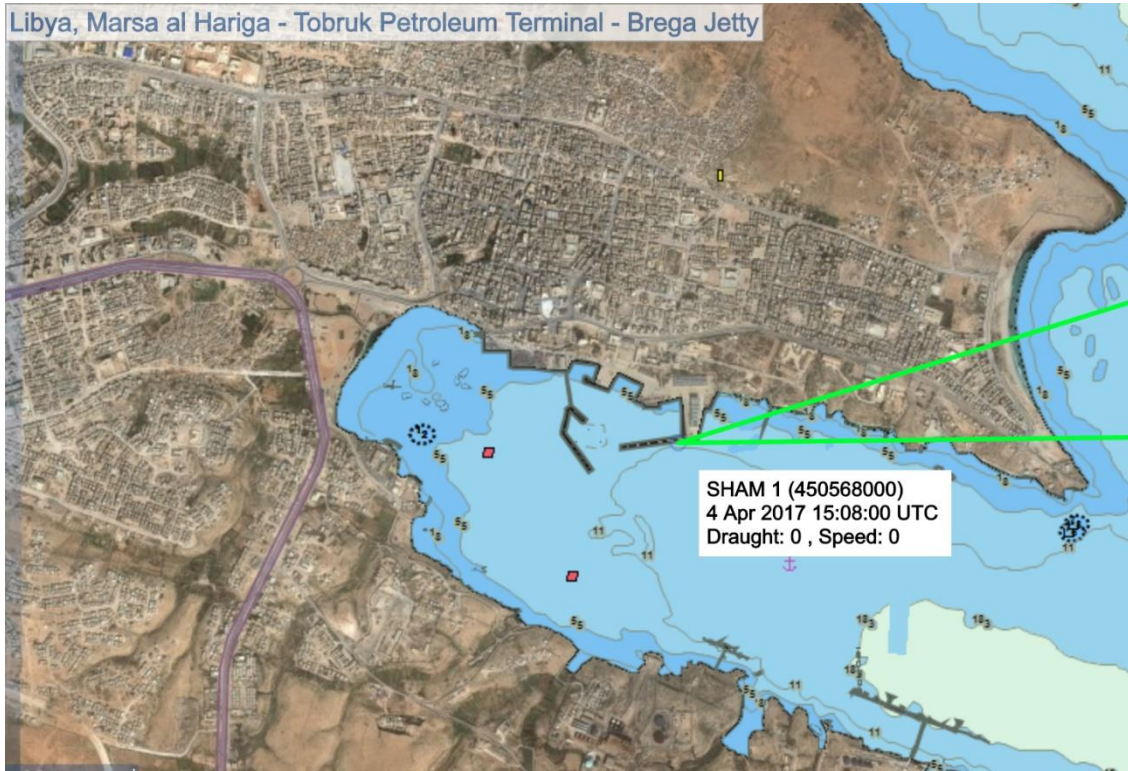


The vessels movements from October 2016 to January 2017



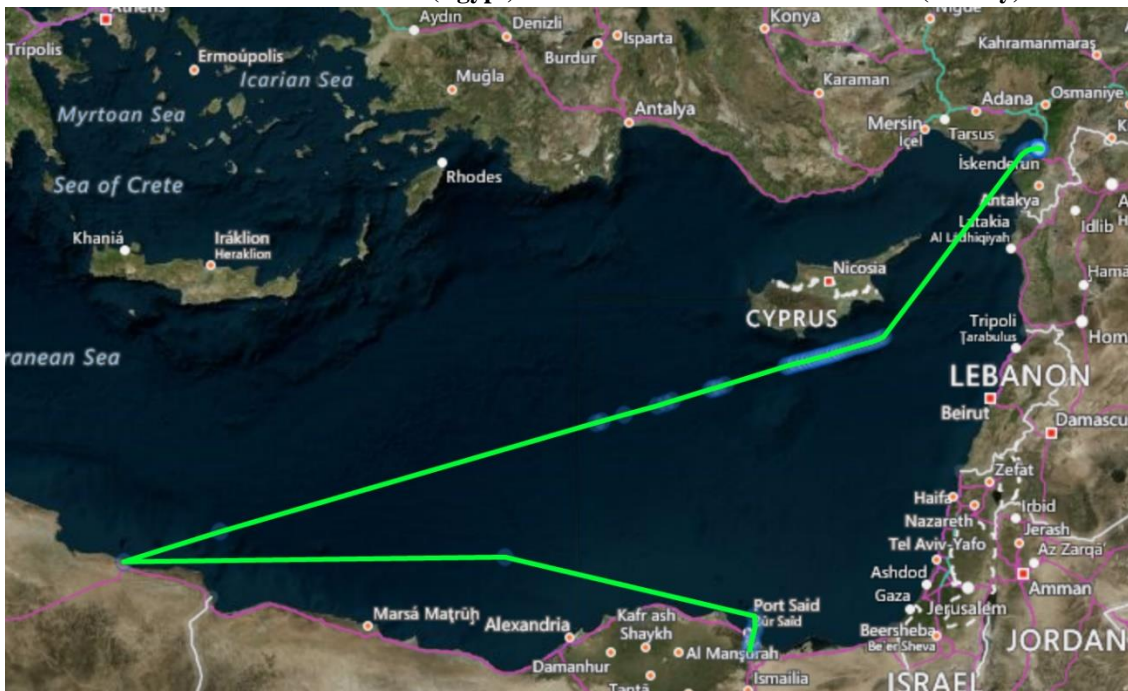
Source: IHS Seaweb

4. The Panel had further received confidential information that another delivery to Tobruk was conducted on 4 April 2017. Again, maritime data showed the SHAM 1 docked at the port.



Source: IHS Seaweb

The SHAM 1 arrived from Port Said (Egypt) to Tobruk and then to Iskenderun (Turkey).



Source: IHS Seaweb

5. The owner of the SHAM 1, Med Wave Shipping SA, is registered in Amman, Jordan. The Panel continues to investigate who chartered the vessel. However, the IHS data also shows that the vessel is listed by the Office of Foreign Assets Control (OFAC) of the U.S. Department of Finance since January 2015, when it was still registered under the name of CITY OF MISURATA. The listing seems to be linked to the former owner of the vessel, Merhi Ali Abou Merhi, a Lebanese businessman linked to Hizbollah through a ring of companies (money laundering according to the OFAC).¹¹⁰ Abou Merhi led the *Joumaa* criminal organization.¹¹¹ It should be noted that the SHAM 1 still flies the Lebanese flag and that the ownership of the vessel changed to a new company at the moment the vessel was listed.

Company Detail

Short Name	Med Wave Shipping SA
Full Company Name	Med Wave Shipping SA
Nationality of Registration	Honduras
Status	Existing
Founded	2015

Relationships

Addresses

No.	01
Address	Office 511, 5th Floor, Baraka Building, Dauwar al-Waha, Amman, Jordan.
Telephone	+962 6 554 0308

Source: IHS Seaweb

¹¹⁰ <https://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/20151001.aspx>.

¹¹¹ <http://yalibnan.com/2016/03/09/us-denies-lebanese-businessman-merhi-abou-merhi-was-cleared-over-links-with-hezbollah/>.

Details:

Type:	Vessel	List:	SDN
Vessel Name:	CITY OF MISURATA	Program:	SDNTK
Call Sign:	3EMY5	Vessel Flag:	Panama
Tonnage:		Vessel Type:	
Gross Registered Tonnage:		Vessel Owner:	(Linked To: MERHI, Merhi Ali Abou; Linked To: ABOU-MERHI LINES SAL)
		Remarks:	

Identifications:

Type	ID#	Country	Issue Date	Expire Date
Vessel Registration Identification	IMO 7920857			
MMSI	354134000			

Source: OFAC

Photograph: Toyotas HZJ 79 delivered to Tobruk



Source: Confidential

附件四十二

Interception equipment

Page 1 of a letter of complaint by LPTIC Chairman to ZTE



الشركة الليبية للبريد والاتصالات وتقنية المعلومات القابضة
Libyan Post, Telecommunication & IT Holding Company

ZTE Corporation
ZTE Plaza
Keji Road South
Hi-Tech Industrial Park
Nashan District
Shenzhen
People's Republic of China

التاريخ :
الإشاري :

CC:

- (1) The Minister of Foreign Affairs for Libya
- (2) H.E. Mr Usama Siala, the President of Libya's General Telecommunications and Informatics Authority
- (3) Libya's President of Administrative Control Authority.

30 September 2015

URGENT EXPLANATION REQUIRED FROM ZTE CORPORATION

ZTE CORPORATION IS DIRECTLY INVOLVED IN THE ILLEGAL AND UNLAWFUL SUPPLY AND INSTALLATION OF INTERCEPTION EQUIPMENT ON THE LIBYANA TELEPHONE NETWORK IN LIBYA

I write to you in my capacity as Chairman of the Libya Post and Telecommunications, Information Technology Company ("LPTIC"). As you will be aware, LPTIC is the owner of all mobile and other telecommunications assets in Libya. LPTIC is owned and controlled by the State of Libya, reporting directly to the Government of Libya and its Prime Minister, H.E. Abdulla al-Thani.

I have very recently been made aware of some very disturbing news involving ZTE. I have been informed that ZTE has illegally and unlawfully supplied and installed cellular interception equipment on the mobile network of Libyana in Libya. The equipment is designed to intercept and record telephone conversations made on the Libyana network. Neither LPTIC nor its management team in Libyana has commissioned ZTE to install this equipment. It would seem that ZTE has installed the relevant equipment in collusion with rogue militia acting outside of the legal framework of LPTIC and the authority of the recognised Government of Libya. Given the political context of Libya, ZTE would seem to be directly involving itself in supporting illegal and non-state participants acting to undermine the legitimate and internationally recognised Government of Libya and its efforts to bring peace and stability to Libya.

Source: LPTIC

附件四十三

Private Security Company Activity*RSB*

1. The Russian RSB-group has confirmed that it was contracted to clear an industrial facility from mines and IEDs in Benghazi.¹¹² Oleg Krinistyn, founder, of RSB-group, had already mentioned in an interview on 28 September 2016 that 86 of his employees were involved in demining, but did not disclose the contractor's name.¹¹³ A commander of the Libyan Air Force denied that Libya had contracted any private military company and later the spokesman of the LNA, Col. al-Mesmari, insisted that the RSB-group had been contracted by the Libyan Cement Company.¹¹⁴

¹¹² "Russia's RSB-Group Demined Plant in Libya on Country's Official Request – CEO", Sputnik News, 13 March 2017, <https://sputniknews.com/middleeast/201703131051530014-rsb-libya-demining-request/>.

¹¹³ Pierre Avril, "Les mercenaires russes sortent de l'ombre en Syrie", Le Figaro, Paris 28 September 2016, p.14.

¹¹⁴ "Russian Private Company in Benghazi Hired by Cement Company, Not Armed Forces", Sputnik News, 13 March 2017, <https://sputniknews.com/middleeast/201703131051522699-russia-benghazi-libya-military-company/>.

附件四十四

Tunisian seizures of materiel from Libya

AK-47 Type (AKM) self-loading rifle				
	Serial number			
	Year	Number	Country of Production	Factory/Producer
1	1977	976652	Russia	Tula Arsenal
2	1977	406296	Russia	Tula Arsenal
3	1975	865780	Russia	Tula Arsenal
4	1975	866165	Russia	Tula Arsenal
5	89	11693	Egypt	
6	1975	585307	Russia	Tula Arsenal
7	1963	EC2080	Russia	Tula Arsenal
8	1977	945342	Russia	Tula Arsenal
9	1977	954558	Russia	Tula Arsenal
10	1977	932306	Russia	Tula Arsenal
11	1977	918703	Russia	Tula Arsenal
12	1971	KU 6657	Russia	Izhevsk
13	1976	256460	Russia	Izhevsk
14	82	KV 7061	East Germany	
15	1975	840826	Russia	Tula Arsenal
16	1975	819477	Russia	Tula Arsenal
17	1978	RW 1740	Romania	Romania
18	1985	PM 0001	Romania	Romania
19	1985	2770	Romania	Romania

AKM (folding stock) self-loading rifle				
	Serial number			
	Year	Number	Country	Factory
3	1977	PP07939	Poland	Poland
4	1986	301863	Yougoslavia	Zastava

Type 56-1 self-loading rifle			
	Serial number	Country	Factory
1	18012173	China	Norinco

2	846797	China	313
---	--------	-------	-----

AK-103 2 self-loading rifle				
	Serial number			
	Year	Number	Country	Factory
1	2005	051453705	Russia	Izhevsk
2	2006	061384485	Russia	Izhevsk
3	2007	071410072	Russia	Izhevsk
4	2007	071495587	Russia	Izhevsk
5	2005	051443114	Russia	Izhevsk
6	2005	051485721	Russia	Izhevsk
7	2008	081430812	Russia	Izhevsk
8	2008	081363184	Russia	Izhevsk
9	2007	071405819	Russia	Izhevsk
10	2005	051463138	Russia	Izhevsk
11	2007	071492017	Russia	Izhevsk
12	2005	051364737	Russia	Izhevsk
13	2007	071420705	Russia	Izhevsk
14	2007	071421333	Russia	Izhevsk
15	2007	071458363	Russia	Izhevsk
16	2007	071376559	Russia	Izhevsk
17	2007	071496377	Russia	Izhevsk
18	2007	071448896	Russia	Izhevsk

Torun over-under shotgun				
	Serial number			
	Year	Number	Country	
1	2015	0027	Turkey	Torun Silah Sanayi
2	2015	0031	Turkey	Torun Silah Sanayi
3	2015	0035	Turkey	Torun Silah Sanayi
4	2015	0043	Turkey	Torun Silah Sanayi
5	2015	0048	Turkey	Torun Silah Sanayi
6	2015	0051	Turkey	Torun Silah Sanayi
7	2015	0052	Turkey	Torun Silah Sanayi
8	2015	0275	Turkey	Torun Silah Sanayi
9	2015	0415	Turkey	Torun Silah Sanayi
10	2015	0431	Turkey	Torun Silah Sanayi

1. Seized material also included:

6 FN-FAL self-loading rifles

4 PKM machine guns

1 FN Herstal MAG machine gun

2 Dragunov SVD designated marksman rifles

2 DShK 12.7mm heavy infantry machine guns

Over 240 7.62×39mm box magazines (steel and plastic)

AK 103-2

2. In previous years, the Panel regularly documented AK 103-2 seized from terrorist groups in Tunisia (see [S/2013/99](#) para 122) and other neighbouring countries ([S/2014/106](#) para 118 and 138). Those were usually limited to two to three rifles and in most cases, the Russian Federation could confirm their deliveries to Libya between 2005 and 2008. The Tunisian authorities secured at least ten AK 103-2 during or in the aftermath of the Ben Guerdane attack. The Panel continues to observe AK 103-2 originating from Libya used in neighbouring countries by extremist groups. Libya remains an important source of armament for extremist armed groups in the region.

Photograph: AK 103-2 self-loading rifles produced between 2005 and 2008





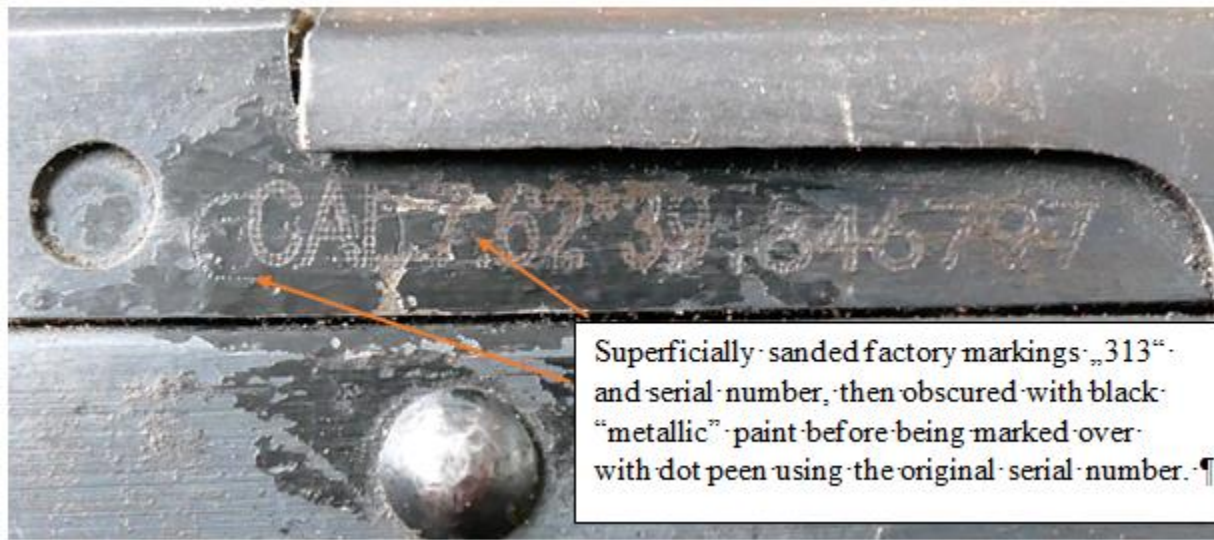
Source: Panel of Experts, Tunis, January 2016

Type 56-1

3. The Panel noticed that one of the Type 56-1 rifles used during the attack by ISIL elements showed peculiar signs of an attempt to obscure the original factory markings. The technique applied seems superficial and odd as it does not remove the serial number.

Photograph: Type 56-1 self-loading rifle 1 with Serial Number 4846797, Factory 313, sanded and blackened markings





Source: Panel of Experts, Tunis, January 2016

4. The Panel’s investigations highlighted that a similar technique was applied to other Type 56-1 rifles previously documented in the wider region (Group of Experts on Côte d’Ivoire, [S/2016/254](#), Annexes 13c and 13d; [S/2013/228](#), Annex 16). In April 2011 the Small Arms Survey documented in South Sudan a Type 56-1 rifle seized by the SLPA from Athor’s SSDM/A.¹¹⁵ The Panel continues to investigate the source of these modified markings of rifles.

Photograph: Type 56-1 with Serial Number 48126446, Factory 313:



Source: Small Arms Survey

¹¹⁵ Jonah Leff and Emile LeBrun, ‘Following the Thread: Arms and Ammunition Tracing in Sudan and South Sudan’, Working Paper 32, Small Arms Survey, Geneva, p.47. <http://www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP32-Arms-Tracing.pdf>.



Source: Small Arms Survey, Jongelei, South Sudan, April 2011

Detonators

5. The detonator/blasting cap shown below is an example of one of 137 such items.

Photograph: Hercules Powder Company detonator



Source: Panel of Experts, January 2017

6. The blasting caps are manufactured by the Hercules Powder Company of Wilmington, Delaware. Panel research has shown that Hercules Powder Company was merged with Ashland Inc. in 2008, however it is not clear if the Hercules brand name is still used.

Baretta MOD. 70

Photograph: Beretta MOD. 70 7.65mm, Serial Number A81171, which has a screw fitting at the front of the barrel for the attachment of an accompanying suppressor.



Source: Panel of Experts, January 2017

7. This pistol was manufactured on 9 October 1964. It was not registered with the police and there is no further information available on the date or destination of its export from Italy.

Taurus PT-92

8. The Taurus PT-92 9mm Para. Serial Number B27792 also has a screw fitting for the attachment of the suppressor. The Panel has received no response to enquiries to identify the supply route of this weapon.

Photograph: Taurus PT-92 Pistol



Source: Panel of Experts, January 2017

附件四十五

Egyptian seizures of materiel from Libya

عدد الأسلحة والذخائر المضبوطة من قبل السلطات المصرية أثناء تهريبها من ليبيا
في الفترة من ٢٠١٦/١/١ حتى ٢٠١٦/١١/١١

نخيرة	طبنجة	بندقية ضغط هواء	رشاش كلاشينكوف	بندقية خرطوش	بندقية قناصة	بندقية آلية عيار ٣٩*٧,٢٦
٢٩٣ طلقة مختلفة الأعيرة	٥	١	١	١٣٩٥	٦	١٢

**Weapons and ammunition seized by the Egyptian authorities in the course of being smuggled
from Libya between 1 January 2016 and 11 November 2016**

<i>7.26x39 automatic rifles</i>	<i>Sniper rifles</i>	<i>Shotguns</i>	<i>Kalashnikov machine guns</i>	<i>Air pressure rifles</i>	<i>Pistols</i>	<i>Ammunition</i>
12	6	1395	1	1	5	293 rounds of assorted calibres

Source: Egyptian Ministry of Foreign Affairs

附件四十六

Transfers to Niger

1. Nigerien officials informed the Panel that overall they had seen a reduction in the scale of arms trafficking from Libya with a number of smaller seizures having been identified as having occurred in 2017. This is also confirmed by two recent studies by Conflict Armament Research and the Small Arms Survey.¹¹⁶

2. The first of these, termed the Abalak Seizure, saw the attempted movement of weapons from Libya to West African gangs. Two migrants being used as ‘mules’ to transport weapons were intercepted and a quantity of munitions recovered. Most of the arms recovered were modified blank firing pistols with the ammunition consisting of blank rounds converted to fire steel ball bearings.

Photographs of materiel seized by Niger; source for all photographs unless stated otherwise: Panel of Experts

Photograph: Retay Baron HK Blank Pistol



¹¹⁶ “Investigating Cross-Border Weapon Transfers in the Sahel”, Conflict Armament Research, London, November 2016; and Savannah de Tessières, “Measuring Illicit Arms Flow: Niger”, Briefing Paper n°1, March 2017, Small Arms Survey, Geneva.

Photograph: Retay Baron HK Blank Pistol



Photograph: Blow F92 Blank Pistol



Photograph: Converted blank ammunition in packaging



Photograph: Converted blank ammunition in packaging



Photograph: Converted blank ammunition, loose.



3. 369 cartridges were seized between Agadez and Zender on 27 February 2017 in the possession of Ahmed Ali Sallah, a Tebu from Chad. Sallah was hired by his community in Libya to transport the ammunition. The Nigerien authorities commented that some Tebu groups are a link between ISIL and Boko Haram, controlling most of the supply route to Diffa.

Photograph: Ammunition seized in possession of Ahmed Ali Sallah



Source: Nigerien Authorities

Photograph: Ammunition seized in possession of Ahmed Ali Sallah



4. Nigerien Gendarmerie provided additional reporting detailing seizures of small arms, predominantly assault rifles, and ammunition. The Panel is continuing to follow up on specific serial numbers of weapons seized.

附件四十七

Weapons seized in Algeria allegedly from Libya

1. The Algerian Ministry of Defence provides regular news and general figures on arms seizures and counter-terrorist operations.¹¹⁷ The likelihood that some of the material seized was smuggled from Libya is high and would offer options to trace the material's origin. Below some example of such seizures:



¹¹⁷ See, for example, 'Lutte contre le terrorisme et le crime organisé: bilan, janvier-mai 2016', La revue El-Djeich, n° 635, Algiers June 2016, pp. 48-49.



Source: Internet¹¹⁸

¹¹⁸ http://www.mdn.dz/site_principal/index.php?L=fr#undefined.

A further example of material seized at the border between Algeria, Niger and Libya:



Material seized in the region of In Amenas:



Material seized in Tamanrasset:



Source of all the pictures above: Website of the Algerian Ministry of National Defence, under Actualit és and Communiqués¹¹⁹

¹¹⁹ http://www.mdn.dz/site_principal/index.php?L=fr#undefined.

2. The Algerian MoD has published in its monthly magazine an overview on material seized in Algeria in 2016. It is probable that a large share were smuggled from Libya in violation of the embargo.

Munitions

- **(17)** roquettes 57 mm hélicoptère.
- **(24)** charges propulsives pour RPG-7
- **(338)** roquettes pour RPG-7
- **(04)** roquettes pour RPG-2
- **(24)** roquettes de confection artisanale
- **(640)** obus de mortier de différents calibres, **(261)** charges pour mortier et **(317)** fusées pour mortier, **(138)** cartouches de mortier.
- **(28)** obus de fabrication artisanale
- **(03)** obus pour FLC
- **(24 470)** cartouches pour fusils de chasse
- **(107)** crosses pour kalachnikov
- **(10)** ceintures explosives
- **(100)** seringues prêtes à exploser
- **(189362)** balles de différents calibres
- **(1244)** chargeurs de munitions
- **(18)** chaînes de munitions pour fusil mitrailleur de type FMPK
- **(31)** kilogrammes de TNT
- **(735)** kilogrammes de substances explosives
- **(03)** demi bombonnes de gaz prêtes à exploser
- **(380,1 kg)** de poudre noire
- **(57)** détonateurs.
- **(01)** panier de lancement de roquettes pour hélicoptères.
- **(653 kg)** de dynamite.
- **(50 kg)** de nitrate d'amoniac
- **(02)** coffres de munitions pour mitrailleuse RPK.

Armes	
Fusils automatiques Kalashnikov	668
Fusils mitrailleurs FMPK	48
Mortiers	37
Fusils de chasse	82
Fusils semi-automatiques dotés de lunette de précision	35
Fusils à pompe	26
Fusils semi-automatiques Simonov	64
Lance-roquettes RPG-7	18
Fusils mitrailleurs de type RPK	16
Mitrailleuses de type 12,7 mm	13
Mitrailleuses de type 14,5 mm	07
Fusils à répétition	36
Mitrailleuses de type PKT	09
Mitrailleuses de type PSH	02
Mitrailleuses de type Dictariov	05
Mitrailleuse de type M16	01
Mitrailleuses de type MAT44	04
Lance-missiles à 3 canons	01
Lance-missiles de type Strela	01
Lance-roquettes RPG-5	05
Lance-missiles de RPG-2	02
Missiles anti-aériens	06
Fusils de confection artisanale	56
Pistolets automatiques de différents types	35
Mitrailleuse de type RPD	01
Pistolet mitrailleur de type MAT-49	01
Fusils de type MAS 36	03
Grenades	792

Source: El Djeich, Revue mensuelle de l'armée nationale populaire, n °41, Avril 2016¹²⁰

¹²⁰ http://www.mdn.dz/site_principal/sommaire/revue/images/EldjeichDec2016Fr.pdf.

The Algerian MoD has also published the figures for the first quarter of the year 2017:

Armes	
Fusils automatiques de type Kalachnikov	56
Mitrailleuse lourde, de calibre 14,5 mm	01
Mitrailleuses lourdes de type FMPK	04
Lance-roquettes de type RPG-7	01
Fusil semi-automatique de type Simonov	01
Fusils de chasse	03
Pistolets automatiques	04
Canons de confection artisanale	02
Bombes de confection artisanale	14
Mines de confection artisanale	10
Grenades	30
Grenades fumigènes	09
Produits chimiques servant dans la fabrication d'explosifs	1004 Kg
Acide nitrique	150 L

Munitions	Autres objets
<ul style="list-style-type: none"> - (08) obus de type RPG-2 - (02) roquettes pour RPG7 - (79) chargeurs pour pistolet mitrailleur de type Kalachnikov - (3523) balles de différents calibres. 	<ul style="list-style-type: none"> - (83) détecteurs de métaux - (83) marteaux piqueurs. - (110) groupes électrogènes. - (15) paires de jumelles - (08) téléphones satellitaires

El-Djeich N° 645 Avril 2017

Source: Revue mensuelle de l'Armée nationale populaire, n°645, Avril 2017,¹²¹

¹²¹ http://www.mdn.dz/site_principal/sommaire/revue/images/EldjeichAvril2017Fr.pdf.

附件四十八

Distya Ameya

1. On 18 April 2016, the eastern NOC delivered the following order to AGOCO, with the intention of loading a vessel between 21-23 April in Marsa al-Hariga:

Date: 18/04/2016 التاريخ: 18/04/2016
 Ref: IMU/7-4/2016 الرقم المرجعي: 7-4/2016



الحكومة الليبية المؤقتة
 المؤسسة الوطنية للنفط


To: AGOCO-BEN
 CC: AGOCO-TUB
 Attn: OPERATIONS MANAGER
 CC: TERMINAL SUPPORT

FAX: 00218612229006
 TEL: 00218627622422
 TEL: 00218612237788
 TEL: 00218612228931 -Ext. 803325

Ref.no: IMA 09.11.2015 Code Number: DSA CONSULTANCY FZC-12-2016 "2015-C-010"
 Subject: SARIR/Mesla Blend Cargo During 21-23/April 2016

Please load to:	(DISTYA AMEYA IMO 9077343)
Quantity:	(650,000 BBLS +/- 5% of SARIR/MESLA BLEND)
CONSIGNEE:	(To The Order OF "DSA CONSULTANCY FZC, UAE")
CONSIGNOR:	(NATIONAL OIL CORPORATION LIBYA)
DESTINATION:	(MALTA)
INSPECTOR:	Al Khabeer Company for Inspection and Conformity
MARKED:	["Clean On Board" & "Freight Payable as Per Charter Party"]

NOTE: Please Deliver Master One Copy of All Documents


 Dr. Almabruk Sultan
 General Manager, International Marketing


CC:

- Chairman
- Int. Marketing Coordinator
- Finance Coordinator
- DSA File

العنوان : البيضاء أم الصمصام - شارع أم الصمصام / خلف تلة لفتون (مجمع شهداء الجبل) ص. ب (1480) فاكس 218695710300 هاتف 600 / 00218695710400

Source: Confidential

2. The 'Distya Ameya' (IMO 9077343) approached Libyan territorial waters from the Suez Canal. The western NOC sent an e-mail on 21 April 2016 to the operator of the vessel among others when they had verified its intentions, in the following terms:

Sent: Thursday, April 21, 2016 12:25 PM

*To: 'maritime.managers@griffin.li'; 'maritimepacific@aol.com';
'roger.green@marinecon.net'; 'maritime-mutualnz@xtra.co.nz';
'maritimemutualnz@aol.com'*

Subject: Extremely Important /URGENT

Importance: High

Dear Sir/Ma'am

Good Morning

With reference to the series of clear resolutions and statements of the United Nations, including UN Security Council Resolution 2259, that it strongly opposes activities which could damage integrity and unity of the NOC, 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.

Moreover, it came to our attention that a vessel called "Distya Ameya" is illegally nominated to load from Libya, and your respectful club is the P & I club for this vessel.

Therefore, you're kindly requested to interfere and stop this illegal nomination, to prevent any kind of unwanted legal action and/or subsequences that may damage the vessel.

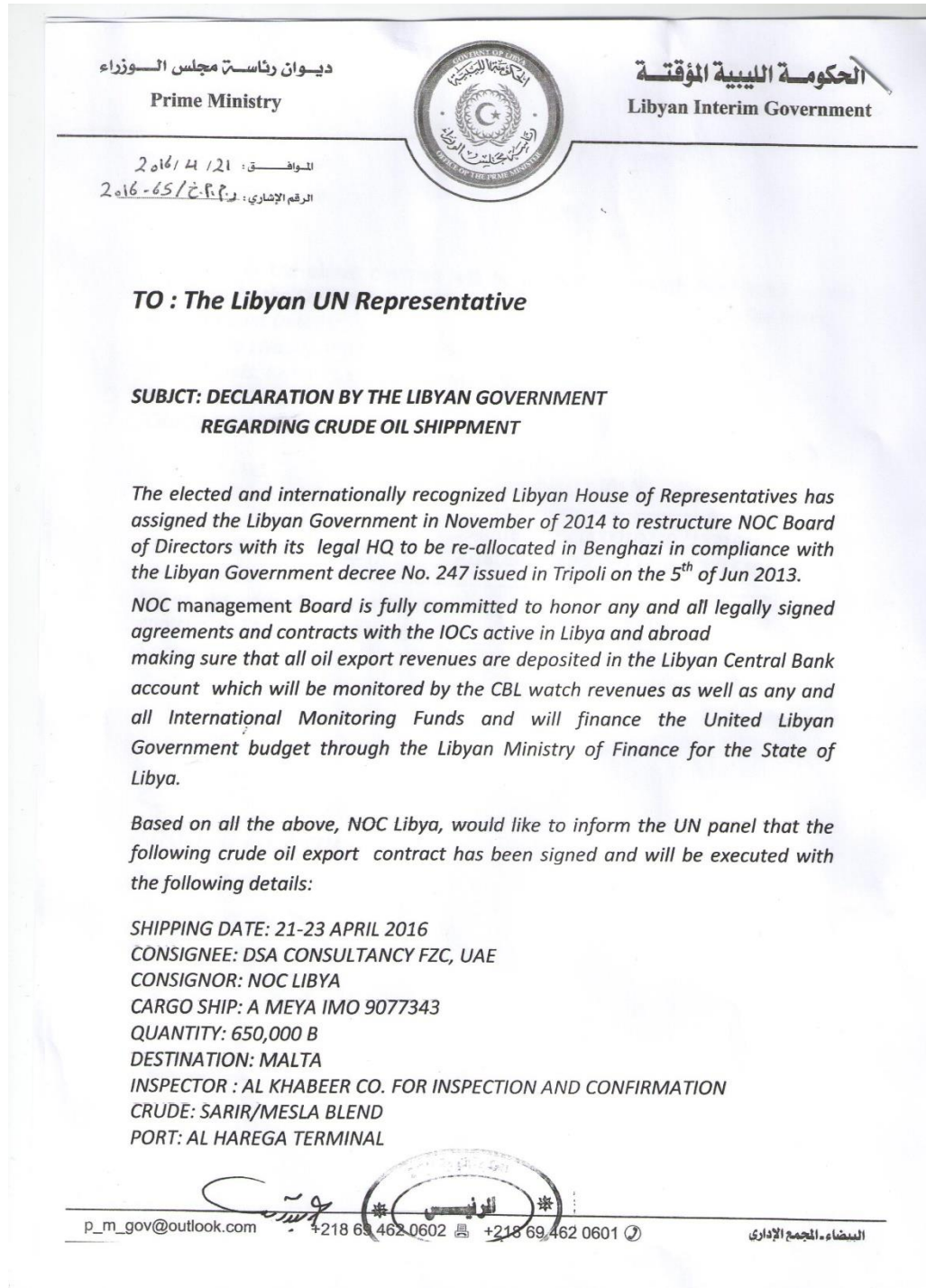
*On behalf of Mr. Ahmed Shawki , General Manager of International Marketing
Department-NOC Libya*

3. The details of the vessel are:

IMO_Ship_No.	Name_of_Ship	Callsign	Deadweight	Flag
9077343	DISTYA AMEYA	AWPM	95420	India

4. The owner of the crude oil to be loaded in Tobruk is the company DSA Consultancy FZE, based in the United Arab Emirates.

5. The western NOC informed the PC about the case on 21 April 2016, while a letter signed by Abdallah al-Thinni was sent to the Permanent Representative of Libya to the UN:



ديوان رئاسة مجلس الوزراء
Prime Ministry

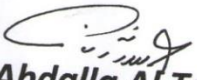
حكومة الليبية المؤقتة
Libyan Interim Government


للسوق: 21 / 24 / 2016
الرقم الإشاري: ج.م.خ.س/ 65 - 2016

Revenues of the above contract will be deposited through NOC Bank details approved by the Central Bank of Libya as per the attached CBL Governor letter.
Bank Account Details:
Beneficiary : National Oil Corporation
Bank Details: BANK AL ETHIHAD, AMMAN, JORDAN
SWIFT CODE: UBSIJOAXXX
CRUDE OIL ACCOUNTS:

AC/NO.	IBAN
USD (0010210713715101)	J040UBSI1010000010210713715101
EURO (0012310713715101)	J018UBSI1010000012310713715101

We expect your official notification to the relevant UN authorities of the contract and transactions stated.
Sincerely


Abdalla Al Teni
Prime Minister



Cc:-
- Libyan House of Parliaments
- Libyan Governor of the Central Bank
- Security council committee established pursuant to resolution 1973(2011) concerning Libya
- The chairman of the UN panel of experts on Libya
- NOC Board of Director

p_m_gov@outlook.com +218 69 462 0602 ☎ +218 69 462 0601 📠
البيضاء - المجمع الإداري

Source: Confidential

6. On 21 April, the Permanent Representative of Libya to the United Nations requested the Committee to take action under resolution 2146 (2014). According to public data, the tanker was heading to Limassol (Cyprus), but on 22 April 2016 was in the vicinity of Tobruk. However, the

vessel did not enter port immediately. The eastern NOC board of directors held discussions about the loading. Finally, the board took the decision to load the vessel, although the decision was not unanimous. The vessel started to load on 24 April 2016 at 20:00 hours (local time).

7. On 23 April 2016, the western NOC sent a deterrent e-mail to the captain of the tanker:

To: distyaameya@amosconnect.com

Dear sir

Please be informed that The seller of the cargo you are planning to load is not the internationally recognized government of Libya. Loading the cargo will contravene UN Security Council resolutions 2146, 2259 and 2278 and may result in your vessel being impounded.

The Libyan government has notified the United Nations Security Council of your intention to load Libyan oil illicitly and the council is taking measures. We request that you weigh anchor and leave Libyan waters immediately.

8. The ship set sail in the early hours of 26 April 2016, heading to Malta. The Automatic Identification System (AIS) was interrupted several times during the journey.



The AIS was on for a period of time while the vessel sailed by Derna on 26 April 2016

Source: IHS Seaweb

9. The Panel is aware of discussions within the PC, which focused on the payment system that had been reported in al-Thinni's letter (see above paragraph 5).

10. In the meantime, the Maltese authorities warned the ship not to enter Maltese territorial waters. Therefore, the vessel remained adrift 50 nautical miles off Malta, waiting for instructions.

11. On 27 April 2016, the Committee added the vessel to the Libya Sanctions List.
12. The western NOC told the 'Distya Ameya' to head to Zawiya, to discharge the crude oil in the refinery. The ship docked on 30 April 2016. Due to bad weather conditions, the vessel departed on that same day and remained in the vicinity until it could dock again on 5 May 2016, finalising the operation on 6 May 2016, leaving Zawiya.
13. Upon request from India and non-objection by Libya, the vessel was delisted on 16 May 2016.

附件四十九

Unknown vessel

1. On 4 November 2016, Abdallah Ateiga sent the following communication to the Permanent Mission of Libya, with copy to the Panel, which was then forwarded to Committee:

Dear Sir,

I am the focal point assigned by the Presidency Council of the Government of National Accord pursuant to UNSCR 2259.

I am concerned we may be on the brink of a new oil export crisis in Libya. Despite, signing an agreement to unify NOC earlier this year, the former NOC East chairman Nagi el-Moghrabi issued yesterday instructions to AGOCO, an NOC subsidiary, to load oil to be exported to Egypt (2 million barrels) outside the legal authority of NOC in Tripoli.

El-Moghrabi claims that he has been ordered to organize the shipment by the President of House of Representatives H.E. Mr. Aguilta Saleh, based on a pre-existing memorandum signed by Mr. Saleh. We have yet to see this memorandum, but we contest its legitimacy since it contradicts the Libyan law and the sole authority over oil exports of the GNA under UNSCR 2259.

In this situation, given that Libya and Egypt share a maritime border, the mechanism for interdicting illegal shipments under UNSCRs 2146 (2014) and 2278 (2016), as used in the recent case of the *Distya Ameya*, may be inadequate. In the case of shipment to Egypt, if a ship docks to load illegally there will probably be no opportunity for interdiction. Our focus, therefore, needs to be on prevention.

I would appreciate any thoughts you may have about how we could prevent such an illegal loading from taking place.

Also Eastern NOC is trying to activate contracts signed by them and all of it with unqualified companies as per NOC criteria and the commercial terms of those contracts not in the interest of Libyan people

Yours sincerely

2. The eastern NOC took care not to mention the name of a vessel¹²², as can be seen in the following excerpt of one of the compulsory documents that are exchanged among the different entities involved in this kind of operation:

¹²² In the excerpt it might appear that the name of the vessel is TBN. However, TBN is an abbreviation that means "To Be Named".

INTERTANKO'S STANDARD TANKER CHARTERING QUESTIONNAIRE 88 (Q88)		Version 3
1.	VESSEL DESCRIPTION	
1.1	Date updated:	28.08.2016
1.2	Vessel's name:	TBN
1.3	IMO number:	
1.4	Vessel's previous name(s) and date(s) of change:	
1.5	Date delivered:	Sep 06, 1995
1.6	Builder (where built):	SAMSUNG HEAVY INDUSTRIES, GEOJE, S. KOREA
1.7	Flag:	Panama
1.8	Port of Registry:	Panama
1.9	Call sign:	
1.10	Vessel's satcom phone number:	
	Vessel's fax number:	
	Vessel's telex number:	
	Vessel's email address:	
1.11	Type of vessel:	Oil Tanker
1.12	Type of hull:	Double Hull

Source: Confidential

3. The Panel was able to filter the data and determine the vessel involved in the alleged shipment. However, the vessel never entered the Mediterranean Sea at the time when the shipment was due to take place.

附件五十

Contract with eastern NOC



الحكومة الليبية المؤقتة
 المؤسسة الوطنية للنفط
 National Oil Corporation

التاريخ: 14 / / هجري
 الموافق: 2016/01/13 ميلادي
 الرقم الاشاري: ت د 2016/69

To: Whom it may concern

This is to certify that **EUROPA SHIPPING SA** is registered within our list of companies with International Marketing Dept. in National Oil Corporation (Registration No.2015-C-075).

Best Regards,

Yours,


Dr. Almabruk Mohamed
 General Manager, International Marketing

cc:IM, CO31, File



الإدارة الرئيسية رأس لانوف المؤسسة الوطنية للنفط



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

التاريخ : 2016/10/13
الموافق :

الإشاري : 10.166/د.ن
الملف :

To : EUROPA SHIPPING SA
Attention : Mr. Konstantinos Tsakiroglou.
Reference No. : IM. 166
Subject : Allocation Certificate

Allocation Certificate No 10/2016

National Oil Corporation of Libya (NOC) has the pleasure to allocate to **EUROPA SHIPPING SA** in our call, 3,000,000 bbls of Sarir/Messla blend crude oil loading Marsa El Hariga On FOB (2015-C-075) port (Marsa El Hariga), to be loaded between 25th of November 2016 to 30th of November 2016, as per contract No. (EUROPA SHIPPING SA -02-2016) (2015-C-075). And we will accommodate your nominated vessel accordingly.

Yours Sincerely,

Emad Mohamed
International Marketing
Coordinator

cc:

- NOC Chairman
- Crude Dept
- Company file



بنغازي - البريقة (00218)614782560 - (00218)614782561
 info@libya-noc.org https://im.facebook.com/NOCL.LIBYA/

This Agreement
Contract for the sale and purchase of
Libyan Crude Oil

FOB

اتفاقية بيع النفط الخام

No (EUROPA SHIPPING SA-02-2016)
(2015-C-075)

Page 1 of 15



SELLER AND BUYER'S ACKNOWLEDGEMENT:

Paragraph (9)

We, as Seller, hereby with full corporate responsibility and with the power vested in its Officer, accept, confirm and agree to abide by this Contract. The Seller has all rights to revoke the entire Contract if Buyer failed to meet terms of this Contract.

date:

Prepared By:

Name : Dr. Almabruk Sultan

Position: National Oil Corporation- International Marketing.

Signed by:

SELLERS NAME: National Oil Corporation

Address: 1st Round Road, NOC Bulding, El Bidaa Libya

Representative: Dr. Nagi Elmagrabi

Position: Chairman



And

We, as Buyer, hereby with full corporate responsibility and with the power vested in its Officer, accept, confirm and agree to abide by this Contract.

date: 12-Feb.-2016.

Signed by:

BUYERS NAME: EUROPA SHIPPING SA

Representative: Konstantinos Tsakiroglou

Position: CEO



Appendix (A) of crude oil type specification

ملحق (A) مواصفات النفط الخام

Crude	API Gravity	Sulfur Content	Loading Port
Abu Attifel	41.5	0.3	Zueitina
Amna	36	0.2	Ras Lanuf
Brega	39.8	0.2	Marsa al-Brega
Es Sider	37	0.4	Es Sider
Messla	-	-	Marsa al-Hariga / Tobruk
Sarir	37.1	0.2	Marsa al-Hariga / Tobruk
Sirtica	42.2	0.4	Ras Lanuf
Zueitina	43.4	0.1	Zueitina



Page 15 of 15




Source: Confidential

附件五十一

Statement of eastern NOC entitlement

ديوان رئاسة مجلس الوزراء

الموافق 2017/ 3/27
الرقم الإشاري :




الحكومة الليبية المؤقتة

Sirs
Chairmen of the board of directors of
Libyan own companies
International companies operate in Libya
Companies owned by international and Libyan Companies
Companies has interest in Libyan market and deals with the NOC

Dear Sirs
In the past days unauthorized bodies had issued some decree related to oil sector including signing contracts. We would like to inform all concerned that these bodies are illegitimate and has no legal status. and therefore, any deals concluded with it considered illegal act, and those who are involved shall face legal action in Libya and abroad.
Therefore, we argue everybody concerned not to deal with these bodies nor to invite them to your offices any action might get you on facing legal claim by the national Oil Corporation, we would like to emphasis that the national Oil corporation NOC. Is located in Benghazi since the decree No (247) issued on the year 2013.

Sincerely yours

Elbadri - A
Dr. Abdussalam M. Elbadri
Deputy Prime Minister for Services Affairs
The Head of Oil & gas committee



www.pm-ly.com +219 69 462 0625 +218 69 462 0621 البيضاء - المجمع الإداري

Source: Confidential

附件五十二

The Vienna Agreement

Translation into English of the Vienna Agreement:

Translated from Arabic

In the name of God the Merciful, the Compassionate

The State of Libya

Principles for the agreement to integrate and consolidate the oil sector

On 15 May 2016, with the country's best interests in mind, Naji Husayn al-Maghribi and Mustafa Abdullah San'ullah held their fourth meeting on the situation in the Libyan oil sector.

The participants reviewed with some concern the disturbing ramifications of the current situation in the oil sector. They focused on the importance of reinforcing and consolidating efforts to alleviate the suffering of Libyan citizens as a result of the impact on their livelihoods of the political conflict that has been going on in the country for more than two years. Production levels in the State of Libya, which is a member of the Organization of Petroleum Exporting Countries (OPEC) and has the largest reserves in Africa, are not even adequate for domestic demand.

The crisis does not end there. The country has been forced to use up a significant portion of the Central Bank's reserves in order to increase foreign fuel imports just to keep vital State facilities running. At the same time, the suspension of exports has led to an acute drain of Libyan assets that has had a negative impact on the value of the Libyan dinar and on citizens' quality of life.

It has become more urgent than ever to stop the bleeding, move beyond the painful past, face up to the many challenges, and overcome obstacles on the basis of a thorough understanding of the crisis, keeping in mind the country's best interests and the importance of using oil revenues to achieve genuine and balanced development across all regions of Libya without exception.

That being said, it goes without saying that the agreement should give priority to Benghazi. That city will be the lynchpin of the agreement, both because of the extent of the destruction there and because it has the potential to be an attractive environment. However, that can only happen if we build a strong economy by working together in the oil sector to revive production quickly and restore oil exports to normal levels.

In that spirit, and especially at this important juncture, as the State of Libya faces the most acute crisis in its modern history, these meetings are a test of our resolve and capacity to be on the right side of history. We, the decision-makers in the oil sector, have made a strategic choice to begin integrating and consolidating the National Oil Corporation in the country's best interests. Such a choice requires a deep appreciation for the nature of the crisis. At previous meetings, we discussed the ramifications for the country's present and future of the very real challenges faced by the oil sector. First and foremost, the participants engaged in a conscientious discussion of all pending issues, and laid out solutions for managing and overcoming them, with a view to initiating implementation as soon as the Presidency Council adopts the general framework agreement.

The attendees stressed that, mindful of the regulations in force in the State of Libya and the spirit and letter of the law, the agreement should incorporate, inter alia, the following points that came up during the meeting:

I. Chapter 1

The participants at the meeting agreed that Chapter 1 should address expenditures and salaries during the crisis in accordance with procedures followed by the oil sector in decades past.

II. Chapters 2 and 3

Mustafa Abdullah San'ullah stressed that Chapter 2, which covers current expenditures for operations, maintenance and production operations, and Chapter 3, which covers new projects and investments, should be consistent with guidelines, rules and regulations in force in the oil sector, with the law, and with properly documented data in the Corporation's books.

Naji Husayn al-Maghribi stressed that no new commitments should be undertaken in that regard, with a view to avoiding duplication and protecting the sector from fragmentation.

III. The participants discussed the following in some detail:

The participants appreciated the importance of supporting operating companies with adequate operating budgets to ensure uninterrupted production, and of maintaining exports to ensure the uninterrupted flow of hard currency revenues into the State of Libya.

Summary

In the light of the preceding, the participants agreed that sound legal principles should be adhered to rigorously, out of their conviction that such strict adherence would advance the interests of the homeland and its citizens.

In keeping with our awareness of the uniqueness of this stage, we agreed to hold a meeting within the next few days, with everyone involved undertaking to do their part to mitigate the risks to the oil sector, in particular, and also to the country's vital facilities. The goal will be the following:

Making clear to all the national forces in the State of Libya the dimensions and implications of the suspension of exports from the port of Haraqah, including the negative impact on the State's hard currency revenues; the importance of ensuring that all Libyans benefit from oil revenues; and the implications of the disruption of the regular operation of vital State facilities, including, inter alia, the following:

- Regular operation of electricity plants;
- Regular operation of water purification plants;
- Regular operation of strategic factories;
- Regular operation of hospitals and laboratories;
- Regular distribution of petrol for cars and trucks.

附件五十三

Western NOC efforts to prevent deals

Letter from the western NOC to the International Association of Independent Tanker Owners (INTERTANKO), warning them of the attempts of the eastern NOC:

Date: 3/2/2016

Ref: 59

To: KATHARINA STANZEL -Managing Director Intertanko

STATEMENT TO SHIPPING MARKETS BY THE NATIONAL OIL CORPORATION OF LIBYA

Dear Ms. Stanzel,

The National Oil Corporation of Libya wishes to notify ship-owners that it is aware of attempts by unauthorized individuals to sell Libyan oil. On the basis of contracts signed with these individuals, several companies are looking for vessels to lift oil from Marsa el-Hariga port in eastern Libya in the first half of February.

The companies include:

DSA Consultancy FZC, of Sharjah

Netoil (with offices in Dubai and registered in Panama, variously known as Netoil Inc, Net Oil Enterprises Inc, Netoil Singapore)

Loyd Capital Partners, of Delaware, aka Loyd Capital Limited

Shipping market participants are advised that these contracts and the individuals who signed them have no legal standing. The Libyan individuals involved are the same group behind the theft of oil from Libya in March 2014. In this incident, the tanker on which the oil was stolen, the "Morning Glory", was boarded by US forces off Cyprus and turned over to NOC in Tripoli because of concerns that the sale proceeds would be used to finance terrorist groups.

The United Nations has made very clear in a series of resolutions and statements, including most recently UN Security Council Resolution 2259, that it strongly opposes activities which could damage the integrity and unity of the NOC. UNSCR 2213 provides for sanctions against individuals or entities that support criminal networks through the illicit exploitation of crude oil or any other natural resources in Libya.

Source: Confidential



ؤسسة الوطنية للنفط
NATIONAL OIL CORPORAT

signed by the general manager for international marketing, Ahmad Shawki. NOC is recognized as the sole and proper oil contracting authority by the international community and by mainstream oil companies. Should you be in any doubt as to the status of the entities and individuals with which you are dealing, please contact NOC in Tripoli at the address below, or your own ministry of foreign affairs?

Contact Details:

Ahmed Shawki Mansur

General Manager Marketing

National Oil Corporation

Phone: +218214446834

Email: ashawki@noc.ly

You're sincerely.

Ahmed Shawki Mansur

General Manager Marketing



Cc: Charmian of the Board - National Oil Corporation

Source: Confidential

On 15 March 2016, the western NOC sent the following letter to the owners of the tanker 'Baltic Captain I'. The vessel was heading to Tobruk to load a shipment of crude oil. The owners relented and the ship turned away.



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

Date: 15th March -2016

Ref No: 109

TO: UNITED PRODUCT TANKERS
Att: Managing Director – Germany
Att: General Manager – Cyprus

Dear Sirs,

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 related to all Libyan hydrocarbons and we're entitled to sell all crude oil , petroleum products and petrochemicals in Libya.

We're historically responsible for concluding all contracts and we're proud to be partner with major international companies.

What so called "Endofa ,Netoil, DSA Consultancy FZC, OPI Participation BV, and **Loyed Capital Partners**" are not our partners nor our customers, and we have no contractual obligation with them whatsoever. we're responsible for our country's assets , thus , we won't deal with shady minor companies.

Your respected entity has been appointed by us and our customers in many occasions, and we want to continue doing so.

Therefore, you're kindly requested to ignore all chartering requests from those companies and/or any newly formed disputed parallel entity .

Yours sincerely

Ahmed Shawki
General Manager of International Marketing Department- NOC



CC: Mustafa Sanallah – Chairman of the Board of Directors.
CC: General Manager of Legal Department

شارع بشير السعداوي _ (ميدان جنة العريف) طرابلس / ليبيا - هاتف : + 218 21 334 5700 - 09 / + 218 21 333 7141 - 44
Bashir Sadawi str . P.o Box : 2655 - 5335 Tripoli - Libya Tel : + 218 21 334 5700 - 09 / + 218 21 333 7141 _ 44

Source: Confidential

附件五十四

Reluctance against the Vienna Agreement

Letter by the President of the HoR raising the need to review the contract that the western NOC had signed with Glencore, signed on 9 June 2016:

State Of Libya
Libyan House of
Representatives
Office of the President



دولة ليبيا
مجلس النواب الليبي
مكتب الرئيس

Date : 2016 . 06 . 09 التاريخ

Ref : 2016 . 049 . 01 رقم الإشراف

السادة المحترمون :

لجنة العقوبات

التابعة للأمم المتحدة

تحية طيبة وبعد ،،،

يطيب لنا في البداية تحيتكم والأشادة بمجهوداتكم لحماية الأمن والسلام العالمي ، ونشدد بهذه المناسبة على التزامنا بالتعاون معكم النابع من إيماننا بأهمية لجننتكم الموقرة واحترامنا لقرارات الشرعية الدولية .

السادة اعضاء اللجنة الموقرة ، ان مجلس النواب الليبي هو سلطة شرعية جاءت بانتخابات نزيهه شهد لها المجتمع الدولي بالإضافة للحكومة المؤقتة المنبثقة عنه وهما الممثل الشرعي الوحيد للشعب الليبي .

وبالنظر للمسئوليات الملقاة على عاتقنا تجاه شعبنا ، وبالنظر لاحتياجاته العاجلة من المواد والمستلزمات الأساسية والتزامنا بالوفاء لتلك الاحتياجات ، قمنا بمنح الاذن للحكومة المؤقتة بتصدير النفط عبر قنواتها الرسمية ، وهي المؤسسة الوطنية للنفط ومقرها مدينة بنغازي برئاسة السيد/ الناجي المغربي .

وقد قامت الحكومة بدورها وبشكل متكرر بمحاولة التواصل للحصول على الاذن المطلوب ، إلا ان مندوبنا لدى الامم المتحدة السيد/ ابراهيم الدباشي ، وللأسف الشديد لم يقم بدوره بإخطار لجننتكم الموقرة بطلباتنا ، بل وقام بتقديم

State Of Libya
Libyan House of
Representatives
Office of the President



دولة ليبيا
مجلس النواب الليبي
مكتب الرئيس

Date م 2016 . 06 . 09 التاريخ

Ref م 2016 . 049 الإشاري

معلومات خاطئة مفادها ان المؤسسة الوطنية للنفط بطرابلس هي الجهة الشرعية
المخولة بالتعاقد .

عليه ، نود ابلاغكم بأن المؤسسة الوطنية للنفط بمدينة بنغازي هي المؤسسة
المعتمدة لدينا ، كما نشدد أن اي اتصالات من خارج هذه المؤسسة يعتبر خروجاً عن
القانون وانتحالا للصفة الرسمية تعرض صاحبها للمسائلة القانونية .

و استنادا على ما سبق نطالب بالتحقيق مع شركة Glencore التي ابرمت
عقد احتكار لمدة سنة احتكرت بموجبه شراء النفط من حقن السرير
بالإضافة للعقد الذي صادقت عليه مع شركة ايني الايطالية ونطالب
بإيقاف العمل به . وقد قمنا بإحالة للحكومة المؤقتة وهيئة الرقابة الادارية
لأبداء الرأي واتخاذ ما يلزم من اجراءات بالخصوص .

أخيرا نشدد على حرصنا على التعاون معكم و مساعدتكم في اداء مهامكم
كما نتطلع لتفهمكم بالتزامنا بالوفاء باحتياجات شعبنا وبلادنا .

تقبلوا فائق التقدير والاحترام
والسلام عليكم ورحمة الله وبركاته


عقيلة صالح عيسى
رئيس مجلس النواب الليبي



صورة منه إلى
السيد / النائب الأول لرئيس المجلس
السيد / النائب الثاني لرئيس المجلس
مكتب السيد / الرئيس
والعشيرة

Source: Confidential

After the Istanbul agreement was signed on 2 July 2016, the eastern NOC board of directors seems to remain operational at some level, issuing sporadic statements, such as the following, signed on 25 July 2016. It shows some resistance to dissolving:



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

National Oil Corporation
Declaration (No. 10/2016)

The National Oil Corporation acting on behalf of the legitimate and internationally recognized interim Government of the State of Libya formed under the Libyan House of Representatives. Accordingly the National Oil Corporation is seeking the unity of its corporation and to preserve the fortune of the Libyan People according to the Legal procedures, guidelines and the existing legislations as for most the prime minister resolution (No .247/2013) that states the reestablishment of the National Oil Corporation in Benghazi.


The National Oil Corporation confirms that the lift of the *force majeure* on the Oil fields and the Oil ports is the obligation of the National Oil Corporation and will not be executed only under the formed procedures.

The National Oil Corporation denies the activities that is carried out by any institution foreign or domestic by far the visit of Mr. Cobbler to Mr. El Jadran, as they are not legally liable, this conflicts with the guidelines and the existing legislations towards the oil sector.

The National Oil Corporation confirms its responsibility and commitment to the contractual agreements, and this responsibility is only ensured under the rules, regulations and legal legislations that are governed to solve such matters.

The National Oil Corporation determinedly seeks the institutions associated recommence exporting of the crude oil, increasing the productivity and lifting the *force majeure* that will guarantee the Libyan human rights, and the welfare of the country.

The Board of Directors of NOC




COPY FOR:
CHAIRMAN OF THE NOC
VICE-CHAIRMAN OF THE NOC
ARCHIVE
EHAZDAD

بنغازي - البركة (00218)614782560 - (00218)614782561
info@libya-noc.org <https://m.facebook.com/NOCL.LIBYA/>

Source: Confidential

附件五十五

Repeal of the Vienna Agreement



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION


بيان رقم (4) لسنة 2017م
بشأن حل اتفاق توحيد المؤسسة الوطنية للنفط

بناء على اجتماع مجلس إدارة المؤسسة الوطنية للنفط ببنغازي يوم الخميس الموافق 2017/2/23م لمناقشته أسباب عدم تفعيل بنود الاتفاق المبرم بشأن توحيد المؤسسة الوطنية للنفط .


و بناء على جلسة مجلس النواب للاستماع إلى الدكتور : ناجي حسين المغربي رئيس المؤسسة الوطنية للنفط لتوضيح أعمال المؤسسة وأنشطتها.

و بناء على غياب السيد : مصطفى صنع الله عن جلسة مجلس النواب بشأن تفعيل بنود الاتفاق المبرم بشأن توحيد المؤسسة الوطنية للنفط، وأهم هذه البنود تنفيذ قرار مجلس الوزراء رقم (247) لسنة 2013م بشأن عودة المؤسسة الوطنية للنفط إلى مقرها الرئيسي في بنغازي.

فإن المؤسسة الوطنية للنفط التابعة للحكومة الليبية المؤقتة المنبثقة عن مجلس النواب تعلن عن عدم التزامها ببنود الاتفاق المبرم في 2016/7/3م بشأن توحيد المؤسسة الوطنية للنفط : لعدم التزام السيد : مصطفى صنع الله بالاتفاق ، واستيفاء بنودها فضلا عن عدم تنفيذ قرار مجلس الوزراء رقم (247) لسنة 2013م بشأن عودة المؤسسة الوطنية للنفط إلى مقرها الرئيسي في بنغازي.


 الدكتور ناجي حسين المغربي
 رئيس مجلس إدارة المؤسسة الوطنية للنفط

صدر في بنغازي يوم الاثنين الموافق 2017/3/13



بنغازي - البرصة (00218)614782561 - (00218)614782560
 info@libya-noc.org https://m.facebook.com/NOCL.LIBYA/

Source: Social media

附件五十六

Eastern vs. western banknotes

1. This Annex contains a simplified summary of a comparative analysis provided by a banknote printing specialist of samples collected by the Panel. The analysis shows that significant efforts were made to make a copy of the LYD 20 banknote that stays as true as possible to the original note. However, some printer specific features were changed.
2. The CBL in Tripoli has refused to distribute the eastern sourced cash. It reported to the Panel that the new notes were not safe enough because 40% of the security features were sacrificed. This appears to be only partially true. Whereas the original LYD 20 note is assessed by experts to be indeed superior in terms of security features, as reflected in the analysis below, the difference is not great. The cash ordered by the eastern CBL is in fact considered to have good counterfeit resistance as well.
3. It would therefore appear that the CBL in Tripoli's decision to block the distribution of the alternative cash is motivated by other reasons. On the one hand, the distribution of different banknotes is generally considered to be undesirable. On the other hand, the CBL in Tripoli has systematically refused to make any concessions to its eastern rival.

Specialist comparison and analysis

4. The analysis below focuses on the differences between the banknotes. Security features that are very similar, such as the watermarks, are not discussed.



Photograph 1: Front view of banknotes –alternative banknote (top) and original banknote (bottom)

5. Both banknotes are very similar in appearance. The quality of the ‘paper’ (ia cotton-based substrate) is also the same. The printing of both notes is generally of a very high quality and includes intaglio printed features.
6. However, the level 1 and level 2 security features are clearly different:
 - The original note has a more secure demetallised holographic stripe (removal of part of diffractive foil on both edges of the stripe).
 - The original note uses expanding numbering, whereas the new note does not.
 - Around the crescent symbol, the original note uses De La Rue’s SPARK technology, a high security, overt (public) verification feature using magnetic colour shift ink. In the same area

the new note features a latent image that can only be viewed in bright light at an acute angle. This is probably the most significant difference between the two notes.



Photograph 2: front side, oblique angle - alternative banknote (top) and original banknote (bottom)

- On the reverse side, the thread in the original note is a colour shift thread, while the thread on the alternative note is Goznak’s Mobile thread in which the alternate ‘20’ numerals, move

from right to left and left to right when the note is tilted. Both threads offer good security but the thread in the original note does not have the uniqueness of the new one.



Photo 4: Reverse side of notes showing threads - alternative (top) and original (bottom)

- Under UV light a few differences show. The new note shows an additional orange fluorescent feature whereas on the original note the red UV fibres shine more brightly. However, overall, the UV features offer similar security on the two notes.



Photo 5: UV features on front of alternative banknote



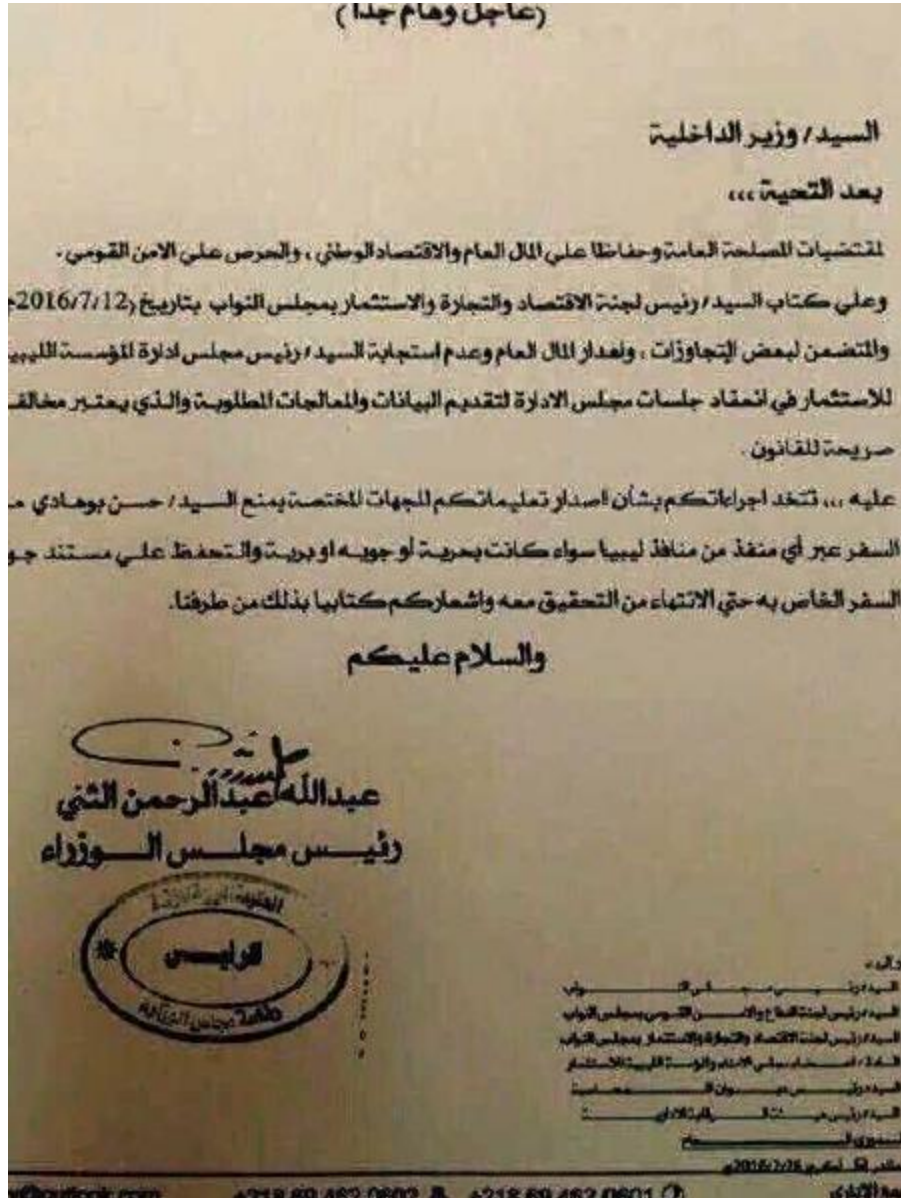
Photo 6: Covert features on front of original banknote

- An infrared analysis of both notes did not immediately reveal significant differences.
- The level 3 security features were not tested. The method of authentication for these features is usually exclusive to Central Banks.

附件五十七

Letter from Abdallah al-Thinni to his 'Minister of Interior'

Al-Thinni asks to restrict the movements of Hassan Bouhadi and seize his passport.



Source: LIA, Malta office

附件五十八

Letter by al-Qatrani

The letter states that the current board of trustees, composed of ministers from the al-Thinni government, appointed after the signing of the LPA, is the only legitimate authority to supervise the LIA while GNA approval by the HoR is awaited.

The Presidential Council of The Government of National Accord

المجلس الرئاسي
لحكومة الوفاق الوطني

التاريخ: 4 / 7 / 2016

الرقم الإشاري: ن.ر.أ. 22. 0/6

ثالثاً: إن انعقاد اجتماعات مجالس الأمناء والجمعيات العمومية هي استحقاقات قانونية يترتب علي تعطيل انعقادها في مواعيدهما المحددة عواقب قانونية ومالية خصوصاً تلك الشركات والجهات المسجلة والعاملة بالخارج، وبالتالي لا يجوز ولأسباب لا نعتقد أنه من المناسب الآن الخوض فيها أن يتم تعطيل انعقاد اجتماعات مجالس الأمناء والجمعيات .

رابعاً: نطالبكم بضرورة الالتزام الكامل بقرارات ومطالبات مجلس إدارة المؤسسة الليبية للاستثمار والاستجابة لما يحث عليه مجلس الأمناء لكم وللمجلس الادارة بضرورة عقد اجتماع لمجلس الادارة لتناول ومعالجة مواضيع وقضايا هامة وعاجلة محددة تم إحالتها لكم

وفي الختام إن محاولات تعطيل دور واختصاصات مجلس الأمناء ومجلس إدارة المؤسسة الليبية للاستثمار وللإستثمار وما لذلك من تبعات مالية وقانونية يعد جريمة يعاقب عليها القانون وعليه فإننا بهذا ندعوا مجلسي أمناء وإدارة المؤسسة الليبية للاستثمار الي ممارسة مهامهم المسندة إليهم قانوناً واتخاذ ما يلزم من اجراءات للحفاظ علي المؤسسة والجهات التابعة لها وصد المحاولات التي تستهدف نهب استثمارات وأموال المؤسسة وعدم الاعتماد بأية مكاتبات او اجراءات من جهات غير ذات اختصاص وعدم المراهنة علي خيارات خاسرة ومصالح شخصية تتعارض مع المصالح الوطنية والقيم والاخلاق المهنية .

للاهمية يطلب التقيد والتنفيذ والالتزام بما جاء في كتابنا هذا .

والسلام عليكم

علي القطراني

نائب رئيس المجلس الرئاسي

ورئيس لجنة الاقتصاد والتجارة والاستثمار بمجلس النواب

صورة إلى

- رئيس مجلس أمناء المؤسسة الليبية للاستثمار

- الدوري العام للحفاظ + الصادر

101

Source: LIA, Malta office

附件五十九

PC letter to LPTIC subsidiaries concerning position of CEO

The Presidency Council Of The Government Of National Accord

المجلس الرئاسي
لحكومة الوفاق الوطني

الموضوع:
اشاري: جم.م.ر. 834/3
التاريخ: 3-13-2017م

السيد / رؤساء مجالس الادارات للشركات التابعة للشركة الليبية
للبريد والاتصالات وتقنية المعلومات القابضة

تحية طيبة وبعد،،،

حرصا على استقرار المؤسسات العامة بما يمكنها من القيام بمهامها خدمة
للمصلحة العامة، ونظرا لأهمية الشركة الليبية للبريد والاتصالات وتقنية المعلومات
القابضة.

عليه،،، يقتصر التعامل باسم الشركة الليبية للبريد والاتصالات وتقنية
المعلومات القابضة مع الممثل القانوني الوحيد للشركة السيد / د. فيصل قرقاب - رئيس
مجلس الادارة وفقا للسجل التجاري، وعدم التعامل مع اية جهة اخرى تقديرا للصالح العام.

والسلام عليكم،،،

المجلس الرئاسي لحكومة الوفاق الوطني

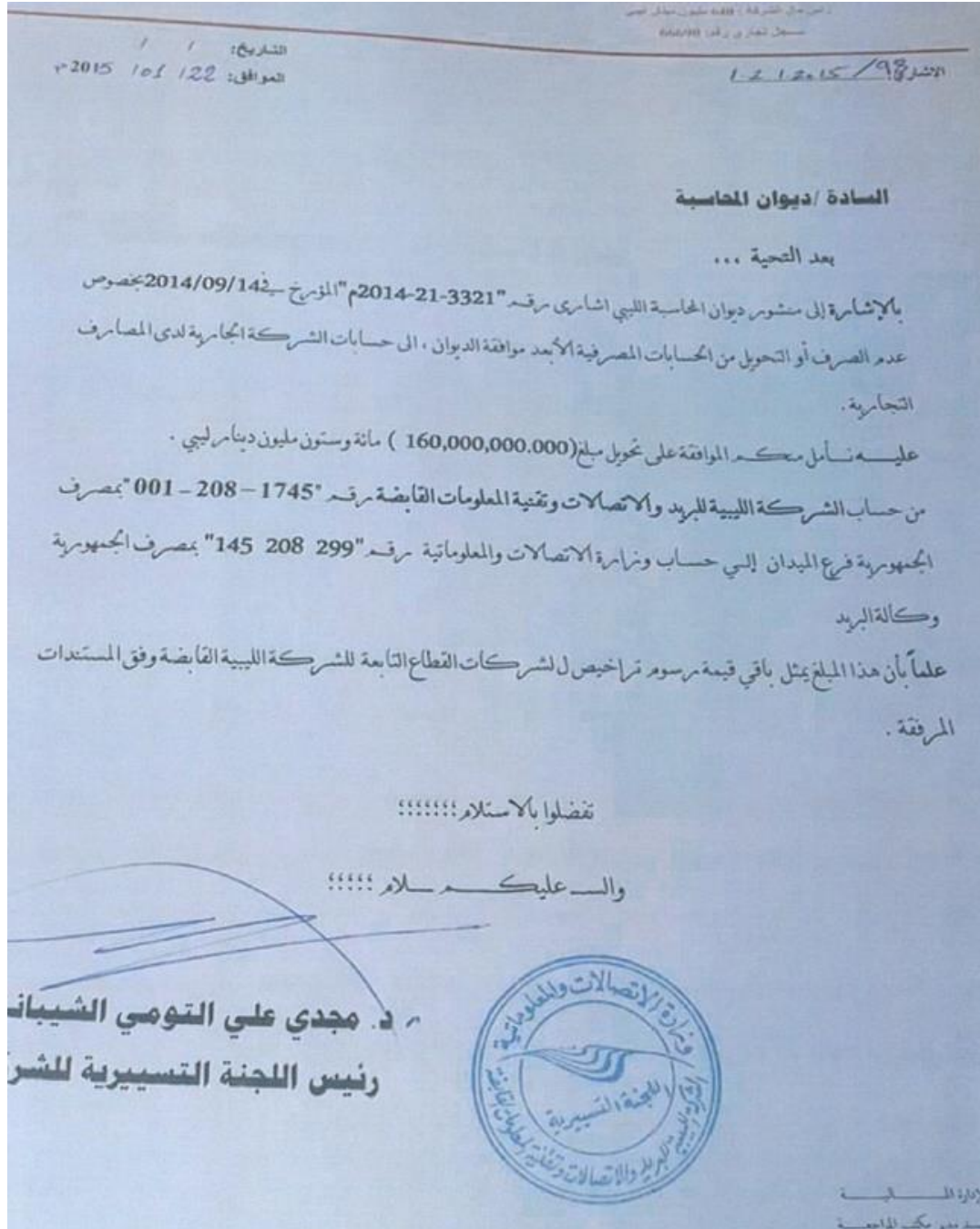
صورته إلى :-
بأعضاء المجلس الرئاسي -
الدوري العام

Source: LPTIC

附件六十

Documentation indicating that LPTIC company funds were transferred to the Ministry of Telecommunication

One of the documents received appears to be a January 2015 request by al-Fantazi to the Audit Bureau to transfer LYD 160 million from a LPTIC account directly into an account of the Ministry of Telecommunication, thereby bypassing the Ministry of Finance.



Source: LPTIC

Another document from September 2016 shows that the Almadar Aljadeded company, a mobile phone operator and subsidiary of LPTIC, was requested by LPTIC to pay USD 70 million directly into the account of the Ministry of Telecommunication for the use of electromagnetic spectrum.

سجل تجاري رقم: 66690

الرقم الاشاري: 1.1.3.2.16/1.2.6

التاريخ: 1 / 1 / 2016
الموافق: 12 / 8 / 2016

السيد / مدير الإدارة الخائسة .

بعد التحية

بالإشارة الى العقود المبرمة بين شركة المدامر الجديد وبين الهيئة العامة للاتصالات بخصوص رسوم تراخيص استخدام الفضاء وبالإشارة الى المبلغ الذي تم تحويله من شركة المدامر لصالح الشركة القابضة مقابل تراخيص الفضاء عن الجيل الثاني لسنة 2015م والبالغ "70,000,000.000 د.ل" فقط سبعون مليون دينار لا غير .

عليه .. يطلب منكم اتخاذ إجراءات تحويل القيمة لصالح الهيئة العامة للاتصالات " حساب الأيراد العام رقم "145208299" بمصرف الجمهورية وكالة البريد .

تفضلوا بالاستلام

والسلام عليكم

أ. عادل رجب مركوس
رئيس مجلس الإدارة بالشركة

صورة الترخيص
السيد مدير مكتب المراجعة المكلف
المستشار القانوني
عادل رجب

Source: LPTIC

附件六十一

Armed group interference at the LAIP

1. In November and December 2014, the 'Desert brigade' from Misrata, led by Wesam Shagloof, reportedly assisted a rival Chairman of the LAIP, Abd al-Rahman Ayad, and his CEO Mohsen Derregia, to take control of the LAIP office in Tripoli. They were subsequently rewarded with contracts and salaries.

Picture showing Shagloof in a Desert brigade vehicle

Source: Social media

Request by the Third force to LAIP subsidiary (Oilibya) to provide armed group members, including Shagloof, with keys, subsistence and salaries for securing their offices.

الموضوع: تكليف شركة ليبيا للنفط
التاريخ: 1 / 1 / 14 هـ
الموافق: 2014/12/29 م
إشاري: 751 / 167



الجيش الليبي
رئاسة الأركان العامة
قوات درع ليبيا
القوة الثالثة

التصريح أو الإستهاد

إلى / مدير شركة ليبيا للنفط

بناء على التكليف الصادر من رئيس الأركان العامة إلى القوة الثالثة رقم (ر.أ.ع 1462/59) والخاص بتأمين الجنوب الليبي بالتعاون والتنسيق مع أمر المنطقة العسكرية سبها .

وبالإشارة على التكليف الصادر من القائد الأعلى للجيش الليبي المشار إليه بالرقم (308/167) بتاريخ 2014/11/6 م والخاص بتأمين حقل الشراة النفطي وباقي الحقول المجاورة بمنطقة أوباري والتنسيق مع المجلس الأعلى لثوار أوباري .

عليه فقد تم تكليف عدد (36) فرد بالحراسة والتأمين بالشركة ابتداء من 2014/12/1 والكشف يبدأ من السيد /وسام احمد شقلوف وينتهي بالسيد/ سالم مفتاح القنيدي على أن يتم التنسيق مع اللجنة المكلفة بخصوص الإعاشة والتجهيز وكل ما يخص إجراءات التأمين والحراسة

وفق الله الجميم لما فيه خير الوطن والمواطن
والسلام عليكم ورحمة الله وبركاته

مقدم /
جمال على صالح التريكي
أمر القوة الثالثة لقوات درع ليبيا



لا مانع من تكليف الشركة ليبيا
من تنفيذ مهامها واتخاذ ما يلزم
من إجراءات لتأمين
قواتها بالبنية
12/30
2014
صورة منه :
الملف البريدي الحفظ
كهر/ : خال

الموضوع: مذكرات الأركان العامة
التاريخ: 1 / 1 / 14هـ
الموافق: 20 / 12 / 2014م
إشاري: 751 / 167



الجيش الليبي
رئاسة الأركان العامة
قوات درع ليبيا
القوة الثالثة

الغرض أو الإستهاد

ملاحظات	الاسم	رقم
	وسام أحمد شقوف	1
	محمد ابراهيم الحشاش	2
	شقوف عبدالله شقوف	3
	ابراهيم محمد فرقوم	4
	بشير حسين البوسيفي	5
	حافظ احمد شقوف	6
	محمد سالم غربية	7
	عبدالله ابراهيم شقوف	8
	محمد عبدالله شقوف	9
	محمد كمال السنوسي	10
	حسين محمد فرقوم	11
	محمد عبدالحكيم الفلاق	12
	عبدالفتاح عبدالله شقوف	13
	شقوف احمد شقوف	14
	عبد الحميد عبدالله مراد	15
	محمد عبدالله شقوف	16
	شقوف محمد شقوف	17
	خالد عبدالله مسعود	18
	مختار علي الجهيمي	19
	يوسف عبدالقادر الجهيمي	20
	اسامة ميلاد الشيبلي	21
	عبدالرؤوف ابراهيم الحشاش	22
	عبدالمالك عبدالحكيم فلاق	23
	ابراهيم محمد الحشاش	24
	محمد بشير امريص	25
	محمد ابراهيم شقوف	26
	محمد عبدالله صفار	27
	بلقاسم عمر احمد البركني	28
	مجدى يوسف اليسير	29
	عبدالباسط عمر الصغير الاعرج	30
	صفوت حسين سالم كعبية	31
	محمد احمد شقوف	32
	طارق مفتاح حسين القنيدى	33
	مهند بشير ابراهيم ماقى	34
	وليد عمران على	35
	سالم مفتاح القنيدى	36

Source: confidential

2. In 2016, it was reported that Ayad tried to appoint Libyan political dialogue member Muhammad Ibrahim al-Darrat as CEO of LAIP. He relied on support by armed group leader Abd al-Gadir Rweyati aka 'Asfoor' from the Bab al Aziziya/Hay Andalus area, who would later 'host' the Steering Committee of the LIA under Ali Mahmoud.
3. In 2017, Ayad appointed himself as CEO of LAIP. Several sources reported that Ayad, who is originally from the Suq al-Juma area, is well-connected to the SDF, the armed group to date in control of Tripoli tower. He reportedly employed several SDF members at the LAIP.
4. Around the same time, the PC-appointed Steering Committee of the LIA appointed a new board for the LAIP, which allegedly included individuals affiliated to Rweyati and the Nawasi armed group. That decision was later revoked and Rweyati withdrew from the area.

Appointment of associate Rweyati on LIA board and cancellation thereof

Libyan Investment Authority المؤسسة الليبية للاستثمار

قرار لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار رقم (3) لسنة 2017م
بشأن إعادة تشكيل مجلس إدارة محافظة ليبيا أفريقيا للاستثمار

لجنة الإدارة

- بعد الاطلاع على الإعلان الدستوري الصادر بتاريخ 3 أغسطس 2011م، وتعديلاته.
- وعلى الاتفاق السياسي الليبي الموقع بتاريخ 17 ديسمبر 2015م.
- وعلى القانون رقم (13) لسنة 2010م بشأن التنظيم الإداري للمؤسسة الليبية للاستثمار.
- وعلى القانون رقم (12) لسنة 2010م بشأن علاقات العمل ولائحته التنفيذية.
- وعلى قرار اللجنة الشعبية العامة سابقاً رقم (197)م، باعتماد النظام الأساسي لمحافظة ليبيا أفريقيا للاستثمار.
- وعلى قرار المجلس الرئاسي لحكومة الوفاق الوطني رقم (29) لسنة 2017م، بشأن تشكيل لجنة إدارة مؤقتة وتكليف مهام.
- وعلى قرار مجلس إدارة المؤسسة الليبية للاستثمار رقم (08) لسنة 2014م، بإعادة تشكيل اللجنة التسييرية لمحافظة ليبيا أفريقيا للاستثمار.
- وعلى قرار مجلس إدارة المؤسسة الليبية للاستثمار رقم (2) لسنة 2015م، بشأن تشكيل مجلس إدارة محافظة ليبيا أفريقيا للاستثمار.
- وعلى كتاب رئيس اللجنة التسييرية للمؤسسة رقم (م/28) لسنة 2016م الموجه آل رئيس المجلس الرئاسي لحكومة الوفاق الوطني.
- وعلى ماخضت إليه لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار في اجتماعها الأول لسنة 2017م المنعقد بتاريخ 21 يناير 2017م.

قـرـر

مادة (1)

يعاد تشكيل مجلس إدارة محافظة ليبيا أفريقيا للاستثمار على النحو التالي:

1. السيد / إمام إبراهيم جورة	رئيساً للمجلس
2. السيد / عيسى المهدي خير الله السنوسي	عضواً / المدير العام
3. السيد / د. أحمد بالفاسم التواتي	عضواً
4. السيد / د. حسين عبد الحميد حمد عبد ربه	عضواً
5. السيد / د. عبد المنصف محمود صالح	عضواً
6. السيد / إبراهيم سالم تاكنته	عضواً
7. السيد / خليفة عبد الله الشيباني	عضواً

مادة (2)

يعمل بهذا القرار من تاريخ صدوره، وعلى كل حكم يخالف أحكامه، وعلى الجهات المعنية تنفيذه حسب الاختصاص.

ع.ك.م
لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار

صدر بتاريخ: 09 / 03 / 2017 ميلادي

برج طرابلس
Tripoli Tower - Floor 10
+218 21 336 2089 / 336 2213 - 14 +218 21 336 2212 - 336 2215 / 336 2085 - 8
موقع إلكتروني: www.lia.ly 93099 طرابلس - ليبيا



قرار لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار رقم (4) لسنة 2017م

بشأن سحب قرار رقم (3) لسنة 2017م

لجنة الإدارة

- بعد الإخلاء على الإعلان الدستوري الصادر بتاريخ 3 أغسطس 2011م واعيناً
- وعلى الاتفاق السياسي الليبي الموقع بتاريخ 17 ديسمبر 2015م
- وعلى القانون رقم (13) لسنة 2010م بشأن التنظيم الإداري للمؤسسة الليبية للاستثمار
- وعلى القانون رقم (12) لسنة 2010م بشأن علاقات العمل و لائحته التنفيذية
- وعلى قرار اللجنة التنفيذية العامة سابقاً رقم (197)م ، بإعادة التنظيم الأساسي لمحافظة ليبيا لليبيا للاستثمار
- وعلى قرار المجلس الرئاسي لحكومة الوفاق الوطني رقم (29) لسنة 2017م، بشأن تشكيل لجنة إدارة مؤقته والايفاء بمهام
- وعلى قرار مجلس إدارة المؤسسة الليبية للاستثمار رقم (08) لسنة 2014م بإعادة تشكيل اللجنة التنفيذية لمحافظة ليبيا لليبيا للاستثمار
- وعلى قرار مجلس إدارة المؤسسة الليبية للاستثمار رقم (2) لسنة 2015م ، بشأن تشكيل مجلس إدارة محافظة ليبيا لليبيا للاستثمار
- وعلى كتاب رئيس اللجنة التنفيذية للمؤسسة رقم (28/م) لسنة 2016م الموجه إلى رئيس المجلس الرئاسي لحكومة الوفاق الوطني
- وعلى ما خلصت إليه لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار في اجتماعها الثاني لسنة 2017م المنعقد بتاريخ 16 مارس 2017م

تقرر

مادة (1)

سحب قرار لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار رقم (3) لسنة 2017م بشأن إعادة تشكيل مجلس إدارة محافظة ليبيا لليبيا للاستثمار .

مادة (2)

مكفولة المجلس الرئاسي لحكومة الوفاق بالسماح للجنة إدارة المؤسسة بممارسة صلاحياته المقررة بموجب المادة (11) من القانون رقم (13) لسنة 2010م بشأن التنظيم الإداري للمؤسسة الليبية للاستثمار .

مادة (3)

يجعل بهذا القرار من تاريخ صدوره ، وينفذ كل حكم يخلقه أحكامه ، وعلى الجهات المعنية تنفيذها حسب الإختصاص .

لجنة الإدارة المؤقتة للمؤسسة الليبية للاستثمار



صدر بتاريخ : 16 / 03 / 2017 م

برج طرابلس - الدور 22 Tripoli Tower - Floor 22

+21821 336 2089 / 336 2213 - 14 ☎ +218 21 336 2212 - 336 2215 / 336 2085 - 8 📠

موقع المؤسسة : ليبيا - طرابلس - برج طرابلس - الدور 22

Source: Confidential

5. The Panel also received an allegation that Kashadah has been trying to increase his control over a LAIP subsidiary through another armed group.

附件六十二

PC letter to high-ranking civil servants on the management of the LIA



Source: LIA

附件六十三

Impounded vessels**A. Captain Khayyam**

1. The vessel was impounded on 13 February 2016 by the Libyan coast guard and taken to Tripoli. One million litres of fuel were loaded on board. Details of the vessel are:

IMO number :	8927814	
Name of ship :	CAPTAIN KHAYYAM	(since 01/07/2014)
Call Sign :	9LU2023	
MMSI :	667001220	
Gross tonnage :	893	(during 2000)
DWT :	599	
Type of ship :	Bunkering Tanker	(during 1975)
Year of build :	1975	
Flag :	Sierra leone 	(since 01/07/2014)
Status of ship :	In Service/Commission	(during 09/2014)
Last update :	16/12/2015	

Source: Equasis

Details regarding the ownership of the ship:

IMO number	Role	Name of company	Address	Date of effect	Details
5471610	Ship manager/Commercial manager	REGARD SHIPPING SA	Majuro MH Marshall Islands.	during 07/2014	
5471623	Beneficial Owner	SAYGI DENIZCILIK VE ELEKTRIK	Tersaneler Bolgesi, Gemdok Sanayi Sitesi, G-50 Sokak 11, Aydıntepe Mah, Tuzla, Istanbul, Turkey.	during 07/2014	
5471610	Registered owner	REGARD SHIPPING SA	Majuro MH Marshall Islands.	during 07/2014	
9991001	ISM Manager	UNKNOWN		since 01/11/1997	

A. Source: Equasis

2. The owner, Saygi Denizcilik Ve Elektrik, constructs and mounts electric and electronic equipment on board vessels. The company admitted that the vessel had been transporting marine gasoil but the company stated that it was backed by a bill of lading and a cargo manifest issued by a legitimate company (although none of those documents were shared with the Panel). The following is an excerpt of the e-mail received from the owner:

“It is correct that our vessel was in that area Libya territorial waters and as you know, our vessel all time cooperated by giving you all the information necessary, even helping you giving assistance in rescuing people from sea. All our cargo that we transport (Marine Gasoil 0.1 mx sulphur) is backed by a bill of lading and manifest that is from a legitimate company.”

3. The company condemned the action taken by the Libyan coast guard because the vessel had been in international waters at the time of the impounding. It also condemned the way the impounding had taken place because, according to the company, it had been violent and had prevented the crew from reporting to the owners.

4. The crew was made up of citizens from Ukraine (5), Azerbaijan (3) and Turkey (1).
5. According to the NOC, an analysis of the fuel showed that it had been refined outside of Libya (imported fuel).
6. According to AIS data, the vessel approached Zwara on the following dates since December 2015: 13 December 2015, 1 January, 12 January and 12 February 2016. In addition, the Panel has seen a document found on board which stated the following loadings:

DATE	AMOUNT
31/10/2015	1.631.499 l.
12/02/2016	1.661.499 l.

B. San Gwann

7. The vessel was impounded on 10 May 2016 by the Libyan coast guard at 4.3 nautical miles from Abu Kamash. It was seized with 85,000 litres of fuel. The vessel was taken to Tripoli. Details of the vessel are:

IMO number :	8987515	
Name of ship :	SAN GWANN	(since 01/04/2015)
Call Sign :	5VDJE	
MMSI :	671600000	
Gross tonnage :	282	(before 2004)
DWT :	340	
Type of ship :	Bunkering Tanker	(during 1963)
Year of build :	1963	
Flag :	Togo 	(since 01/04/2015)
Status of ship :	In Service/Commission	(during 1963)
Last update :	12/01/2016	

Source: Equasis

8. The vessel turned off its AIS tracking on 5 May 2016. Since the beginning of 2015, one approach to Zwara was detected on 30 March 2016, heading to Malta where it appeared again on 1 May 2016.



Source: IHS Seaweb

9. The owners remain unknown, according to databases. The crew was made up of citizens from Syria (1) and Egypt (2).

IMO number	Role	Name of company	Address	Date of effect	Details
9991942	Ship manager/Commercial manager	RPTD SOLD UNDISCLOSED INTEREST	Unknown.	during 04/2015	
9991942	Registered owner	RPTD SOLD UNDISCLOSED INTEREST	Unknown.	during 04/2015	
9991001	Beneficial Owner	UNKNOWN		since 16/03/2005	
9991001	ISM Manager	UNKNOWN		since 01/11/1997	

Source: Equasis

C. Temeteron

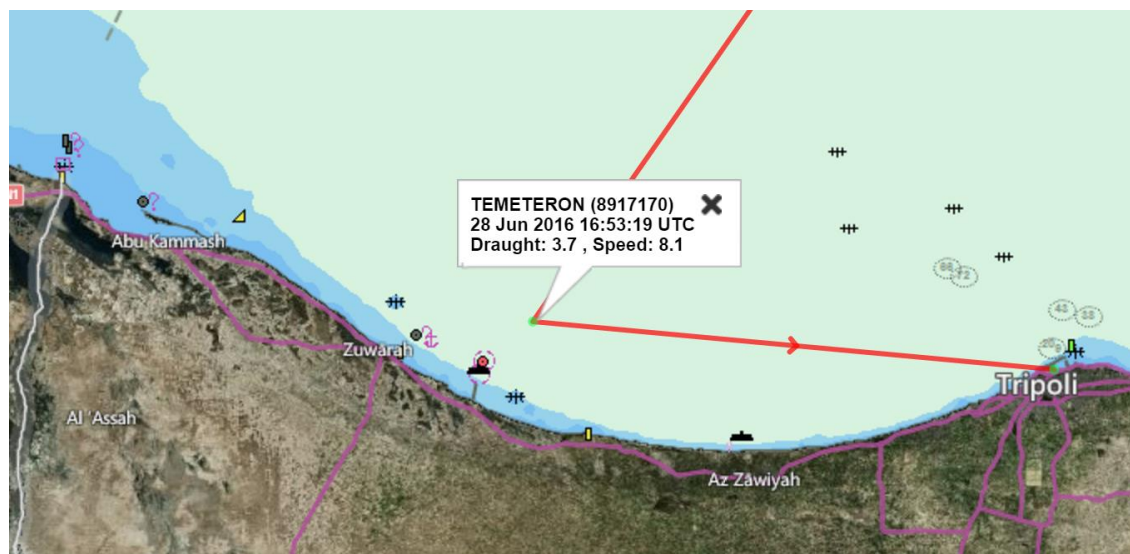
10. The vessel was impounded on 28 June 2016 by the Libyan coast guard in the vicinity of Zwara. It was taken to Tripoli where it was moored on 29 June 2016. Nine persons were found on board: Three Russians, five Ukrainians and one Greek. It was transporting 5,227 Mts of fuel. The details of the vessel are as follows:

IMO number :	8917170	
Name of ship :	TEMETERON	(since 01/09/2014)
Call Sign :	V3TI7	
MMSI :	312275000	
Gross tonnage :	2544	(since 01/06/2014)
DWT :	4686	
Type of ship :	Chemical/Oil Products Tanker	(during 1991)
Year of build :	1991	
Flag :	Belize	(since 01/09/2014)
Status of ship :	In Service/Commission	(since 06/12/1997)
Last update :	12/01/2016	

Source: Equasis

11. The vessel had been sailing near Malta since February 2016, showing suspicious behaviour due to its erratic AIS signal.

Movement of the Temeteron before and after the impounding



Source: IHS Seaweb

12. The ultimate beneficiary of the loading is hidden behind several other companies with contractual links. The official owners are:

IMO number	Role	Name of company	Address	Date of effect	Details
5813783	Ship manager/Commercial manager	THALASSA SHIPTRADE LTD	14, Oniru Street, Apapa, Lagos, Nigeria.	since 29/09/2014	
5803402	Registered owner	CONTRASTO SHIPPING LTD	Care of Thalassa Shiptrade Ltd , 14, Oniru Street, Apapa, Lagos, Nigeria.	since 29/09/2014	
5667639	ISM Manager	PANOMAR SHIPMANAGEMENT SA	31, Filosofon Street, Kifisia, 145 64 Athens, Greece.	since 29/09/2014	
9991001	Beneficial Owner	UNKNOWN		during 09/2012	

Source: equasis

13. According to the information provided by Panomar Ship Management, the Nigerian company, Thalassa Ship Trade Ltd., had subcontracted the vessel to a charterer. Panomar never disclosed the name of the charterer.

14. However, a Greek inspection¹²³ prior to the vessel being impounded in Libya, showed that the beneficial owner of the vessel was the company Petro Plus Limited, registered in Malta. This company was already mentioned in a previous report by the Panel (see S/2016/209, paragraphs 6-13 of Annex 44).

¹²³ It took place in Thessaloniki (Greece) on 1 April 2016.

Port state control info	
PSC Organisation	Paris MoU
Authority	Greece
Port of inspection	Thessaloniki
Type of inspection	Expanded inspection
Date of report	01/04/2016
Detention	No
Number of deficiencies	9
Charterers	
Charterer	Type of charterer
PETROPLUS Ltd	Voyage charterer
Address	
Valley Road Msida Malta Malta	

Source: Equasis

15. Petro Plus Limited has been involved on several occasions in fuel smuggling with the following vessels:

MV RUTA	2014
MECHANIK CHEBOTAREV	2015
TEMETERON	2016

16. The 'Ruta' was investigated by the Panel in 2014 due to its involvement in fuel smuggling from Zwara.¹²⁴ Its links to another impounded vessel in 2015, the 'Mechanik Chebotarev' (IMO 8858697) and to the 'Inzhener Valchuk' (IMO 8711825), also involved in fuel smuggling, were highlighted in the Panel's 2016 report S/2016/209, in Annex 44.

17. The crew of the vessel was released on 2 March 2017,¹²⁵ while al-Serraj was visiting the Russian Federation.

¹²⁴ The Libyan focal point reported to the Panel on 6 August 2014 that an oil tanker, the Ruta, (IMO 8711899), sailing under a Ukrainian flag, had been apprehended near Malta for smuggling crude oil from Libya. The vessel had not been carrying crude oil but fuel. Maltese authorities denied that the vessel had been apprehended by them.

¹²⁵ "Russian and Ukrainian sailors accused of smuggling released in Tripoli", Libya Herald, 3 March 2017, <https://www.libyaherald.com/2017/03/03/russian-and-ukrainian-sailors-accused-of-smuggling-released-in-tripoli>.

附件六十四

Vessels of interest

A. Sukran C

1. Selay Group¹²⁶ owns the `Sukran-C` (IMO 9280196):

IMO number :	9280196	
Name of ship :	SUKRAN-C	(since 01/03/2004)
Call Sign :	TCCS7	
MMSI :	271000746	
Gross tonnage :	2798	(during 2003)
DWT :	3900	
Type of ship :	Chemical/Oil Products Tanker	(during 2003)
Year of build :	2004	
Flag :	Turkey 	(during 2003)
Status of ship :	In Service/Commission	(since 30/11/2015)
Last update :	31/05/2016	

Source: Equasis

IMO number	Role	Name of company	Address	Date of effect
5156509	ISM Manager	SELAY ULUSLARARASI DENIZ	Billur Sokak 27, Aydıntepe Mah, Tuzla, 34947 Istanbul, Turkey.	since 07/01/2016
1573892	Beneficial Owner	SELAY DENIZCILIK SANAYI	Billur Sokak 27, Aydıntepe Mah, Tuzla, 34947 Istanbul, Turkey.	since 01/03/2004
1573892	Ship manager/Commercial manager	SELAY DENIZCILIK SANAYI	Billur Sokak 27, Aydıntepe Mah, Tuzla, 34947 Istanbul, Turkey.	since 01/03/2004
5156509	Registered owner	SELAY ULUSLARARASI DENIZ	Billur Sokak 27, Aydıntepe Mah, Tuzla, 34947 Istanbul, Turkey.	since 01/03/2004

Source: Equasis

LRNO	Ship Name	Flag	Formula Dwt	Ship Type	Built	P&I Club	Class	Hull Type	Casualty
9449235	KADRIYE ANA	Belize	2,208	Chemical/Products Tanker	2010-01	American C...	BV	Double Hul...	
Mediterranean, UK - Continent - Baltic, West Africa, East Coast South America									
9489584	REKON	Malta	6,338	Chemical/Products Tanker	2013-06	SKULD - Oslo	BV	Double Hul...	
Mediterranean, Australasia, Gulf - Red Sea - India, Far East, South East Asia									
8870865	SELAY	Turkey	2,372	Products Tanker	1993-04	Standard S...	BV		
Mediterranean									
9280196	SUKRAN-C	Turkey	4,444	Chemical/Products Tanker	2004-03	Standard S...	BV	Double Hul...	Y
Mediterranean, UK - Continent - Baltic									

Source: IHS Seaweb

¹²⁶ see <http://www.selaydenizcilik.com>.

2. The 'Sukran-C' remained in an undisclosed location during the period between 24 April and 10 May 2016. Between those dates, the vessel approached Zwara to load fuel. The loading took place on 8 May 2016, as indicated in the following document:



Date: 08/05/2016
No: FC.225

التاريخ : 2016/05/08
رقم : FC.225

Certificate of Origin
شهادة المنشأ

Al.Fadeel Company declares that the entire quantity of Gasoil 0.1 loaded on **MT SUKRAN C** is the product of Zawiya Oil Refinery Laboratory location : Tank No.320

شركة الفضيل
تعلن ان كمية كاملة من زيت الغاز 0.1 تحميلها على المنتج الزاوية مصفاة النفط مختبر الموقع : 320

Metric Tons	3985.541	طن متري
Litres	4701.377	لتر

Secretary General & Chief Executive



الزاوية – ليبيا نقال : 00218.91.1029999 Mobile (Libya) Zawiya

Source: Confidential

3. The owner of the company Al Fadeel has been mentioned by several sources as the business partner of Rodrick Grech, a Maltese citizen who is related to the company Petro Plus Limited (see S/2016/209, paragraphs 6-13 of Annex 44). Therefore, the charterer of the Sukran C (IMO 9280196)

appears to be Petro Plus. Moreover, Petro Plus is also involved in the impounded vessel Temeteron (IMO 8917170) (see Annex 63).

4. The fuel was analysed on 10 May 2016 in Malta and the results were delivered on 15 May 2016:

SGS	Oil, Gas & Chemicals
------------	---------------------------------

CERTIFICATE of QUANTITY	
--------------------------------	--

SGS Reference	:	OGC 0510/16
Subject	:	M/T 'SUKRAN C'
Designated Product	:	Gasoil
Location	:	Malta/ Off Port Limits
Date	:	10/05/2016


This is to certify that we have calculated the following parcel loaded on board the above mentioned vessel :

Metric Tons Air	:	3,939.284
Metric Tons Vac	:	3,944.455
Cubic Meters at 15°C	:	4,701.377
US Barrels at 60°F	:	29,585.27
Long Tons	:	3,877.067
Cargo Density at 15°C	:	0.8390 kg/l


The above mentioned quantity was ascertained on basis :

- quantity measured and quantified on board upon arrival (refer to Ullage Report)
- stated density tested at SGS laboratory on volumetric ship's tanks composite sample.

The present inspection has been carried out to the best of our knowledge and ability, and our responsibility is limited to the exercise of reasonable care.



Jesmar Pace

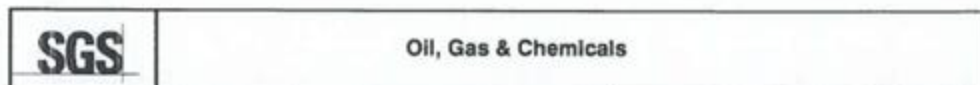


 SGS Italia S.p.A. - Malta Branch

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 Member of the SGS Group (Société Générale de Surveillance)
 Sede Legale Milano via D. Gozzio 1/A Cap. Soc. € 2.900.000 i.v. C.F. 06168100158 Reg. Impr. Di Milano 04112680378 P.IVA n. 11370520154
 RGA/MI n. 1463706 Cod. Mecc. N. 10223913 Società unipersonale soggetta a direzione e coordinamento di SGS Subsidiary BV

Source: Confidential


CERTIFICATE of QUALITY

SGS Ref. : OGC 0532/16
 Sample of : Gasoil
 Customer : SMEC Trading S.A.
 Operation : **SUKRAN C**
 Drawn on : 10/05/2016
 Completed on : 15/05/2016
 Test Report : **366/16**

Date: 15/05/2016

Sample Conditions : Contained in glass bottle labelled SGS Italia S.p.A.
 Label Description : **Sukran C volumetric composite sample representing cargo stowed in cargo tanks 1, 2, 3, 4, 5, 6 P/S drawn upon arrival.**

Test	Method	Unit	Result	Specification	
				Min	Max
Density at 15°C	ISO 12185	kg/m ³	839.0		
Viscosity at 40°C	ISO 3104	mm ² /s	3.017		
Cetane Index (Procedure A)	ISO 4264		54.4		
Sulphur	ISO 8754	% wt	0.061		
Flash point (closed cup) procedure A	ISO 2719	°C	67.0		
Hydrogen Sulphide	IP 570	ppm	Below 0.40	(below detection limits)	
Acid number	ASTM D664	mgKOH/g	0.02		
Oxidation Stability	ISO 12205	g/m ³	9		
Carbon Residue on 10% bottoms	ISO 10370	mass %	Below 0.10 (0.01)		
Pour Point	ISO 3016	°C	-18		
Appearance	Visual		Clear & Bright (*)		
Ash	ISO 6245	mass %	Below 0.001		
Lubricity	ISO 12156-1	µm	370		

Remark:

(*) Clear & bright, free from impurities & free water at 20°C

The result reported in () is outside the scope of the test method and cited at the client's request / reference.

With respect to the UOP methods listed in the report above the user is referred to the method and the statement within it that the precision statements were determined using UOP Method 999.

Author: **SGS Italia S.p.A. - Malta Branch**

The results shown in this test report specifically refer to the sample(s) tested as received unless otherwise stated.
 All tests have been performed using the latest revision of the methods indicated, unless specifically marked otherwise on the report.
 Precision parameters apply in the determination of the above results. Users of the data shown on this report should refer to the latest published revisions of ASTM D3244, IP 367 and ISO 4159 and when utilising the test data to determine conformance with any specification or process requirement.
 This Test Report is issued under the Company's General Conditions of Service (copy available upon request or on the company website at http://www.sgs.com/terms_and_conditions.htm).
 Attention is drawn to the limitations of liability, indemnification and jurisdictional issues defined therein.
 This report shall not be reproduced or used in full without the written approval of the laboratory.

Source: Confidential

B. Selay

1. Selay Group also owns the 'Selay' (IMO 8870865):

IMO number :	8870865	
Name of ship :	SELAY	(during 1993)
Call Sign :	TCBG6	
MMSI :	271002100	
Gross tonnage :	1584	(during 1993)
DWT :	2878	
Type of ship :	Oil Products Tanker	(during 1993)
Year of build :	1993	
Flag :	Turkey 	(during 1993)
Status of ship :	In Service/Commission	(during 1993)
Last update :	02/03/2016	

Source: Equasis

LRNO	Ship Name	Flag	Formula Dwt	Ship Type	Built	P&I Club	Class	Hull Type	Casualty
9449235	KADRIYE ANA	Belize	2,208	Chemical/Products Tanker	2010-01	American C...	BV	Double Hul...	
Mediterranean, UK - Continent - Baltic, West Africa, East Coast South America									
9489584	REKON	Malta	6,338	Chemical/Products Tanker	2013-06	SKULD - Oslo	BV	Double Hul...	
Mediterranean, Australasia, Gulf - Red Sea - India, Far East, South East Asia									
8870865	SELAY	Turkey	2,372	Products Tanker	1993-04	Standard S...	BV		
Mediterranean									
9280196	SUKRAN-C	Turkey	4,444	Chemical/Products Tanker	2004-03	Standard S...	BV	Double Hul...	Y
Mediterranean, UK - Continent - Baltic									

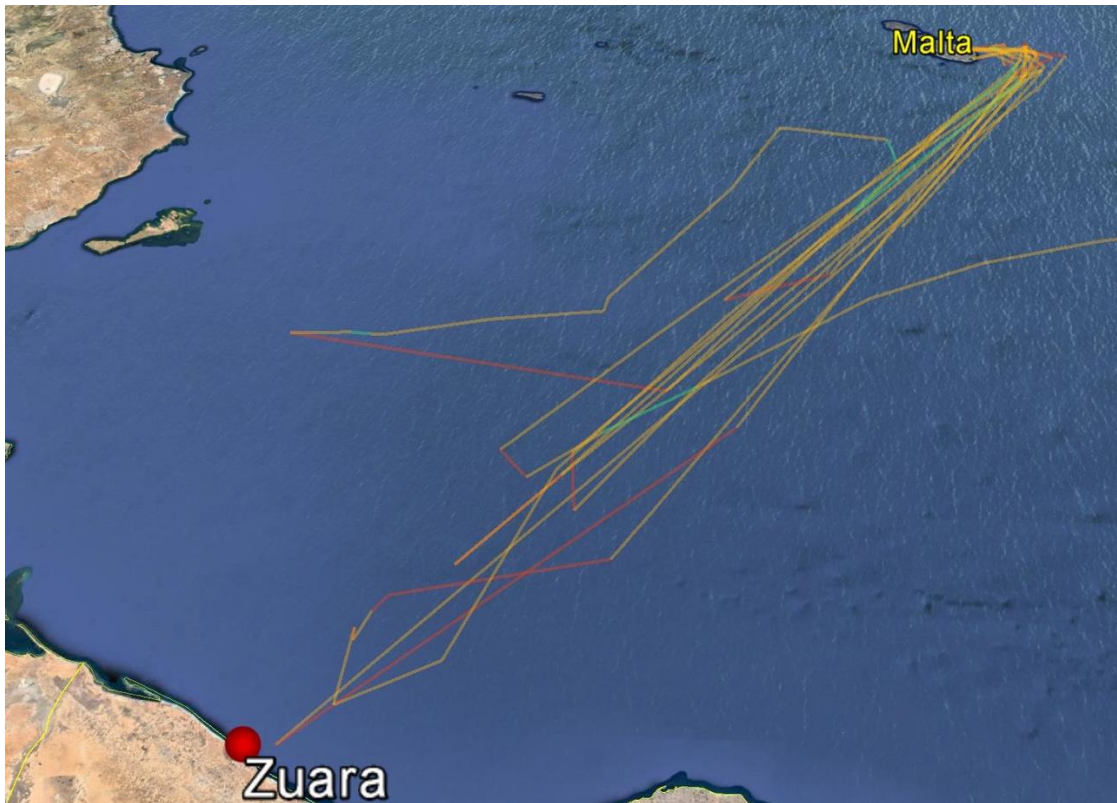
Source: IHS Seaweb

2. The 'Selay' is located on a regular basis alongside vessels mentioned in the Panel's last report (S/2016/209, paragraphs 9,10 and 13 of Annex 44) related to fuel smuggling, such as the 'Ruta':

FROM	TO	LAT	LONG	NAME	DISTANCE (meters)
12/02/2016 9:59	12/02/2016 11:27	35,85111	14,84	Ruta	
12/02/2016 9:59	12/02/2016 12:56	35,85083	14,83944	Selay	59,2623886
19/02/2016 16:29	20/02/2016 6:39	35,85528	14,84889	Selay	
19/02/2016 17:59	19/02/2016 23:01	35,85528	14,84833	Ruta	50,4350873

3. The table above shows that both vessels were alongside (at a distance less than the sum of their lengths) on 12 February and 19 February 2016.

4. The vessel has been travelling between Malta and Zwara at least since 2015. The following image depicts the movements of the vessel from January to September 2015. The red lines show periods of time when the AIS was shut down. However, the captain of the vessel did not always turn it off:



Source: AIS (Lloyd's)

5. The principals of the Selay Group, owners of the 'Selay' and the 'Sukran-C' are:

PRINCIPALS	
Ahmet Bilgin	company manager Representative Of Bilgin Gemi Insaat Nakliyat Yatirim Anonim Sirketi
Suphi Colak	company manager
Fuat Colak	company manager

Source: E-Infirma

6. The charterer of the Selay is Petro Plus Limited (see paragraph 3 under above section A), also involved in the vessel Ruta (see [S/2016/209](#), paragraphs 9-13 of Annex 44).

7. Petro Plus Ltd (C50905) was registered on 15 October 2010. The shareholders of Petro Plus are Gordon Debono and a company, The Business Centre Ltd (C17918), of which Debono is the sole shareholder.

Company Registration Number	C 50905
Company Name	PETROPLUS LTD
Registration Date	Oct 15, 2010
Registered Office	THE BUSINESS CENTRE VALLEY ROAD,
City/Locality	MSIDA MSD 9060
Country	MALTA

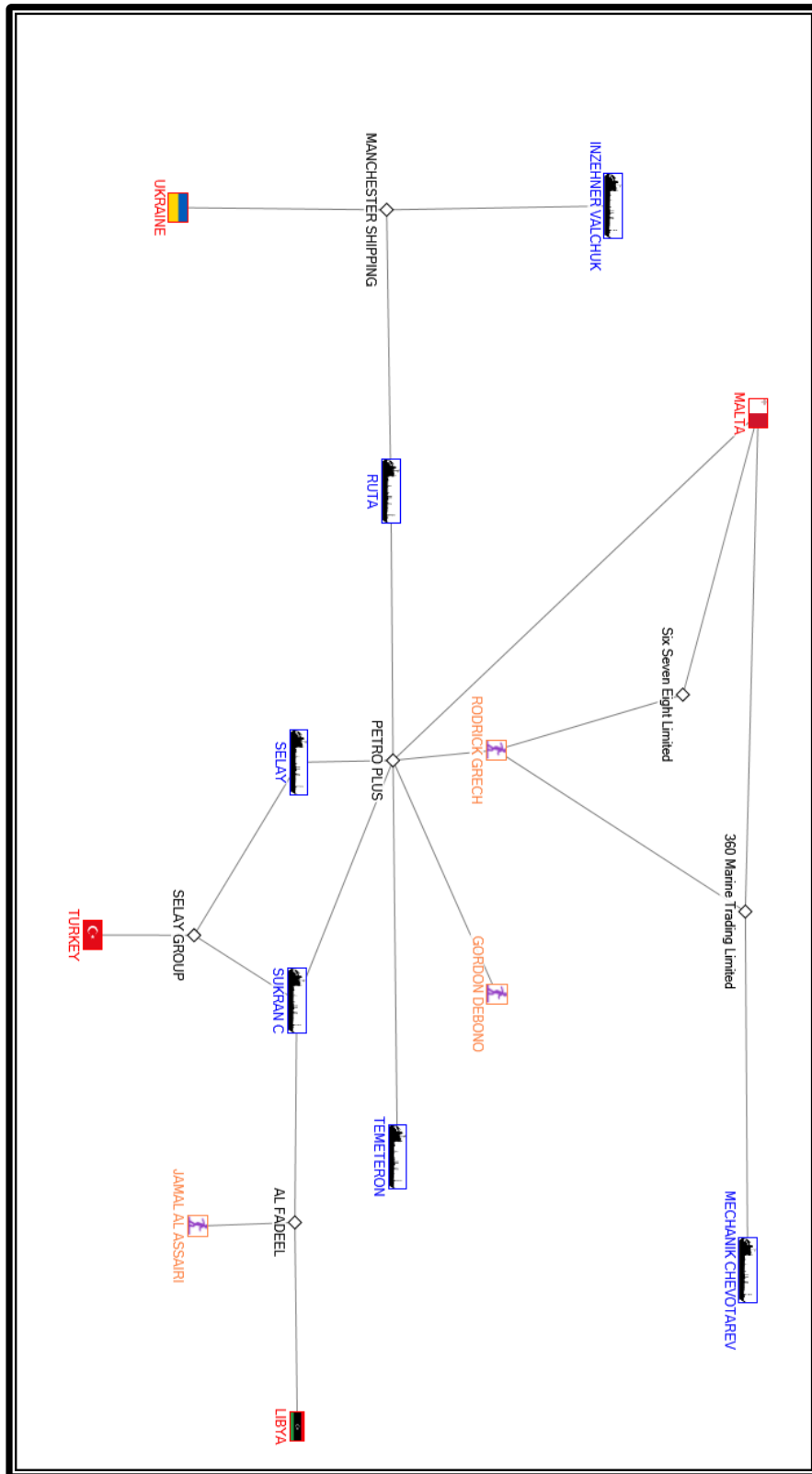
Directors(1)		
Involved Party	Address	Nationality
GORDON DEBONO 234574M	18, DRIVE 41, TUMAS GALEA STREET, TA' PARIS, BIRKIRKARA MALTA	MALTESE

Company Registration Number	C 17918	
Company Name	THE BUSINESS CENTRE LTD	
Registration Date	Mar 02, 1995	
Registered Office	THE BUSINESS CENTRE, VALLEY ROAD,	
City/Locality	MSIDA MSD 9060	
Country	MALTA	
Directors(1)		
Involved Party	Address	Nationality
GORDON DEBONO	18, DRIVE 14,	MALTESE

234574M

TUMAS GALEA STREET,
TA' PARIS,
BIRKIRKARA
MALTA

8. Taking into account the data gathered during the Panel’s last two mandates, the following graphic describes the fuel smuggling network:



C. Hacı Telli

1. This vessel has also been located while alongside the 'Selay' (IMO 8870865), for instance on 28 March 2016 in the vicinity of Malta:



1. Its details are:

IMO number :	9353163	
Name of ship :	HACI TELLI	(since 01/05/2006)
Call Sign :	TCPL4	
MMSI :	271000879	
Gross tonnage :	1949	(since 01/05/2010)
DWT :	2818	
Type of ship :	Oil Products Tanker	(since 01/05/2006)
Year of build :	2006	
Flag :	Turkey 	(since 01/05/2006)
Status of ship :	In Service/Commission	(since 01/05/2006)
Last update :	27/01/2016	

Source: Equasis

2. The vessel is part of the fleet of Transpasifik Denizcilik Turizm ve Ticaret AS¹²⁷. According to their webpage, the registered owner, Pasifik Deniz Nakliyat Ltd Sti, is also part of the Transpasifik Company group.


3. The vessel was seen in Zwara on 24 February 2017, when it was boarded by armed men, allegedly because the charterers of the vessel owed money to local smugglers.¹²⁸ The owner was contacted by the Panel but has not replied.

¹²⁷ <http://transpasifik.com/index.html>

¹²⁸ "Turkish oil tanker seized in western Libya while buying smuggled fuel", Libya Observer, 2 March 2017, <https://www.libyaobserver.ly/news/turkish-oil-tanker-seized-western-libya-while-buying-smuggled-fuel>.

D. Hulin

1. The vessel was officially accused by the NOC of being involved in smuggling operations from Zwara, as stated in the following letter, addressed to various Libyan authorities, such as the PC or the Attorney General.



دولة ليبيا

المؤسسة الوطنية للنفط

التاريخ : ١٢ أغسطس ٢٠١٦ م
الموافق : ١٣ - ١٥ - ٢٠١٦ م

التسجيل : 2966
الملف : 25-1-25

السيد/ النائب العام_ المحترم

بعد التحية...

إحافاً لمراسلتنا السابقة بشأن الطرق التي تُتبع في تهريب الوقود إلى خارج ليبيا منها ما هو مرفق بالصور التي توضح عمليات التهريب على متن نواقل مختلفة منتهكة بذلك السيادة الليبية ، وقد تم إبلاغ عنها لدى الأجهزة الأمنية بمختلف تخصصاتها التي لم تعالج هذه الظاهرة السلبية إلى غاية الآن ولا تزال محاولات التهريب متواصلة ، حيث وردت إلينا صورة من مراسلة السيد / رئيس مصلحة الموانئ والنقل البحري التي تعيد بإبلاغ السيد / مدير عام ميناء زوارة البحري بتاريخ 2016.9.29م بعدم السماح بدخول سفينة إلا بعد أخذ موافقة المؤسسة الوطنية للنفط بعد أن وردت معلومات حول وصول سفينة وكذلك برقية وصول للناقلة المسماة (هولان_ HULIN) أحرف النداء (9HRW9) جنسيتها (مالطية) IMO (9447043) الواصلة لمنطقة المخطاف بتاريخ 2016.9.25م ووكيلها الملاحي شركة صلامبو طرابلس للتوكيلات الملاحية والقادمة لغرض شحن (10250 طن وقود).

بالتالي ، فإن مثل هذا التصرفات تنعكس سلباً على الإقتصاد الوطني نظراً لأن التهريب من العوامل السلبية التي لها تأثير على الدخل القومي والعبث بمقدرات الدولة خاصة وأن الوقود من السلع المدعومة من خزانة الدولة وأن الإتجار فيه أو تهريبه يعد من الجرائم التي يعاقب عليها

/



دولة ليبيا

المؤسسة الوطنية للمقط

التسجيل :

التاريخ :

المرفق :

المرفق :

القانون، الأمر الذي يتحتم معه معرفة الأطراف المتعاونة في ذلك والعمل على معالجة هذه الظاهرة التي تهدد الاقتصاد الوطني والقضاء عليها بالتعاون مع الجهات الأمنية والقضائية في الدولة.

وإن تقرر جرمكم المنزول فلننا نحيل إليكم هذا البلاغ لانتهاج الإجراءات القانونية في هذا الشأن ومخاطبة الجهات المختصة من أجل القبض على اللقائين بهذا العمل وتقديمهم إلى القضاء لمحاكمتهم، وبحث سبل القضاء على ظاهرة التهريب وانتهاج الإجراءات العاجلة التي تكفل عدم تكرار مثل هذه الأفعال مستغلاً بما يكفل تحقيق الأمن والاستقرار والحفاظ على مقدرات الشعب الليبي (مرفق صورة من المراسلة الواردة بهذا الخصوص).

والسلام عليكم ١١١

11.10.2016

مصطفى عبدالله صنع الله
رئيس مجلس الإدارة

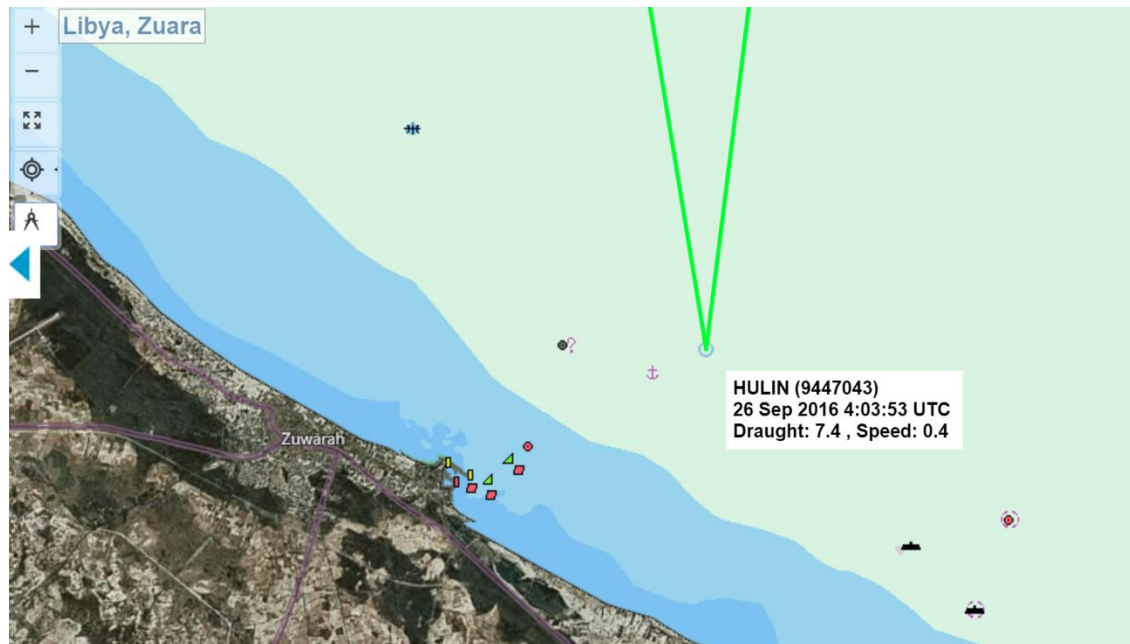


صورة لتعداد اعداد مجلس الإدارة
الاجراءات القانونية - مدير مركز التوعية الدولية
بمجلس إدارة المؤسسة

شارع بشر السعدوي (ميدان جة العريف) طرابلس - ليبيا - ص.ب: 2666 - 5836 - هاتف: 709 - 218.21.3348700 - 44 / + 218.21.3337141


Source: Confidential

2. According to AIS data, the 'Hulin' (IMO 9447043) approached Zwara on 26 September 2016. It was detected less than 3.5 nautical miles from the port of the town.



Source: IHS

Its details are:

IMO number :	9447043	
Name of ship :	HULIN	(since 01/09/2008)
Call Sign :	9HRW9	
MMSI :	249437000	
Gross tonnage :	7260	(since 01/09/2008)
DWT :	10745	
Type of ship :	Chemical/Oil Products Tanker	(since 01/09/2008)
Year of build :	2008	
Flag :	Malta 	(since 01/09/2008)
Status of ship :	In Service/Commission	(since 12/09/2008)
Last update :	20/12/2016	

Source: Equasis

Ownership?

Group Owner	Unknown	Address Location	
Shipmanager	Tune Chemical Tankers BV	Address Location	Netherlands
Operator	Tune Chemical Tankers BV	Address Location	Netherlands
DOC Company	Tersan Deniz Isletmeciligi	Address Location	Turkey
Registered Owner	Hulin Shipping Ltd	Address Location	Netherlands
Technical Manager	Tersan Deniz Isletmeciligi	Address Location	Turkey

Source: HIS

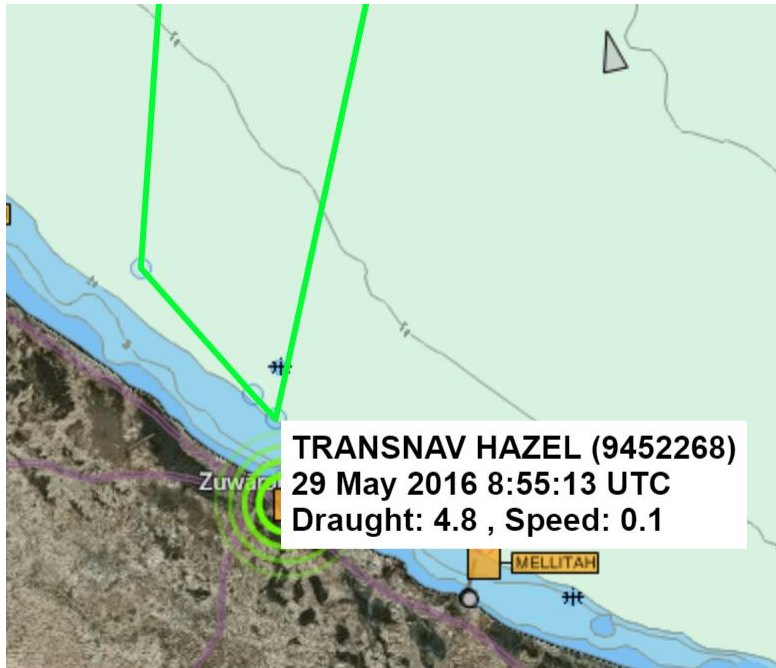
3. Before heading to Turkey, the vessel remained in front of the Libyan coast (70 nm off) until 22 October 2017.



Source: HIS

E. Transnav Hazel

1. On 29 May 2016 the vessel 'Yamuna' (IMO 9452268), subsequently named 'Transnav Hazel', and to date 'Stena', was detected in the coastal waters in front of Zwara.



Source: IHS Seaweb

2. According to sources, this shipment was carried out by the Maltese company Patron Group Limited (see [S/2016/209](#), paragraphs 4-6 of Annex 44). This seems accurate, given that one of its officially owned vessels, the 'Sea Patron', accompanied the Transnav Hazel all the way to Malta, sailing less than six nautical miles apart from each other. On 9 June 2016, both vessels remained alongside each other.



Source: IHS

F. Aqasia

1. In November 2016 the vessel 'Aqasia' (IMO 9556753) approached Zwara to load fuel. It headed to Cyprus, calling at Limassol on 12 December 2016. The details of the vessel are:

Ship Detail

Ship Name	AQASIA	Shiptype	Chemical/Products Tanker
LR/IMO No.	9556753	Gross	2,141
Call Sign	9HA2634	Deadweight	2,845
MMSI No.	215085000	Year of Build	2011
Flag	Malta	Status	In Service/Commission
Operator	Burtrans Denizcilik	Shipbuilder	Umo Gemi

Ownership

Group Owner	Burtrans Denizcilik	Address Location	Turkey
Shipmanager	Burtrans Denizcilik	Address Location	Turkey
Operator	Burtrans Denizcilik	Address Location	Turkey
DOC Company	Kelebek Denizcilik Insaat	Address Location	Turkey
Registered Owner	SGB Shipping	Address Location	Turkey
Technical Manager	Kelebek Denizcilik Insaat	Address Location	Turkey
Bareboat Owner		Address Location	


Source: IHS Seaweb

2. Between 11 and 18 November 2016 the vessel switched its AIS off.

G. Bukhara

1. The western NOC received information from its sources in Zwara about an important loading of fuel on board the vessel 'Bukhara' (IMO 9015345) on 2 February 2017. Sources reported to the NOC that a group of armed men were on board, securing the loading.

2. The vessel Bukhara has remained for long periods of time with its AIS tracking switched off. Before its approach to Zwara the vessel had remained out of reach for the previous 13 days, remaining missing until 21 February 2017, when it was located off the southern coast of Crete. Afterwards, its AIS was switched off:

IMO number :	9015345	
Name of ship :	BUKHARA	(since 01/10/2015)
Call Sign :	T8A2197	
MMSI :	511238000	
Gross tonnage :	25880	(since 01/06/2011)
DWT :	45691	
Type of ship :	Crude Oil Tanker	(during 1992)
Year of build :	1992	
Flag :	Palau (Republic of) 	(since 01/10/2015)
Status of ship :	In Service/Commission	(since 14/04/1992)
Last update :	20/12/2016	

Source: Equasis

Company Detail

Short Name	Delta Ships Ltd	Company No.	5882215
Full Company Name	Delta Ships Ltd		
Nationality of Registration	Liberia	Nationality of Control	
Status	Existing	Company Type	Manager
Founded	2015		

Relationships

Terra Shipping SA Has an Address care of & Has a 3rd Party Manager:-Delta Ships Ltd

Addresses

No.	01
Address	PO Box 49822, Sharjah, United Arab Emirates.

Source: IHS Seaweb

4. The Panel contacted Mr. Stefanidis, the company security officer, but has not received a reply. The domain deltaships.net is only used for e-mail purposes and has no website. Mr. Stefanidis also appears as the owner of the domain.

5. The following document demonstrates that the main activity carried out by the 'Bukhara' is related to the shipment of gasoline and gas oil:



DELTA SHIPS LTD.

14 N.FYROGENI, LIKOVRSI, ATHENS 14123 GREECE.
IMO NO. 9015345 Official No: P005041 ,EMAIL:operationops@deltaships.net

CERTIFICATE OF SEA SERVICE ON TESTIMONIAL

THIS IS TO CERTIFY THAT MR. [REDACTED] HOLDING S.S.B NO: [REDACTED]
SERVED ON BOARD M.T BUKHARA IMO NO. 9015345 Official No: P005041, FLAG: PALAU IN THE
CAPACITY OF [REDACTED] FROM 03.MAY.2016 TO 06.SEPTEMBER.2016.
THROUGH THE ABOVE MENTIONED PERIOD, THE VESSEL HAS ENGAGED IN TRADE OF
FOLLOWING TYPES AND GRADES OF CARGO:

1. GAS OIL
2. GASOLINE OIL

I CONSIDER MR. [REDACTED] IS TO COMPETENT AS A Jr. ENGINEER
TO CARRY OUT SAFELY CARGO HOLDING DUTIES IN A PRODUCT TANKER

Keel A
[REDACTED] M. T. BUKHARA
[REDACTED] CHIEF ENGINEER

[Signature]
[REDACTED] (MASTER)
CAPT. M. T. BUKHARA
MASTER

MT : BUKHARA
IMO NO.: 9015345
GRT : 25880
NRT : 12610
BHP : 8900 PS
POR . MALAKAL HBR

Source: Confidential

6. According to the sources of the NOC, the alleged destination of the cargo was either Malta or Turkey. However, the erratic operation of the AIS of the vessel hindered the Panel from confirming this information.

7. Finally, on 7 March 2017, the vessel switched on its AIS, while located off the southern coast of Crete.

Movements of the 'Bukhara' between 7 -9 March 2017



Source: IHS

H. Sichem Singapore

1. The Panel received an alert on 25 February 2017 of an alleged illicit shipment of heavy oil from Marsa al-Hariga. This alert was provided by the western NOC and Abdallah Ateiga.
2. The vessel 'Sichem Singapore' (IMO 9322061) was loading heavy oil in Marsa al-Hariga (Brega berth) on 25 February 2017. The tanker was expected to call at Marsa al-Hariga on 23 February 2017, according to the port records.
3. Details of the tanker 'Sichem Singapore' (IMO 9322061):

Ship Name	SICHEM SINGAPORE	Shiptype	Chemical/Products Tanker
LR/IMO No.	9322061	Gross	8,562
Call Sign	9HA4414	Deadweight	13,141
MMSI No.	249880000	Year of Build	2006
Flag	Malta	Status	In Service/Commission

Source: IHS Seaweb

4. The vessel is owned by the group Team Tankers International Ltd (registered in Bermuda) and managed by one of its subsidiaries, Team Tankers Management A/S (Third floor, Strandvejen 58, 2900 Hellerup, Denmark).
5. The Danish company has always cooperated with the western NOC. Since the company was aware of the problematic shipment, it complied with the instructions given by the Maltese authorities.

6. According to the information gathered, the buyer of the heavy oil is the company Vadoil Holdings S.A., registered in Panama. In the following document it is stated that the seller is the Libyan company Al Shera Company, Services and Commitments Ration which is a catering company. In the document it is clearly stated that the heavy oil was sold by the eastern NOC and that two shipments were expected to carry the amount of 20,000 metric tons of heavy oil. The shipment on board the 'Sichem Singapore' amounts to 11,500 metric tons of heavy oil:





التاريخ: 2017/02/22 م
الإشاري: 2017/102

To whom it may concern

We hereby confirm that Vadoil Holdings S.A. - Panama - is the exclusive carrier of the first shipment (20,000) twenty thousand tons of heavy oil purchased from National Oil Corporation which will be loaded from El Hariga Terminal (Brega berth) on 22nd February 2017.

The vessel nominated is mv SICHEM SINGAPORE (IMO 9322061) and has been fully accepted to load the part of the first cargo of about 11,500 tons.



ALSHERA CO

Email: tobri طبرق . ليبيا

Source: Confidential

7. In order to demonstrate a clear implication of the eastern NOC in this shipment, the Panel shows the following e-mail, sent by the General Manager for International Marketing, Almabruk Sultan, to a Greek broker, on 18 February 2017, referring to a contract allegedly signed in 2016:

From: Al Mabruk Sultan [<mailto:almabruk@gmail.com>]
Sent: Σάββατο, 18 Φεβρουαρίου 2017 13:18
To: Panos Doukas
Subject: Re: 20,000mts HFO NOC/Al Hariga Terminal

Dear Panos,
West African Marines S. A.

With regard to the attached letter dated 29.07.2016, the cargo approved, and would be loaded by Brega Marketing Company to El Shera'a for service and catering company provided that all regulations and rules are applied.

Thank you.

Source: Confidential

8. The western NOC contacted Ateiga, the owners of the tanker and the Maltese authorities in order to prevent the shipment from happening. The owners of the vessel explained that they always believed that the supplier of the heavy oil was the NOC.

9. The loading was finalised in the late hours of 25 February 2017.

10. The captain of the vessel was instructed by the Maltese authorities to remain in port until further notice. Later, the NOC decided that the ship should head to Zawiya to unload the heavy oil. Finally, the captain was given the green light to set sail and on 26 February 2017 the tanker headed to Zawiya where it was expected to proceed to unload.

11. The following document, addressed to the owners of the vessel, includes the instruction to sail to Zawiya and unload there.



المؤسسة الوطنية للنفط NATIONAL OIL CORPORATION

25th of Feb/2017
Ref No: 124

TEAM TANKERS- THE OWNERS OF MT SICHEM SINGAPORE,
Dear Sir/Ma'am...

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, 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.

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 related to all Libyan hydrocarbons and we're solely entitled to sell all crude oil, petroleum products and petrochemicals in Libya.

Moreover, we hereby confirm that the quantity on board of your vessel "Sichem Singapore (9322061)" is owned by NOC, this quantity is contractually committed to be exported to VITOL - (VITOL Bahrain 27th floor west tower flat 271 building 1b Isa al kabeer avenue Manama centre 316 Bahrain).

Therefore, to avoid further complications, please proceed to **Zawia terminal**, to be added to a larger cargo and be given to the rightful contractual party.

Yours sincerely


SOUAD ELSANOUSI
Petroleum & Petrochemicals Products Marketing Department Acting Manager.


MILUD ELHALAL
Manager of Marine Department.


S. A. BAIYOU
Financial Department Acting Manager.

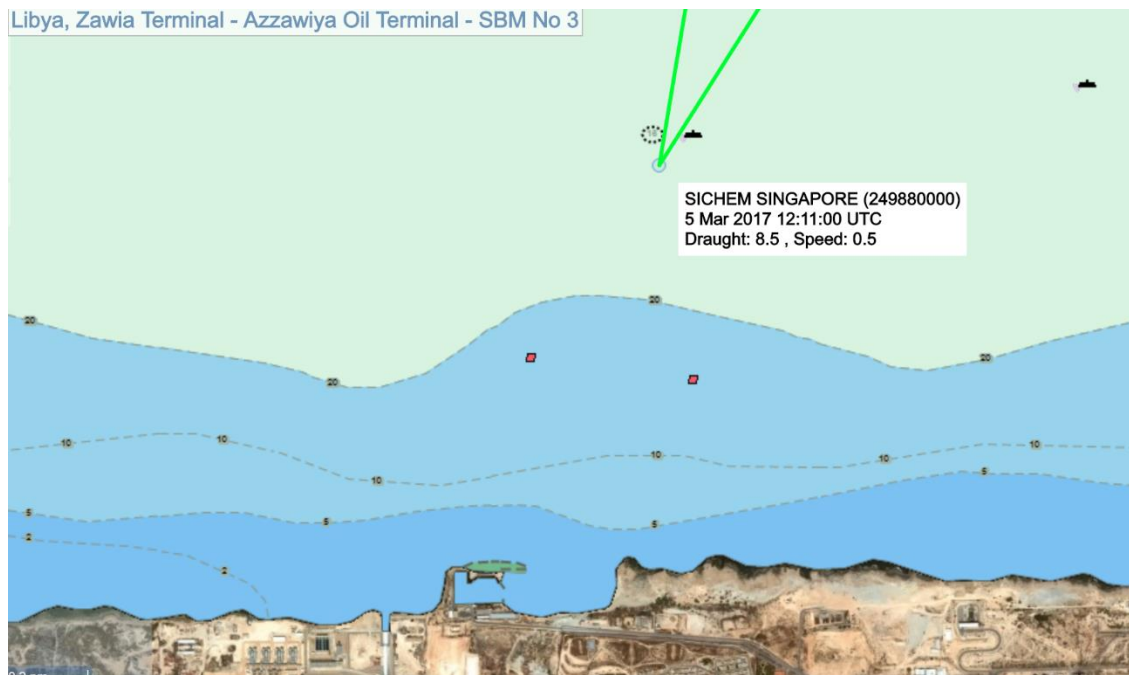


CC: Mustafa Sanabli, Chairman of the Board of Directors- NOC

شارع بشير السدواوي - ص. ب. : 2655 - 5335 طرابلس - ليبيا - هاتف : +218.21.4446180 - 90 / +218.21.3337141 - 45
BASHIR SADWI STR - P.O BOX: 2655-5335 - TRIPOLI - LIBYA - TEL : + 218.21.444 61 80- 90 / + 218.21.3337141 - 45

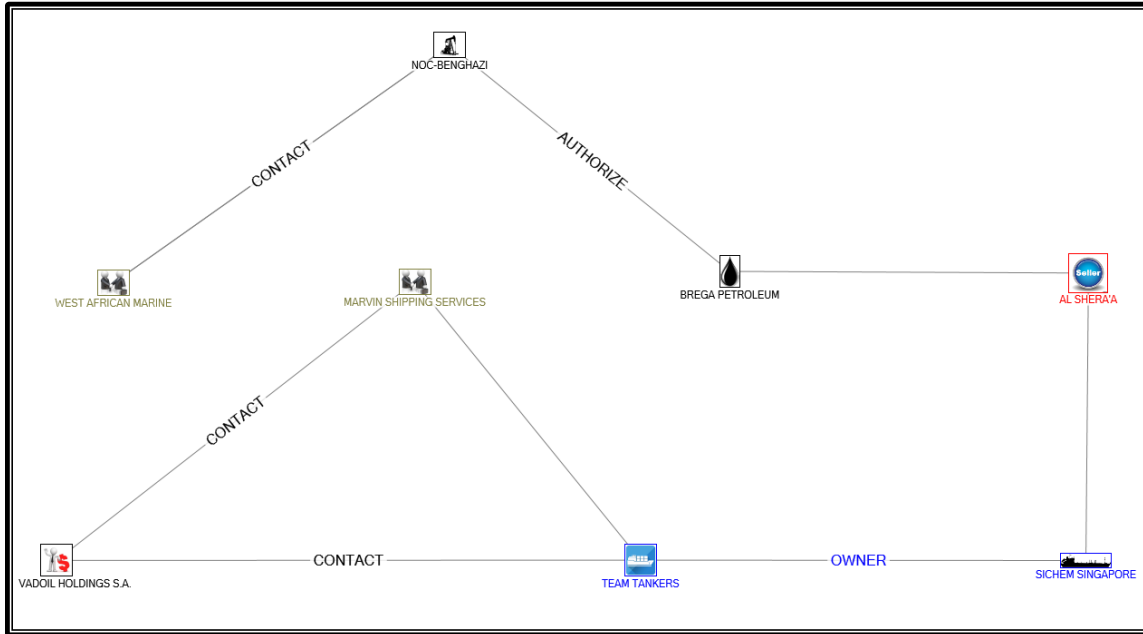
Source: Western NOC

12. The Panel contacted the eastern NOC in order to request information on the shipment. The contacted individuals included Almabruk Sultan, General Manager for International Marketing of the eastern NOC. All of them denied any involvement or knowledge of the shipment.
13. The tanker, after receiving instructions from Malta and after resolving some differences with the charterer, Vadoil Holdings S.A., discharged the fuel in Zawiya on 5 March 2017, heading to Malta on 6 March 2017.



Sichem Singapore unloading in Zawiya (Source: IHS)

14. The following graph explains the relations between the entities involved in the sale of the heavy oil:



Source: Panel research

附件六十五

HoR statement

On 17 July 2016, the Economy, Trade and Investment Committee at the House of Representatives reiterated to the Maltese authorities that subsidized products cannot be exported:

State Of Libya
Libyan House of
Representatives
House of Representatives Diwan



دولة ليبيا
مجلس النواب الليبي
ديوان مجلس النواب

Date 2016.7.17 التاريخ
Ref 016-1-1 الاشارة

السيد المحترم / سفير دولة ليبيا لدي جمهورية مالطا

بعد التحية ،،

بالإشارة الي بعض الأنشطة التي تمتنها بعض الشركات المحلية بتهريب الوقود ومشتقاته الي مالطا وتستخدم في ذلك تراخيص مزاوله مهنة الخدمات النفطية .

عليه .. ونظرًا لاختصاص لجنة الاقتصاد والتجارة والاستثمار في مجلس النواب نود التأكيد علي ان هذه الأنشطة مخالفة للقانون ومضرة بالاقتصاد الوطني ، ناهيك عن أثر استبدال هذه السلع بالمخدرات والخمور من قبل المهربين الي بلادنا في أمر يمس ويؤثر علي الأمن والنظام العام .

وكون أن استيراد الوقود ومشتقاته محدد قانوناً علي سبيل الحصر للمؤسسة الليبية للنفط ، وكذلك تسويقه في السوق المحلي كونها سلعه مدعومة ومخصص لها بند بالميزانية العامة سنوياً .

لذلك ... نطلب منكم احالة مذكرتنا هذه للسلطات المالطية لإيضاح الصورة وكبح جماح المهربين في استخدام مستندات او أدونات عمل وتراخيص محلية في محاولة الإيحاء بقانونية وسلامة وصحة عمليات التهريب التي تحدث ، ومدنا بما يفيد بذلك .

وتفضلوا بقبول فائق تقديرنا واحترامنا
و السلام عليكم

علي الفطراتي
رئيس لجنة الاقتصاد و التجارة
والاستثمار بمجلس النواب



صورة الي:
رئيس مجلس النواب
رئيس ديوان المحامية
رئيس ديوان الرقابة الادارية
الدوري العام + الصائر

Source: Confidential

附件六十六

NOC letter to the Libyan Ministry of Foreign Affairs

1. The NOC addressed a letter to the Libyan Ministry of Foreign Affairs requesting it to send reminders to its counterparts in the neighbouring countries that the National Oil Company is the sole entity that is authorized by law to import or export crude oil, petroleum products, petrochemical products and plastics.



دولة ليبيا

المؤسسة الوطنية للنفط

التاريخ: ٢٤ ٢٨ ٢٠١٧

التسجيل: ٣٥٦١

الموافق: ٢٥-١٥-٢٠١٦

الملف: ١١-١-٢٥

السيد/ وزير الخارجية والتعاون الدولي

بعد التحية ،،،

في ظل غياب مظاهر الامن في الدولة فقد تشكلت عصابات منظمة و مدعومة من ميليشيات مسلحة تقوم بتهرب الوقود المدعوم عبر المنافذ البرية و البحرية قرب الحدود متخذة من خزانات الوقود بمنطقة مصفاة الزاوية مصدر أساسي للتزود ليتم شحنه عبر ميناء الصيد بمدينة زوارة أو تهريبه بالشاحنات عبر المنافذ البرية مستخدمة أنابيب نقل وطرق تهريب غاية في الخطورة .

وقد تأكد لنا من مصادر موثوقة أن هذه العصابات تقوم بدراسة الشحن من مواني أخرى وتوسيع نشاطها غير المشروع على حساب مصلحة الوطن والمواطن البسيط.

وفى هذا الإطار بذلت المؤسسة الوطنية للنفط وشركة البريقة لتسويق النفط جهوداً لمنع هذه الظاهرة وأبلغت كافة الجهات ذات العلاقة بما فيها مكتب النائب العام .

أيضاً تواصلت المؤسسة الوطنية للنفط مع لجنة العقوبات بالأمم المتحدة في السابق ولازالت المساعي مستمرة بالرغم من أن ظاهرة التهريب من مسؤوليات جهات الاختصاص في الدولة إلا أننا نرى أن محاربة هذه الظاهرة مسئولية وطنية أكثر منها مهنية وبالتالي فإننا مستمرين دون كلل أو ملل .

وفى هذا الإطار فإننا رأينا أهمية إبلاغكم بهذا الأمر حفاظاً على مقدرات البلاد النفطية وبالتالي نأمل منكم اتخاذ كافة الترتيبات والإجراءات بمخاطبة السفارات الليبية بدول الجوار وخاصة مالطا، تونس، إيطاليا، تركيا ، السودان ، تشاد ، النيجر من ان المؤسسة الوطنية للنفط الجهة الوحيدة المخولة قانوناً بتصدير أو توريد النفط الخام، المنتجات النفطية، المنتجات البتروكيماوية واللدائن وخلاف ذلك فإنه يُحظر على كافة الأطراف والجهات العامة والخاصة تصدير أو توريد النفط والغاز ومشتقاته .

/١١

附件六十七

Brokering companies

1. The following are examples of messages of brokering companies seeking vessels to carry shipments of fuel from Libya:

a) From: BAT bat@paco.net

Sent: 14/07/2016 17:25:58
Subject: 7/10000 mt Gasoil Libya/Yemen-Spot
PLS YR BOFFER FOR FOLLFIRM CGO
7/10000 MT GASOIL IN BULK
ZUWARAH, LIBYA/HODEIDA, YEMEN
L/C: SPOT
LOAD/DISCH RATE 3 DAYS/ 2 DAYS
COMMI 3,25% TTL
BRGDS
Bogdan

2. Explanation of the above: the company BAT (Ukraine) is looking for the best offer to ship an amount of gasoil (7,000-10,000 Metric Tons) from Zwara to Hodeida (Yemen). The loading would be in Zwara and would require three days, while the off-loading in Hodeida would necessitate two days. The company (BAT) takes a share of 3.25% of the offer agreed.

b) Cargo : 5.000/6.500 mts Gasoil 0,1% Sulphur
Load Port : Zuwara, Libya (12-15nm north abeam Zwara Port, Libya)
Discharge Port : Will be nominated for each shipment as follows
Opt. 1 - Trieste Port / Venice Port
Opt. 2 - Genoa Port
Opt. 3 - Napoli Port
Opt. 4 - Mersin, Turkey
L/can : Vsl's dates, even this week can load
Load : 5 ttl wwdays
Loading STS
need 3" and 6" hoses to connect
Minimum 6 measuring meters hoses capable of measuring qty in liters
Fenders for STS ops
Discharge : 36 hrs + 6hrs
No any age / flag restriction.
Charterer's agent both ends. (Free d/a at loading port)
2.5pct pus

3. Explanation of the above: in this case the amount of gasoil is 5,000-6,500 Metric Tons and specifies that the loading will take place at sea, 12 or 15 nautical miles off the port of Zwara. The destination ports are Trieste or Venice, Genoa and Napoli in Italy and Mersin in Turkey.

4. The NOC (Tripoli) sends warnings to the brokering companies they detect and identify, as the following, including non-existent resolution references and a baseless reference to Interpol:



المؤسسة الوطنية للنفط
NATIONAL OIL CORPORATION

DATE: 31/01/2016
REF NO: 49

VOLONT SHIPPING AND TRADING SA.
Greetings Sir/Ma'am,,,

It came to our attention that you're quoting a cargo of 5.000/6.500 MTs Gasoil 0,1% Sulphur, to load from Zuwara region during the upcoming period.

With reference to the United Nations resolution NO 4238Y594 and related recent statements by UN's international Security Council permanent members.

We hereby inform you that knowingly smuggling of Libyan product will endanger the vessel to be confiscated by Interpol, and will expose your whole company to appropriate legal and criminalizing actions against all involved people to prevent those kind of illegal businesses.

Therefore, you're requested to refrain from quoting any cargo from Zuwara or elsewhere in Libya unless you have a prior permission from NOC.



Ahmed Shawki
General Manager of International Marketing Department- NOC

CC: Mustafa Sanallah – Chairman of the Board of Directors.

شارع بشير السعداوي _ (ميدان جنة العريف) طرابلس / ليبيا - هاتف : 09 - 218 21 334 5700 / + 218 21 333 7141 - 44

Bashir Sadawi st r. P.o Box : 2655 - 5335 Tripoli - Libya Tel : +218 21 334 5700 - 709 / +218 21 333 7141 _ 44

Source: Confidential

5. One of the official fuel distributing companies is Oil Libya. On 7 August 2016, its branch in the United Arab Emirates received a disturbing request from a fuel trading company. The latter wanted Oil Libya to verify some documents it had received on behalf of Oil Libya. The papers were fake. Zwara is mentioned as the loading point.



www.oilibya.com

COMMITMENT TO SUPPLY

ب ل ل ل ل د يوزت عوض وم لا: باطخ مازت

Date: 27th of July 2016

Ref: Gsol1622/-08/16-PMG-ST52

We 'OilLibya' hereby confirm and issue this official letter as confirmation, to our client

We 'OilLibya' confirm that we intend to supply [REDACTED] with Gas Oil of a quantity of 40,000 MT per month (40K MT) split over weekly shipments up to 10K Mt.

Contract term will be **40,000MT x 12 month(s)**, Contract total 12mths = **480,000 MT**.
(With possible rolls and extensions, to be negotiated)

Contract will commence from **1st August 2016**, and shipment will begin first calendar week of August.

This letter hereby serves as legal confirmation of an agreement to supply; between 'OilLibya' To [REDACTED] and is governed under British law.

Yours Sincerely

Abdulbari Abdirahman

Regional Export Sales Manager

www.oilibya.com



OilLibya, Libya Plaza, Muthaiga Road P.O. BOX 64900 0620 Nairobi, Kenya

Source: Confidential

CONTRACT NO.**1. BUYER**

.....

2. SELLER

.....

3. PRODUCT

GASOIL 0.1 PCT OF LIBYAN ORIGIN WITH SULPHUR MAX 0.1 PCT MEETING THE FOLLOWING
GUARANTEED SPECIFICATIONS:

.....

4. QUANTITY

..... METRIC TON MONTHLY PER 1 YEAR.

5. DELIVERY

SHIP TO SHIP LIBYAN WATERS NEAR .ZUWARA ABOUT 5 MILES FROM THE LIBYAN COST IN TWO
OR MORE CARGOES IN SELLER'S OPTION. THE FIRST TRANSSHIPMENT TO TAKE PLACE BY
LATEST 20 DAYS AFTER CONTRACT'S SIGNATURE DATE.

6. PRICE

IN US DOLLARS PER METRIC TON ON LOADED QUANTITY TO BE THE MEAN QUOTATION
PUBLISHED ON B/L DATE FOR GASOIL 0.1 PCT BY PLATT'S EUROPEAN MARKETSCAN UNDER THE
HEADING "FOB MED BASIS ITALY" LESS A DISCOUNT OF %. IF NO QUOTATION ON B/L
DATE, THEN THE IMMEDIATELY FOLLOWING PUBLISHED QUOTATION TO APPLY.

7. PAYMENT

THE PAYMENT WILL TAKE PLACE CAD (CASH AGAINST DOCUMENTS) WITHIN 5 WORKING DAYS
FROM COMPLETION OF EACH CARGO BY SWIFT BANK TRANSFER AGAINST PRESENTATION "ON
COLLECTION BASIS" TO THE BUYER'S BANK OF FOLLOWING ORIGINAL DULY SIGNED SHIPPING
DOCUMENTS:

-COMMERCIAL INVOICE.

-FULL SET (3/3) NEGOTIABLE CLEAN OCEAN B/L ISSUED TO ORDER AND BLANK ENDORSED
MARKED 'FREIGHT PAYABLE AS PER CHARTER PARTY'.

-CERTIFICATE OF ORIGIN ISSUED BY THE COMPETENT CHAMBER OF COMMERCE.

-REFINERY'S QUALITY CERTIFICATE.

-OWNERSHIP CERTIFICATE.

8. QUALITY/QUANTITY DETERMINATION

THE QUALITY OF THE PRODUCT TO BE ASCERTAINED BY BUYER ON BORD OF THE SELLER'S
VESSEL BEFORE EACH TRANSSHIPMENT AND THE QUANTITY TO BE ASCERTAINED BY BOTH
PARTIES AFTER TRANSSHIPMENT COMPLETION.

9. FORCE MAJEURE

AS PER ICC PARIS RULES AND REGULATIONS

10. GENERAL PROVISIONS

INCOTERMS 2010 FOR FOB DELIVERIES WITH LATEST AMENDMENTS TO APPLY.

CONTRACT TO BE RULED BY ENGLISH LAW UNDER THE EXCLUSIVE JURISDICTION OF THE
LONDON ARBITRATION COURT.

DATE:

SIGNATURES: _____

Source: Confidential

附件六十八

Fuel smuggling by land

1. This is a translation of the report drafted by the Oil and Oil Derivatives Oversight Committee (Brega Petroleum) after a field visit to Ras Ajdir:

Translated from Arabic

State of Libya

National Oil Corporation

Record: 2369

Date: 14 Dhu'lqa'dah A.H. 1437

File: 25-1-3

17 August A.D. 2016

Sir,

With this letter, we hereby inform you that we have received a report from the Chairman of the Board of Directors of the Brega Petroleum Marketing Company (No. 476/2016) dated 9 August 2016 regarding the field visit by members of the Oil and Oil Derivatives Oversight Committee to the Ra's Ajdir border post and the port of Zuwarah on 24 July 2016. The report sheds light on some of the ways that oil is smuggled out of Libya, and includes photographs showing tanker trucks in the port of Zuwarah smuggling oil in full view of everyone who works there, including the various security agencies.

Such activities have a negative impact on the national economy. Smuggling is one of the factors that adversely affects national income and wastes State resources. Oil is a commodity subsidized by the State budget, and trafficking and smuggling therein are crimes punishable by law. Anyone taking part in those crimes must therefore be identified. This trend poses a threat to the national economy and must be tackled and eliminated in cooperation with State security and judicial authorities.

We value your efforts and are forwarding this report to you for appropriate measures to be taken and the appropriate parties to be contacted with a view to apprehending and bringing to justice those who engage in this activity, finding ways to put an end to it, and taking urgent measures to prevent its recurrence in order to maintain security and stability and safeguard the resources of the Libyan people. (Please find photocopies of supporting documents attached.)

May peace be upon you.

(Signed on behalf of) **Mustafa Abdullah Sanalla**

Chairman of the Board of Directors

16 August 2016

[SEAL: State of Libya
National Oil Corporation]

Cc: Members of the Board of Directors

Khalid Mazughi, Director of Legal Affairs

[Illegible signatures]

President of the Presidency Council

Government of National Accord

[SEAL: State of Libya

[STAMP: National Oil Corporation

Government of National Accord]

Department of Legal Affairs

Incoming: 11 August 2016, No. 610]

State of Libya

Government of National Accord

Record: 154

Date: 5 June 2016

File: _____

Sir,

We value your efforts in the service of our beloved country during these trying times.

We hereby submit to you our report in the hope that it will be taken in the spirit of diligence and devotion to the national interest that unites us all.

The increase in oil smuggling that we found during our investigation – notably in the western and southern regions, but also elsewhere – is shocking and forces us to wonder about who is responsible for combating that trend.

In our capacity as a committee invested by the Ministry of Oil and Gas, we have monitored smuggling cases closely in conjunction with some of the security brigades. Some of the smuggled oil has been interdicted, seized and confiscated and some smugglers have been remanded to the judicial authorities.

However, the unfortunate fact is that smuggling continues unabated despite oversight at border points and occasional prosecutions. Smuggling has moved from land to sea. Trawlers and launches are always waiting just off the port of Zuwarah to be loaded with smuggled oil for transport to Malta, Italy, Greece, Turkey and elsewhere.

The following are some of the vessels seized in the act of smuggling oil from the port of Zuwarah:

1. *Mekhanik Chebotarev*

The vessel was seized 14 miles from the port of Zuwarah. The vessel was not flying a flag to identify itself. When they realized that they had been caught by the Libyan Coast Guard, they raised the Russian flag, according to the testimony of Umar Balras Ali, commander of the Libyan Coast Guard vessel. The name of the company that owns the Russian ship, which we believe is a government company, is Oil Marin Group. It had aboard a cargo of 4,250 tons of oil (4,250,000 litres). Its crew consisted of 10 men and one woman, all of them Russian nationals.

2. *Levante*

The vessel was seized on 4 April 2014 off the port of Zuwarah with a cargo of 400 tons. Its crew consisted of seven Egyptians and a Maltese. It is based in Malta but flies a Panamanian flag.

3. *Sun Oil 1*

The vessel was seized on 5 January 2015 off the coast of Zuwarah. It was flying a Maltese flag. Its crew consisted of five persons: two Bulgarians, two Ukrainians and a Romanian. It has been seized more than once.

4. *Santa Cruz*

The vessel was seized in August 2015 off the port of Zuwarah. Its crew consisted of four persons. Its owner is Maltese national, and it was flying a Tanzanian flag. It was escorted to the port of Misratah.

5. *Sovereign*

The vessel was seized on 24 August 2015 eight miles from the Mellitah area with a cargo of 600 tons of oil. Its crew consisted of two Egyptians, one Ukrainian, one Croatian and one Syrian. It flies a Togolese flag and belongs to the Maltese company Golden Group.

6. *Saint Jean*

The vessel was carrying a cargo of approximately 600,000 litres of diesel oil. It flies a Togolese flag.

7. *Captain Khayyam*

The vessel flies a Sierra Leonean flag. It was carrying a cargo of approximately 1,600,000 litres of diesel oil.

A number of vessels are still floating off the coast of Libya waiting to be loaded with oil for sale to neighbouring States and European States.

We offer you the following proposals for combating and eliminating smuggling:

1. The General Staff and the Ministry of the Interior should be charged with combating and eliminating smuggling.
2. Cooperation and consultation should be solicited from the National Oil Corporation, the Ministry of the Economy, the Brega Petroleum Marketing Company and all other relevant parties to find effective ways of combating smuggling.
3. The media should be used to raise citizen awareness of the dangers of this trend, given that these smuggled resources are Libyans' primary source of livelihood.

Please find annexed photographs from some of the smuggling cases that have been pursued. We look forward to taking part in finding solutions and deterrents to help put a final end to this trend, which has the potential to bring down the Libyan economy if it persists.

We trust that you will give this memorandum due consideration and take such steps as you deem appropriate.

Together for Libya! May God grant success.

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

(Signed) [Illegible]

Oil and Oil Derivative Distribution Oversight Committee

[SEAL: Government of National Accord

Ministry of Oil and Gas]

cc.

The Presidency Council

The Public Prosecutor

The Minister of Oil and Gas

The Ministry of the Interior

The Ministry of Defence

The Brega Petroleum Marketing Company

The Security and Safety Office

General Archive

[STAMP: National Oil Corporation
Office of Board of Directors Affairs

Incoming: 9 August 2016

Record: _____

Signature: _____]

Brega Petroleum Marketing Company
 A company of the National Oil Corporation

Record: 476/2016

Date: _____

File: _____

9 August A.D. 2016

Sir,

We hereby submit to you a report on the field visit by members of the Oil and Oil Derivatives Oversight Committee to the Ra's Ajdir border post and the port of Zuwarah on 24 July 2016, with annexed photographs, that sheds light on some of the ways that oil is smuggled out of Libya. It is noteworthy that the photograph showing tanker trucks in the port of Zuwarah smuggling oil in full view of everyone who works there, including the various security agencies.

Oil smuggling is one of the destructive factors that are doing damage to the national economy, and consolidated and cooperative action by all agencies is needed to combat it. Oil is a commodity subsidized by the State budget, and trafficking or smuggling therein is a crime punishable under the laws in force in the State of Libya.

We therefore hope that you will give due consideration and coordinate with the relevant agencies to establish a mechanism to combat this phenomenon.

May peace be upon you.

(Signed) Faraj Albahlul **Shaban**

Chairman of the Board of Directors

[STAMP: National Oil Corporation [STAMP: National Oil Corporation [SEAL: Brega Petroleum
 Marketing

Department of Legal Affairs Office of Board of Directors Affairs Company
 11 August 2016 10 August 2016 Board of Directors]
 Incoming No. 609] Record No. 2168]

cc. The Members of the Board of Directors
 The Director of the Follow-up Office
]Illegible]

Chairman of the Board of Directors
 National Oil Corporation

[HANDWRITTEN: Forwarded to National Oil Corporation 9 August 2016 (*illegible signature*)]

State of Libya
Government of National Accord

Record: 107

Date: 24 July 2016

File: _____

Sir,

On Sunday, 24 July 2016, members of the Office of Security and Safety and members of the Oil and Oil Derivatives Oversight Committee conducted a field visit to the Ra's Ajdir border post to investigate the smuggling situation there.

The members visited the Jamal al-Gha'ib Brigade, which has been charged by the Ministry of the Interior with combating smuggling and other activities that have a negative impact on the Libyan economy.

In the course of the visit, it became clear that enormous efforts are being made to combat smuggling. On the very first day that the Brigade assumed its tasks at the post, some 60 vehicles were seized in the act of smuggling oil or oil derivatives, and fines have been imposed to curb the rampant smuggling of such products. (Please find annexed to this report several photographs that show the methods used by oil smugglers.) Their men are managing to be on the spot despite limited resources. In that connection, we thank the Brega Oil Marketing Company for providing a 40,000 litre tanker to retrieve the smuggled oil that was seized.

The members who took part in the visit are as follows:

1. Nuri Umar Abu'isa Chairman of the Oil and Oil Derivatives Oversight Committee
2. Abdullah al-Nufathi Member of the Oil and Oil Derivatives Oversight Committee
3. Sami Ammar al-Shabshubi Member of the Oil and Oil Derivatives Oversight Committee

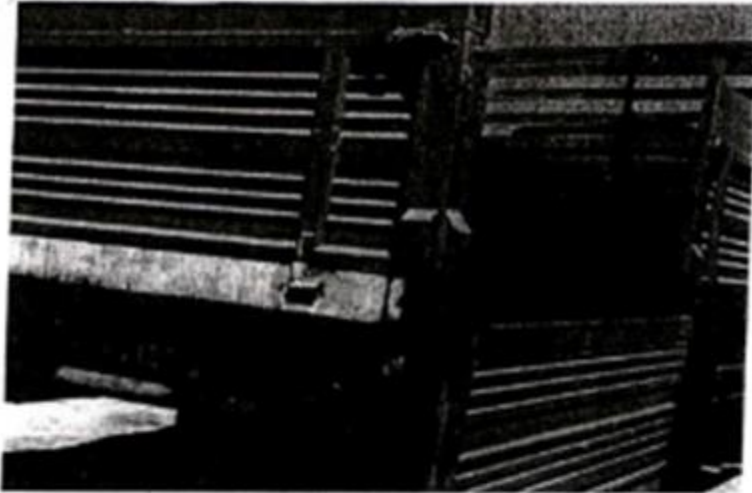
(Signed) [*Illegible*]

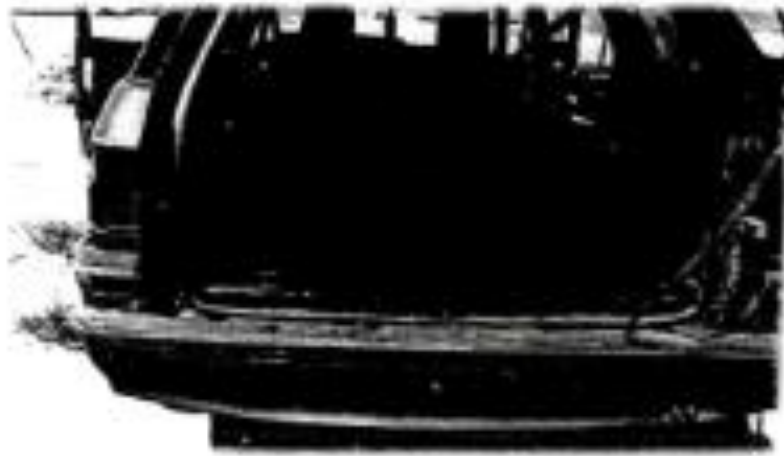
Oil and Oil Derivatives Oversight Committee

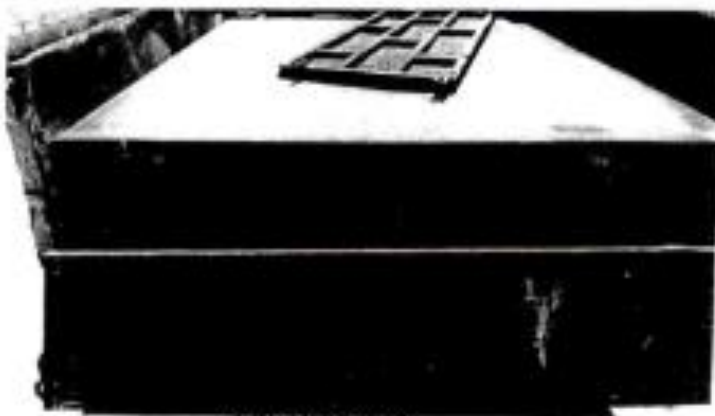
[SEAL: State of Libya
Government of National Accord
Ministry of Oil and Gas
Oil and Oil Derivatives Oversight Committee]

Chairman of the Board of Directors
Brega Oil Marketing Company

[PAGES 8-10 OF ORIGINAL CONSIST ENTIRELY OF PHOTOGRAPHS]







State of Libya
Government of National Accord

Record: 108

Date: 24 July 2016

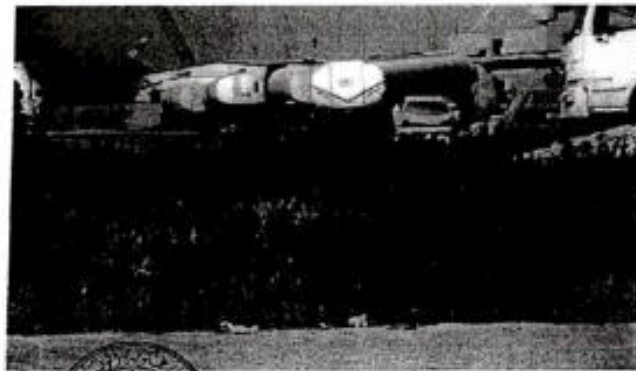
File: _____

Sir,

On Sunday, 24 July 2016, members of the Office of Security and Safety and members of the Oil and Oil Derivatives Oversight Committee conducted a field visit to the western region to investigate how oil and oil derivatives are being distributed and how smuggling is being countered.

The members visited the port of Zuwarah. Here is a photograph from in front of the port that demonstrates the enormity of the oil-related economic disaster. It shows trucks carrying approximately 40,000 litres of diesel oil waiting to be smuggled via sea to European States.

[PHOTOGRAPH]



(Signed) [Illegible]

Oil and Oil Derivatives Oversight Committee

[SEAL: State of Libya
Government of National Accord
Ministry of Oil and Gas]

Chairman of the Board of Directors

Brega Oil Marketing Company

附件六十九

Excerpt of a summary of a court case brought against the registered owner of the flat

The plaintiff states that the flat was paid for by Mutassim Qadhafi and that the transaction was an indirect gift from Mutassim to her.



Ufficio Provinciale di ROMA - Territorio
Servizio di Pubblicità Immobiliare di ROMA 1

Ispezione ipotecaria

Data 20/03/2014 Ora 10:01:50

Pag. 3 - Fine

Ispezione richiesta

Protocollo di richiesta n. RM 219478 del 2014

Ispezione n. RM 219483/6 del 2014

Inizio ispezione 20/03/2014 09:59:34

Nota di trascrizione

Registro generale n. 62358

Registro particolare n. 46018

Presentazione n. 239 del 14/06/2012

Contro

DEFENDANT

Soggetto n. 1 In qualità di -

Cognome BEINEIN

Nome ALI AHMED A

Nato il 28/11/1965 a LIBIA (EE)

Sesso M Codice fiscale BNN LMD 65S28 Z326 L

Relativamente all'unità negoziale n. 1 Per il diritto di PROPRIETA'

Per la quota di -

Sezione D - Ulteriori informazioni

Altri aspetti che si ritiene utile indicare ai fini della pubblicità immobiliare

LA PRESENTE TRASCRIZIONE PER : 1) ACCERTATO CHE IL PREZZO NELL'AMBITO DELLE SEGUENTI COMPRAVENDITE: ATTO A ROGITO DEL NOTAIO ALESSANDRO MATTIANGELI REP. 117031 RACC. 46689 DEL 30/4/2010 CON IL QUALE LA SIG.RA DIANA FRANCESCA DE MARCO HA VENDUTO AL SIG. ALI AHMED A BEINEIN, SOCIO DI MAGGIORANZA DELLA DIAMOND VIP SERVICE SRL I SEGUENTI IMMOBILI: - APPARTAMENTO SITO AL PIANO 4 INTERNO 4 SITO IN ROMA VIA ORSINI N. 25BIS-27 IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 4 -LOCALE CANTINA IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 18 -APPARTAMENTO SITO AL PIANO 5 INTERNO 5, SCALA C, SITO IN ROMA VIA ORSINI N. 25BIS-27 IDENTIFICATO IN NCEU AL FG. 405, PART. 120, SUB.13,-LOCALE CANTINA IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 17 ATTO A ROGITO DEL NOTAIO ALESSANDRO MATTIANGELI CON ATTO REP. 117032 RACC. 46690 DEL 30/04/2010 CON IL QUALE IL SIG. GIANCARLO SANTALMASSI HA VENDUTO L'IMMOBILE AL SIG. ALI AHMED A BEINEIN IL SEGUENTE BENE IMMOBILE: - APPARTAMENTO SITO AL PIANO 5 E PIANO 6 INTERNO 5 SITO IN ROMA VIA ORSINI N. 25 BIS-27 IDENTIFICATO AL NCEU AL FG. 405, PART. 119, SUB. 501, STATO PAGATO DAL SIG. MOUTASSIM GHEDDAFI O COMUNQUE A QUEST'ULTIMO RICONDUCIBILE 2) ACCERTATO E DICHIARATO CHE TALE PAGAMENTO HA RAPPRESENTATO DONAZIONE INDIRETTA DEGLI STESSI IMMOBILI DA PARTE DEL SIG. MOUTASSIM GHEDDAFI NET CONFRONTI DELLA EFFETTIVA BENEFICIARIA E CIOE' A DIRSI LA SIG.RA VANESSA ANNE HESSLER E CHE DUNQUE IL SIG. ALI AHMED A BEINEIN STATO FITIZIAMENTE INTERPOSTO EX ART 1414 C.C. NELLA COMPRAVENDITA QUALE ACQUIRENTE 3) PER EFFETTO DICHIARARE CHE LA SIG.RA VANESSA ANNE HESSLER L'EFFETTIVA PROPRIETARIA DEI SEGUENTI BENI IMMOBILI: APPARTAMENTO SITO AL PIANO 4 INTERNO 4 SITO IN ROMA VIA ORSINI N. 25BIS-27 IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 4 -LOCALE CANTINA IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 18 -APPARTAMENTO SITO AL PIANO 5 INTERNO 5, SCALA C, SITO IN ROMA VIA ORSINI N. 25BIS-27 IDENTIFICATO IN NCEU AL FG. 405, PART. 120, SUB.13,-LOCALE CANTINA IDENTIFICATO AL NCEU AL FG. 405, PART. 120, SUB. 17 APPARTAMENTO SITO AL PIANO 5 E PIANO 6 INTERNO 5 SITO IN ROMA VIA ORSINI N. 25 BIS-27 IDENTIFICATO AL NCEU AL FG. 405, PART. 119, SUB. 501 4) CONSEGUENTEMENTE ORDINARE AL CONSERVATORE DELL'AGENZIA DEL TERRITORIO DI ROMA LA TRASCRIZIONE DELLA SENTENZA.

Source: Contractor of Libyan litigation department

附件七十

Excerpt of police report of complaint filed by Saadi Qadhafi

Saadi Qadhafi stated to the Gendarmerie that he had asked for and received large sums of money from acquaintances, but that his associate might have run off with two million USD.

=====/EXPOSE DES FAITS=====

Courant mois de Juillet deux mil douze, le fils du défunt président de la révolution du Fatah le sieur Saadi Ghadafi en asile politique au Niger a demandé auprès de sa famille en Algérie une certaine somme d'argent pour surmonter les aléas de la vie. C'est ainsi que de cette sollicitude il reçut la somme de deux millions de dollars américain qu'il confia à son ami Saadou Boubacar qui en abuse de la confiance placée en lui pour dilapider l'argent à ses fins personnel. Désespéré, Monsieur Saadi Ghadafi alerte le commandant de Groupement de Niamey pour porter plainte.

=====/TRANSPORT SUR LES LIEUX=====

Au reçu de cette information, nous nous sommes aussitôt rendus sur les lieux sise au quartier Bobiel d'où nous interpellons l'intéressé. Interrogé, il nie en bloque les faits qui lui sont reprochés

=====/E N Q U E T E=====

Procédant à l'enquête relative aux faits et conformément à l'article 58 du code de procédure pénal. l'honorable BOUCAR SANI MALAM CHAIBOU député National nous sert d'interprète.

-----: VICTIME: -----

SAADI GHADAFI HOMME POLITIQUE DE LA LYBIE EN ASILE A NIAMEY:

qui nous déclare ce qui suit le 23/07/2012 à 15 heures 55 minutes. Il y a de cela six(06) mois, j'avais demandé à certaines de mes connaissances de m'envoyer de l'argent. A cet effet une première somme de un million six cent milles dollars(1M.600.000\$)m'a été expédiée. J'ai remis cette somme à Mr Saad Baboob pour les garder. Deux(02) mois, j'avais reçu un second envoi d'un montant de quatre cent mille dollars(400.000\$) que je confie une fois de plus à Mr Saad Baboob. Soit un total de deux millions de dollars(2.000.000\$).Ainsi, cela fait près d'un mois que je cours derrière Saad Baboob afin de récupérer cet argent sans suite. Il commande à ne plus décrocher mes appels.

S.I.R: Mr Saad Baboob demeure au Bobiel et change de numéro constamment.

S.I.R: Salal Hajini, ici présent connaît son domicile et est prêt à vous donner des indication.

S.I.R: Les numéros 99929568 et 99929521 sont sur lesquels je l'appelle.

S.I.R: Il est également un réfugié au Niger.

S.I.R: Je ne lui ai donné aucune consigne de défense sur cet argent.

S.I.R: C'est tout ce que j'ai à vous dire.

Le même jour 16 heures 09 minutes.

L'intéressé ne sachant ni lire ni écrire le Français, lecture de sa déclaration ci-dessus lui à été faites par nous en laquelle il persiste n'avoir rien à y changer, à y ajouter ou à y retrancher. A signer sur notre carnet de déclaration.

Source: Gendarmerie, Niamey

附件七十一

Hannibal Qadhafi on the Board of Mariner for Maritime Transport


Mariner for Maritime Transportation Ltd

التاريخ : 2007.01.18
 إشارى : M.A:15/07

Head Office (Nicosia - Cyprus)
 Evagoros Ave - Evagoros Complex
 27 Irini Building - 6th floor Office No. 6
 Nicosia - Cyprus
 Tel.: 00 357 22 44 56 14
 Fax: 00 357 22 44 56 12
 E-mail: mariner@marinerltd.com

01252778338

الإخوة/ مصرف شمال أفريقيا الدولي - تونس
 إدارة العمليات المصرفية

بعد التحية ، ، ، ،

- نود في البداية أن نشيد بتعاونكم وبما نلقاه منكم من حسن معاملة وخدمات متميزة .
- بهذا الخطاب نرجو منكم العمل على تحويل مبلغ وقدره (\$10,000) فقط عشرة آلاف دولار أمريكي شهريا وبصفة مستمرة إلى حين إعلامكم بغير ذلك .
- من حسابنا لديكم رقم : 01 01 1868 001/0
- إلى الحساب رقم : 01 01 2207 001/0 بمصرفكم .
- وذلك بدلا من الحساب التالي :

Beneficiary's Name : Mr. Hanibal Gathafi
 Beneficiary's Bank : Danske Bank
 BANK ADDRESS : Holmens Kanal Afdeling . Holmens 2 – 1090
 Copenhagen K.
 Account No : 4001 – 4001 81 89 88
 Swift Code : DABADKKK

- وهذا المبلغ يمثل عضوية الأخ المذكور في مجلس إدارة الشركة .
- عليه يرجى منكم التقيد بذلك وعلى أن يتم إجراء التحويل يوم 27 من كل شهر ودون الحاجة إلى أمر تحويل من قبلنا .
- ولكم جزيل الشكر .

** والسلام عليكم **

طلال عريبي
 رئيس مجلس الإدارة

MARINER
 FOR MARITIME
 TRANSPORTATION Ltd.

Source: Confidential

附件七十二

Stolen assets under the control of a listed individual and/or at risk of misappropriation*Physical assets in West Africa*

1. The Panel is investigating independent reports on the involvement of a listed individual in storing large amounts of physical assets in several locations in West Africa. It is alleged that the operation to hide large amounts of cash and some gold in West African countries was organised by Abdallah al-Senussi (LYi.018) in 2011. Six sources have alerted the Panel that attempts are being made to move some of these assets back to Libya and to possibly make them available to some of Libya's competing political and military stakeholders.
2. In a first case, four independent sources reported to the Panel that USD 560 million, in USD 100 denomination, is kept by a group of Libyans in Ouagadougou, Burkina Faso. This group has attempted to transfer the assets to a third country through a local company: "Societe Transit Transport Convoi International (STTCI)".

Picture of the alleged assets with a Burkinabe daily**Source: Confidential**

3. Several sources have explained to the Panel that they have travelled to Burkina Faso and inspected the cash, which is stored in metal chests. It is reported that authorities in Tripoli, al-Bayda and Tobruk have attempted to obtain the USD 560 million. Specifically, the involvement of NSG's prime minister al-Ghweil, Libyan 'Interim government' prime minister al-Thinni, HoR speaker Saleh and intelligence head Mustafa Nuh has been reported. Although the transfer of these assets has failed for now, the Panel has seen documentation showing that the logistical preparations were well-advanced. Groups involved in the negotiations expect to receive a commission of 10 or even 35 per cent.

Export license in preparation of the alleged transfer

BURKINA FASO

Nom et adresse du déclarant :
STTCI BURKINA C1 BP. 1418 OUAGA C1
Marchandises facturées ou expédiées en consignation à :
(Nom et adresse complète)
LITRAGEC SARL IMPORT EXPORT
BOUMA DE LA CULTURE INN 11 APPT
40 SALA AL JADIDA BAIN GEN
01 20 95 91
MAROC

TITRE D'EXPORTATION

N° de code de l'exportateur : CAI
Pays de destination : MAROC
REF. C.C.I 012
012 / 014283

I. DESIGNATION DES MARCHANDISES			
Número du tarif des douanes	Spécification de la marchandise telle qu'elle figure sur la déclaration d'exportation	Qualité exportée (Pois net)	Valeur déclarée en douane en (F.C.F.A.)
912	28 CAISSES METALLIQUES CRYSTAL	3 2.500	500 000 000 USD

II. REGLEMENT FINANCIER DE L'EXPORTATION		
Le produit de l'exportation des marchandises désignées ci-dessus. d'une valeur facturée de : 500 000 000 \$ USD	En Fcs CFA dans tous les cas	EN DEVICES si le contrat est en devises
Facture N° 420	FRAIS DOUANE + MAGASINAGE 86 000 EURO	Sur la base d'un contrat (départ usine, FOB, CFA etc...)
doit être rapatrié sous les peines de droit et dans les conditions fixées par la réglementation des changes par (1)		
Elément de la facturation (en Fcs CFA)	Valeur des marchandises (départ usine)	Frais accessoires pris en charge par l'exportateur
	28 CAISSES	CRYSTAL
Nature de l'exportation (2)	CRYSTAL	Número du titre d'exportation
		912 7011 EURO

(1) Nom et adresse complète l'exportateur responsable du rapatriement des devises
STTCI

(2) Indiquez, selon le cas : exportation en vente ferme sans titre d'exportation, exportation en vente ferme avec titre d'exportation, exportation, en consignation ou exportation temporaire

LIBRE A LA SORTIE DU TERRITOIRE BURKINA FASO

Je soussigné certifie, sincères et véritables les mentions portées sur la présente formule.
A OUAGADOUGOU le 24/04/2015
Signature du déclarant

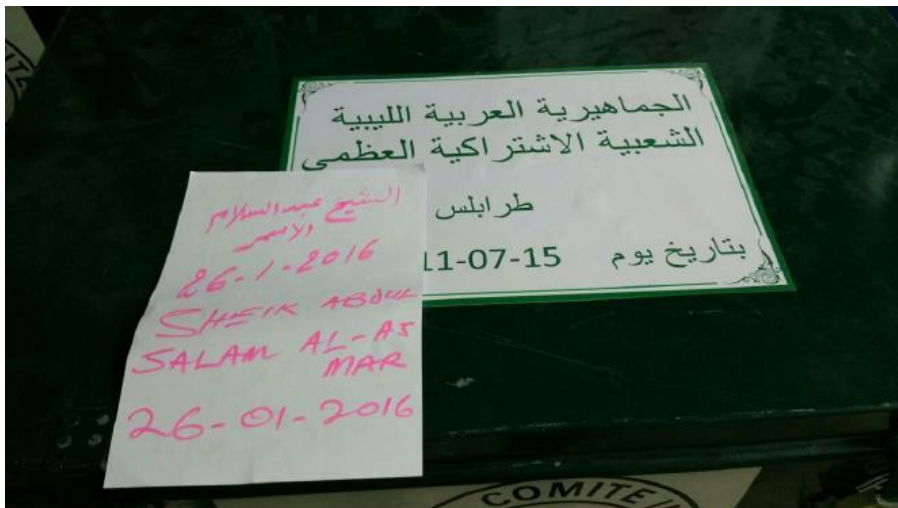
Source: Confidential

4. However, the Burkinabe authorities have reported to the Panel that no company by the name of STTCI is known at the company register or holds any bank accounts in Burkina Faso. They confirmed that the alleged STTCI post office box in Ouagadougou listed on the documents exists, but that it is owned by an individual. In addition, the box frequently receives mail for addressees unknown to the owner. These include a businessman with well-known links to Libya.¹²⁹

5. In a second case, sources told the Panel that physical assets are being kept in Accra, Ghana. At least until February 2016, they were allegedly stored in boxes with an ICRC logo at the premises of an 'international human rights organization', Le Comité International pour la Protection des Droits de l'Homme (CIPDH). The Panel has contacted France where the organization has its headquarters. The Panel has seen a report on the matter filed with the Ghanaian police and has subsequently contacted Ghana to ask for clarification. The Panel's letter, and another reminder, have remained unanswered.

¹²⁹ <http://www.ecodufaso.com/portrait-mahamadi-sawadogo-dit-kadhafi-pdg-du-groupe-smaf-international/>

Pictures of alleged assets at CIPDH office in Accra, Ghana



Source: Confidential

6. The Libyan in charge of the assets in Ghana is reported to be Mohamed Saleh al-Mahmoudi. It appears that agents reporting to the LNA have tried to ‘recover’ the assets. Unrelated to the LNA attempts, some of the assets were allegedly moved to another country.

7. Additional countries in the region have been mentioned in conversations with the Panel but no documentation or details were provided.

Assets in South Africa

8. Previously, the Panel investigated several pieces of documentation alleging that a large quantity of physical assets, potentially belonging to a listed individual, was stored in South Africa (see [S/2015/128](#), Annex 36). However, at that time, the documentation was considered to be unreliable and the investigations could not confirm the allegations.

9. In 2016, the Panel received new information, including documentation. According to this documentation, an attempt was made in 2013 to use the alleged assets as payment for a multi-billion dollar arms deal between several South African defence industry companies and the “Libyan Air Force” and “Air Territory Defense Forces”. The volumes and types of the materiel requested by the Libyan party suggest that a large amount of money was indeed readily available and the negotiations appeared to be relatively advanced. The Panel has interviewed, separately, two people directly involved in the attempted deal. Both claim that the materiel was to be paid for by ‘hidden’ assets from the Qadhafi regime already present in South Africa.

10. In 2013, agents claiming to represent the Libyan government visited South Africa to discuss the delivery of a wide range of materiel including tanks and attack helicopters. Correspondence seen by the Panel shows frequent contacts between the brokers and managers from the Denel company and its subsidiaries.

Request by the Libyan Air Force and Air Territory Defense Forces

DENEL					
LIBYAN FIRST REQUEST					
AIR FORCE & THE AIR TERRITORY DEFENSE FORCES					
Feb-13					
		Initial Order	Final Order	Years to complete	Notes
1	Command centers				Study to be made
2	Ground Air Defense Systems				Study to be made
3	Rooivalk	14	84	4	
4	Oryx	10	40	4	If ZA product
5	A109	2	6	4	If ZA product
6	SA 330 Puma	20	30	4	
7	C130 upgrade	3			
8	Denel Aviation Academy				
	Military Students (per year)	400			
	Technicians (per year)	500			
9	UAV	15	?	4	
10	Ingwe launchers	500			Munitions 30.000
11	SS 5.56x45	2000	15000	4	Munitions 5 millions
12	SS 77 7.62x51	1000	3000	4	Munitions 1 millions
13	SS 77 Mk1 7.62x51	3500	15000	4	Munitions 4 millions
14	20 mm Rapid fire auto	1000	5000	4	Munitions 5 millions
15	NTW 20 20x82	4000	8000	4	Munitions 4 millions
16	NTW 20 20x110	500	3500	4	Munitions 800.000
17	Mortar M6 60	500	1800	4	Munitions 30.000
18	Mortar M8 81	500	1800	4	Munitions 30.000
19	Commando Mortar M4	500	2500	4	
20	AGL 40	600	2200	4	Munitions 600.000
21	Rooikat 76	150			Munitions 5.000
22	Rooikat 105	300			Munitions 18.000
23	Towed 105	120			
24	LAV III/T7 105	64			
25	T5 52 155	18	36	4	Munitions 30.000
26	G6 45 155	18	72	4	
27	G6 52 155	36	108	4	
28	Casspir MK5	75	180	4	
29	Munition 5.56	4 Millions			
30	Munition 9	10 Millions			
31	Munition 14.5	6 Millions			
32	Munition 23	3 Millions			

Source: Broker involved in the negotiations

11. It also appears that officials from the South African Ministry of Defence were informed of the ongoing negotiations. One of the brokers, Mohamed Belgacem Tag reportedly met with a senior military official, to discuss the Libyan military needs. The South African Ministry of Defence also expressed its support to the negotiations in writing on 13 March 2013.

Letter of support from Ministry of Defence

RESTRICTED



DS/R/311/1

MINISTRY OF DEFENCE & MILITARY VETERANS
REPUBLIC OF SOUTH AFRICA
Private Bag X 910, Pretoria, 0001, Tel: (012) 355 5521

13 March 2013

Mr. Mohamed Aboul Kacem Tag
General Manager: Sidi Belal Company
Of International Trade
Tunisia

Dear Sir

**DENEL REQUEST OF THE 02-02-13: LIBYAN AIR FORCE & AIR
TERRITORY DEFENSE FORCES.**

Reference is hereby made to the meeting held in Johannesburg (South Africa) on
the 05 March 2013.

Firstly it is my greatest pleasure to present my warmest compliments to you and
wish you successes in the discharge of your noble duties.

I want to take this opportunity to acknowledge receipt of your request: DENEL
REQUEST OF THE 02-02-13: LIBYAN AIR FORCE & AIR TERRITORY
DEFENSE FORCES, presented in Arabic with an English translated version and
also wish to reiterate that South African Government is commitment towards the
stabilisation and reconstruction of Libya.

I sincerely wish to honour your request given the long standing relations that exist
and continue to mature between our countries

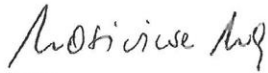
RESTRICTED

RESTRICTED

DENEL REQUEST OF THE 02-02-13: LIBYAN AIR FORCE & AIR TERRITORY
DEFENSE FORCES.

Please accept the assurance of my highest consideration and personal esteem.

Regards



N.N. MAPISA-NQAKULA
MINISTER OF DEFENCE AND MILITARY VETERANS

DATE: 17/03/2013

RESTRICTED

Source: Broker involved in the negotiations

12. The Panel wrote to South Africa to request further information regarding these negotiations and particularly details about the financial sources that would have allowed for such a large transaction. However, no reply was received.

13. The Panel has viewed additional documentation allegedly confirming the presence of Libyan assets in South Africa. None of these documents were convincing. For some documents, the Panel was not allowed to take copies for further investigation. Other documents that were shared contained insufficient information to verify their contents and did not prove the amount, origin or location of the alleged assets.

14. The Panel has reached out to South African officials mentioned in the new documentation to verify their contents. To date, none has responded to the Panel's outreach or requests for information.

15. The Panel has spoken to numerous Libyan politicians and civil servants who confirm that several 'official' delegations have travelled to South Africa to meet with the ANC leadership and discuss the issue of the return of Libyan assets.

Funds in Kenya

16. The Panel has obtained documentation indicating that two large transfers were possibly made in the second half of 2011 on behalf of the Libyan Africa Investment Portfolio (LYe.002, listed since 17 March 2011), between bank accounts in South Africa and Kenya. The total amount transferred to an account at a branch of the CFC Stanbic Bank branch in Kenya was USD 800,000,000. Documentation received by the Panel shows payment authorisation by Bashir Saleh al-Shrkawi from a branch of the Standard Bank South Africa.

17. The management of LAIP has explained to the Panel that it has no knowledge of the beneficiary account. It had received a similar report and conducted its own investigation in 2013, but could not confirm that such a transaction had taken place.

18. If the information in the documents is accurate, these transfers would show that hidden Libyan funds are indeed accessible to members of the former regime in South Africa. Bashir al-Shrkawi currently resides in, or at least frequents South Africa. He has been named by numerous public and private sources as the person who manages funds from the former regime hidden in South Africa and throughout the rest of the continent.¹³⁰ Although he used to head the LAIP until 2009, he had no formal relationship with the fund in 2011.

19. The Panel has interviewed Bashir Saleh al-Shrkawi who denies any knowledge of any assets of the former regime in Africa, other than the ones officially on record at the LIA. He described reports on 'hidden Libyan assets' in Africa as "mirages".

20. The Panel has requested information from Kenya but its letter has remained unanswered.

Groups tracing 'stolen assets'

21. The Panel has met with two competing groups of brokers that try to recover 'stolen assets' in exchange for a fee or a percentage. Because they are profit-driven, they have not been forthcoming

¹³⁰ see, for example, "Gaddafi aide holds key to missing Libya funds", Financial Times, 8 April 2012, <https://www.ft.com/content/d446ad68-816f-11e1-b39c-00144feab49a>.

with information. Furthermore, both groups had previously provided the Panel with unreliable or false documentation.

22. Bearing in mind the current political division in Libya, and the need of both the PC and competing governments to obtain access to funds, such secrecy creates a risk for misappropriation. Clearly, the brokers report to various authorities, regardless of whether they support the PC, hoping they can further their case. Therefore, the Panel has urged both groups to share information that would allow it to monitor the issue.

23. Following the Panel's letters, information sharing by both groups has improved but still more transparency is needed. Furthermore, they have tried to increase their national and international legitimacy through interacting with the Panel. However, it is not in the Panel's mandate to confirm the mandate of any broker and certainly not at this stage of the political process.

24. Finally, it is possible that at least some of these cases are, in fact, scams. The Panel has received reports that some individuals have lost money while trying to obtain the alleged assets. Nevertheless, several other cases documented by the Panel show that former regime members still have access to relatively large amounts of funds, including cash.
