



2016年3月4日第1973(2011)号决议所设利比亚问题专家小组给安全理事会主席的信

安全理事会第1973(2011)号决议所设利比亚问题专家小组依照安理会第2213(2015)号决议第24(d)段，谨随本函转递专家小组工作的最后报告。

报告于2016年1月29日提交给安全理事会关于利比亚的第1970(2011)号决议所设委员会，并由委员会在3月3日进行了审议。

专家小组谨请求让安全理事会成员注意本函及所附报告，并请将其作为安理会文件分发为荷。

第1973(2011)号决议所设利比亚问题专家小组
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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

自 2015 年 12 月 17 日签署《利比亚政治协议》以来，现已过去 5 个星期，但民族和解政府能否获得众议院支持，其能否在的黎波里成立，仍然扑朔迷离。此情况突出表明了现存的分歧。2015 年全年，由联合国协助开展的政治对话受到了这种分歧的威胁。

为支持民族和解政府，安全理事会通过第 2259(2015)号决议，明确宣布《利比亚政治协议》框架之外的一切平行机构均属非法，从而使利比亚问题专家小组获得更明确的标准，据以报告破坏政治过渡的行为。专家小组已指认了 2015 年始终拒绝参与政治对话的个人和团体。2015 年 10 月以来，国民大会领导层抵制了几次政治对话会议，并阻止进行任何表决，同时众议院领导层则起到越来越大的消极作用。

与此同时，武装冲突持续存在，造成了悲惨的人道主义局势。在的黎波里，武装团体之间几乎每周都发生冲突，2015 年下半年尤其如此。最初，冲突方是利比亚的两大军事联盟，即利比亚国民军和“利比亚黎明”联盟。后来，大多数战事成了大杂烩，既有报复性袭击，也有抢劫，还有“利比亚黎明”联盟的内斗。东部发生战事的次数仍然很多。在班加西，利比亚国民军继续对班加西革命者协商委员会及其附属团体采取作战行动。这些团体包括联合国清单所列恐怖主义实体。战火现已蔓延到其他城市，包括 2015 年 7 月在库夫拉，2015 年 12 月在艾季达比耶。南部的地方性冲突进一步加剧，原因包括发生了区域性干预，还包括两个政府争相与当地团体结盟，并争相招纳外国战斗人员。

伊拉克和黎凡特伊斯兰国(伊黎伊斯兰国)也利用该国在政治和安全上的真空状态，明显扩大了所控制的地盘。在苏尔特，伊黎伊斯兰国从卡扎菲政权垮台后被边缘化的部族招募了人员。在的黎波里和塞布拉塔，该团体通过招募当地人员、获得外国战斗人员增援而增强了作战能力。伊黎伊斯兰国目前没有通过在利比亚开采石油而直接获得收入，但其对石油设施的攻击严重损害该国经济稳定。利比亚人日益受害于该恐怖主义团体的暴行，发生了几次大规模屠杀事件。

侵犯人权者和其他犯罪分子继续为所欲为、不受惩罚，特别是因为缺乏正规安全部门，也因为国际上对采取干预行动犹豫不决，具体表现在 2011 年以来国际刑事法院未开展新的调查，也未指认新的制裁对象。各种武装行为体成为一些权力真空的事实上的填补人，导致利比亚全境都发生了任意拘留和狱中严重虐待行为。

由于持续发生武装冲突，加上伊黎伊斯兰国扩大了地盘，导致对军用物资的需求有所增加。此类物资非法转运给国家和非国家武装行为体的情况继续发生，

包括在一些会员国支持下转运此类物资。此种支持反映了区域各国之间的竞争，加剧了不稳定状况。

利比亚市场对捐客公司仍具吸引力，它们似乎并不在意武器禁运。大多数交易都是倒卖剩余库存物资，也就是随时可从东欧批发商处购取的物资。

持续违反武器禁运的行动，对利比亚安全局势及其政治过渡造成了不利影响，因为武装行为者在改善装备后，不太愿意同意停火，也不太愿意接受未来民族和解政府的权威及其安全安排。

尽管成立了民族和解政府，但转运和滥用军用物资的风险仍将很大。目前的武器禁运规定不适用于政府，应予以保持和强制执行，以防止非国家行为者购取军用物资。未来的民族和解政府应采用单一采购渠道，同时切实采取可核查的军备控制措施，避免军用物资在境内境外转手给他方。利比亚仍是区域内包括恐怖主义团体在内的武装团体获取后勤支持和武器的来源。

在资助利比亚武装团体这个问题上，政府仍在向其招募的战斗人员支付薪金，却不顾其人权记录，也不顾其是否与破坏分子或恐怖主义团体有关联。武装团体和犯罪网络的资金来源进一步多样化，包括绑架和偷运移民，倒卖石油衍生物和有补贴货物，还包括通过买卖外汇获利。

由于两个对立政府争相控制国家金融机构，削弱了利比亚的金融系统。中央银行 2015 年的政策反映了其所在地与“利比亚黎明”联盟、国民大会相距不远，所以对黎波里的优先事项显示出较宽松的态度。随后，临时政府大力争取控制金融系统，进一步损害了制度的统一性。国家金融系统的现状无法维持，迫切需要民族和解政府的监督和保护。

由于存在两个国家石油公司，同时武装团体控制着一些石油设施，已在很大程度上影响了该国的主要收入来源，但利比亚当局从未向安全理事会关于利比亚的第 1970(2011)号决议所设委员会报告过非法出口原油的情况，也未向专家小组提供过表明有此类出口的证据。但是非法出口和挪用利比亚石油收入的风险依然存在，而且第 2146(2014)号决议的规定无法执行。

此外，2011 年针对卡扎菲政权人员通过的制裁规定仍遭到违反。大量隐藏的资产仍未冻结，旅行禁令也一再受到违反，表明一些会员国和名单所列人员继续忽视制裁措施。被指认利比亚实体的资产仍应予以冻结，但应保护其价值，使其不致受损。

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* 附件仅以来件语文分发，并且未经正式编辑。由于监测机制的报告有字数限制，专家小组在附件中说明了一些调查的详情。简称和缩写表见附件 1。

一. 背景

1. 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. 附件 3 详述了利比亚问题专家小组的任务和任命情况。

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靠经核实的真实文件、具体证据、专家现场观察,包括拍摄照片。专家小组如无法亲临现场,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小组成员或其他人面临不可接受的安全风险,则专家小组将不披露身份信息,并将相关证据保存在联合国的安全档案中。

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其涉及违规事件或不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。

6. 专家小组维护其工作的独立性,抵制任何削弱其公允立场或使其被视为持有偏见的努力。

C. 与各利益攸关方和各组织合作

1. 会员国

7. 专家小组自 2015 年 2 月公布其先前的最后报告(S/2015/128)以来,对下列国家进行了访问,会见了其国家当局和其他相关行为体:比利时、埃及、法国、希腊、以色列、意大利、约旦、黎巴嫩、利比亚、马耳他、尼日尔、卡塔尔、突尼斯、土耳其、乌干达、阿拉伯联合酋长国、大不列颠及北爱尔兰联合王国、坦桑尼亚联合共和国、美利坚合众国。附件 4 列出了专家小组访问期间进行会谈的机构和官员。

8. 虽然前往利比亚的能力受到极大限制,但专家小组访问该区域期间仍得以会见了利比亚利益攸关方,特别是在专家小组 2 次访问土耳其伊斯坦布尔、3 次访问开罗、5 次访问突尼斯期间。

9. 专家小组一直难以访问一些国家,包括阿尔及利亚、乍得、苏丹,而这些国家拥有与实施制裁措施有关的重要信息。

10. 专家小组自提交上一份报告以来，已发出 147 封正式信函(见附件 5)。有些会员国作出了回复，其合作程度不一，有些会员国则未作回复(见附件 6)。

2. 利比亚

11. 在当前任务期，专家小组不断努力访问利比亚，但仅得以访问了一次。2014 年 7 月联合国利比亚支助团(联利支助团)撤离后，专家小组一直无法前往利比亚，直到 2015 年 7 月才终于访问了图卜鲁格。专家组在该地会晤了众议院代表、临时政府代表、参谋总长等高级军官、国家石油公司代表、中央银行代表、民航管理局代表。专家小组在秘书处、联利支助团、安全和安保部支持下，组织了另外 3 次对利比亚西部和东部城市的访问，并为此 3 次前往突尼斯。然而，专家小组被迫在最后一分钟取消了这几次旅行，每次的原因都是安全或政治方面发生了困难。2015 年 9 月 18 日，取消了对米苏拉塔访问，因为黎波里当局未授权民航管理局批准专家小组的飞行。11 月 4 日，安全和安保部决定取消访问，因为地面正在发生战斗。另外，专家小组原定 12 月 1 日前往利比亚，但由于总部实施“团结”项目等后勤问题，访问未能成行。

12. 该国建立双重体制后，专家小组特别注意与所有各方都进行互动。专家小组访问图卜鲁格后，在利比亚境外会晤了国民大会的代表，还会见了救国政府总理办公厅的代表 Khalifah Ghwel。专家小组还会晤了中央银行和国家石油公司驻的黎波里和贝达的代表。在军事方面，专家小组会见并约谈了利比亚国民军(国民军)代表，还会见并约谈了来自奥巴里、班加西、图卜鲁格、米苏拉塔、塞卜哈、塞布拉塔、的黎波里、津坦等地的武装团体代表和成员。

3. 联合国和其他实体

13. 专家小组于 12 月会见了秘书长特别代表兼联利支助团团团长马丁·科布勒，在联利支助团执行任务期间与其关键部门进行了定期交流。专家小组访问图卜鲁格对其工作起到了至关重要的作用。专家小组感谢秘书处、联利支助团、安全和安保部提供后勤支助。专家小组希望在不久的将来更容易访问利比亚，并将继续在这方面寻求联利支助团的协助。

14. 关于同联合国其他机构合作与互动的问题，专家小组与安全理事会第 1526(2004)号决议所设分析支助和制裁监测组交换了意见，特别是就其依照第 2214(2015)号决议第 13 段编写的报告(S/2015/891)交换了意见。专家小组还经常与其他联合国制裁监测组进行联络，尤其是与在非洲从事工作的监测组进行联络。

15. 专家小组在最近访问突尼斯期间，会晤了联合国人权事务高级专员办事处利比亚人权调查团成员。专家小组还会晤了国际海事组织(海事组织)、国际移民组织、联合国难民事务高级专员公署、国际货币基金组织(货币基金组织)、世界银行等机构的代表。专家小组还与国际刑事法院(国际刑院)的代表进行了联络。

D. 行政支助和报告时间表

16. 因总部执行“团结”项目，专家小组工作受到严重阻碍，因此取消了4次实况调查访问。“团结”项目执行至今已逾3个月，仍在造成负面影响，包括拖欠薪金、费用，还包括难以安排差旅。

17. 此外，由于秘书处的任务有所加重，专家小组9个月未获得专职人员支助，导致效率下降，时间持续到2015年12月。虽然面临紧缩的预算形势，但秘书处需要充足的资源，以确保专家小组在执行任务时得到应有的支持。

18. 专家小组频繁前往高风险环境，根据安全理事会授权进行具有敏感性的调查，但其成员却仍然缺乏适当的外交保护，也缺乏降低风险的手段。这其中包括无法充分保护专家小组在访问和调查过程中收集到的机密资料(见建议26)。

19. 专家虽然签了12个月的合同，但实际上开展调查的时间只有7个月，其他时间则用于办理入职手续、上岗培训、预订机票、翻译专家小组的两份报告。这就大幅度减少了专家小组可用于完成工作的时间。专家小组建议，为了有充分的工作时间，应规定18个月的任务期限(见建议22)。

二. 政治事态发展和相关制裁标准

A. 政治对话

20. 2015年全年，联利支助团继续在利比亚各大政治和军事联盟之间进行调解，试图重启政治过渡进程。2月之后，谈判进程主要在摩洛哥的斯希拉特举行，通常称之为“政治对话”。另外还启动了第二条轨道，重点是安全安排，但截至2016年1月初起草本报告时，依然存在许多挑战。

21. 2015年4月下旬，联合国调解小组提出政治协议的第三稿，详细规定了如何重启政治过渡进程。隶属于“利比亚黎明”联盟的政治人士立即普遍表示反对其案文。众议院在社交媒体上宣布“初步”核准该案文，但须作出某些“修正”。6月8日提出了第四稿，结果与上述情况相反。国民大会一些议员提出了保留，而众议院的回应更是普遍消极。

22. 在2015年7月11日举行的签署仪式上，除国民大会代表外的所有对话参与方均签署了作为初步框架协议而提出的第五稿。8月，国民大会代表团团长Saleh Makhzoum宣布辞职，其谈判小组进行了改组。该方代表此前参与对话的次数便已不多，此后进一步减少。

23. 联利支助团于2015年10月11日向主要利益攸关方转发了由初步框架协议演变而成的定本，供其核可。该案文附件1提出6个人选，以担任9人过渡时期总统委员会的成员，包括总理Fayez Serraj。随后，众议院议长和国民大会主席在各自的机构内阻止对案文进行表决。与此同时，众议院将自身的任务期限延长到

10月20日之后，使人们对谁是合法政府更加迷惑。这一举动没有引起国际社会的明确反应。

24. 2015年11月，国民大会试图重新调整整个谈判进程。就在贝尔纳迪诺·里昂即将接任秘书长特别代表兼联利支助团团长之际，国际新闻界似乎协调一致地发表了一系列文章，声称他有利益冲突并可能带有偏见。¹ 随后，国民大会成员要求作出澄清，并要求说明联利支助团在人员构成上有何变化。此外，国民大会领导人还与众议院议员协调，于突尼斯启动了新对话举措。但是，马丁·克布勒于11月17日接任联利支助团领导职务后，拒绝改变10月11日的案文(也拒绝改变所提名的总统委员会成员)，而只“表示注意到”平行展开的谈判。²

25. 《利比亚政治协议》于2015年12月17日在摩洛哥签署。《协议》授权总统委员会领导组建民族和解政府，30天之后报请众议院在10日内批准。民族和解政府将设置两个立法机构：一个是众议院，另一个是主要有国民大会成员组成的“国务委员会”。《利比亚政治协议》立即得到国际上的坚定支持，具体表现于2015年12月23日安全理事会通过的第2259(2015)号决议。然而，在《利比亚政治协议》签署5个星期后，截至本报告定稿时，关于众议院能否批准民族和解政府人选、民族和解政府能否在利比亚建立，依然存在重大的不确定因素。

B. 区域行为体和影响

26. 2015年12月13日在罗马举行的利比亚问题部长级会议、安全理事会通过的第2259(2015)号决议都表明，区域和国际行为体一致支持《利比亚政治协议》。

27. 然而，2015年大部分时间，区域内各利益方相互冲突，使政治格局进一步分化对立。区域内各国的支持和言论加剧了安全局势的恶化。政治鸿沟反映了区域内存在的两个联盟。一方面，埃及和阿拉伯联合酋长国主要是支持众议院及其盟友。乍得主要担心不安全局势蔓延到本国，因此加强了与它们的联系。另一方面，卡塔尔和土耳其与国民大会保持政治关系。阿尔及利亚、尼日尔、苏丹也与国民大会保持良好关系，但立场相对不那么坚决。突尼斯担心与的黎波里当局断绝关系会造成安全方面的影响，因此与的黎波里和图卜鲁格均保持融洽的关系。

28. 利比亚对外国战斗人员越来越有吸引力。2014年和2015年，前往利比亚的外国战斗人员主要以苏丹、突尼斯、土耳其作为过境国。2015年12月专家小组约谈突尼斯安全当局时获悉，有突尼斯和欧洲战斗人员从该国前往利比亚。来自

¹ 例如，见 David D. Kirkpatrick, “Leaked Emirati emails could threaten peace talks”, 《纽约时报》，2015年11月13日，可查阅 www.nytimes.com/2015/11/13/world/middleeast/leaked-emirati-emails-could-threaten-peace-talks-in-libya.html?_r=0。

² 见他2015年12月16日的发言，可查阅 <https://unsmil.unmissions.org/Default.aspx?ctl=Details&tabid=3543&mid=6187&ItemID=2099393>。

对《利比亚政治协议》，启动了平行程序，包括多次试图诋毁联利支助团的工作(见附件 8)。

35. 自 2015 年 10 月以来，众议院领导层起到越来越大的消极作用，包括阻止就《利比亚政治协议》进行表决，并启动了平行的谈判进程(见同上)。

三. 安全事态发展和相关制裁标准

36. 利比亚两大军事联盟国民军与“利比亚黎明”联盟之间的直接冲突一直持续到 2015 年初，但 4 月底前已经停止。“利比亚黎明”联盟在石油新月地带对石油设施警卫队和军队发动进攻，一直持续到 3 月，此后该运动脱离了战斗。在的黎波里，国民军西部军区于 4 月底停止了“解放首都”的努力，与“利比亚黎明”联盟的部分成员签署了停火协定。不过，截至 2016 年 1 月初起草本报告时，西部、东部、南部继续普遍存在不安全状况。

A. 西部情况

1. 的黎波里

37. 在的黎波里，武装团体之间几乎每周都发生冲突，2015 年下半年尤其如此。最初一些战事与“利比亚黎明”联盟和国民军之间的总体冲突相关，例如 4 月 16 日在塔朱拉对第 101 营实施的作战行动。该行动获得国民大会认可。但是，后来战事变成了大杂烩，既有报复性袭击，也有抢劫，还有“利比亚黎明”联盟的内斗。⁷ 相关事件包括使用重炮，还包括攻击公共基础设施，如国民大会大楼、救国政府总理办公厅、规划部、伊斯兰事务部以及一些监狱。

38. 的黎波里的安全状况与各武装团体之间结盟情况的变化有关，也与其对联合国所主持对话的立场有关。“利比亚黎明”联盟内部产生了裂痕，表现在 6 月 16 日建立了萨穆德(“坚定”)阵线。这是一个规模较小的武装团体联盟，拒绝接受任何政治谈判产生的妥协方案。其首领为 Salah Badi。

39. 2016 年初的现状是，该运动分为 3 个派别。第一个派别的成员是的黎波里以外主要来自米苏拉塔的团体，如 Mahjub 旅和 Halbus 旅。这些团体支持《利比亚政治协议》。第二个派别的成员是的黎波里的团体，据认为支持政治对话，但并非所有成员均已就《利比亚政治协议》公开宣布立场。这些成员包括特别威慑部队、Nawasi 旅、Abu Salim 旅、Fursan Janzur。第三个派别的成员是的黎波里和其他西部城市的各种武装团体。它们是强硬派革命者和伊斯兰武装分子，2015 年早些时候构成了萨穆德阵线的核心，其中包括 Salah Badi 的部队、Buni 旅、其他位于塔朱拉的武装团体。这些团体继续强烈反对对话和《利比亚政治协议》。

⁷ 武装团体还几次在胡姆斯发生冲突。

一些涉嫌在的黎波里协助伊黎伊斯兰国的武装团体便属于此派别，例如 Tawhid 旅。自秘书长特别代表 10 月份提交《利比亚政治协议》最后案文以来，各团体之间发生了几次冲突，导致“利比亚黎明”联盟进一步分裂。

40. 许多平民在武装团体的统治下遭受压迫。不断有各种报告说发生了针对政界人士、商人、记者、活动家的谋杀、勒索、绑架，尤以绑架为甚。

41. 伊黎伊斯兰国在的黎波里的人数不多，但开展小规模袭击和简易爆炸装置袭击的能力正在增强。其迹象是发生了一些袭击事件，包括 9 月 18 日针对 Mitiga 监狱的袭击，还包括 3 周前对一家石油公司总部的炸弹袭击。尤其令人担忧的是，据特别威慑部队提供的消息，伊黎伊斯兰国在的黎波里能相对容易地招纳人员。⁸ 伊黎伊斯兰国在的黎波里的手法是依靠少量(潜伏)人员，其中往往包括外国人。其中有些人已渗入实力较大的武装团体。

42. 伊黎伊斯兰国的活动范围远及米苏拉塔。2016 年 1 月，对 Zlitan 的海岸警卫队培训中心实施了炸弹袭击，造成 80 多人死亡。2015 年 5 月，伊黎伊斯兰国对 Zlitan 以西几公里处的 Dafniyah 检查站实施炸弹袭击。⁹

2. Zawayah 和 Warshafanah

43. 2015 年全年，的黎波里以西近郊地区一直难以控制，“利比亚黎明”联盟与国民军(附属)军队之间的战局几次面临新的升级危险。重要事件包括 2015 年 10 月 27 日一架运送救国政府高级军事指挥官的直升机被击落。¹⁰ 一再通过地方部落之间的调解克服了紧张局势，有时来自米苏拉塔的代表也参加了调解。

3. 塞布拉塔

44. 西部城市塞布拉塔、Zaltan、‘Ujaylat 是众所周知的外国战斗人员培训和过渡营所在地，其中有些人是前往利比亚，另一些人则来自利比亚。突尼斯调查人员向专家小组解释说，2015 年突尼斯境内恐怖袭击的肇事者均曾在某个阶段于塞布拉塔和 ‘Ujaylat 的培训营过渡(见附件 36，第 4 段)。

45. 2015 年 12 月 10 日，伊黎伊斯兰国袭击塞布拉塔市中心，令人担心又一个利比亚城市可能落入该团体手中。该市议会与伊黎伊斯兰国达成协议，后者承诺从塞布拉塔撤出公开派出的人员，并答应如有外国人员即行通报。但该协议能否防

⁸ 见 “The full story of how the youth Abdulmun‘im al-Duwaylah joined ISIL”, 218 TV, 2016 年 1 月 5 日，可查阅 <http://218tv.net/content/قصة-ال-كاملة-ال-ضمام-ال-الى-لان-ضمم-ال-كاملة-ال-قصة>。

⁹ 见 “Libya: ISIL claims responsibility for a bombing near Misratah”, Sky NewsArabia, 2015 年 5 月 31 日，可查阅 www.skynewsarabia.com/web/article/749182 /مصراتة تمزق رب

¹⁰ 见 “23 deaths, including the commander of the western region, in a helicopter crash”, Libya al-Mustaqbal, 2015 年 10 月 27 日，可查阅 www.libya-al-mostakbal.org/news/clicked/82770。

止伊黎伊斯兰国增强力量，还有待观察。例如，2015年12月19日总情报部驻当地办事处遭到轰炸，据指证肇事者就是该团体。¹¹

46. 伊黎伊斯兰国小股人员借助于在本地关系。外国战斗人员住在私人住宅中。这些人组成小型机动团队，主要集中在城市以外地区。伊黎伊斯兰国与走私网络建立了联系，有助于其通过突尼斯与利比亚边界走私武器、偷运战斗人员。

B. 东部情况

47. 2015年全年，东部的不安全程度仍然很高，大多数主要城镇都发生了大规模战事，或反复出现安全事件。这种不安全状况威胁到整个区域。

1. 班加西

48. 在班加西，国民军继续开展行动，打击班加西革命者协商委员会及其附属团体所控制的地区。2015年9月19日，Haftar将军宣布开展称为Hatf(“末日”)的新行动，但从2014年下半年开始的僵局基本未变。从9月起，国民军几乎每天均对班加西(和其他城镇)实施了空袭。其空军还继续在东部沿海攻击涉嫌运送武器的船只(见附件9)。

49. 在班加西市内，国民军攻击了Laythi、Sabri、Suq al-Hut、Gwarsha、Bu Atni等地区，包括在市区使用重炮。

50. 班加西革命者协商委员会及其关联团体将攻击目标集中于相同的战线，还集中于Bu Hadimah和Benina机场。他们继续有计划地使用简易爆炸装置和地雷，造成军民丧生，包括炸死参与排雷行动的人员。协商委员会人员继续在市区内使用重炮。有人从协商委员会控制的领土向Kish广场的和平抗议人群发射迫击炮弹，致9人死亡，数十人受伤。¹²

51. 伊黎伊斯兰国在班加西有作战人员，因为媒体不断有报道称其对国民军实施攻击，形式往往是引爆自杀式简易爆炸装置(见附件10)。

2. 德尔纳

52. 在德尔纳，伊黎伊斯兰国与其他极端主义团体之间继续发生冲突。2015年5月以前，德尔纳圣战者协商委员会和伊黎伊斯兰国在德尔纳共存，相互未公开显示敌意，但该协商会议6月在不到一个星期的时间里将伊黎伊斯兰国赶出了镇中心。¹³ 伊黎伊斯兰国的一些士兵叛逃到协商委员会方面，还有人向

¹¹ 见“Daesh bombs the intelligence headquarters in Sabrathah”，Erem News，2015年12月19日，可查阅www.ereemnews.com/news/arab/400426。

¹² 见“Death toll rises from indiscriminate shelling of protests in Kish Square in Benghazi”，Al-Alam al-Yawm，2015年10月23日，可查阅www.worldakbar.com/maghreb/libya/38785.html。

¹³ 专家小组以前曾报告这两个团体之间可能开展合作(见S/2015/128，第34段)。

西逃至苏尔特，或向东逃至邻近的 Fata'ih 地区。德尔纳东郊仍驻有伊黎伊斯兰国人员。

53. 与此同时，国民军在德尔纳周围的作战行动大幅度减少，似乎仅限于对伊黎伊斯兰国阵地实施零星的空中轰炸。

3. 艾季达比耶

54. 2015 年 12 月 15 日，国民军和艾季达比耶安全局对艾季达比耶革命者协商委员会发起军事行动。国民军空袭了协商委员会阵地，包括处于该市以南战略要地的第 60 号检查站。该检查站由 Zway 部族的部队控制。相关事件触发了地方武装团体之间的致命冲突，有可能演变成长期的部落冲突，据报协调委员会和伊黎伊斯兰国关联团体 2015 年在艾季达比耶掀起一股前所未有的暗杀军官、萨拉菲酋长、记者的浪潮。

4. 区域性影响

55. 2015 年该区域发生 3 起国际干预活动，受到广泛报道和感谢。2 月，伊黎伊斯兰国处决 21 名埃及公民后，埃及在德尔纳对其实施了空袭。¹⁴ 6 月 13 日，美国空袭了艾季达比耶附近一个农场。据怀疑，联合国清单所列个人 Mokhtar Belmokhtar(QDi.136)位于该地。¹⁵ 11 月 13 日，美国发动空袭，目标是伊黎伊斯兰国指挥官 Wisam al-Zubaydi(又名 Abu Nabil al-Anbari)。¹⁶ 2016 年 1 月，身份不明的飞机实施了数次空袭，目标包括位于苏尔特的伊黎伊斯兰国阵地，还包括位于本扎瓦德的一个车队。¹⁷

56. 西奈的穆拉比通组织创始人 Hisham al-Ashmawid 等几名埃及极端主义分子在利比亚东部避难。该组织曾在开罗和西奈实施若干次恐怖袭击。¹⁸

¹⁴ 见 Jared Malsin 和 Chris Stephen, "Egyptian air strikes in Libya kill dozens of Isis militants", Guardian, 2015 年 2 月 17 日, 可查阅 www.theguardian.com/world/2015/feb/16/egypt-air-strikes-target-isis-weapons-stockpiles-libya。

¹⁵ 见 Sarah El Deeb 和 Lolita C. Baldor, "US targets Al-Qaida-linked leader in Libya; unclear if hit", 美联社, 2015 年 6 月 15 日, 可查阅 <http://abc30.com/news/us-targets-al-qaida-linked-leader-in-libya;-unclear-if-hit/785800/>。

¹⁶ 见 Phil Stewart, "US confirms death of top Islamic State leader in Libya", 路透社, 2015 年 12 月 7 日, 可查阅 <http://uk.reuters.com/article/us-mideast-crisis-airstrikes-usa-idUKKBN0TQ24G20151207>。

¹⁷ 见 Saber Ayyub, "Mystery remains over Sirte airstrikes on IS", Libya Herald, 2016 年 1 月 15 日, 可查阅 www.libyaherald.com/2016/01/15/mystery-remains-over-sirte-airstrikes-on-is/。

¹⁸ 见 "In pictures: ISIL in Libya calls for the killing of Hisham al-Ashmawi, who is accused of assassinating the Public Prosecutor, and announces its presence in Darnah", Al-Bidayah, 2015 年 8 月 19 日, 可查阅 <http://albedaiyah.com/news/2015/08/19/95184>。

C. 苏尔特和中部地区的情况

57. 2015 年，伊黎伊斯兰国在苏尔特的势力大幅度扩张。该团体已对米苏拉塔的势力 Awlad Sulayman 部落和 Furjan 部落取得决定性军事胜利，并消灭了苏尔特的安萨尔旅。伊黎伊斯兰国是目前该区域最大的政治和军事行为体。Qadhahfa 部落一名高级成员解释说，各部族谨慎保持其剩余的武器装备，目前宁愿通过外交手段应对伊黎伊斯兰国，而伊黎伊斯兰国则善于利用其恐怖和威力形象。8 月，Furjan 部落 50 多名成员遭杀害，随后其他部落的成员也遭到杀害和绑架，致使地方部落不敢反抗。伊黎伊斯兰国已招募一些部落的男青年，尤其是 Qadhahfa 部落和 Magharba 部落的成员，答应向其提供保护和物质利益。该团体还招募了前政权的军人。

58. 伊黎伊斯兰国加强了自身地位。该团体强行将一些建筑物和有地下室的单个房屋用作仓库，修建了新隧道，还抢夺了药房的库存。2015 年后期，众多外国战斗人员抵达苏尔特。

59. 驻苏尔特的伊黎伊斯兰国成员除外国战斗人员外，还包含前安萨尔旅成员和前卡扎菲政权安保人员结成的联盟。该团体因形成了这种成分多样的联盟，得以接触到利比亚社会各阶层，提高了其动员和招募能力。2015 年 1 月以来，伊黎伊斯兰国对新月形产油地带的石油设施发起若干次袭击，包括 2016 年 1 月在 Sidrah 和 Ra's Lanuf 等地发动袭击。

60. 被视为忠于前政权的地区目前没有国家权力机构，造成政治和安全真空，因此滋生出各种极端主义团体。接连几届政府对于其视为前政权支持者的众多居民，均有计划地使其边缘化，予以忽视。

D. 南部地区的情况

61. 利比亚革命后 Fazzan 地区和库夫拉发生了地方冲突，一直持续至今。军权主要掌握在部落团体、犯罪集团、极端主义团体手中。此外，由于缺乏国家权力，为区域内其他国家进行干涉留下了机会。图卜鲁格和的黎波里存在两个相互竞争的当局，通过与地方团体结盟，加剧了已有的紧张局势。

1. 库夫拉

62. Tebu 部族为提高其政治影响力，向国民军提供了军事援助和人力资源。例如，Ahmad 旅在班加西与 Karama 行动队并肩作战。另一方面，属于国民大会的参谋总长等的黎波里当局成员发表煽动性声明，支持库夫拉的 Zway 部族反对其所谓的“外国入侵”（见附件 11）。专家小组还收到报告说，的黎波里支持在库夫拉作战的伊斯兰主义武装团体。

63. 尽管 10 月 11 日签署了一项协定，但局势依然动荡不定。自 2015 年 7 月 25 日以来，已有 100 多名平民被打死，许多人死于盲目的炮击（见附件 12）。Tebu 少

数民族被围困在 Gadarfai 和 Shura 的居民区，特别容易受到来自 Zway 所控制地区的坦克、迫击炮、狙击手袭击。

64. Zway 族团体和 Tebu 族团体分段控制库夫拉至艾季达比耶的公路。所设的 3 个检查站(1 个 Tebu 族控制、2 个由 Zway 族控制)阻碍了有关方面运送人道主义援助物资。

2. 奥巴里

65. 奥巴里的情况与库夫拉相似，当地 Tebu 族团体与 Tuareg 族团体彼此对立。“利比亚黎明”联盟下属部队招募了 Tuareg 族战斗人员。2015 年，“利比亚黎明”联盟一名高级指挥官向专家小组解释说，Tuareg 族人员每月获得报酬 1 500 利比亚第纳尔，外加一支步枪。“利比亚黎明”联盟和图阿雷格人的军队还协同袭击了 Shararah 油田。Tebu 族人员与 Tubruq 族所属部队并肩作战，同时获得众议院阵营及其驻津坦盟友在政治和军事上的支持(见附件 13)。

66. 虽然反复作出和解努力，但 2014 年 9 月以来战斗一直延续，导致 300 多人死亡、2 000 人受伤、数以百计的家庭流离失所。2015 年 11 月 26 日在多哈签署协定，但次日即遭违反，因为 Tebu 族所属武装团体对位于奥巴里的 Tuareg 族阵地实施了导弹袭击。¹⁹

3. 对本区域的影响

67. 本区域一些国家一直在向各派提供支持(至少是政治上的支持)，给冲突火上浇油，使之旷日持久。图阿雷格消息来源称，乍得和卡塔尔的对抗是 2015 年 11 月 26 日停火协议迅速破裂的决定性因素。乍得和卡塔尔重要政治人物的公开言论清晰反映出这样的对抗。²⁰

68. 利比亚南部存在外国战斗人员，体现了冲突的区域性因素。专家小组获得有力证据，说明奥巴里、特别是库夫拉存在达尔富尔武装团体。达尔富尔受访者报告，和国民军在一起的有正义与平等运动战斗人员、Ali Kerubino 领导的苏丹解放军派别以及整个苏丹解放军/明尼·米纳维派部队。被削弱的达尔富尔武装团体一直在寻找外国庇护所和目标，的黎波里政府也曾同他们联系。

69. 苏丹的立场不明确。尽管有持续报告称，苏丹一直为其在库夫拉和的黎波里的盟友提供军事支助(见第 160 段)，但它也力求与东部当局保持良好关系。

¹⁹ 见 “The Tebu and Tuareg agreement in Doha: the one thousand mile road to peace”, Al-Arabi al-Jadid, 2015 年 11 月 24 日，可查阅 www.alaraby.co.uk/politics/2015/11/24/الطوال-تويات-فاق。该说法不承认乍得参与了会谈。

²⁰ 同上。该说法不承认乍得参与了会谈；另见 www.facebook.com/sabha17feb2/videos/1001598166564528/。

E. 与安全有关的指认标准

1. 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

70. 在本报告所述期间，伊黎伊斯兰国袭击了利比亚境内的数个油田。2015年2月3日，伊黎伊斯兰国袭击了 Mabruk 油田，绑架了一些工人，杀害了 11 人。2月13日，伊黎伊斯兰国袭击了同一设施以及 Bahi 油田。3月6日，伊黎伊斯兰国袭击了 Ghani 油田，杀害 9 人并绑架外国工人。2016年1月6日，伊黎伊斯兰国再次袭击了石油设施，在 Sidrah 和 Ra's Lanuf 使用了简易爆炸装置并进行突击队袭击。

2. 威胁和平的行为

71. 与 2014 年不同，利比亚在 2015 年没有发生可能使不稳定安全局势进一步升级的新的重大军事行动。

3. 对外国使团的攻击

72. 2015 年，外国使团继续受到攻击。专家小组收到 10 起事件报告。在一些案件中，会员国无法确定肇事者。在另一些案件中，怀疑是来自塞布拉塔或的黎波里的武装团体成员所为。最后，伊黎伊斯兰国也声称对一些案件负责(见附件 14)。

4. 代表列入名单的个人或实体或以其名义或按其指示行事

73. 在班加西和德尔纳，有伊斯兰倾向的武装团体的人员成分、隶属关系、结盟关系仍是令人关切的问题。

74. 关于班加西，社交媒体和专家小组的访谈显示，被列入联合国名单的班加西安萨尔旅(QDe.146)虽有所减弱，但仍是班加西革命者协商委员会联盟的一部分。协商委员会领导结构大体没有变化。继续有报告称，Muhammad al-Darsi 已取代 Muhammad al-Zahawi，成为班加西安萨尔旅的负责人。协商委员会两名指挥官 Wisam bin Hamid 和 Jalal Makhzoum 曾在安萨尔旅发布的媒体信息中高调亮相。

75. 专家小组收集的证据表明，班加西革命者协商委员会和伊黎伊斯兰国合作对付国民军。²¹ 根据约谈、社交媒体和伊黎伊斯兰国出版物 Dabiq，²² 伊黎伊斯兰国显然在 Sabri 区和 Laythi 区启动了行动。伊黎伊斯兰国对德尔纳圣战者协商委员会公开表示敌视，不过，尽管如此，伊黎伊斯兰国和班加西革命者协商委员

²¹ 在班加西与伊斯兰人士的约谈，2015 年 11 月。

²² 见“Interview with Abul-Mughirah al-Qahtani(the delegated leader for the Libyan wilayat”,Dabiq,No.11(2015 年 9 月)，可查阅：www.clarionproject.org/docs/Issue%2011%20-%20From%20the%20battle%20of%20Al-Ahazab%20to%20the%20war%20of%20coalitions.pdf。

会在相同地区开展行动，说明二者的军事行动相互协调(见附件 15)。²³ 为保障合作，协商委员会曾发表公报，明确寻求同伊黎伊斯兰国和解(见附件 16)。

76. 在德尔纳，极端主义联盟德尔纳圣战者协商委员会公开与伊黎伊斯兰国作战。但该委员会同另一列入联合国名单的实体(四分五裂的德尔纳安萨尔旅(QDe.145))的关系就不太明确。德尔纳安萨尔旅至少有一个派别加入了协商委员会。²⁴ 此外，在协商委员会把伊黎伊斯兰国从德尔纳驱逐后，德尔纳安萨尔旅继续发表宣传活动图片，表明其能够在协商委员会控制的城镇自由行动(见附件 17)。

77. 班加西革命者协商委员会包容列入联合国名单的实体和(或)与这些实体合作，德尔纳圣战者协商委员会也是如此，但程度较小。因此，利比亚西部城市对两个联盟的持续支持都不妥当。利比亚和国际消息来源都确认有来自的黎波里和米苏拉塔内部的资金和物质支持，消息来源常提到相同的有关人名地名。

78. 在政治层面，班加西革命者协商委员会、特别是德尔纳圣战者协商委员会都获得高层和公众支持。例如，在整个打击伊黎伊斯兰国的德尔纳行动期间，的黎波里数个权威人物对德尔纳圣战者协商委员会表示了强有力的口头支持(见附件 18)。

79. 此类支持不限于同名单所列实体有联系的东部武装团体。利比亚伊斯兰教法官公开支持的黎波里 Tawhid 旅。该旅与伊黎伊斯兰国袭击 Mitiga 有关联(见附件 19)。

四 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

80. 在已形成的真空中，侵犯人权者和其他罪犯完全逍遥法外，因为武装团体控制着安全部门，司法制度几乎不能发挥职能。国际刑院已表示随时准备启动新的调查，但其工作似乎受到安全和预算约束的阻碍(见建议 21)。²⁵ 此外，安全理事会自 2011 年以来没有通过任何新的定向制裁(见建议 17)。

A. 任意拘留和酷刑

81. 专家小组继续调查武装团体对拘留设施的控制。利比亚监狱广泛存在虐待问题，反映出前政权的做法，此外，监狱还缺乏资源和专业性，而且狱警恶意惩罚

²³ 但指称的伊黎伊斯兰国录音似乎显示，来自德尔纳的伊黎伊斯兰国战斗人员鼓励在班加西的同伙反对班加西革命者协商委员会。见 <http://themaghrebnote.com/>。

²⁴ 见 S/2015/891，第 18 段。消息来源告诉专家小组，该派别包括指挥官 Sofiane ben Goumo (QDi.355)。

²⁵ 见国际刑院检察官根据第 1970(2011)号决议向安全理事会提交的第十次报告，可查阅 www.icc-cpi.int/iccdocs/otp/otp-rep-unsc-05-11-2016-Eng.pdf。

犯人。虐待事件包括殴打、酷刑、无法获得基本的卫生设施、人满为患以及家人不能探监。非法拘禁案件盛行。大多数被拘留者未曾被带见法官，还有些人即便获得了释放令也仍被拘禁。²⁶ 其中大部分人是 2011 年后被拘禁的。拘禁他们的主要罪名似乎是敲诈、报复，也有在刑讯逼供下认罪的犯人。

82. 民族和解政府对于掌控拘留中心的武装团体和安全部队的施虐行为，应优先加以处理，包括实施各项改革，例如对狱警进行鉴别甄选(见建议 15)。

83. 专家小组收到了受害者及其亲属、人权活动者和政府官员的各种证言以及视频和照片证据。除非另有说明，下列调查结果均依据这些信息。

1. 利比亚西部

84. Ayn Zarah 监狱的 Abdulaziz al-Bakshi 参与酷刑案件，包括对女性被拘留者实施酷刑。Mohammad Al-Naami 负责该监狱已有四年。该监狱继续发生严重虐待事件。Ayn Zarah 的 Ruwaymi 监狱也发生过类似的侵犯人权案件。

85. Haytham al-Tajuri 在塔朱拉建立了一个叫作 Mazara‘at al-Na‘am 的私人拘留中心，并在那里拘留前政权官员及其同情者。Tajuri 向探望者勒索巨款。在 2014 年 7 月“利比亚黎明”行动期间，12 名前政权官员从该中心设施失踪。Tajuri 先生声称把这些人交给了他们的家人，但这种说法被政府消息来源否认。Tajuri 的营地在 2015 年 4 月遭到空军轰炸。²⁷

86. 武装团体指挥官 Abdulghani Kikli 控制着的黎波里 Abu Slim 地区一个拘留设施。该设施有一个专用于酷刑的房间。数名所谓的“囚犯”曾因重伤而被送进附近医院。

87. 有几次有人报称在塔朱拉的 Daman 监狱和 Hufrah 监狱实施了酷刑。Hufrah 监狱由一名同国民军结盟的地方民兵领导人 Abdullah al-Sassi 控制，此人在 2014 年年末被杀。

88. 家族管理的 Taminah 设施仍是米苏拉塔最臭名昭著的监狱。多次有人报称家族首领 Isa Ben Isa Lasfar al-Sarkasi 实施了酷刑和其他虐待行为。米苏拉塔的 Jawiyyah 案件也应受到关注。该监狱管理部门容忍虐待和体罚。

89. 在扎维耶，不断有人报称在 Selaa 监狱、Jazeera 监狱 和 Jadayam 监狱发生酷刑和敲诈案件。

²⁶ 见 Hanan Salah, *The Endless Wait: Long-term Arbitrary Detentions and Torture in Western Libya*(美国, 人权监察, 2015 年 12 月), 可查阅: www.hrw.org/sites/default/files/report_pdf/libya1215_4up_1.pdf。

²⁷ 消息来源是与政府官员和受害者家属的约谈内容, 2015 年 8 月至 10 月。

90. 在 **Hadbah** 监狱，对 37 名著名的前政权支持者进行了有缺陷的审判。2015 年 7 月 28 日，宣判 9 名被告死刑。这一判决受到国际社会谴责。该监狱设施相对完善，但 2015 年 8 月 2 日公布的录像证实该处发生严重虐待事件。录像显示，在监狱管理者 **Saleh Hadiyah Abd Al-Salaam al-Daiki** 督导下，对包括萨阿迪·卡扎菲(LYi.015)在内的犯人实施了酷刑。²⁸

91. **Mitiga** 监狱也发生了虐待事件。该监狱由 **Abdulra'uf Kara** 的特别威慑部队控制。在一个案例中，一名前囚犯报告，在指挥官 **Abdulsalam Ben Sha'ban** 督导下，有计划地对被拘留者实施了殴打和敲诈。

92. 在包括官方拘留中心在内的数个地点，特别是在利比亚西部，据报普遍发生了虐待移徙者事件。专家小组约谈的移徙者也报告，他们遭到无法辨认身份的武装团体的酷刑和敲诈。

2. 利比亚东部

93. 据政府消息来源称，2015 年 10 月，**Kuwayfiah** 是班加西唯一的官方监狱。监狱的控制权在司法警察(司法部)、宪兵(国民军)和刑事调查局(内务部)之间分配。据报在刑事调查局控制的监狱部分发生了酷刑事件。似乎没有保留任何囚犯名单。

94. 此外，隶属于国民军和内务部的武装团体在班加西管理数个非官方监狱。刑事调查局、特种部队调查部和反恐部队在这些监狱中关押任意逮捕的人员。当地和国际非政府人权组织广泛报告发生酷刑案件。²⁹

95. 司法部一直试图改善东部各地的拘留状况，但其影响力仅限于贝达 **Garnadah** 监狱的一部分。该监狱其余部分由国民军控制。2015 年 10 月，国民军控制的监狱部分关押着 320 名(嫌疑)伊黎伊斯兰国人员，其中大多是外国人。有人对宪兵开展的审讯向专家小组表示关切。

96. 利比亚临时政府、特别是前内务部长 **Umar al-Sinki** 应对上述情况负责。尽管不断有报告称 **Barsis** 的一个非官方拘留设施使用酷刑，但 **Al-Sinki** 先生依然提名监狱指挥官 **Faraj Muhammad Mansur**(又名 **Al-Abdali**)作为其特殊任务部队的负责人(见附件 20)。虽然 **Barsis** 的监狱现已关闭，但依然有临时政府或国民军手下部队实施酷刑的报告。在接受专家小组约谈时，**Al-Abdali** 先生否认在 **Barsis** 使用酷刑做法，也否认曾在 2015 年 8 月在班加西管理过任何监狱。这些说法随后被数人以及专家小组收集的公开来源资料所否定。依然有人报称继续存在实施酷刑和任意拘留的情况，在 **Al-Abdali** 先生位于 **Bu Jazirah** 的总部尤甚。

²⁸ 见 <https://clearnews.com/865/>。

²⁹ 见人权监察，“Libya: widespread torture in detention”，2015 年 6 月 17 日，可查阅 www.hrw.org/news/2015/06/17/libya-widespread-torture-detention。

B. 杀戮

97. 伊黎伊斯兰国仍是利比亚杀戮的最重要犯罪者。2015年2月20日，伊黎伊斯兰国在库巴市一次简易爆炸装置袭击中杀害了40多人。同样在2月，伊黎伊斯兰国公布了一段即决处决21名埃及人的视频。这是其宣传战略的一部分，以向国际观众宣传其利比亚分支。4月，伊黎伊斯兰国公布了类似视频，内容是两次大规模处决埃塞俄比亚人。

98. 最残暴的事件之一是伊黎伊斯兰国2015年8月中旬在苏尔特大规模屠杀当地部落成员。据当地消息来源称，至少50人被杀害，其中大部分人来自Furjan部落。

99. 2016年，伊黎伊斯兰国对Zlitan海岸警卫队培训中心实施简易爆炸装置袭击，杀害了80多人。

100. 此外，2015年10月23日，班加西一次和平抗议遭到炮击，至少有9名平民被杀害。迫击炮弹很有可能是从班加西革命者协商委员会控制的区域发射的。³⁰

101. 最后，专家小组收集到证据，表明来自米苏拉塔的部队参加了2013年11月15日Gharghur地区的屠杀，其间40多名平民被杀害。这一事件造成安全形势大幅恶化(见附件21)。一些涉案个人是国家安全机构的官员。³¹

C. 阻碍运送人道主义援助

102. 武装团体阻碍运送人道主义援助，以此为工具，对奥巴里和库夫拉的平民施加控制。这两个城市都依赖北方城市提供的粮食和医疗用品。控制Sarir的Ahmad Al-Sharif旅、库夫拉的军事和市政委员会以及控制塞卜哈南边17号检查站的Tebu下属各旅都各自至少阻碍过一次人道主义援助物资的运送(见附件22)。³²

D. 绑架、炸弹袭击、法外杀人

103. 在西部，绑架问题依然令人关注，几乎每天都发生绑架事件。人质、特别是来自曾逮捕利比亚人的国家的外国人常被用作筹码。备受瞩目的案件包括绑架突尼斯人以交换Walid Leglayeb(2015年8月)和Husayn al-Dhaouadi(2015年10月)。

104. 关于东部，专家小组收到有力证据表明“利比亚之盾2”部队参与在2013年以炸弹袭击一个利比亚特种部队营地和袭击班加西警察，并显示Muhammad al-Uraybi(又名Boka)及其副手Walid al-Masri负有直接责任。³³

105. 专家小组还收到有力证据，表明“利比亚之盾1”成员如何在Wisam bin Hamid指挥下，从外国工人中招募特工人员，在班加西组织对活动分子的暗杀和

³⁰ 消息来源是与班加西军事来源的约谈内容，2015年10月。

³¹ 见 www.youtube.com/watch?v=iyO5DSh1nls。

³² 消息来源是与利比亚南部重要政治和军事领导人的一系列约谈，2015年。

³³ Muhammad al-Uraybi，2015年3月23日在班加西战斗期间被杀。

炸弹袭击事件。此外,2015年11月,国民军公布了一段视频,显示 Wisam bin Hamid 直接参与试图谋杀国民军上校 Al-Mahdi al-Barghathi。³⁴ 这些暗杀导致班加西安全局势急剧恶化,并在2014年5月启动了“Karamah”行动。

106. 在南部,许多平民常常在检查站因所属部落被选中,成为绑架或杀害的对象。向专家小组报告的几个案件涉及 Tebu 部落和 Zway 部落的武装团体,它们来自于 Warshafanah 和扎维耶。这方面的例子包括 Zway 族艾季达比耶革命者协商委员会成员控制的 60 号检查站,以及库夫拉到艾季达比耶公路上由 Ahmad al-Sharif 旅(Tebu 族)控制的一个检查站。

五 武器禁运执行情况

A. 概览

107. 尽管 2011 年通过了全面的双向军火禁运,但武器依然经常通过非法转让流入或流出利比亚。在革命期间,记录流入利比亚的武器贩运活动十分猖獗。随后,来自利比亚的军用物资在整个区域扩散,利比亚民兵在政府机构内部资助人支持下扩充了武器储存。

108. 2014 年发动了“Karamah”行动和“利比亚黎明”行动,利比亚各地重新陷入激战,伊黎伊斯兰国崛起,自那以后,利比亚境内对军用物资的需求显著增加,外部支持重新出现。由利比亚国民和外国中介公司组成的贩运网络积极代表各种国家和非国家当事方争取武器交易。来自利比亚的武器和弹药继续扩散,助长了邻近区域的不安全状况。

109. 建立民族团结政府将是朝着重建安全部队迈出的一步,但必须保留并执行军火禁运规定和豁免程序,以防止政府以外的行为体采购物资。

110. 在当前任务期间,未接获违反非常规武器禁运案件的报告,但专家小组对剩余的化学武器库存感到关切,必须紧急妥善处置并销毁这些武器。

B. 革命期间(2011 年 2 月至 9 月)向利比亚转让军用物资

111. 在革命期间,提供了大量武器弹药,主要是提供给同卡扎菲部队作战的力量,其中包括在某些国家支持下转让武器弹药(见 S/2013/99 和 S/2015/128)。

112. 专家小组继续调查 2011 年可能违反军火禁运的案件,其中涉及两个在美国注册的军火中介公司。Marc Turi 公司和 Turi 防务集团被指控违反美国军火出口法律,因为它们在申请向卡塔尔和阿拉伯联合酋长国的出口许可时,图谋向利比亚转让军用物资。被告称中介公司是在美国当局的授意下行事。附件 23 载有案件的详情。

³⁴ 见 www.youtube.com/watch?v=zqQ5KAMrCDI。

113. 在 Turi 先生当时提交美国当局核准的一项申请中，明确说明 Dolarian 资本公司是合作伙伴。这家公司在 2011 年试图从利比亚出口军用物资，自那时以来，一直受到专家小组关注。附件 24 载有专家小组迄今为止的详细调查结果。

C. 革命后(2011 年 9 月至 2014 年 8 月)的军用物资转让

114. 在革命后，利比亚大量武装团体立即填补了安全真空，它们巩固自己的作用并加强对领地的控制。这些团体在利比亚境内境外采购军用物资，加强自己的军事能力，方式包括挪用已通知转让的武器，也包括违反军火禁运购买武器。专家小组先前报告过这一情况(见 S/2015/128，第 115 段及其后各段)。

1. 提供已通知军用物资的最新运交情况

115. 从 2011 年 9 月(第 2009(2011)号决议)至 2014 年 8 月(第 2174(2014)号决议)，利比亚政府只要事先通知安全理事会关于利比亚的第 1970(2011)号决议所设委员会，即可采购军用物资，用于安全援助。这一程序存在巨大缺陷，因为它没有解决一系列问题，如存在没有监督的各种竞争性采购渠道、实际最终用户不清楚、对转让没有任何监测。

116. 为帮助监测通知武器和弹药的转让以及可能遭转用的情况，专家小组联系了数个在通过第 2174(2014)号决议前已通知委员会出口军用物资的会员国，并请求提供这些军用物资状况的最新资料。保加利亚、塞尔维亚和土耳其提供了详细资料(见附件 25)。

2. 未通知军用物资的转让

来自阿拉伯联合酋长国的未通知转让

117. 专家小组先前报告阿拉伯联合酋长国数次违反军火禁运，包括 2011 年向革命分子转让军用物资(见 S/2013/99，第 74 段及其后各段)以及 2013 年向最高安全委员会转让武器(见 S/2015/128，第 125 段及其后各段)。专家小组还调查了其他来自阿拉伯联合酋长国违反军火禁运的转让活动。

118. 装甲运兵车。2012 年 8 月，阿拉伯联合酋长国核准向的黎波里出口 Streit 集团生产的装甲运兵车，但没有事先通知委员会，³⁵ 列出的最终用户是“利比亚内务部”。附件 27 载有案件的详细内容。

119. 支助 Zintani 武装团体。自革命以来，阿拉伯联合酋长国向 Zintani 各团体提供了政治和军事支助。2013 年，Imad Trubulsi 领导的 Zintan 团体 Sawa‘iq 旅获得了军用物资，包括 Nimr 装甲运兵车、AR-M9F 突击步枪和制服(见图一)。附件 27 详细说明专家小组的调查情况。

³⁵ 安全理事会在第 2095(2013)号决议中取消了向政府转让非致命军用物资需事先通知的要求。

图一
配备新制服、步枪和装甲运兵车摆出姿势的 Sawa'iq 旅成员



来源：Sawa'iq 旅社交媒体网页，2013 年 8 月张贴的照片。

D. 自加强军火禁运(2014 年 8 月)以来向利比亚转让或可能转让军用物资

120. 在 2014 年年中安全局势急剧恶化后，安全理事会加强了军火禁运，在向利比亚政府转让致命性装备方面，用豁免程序取代了通知程序(见第 2174(2014)号决议)。关于现行军火禁运措施的概述，见第 2 号执行援助通知。³⁶

121. 但武器和弹药继续被转让给利比亚各方，会员国和复杂的中介公司网络都参与其中，它们似乎未被军火禁运威慑住。例如，专家小组已报告 2013 年 Temax 公司参与违反军火禁运(见 S/2015/128，第 126 段)，并认为该公司隶属于一个更广泛的贩运网络。专家小组已单独向委员会提供了有关数个网络的信息。

122. 专家小组从中介代理、运输公司和会员国获得了许多与利比亚行为体开展军火交易的商业文件(最终用户证书、订单、军用物资清单)。利比亚各种武装行为体一直在发放最终用户证书，其中包括国民军、救国政府和 Al-Qa'qa'旅等武装团体的代表(文件单独向委员会提供)。

123. 这些文件表明，武装实体正谋求采购各种军用物资，包括单兵携带防空系统以及(特别是)小武器和轻武器的弹药。大多数谈判涉及过剩库存，即易于得到的物资。专家小组还注意到，狙击步枪和直升机有很大的需求量。

124. 尽管经常出现违反军火禁运事件，但专家小组注意到，许多公司和会员国一直遵守禁运措施。

125. 专家小组没有发现违反军火禁运直接向利比亚恐怖主义实体转让武器的证据。专家小组同数位专家交流了意见，他们得出同样的结论：目前，在利比亚活

³⁶ 可查阅 www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/implementation_assistance_notice_2_1.pdf。

动的恐怖主义团体使用与非恐怖主义民兵相同型号的军用物资，采购物资的地点在利比亚境内。在图卜鲁格，专家小组会见的德尔纳特种部队负责人解释说，恐怖主义团体使用新的军用物资，包括狙击步枪和反坦克导弹。专家小组要求提供更多详细资料，但迄今尚未收到。专家小组注意到，在利比亚越来越多地使用简易爆炸装置。利比亚境内此类装置的部件有大量供应，但技术越来越复杂，表明制造某些装置所需的技术是进口的。

126. 最后，专家小组收到信息，表明在利比亚数个地点存在外国军人，他们在支持打击伊黎伊斯兰国的努力。委员会未收到任何这方面的豁免申请，专家小组正在调查。

1. 向临时政府及其附属机构转让或可能转让军用物资

127. 2015年3月2日，利比亚临时政府向委员会提交申请，要求军火禁运规则³⁷豁免数量极多的小型、轻型和重型军用物资。该申请被搁置。

128. 安全理事会通过第2214(2015)号决议，促请委员会迅速审议豁免申请，以便利比亚武装部队用这些武器打击恐怖主义。但没有向委员会提交新的申请，上述申请目前仍被搁置。

129. 专家小组在2015年7月访问图卜鲁格期间，同参谋长和其他军事代表讨论了这些问题。他们坚持需要军用物资来打击恐怖主义，向专家小组保证适当的保障措施已到位，并邀请专家小组今后到实地观察他们的管理机制。他们抱怨临时政府无法获得物资，专家小组的答复是回顾了相关的豁免申请程序。

130. 利比亚官员和国际官员证实，国民军及其附属部队一直通过自己采购以及从支助国家获得海外军用物资。国民军总司令应对违反军火禁运组织武器采购活动负责。空军参谋长 Saqr Jarushi 在2016年1月的一段视频讲话证明了这一点。³⁸ 他在讲话中承认，Haftar 将军“从秘密伙伴和外国进口弹药”，并指派自己的儿子负责购买武器。这已在国民军内部引发关于挪用资金和物资的指控。众议院议长已要求对此进行调查。

131. 下文是专家小组截至2016年1月的调查结果。

向空军的转让和可能的转让

132. 本节的信息通过监测空军社交媒体网页获得，并得到专家小组现场观察和(或)会员国和其他来源提供的资料证实。

133. 在革命后，空军机队大体损失殆尽。空军参谋长 Saqr Jarushi 努力恢复机队，包括使用遵守军火禁运和违反禁运的手段。专家小组报告了先前数次未通知的转

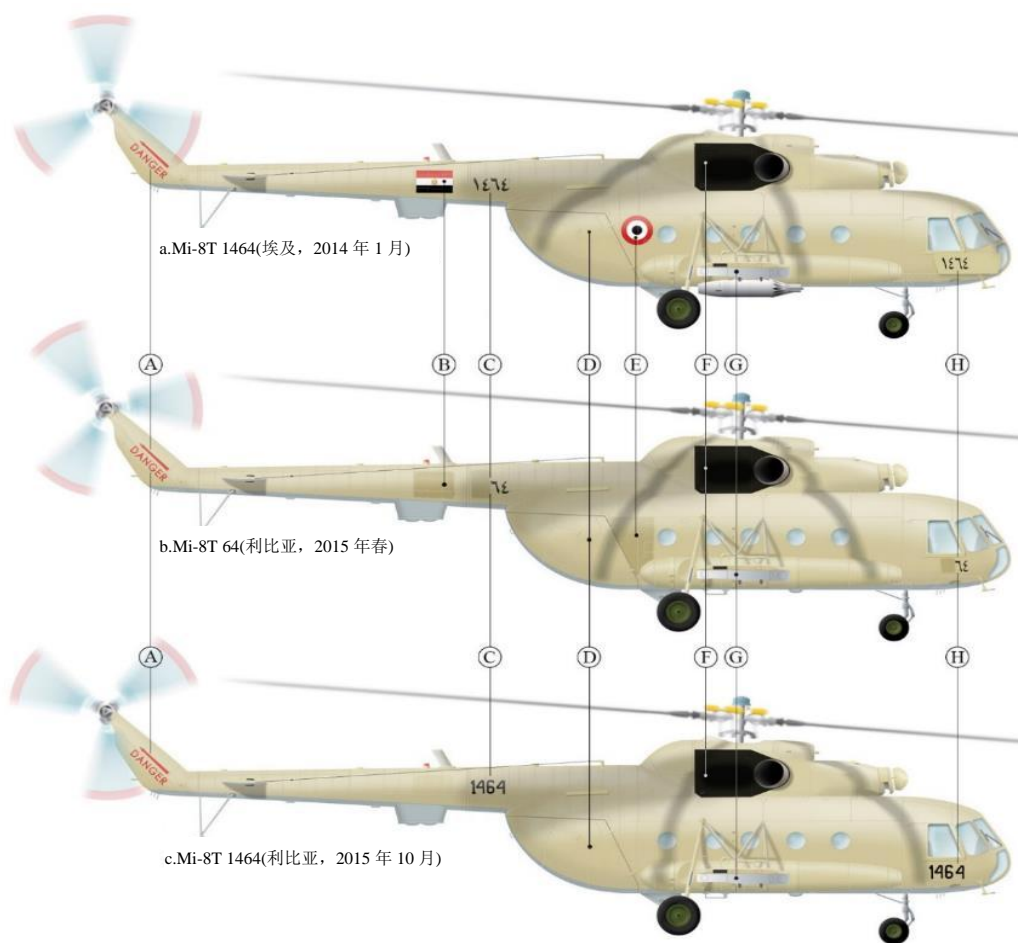
³⁷ 2014年12月，临时政府告知委员会，国民军参谋长 Nadhouri 将军是唯一获得授权可申请军火禁运豁免并签署最终用户证书的人。

³⁸ 可查阅 www.facebook.com/wajaak/videos/1686249688285048/。

让, 包括 2012 年从苏丹(见 S/2014/106, 第 85 段及其后各段)以及 2014 年从埃及(见 S/2015/128, 第 167 段及其后各段)向利比亚东部转让直升机。

134. 空军获得更多米 8 型直升机, 其中至少有一架(尾翼编号 1464)与专家小组认为最近转让的埃及米 8 型直升机一致(见图二和表一, 其中比较了一架 2014 年记录尾翼编号为١٤٦٤(1464)的埃及米 8 型直升机、一架 2015 年在利比亚记录的米 8 型直升机, 其尾翼编号被部分涂掉, 但结尾数字是٦٤ (64)、³⁹ 一架数月后在利比亚记录的尾翼编号为 1464 的米 8 型直升机)。⁴⁰ 专家小组请埃及确认, 在埃及机队中是否(曾经)有过一架尾翼编号以٦٤结尾的米 8 型直升机。专家小组正在等待答复。

图二
直升机比较



来源: 专家小组。

³⁹ 飞机的原始照片由保密消息来源提供, 专家小组无权公布。专家小组已把证据纳入安全的联合国档案。

⁴⁰ 埃及军用飞机使用印度数字, 利比亚使用阿拉伯数字。

表 1
三架直升机上发现的可见识别特征

A	所有三架直升机有类似的“DANGER”标识
B	(a) 有可见的埃及空军旗帜, (b) 有涂抹痕迹
C	埃及空军直升机有印度数字“1464”(a), 2015 年春在利比亚看到的直升机有印度数字“64”, 并有前两位数字被抹去的清晰痕迹(b), 2015 年 10 月直升机上有手绘阿拉伯数字“1464”(c)
D	所有三架直升机有类似的迷彩图案: 整体米色机身, 下表面为浅灰色
E	(a) 有埃及空军军徽, (b) 有涂抹痕迹
F	所有三架直升机有类似的纯黑色长方形排气罩面
G	所有三架直升机有类似的 2X2 武器架
H	埃及空军直升机有印度数字“1464”(a), 2015 年春在利比亚看到的直升机有印度数字“64”, 并有前两位数字被抹去的清晰痕迹(b), 2015 年 10 月直升机上有手绘阿拉伯数字“1464”(c)

135. 专家小组正在调查最近向图卜鲁格转让米格 21F 喷气机(见图三)事件。这些飞机似乎与埃及拥有的飞机一致。埃及空军官方 Facebook 网页上发布的信息和图片大致上证明了这次转让(见附件 28)。专家小组向埃及提供了其中一些飞机的序列号, 但迄今未收到对追踪请求的答复。

136. 专家小组向制造国提供了相同的制造商序列号, 并请求提供有关原最终用户的信息。正在等待答复。

137. 专家小组联络了埃及, 以获得关于上述转让的更多信息, 并向其提供了反驳指控的机会。埃及的答复是, 专家小组关于转让的信息不正确, 埃及完全致力于执行第 1970(2011)号决议和随后的有关决议。

图三
最近转让给利比亚空军的米格 21F 喷气机



来源：保密，图卜鲁格，2015 年。

138. 专家小组又注意到，空军最近获得了数架米-24 直升机。小组正在调查转让过程，并请一个会员国在这方面提供支持。

139. 最后，专家小组注意到，在利比亚东部数个型号飞机得到翻修，这表明空军可能已从国外获得备件和技术支持。专家小组在继续调查。

调查来自阿拉伯联合酋长国的转让的指控

140. 专家小组约谈了数个在阿拉伯联合酋长国和利比亚运营的军用物资生产商、中间商和运输公司。它们都声称，阿拉伯联合酋长国非常严格地监督军用物资向利比亚的转让活动，包括向贝达、图卜鲁格和津坦的转让活动。据它们说，阿拉伯联合酋长国不会为向的黎波里或米苏拉塔出口任何类型的军用物资发放许可证。它们还提到，利比亚驻阿拉伯联合酋长国大使发挥作用，帮助给转让排除障碍，并传送来自图卜鲁格的申请。

141. 专家小组一直在调查 2014 年 10 月从阿拉伯联合酋长国 Minhad 空军基地起飞、途径约旦飞抵利比亚的航次，其操作者为 Veteran Avia。专家小组联系了阿联酋和约旦这两个会员国。前者没有答复，后者说未侦测到任何从阿拉伯联合酋长国经约旦飞往利比亚的航次。但空中交通数据显示确实有这些飞行。尽管如此，但约旦坚持其立场。2016 年 1 月，Veteran Avia 的注册国亚美尼亚证实，确有这些从阿拉伯联合酋长国到利比亚的飞行，曾在约旦中途停留，并说这些飞行是为了运输人道主义援助物资。专家小组在继续调查。

142. 专家小组正在调查向利比亚转让装甲运兵车的活动，其中大部分运兵车来源于阿拉伯联合酋长国(见附件 29)。自第 2095(2013)号决议通过以来，军火禁运

规则不再禁止向利比亚政府转让非致命物资。但鉴于利比亚武装部队的组织结构不够清晰，专家小组难以确认一些装甲运兵车和其他物资的最终用户是否可被认为隶属于政府(见建议 1)。

143. 最后，专家小组获得了一些电子邮件的副本，似乎是阿拉伯联合酋长国政府关于如何应对专家小组的内部沟通邮件。这一系列邮件(见附件 30)包括一封来自专家小组协调员的邮件，从而证实从阿拉伯联合酋长国当局泄露了内部文件。此外，还有显然就该讯息发送的邮件，其中表示，鉴于阿拉伯联合酋长国违反军火禁运，该国必须小心应对专家小组。专家小组与阿拉伯联合酋长国联系，要求其作出澄清，但未得到任何辩驳或评论意见。

为利比亚国民军及其在津坦的盟友获得军用物资提供中介服务的国际贩运网络

144. 2014 年 11 月，利比亚国民 Abdurraouf Eshati 在大不列颠及北爱尔兰联合王国多佛被捕。他当时躲在一辆卡车车厢内试图离开联合王国。⁴¹ 在他手机里发现的一些文件和资料涉及一桩弹药交易，数额为 2 850 万美元，交易对象是与 Sawa‘iq 旅和 Al-Qa‘qa‘旅关系密切的津坦人员。文件还包括有关租用飞机运送弹药的信息。2015 年 11 月，Abdurraouf Eshati 对两项指控供认不讳，包括为恐怖主义目的拥有军火，并被判 6 年徒刑。

145. 调查曝光了一个包括埃及人、利比亚人和意大利人的复杂网络。根据起诉，Eshati 先生参与为利比亚主要涉案者 Ibrahim al Tumi 翻译文件。后者使用国民军参谋长 Nadhoury 将军签署的文件。

146. 主要的中介代理是意大利人 Franco Giorgi。他从利比亚客户那里收取了转让的第一期付款。但这笔钱显然在意大利被盗，Franco Giorgi 于 2015 年 3 月前往利比亚，可能是与客户讨论这个问题。从那时起，他一直被扣留在利比亚。⁴²

2. 向武装团体的转让军用物资

147. 专家小组不断收到信息，表明向武装团体、特别是的黎波里和米苏拉塔的武装团体转让武器。小组正在继续调查。本节介绍专家小组截至 2016 年 1 月的调查结果。

148. 专家小组在 2015 年 8 月与国民议会和救国政府代表会晤时获悉，的黎波里国防部设有一个采购司。代表们马上补充说，该司仅处理非致命装备，因为武器和弹药是被禁止的。这番话进一步表明，他们不了解关于非致命装备的禁运规定。

⁴¹ 见 John Simpson, “Libyan in £19m arms deal posed as Welsh imam”, Times, 2015 年 10 月 27 日, 可查阅 www.thetimes.co.uk/tto/news/uk/crime/article4597154.ece。

⁴² 见“*Ascoli, Giorgi è prigioniero in Libia-presto sarà libero, ma non ha medicine*”, Corriere Adriatico, 2015 年 5 月 29 日, 可查阅: www.corriereadriatico.it/ASCOLIPICENO/ascoli_giorgi_libia/notizie/1381923.shtml。

在这种情况下，转让非致命装备是违反禁运规则的，因为只有临时政府才能在不事先申请豁免的情况下接受非致命军用物资。

149. 专家小组得到文件，表明黎波里国防部一直在发放用于进行军火交易的最终用户证书(见附件 31 和 33)。

150. 最近向专家小组提供的信息表明，外国公司目前可能向黎波里的一些民兵提供安保培训。这将构成违反军火禁运。专家小组正在继续调查。

调查关于土耳其转让活动的指控

151. 有关先前所报告调查的最新信息见附件 32。

与一家土耳其注册公司所作交易有关的最终用户证书

152. 2015 年，专家小组得到一份来自救国政府国防部的最终用户证书，其中提到救国政府总理 Khalifah Ghwel。该证书用于购置大量小武器、轻武器以及相关弹药(见附件 33)。根据该文件，弹药拟由一家设在土耳其的公司提供。专家小组联系了土耳其。土耳其回应称证书是“可疑的”，并已经联系了该公司的代表。该代表解释说，一些自称“利比亚政府”代表的人曾找到该公司，提议在利比亚做生意。专家小组联系了该公司的代表，正在继续调查。

收缴驶向米苏拉塔的 Haddad 1 号船装载的武器和弹药

153. 2015 年 9 月，有媒体报道，在希腊克里特岛缴获了从土耳其到米苏拉塔 Haddad 1 号船(海事组织编号 74113921)上装载的武器和弹药。⁴³ 土耳其随后联系了专家小组，并解释说媒体有些混淆，因为武器是运往黎巴嫩的，弹药是运给苏丹警方的。

154. 2015 年 12 月，专家小组前往克里特岛检查被收缴的物品，其中包括 2 个集装箱，运载的是 Torun 武器公司生产的 5 000 件武器和 Yavaşçalar 公司生产的 500 000 发弹药。这些物品藏在普通货物后面(见图四和五)。两个生产商都在土耳其注册。⁴⁴ 专家小组仔细检查了在船上发现的证据，包括驾驶台上的海图和货物清单。清单显示集装箱预定在米苏拉塔卸载，但仅提到“塑料垫”和“家用物品”(见附件 34)。在塑料垫后面发现了弹药，在家具后面发现了武器。船员在初步审讯期间提供的信息证实，集装箱预定在米苏拉塔交付。专家小组在希腊收集的任何文件或资料都没有提到黎巴嫩或苏丹。

⁴³ 见 Umberto Bacchi, “Greece: seized cargo ship Haddad 1 concealed 5 000 shotguns for Libya Islamists”, *International Business Times*, 2015 年 9 月 3 日, 可查询: www.ibtimes.co.uk/greece-seized-tanker-haddad-1-concealed-5000-shotguns-libya-islamists-1518372。

⁴⁴ 分别见 <http://torunarms.com/> 和 www.yavascalarm.com.tr/。

图四
Yavaşalar 制造的 9 x 19 毫米口径弹药



来源：专家小组，希腊伊拉克利翁，2015 年 12 月。

图五
各类 12 号口径霰弹枪，包括泵动式霰弹枪



来源：专家小组，伊拉克利翁，2015 年 12 月。

155. 土耳其提供了证实 9 月所报告信息的文件副本, 包括一份货物清单, 看似与船长提供的货物清单非常相似, 但该清单有一页是不同的(见附件 34)。

156. 虽然集装箱识别号码是相同的, 但土耳其提供的文件指出, 集装箱预定运至贝鲁特, 收货人是一家黎巴嫩公司和苏丹警察部队。专家小组请黎巴嫩和苏丹确认信息, 但它们迄今没有回应。

157. 专家小组将继续调查, 但注意到这些军用物资显然有伪装, 包括在集装箱里和船长提供的货物清单上。专家小组认为如果武器和弹药的转让是合法的, 无需隐瞒装载的货物。

158. 专家小组已记录到, 从利比亚运出前被没收的军用物资中, 有 Yavaşçalar 产弹药和 Torun Arms 产霰弹枪, 表明以前有人违反武器禁运将这些公司制造的物资运往利比亚。土耳其确认了该信息并提供了数据(见附件 35)。

159. 最后, Haddad 1 号船已参与向利比亚非法运送武器弹药。专家小组 2015 年 7 月访问图卜鲁格时, 当局报告近期缉获了该船上运往米苏拉塔的 4 集装箱武器弹药。根据海事数据, Haddad 1 号于 2015 年 6 月驶往图卜鲁格。

未经通知从苏丹转让的军用物资

160. 根据两个会员国以及武装团体的利比亚和苏丹代表提供的资料, 苏丹继续违反军火禁运向利比亚转让军用物资, 其中一些通过公路转运, 但以空运为主。

161. 专家小组此前曾报告过一些苏丹违反武器禁运的情况, 包括在革命期间(见 S/2015/128, 第 175 段), 向利比亚空军供应作战直升机(见 S/2014/106, 第 85 段), 的黎波里的武装团体使用苏丹生产的弹药(同上, 第 82 段), 以及在 2014 年用飞机向库夫拉转运军用物资(见 S/2015/128, 第 178-180 段)。

162. 在上一份最后报告中, 专家小组还详细报告了苏丹军用货机定期飞往由与利比亚黎明联盟有关联的团体控制的 Mitiga 机场的情况(见图六), 包括 2014 年 7 月至 10 月的情况(S/2015/128, 第 175 段及附件 25)。专家小组获得了关于向 Mitiga 运送军用物资的航次的更多证据, 但无法确定货物的确切性质。专家小组就这一问题与苏丹进行了联络, 但没有得到回应。

图六
苏丹空军 C130 型飞机，Mitiga 机场，2014 年 10 月 1 日



资料来源：保密。

163. “冲突军备研究”组织⁴⁵ 是一个监测非法武器和弹药流通的研究组织。2015 年 7 月，该组织在塞卜哈记录到禁运后苏丹生产的弹药，这是被米苏拉塔第三部队缴获或回购的一批军用物资的一部分。这些弹药的来源包括：交战后从其他武装行为体处夺取的，在检查站搜查时没收的，或在回购活动中于当地购取的。在没收行动中收缴的若干类型的弹药与苏丹国有军事工业公司⁴⁶ 生产的军用物资一致(见表 2)。

表 2
在利比亚记录到的禁运后苏丹生产的 7.62×39 毫米弹药

弹药	标识	生产年份	记录于
 <p>资料来源：专家小组</p>	2 39 011	2011	的黎波里，2013 年

⁴⁵ 见 www.conflictarm.com/。

⁴⁶ 见 www.mic.sd/pages/ar/home。

 <p>资料来源：冲突军备研究</p>	1 39 011	2011	塞卜哈，2015 年
 <p>资料来源：专家组</p>	1 39 12	2012	的黎波里，2013 年
 <p>资料来源：冲突军备研究</p>	1 13 39	2013	塞卜哈，2015 年

在塞卜哈记录到的其他禁运后生产的军用物资

164. “冲突军备研究”组织还记录到与中国和俄罗斯生产的军用物资一致、在实施武器禁运后制造的弹药，此前在利比亚未曾记录到这类弹药，委员会也未曾收到过就这类弹药提交的任何通知或豁免请求(见表 3)。

表 3
2015 年 7 月在利比亚记录到的符合中国生产特征的弹药

弹药	口径(毫米)	标识	生产年份
	7.62 x 39	811 11	2011
	7.62 x 39	71 13	2013
	7.62 x 54R	945 11	2011
	7.62 x 54R	945 12	2012
	12 x 108	11 13	2013

资料来源：冲突军备研究，塞卜哈，2015 年 7 月。

165. 专家小组与中国联络，查询弹药转让过程。中国答复说自实施武器禁运以来未向利比亚出口武器或弹药，但并未提供信息让专家小组能进一步调查经手过程。

166. 最后，“冲突军备研究”组织还在塞卜哈记录到装在符合苏丹包装特征的包装箱中的中国产弹药，表明苏丹有可能将其武库中的军用物资转让到利比亚(见图七)。

图七

装有中国产弹药的符合苏丹包装特征的包装箱



资料来源：冲突军备研究，塞卜哈，2015年7月。

167. 专家小组还联络了俄罗斯联邦，以获得关于符合俄罗斯生产特征弹药的信息(见图八)，帮助专家小组查明转让过程。目前仍在等待回应。

图八

产于2012年的符合俄罗斯生产特征的7.62 x54R毫米弹药



资料来源：冲突军备研究，塞卜哈，2015年7月。

关于航空能力和雇佣军的调查

168. 专家小组注意到，在米苏拉塔空军基地活动的有 15 至 20 架飞机，包括“幻影”、L39、“猎鹰”、米格、米-8 型飞机。专家小组认为，这些飞机的翻修和驾驶（在某些情况下）及其弹药的提供都需要外部支助。

169. 根据最近的媒体报道，一名美国国民弗雷德里克·施罗德一直在驾驶该空军基地的飞机。⁴⁷ 专家小组与他进行了联络。他承认自己在回应一个关于打击伊黎伊斯兰国的飞行员在线招聘广告后，在 2015 年 6 月前往米苏拉塔驾驶飞机。随后，约旦、摩尔多瓦共和国和乌克兰等国的国民对其进行面试，将其聘用。

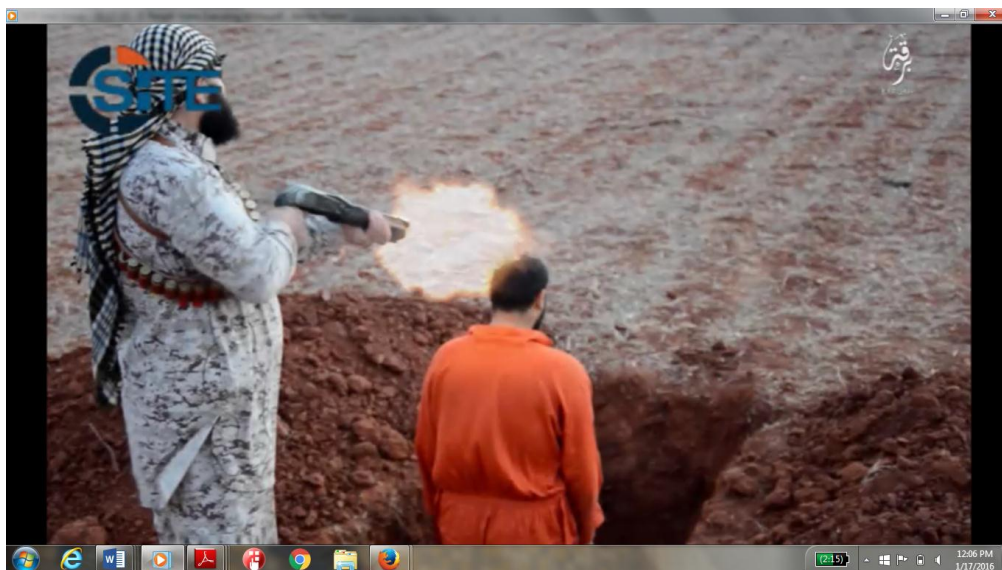
170. 几个消息来源证实，米苏拉塔的武装团体一直在招募外国飞行员驾驶幻影 F1 和 L39 飞机，包括厄瓜多尔人和乌克兰人。消息来源还提到飞机由一组厄瓜多尔人维护。参与招募活动的某经纪公司属于一名曾参与转让非法武器的美国/约旦籍国民。同样的消息来源称，在米苏拉塔空军基地使用的弹药和零配件由外国提供。专家小组与上述会员国进行了联络。

转让霰弹枪、猎用来复枪和相关弹药

171. 在利比亚销售霰弹枪、猎用来复枪和相关弹药仍然是一个有利可图的行业。涉及这类军用物资的违反武器禁运案件很多。平民和武装团体都使用这类军用物资。2015 年，伊黎伊斯兰国在实施处决时使用了霰弹枪（见图九）。此外，此类军用物资扩散到利比亚以外地区、特别是埃及和突尼斯的情况也经常发生。附件 35 提供了以往违反禁运案件的最新情况以及关于最近案件的调查结果。

⁴⁷ 见 “Quand le Qatar et la Turquie payent des pilotes mercenaires pour bombardier en Libye”, Menadefense.net, 可查阅 www.menadefense.net/2015/12/09/qui-est-le-contractor-blanc-qui-pilote-des-mirages-en-libye/。

图九
 伊黎伊斯兰国在利比亚东部用霰弹枪处决一名男子



资料来源: http://sitemultimedia.org/video/SITE_IS_BarqahProvince_Reaping_Awakenings.mp4。

3. 今后可能向民族和解政府转让军用物资

172. 尽管成立了民族和解政府,但挪用和滥用军用物资的风险依然很高。因此,专家小组认为,不应当过早地放松武器禁运规定。现有规定只允许为政府作出豁免,禁止向非国家行动体转让。如果委员会成员不反对豁免请求,按照豁免程序将足以获得所需军用物资。

173. 在当前形势下,正如专家小组以前报告的那样,如果改用一种类似第 2174 (2014)号决议通过前采用的通知程序,则将再次允许威胁到利比亚和平、稳定或安全的转让。其缺陷包括军用物资被挪用、各种利比亚“代表”非正式同意武器交易、转让给身份不明的最终用户、经通知后转让的军用物资失控扩散。

174. 为对付这些威胁,关键是利比亚当局和出口方要执行可核查的实质性管制措施。这些措施应包括:强制出口会员国提供详细的交货前信息和交货后通知,如第 2 号执行援助通知所述;在联合国地雷行动处的支持下,实行有效的库存管理和监督措施;国际社会定期现场监察库存和观察今后可能的交付,以支持民族和解政府(见建议 3、4 和 7)。

175. 因此,需要一套严格的采购制度,以避免武器流入或扩散到武装团体手中。为协助委员会审议向民族和解政府转让物资的豁免请求,政府应设立采购委员会,负责决定所有军用物资的采购事宜(见建议 2 和 6)。

E. 利比亚对外转让军用物资

176. 尽管利比亚国内对于军用物资的需求有所增加，但该国仍在继续将这类物资转让给国外、特别是转让给恐怖主义团体。武器贩运活动表明利比亚武装团体和在该区域活动的武装团体之间增强了合作。

177. 有关武器被转运出利比亚的调查需要该区域各会员国更大力度的支持。尼日尔和突尼斯一直非常合作，但其他邻国以及法国“新月形沙丘行动”虽经常缴获源于利比亚的军用物资，却不报告信息，而且有时不应要求分享必要的详情，或不允许专家小组查验这些物资。尽管专家小组请求提供关于武器转让的信息，但阿尔及利亚、乍得、尼日利亚、苏丹在专家小组当前任务期内未向其提供数据。

178. 委员会和专家小组收到了希腊、意大利和土耳其根据第 2213(2015)号决议第 19 和 20 段提供的有帮助的缴获报告。专家小组认为，此种做法也应如第 3 号执行援助通知所规定的那样适用于公路运输情况(见建议 5)。

1. 经东部边界的转让活动

对埃及的转让活动

179. 专家小组此前曾强调指出有大量武器从利比亚流向埃及(见 S/2014/106，第 159 段及其后各段；S/2015/128，附件 33)。在当前任务期内，专家小组注意到媒体有更多关于向埃及转让武器的报道，并前往埃及和以色列以获得更多关于涉网的信息。专家小组虽然获得了关于埃及 2015 年缴获的来自利比亚的武器的有用数据，但希望今后得到更多来自埃及的支助，以便了解贩运动态，并查明确切的违反禁运者(见附件 36)。

对阿拉伯叙利亚共和国的转让活动

180. 自 2012 年以来，专家小组已报告了武器从利比亚转让到阿拉伯叙利亚共和国或在运往阿拉伯叙利亚共和国途中被没收的若干案件(例如，见 S/2014/106，第 164 段及其后各段；S/2015/128，附件 33)。在当前任务期内，专家小组收集了证实先前转让的补充证据，但未发现有关近期转让的信息。

181. 专家小组证实，存在一个设在利比亚的网络，在利比亚革命后向叙利亚叛乱分子提供后勤支援，包括大量武器。其中包括在内务部和国防部担任公职的利比亚人。最初，该网络依赖于从利比亚境内收集的武器，但很快开始寻求外部货源，有些货物甚至根本不通过利比亚。到目前为止，该网络已被发现卷入至少三起向阿拉伯叙利亚共和国转让的活动，还有更多正在调查之中。详见附件 37。

182. 虽然专家小组无法证实该网络的直接参与，但值得注意的是，*Nour M* 号船只(国际海事组织编号：7226627)似乎也将利比亚作为虚假目的地。该船 2013 年

11月在希腊被拦截时载有55个集装箱的武器和弹药(见S/2015/128,第142段及其后各段和图十)。由利比亚国防部前副部长Khalid al-Sharif签署的转让文件显示利比亚为最终目的地。但是,专家小组根据海上交通数据和一位船员的声明确定,该船并非前往利比亚,而是前往土耳其伊斯肯德伦。原定这批货物随后由一个身份不明的团体从土耳其转运到阿拉伯叙利亚共和国。调查的详情载于附件38。

图十

Nour M号运输的集装箱货样,14.5毫米弹药



资料来源:专家小组,希腊,2014年10月。

183. 2012年9月美国驻班加西领事馆遭到袭击后,从利比亚东部向阿拉伯叙利亚共和国的转运活动被大量媒体报道。美国官方调查报告披露,美国中央情报局配楼当时正在收集关于在利比亚收集武器并协助将武器运往阿拉伯叙利亚共和国的外国实体的情报。⁴⁸ 专家小组多次同美国联络,以获得更多信息,正在等待答复。

⁴⁸ 见 United States, House of Representatives, Permanent Select Committee on Intelligence, Investigative Report on the Terrorist Attacks on U.S. Facilities in Benghazi, Libya, September 11-12, 2012 (2014年11月21日),可查阅: <http://intelligence.house.gov/sites/intelligence.house.gov/files/documents/Benghazi%20Report.pdf>, 和 United States, Senate Select Committee on Intelligence, Review of the Terrorist Attacks on US Facilities in Benghazi, Libya, September 11-12, 2012 together with Additional Views (2014年1月15日),可查阅: http://fas.org/irp/congress/2014_rpt/benghazi.pdf。

184. 最后，专家小组在 2014 年 12 月访问大马士革期间，听取了叙利亚当局对一系列从利比亚向阿拉伯叙利亚共和国转让武器案例的通报，并获得了一份关于可能源自利比亚的武器清单。专家小组要求追踪 20 支 FN FAL 步枪，其中大多数最初是比利时在武器禁运实施前转让给利比亚的。这进一步证实发生了从利比亚到阿拉伯叙利亚共和国的转让(见附件 39)。

2. 经西部边界的转让活动

185. 自从专家小组提交上一份最后报告以来，突尼斯经历了几次重大恐怖主义袭击。伊黎伊斯兰国在利比亚的扩张正在对突尼斯的恐怖主义威胁产生重大影响。据当局称，恐怖分子在突尼斯使用的绝大多数武器来自利比亚。

186. 突尼斯军方除了缴获与恐怖主义有关的军用物资外，还在突尼斯南部拦截来自利比亚的车队，包括一些前往阿尔及利亚的车队，从中缴获了军用物资，包括突击步枪和通用机枪的弹药(见图十一至十三)。专家小组获准查验这些弹药。有关对突尼斯转让活动的资料载于附件 36。

图十一

从苏塞的一个恐怖主义分子武器储藏处缴获的武器



资料来源：突尼斯内务部，2015 年 12 月 1 日。

图十二
在突尼斯缴获的 7.62×39 毫米的弹药



资料来源：突尼斯内务部，2015 年 12 月。

图十三
在突尼斯缴获的 7.62×54R 毫米的弹药



资料来源：专家小组，突尼斯，2015 年 12 月。

3. 经南部边界的转移活动

187. 从利比亚向马里和尼日尔转让武器活动的强度有所下降，这在很大程度上归功于“新月形沙丘行动”。但是，过去 18 个月中，仍从各种行为体手中缴获了来自利比亚的几批军用物资(见图十四)，表明该国仍然是萨赫勒地区武装团体一个重要的武器来源。

188. 在尼日尔拦截了前往马里的车队，参与向其提供军用物资的利比亚武装团体包括“Desert Shield 8”(见第 209 段)以及 Ahmad al-Ansari 领导的“Katiba 315”和奥巴里的“Katiba Ténéré”的成员。这些团体在利比亚南部和北部收集军用物资，将其卖给萨赫勒地区的武装团体成员或中间商。

189. 专家小组在 2015 年 10 月访问了尼日尔，获得了关于目前在利比亚与马里和尼日尔之间尤为活跃的武装团伙和贩毒网络的信息。对 2014 年和 2015 年在尼日尔北部的车队被捕人员进行了审问。审问记录表明，伊斯兰马格里布基地组织(QDe.014)、伊斯兰后卫(QDe.135)、阿扎瓦德民族解放运动、西非唯一性与圣战运动(QDe.134)、独立纳赛尔主义运动(QDe.141)正在接受来自利比亚的支助，途径是由这些团体在当地定居的成员操办，或其成员临时建立联系和进行访问，收集金钱、武器和作出其他后勤安排。

190. 法国在 2015 年 2 月和 12 月向专家小组提供的信息显示，马里武装团体、包括恐怖主义团体使用利比亚军用物资的情况仍很多，已经在若干武器储藏处记录到这种情况。联合国马里多层次综合稳定团联合分析中心证实了这一消息。

191. 更多信息见附件 36。

图十四

2015 年在尼日尔北部 Tebu 族武器贩运者处发现的武器



资料来源：专家小组，尼亚美，2015 年 10 月。

六. 资助武装团体

A. 以公共资金提供资助

1. 直接支助

192. 专家小组获得了两张中央银行支票的副本，支票总额为 600 万利比亚第纳尔，收款方表面上是班加西革命者协商委员会(见附件 40)。如果支票是真的，这意味着的黎波里的国防部向班加西革命者协商委员会的一部分、被联合国列名的班加西安萨尔旅提供了央行资金。在的黎波里以外地点工作的央行雇员解释说，虽然他们无法核实交易，但支票看上去是真的。的黎波里的央行管理方没有答复专家小组进行澄清的一再要求。

193. 的黎波里的“Sumud Front”是反对《利比亚政治协议》最坚决的派系。有人指控国民议会用应急基金向其提供了 1.03 亿美元。专家小组正在调查此事。有一个可疑预算编制的例子广为人知，显示国家资金有可能被挪用，而且可能挪用给武装团体。救国政府的石油部长公开指责该政府总理收到了来自中央银行的 10 亿利比亚第纳尔的预算外资金，而现在资金下落不明。⁴⁹ 专家小组希望民族和解政府在的黎波里成立后，能获得更多信息。

194. 鉴于上述情况，专家小组要求中央银行管理方让其查阅国防部 9 个账户 2014-2015 年的对账单。

2. 薪金

195. 正如以往所报告的那样(见 S/2015/128, 第 190 段)，应征入伍的战斗人员仍被付以政府薪金，不论其当前属于哪个部队、人权记录如何。的黎波里的中央银行管理方解释说，国防部和内务部工作人员的所有薪金继续按照(不变的) 2014 年 7 月前名单支付，直接存入个人银行账户。

196. 未对这些款项进行审查或监测，这是一个严重问题。原先(名义上)在利比亚各部委管理下运作的各部队和战斗人员现在分散到了利比亚交战各方和各派当中。毫无疑问，目前该国至少向一些被联合国列名的恐怖主义组织战斗人员和参与最严重侵犯人权行为的武装集团成员支付薪金(见建议 16 和 20)。

3. 补贴产品交易

197. 利比亚补贴制度导致燃料、面粉、番茄酱、糖、茶、大米、面条等补贴产品的黑市价格有巨大利润空间，为武装团体和犯罪网络提供了额外收入。

⁴⁹ 见“Al Zway: we will contest Ghwel’ s decisions”，Ayn Libya, 2015 年 12 月 7 日，可查阅：www.eanlibya.com/archives/45956。

B. 攫取自然资源

198. 专家小组继续收到关于在利比亚境内外走私燃料的报告。走私活动助长了黑市，为地方武装团体和犯罪网络提供了一个重要收入来源(见建议 25)。

199. 西部的国家石油公司 2015 年 7 月 27 日发表声明，请政府和其他相关机构立即采取行动制止燃料走私，称这种活动正在耗尽国家的自然资源(见附件 41)。在该声明发表之前，多米尼加共和国逮捕两名意大利人，原因是他们参与了向意大利海军销售燃料但未交货的欺诈案(国际刑事警察组织对其中一名嫌犯的红色通缉令见附件 42)。

200. 由于利比亚经济状况严峻，又缺少任何正式的安全机构，给燃料走私猖獗创造了理想条件。西北海岸的祖瓦拉镇是走私收入特别高的一个地区。

1. 作案手法

201. 从祖瓦拉走私的燃料来自扎维耶炼油厂。该厂精炼从利比亚其他运油码头收到的原油。扎维耶厂还接收来自国外的精炼产品，存储在该厂。燃料随后分发给周围地区的供应商，但也大量出售给走私者。

202. 走私燃料的船只从马耳他向南航行到距离利比亚海岸 40 至 60 海里处，在那里关闭自动识别系统。它们在装货之后返回马耳他。这些船只在马耳他领水之外距离海岸至少 12 海里处漂泊，将燃料卸载到其他船只上运到岸边。

2. 扎维耶炼油厂

203. 该炼油厂的安全据称由两个武装团体来保证：一个是 Mukhtar Akhurash 领导的库夫拉旅，属于石油设施警卫队，另一个是身份不明的团体。实地的消息来源称，非法销售燃料的只是该身份不明的团体，而不是库夫拉旅。很难准确查明该团体的指挥系统。专家小组仍在调查该团体的参与情况。

3. 祖瓦拉走私者

204. 几个家族运营着祖瓦拉的燃料走私生意。这些家族现在参与或曾经参与其他类型的走私活动，如走私人口、香烟或毒品。其中有些还在塞布拉塔等其他地点运作。

205. 专家小组收集了关于 Fahmi bin Khalifah(又称为 Fahmi Salim)运营的网络的信息。他控制着一个民兵组织，也是一个马耳他公司 ADJ 贸易有限公司的股东。他还担任一家利比亚公司 Tiuboda 石油和天然气服务有限公司的董事会主席，该公司申请了从利比亚向马耳他进口燃料的许可证。据马耳他当局称，该申请由于利比亚局势而被驳回。

206. 马耳他当局了解 ADJ 贸易有限公司所开展的活动以及用于走私燃料船只, Basbosa Star 号(国际海事组织编号: 8846838)和 Amazigh F 号(国际海事组织编号: 7332488)。关于 Salim 网络的研究见附件 43。

4. 涉及走私燃料的被扣押船只

207. 2015 年, 利比亚海岸警卫队在祖瓦拉附近扣押了一些船只, 因为它们被指参与走私燃料。附件 44 提供了相关信息。

C. 从其他来源筹资

1. 走私

208. 专家小组调查了武装团体通过利比亚领土贩运人口的潜在利润。显然, 尽管这些团体目前不是走私活动的主要组织者, 但它们的确为提供协助和“保护”而获得金钱。库夫拉、艾季达比耶、祖瓦拉、塞布拉塔、塞卜哈、盖特龙、奥巴里、班加西、贝达的团体都参与其中(见建议 25)。⁵⁰ 专家小组得以查明武装团体的参与情况, 包括艾季达比耶的伊斯坦布尔旅(见附件 45)。⁵¹

209. 走私武器和毒品也仍然是武装团体和犯罪网络的一个重要收入来源(见建议 25)。称为“Desert Shield 8”的团体在 Bahr al-Din Maydun 领导下在 Fazzan 活动, 同时参与了这两种走私活动。专家小组还在调查的黎波里的一个武装团体和米苏拉塔的一个团体的活动。由于武装团体控制领土和检查站, 走私者不得不与其合作。

2. 敲诈、绑架、收保护费

210. 专家小组收到的多份报告称, 的黎波里的武装团体从事对大小企业进行黑手党式勒索敲诈的行当。几名公共和私营金融部门的高级雇员表示, 他们在 2015 年受到武装团体的人身威胁。在一个案例中, 中央银行的雇员受到 Haytham al-Tajuri 及其同伙的威胁, 目的是获取信用证和加快流程。文件记录显示, 敲诈者获得了金额超过 2 000 万美元的信用证(见附件 46)。

211. 武装团体还通过收取保护费从正规经济中获利。在专家小组记录到一起案件中, 两家相互竞争的建筑公司中的一家似乎在 Abdurra'uf Kara 领导的特别威慑力量的“保护”下运作(见附件 47)。

⁵⁰ 专家小组访谈了来自 6 个国家的移徙者、利比亚走私者以及意大利、利比亚、马耳他和突尼斯政府的官员。

⁵¹ 伊黎伊斯兰国控制的领土是一个重要走廊, 用来将移徙者运至利比亚海岸。虽然一些车队遭到袭击, 但绝大多数都通过了。

212. 以前报告的绑架勒索浪潮继续存在(见 S/2015/128, 第 192 段及其后各段)。专家小组除收到关于人质被迫交出大量资金的报告外, 还收到一份被勒索土地地契的报告。

3. 欺诈

213. 武装团体既开展真实的商业活动, 也从事欺诈性商业活动。欺诈的一个首选形式涉及外币兑换。官方和黑市汇率差价在 2015 年几乎翻了一番, 因此将硬通货带进利比亚极为有利可图。硬通货是通过伪造和虚假申报进口获得的, 以中央银行汇率开发票, 在当地以黑市汇率换成利比亚第纳尔。

214. 的黎波里的中央银行管理方对专家小组解释说, 该行正在打击这种做法, 同时坚称海湾国家应开展更多的审计。一些个人和公司的账户的确已被冻结, 但一名利比亚金融专家称, 数百个账户仍在使用。

4. 抢掠

215. 武装团体 2015 年继续通过抢掠牟利。在这方面, 专家小组强调指出, 根据的黎波里的中央银行管理方提供的中央银行和商业银行往来文件, 当伊黎伊斯兰国控制苏尔特时, 折合 200 多万美元的资金存放在该镇。

5. 追回前政权成员输出的资产

216. 曾发生一起试图获得 2011 年从利比亚转移到另一会员国的 5 亿多美元资产的事件, 数名经纪人试图从这一交易中牟利。专家小组正在调查救国政府安全人员参与此事的情况。文件表明该交易原打算保持隐秘, 进一步令人质疑这些资产的下落, 特别是令人怀疑其是否被用于支持与救国政府有关联的武装团体。

七. 国家金融机构的统一以及可能导致或造成挪用国家资金的行动

A. 中央银行

217. 专家小组从在商业和金融领域工作的利比亚人以及世界银行和国际货币基金组织负责利比亚的代表那里收集了关于利比亚经济的信息。这些人员的评估是, 2015 年, 中央银行的控制权仍在的黎波里, 由 Sadiq al-Kabir 先生监管, 该行由此处支付所有款项。

218. 2015 年 8 月, Al-Kabir 先生和中央银行一名董事会成员告诉专家小组, 所有公共部门支出都由在的黎波里的该行支付, 包括薪金和补贴。他们解释说, 薪金根据 2014 年 7 月之前的政府薪资单, 按照最近推行的国民身份号码直接支付到个人银行账户。补贴(粮食和燃料等)占 25% 的预算。不过, 2016 年初将改为支付到个人银行账户, 因为这样费用较低。政府开支资金由该行与的黎波里的各部委一起“完全在技术层面上”处理。

219. 2015年7月23日，中央银行东部分支代表和兼任基金组织理事会成员的Ali Salim al-Hibri先生告诉专家小组，他们的活动仅限于分配现金。他们声称自己实际上被切断了与的黎波里的联系，包括监测款项和政策的可能性。他们出示的文件显示，的黎波里方面向其提供的利比亚第纳尔数量不足，而且没有硬通货。商业银行东部分支的代表称，在贸易筹资方面遇到很大困难，很少从的黎波里获得开立设立信用证的许可。

220. 专家小组的评估结论是，中央银行的政策确实反映出其在实际上靠近“利比亚黎明”联盟和国民议会。他们对临时政府方面举措的融资手段加以限制，对的黎波里的优先事项则显示了较为宽容的态度。一个明显的例子是，位于的黎波里的该行承认已停止为临时政府支持的大使馆提供资金。

221. 此外，目前的状况妨碍对紧急情况作出有效人道主义反应，特别是对东部战事活跃的地区而言。

222. 此后，东部的中央银行管理方放弃了以前的克制，在2015年下半年加紧努力控制利比亚金融体系，从而进一步削弱了该机构的统一。其行动包括设立一个单独的石油出口账户(见第241段)，还包括多次尝试直接收取运到的在欧洲印刷的现金。

223. 专家小组约谈了几位参与为公共部门供资的国家金融机构和商业银行高级雇员。他们解释说自己在2015年亲身受到各种武装团体威胁，看到对银行业施加的政治压力普遍加大。

224. 鉴于上述情况，专家小组得出结论认为，利比亚金融体系目前的安排再也站不住脚，迫切需要民族和解政府的监督和保护(见建议18和19)。目前，的黎波里的中央银行业务不能保持中立，因为首都不受民族和解政府控制，而且该行因频频遭受绑架和勒索而闻名。

225. 12月下旬通过第2259(2015)号决议之后，专家小组联系了中央银行两个相互竞争的管理方，询问该行在民族和解政府领导下未来将如何。东部分支答复说，正在等待与候任总理Fayiz al-Sarraj的下次会议，以便更好地理解他的意向，而且改进银行业取决于民族和解政府内部一些关键的任命。的黎波里的央行管理方没有回应。双方都曾表示希望民族和解政府使该行的业务正常化。

226. 最后，专家小组调查了关于伊黎伊斯兰国在苏尔特挪用中央银行资金的潜在风险的报告。苏尔特有一个在卡扎菲统治时期建立的备份银行系统。咨询的所有央银雇员都认为，该分行自2011年以来一直没有运营，设备由于受损或过时已不能使用。因此，控制苏尔特并不会使伊黎伊斯兰国接入国家金融系统或更广泛的环球银行间金融电信协会系统。不过，该场所可能仍持有利比亚银行业所有历史数据，这对任何试图掩盖欺诈交易的人来说可能是有用的。

B. 利比亚投资管理局

227. 利比亚投资管理局(LYe.001)和利比亚非洲投资局(LYe.002)像其他国家机构的情况一样,也有两个分庭抗礼的部分,分别设在的黎波里和马耳他。专家小组的消息来源说,在利比亚临时政府控制下的部分设在马耳他,掌握着财富基金的资产。

228. 2015年11月,专家小组约谈了设在马耳他的利比亚投资管理局的首席执行官 Hasan Bohadi。他表示,管理局按规定由董事会组成,由“国际承认的政府”和众议院在2014年10月任命,他担任董事会主席。

229. 他依据的是利比亚第13号法律,⁵²其中规定由总理担任理事会主席,由理事会任命董事会。他还指出,下列利比亚投资管理局附属机构直接隶属于董事会:利比亚非洲投资局、阿拉伯利比亚对外投资公司、⁵³长期投资局、Oilinvest、利比亚地方投资和发展基金。

230. 专家小组还通过电话联络了利比亚投资管理局在的黎波里的负责人 Abdumajid Braysh。他接触不到该基金的资产。他和 Bohadi 先生都认为,利比亚投资管理局和利比亚非洲投资局目前被冻结的资产应该继续保持冻结状态,以待成立民族和解政府,这也是保护其免于挪用的最好方式。

C. 国家石油公司和执行关于原油的措施

1. 石油部门所受的威胁

231. 2015年,临时政府代表设法建立平行结构和程序,增大了对国家石油公司统一的威胁,也增大了挪用资金的风险。在撰写报告之时,民族和解政府尚未成立,不清楚控制金融机构和国家石油公司的各行为体是否将接受其管辖。

232. 在实地,各种漏洞正在被武装行为体加以利用,它们一直寻求从控制油田、管道和出口码头来获取财政和政治利益,结果给地方冲突火上浇油(见建议14)。虽然伊黎伊斯兰国在2015年和2016年袭击了石油设施(见第70段),但其尚未控制任何设施,也未从开采利比亚原油中获取收入。

233. 民族和解政府控制油气行业的程序和实地设施对于保护该国的主要收入来源至关重要,自革命以来,油气行业已严重削弱,据石油输出国组织称,产量从2012年9月的150万桶下降至2015年11月的38万桶。关于利比亚石油港口和炼油厂状况的概述见附件48。

⁵² 见 www.lia.com.mt/en/what-is-law-13/。

⁵³ 作为利比亚投资管理局(LYe.001)的别名利比亚对外投资公司被列名。

2. 第 2146(2014)号决议的执行情况

234. 2014 年 3 月发生“牵牛花”号事件(见 S/2015/128, 第 236 段)后, 安理会通过第 2146(2014)号决议, 使委员会能够在收到利比亚有关协调人的通知后, 指认企图从利比亚非法出口原油的船只。迄今为止, 利比亚当局没有发出任何通知, 没有船只被指认。

235. 在目前情况下, 第 2146 (2014)号决议所载的指认机制不可执行(见建议 12)。此外, 任命的协调人已经离职, 关于其继任者的信息未传递给委员会。

236. 专家小组收到指控称, 在第 2146(2014)号决议通过后发生非法出口原油活动。国家石油公司的代表一直否认有这种非法贸易, 石油部门的专家也认为这样的转让在现阶段是不可能的。虽然目前尚未获得证据, 但专家小组正在调查这些报告。此种情况如果属实, 则符合第 2213(2015)号决议第 11(c)和(d)段规定的指认标准。

3. 对国家石油公司完整和统一的威胁

237. 中央银行对救国政府采取宽容态度(见第 220 段), 同时临时政府也需要获得收入, 在一定程度上导致双方企图复制国家石油公司的石油出口机制, 威胁到该机构的统一和完整。⁵⁴ 临时政府建立平行的新石油收入支付系统尤其令专家小组感到关切, 因为如果该系统不透明或得不到适当审计, 可能导致挪用公共资金。专家小组已向委员会表示了这种关切。

238. 2015 年 3 月 17 日, 临时政府指出, 国家石油公司的合法主席是 Al-Mabruk Abu Sayf Mrajaa, 在班加西办公。临时政府宣布的黎波里的国家石油公司为非法, 并宣布 2014 年 11 月 27 日之后与其签署的任何合同均不会兑现。

239. 2015 年 4 月, 利比亚常驻联合国代表表示, 虽然 Hariqah、Zuwaytinah、Brega、Ra's Lanuf、Sidrah 的石油港口在政府的控制之下, 但西部的石油港口由“非法当局”控制。他告诉委员会, 由 Mrajaa 先生代表的国家石油公司将根据第 2146 (2014)号决议向委员会通报任何非法出口情况。

240. 不过, 2015 年 6 月, 专家小组会晤 Mrajaa 先生和他的一些工作人员时, 他们并不知道有第 2146(2014)号决议, 使该决议不可能得到执行。他们表示强烈希望与石油公司达成交易并建立平行支付系统, 以确保从这些销售中获得收入。但是, 他们的计划缺乏众议院和临时政府的一致支持,⁵⁵ 因此没有实现。在 2015

⁵⁴ 见“Libya's PM Al-Thinni says Government to run oil sales”, Times of Malta, 2015 年 4 月 6 日, 可查阅 www.timesofmalta.com/articles/view/20150406/world/Libya-s-PM-Al-Thinni-says-government-to-run-oil-sales.562802。

⁵⁵ 2015 年 10 月, 两封写给专家小组但从未通过适当外交渠道送达的信件再次显示, 临时政府内部并非一致支持(见附件 48)。

年 7 月的会议上，中央银行行长 Al-Hibri 先生告诉专家小组说，他已拒绝支持东部的国家石油公司的努力，并拒绝在阿拉伯联合酋长国开立银行账户。

241. 东部的国家石油公司主席(兼任第 2146(2014)号决议协调人)据报在 2015 年 8 月被 Nagi al-Magrabi⁵⁶ 取代。专家小组于 11 月在突尼斯与其举行会晤。他被任命后，东部的公司加紧努力以确保石油交易，9 月在马耳他组织了一次会议，请国际石油公司向其登记并签订新合同。⁵⁷ 该公司还宣布，在埃及的阿拉伯投资银行开设了账户，用于存储石油付款(见建议 13)。当时，该倡议确实得到了 Al-Hibri 先生的支持，他也是央行董事会成员。⁵⁸ 委员会未接到第 2146(2014)号决议协调人有任何变动的通知。

242. 专家小组感到关切的是，控制东部石油设施的武装团体，特别是石油设施警卫队(中部地区)及其领导人 Ibrahim Jadhraan，⁵⁹ 有可能从东部的国家石油公司直接出口石油中获得大量收入。Jadhraan 在 2014 年 3 月就已试图未经政府同意出口原油(“牵牛花”号事件，见 S/2015/128，第 236 段)。他也是昔兰尼加自治的大力倡导者。自 2011 年以来，他指挥下的部队曾在若干场合挑战政府的权威。

4. 对国际公司和石油合同的影响

243. 由于敌对实体争夺石油部门控制权，国际公司难以驾驭目前局势，因此请专家小组提供指导。不过，相关决议缺乏确定指示使得无法提供这种指导，因为没有确定他们应与哪个国家石油公司接触的依据。结果，一些公司决定寻求本国外交部的指导。

244. 尽管东部国家石油公司向各国际石油公司发出警告(见附件 52)，但迄今没有采取任何行动，原有合同已经兑现，在东部公司控制的港口装货，而且派出的油轮没有报告任何事件。一些石油公司决定公开选边站，其中一些公司宣布支持西部公司。⁶⁰

⁵⁶ 见 Hatem Mohareb and Maher Chmaytelli, “Libya’s new oil chief considering ending force majeure at ports”, Bloomberg Business, 4 August 2015 年 8 月 4 日，可查阅 www.bloomberg.com/news/articles/2015-08-04/libya-s-new-oil-chief-considering-ending-force-majeure-at-ports。

⁵⁷ 东部国家石油公司在 2015 年给了国际石油公司几个与其进行登记的最后期限。最后一个期限定在 2015 年 11 月 11 日(见附件 49)。

⁵⁸ 见 <http://aib.com.eg>。

⁵⁹ Jadhraan 在 2015 年 11 月 3 日发表声明，禁止利用其控制下的油码头，包括 Zuwaytinah(见附件 50)。西部的国家石油公司当天宣布 Zuwaytinah 港发生不可抗力(见 <http://noc.ly/index.php/en/new-4/1154-declaration-of-force-majeure-on-zueitina-port>)。

⁶⁰ 见 Hoffman and Angelina Rascoet, “Vitol joins Glencore backing Libya’s Tripoli oil unit over rival”, Bloomberg Business, 2015 年 11 月 30 日，可查阅 www.bloomberg.com/news/articles/2015-11-30/vitol-joins-glencore-backing-libya-s-tripoli-oil-unit-over-rival。

245. 一些公司一直努力确保与东部国家石油公司签订合同。从与其中一些公司的约谈来看，船运公司似乎不愿意为它们提供所需船只，因此无法完成任何运输。

246. 例如，专家小组收到的文件显示，东部国家石油公司发出指示，在 Marsa al-Hariqah(Tubruq)港口交付 60 万到 100 万桶 Sarir 级原油。这批货物本应在 2015 年 11 月第一个星期装货(见附件 53)，但最终没有包租到船只。

247. 西部国家石油公司还设法阻止国际石油公司遵守东部公司的规定。⁶¹ 东部公司与埃及通用石油公司的谅解备忘录公开后，双方全面爆发冲突。⁶² 《利比亚政治协议》的签署和第 2259(2015)号决议都没有解决石油部门内部的问题。

D. 其他国家机构

248. 中央银行、利比亚投资管理局、国家石油公司是经济支柱。不过，不太重要的国家机构也可能容易发生挪用资金的情况。例如，专家小组询问了经济和社会发展基金的现状和余额。这个基金拥有 20 亿利比亚第纳尔，据报其独立管理结构容易发生挪用资金的情况。因此，至关重要的是，民族团结政府也对其他国家机构实行控制。

八. 执行资产冻结规定

A. 被盗资产

249. 专家小组依然关切的是，犯罪集团企图假冒政府授权的追回资产代理人。专家小组向临时政府表示了这种关切。临时政府已致函其各大使馆，提醒它们注意哪些公司有适当授权开展这项工作。

250. 追回被盗资产并不在专家小组的任务之内，但仍然存在上述犯罪集团可能获得受冻结资产的风险。

251. 仍有迹象表明，世界各地很可能有大量隐瞒资产，但这方面有很多猜测和不知情的评论。必须重申，只有当主管法院裁定被指认个人拥有的资产是非法持有的，因此不是这些人的财产，从而不受资产冻结限制，利比亚政府才能将其追回。

⁶¹ 见 Nayla Razzouk, “Libya’s national oil affirms role as country’s sole supplier”, Bloomberg Business, 2015 年 12 月 20 日, 可查阅 www.bloomberg.com/news/articles/2015-12-20/libya-s-national-oil-affirms-role-as-country-s-sole-supplier。

⁶² 见 Nayla Razzouk, “Libya’s NOC says will take legal action on unapproved oil sales”, Bloomberg Business, 2015 年 12 月 21 日, 可查阅 www.bloomberg.com/news/articles/2015-12-21/libya-s-noc-says-will-take-legal-action-on-unapproved-oil-sales。

B. 冻结被指认实体的资产

252. 根据安全理事会第 2095(2013)号决议第 13 段的规定，安理会在维持第 1970(2011)号和第 1973(2011)号决议规定并经第 2009(2011)号决议修订的资产冻结措施的同时，还要求委员会不断审查这些决议规定的其余资产冻结措施；针对利比亚投资管理局和利比亚非洲投资局而言，应根据实际情况尽早将这些实体从名单上除名，以确保其资产可用于造福利比亚人民。

253. 2011 年 9 月 16 日之前冻结的属于指认实体的资产仍应冻结，但须取决于安理会是否打算尽快解冻这些资产并将其返还利比亚人民。

254. 利比亚投资管理局首席执行官 **Hasan Bouhadi** 对冻结资产管理及其价值的重大损失表示关切。利比亚投资管理局和利比亚非洲投资局的合并冻结资产最初约为 650 亿美元。但由于管理不善，现已降至 550 亿至 600 亿美元。

255. 2011 年冻结的所有利比亚投资管理局投资都已经到期，这意味着这些资产作为现金留在海外金融机构。由于资产冻结，基金管理人员对资产没有进行再投资。现金存款所得利息很少，甚至没有利息，也无法通过投资获取收益。

256. 安全理事会没有对到期资金的再投资作出明确规定。不过，安理会在第 1970(2011)号决议第 19 段中授权支付资产管理费。该段全文如下：

决定，上文第 17 段规定的措施不适用于相关会员国认定的下列资金、其他金融资产和经济资源：

(a) 为基本开支所必需，包括……国家法律规定的按惯例置存或保管冻结的资金、其他金融资产和经济资源应收取的规费或服务费，但相关国家须先把酌情授权动用这类资金……的意向通知委员会，且委员会在接到此通知后五个工作日内未作出反对的决定；

257. 正如以前所报告的那样(见 S/2015/128，第 226 至 228 段)，在三个会员国发放许可证的情况下，不禁止基金经理按照各自的受托责任对资产进行再投资，以实现最大回报，但须发出上述通知。因此，只要资产未提供给被指认实体，其价值会得到保护，会继续对其执行资产冻结措施。投资变少显然不是安全理事会的目的，因此需要澄清此问题，最好在今后决议中明确豁免基金管理(见建议 8)。

258. 一个类似问题是银行或国家如何理解有关利息付款的各项决议规定。可以通过正常方式对存款支付利息，条件是要与冻结的资产本金相加，然后保持冻结状态。这条规定并非一成不变，原因是第 1970(2011)号决议第 20 段有以下措辞：

又决定会员国可允许在已依照上文第 17 段规定冻结的账户中存入这些账户的利息或其他收益……但任何此种利息、其他收益和付款仍须受这些规定的制约并予以冻结；

259. 因为有“可”字，使银行能回避支付利息，进一步削弱资产的实际价值。专家小组认为，应鼓励会员国敦促金融机构按照正常商业惯例将利息记入冻结资产(见建议 9)。

260. 一些会员国正在探讨是否可能应利比亚临时政府要求，将冻结资产用于人道主义或医疗目的。只要这些资产属于被指定实体，提出相关豁免请求，这一行动方式似乎没有障碍，但须遵守第 2009(2011)号决议第 16(a)段中的程序。

C. 执行方面的挑战：执行援助通知

261. 专家小组应委员会要求编写了解释这些措施的执行援助通知，包括说明豁免程序，还包括建议在执行过程中可遵守哪些程序。目前已搁置通过该通知的工作。专家小组敦促委员会尽快完成审议并发出通知，以加强资产冻结措施的执行(见建议 11)。

D. 资产冻结措施的豁免

262. 自专家小组提交上一次最后报告以来，没有收到豁免请求或通知。

E. 请求提供指导

263. 2015 年 3 月，委员会收到来自会员国的两次提供指导请求，两次都询问利比亚对外投资公司子公司的资产是否应冻结。专家组告知委员会，鉴于子公司不受资产冻结措施的制裁，其资产不应冻结。委员会将此信息通过信件告诉了会员国。

F. 目前的调查

1. 萨阿迪·卡扎菲

坦桑尼亚联合共和国

264. 正如以前所报告的那样(见 S/2015/128, 附件 36)，萨阿迪·卡扎菲(LYi.015)拥有 99%股份的两家公司(Litali 控股有限公司和 Al-Albani 伊斯兰中心有限公司)在坦桑尼亚联合共和国注册成立。不清楚这些公司及相关银行账户是否已经冻结。已书面和口头要求澄清，但尚未得到答复。

265. 正如以前所报告的那样(见同上)，南非人 Dalene Sanders 涉嫌参与萨阿迪·卡扎菲违反资产冻结措施的行为，所以她在坦桑尼亚联合共和国的资产被当局冻结。

266. 2015 年 3 月，专家小组约谈了 Sanders 女士，并查阅了她的记录。专家小组感到满意的是，她参与卡扎菲先生的财务是不知情的，是在正常业务中进行的。同样清楚的是，她被冻结的资产与卡扎菲先生无关。她没有被联合国制裁措施指认，因此没有理由继续冻结她的资产。

267. 委员会在上次最后报告中提出这个问题后，鼓励专家小组向坦桑尼亚当局通报此事。专家小组向坦桑尼亚联合共和国发出两封信函，但没有收到答复。据 Sanders 女士称，资产仍然冻结，坦桑尼亚当局告诉她没有委员会的允许，资产无法解冻。实际情况显然并非如此(见建议 10)。

乌干达

268. 正如以前所报告的那样(见 S/2015/128，附件 36)，专家小组一直在对乌干达公司 Aurelius 控股有限公司的资产进行调查。专家小组已经证实该公司账户中的资金是以萨阿迪·卡扎菲名义转账的，因此必须予以冻结。

269. 专家小组 2015 年 10 月访问了坎帕拉，确认资金仍被冻结。专家小组要求提供更多资料说明可能是萨阿迪·卡扎菲或以萨阿迪·卡扎菲名义进行的该账户交易，并要求就据信协助违反资产冻结措施的人提供文件。当时商定了此事，但目前仍在等待回复。

270. 查明了向阿拉伯联合酋长国一个可疑账户的可疑存款。2015 年 10 月向阿拉伯联合酋长国发出一封信，要求提供进一步的详情。现已收到部分详情，并已要求进一步澄清。

2. 阿卜杜拉·赛努西

271. 一个英国律师事务所受托协助阿卜杜拉·赛努西(LYi.018)争取在国际刑事法院受审，为此收到 500 000 英镑。目前仍在调查该笔资金的来源。联合王国和阿拉伯联合酋长国提供的资料确认，这些资金来自一名家庭成员，涉嫌源于本应冻结的资产。已请求阿拉伯联合酋长国提供更多资料。

3. 汉尼拔·卡扎菲

272. 在一个会员国提供财务文件后，分析表明，被资产冻结措施指认个人汉尼拔和艾莎·卡扎菲(LYi.010 和 LYi.009)向在其他会员国的幌子公司转移了资金。另一个会员国提供了大量文件。目前正在分析这些文件。

4. 穆塔西姆·卡扎菲

273. 利比亚临时政府提请专家小组注意，该政府已采取法律行动，设法追回据信穆塔西姆·卡扎菲(LYi.014)在意大利和马耳他的遗产名下所拥有或控制的资产。这些资产只有在被视为有此种拥有或控制关系的情况下才与专家小组有关。不过，意大利案件是意大利当局在专家小组访问罗马期间提出的。当局感到关切的似乎是，鉴于利比亚在政治上处于分裂状态，利比亚检察长的抗辩权力是疑问的。

274. 专家小组强调指出，无论会员国对利比亚临时政府合法性的看法如何，如有证据表明存在被指认个人拥有或控制的资产，就应当予以调查。如果证明属实，就应当予以冻结。专家小组已致函这两个国家，提醒它们注意这一点。

G. 伪造委员会信件

275. 2015 年 12 月，有人提请专家小组注意据说是委员会主席致的黎波里中央银行行长的一封信，授权解冻美国持有的该行资产。此信已在媒体中广泛散发，却是伪造的。此外，中央银行和利比亚对外银行已在 2011 年 12 月除名。专家小组向委员会主席传达了这一信息。

九. 执行旅行禁令

276. 安全理事会在第 1970(2011)号决议第 15 段、第 1973(2011)号决议第 22 段中，对安理会或委员会指认的个人实施旅行禁令，但不包括第 1970(2011)号决议第 16 段所述情况。委员会制裁名单上的所有被指认个人都受旅行禁令制裁。该名单于 2015 年 3 月 26 日更新，载有 20 名个人的姓名(其中 5 人仅为旅行禁令的对象，而 15 人是旅行禁令加冻结资产规定的对象)。

277. 在这 20 人中，有 6 人已亡故；5 人目前在利比亚(1 人在旅行禁令豁免后暂时停留另一个国家——见第 286 段)，其中 4 人被羁押；另有 5 人在其他国家；还有 4 人仍下落不明。阿布·扎伊德·奥马尔·杜尔达(LYi.006)列入美国财政部的特别指认国民名单，出生日期是 1944 年 4 月 4 日。专家小组向他的儿子穆罕默德·杜尔达证实了这个出生日期。从委员会收到的文件中获得了关于 Safia Farkash al-Barassi(LYi.019)、Mutassim Qadhafi(LYi.014)和 Sayyid Mohammed Qadhaf al-Dam(LYi.003)的补充识别资料(见建议 23)。

278. 在专家组发布临时报告后，曾鼓励委员会成员提交被指认个人的更多识别资料，但没有提交这些资料。

A. 目前对违反旅行禁令情况的调查

1. 萨菲亚·法尔卡什·巴拉西

279. 正如以前所报告的那样(见 S/2015/128, 第 211 段)，穆阿迈尔·卡扎菲的第二个妻子萨菲亚·法尔卡什·巴拉西(LYi.019)2014 年 1 月 9 日从阿尔及利亚前往阿曼接受治疗。委员会没有收到任何旅行禁令豁免通知或请求。因此，委员会向阿曼发出了一封信，回顾该国根据禁令承担的义务。

280. 2015 年 4 月，专家小组收到可靠资料，表明在马耳他一个法院案件中，巴拉西女士的律师作证说她在开罗。这一说法得到机密消息来源的证实。专家小组致函马耳他，要求提供相关的法院审理记录，随后向埃及和阿曼去信，要求提供其他资料。马耳他当局 8 月 6 日提供了记录誊本(见附件 54)。没有收到埃及的任何答复。但是，7 月 9 日，阿曼作出答复，确认她曾前往埃及接受进一步治疗。

281. 没有收到关于她旅行的豁免请求，这意味着她进入埃及是该个人和埃及违反旅行禁令的行为。2016年1月6日专家小组致函埃及，请其反驳这一指控。1月18日，专家组收到答复，证实她曾前往埃及接受治疗，并请求豁免对那次旅行的禁令。没有提供资料说明她已离开埃及。在现阶段提出这种请求，而且是向小组而不是向委员会提出请求，不属于遵守措施，因此仍然是违规行为。1月13日，阿曼回复1月8日的信，告诉专家小组她没有返回阿曼。因此，据信她目前人在埃及(见建议23)。

2. 汉尼拔·卡扎菲

282. 2015年12月，专家小组了解到媒体报道汉尼拔·卡扎菲在黎巴嫩时遭到绑架，后来获释。据信他在阿尔及利亚。委员会没有收到任何关于他前往黎巴嫩的豁免请求或通知。

283. 如果得到证实，他的旅行将构成该个人、黎巴嫩和任何过境国违反旅行禁令的行为。2015年12月15日向黎巴嫩去信，要求提供进一步的资料。2016年1月4日再次去信，请其反驳这一指控。尚未收到答复。

284. 汉尼拔·卡扎菲据称离开阿尔及利亚，并不代表阿尔及利亚违反措施，但2015年12月15日向阿尔及利亚去信，请其提供手头有关这次旅行的信息。尚未收到答复。

285. 报告中声称，汉尼拔·卡扎菲2012年以来一直住在阿曼。2016年1月7日，阿曼回复小组的询问说，自实行旅行禁令以来此人没有进入该国。

B. 豁免和除名申请

286. 2015年11月12日，有人为赛义德·穆罕默德·卡扎夫·达姆(LYi.003)前往埃及治病请求豁免旅行禁令。⁶³ 拟议旅行日期是2015年11月22日至2016年2月22日。请求得到委员会的批准。

287. 2015年9月10日，委员会通过除名协调人收到以被列名个人名义提出的除名请求。10月22日，委员会结束审议这项请求，予以驳回。

C. 执行援助通知

288. 委员会根据专家小组临时报告中的建议，请专家小组起草关于旅行禁令的执行援助通知，向会员国提供指导。

289. 2015年11月24日向委员会提交了通知草案。草案于2016年1月7日获得通过。这项通知刊登于委员会网站，名为《第4号执行援助通知》。⁶⁴

⁶³ <https://www.un.org/sc/suborg/en/sanctions/1970/exemptions/travel-exemptions>。

⁶⁴ https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/implementation_assistance_notice_4.pdf。

十. 建议

290. 专家小组建议：

武器禁运

给安全理事会的建议：

建议 1. 鼓励利比亚政府或未来的民族和解政府在提出任何豁免请求前，向安全理事会报告利比亚安全和国防部队的结构、兵力和人员组成，包括具体部队和指挥官的名称和姓名。[见第 142 段]

建议 2. 请利比亚政府或未来的民族和解政府为政府所有物资采购建立单一渠道。这应是一个小型采购委员会，其中包括相关部委的代表。向委员会提出豁免申请前，须获得采购委员会的批准。采购委员会还应负责监督整个转让过程，包括交货后通知。政府或未来的民族和解政府应向委员会提供获授权代表采购委员会签署采购文件的官员姓名。[见第 175 段]

建议 3. 请利比亚政府或未来的民族和解政府对其包括化学武器在内的军用物资进行一次盘点，并鼓励其尽快向安全理事会提供结果。[见第 110 和 174 段]

建议 4. 请利比亚政府或未来的民族和解政府和出口会员国在进行任何转让之前，执行可核查的管制措施，包括：

(a) 必须提供详细交货前资料和交货后通知。这些资料应包括交货日期、入境港、交货地点、运输手段、预定储存地点、准确的最终用户单位；

(b) 政府加强军备控制和管理；

(c) 国际观察员定期进行现场访问，监测交货和武器储存。[见第 174 段]

建议 5. 切实将关于报告缉获禁运物资的相关段落(最近期的相关文件段落为第 2213(2015)号决议第 19 和 20 段)也适用于道路运输。[见第 178 段]

给委员会的建议：

建议 6. 请利比亚政府或未来的民族和解政府确定采购委员会一名成员担任专家小组的联络人，并提醒利比亚政府，专家小组按照第 2213(2015)号决议第 25 段有权进入武器储存设施。[见第 175 段]

给利比亚(未来的民族和解政府)的建议：

建议 7. 在包括联合国地雷行动处在内的国际伙伴的援助下，确保政府库存的安全和有效管理、储存和安保。[见第 174 段]

资产冻结

给安全理事会的建议：

- 建议 8. 与利比亚政府协商，明确允许并鼓励用根据制裁措施冻结的资产进行投资，为被指定个人和实体的投资保值。[见第 257 段]
- 建议 9. 鼓励会员国敦促金融机构按照正常商业惯例对被指认个人和实体的冻结资产支付利息。[见第 259 段]

给委员会的建议

- 建议 10. 告知坦桑尼亚联合共和国，Dalene Sanders 不受安全理事会有关决议实施的资产冻结制裁，因此不应依照这些决议冻结她的资产。[见第 267 段]
- 建议 11. 最后确定、核准并分发专家小组应委员会要求编写的资产冻结执行援助通知。[见第 261 段]

制止非法出口原油企图的措施

给安全理事会的建议：

- 建议 12. 重新考虑第 2146(2014)号决议所载指认程序的有效性、一致性、适当性。[见第 235 段]

给委员会的建议

给利比亚(未来的民族和解政府)的建议：

- 建议 13. 实现管理、付款、审计、订约程序的统一，使国家石油公司运作正常化，并确保国际公司的合同得到遵守。[见第 241 段]
- 建议 14. 将经过审查的石油设施警卫人员整合成能在石油设施应对恐怖袭击和灾害情况的精良部队。[见第 232 段]

指认标准

给委员会的建议

- 建议 15. 鼓励利比亚政府或未来的民族和解政府将审查程序用于改革武装部队和安全部队，并用于征聘其人员，包括任命高级职位人员。[见第 82 段]
- 建议 16. 鼓励利比亚政府或未来的民族和解政府切实防止政府资金流向侵犯人权者或恐怖主义团体成员。[见第 196 段]
- 建议 17. 协助利比亚消除当前的有罪不罚环境，包括提供严重违反人权和国际人道主义法者的姓名，以便根据利比亚制裁制度予以指认。[见第 80 段]

给利比亚(未来的民族和解政府)的建议:

建议 18. 尽快恢复国家金融机构的统一。[见第 224 段]

给会员国的建议

建议 19. 向民族和解政府提供技术援助, 协助其避免挪用利比亚金融机构和国家石油公司资金的情况。[见第 224 段]

建议 20. 向利比亚政府或未来的民族和解政府提供援助, 切实防止政府资金流向侵犯人权者或恐怖主义团体成员。[见第 196 段]

建议 21. 协助利比亚消除当前的有罪不罚环境, 具体途径是确保提供足够资金, 支持国际刑事法院调查革命后发生的严重违反人权和国际人道主义法行为。[见第 80 段]

一般性建议

给安全理事会的建议:

建议 22. 将专家小组的任务期限延长至 18 个月。[见第 19 段]

给委员会的建议:

建议 23. 更新制裁名单的补充识别资料, 具体如下:

阿布·扎伊德·奥马尔·杜尔达(LYi.006): 出生日期——1944 年 4 月 4 日

萨菲亚·法尔卡什·巴拉西(LYi.019): 据信所在地点——埃及; 阿曼身份证号 98606491, 阿曼护照(03825239)签发日期 2014 年 5 月 4 日, 2024 年 5 月 3 日到期。

赛义德·穆罕默德·卡扎夫·达姆(LYi.003): 别名 Sayed M. Gaddef Eddam; 利比亚护照号码 513519; 出生地: 埃及

穆塔西姆·卡扎菲(LYi.014): 别名 Almuatesem Bellah Muammer Qadhafi/Mutassim Billah Abuminyar Qadhafi/Muatasmblla/ ; Muatasimbillah/Moatassam; 利比亚护照号码; B/001897; 出生日期——1974 年 2 月 5 日; 死亡日期——2011 年 10 月 20 日; 死亡地点——利比亚苏尔特[见第 277 和 281 段]

建议 24. 与安全理事会关于伊拉克和黎凡特伊斯兰国(“达伊沙”)、基地组织以及相关个人、团体、企业和实体的第 1267(1999)号、第 1989(2011)号和第 2253(2015)号决议所设委员会举行会议, 讨论利比亚武装团体与包括班加西安萨尔旅(QDe.146)、德尔纳安萨尔旅(QDe.145)和伊黎伊斯兰国在内的被指认恐怖主义团体结盟的问题。

给会员国建议

- 建议 25. 支持利比亚政府或未来的民族和解政府遵守武器禁运，增强其相关能力，以监测领水，处理武器走私、燃料走私和贩运移徙者等问题，以及用飞机代替船只拦截可疑的海上武器运输活动。[见上文第 198、208 和 209 段]
- 建议 26. 提请第五委员会注意，需要向安全理事会制裁监察组提供与联合国工作人员和一些联合国授权调查员同样水平的安全和安保，特别是提供追收费用的医疗后送，并提供联合国通行证。[见第 18 段]

Annexes

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Annexes 1 Abbreviations and acronyms

AAS	Ansar Al-Sharia
AIB	Arab Investment Bank
AIS	Automatic Identification System
APM	anti-personnel mines
AQIM	Al-Qaida in the Islamic Maghreb
ARES	Armament Research Services
ARSC	Ajdabiya Revolutionaries Shura Council
BRSC	Benghazi Revolutionaries Shura Council
CAR	Conflict Armament Research
CBL	Central Bank of Libya
CID	Criminal Investigation Department
Committee	Committee established pursuant to Security Council resolution 1970 (2011) concerning Libya
Council	United Nations Security Council
CW	chemical weapon
DMSC	Shura Council of Mujahideen in Derna
EU	European Union
EUC	End-user certificate
EUR	Euro
GNA	Government of National Accord
GNC	General National Congress
HoR	House of Representatives
IAEA	International Atomic Energy Agency
IAN	Implementation Assistance Notice
ICC	International Criminal Court
IED	Improvised explosive device
IMF	International Monetary Fund
IMO	International Maritime Organization
IOM	International Organization for Migration
ISIL	Islamic State in Iraq and the Levant
JEM	Justice and Equality Movement
LAFICO	Libyan Arab Foreign Investment Company
LAIP	Libyan African Investment Portfolio
LC	Letters of credit
LFB	Libyan Foreign Bank
LIA	Libyan Investment Authority

LLIDF	Libyan Local Investment and Development Fund
LNA	Libyan National Army
LPA	Libyan Political Agreement
LTP	Long Term Portfolio
LYD	Libyan Dinar
MANPADS	Man Portable Air Defence System
MIC	Military Industrial Corporation
MNLA	Mouvement national pour la libération de l'Azawad
MUJAO	Mouvement pour l'unification et le jihad en Afrique de l'ouest
NGO	Non-governmental organization
NIIdN	National Identification Number
NOC	National Oil Corporation
NSG	National Salvation Government
NTC	National Transitional Council
OHCHR	Office of the High Commissioner for Human Rights
OPCW	Organization for the Prohibition of Chemical Weapons
Panel	Panel of Experts
PFG	Petroleum Facilities Guard
SDF	Special Deterrence Force
SDN	Specially Designated National
SLA	Sudan Liberation Army
SLA/MM	Sudan Liberation Army/Minni Minawi
SRSG	Special Representative of the Secretary-General
SWIFT	Society for Worldwide Interbank Financial Telecommunication
UAE	United Arab Emirates
UNDSS	United Nations Department for Safety and Security
UNHCR	United Nations High Commissioner for Refugees
UNMAS	United Nations Mine Action Service
UNSMIL	United Nations Support Mission in Libya
USD	United States Dollars

Annexes 2 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. To date the Committee has published four implementation assistance notices which are available on the Committee's website.¹

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

Annexes 3 Mandate and appointment

1. By resolution 2213 (2015), the Council extended the mandate of the Panel of Experts established pursuant to resolution 1973 (2011) for a period of thirteen 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 March 2016 with its findings and recommendations.

2. 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.

Following the adoption of resolution 2213 (2015), the Panel's six experts were appointed on 29 April 2015.

Annexes 4 Institutions/individuals consulted

List of institutions/individuals consulted

This list excludes certain individuals, organisations 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.

Belgium	
<i>Government:</i>	Ministry of Defence, Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice
Egypt	
<i>Government:</i>	Ministry of Foreign Affairs
France	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence
Greece	
<i>Government</i>	Customs
Israel	
<i>Government</i>	Ministry of Foreign Affairs, Department of Regional Security and Counter Terrorism, Centre for Political Research, National Financial Countering Bureau
Italy	
<i>Government:</i>	Ministry of Defence, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice
<i>Organizations:</i>	NGOs
Jordan	
<i>Government:</i>	Ministry of Defence, Ministry of Foreign Affairs, Central Bank
Lebanon	
<i>Organisations</i>	NGOs
Libya	
<i>Government</i>	Central Bank, Civilian Aviation Authority, National Oil Corporation, House of Representatives, Ministry of Defence, Ministry of Foreign Affairs, Ministry of Health,
Malta	
<i>Government</i>	Air Traffic Control, Attorney General Office, Ministry of Defence, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Interior, Ministry of Justice
Niger	
<i>Government</i>	Ministry of Defence, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Interior, CENTIF
<i>Embassies</i>	France, USA
Qatar	
<i>Individuals</i>	Libyan diaspora
Tanzania	
<i>Individual</i>	Ms. Dalene Sanders
Tunisia	
<i>Government</i>	Ministry of Defence, Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice
<i>Organizations</i>	IOM, OHCHR, UNHCR, UNSMIL, WB, OIOL
<i>Embassies</i>	France, Spain, UK, USA

Turkey	
<i>Government</i>	Ministry of Foreign Affairs
Uganda	
<i>Government</i>	Ministry of Foreign Affairs, Ministry of Defence, Central Bank
United Arab Emirates	
<i>Private companies</i>	Various
United Kingdom	
<i>Government:</i>	Foreign & Commonwealth Office, HM Treasury, Home Office, Ministry of Defence, National Crime Agency, Metropolitan Police Service
<i>Organizations:</i>	International Maritime Organisation, Global Witness, NGOs
USA	
<i>Government:</i>	Department of Defence, Department of the Interior, Justice Department, State Department

Annexes 5 Outgoing correspondence

Panel official outgoing correspondence to Member States since the drafting of submission of its last final report (S/2015/128)

OC no.	Addressee	About	Date
22	Chair	Report correction	12-Feb-15
23	Tanzania	Visit	12-Feb-15
24	SC President	Final report	23-Feb-14
25	Chair	Libyan exemption request	6-Mar-15
26	Libya	Oil measures	23-Mar-15
27	Entity	Oil measures	1-Apr-15
28	Not used		
29	Montenegro	Arms Embargo	1-Apr-15
30	Serbia	Arms Embargo	1-Apr-15
31	Libya	Travel Ban, Assets Freeze	7-Apr-15
32	Uganda	Assets Freeze	7-Apr-15
2213 mandate			
33	Malta	Assets Freeze	12-May-15
34	United Arab Emirates	Arms Embargo	21-May-15
35	Singapore	Assets Freeze	21-May-15
36	Chair	Misapplication of the Assets Freeze	20-May-15
37	Libya	Visas	22-May-15
38	Chair	Draft IAN on Assets Freeze	22-May-15
39	Malta	Visit	26-May-15
40	Tanzania	Assets Freeze	27-May-15
41	Italy	Visit	29-May-15
42	Algeria	Visit	29-May-15
43	Malta	Assets Freeze	2-Jun-15
44	Libya	Assets Freeze	8-Jun-15
45	United Kingdom	Visit	10-Jun-15
46	Spain	Designation Criteria	11-Jun-15
47	Egypt	Travel Ban	24-Jun-15
48	Oman	Travel Ban	11-Jun-15
49	Czech Republic	Arms Embargo	11-Jun-15
50	United States	Assets Freeze	18-Jun-15
51	United Kingdom	Arms Embargo	24-Jun-15
52	Greece	Arms Embargo	24-Jun-15
53	Belgium	Arms Embargo, Visit	25-Jun-15
54	Libya	Assets Freeze	30-Jun-15
55	Turkey	Visit	1-Jul-15
56	Italy	Assets Freeze	30-Jun-15
57	Uganda	Visit	1-Jul-15
58	Singapore	Assets Freeze	1-Jul-15
59	Cyprus	Oil measures	1-Jul-15
60	Libya	Visit	6-Jul-15

OC no.	Addressee	About	Date
61	Austria	Arms Embargo	8-Jul-15
62	Bulgaria	Arms Embargo	13-Jul-15
63	Libya	Assets Freeze	14-Jul-15
64	Chair	Travel Ban	15-Jul-15
65	Entity	Arms Embargo	28-Jul-15
66	Nigeria	Visit	27-Jul-15
67	WHO	Arms Embargo	28-Jul-15
68	Uganda	Visit	27-Jul-15
69	Greece	Arms Embargo	28-Jul-15
70	Ukraine	Designation Criteria	4-Aug-15
71	Tunisia	Designation Criteria.	4-Aug-15
72	Republic of Korea	Designation Criteria	4-Aug-15
73	Morocco	Designation Criteria	4-Aug-15
74	Mali	Designation Criteria	4-Aug-15
75	Iran	Designation Criteria	4-Aug-15
76	Algeria	Designation Criteria	4-Aug-15
77	Libya	Visit to Tobruk	6-Aug-15
78	SRSG Leon	Visit to Tobruk	6-Aug-15
79	Italy	Arms Embargo, visit	11-Aug-15
80	Nigeria	Visit	26-Aug-15
81	Sudan	Visit	26-Aug-15
82	Greece	Arms Embargo	26-Aug-15
83	SC President	Interim report	2-Sep-15
84	Malta	Oil measures	4-Sep-15
85	Greece	Arms Embargo, visit	4-Sep-15
86	United Arab Emirates	Arms Embargo, visit	8-Sep-15
87	Jordan	Arms Embargo	11-Sep-15
88	Libya	Visit	14-Sep-15
89	Italy	Arms Embargo	14-Sep-15
90	Chad	Visit	14-Sep-15
91	Niger	Visit	14-Sep-15
92	Germany	Assets Freeze	17-Sep-15
93	United States	Arms Embargo	25-Sep-15
94	Tunisia	Visit	29-Sep-15
95	Egypt	Visit	1-Oct-15
96	Uganda	Visit	2-Oct-15
97	United Arab Emirates	Assets Freeze	5-Oct-15
98	Pakistan	Arms Embargo	13-Oct-15
99	Poland	Arms Embargo	13-Oct-15
100	Tunisia	Assets Freeze	16-Oct-15
101	France	Visit	17-Oct-15
102	Qatar	Visit	18-Oct-15
103	Jordan	Visit	19-Oct-15
104	Uganda	Assets Freeze	20-Oct-15
105	Israel	Visit	21-Oct-15
106	Tanzania	Assets Freeze	22-Oct-15
107	Russian Federation	Oil measures	22-Oct-15

OC no.	Addressee	About	Date
108	Greece	Visit	26-Oct-15
109	Belgium	Arms Embargo	26-Oct-15
110	Nigeria	Arms Embargo	26-Oct-15
111	Uganda	Assets Freeze	26-Oct-15
112	Tunisia	Assets Freeze	26-Oct-15
113	United Arab Emirates	Assets Freeze	3-Nov-15
114	United States	Assets Freeze	3-Nov-15
115	Turkey	Arms Embargo	6-Nov-15
116	Austria	Arms Embargo	6-Nov-15
117	Belgium	Arms Embargo	6-Nov-15
118	United Arab Emirates	Arms Embargo	12-Nov-15
119	Greece	Visit	9-Nov-15
120	Turkey	Visit	9-Nov-15
121	Tunisia	Visit	9-Nov-15
122	Egypt	Visit	11-Nov-15
123	Malta	Arms Embargo	11-Nov-15
124	Sudan	Arms Embargo	16-Nov-15
125	Qatar	All measures	13-Nov-15
126	United Arab Emirates	Assets Freeze	18-Nov-15
127	Italy	Arms Embargo, visit	20-Nov-15
128	Bulgaria	Arms Embargo	18-Nov-15
129	Libya	Visit	20-Nov-15
130	Chair	Draft IAN on Travel Ban	27-Nov-15
131	Chair	Crude oil exports and structures	20-Nov-15
132	Turkey	Arms Embargo	27-Nov-15
133	Serbia	Arms Embargo, Designation Criteria	27-Nov-15
134	Jordan	Arms Embargo, visit	27-Nov-15
135	France	Arms Embargo	30-Nov-15
136	Armenia	Arms Embargo	30-Nov-15
137	China	Arms Embargo	8-Dec-15
138	Russian Federation	Arms Embargo	8-Dec-15
139	Sudan	Arms Embargo	10-Dec-15
140	Austria	Arms Embargo	10-Dec-15
141	Tunisia	Arms Embargo	14-Dec-15
142	Oman	Travel Ban	17-Dec-15
143	Lebanon	Travel Ban	15-Dec-15
144	Algeria	Travel Ban	15-Dec-15
145	Syria	Arms Embargo	17-Dec-12
146	Czech Republic	Arms Embargo	21-Dec-15
147	United Arab Emirates	Arms Embargo	22-Dec-15
148	United Kingdom	Arms Embargo	22-Dec-15
149	Russian Federation	Arms Embargo	28-Dec-15
150	Belarus	Arms Embargo	28-Dec-15
151	Turkey	Arms Embargo	28-Dec-15
152	Sudan	Arms Embargo	28-Dec-15
153	Montenegro	Arms Embargo	30-Dec-15

OC no.	Addressee	About	Date
154	United States	Arms Embargo	31-Dec-15
155	Greece	Arms Embargo	31-Dec-15
2016			
1	Uganda	Assets Freeze	4-Jan-16
2	Tunisia	Assets Freeze	4-Jan-16
3	Lebanon	Travel Ban, Arms Embargo	4-Jan-16
4	Entity	Assets Freeze	5-Jan-16
5	Tanzania	Assets Freeze	4-Jan-16
6	Chair	Fake Assets Freeze letter	5-Jan-16
7	Entity	Arms Embargo	5-Jan-16
8	Egypt	Travel Ban, Arms Embargo	5-Jan-16
9	Romania	Arms Embargo	8-Jan-16
10	Hungary	Arms Embargo	8-Jan-16
11	Oman	Travel Ban	8-Jan-16
12	Russian Federation	Arms Embargo	13-Jan-16
13	Ecuador	Arms Embargo	13-Jan-16
14	Moldova	Arms Embargo	13-Jan-16
15	Not used		
16	Ukraine	Arms Embargo	19-Jan-16
17	Saudi Arabia	Arms Embargo	20-Jan-16

Annexes 6 Responsiveness table

Table showing level of responsiveness by Member States or Organizations to requests for information and/or visit from the Panel from 8 January 2015 until 25 January 2016

Member State or Organization	Number of letters sent	Requested info fully supplied	Info partially supplied	No answer / information not supplied	Request for visit
Algeria	3	1		2	Not granted
Armenia	1	1			
Austria	3	1	2		
Belarus	1			1	
Belgium	3	3			Granted
Bulgaria	2	2			
Chad	1			1	Not granted
China	1		1		
Cyprus	1	1			
Czech Republic	2		1	1	
Egypt	4	2		2	Granted
France	2	1	1		Granted
Germany	1			1	
Greece	7	6	1		Granted
Hungary	1			1	
Iran	1			1	
Israel	1	1			Granted
Italy	5	5			Granted
Jordan	3		3		Granted
Lebanon	2			2	
Libya	10	8		2	Granted
Mali	1			1	
Malta	5	4		1	Granted
Montenegro	2	2			
Morocco	1	1			
Niger	1	1			Granted
Nigeria	3			3	
Oman	3	3			
Pakistan	1	1			
Poland	1	1			
Qatar	2	2			Postponed
Russian Federation	3	1		2	
Republic of Korea	1			1	
Romania	1	1			
Serbia	2	2			
Singapore	2	1	1		

Spain	1	1			
Sudan	4			4	Not granted
Syrian Arab Republic	1			1	
Tanzania	4	1		3	
Tunisia	7	4		3	Granted
Turkey	5	4	1		
United Arab Emirates	7	2	1	4	
Uganda	7	4		3	Granted
United Kingdom	3			3	Granted
Ukraine	1	1			
United States	4	2	1	1	Granted
World Health Organization	1	1			

Annexes 7 Situation in southern Libya

1. Communiqué by a group of Tebu notables and elders in Kufra published in January 2016 on the necessity to put an end to “foreign criminal armed groups coming from neighbouring countries”, and operating in south-eastern Libya. It refers to their involvement in narcotics business, illegal migration, methodical looting of private and public properties.

**بيان موقف قبيلة التبو في الجنوب الشرقي
من الأحداث الجارية في الوطن**

نحن أعيان ومشايخ وحكاماء التبو الليبيين في الجنوب الشرقي دفعنا عقيدتنا الدينية والوطنية إلى إصدار هذا البيان الهام الذي نوجهه بصنق وأمانة إلى الليبيين جميعاً في شرق البلاد وغربه وجنوبه . أيها الليبيون عودوا إلى رشدكم ((وقولوا قولاً سديداً يصلح لكم أعمالكم ويغفر لكم ذنوبكم ومن يطع الله ورسوله فقد فاز فوزاً عظيماً)) .

احتكموا إلى العقل والحكمة . وتناسوا أحقادكم . ودعوا الفتن وأسبابها بينكم . فقد مضى ما مضى مما أصابكم منها في غفلتكم ، فإن لسان حالكم وحال الوطن اليوم أبين من لسان العقاب .

إذ يستوجب عليكم جمع الشمل وتوحيد الكلمة بينكم من أجل أنفسكم وأجيالكم والوطن . فإن شبح الاختلافات لا زال يلعب بعقولنا ، وخطر الإنهيار السياسي والاقتصادي والاجتماعي يهدق بنا ويهدد كياننا ووجودنا .

وما أصابنا من مصيبة فيما كسبت أيدينا ، فلن تكشف مصيبتنا إلا بإرادتنا وتوافقنا بالإجماع على رأي جامع على دستور متفق عليه بالحوار السياسي بطيب النفس وصفاء النية وبالتسامح والتصالح والالتفاف حول حكومة وحدة وطنية نبنيها من أجل مستقبل ليبيا وصنع تاريخها ومجدها .

لقد عاثنا ولا زلنا نعاثي الأمرين ، بسبب صراعاتنا الجهوية والقبلية وأجنداتنا السياسية والمذهبية . وبها أضعنا كل قيمة مادية ومعنوية لنا وللوطن . حتى أصبحت أنفسنا وأموالنا وأعراضنا وأراضينا مباحة ومستباحة للأعداء ولعصابات الشر والجريمة المنظمة الآتية إلينا من كل صوب عبر حدودنا مع الدول المجاورة ، في غياب قوتنا الأمنية الرادعة والحامية للسيادة الوطنية .

فإن العصابات الإجرامية المسلحة الخارجة عن القانون أخذت تصول وتجول داخل الأراضي الليبية تجلب المهاجرين غير الشرعيين والمخدرات وتمارس الإتجار بها وبالبشر ، كما تمارس قطع الطريق والحراية والسرقه والنهب المسلح والقتل والخطف وابتزاز الأموال بالتهديد وممارسة كل الاعمال المنكرة شرعاً وقانوناً وعرفاً . فإن مكافحة هؤلاء الذين يحاربون الله ورسوله ويسعون في الأرض فساداً ويهددون أمن وسلامة الوطن والمواطن بات واجباً على جميع أبناء الوطن الغيورين عليه وعلى الحقوق والحريات العامة للمواطنين . عملاً بقوله رسول (ص) ((من رأى منكراً فليغيره بيده ، فإن لم يستطع فبلسانه ، فإن لم يستطع فبقلبه وذلك أضعف الإيمان)) .

اللهم أشهد بأننا قد بلغنا رسالة الحق وبرأنا أنفسنا من المنكر وأهله .

والسلام عليكم ورحمة الله وبركاته...

أعيان ومشايخ وحكاماء التبو بالكفرة

- يعتم البيان على كافة وسائل الإعلام والنشر .
- الجهات ذات العلاقة للعلم .

Source: Social media

2. Communiqué by the National Salvation Government in Tripoli on 21 September 2015 concerning the events in Kufra. It condemns the involvement of “mercenaries and foreign fighters” that “confirms the strong involvement of foreign and regional countries in Libyan affairs”.

حكومة الإنقاذ الوطني  **ديوان رئاسة الوزراء**

**بيان حكومة الإنقاذ الوطني
بشأن الأحداث الجارية بمدينة الكفرة**

بسم الله الرحمن الرحيم
والصلاة والسلام على رسول الله سيدنا محمد صلى الله عليه وسلم.

تتقدم حكومة الإنقاذ الوطني بأحر التعازي لأسر من سقطوا دفاعاً عن الوطن الغالي بمدينة الكفرة، وضحواً بأرواحهم، ونحتسبهم عند الله من الشهداء.

إن حكومة الإنقاذ الوطني تتابع الأحداث الجارية بمدينة الكفرة، وتفيد أن ما تعرضت له المدينة من هجمات مسلحة، قام بها مرتزقة ومقاتلين أجانب غير ليبيين يؤكد ويقوّع تورط أطراف خارجية وإقليمية في الشأن الليبي.

بهذا تحذر الحكومة كافة الأطراف الخارجية والخونة والعملاء المندسين الذين استعانوا بالمرتزقة الأجانب لقتال المواطنين الليبيين من مغبة تغذية وتمويل الحرب بين الليبيين ونؤكد على أننا نعمل على تحديد الأطراف للتورطة وتحميلها المسؤولية.

تدعو الحكومة المواطنين الليبيين بمدينة الكفرة إلى وحدة الصف للتصدي لهذه المؤامرة التي تحاك لتقسيم الوطن.

كما تتعهد الحكومة بتقديم الدعم التام والمساعدات إلى أهالي الكفرة وأبنائها الثوار والعسكريين للوقوف ضد التدخل والغزو الخارجي.

حفظ الله ليبيا
وأبنائها الأحرار
للمجد والخلود للشهداء والأبهرار



صدر في طرابلس
بتاريخ: 21 شوال 1436 هـ - 21 أيلول 2015 م
الوقت: 06:08 م - 06:08 م



طرابلس - طريق المسكة

+218 (21) 362 0132 فاكس +218 (21) 362 0117 - 334 4210

Source: Social media

3. A communiqué épar the Municipality of Kufra on 21 September 2015, considered as pro-Zway camp, praises the role of the “sons of Kufra in deterring invading gangs”.

The Libyan interim government
Ministry of Local Government
Municipality of Kufra

الحكومة الليبية المؤقتة
وزارة الحكم المحلي
بلدية الكفرة

التاريخ: 21 / 9 / 2015 م

الرقم الإشاري: بل

أبناءؤنا دحر العصابات الغازية وتكبيدهم خسائر كبيرة في الآليات والأسلحة والأرواح وإفشال مخططهم المفضوح . وتحرير تلك المنطقة بالكامل منهم .
وبناء على ما تقدم فإن المجلس البلدي بالكفرة يؤكد على ما يلي ..

1. إن الكفرة وأبنائها وهم يدافعون عن أرضهم وعرضهم إنما يدافعون عن كامل التراب الليبي ووحدته المهددة بالتقسيم وثرواته المهددة بالتهب كذلك .
2. إن الكفرة وأهلها يشعرون بالصدمة من موقف عامة الليبيين وكذلك كافة المنظمات والمؤسسات الأمنية والعسكرية في شرق وغرب ليبيا التي تتجاهل أو تحاول توظيف ما يجري في الكفرة لصالح أجندها ومخططاتها في الصراع المكشوف بين شرق وغرب ليبيا .
3. إن الكفرة لا تستجدي أحدا ولا تسمح لأحد بابتزازها وإن أرواح شبابنا ليست مجالاً للبيع والمساومة فمن كان يرى أن الكفرة تدافع عن تراب ليبيا وثرواتها ووحدتها فليأتها إلى الكفرة ويخوض المعارك معنا جنباً لجنب ومن كان يرى أن ما يحدث في الكفرة مجرد مشاكل قبليّة أو يرى بأننا نخوض صراعاً عبثياً يعيق أهدافه ومخططاته فليعلم أن دماء أبنائنا ليست رخيصة .
4. إن المجلس البلدي الكفرة وفي حالة عجز الدولة الليبية بشرقيها وغربها بكل مؤسساتها الأمنية والعسكرية ومنظماتها عن حماية الكفرة وأهلها فإن كل الخيارات أمامنا مفتوحة بما فيها طلب المساعدة والحماية من منظمات ومؤسسات ودول شقيقة أو صديقة مجاورة أو بعيدة من أجل حماية أهلنا وتحقيق الأمن والسلام لهم .

حفظ الله الكفرة وحفظ الله ليبيا .. والله أكبر والمجاهدين يدانا الأبرار ..

21-9-2015

المجلس البلدي بالكفرة

عبد المنيرة

بلدية الكفرة / وزارة الحكم المحلي

0218 64 750 6830

المجلس البلدي الكفرة

Source: Social media

4. Communiqué by the Libyan interim government in Al Bayda, which warns against “foreign plans to take down Kufra that are being fomented by criminal gangs from neighbouring countries”. Overall, it seems more reserved than authorities in Tripoli on the role of foreign armed groups.

ديوان رئاسة الوزراء



الحكومة الليبية المؤقتة

بيان الحكومة الليبية المؤقتة رقم (77) لسنة 2015 م
بشأن الأوضاع في مدينة الكفرة

تتابع الحكومة الليبية المؤقتة تطورات الأوضاع في مدينة الكفرة، وما تشهده من اقتتال بين أبنائها وتدميرا للممتلكات العامة والخاصة وتطالب جميع الأطراف بالاحتكام للغة العقل والجلوس لطاولة الحوار حقنا للدماء، وعدم الانجرار وراء المخططات الخارجية التي تهدف إلى النيل من هذه المدينة في إطار سعيهم لتفتيت ليبيا وعدم إعطاء ذريعة للتدخلات الخارجية التي تقوم بها بعض العصابات المارقة من الدول المجاورة لنقل صراعاتها إلى الأراضي الليبية.

كما تطالب أهالي ومشايخ وأعيان المدينة بالتنسيق مع القيادة العسكرية بالمنطقة لدرء الفتنة والتصدي لأي أعمال تستهدف المدينة وسكانها والاستجابة للجهود التي يقوم بها الحكماء والأعيان والخيرين من هذا الوطن لحل الإشكاليات التي تعاني منها المدينة ورفع المعاناة عن كاهل مواطنيها.

حفظ الله ليبيا وحقن دماء أبنائها
الحكومة الليبية المؤقتة

صدر في مدينة البيضاء، يوم السبت الرابع من شهر محرم لسنة 1437 هجرية الموافق 2015/10/17 م

البيضاء - المجمع الإداري +218 69 462 0601 ② +218 69 462 0602 ① www.pm-ly.com

Source: Social media

5. An order given by the LNA Chief of Staff to the Military Governor of Kufra on 21 September to use all means at his disposal, including aerial bombing, to stop the advance of “Tebu-affiliated forces to Kufra from the northern gate where they clashed with local tribes”. Unlike preceding communiqués by official Libyan parties, the LNA does not refer explicitly to the presence of foreign armed groups in Kufra region.

برقية فوريت
ملف رقم: راع / 59 / 4110

من: رئاسة الأركان العامة للقوات المسلحة الليبية.
إلى: أمر منطقة الكفرة العسكرية.

للمعلومات :-

- ✓ إدارة العمليات / العلم.
- ✓ إدارة جهاز التفيتش العسكري العام / العلم.
- ✓ إدارة الاستخبارات العسكرية / العلم.
- ✓ الملف الدوري / للحفاظ.

إشارة إلى بركيتكم المرقم م ك ع / 393/59 والمؤرخة في 20/09/2015م والخاصة بإبلاغنا بتقدم رتل مسلح من جهة الشمال يتبع مكون التبو إلى الكفرة الساعة السادسة صباحا واشتباكه مع باقي المكونات من القبائل والوحدات العسكرية بالمنطقة.

ونظرا لكثرة تقدم هذه الارتال المسلحة بدون علم رئاسة الأركان العامة أو المنطقة العسكرية.

عليه تتخذ إجراءاتكم بالتعامل وضرب أي رتل يتقدم في اتجاه الكفرة بدون إذن مهما كانت تبعيته وذلك باستخدام كافة الوسائل بما فيها السلاح الجوي.

إجراءاتكم بالخصوص

عميد
رمضان عطية الله بوزيد البرعصي
أمين عام رئاسة الأركان العامة للقوات المسلحة الليبية

اللاتين، 21 أيلول، 2015

عميد / ر. ع. البرعصي.
ن. ع. فتحي بن دردف.

Source: Confidential

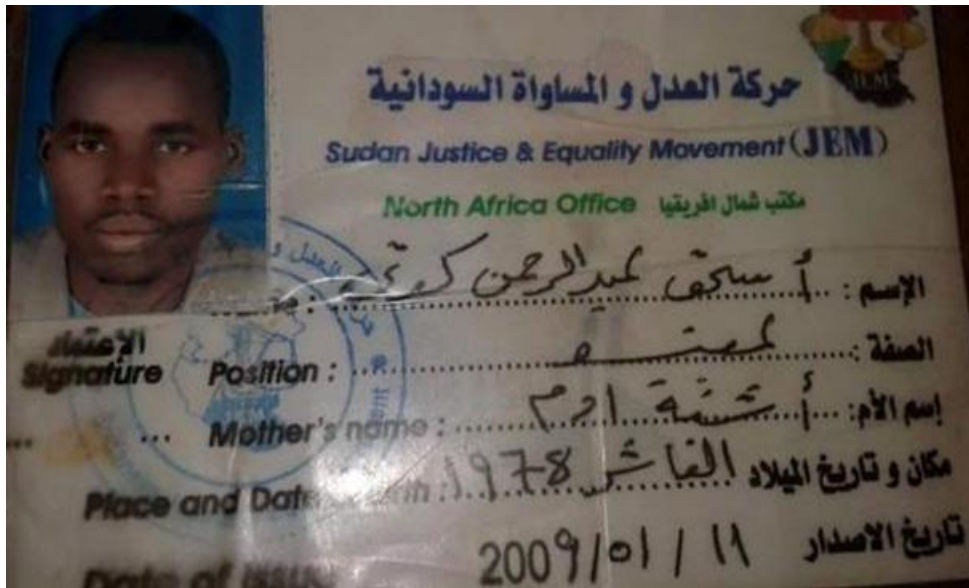
6. Membership cards found in Kufra and published on Social Media following the bombing of the SLA/MM convoy on 21 September 2015.



Source: Social media



Source: Confidential source



Source: Confidential source

7. Photos of the bombing of the SLA/MM convoy north of Kufra. Interviews conducted by the Panel with Libyan officials from Kufra, Darfuriian movements commanders and political activists in Chad corroborate the fact that the convoy belonged to SLA/MM, where a field commander Adam Orja was killed.





Source: Social media

Annexes 8 GNC and HoR obstruction

The GNC and HoR leadership's obstruction of the restoration of Libya's political transition

The GNC leadership

1. After having boycotted two rounds of talks in Geneva in January 2015, GNC representatives only joined the political dialogue in Ghadames on 11 February.
2. Following the creation of the *Sumud* Front in Tripoli in June 2015, there were continuing reports of strong ties¹ between its uncompromising military leadership and the GNC political leadership, effectively continuing the hi-jacking of the capital and thereby preventing Libya's stabilization.
3. In July 2015, 18 out of 22 political dialogue participants signed the preliminary framework agreement. The four GNC representatives were the only ones boycotting the signing ceremony in Skhirat. It is not clear whether the text would have received the support of the majority of the GNC, as a motion to vote on the issue was consistently blocked by GNC President Abu Sahmain.² Significantly, the agreement received the support of certain representatives from the city of Misrata and the Justice and Construction Party, which had rejected a previous draft on 28 April. Previously, some of Misrata's most important military brigades had issued conciliatory statements in favour of the political dialogue.
4. The GNC's leadership intransigence and unwillingness to re-join the process reportedly also led to the resignation of two members of its negotiation team, including the head of the delegation and deputy GNC President Saleh Makhzoum on 26 August 2015.³ The GNC's reappearance at the talks in September was short-lived, as it failed to propose any names for the GNA.
5. Since the passing of a 20 October 2015 deadline to approve the LPA, and the replacement of SRSG Leon, the GNC leadership has disengaged from the political dialogue and subsequently boycotted the LPA signing ceremony on 17 December. Mr. Sahmain's speech during SRSG Kobler's first visit to Tripoli on 1 January 2016 made it very clear that the GNC would not re-join the process but pursue its own parallel dialogue initiative.⁴ Although Mr. Sahmain met with HoR President Agila Saleh Essa Gwaidar on two occasions in Malta and Oman in December, the talks appeared to have yielded few results apart from showing opposition to the LPA.

¹ Supporting Stabilization in Libya, SWP Berlin, July 2015, http://www.swp-berlin.org/fileadmin/contents/products/comments/2015C36_lac.pdf.

² The Libyan Political Dialogue: An Incomplete Consensus, 16 Jul 2015, <http://www.crisisgroup.org/en/publication-type/media-releases/2015/middle-east-north-africa/statement-the-libyan-political-dialogue-an-incomplete-consensus.aspx>.

³ <http://www.marsad.ly/en/gnc-changes-mind-and-agrees-to-attend-geneva-dialogue-talks-appoints-new-team-leader/>, Makhzoum would eventually sign the LPA on 17 December.

⁴ http://en.gnc.gov.ly/news_det_page.aspx?news_id=27901.

The HoR leadership

6. Opposition of the HoR leadership to the political dialogue became an important obstacle to Libya's political transition when President Saleh failed to organise a vote on the final text of the LPA and the proposed names of the Presidency Council. HoR members accused Saleh of intentionally blocking the vote through his intensive travel schedule, and by mismanaging the plenary sessions, including a potentially decisive vote on 25 November 2015.⁵
7. President Saleh's recalcitrance and direct negative impact on the issue became especially apparent on 24 November 2015 when 92 out of 200 HoR members expressed their support for a proposal in a written declaration that largely approved the LPA draft.⁶ The existence of a large group of HoR members in favour of the LPA was further confirmed when reportedly 88 of them attended the 17 December signing ceremony in Skhirat.⁷
8. Throughout December, President Saleh continued his opposition to the LPA and formed an unlikely alliance with GNC President Sahmain by attending several meetings of their parallel dialogue initiative. Given their previous overt animosity, their talks were mostly interpreted as an attempt to stop the implementation of the LPA.

⁵ <http://en.libyaschannel.com/2015/12/04/lawmakers-explore-alternative-dialogue-track-amid-attempts-to-reinvigorate-un-led-peace-talks/>.

⁶ <http://libyapropect.com/index.php/2015/11/25/to-our-elected-hor-why-isnt-fezzan-initiative-signed/>; 150 votes are needed to approve the LPA.

⁷ <http://libyapropect.com/index.php/2015/12/17/details-of-signing-the-historic-agreement-in-skhirat/>.

Annexes 9 Vessel bombings

Threats and bombings of commercial vessels and tankers

1. On two occasions, the LNA air force attacked tankers, damaging the vessels and killing and wounding crew members. The first vessel was the MT Araevo (IMO 90009009) in Derna on 4 January 2015,¹ while the second was the MT Anwaar Afriqya (IMO 9275268), which was attacked off the coast of Sirte on 24 May 2015.² The latter was accused by the Chief of Staff of the Libyan air force, Saqr Jerushi,³ of carrying weapons and fighters. LNA officers stated that the vessel Araevo was suspected of transporting Islamist militants to Derna;⁴ however, the Panel has no evidence of this, and has information which indicates that these attacks were carried out in order to strengthen the siege against those locations, preventing fuel from being unloaded to supply the power plants there. As a consequence of the attack on the MT Araevo, two crew members were killed. Regarding the Anwaar Afriqya, one crew member and a port worker were wounded.

2. On 2 July 2015, the western NOC decided to lift the *force majeure* on Ras Lanuf terminal that had been in force since December 2014.⁵ Two tankers were dispatched to Ras Lanuf to load crude oil, MT Minerva Alexandra and MT Trident Hope. The latter was to load 700,000 barrels that were to be shipped to the refinery in Zawia. This refinery is barely operational due to the lack of crude oil. It is important to note that this refinery supplies power plants in Tripoli and other western Libyan cities.

3. The ships were expected to call at Ras Lanuf on 7 or 9 July 2015. Both ships were told not to enter port under the threat of being impounded by the PFG. Bayda authorities issued a warning on 10 July 2015 stating that the lifting of the *force majeure* status is the responsibility of the eastern NOC, therefore *force majeure* status on Ras Lanuf was still ongoing,⁶ preventing any tanker from calling at that port until further notice.

4. Another attack took place on 9 May 2015 in the vicinity of Derna. The ship involved was the general cargo vessel Tuna 1 (IMO 9148491), owned by a Turkish company.⁷ A Turkish crew member

¹ 'Greek owned tanker bombed in Libyan port', The Guardian, 5 January 2015, <http://www.theguardian.com/world/2015/jan/05/greek-owned-tanker-bombed-libyan-port-araevo>.

² 'Libyan jets attack oil tanker off Sirte', The Guardian, 24 May 2015, <http://www.theguardian.com/world/2015/may/24/libyan-jets-attack-oil-tanker-sirte>.

³ 'Update 4-Libyan warplanes attack oil tanker docked at Sirte', Reuters, 24 May 2015, <http://www.reuters.com/article/2015/05/24/libya-security-idUSL5N0YF0GA20150524>.

⁴ 'Libyan warplane bombs Greek operated oil tanker at port, two dead', Reuters, 5 January 2015, <http://www.reuters.com/article/2015/01/05/us-libya-security-greece-idUSKBN0KE0L420150105>.

⁵ 'NOC ends *force majeure* in major eastern oil port', The Libya observer, 8 January 2015, <http://www.libyaobserver.ly/economy/noc-ends-force-majeure-major-eastern-oil-port>.

⁶ 'Libya's recognised govt warns tankers away from Ras Lanuf', Reuters, 9 July 2015, <http://www.reuters.com/article/2015/07/09/libya-security-tankers-idUSL8N0ZP3S420150709>.

⁷ 'Libyan military shells Turkish cargo ship, crew member killed', Reuters, 11 May 2015, <http://www.reuters.com/article/us-libya-security-turkey-idUSKBN0NW0K720150511>.

died as a result of the attack. Saqr Jerushi, the Chief of Staff of the Libyan air force, claimed that the air force had credible information about fighters being transported on board, however, the Panel was not provided with any evidence. The vessel's last port of call was in Spain; it was heading to Tobruk but approached Derna, close to which it was attacked within Libyan waters, as AIS data shows:



Source: Lloyd's AIS data, Google Earth

5. The following reports from the General National Maritime Transport Company (GNMTC), which is the Libyan State-owned shipping company, describe the attack carried out on the *Anwaar Afriqya* in Sirte. These reports do not support the allegation that fighters had been on board.

Translated from Arabic

Statement No. 1

At approximately 12 p.m. today, 24 May 2015, the *Anwar Afriqiyya* tanker was shelled while its cargo of diesel fuel was being unloaded at the Marsa power plant in Sirte, causing a fire to break out in the galley area behind the bridge and lightly wounding two individuals who were taken off the vessel and given appropriate first aid. Efforts are still underway to extinguish the fire. The Sirte port authorities and other maritime ports have been asked to help put out the blaze.

All relevant national authorities have been briefed with a view to furthering these efforts. We will provide updates on developments in a timely manner. The General National Maritime Transport Company Emergency Unit is coordinating with other units to provide the necessary rapid assistance.

Company Emergency Unit

Date: 24 May 2015

Time: 1500 hours

Statement No. 2

Anwar Afriqiyya tanker incident

Further to the Statement No. 1, released on the afternoon of 24 May 2015, concerning the shelling of the Libyan tanker *Anwar Afriqiyya*, which caused a fire to break out on board around the bridge and galley, please be advised that, as of 1900 hours on 24 May 2015, the tanker crew is still fighting the fire and requires essential fire-extinguishing and breathing equipment in order to contain the blaze.

As the equipment needed is unavailable in the port of Sirte or adjacent areas, the General National Maritime Transport Company has requested all national and foreign authorities to provide urgent assistance to help extinguish the blaze on board the vessel.

The General National Maritime Transport Company condemns this act, which violates all national and international norms. The Company is not responsible for the targeting of the civilian oil tanker fully loaded with diesel fuel at the Sirte power plant or the consequences thereof, for which the party that perpetrated the attack shall bear full legal and financial responsibility.

Company Emergency Committee

Date: 24 May 2015

Time: 1945 hours

Statement No. 3

Anwar Afriqiyya tanker incident

Further to the Statement No. 2, released yesterday, 24 May 2015, concerning the shelling of the Libyan tanker *Anwar Afriqiyya*, which caused a fire to break out on board near the bridge and galley, the Emergency Committee wishes to communicate to you that, as a result of its tremendous and continuous efforts over some 11 hours, from approximately 1200 to 2300 hours, the crew of the Libyan tanker *Anwar Afriqiyya*, despite its modest capabilities, has finally succeeded in containing the fire and preventing it from spreading.

A Libyan tugboat equipped with modern firefighting equipment has just arrived at the Sirte power plant, where the *Anwar Afriqiyya* tanker is docked, to help contain and extinguish the blaze. This is one of several Libyan tugboats summoned from nearby ports to support the firefighting operations.

We hope to provide timely updates on developments. The General National Maritime Transport Company Emergency Unit is meeting in permanent session around the clock and coordinating with other units to provide the necessary rapid assistance.

Company Emergency Committee

Date: 25 May 2015

Time: 0100 hours

Statement No. 4

Anwar Afriqiyya tanker incident

Further to the Statement No. 3, we are pleased to report that, as a result of their strenuous efforts, the crews of the tanker and the tugboats providing assistance have completely extinguished the fire.

Preliminary assessments of the damage are as follows:

1. The command room behind the bridge sustained a direct hit. The shell penetrated as far the lowest deck (Deck 1: skipper and chief engineer's quarters), causing a major conflagration on the bridge and the aforementioned deck. The shell exited from the fore of the skipper's quarters.

The crew of the tanker fought the blaze and took all measures to prevent it from spreading to the other parts of the tanker. The lowest deck as far as the skipper's quarters sustained moderate damage and uneven damage was caused to the next floor. The bridge, including all navigation and communications equipment, was completely destroyed and skipper's quarters deck was burned.

2. The crew of the tanker is afraid that it will be targeted again.

3. The tanker cannot neither unload its cargo with its own equipment nor set sail using its main or supplementary engines.

We hope to provide timely updates on developments. The General National Maritime Transport Company Emergency Unit is meeting in permanent session around the clock and coordinating with other units to provide the necessary rapid assistance.

Company Emergency Committee

Date: 25 May 2015

Time: 0900 hours

Statement No. 5

Anwar Afriqiyya tanker incident

Statement No. 4, released on the morning of Monday, 25 May 2015, referred to the aerial bombardment of the Libyan tanker *Anwar Afriqiyya*, which damaged the vessel and caused a fire on board near the bridge and galley. The blaze was successfully extinguished. However, the Company Emergency Committee now wishes to communicate that inclement weather, strong winds of up to 60 kilometres an hour and rough seas reaching Beaufort Force 7 have untethered the vessel from its mooring buoy and destroyed its cargo hoses. To prevent the vessel from running aground, the tugboats positioned nearby were obliged to push it into deeper water. The left anchor was then lowered to moor the vessel and prevent it from drifting.

Certain procedures and technical equipment are being employed to help restart the vessel's stalled generators so that they can fulfil their vital function.

The competent authorities have been contacted to coordinate efforts to tow the vessel to a safe harbour where the tanker can unload its cargo.

We hope to provide timely updates on developments. The General National Maritime Transport Company Emergency Unit is meeting in permanent session around the clock and coordinating with other units to provide the necessary rapid assistance.

Company Emergency Committee

Date: 25 May 2015

Time: 2300 hours

Statement No. 6

Anwar Afriqiyya tanker incident

Statement No. 5, released early in the morning on Tuesday, 26 May 2015, referred to the aerial bombardment of the Libyan tanker *Anwar Afriqiyya*, which damaged the vessel and caused a fire to break out in the bridge and galley. It described how the bad weather conditions yesterday had forced the crew of the tanker to lower the left anchor to prevent the vessel from drifting, and how the vessel had successfully been moored with the assistance of tugboats positioned nearby. The Company Emergency Committee is now pleased to communicate the following:

The operation to tow the *Anwar Afriqiyya* from the Marsa power plant in Sirte to the port of Misrata began at 1945 hours on 26 May 2015, following the great efforts made by the crews of the tanker, the participating tugboats and workers in the ports of Sirte and Misrata.

A Libyan tugboat is towing the vessel, and another tug is providing back-up support throughout the voyage. The tugboats are manned by a Libyan technical crew that specializes in towing operations. The tugs are rigged with all the equipment needed to carry out the operation.

Assisted by a team of supervisors from the Management of the Company who have reached the tanker, the crew of the tanker has been able to restore electricity on board. Attempts are still underway to restart the main engine.

All that remains is to pray for the success of the operation and the safety of all the crews involved, particularly in the light of ongoing challenges, unstable weather conditions and limited capacities.

We hope to provide timely updates on developments. The General National Maritime Transport Company Emergency Unit is meeting in permanent session around the clock and coordinating with other units to provide the necessary rapid assistance.

Company Emergency Committee

Date: 26 May 2015

Time: 2215 hours

Statement No. 7

Anwar Afriqiyya tanker incident

Statement No. 6, released in the evening on Tuesday, 26 May 2015, referred to the aerial bombardment of the Libyan tanker *Anwar Afriqiyya*, which had damaged the vessel and caused a fire to break out in the bridge and galley. The inclement weather conditions on the day following the shelling had forced the crew of the tanker to lower the left anchor to prevent the vessel from drifting. With the assistance of tugboats positioned nearby, the vessel had successfully been moored, and the towing operation began last night. The Company Emergency Committee now wishes to communicate the following:

The towing of the Libyan tanker *Anwar Afriqiyya* is proceeding well and safely. The vessel is travelling at a speed of some 3 knots owing to the inclement weather and current sea conditions, which are forecast to improve in the next few hours.

We pray for the safety of all those involved. The tanker is expected to reach the port of Misrata early tomorrow morning, 28 May 2015.

We hope to provide timely updates on developments. The General National Maritime Transport Company Emergency Unit is meeting in permanent session around the clock and coordinating with other units and relevant stakeholders to provide the necessary rapid assistance.

Emergency Committee
General National Maritime Transport Company
Date: 27 May 2015
Time: 1830 hours

Statement No. 8

Anwar Afriqiyya tanker incident

Further to Statement No. 7, released in the evening of Wednesday, 27 May 2015, concerning the aerial bombardment of the Libyan tanker *Anwar Afriqiyya*, which damaged the vessel and caused a fire to break out on board in the bridge and galley, and the ongoing operation to tow the vessel to the port of Misrata, the Company Emergency Committee wishes to communicate the following:

The towing of the *Anwar Afriqiyya* has been completed safely and successfully. The vessel entered and moored in the port of Misrata at 1030 hours this morning, 28 May 2015. The tanker was met in the port by a number of specialists from the General National Maritime Transportation Company, headed by the acting Director-General of the Company and several officials from national institutions and offices.

In coordination with all relevant parties, work is under way to unload the vessel's cargo and assess the damage it has sustained. Preliminary reports received from the tanker indicate that the vessel is unable to unload its cargo using its own equipment and cannot start its engines.

We hope to provide timely updates on developments as necessary. The Management of the General National Maritime Transport Company is monitoring the tanker around the clock and is coordinating with all other relevant stakeholders to assess damage. It is arranging for permanent repairs to be carried out at an approved dock. It is also providing all necessary assistance and support.

Emergency Committee
General National Maritime Transport Company
Date: 28 May 2015
Time: 1815 hours

Annexes 10 Use of IEDs by ISIL

Images taken from IS related social media sources showing IED attacks claimed by IS in Benghazi



Source: Social media, 13 February 2015



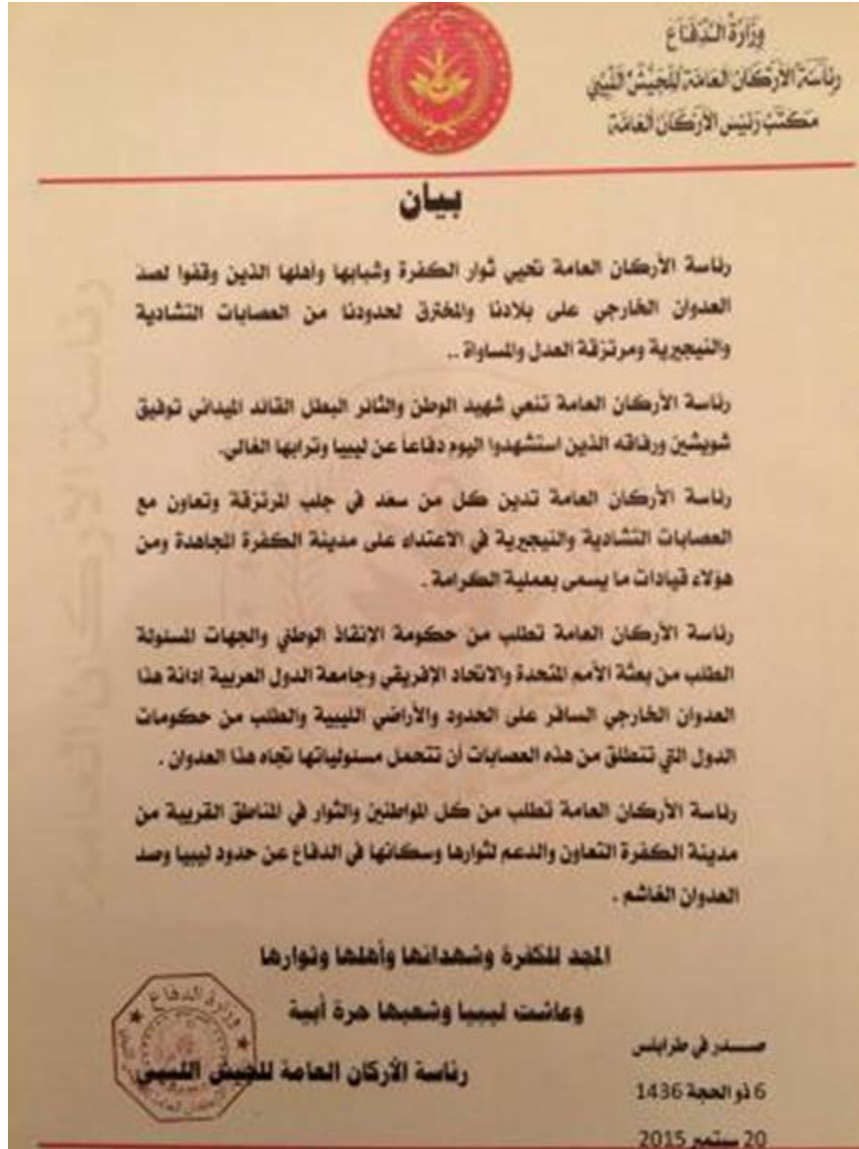
Source: Social media, 23 February 2015



Source: Social media, 24 March 2015

Annexes 11 GNC's statement in support of Zway in Kufra

The GNC-affiliated Chief of Staff Jaddallah Al-Obeidi praises the actions of revolutionaries in Kufra, and mourns “field commander martyr Tawfic Chouachine”.



Source: Social media, 20 September 2015

Annexes 12 Casualties and destruction in Kufra

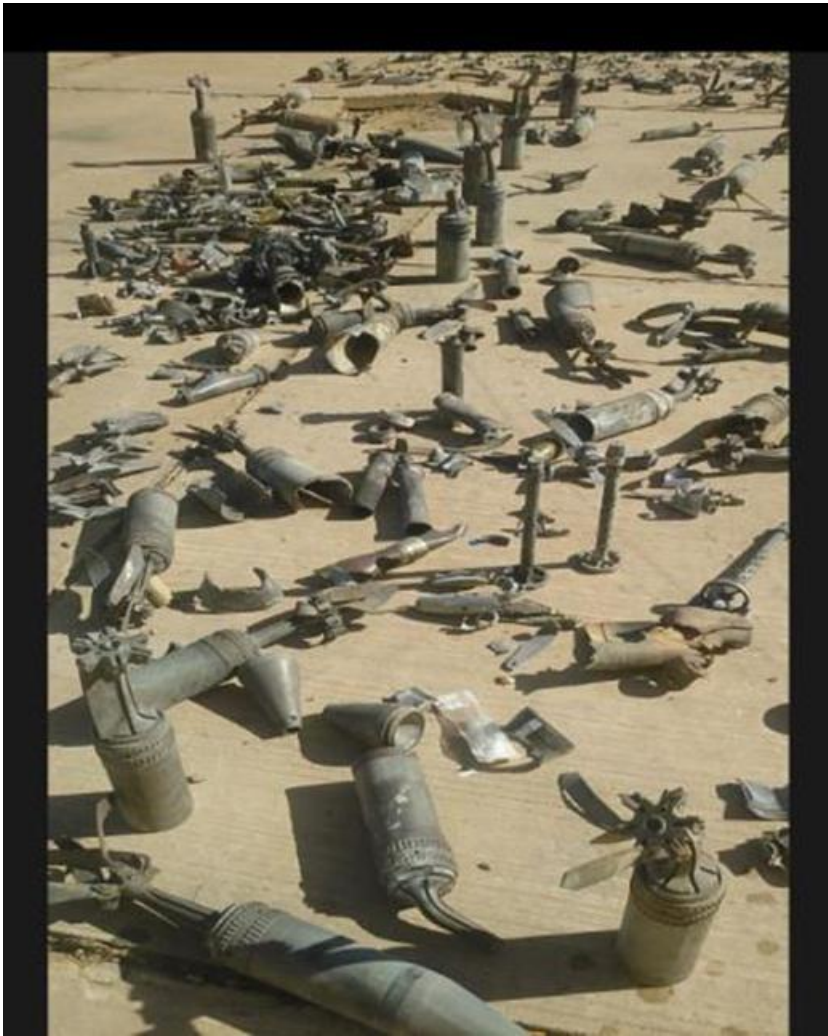
Civilian casualties, including children, in the Tebu neighbourhoods of Godrfei and Al-Shura, between July and October 2015



Source: Confidential

Material damage due to intense shelling and intense use of mortar bombs and tanks in Tebu neighbourhoods in Kufra





Source: Confidential

Tanks shelling Tebu neighbourhoods in Kufra, from the Material Supply Camp on the outskirts of the city

1. The camp is run by Adel Chouachine, affiliated with GNC-linked Libyan military. Adel is the brother of Tawfic Chouachine, killed during fighting in August 2015. This photo was shared by several pro-Zway Facebook pages. According to Tebu sources, this is the first time tanks were used in Kufra since the revolution in 2011, following the arrival of spare parts provided by the Sudanese military.



Source: Social media, 13 September 2015

Tawfic Chouachine, field commander during fighting in Kufra, killed in 2015



Source: Social media, 25 September 2015

Annexes 13 Connections between national and local politics

Khalifa Haftar and Ali Shida, commander of *Ahmad Al Sharif* brigade, standing side by side in Benghazi in December 2014



Source: Social media, December 2015

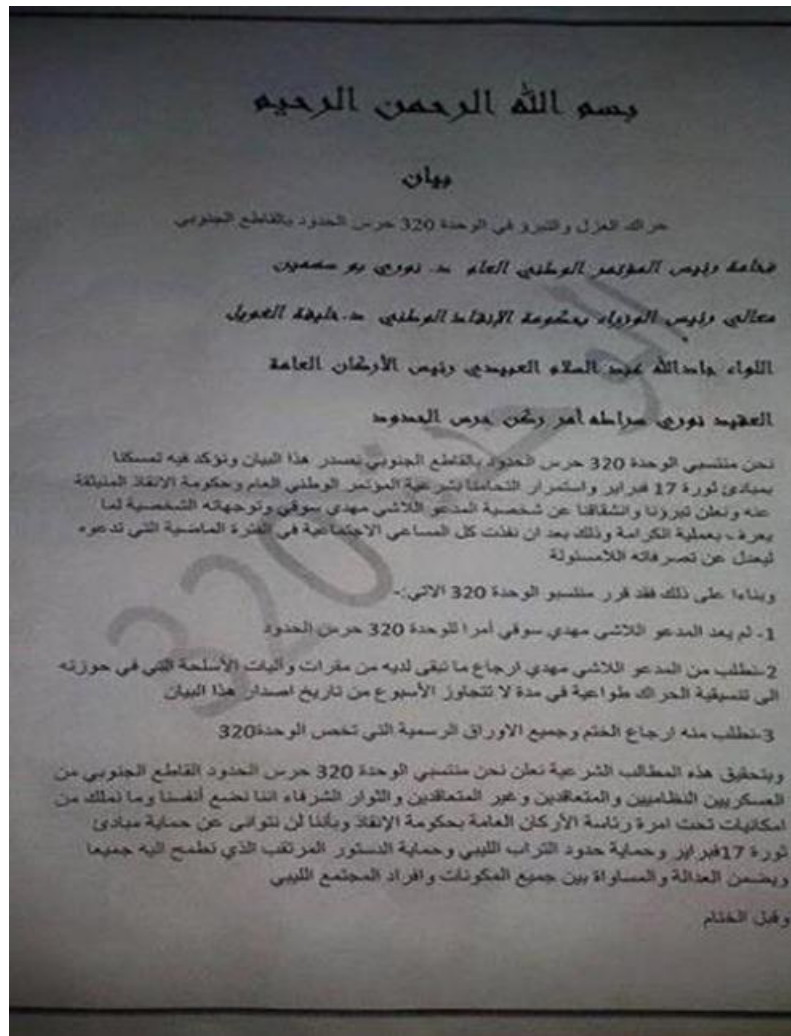
Military order signed by Ali Themn, the late Commander of Operations in Benghazi, to recruit volunteers to join the LNA in Um Al Araneb, a Tebu-dominated area in Fezzan



Source: Social media, no date (believed to be late 2014 or early 2015)

A communiqué by Unit 320, Southern PFG, on 2 September 2015, declaring a split from Mehdi Lashi, and swearing allegiance to the GNC and the NSG

2. Interestingly, it praises the role of the NSG's Libyan General Intelligence Apparatus, under the command of Mustapha Nuh, who plays a prominent role in Tripoli. This document shows how polarization at the national level is not only deepening inter-tribal divisions, but also intra-tribal ones. The letter openly criticizes Lashi's "alliance with Khalifa Haftar".



سمايكتا
نتقدم بالشكر لكاتب التوازي الشرفاء المرابطون بالحدود الجنوبية بدون امكانيات وتجاهلهم من قبل
الحكومات المتعاقبة وبالاعص كتيبة شهداء أم الأرنب وكتيبة واو وكتيبة مروج الصحراء الناصحين
للمجلس العسكري مبرزي **وطلبنا باسم الحكومة الإفقاء عدم قتلهم وإصابتهم**
وشكر خالص لثقتي النبا وبقدر لما التان كالتا حامضرتين في المكان والزمان لنقل هذا البيان
كما نتقدم بالشكر ايضا لجهاز المخبرات الطبية لمساعدتهم لنا في هذا البيان ودورهم فيه
والسلام عليهم ورحمة الله وبركاته
مسير شباري
مسوق في مدينة سبوا يوم الثلاثاء
العدد التمة 1436 هجري
منسق الخراج
التاريخ 2/9/2015 ف 2-9-2015 ف
320

Source: Social media, 2 September 2015

Annexes 14 Attacks on foreign missions

Reported attacks against foreign missions

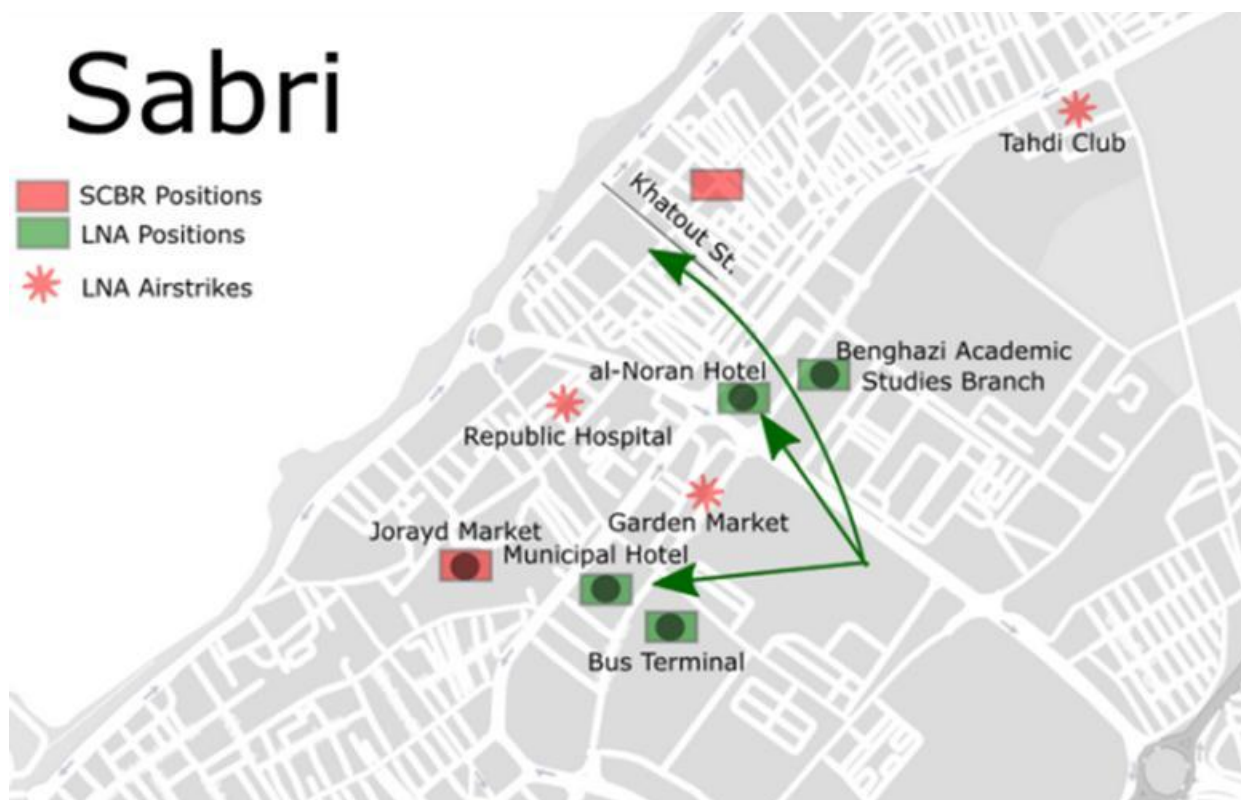
1. On 17 January 2015, three people were reportedly wounded after an IED attack on the Algerian embassy. The Panel asked Algeria for confirmation of the incident and additional information on the perpetrators. Algeria explained that two individuals approached the embassy and hid a package behind a guard house. An explosion ensued, resulting in light injuries of two members of the Libyan diplomatic police. The attack was claimed by ISIL on social networks.
2. A double IED attack was reported against the Iranian embassy on 22 February 2015. The Panel has asked Iran for confirmation of the incident and additional information on the perpetrators, and awaits a response.
3. The Moroccan embassy in Tripoli was targeted by a remotely controlled IED attack in the early morning of 12 April 2015. Morocco told the Panel that despite extensive damage to the building, there were no casualties. Morocco suspects the perpetrators were supporters of the former regime from the Fashloun district, but has received no further information from the authorities in Tripoli.
4. The embassy of the Republic of Korea was reportedly attacked by gunmen on 12 April 2015, resulting in the death of two security guards. The Panel has asked the Republic of Korea for confirmation of the incident and additional information on the perpetrators, and awaits a response.
5. On 20 April 2015, an IED attack caused EUR 16,000 of damage to the Spanish embassy in Tripoli's Chancellery. Spain told the Panel that it had not received any official information on the incident from the authorities in Tripoli, whom it does not recognise. The Spanish authorities have not been able to confirm alleged claims by ISIL of organising the attack.
6. On 22 May 2015, the Ukrainian ambassador was carjacked, resulting in the theft of a vehicle, documents and personal belongings. Ukraine told the Panel that after alerting both the local police and the diplomatic police in Tripoli, the perpetrators were arrested within the next 24 hours, and the car and some belongings were returned. Furthermore, that the Military Police who made the arrest explained that the perpetrators were ordinary criminals with a criminal history.
7. A similar incident involving the ambassador of Mali was reported on 25 June 2015. The Panel has asked Mali for confirmation of the incident and additional information on the perpetrators, and awaits a response.
8. On 12 June 2015, ten employees of the Tunisian embassy were reportedly abducted after the Consulate compound was attacked. The Tunisian embassy was one of the few diplomatic missions in Tripoli remaining open. There were widespread allegations that the attack was a reaction to the arrest of *Fajr* Libya commander Walid Ghleb earlier in Tunis. The Panel has asked Tunisia for confirmation of the incident and additional information on the perpetrators, and awaits a response.

9. On 28 September 2015, a grenade attack was reported against the Turkish consulate in Misrata. Although no damage was reported, the consulate closed down following the events.
10. On 8 November 2015, two employees from the Serbian embassy in Tripoli were abducted from a motorcade on its way to the Tunisian border. Following the dispatch of a note verbale to all Member States by the Committee, in follow-up to a recommendation contained in the Panel's interim report, on 24 November 2015 the Serbian Mission informed the Committee of the incident, explaining that the attackers opened fire on another vehicle used by its ambassador, resulting in the wounding of his driver. The Serbian authorities further informed the Panel that they had no additional information regarding the identity or affiliation of the attackers, other than that they drove off in the direction of Sabratha.

Annexes 15 ISIL and BRSC in Benghazi

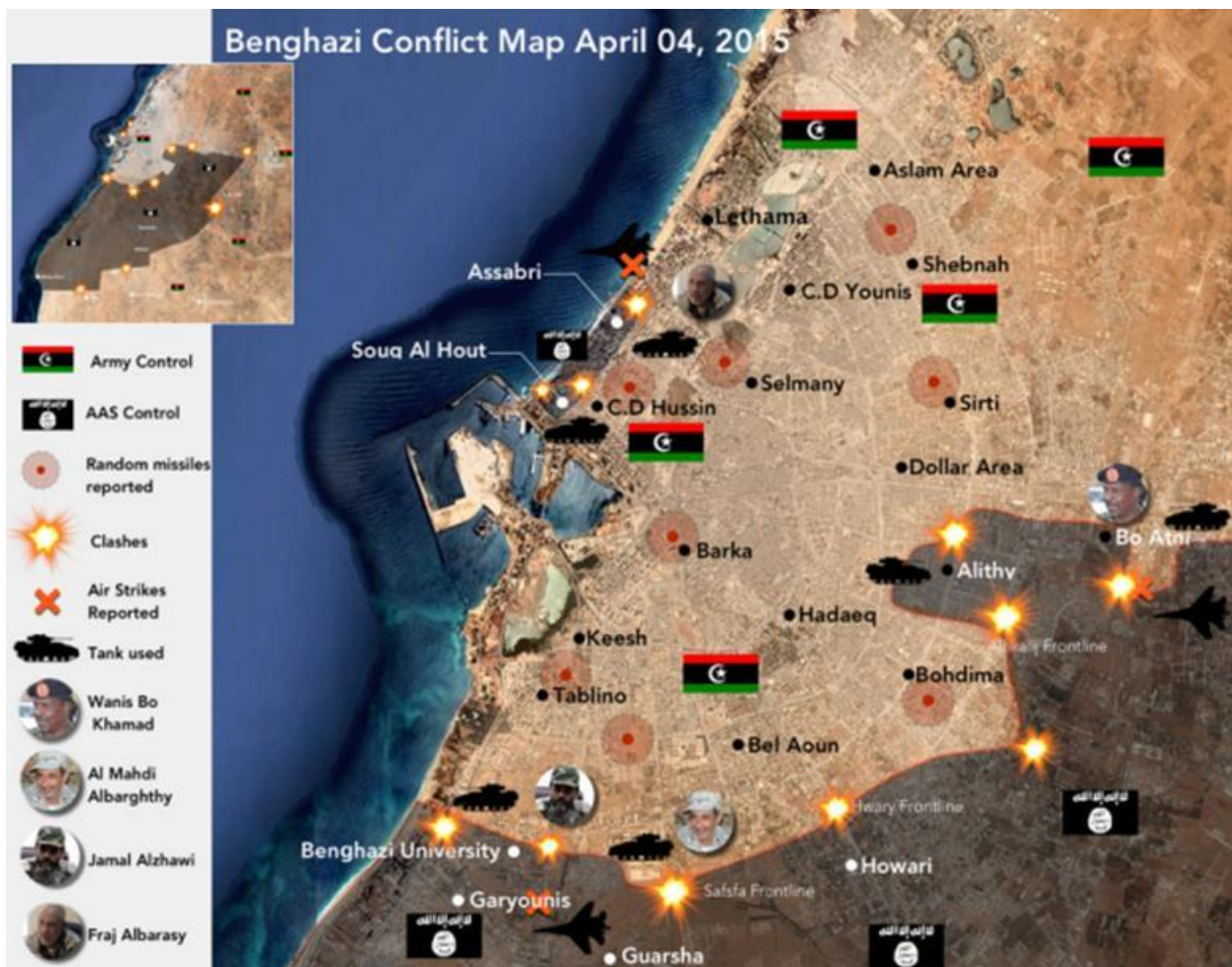
ISIL and the BRSC media showing their activities in the Sabri area

1. The Panel believes that the area of Sabri is physically too small for two armed groups to operate without coordination.
2. The two maps below show that Sabri is one of Benghazi's smaller northern districts and relatively isolated from the main area under BRSC control in southern Benghazi. The Panel cannot guarantee the total accuracy of these maps but assesses them to be sufficiently representative for the argument made above. It does not necessarily agree with any other information they contain.



Source: Libya Security Monitor, LNA advance near coast seeks to cut off rebel strongholds, 29 July 2015,

<https://medium.com/libya-security-monitor/lna-advance-near-coast-seeks-to-cut-off-rebel-strongholds-9c99a256f1e0#.yiskrapvm>.



Source: Benghazi conflict map, @mutaz20042000, 4 April 2014, <https://wakeupbenghazi.files.wordpress.com/2015/04/apr-4ht-scale.jpg>.

3. Nevertheless, both the BRSC and ISIL have published images on social media showing activities and operations in Sabri in roughly the same period. This indicates that, at the very least, they respected each other's deployments and exchanged warnings of planned operations.
4. The following photographs show that ISIL has established basic defensive structures in Sabri, indicating that their positions are at least semi-fixed.



Source: Sabri, Caliphate soldiers penetrating in tunnels to conduct special operations in Al-Sabri, ISIL, 6 May 2015, <http://justpaste.it/anfaq1>.



Source: Sabri, Caliphate soldiers resisting in Al Sabri area in Benghazi, ISIL, 31 May 2015, source: <http://justpaste.it/lgdg>.

Screenshot of a BRSC video publication, published on 3 April 2015, showing the armed group's military operations in Sabri



Source: <https://www.youtube.com/watch?v=qhAG4E-w2Js>.

Annexes 16 BRSC communiqué é

1. This communiqué by BRSC published on 27 December 2015 questions why they were excommunicated by ISIL and explicitly states that they sought reconciliation with ISIL. The latter replied two days later, publishing a communiqué accusing the BRSC of not taking a clear stance “against the GNC and *Fajr*”.



مَجْلِسُ شُورَى بُوَارِ بِنَغَارِي

بيان رقم (38)

نسيتم أم تناسيتم

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله و الصلاة و السلام على رسول الله و على آله و صحبه أجمعين و من تبعهم باحسان إلى يوم الدين . أما بعد ..

إن مما لا شك فيه أنه يعرض للمجاهد في ساحات الوضى ومبادين القتال من أصناف الشائعات وفنون الأراجيف الشيء الكثير وهذا واقع لا محال في كل تجمع وهو مشاهد بالتجربة لهذا وذاك . و حتى لا يختلط الحابل بالنابل و تغر الفؤوس و تسود الفتن . فقد أوردنا ربنا سبحانه و تعالى إلى الطريق المثلى في التعامل مع ما يستجد من أمور لم يحط المرء بخباياها . و لم يقف على كنهه حقيقتها و لم يعلم سرها و حواها قال تعالى : **" و إذا جاهدكم فاجتنبوا بها "** ففى هذه الآية نجد الأدب الذي يجب أن يسود . و نلمح الخلق الذي يجب أن يمثله الناصح لنفسه الحريص على نصرة هذا الدين . الراضب في قطع دابر الفتنة قبل أن تغر ويستحل شرها .

من هذا المنطلق كتبنا هذا البيان بعدما بذلنا وسعنا في التواصل بمن اقترى علينا من جماعات الدولة الإسلامية و جعل رايئنا غميباً جاهلياً بل و جعلها من ضمن رايات أهل الكفر العالمى ككأمريكا وروسيا و غيرها إضافة إلى حزب الأت . لنبين لنا هذه و غيرها ! و كيف رمانا بها ؟ و على أي شيء استند ؟ و الككل يعلم أننا نرءاء من هذه الرايات فقد أعلننا رايئنا ساطياً نقياً و يشهد على ذلك أجنادكم قبل غيرهم . نعى المنصفين منهم ! فقد كان لنا الشيق في مناقبات المجرمين و إعلان القتال على عملاء الغرب المكافه في بلادنا ككخليفت حقت و أذنايه . فهل **نسيتم أم تناسيتم** . بيان الشيخ أبي مصعب الزهاوي - تقبله الله - ٩ .

إن رضى الاخوة المجاهدين في بنغازي المنطويين تحت مجلس شورى بواري بنغازي بهذه الشهر . انما هو إسقاط لهم شرعياً . و التشغيب عليهم في هذا الوقت بالذات هو تمهيد لأمر ذبر بليل ممن لا يحسن معرفة صواقب الامور و مآلاتها و لا يصلح للقيادة . فهو دعى عليها .

لقد زفعت رايات كشرية و غميبية في جميع الأرض و لا سيما الشام و العراق . فلماذا - لبيبا المختار - لها النصب الأكبر ؟ قال الله تعالى : **" و اتقوا فتنة لا تصيب الذين ظلموا منكم خاصة "** أم ان وراء الأكمة ما وراءها من هذه الرايات وهذه الدعوات . فعقيدتنا تجاهها أضح من الشمس في رابعة النهار في ميثاقنا و بياننا فليرجع إليها من يخاف أن يحبس الله في ردة الخيال كما وعد النبي - صلى الله عليه وسلم - حتى يأتي بيننا على وصفه و اتهامه .




1

بيان رقم (38)

مَجْلِسُ شُورَى بُنْغَارِي

ومع هذا كله فإن دفع العدو الصائل الذي يفسد الدين والدنيا لا يشترط له شرط بعد الإسلام ولا شيء أوجب بعد الإيمان من دفعه . بل يدفع حسب الامكان كما قرر ذلك شيخ الإسلام - رحمه الله - وشيخه من أهل العلم .

وليتذكر من زماننا بهذه القوائيل أن أعظم ما يكون شرارا على الجهاد والمجاهدين ويشرح أعداء الدين من كفار وأسيبيين ومرتدين . هو هذا الداء العفسال . من عدم التثبيت والتبيين ونشر الشائعات وريه الأمر لأهله . وهو من حيث ما ذهبتم إليه . وما رمبتمونا به . ولكن الواجب أن تعرفوا للناس قدرهم ولشنايقين فضلهم . لا أن تلصق بهم التهم أو يشكككم في الديانة والذمير أو تلحق بهم التلثم .

وختاماً نتذكر أن من المسلمات عند العامل لدين الله والعارف بأحكامه . توحيد الحكمة ورض الصوف . لا تفريق الجماعات وتخويتها واستنقاص الفضائل وقللها كما قال تعالى ، **" واغتنقوا بحبل الله جميعا ولا تفرقوا "**

هذا و صلى الله على سيدنا محمد وعلى آله وصحبه أجمعين والحمد لله رب العالمين .

صدر في بنغازي
الأحد 10 ربيع الأول 1437 هـ
الموافق 27 ديسمبر 2015 م

مجلس شورى بنغازي

2

Source: Social media, 27 December 2015

2. The Panel could not obtain a copy of the ISIL communiqué. However, the propaganda below shows how (some within) ISIL consider(s) AAS and the BRSC as infidels and even places them in the same category as the US.¹



Source: ISIL propaganda on social media

¹ See also <http://www.libyaakhbar.com/libya-news/124206.html>.

Annexes 17 AAS in DMSC-controlled areas

Ansar al Charia Derna continued to publish photos of promotional activities after the DMSC had ousted ISIL

دَرنة: المجاهدون يوزعون الإفطار على المارة عبر المنافذ التي يربط عليها المجاهدون على ثغور مدينة درنة



Source: Derna, *Mujahdeen* distributing food on checkpoints in Derna during Ramadan, AASB, 27 June, <https://dump.to/cwG>.

Annexes 18 Support by Tripoli to BRSC and DMSC

Official statements of support for the DMSC from the National Salvation Government Ministry of Defence and the Dar al Iftaa

التاريخ Date
هجري / /
الموافق / /
رقم الإشاري: No. /
Ref. Number


Ministry of Defense

رئاسة مجلس الوزراء
ديوان الوزارة
وزارة الدفاع

الجبل الأخضر والشرق الليبي من هؤلاء التكفيريين والانقلابيين حتى يتم استئصالهم من تلك المناطق وتخليص البلاد والعباد من شرورهم.
ونقول أخيرا ..

للإنقلابيين ... كفاكم تدليسا وكذبا وأنتم تحاولون عبثا القفز على بطولات أشاوس وشرفاء درنة وتنسبون زورا وبهتاناً لأنفسكم دون وجه حق الانتصارات الباهرة التي تحققت بفضل الله أولا ثم بإخلاص نوايا أولئك الأسود وتضحياتهم في سبيل نصرته الحق والدفاع عن الوطن والعرض التي سجلها لهم التاريخ بما من ذهب.

كما نقول لأولئك التكفيريين الغلاة عودوا إلى رشدكم وراجعوا أفكاركم الهدامة فالإسلام منكم براء وليبىا ستكون عصية عليكم ولن يكون لكم فيها موطأ قدم بإذن الله تعالى.

الله أكبر الله أكبر الله أكبر
عاشت ليبيا حرة أبيّة والمجد لشهدائنا الأبرار ..
والسلام عليكم ورحمة الله وبركاته ..



صدر في طرابلس. الإثنين 28 شعبان 1436 هـ الموافق 2015.06.15 م.

www.defense.gov.ly

Source: Social media, 15 June 2015

التاريخ: 1 / 1 هـ
الموافق: 1 / 1 م
الرقم الإحصائي: 2015/146



دار الافتاء الليبية
مجلس البحوث والدراسات الشرعية

بسم الله الرحمن الرحيم

الحمد لله والصلاة والسلام على رسول الله صلى الله عليه وسلم
وبعد؛

ففي الوقت الذي يُعزي فيه مجلس البحوث والدراسات الشرعية التابع لدار
الإفتاء أهل درنة بخاصة والشعب الليبي بعامة في فقيد الوطن المجاهد
الشيخ سالم دربي ورفاقه الذين نحسبهم عند الله من الشهداء لُحبي مجلس
شورى ثوار درنة ويشدّ على أيديهم ويدعو الله تعالى أن يتبّتهم ويُسدّد
خطاهم.

كما يدعوا أهل درنة وما حولها من القبائل أن يقفوا صفاً واحداً في وجه
هذه الفئة المارقة التي سمت نفسها زوراً وبهتاناً الدولة الإسلامية، وقد
أساءت إلى الإسلام أيما إساءة، فلا يرعون في مؤمن إلا ولا ذمة، كما قال
النبي صلى الله عليه وسلم: (يَقْتُلُونَ أَهْلَ الْإِسْلَامِ وَيَدْعُونَ أَهْلَ الْأَوْثَانِ لِيُنَازِلُنَا
أَذْرَكْتَهُمْ لِأَفْتَلَتْهُمْ قَتْلَ عَادٍ) رواه البخاري ومسلم.

وعلى الشباب ألا يغتروا بشعاراتهم الكاذبة، فإنها ضلالاتٌ بينها النبي
صلى الله عليه وسلم وحذرنا من أصحابها أشدّ تحذير، فقال صلى الله عليه
وسلم: (يَدْعُونَ إِلَى كِتَابِ اللَّهِ وَيَسْأَوْنَ مِنْهُ فِي شَيْءٍ مَن قَاتَلَهُمْ كَانَ أَوْلَىٰ بِاللَّهِ مِنْهُمْ)
رواه أحمد وأبو داود. وقال: (هُمُ شَرُّ الْخَلْقِ وَالْخَلِيقَةِ) رواه مسلم. وقال
صلى الله عليه وسلم: (يَمْرُقُونَ مِنَ الدِّينِ مُرُوقَ السَّمِّ مِنَ الرِّيمَةِ) رواه البخاري
ومسلم.

فعلى الجميع أن يتصدى لهم، وألا يسمحوا لهم بتدمير ليبيا كما دمرت بلاد
أخرى، ومن مات وهو يقاتلهم فهو شهيد بإذن الله، وطوبى لمن قتلهم أو
قتلوه.

صدر عن مجلس البحوث والدراسات الشرعية التابع لدار الافتاء بتاريخ :
23 شعبان 1436 هـ الموافق 10 يونيو 2015م

طرابلس - الظهرة - شارع عبد الرحمن الكواكبي

2445 ☎ www.ifta.ly 🌐 info@ifta.ly ✉ +218213343042 📞 +218213346471-74 📠

Official statement on 23 March 2015 from the National Salvation Government mourning the “martyrdom” of Mohammad Al Oreibi, a prominent commander of the BRSC

حكومة الإنقاذ الوطني ديوان رئاسة الوزراء

بسم الله الرحمن الرحيم

«ولا تقولوا لمن يقتل في سبيل الله أموات بل أحياء ولحسن لا تشعرون* ولنبلونكم بشيء من الخوف والجوع ونقص من الأموال والأنفس والثمرات وبشر الصابرين* الذين إذا أصابتهم مصيبة قالوا إنا لله وإنا إليه راجعون».

تتعى حكومة الإنقاذ الوطني بخالص الأسى والحزن استشهاد ابن ليبيا البار البطل محمد العريبي أحد أشجع ثوارنا البواسل الذين خطوا أسماءهم عريضة في تاريخ ليبيا بحروف من ذهب وكانوا مثالا يحتذى في حب الوطن والسعي للحفاظ على وحدته.

نسأل المولى جل وعلى أن يتغمد الشهيد بواسع رحمته ومغفرته، وأن يلهم أهله وذويه الصبر والسلوان.

صدر يوم الإثنين 03 جمادى الآخر 1436 هـ ، الموافق 23 مارس 2015م

طرابلس - طريق السكة 334 4210 - 0117 362 0117 (21) 218 + فاكس 0132 362 0132 (21) 218 +

Source: Social media, 23 March 2015

Annexes 19 Dar al Iftaa links to Extremists

A communique issued by Dar Al Iftaa, concerning the arrest by SDF of the Director of Awqaf in Tripoli, where it denounces “arbitrary actions being undertaken by this armed group”

1. SDF has arrested the Director in order to interrogate him about the recruitment of young men by ISIL in Tripoli. More specifically, it interrogated him about the role of an Egyptian preacher arrested by the SDF at Mitiga airport, following his return from Ghana.
2. Several reports have indicated that many ISIL fighters have been recruited in mosques in Tripoli, which could hold the Awqaf responsible for its role in nominating mosques’ preachers.

التاريخ: 14 صفر 1437 هـ
العدد: 11 / 26
الرقم الإصداري: 2019

دار الإفتاء والليبية
دار الفتوى والليبية

(بيان دار الإفتاء بخصوص اختطاف مدير أوقاف طرابلس)

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله، والصلاة والسلام على رسول الله، وعلى آله وصحبه أجمعين، وبعد:

فإن ما قامت به بعض المجموعات المسلحة، من التهاجم على مكتب أوقاف طرابلس، واعتقال مديره الشيخ محمد تسكريت، هو أمر مشين، وعدوان آثم خاطئ.

ويعظم الإثم؛ عندما تقوم بهذا الفعل مجموعة محسوبة على عمارة المساجد، ممن يظهرون التنسك، والاستئناس بسنة النبي ﷺ.

هذا الفعل بالخروج المسلح على من ولوا ولاية شرعية على مساجد المسلمين، من قبل ولاية الأمر، هو من أفعال البغاة وأعمال الحرابة وقطاع الطرق، محرم شرعاً، أيما كان القائم به؛ قال الله تعالى: (قُلْ إِنَّمَا حَرَّمَ رَبِّيَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَإِثْمَ وَالْبَغْيِ بِغَيْرِ الْحَقِّ)، وهو عصيان لله تعالى ولرسوله؛ لقول النبي ﷺ: (من أطاعني فقد أطاع الله، ومن عصاني فقد عصى الله، ومن عصى أميري فقد عصاني).

ومن اقترفه فقد نزع يده من الطاعة، التي أمر الله تعالى بها، قال الله تعالى: (يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ)، وقال ﷺ: (على المرء المسلم السمع والطاعة، فيما أحب وما كره)، وسئل النبي ﷺ عن لواء الجور: ألا نقاتلهم؟ قال: (لا، إلا أن تُزوا كُفراً بؤاحاً، لكم فيه من الله بُرهان)، وقال ﷺ: (من نزع يده من طاعة، لعني الله لا حجة له).

إن ما قامت به هذه الجماعة المسلحة، من اختطاف الشيخ: (محمد تسكريت)، هو عمل إجرائي مُغلظ، يُحَاكِي ما يقوم به المدعو (مبار) وزمرته، في المنطقة الشرقية، من الفساد في

طرابلس - الطاهرة - شارع عبد الرحمن الكواكبي
218214445207 - 218213337100 - 218213337100
www.ifta.ly - info@ifta.ly

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التاريخ: 14 / /
الموافق: 20 / /
الرقم الإشاري:

دار الافتاء الليبية

الأرض، ومؤازرة الباغي "حفتر"، في قبج صنيعة؛ من خطف وتقتيل حملة القرآن، وانتهائهم حرمت المساجد، باعتقال الأئمة والمحفظين والدعاة، وأخذهم من بين صفوف المصلين، وهم يؤمّون المسلمين.

ودارُ الإفتاء؛ إذ تستنكر هذه الجريمة النكراء، وأمثالها؛ لقدعو الجهة الأمنية، التي تتبعها هذه الجماعة المسلحة الأئمة، أن تأخذ على أيديهم، وتنزع عنهم الشرعية، وترفع عنهم الغطاء؛ طاعةً لله ورسوله، وإبراءً لذمتها من عمل البغاة والمُفسدين؛ فإن النبي ﷺ يقول: (مَنْ أَخَذَتْ حَدَّثًا، أَوْ آوَى مُجِدِّثًا، فَعَلَيْهِ لَعْنَةُ اللَّهِ وَالْمَلَائِكَةِ وَالنَّاسِ أَجْمَعِينَ، لَا يُقْبَلُ مِنْهُ صَرْفٌ وَلَا عَدْلٌ).

وفق الله الجميع إلى الصلاح والرشاد، وهدى الله ضال المسلمين، ولا حول ولا قوة إلا بالله العلي العظيم.

دار الافتاء الليبية

صدر يوم الخميس:
14 صفر 1437 هـ
2015 / 11 / 26 م

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info@ifta.ly www.ifta.ly 218213337100 218214445207 - 72

Source: Social media, 26 November 2015

3. On 30 December 2015, Jalal Mohammad Omar, a preacher and TV presenter on the *Dar Al Iftaa*-affiliated TV channel *Al Tanasuh*, threatened Libyans that an Iraqi scenario of bombings and explosions would come if the GNA was appointed, comparing the GNA to what he described as “the Iraqi government put in place by Bremer”. Paul Bremer was the Governor of Iraq in 2003-2004.



Source: <https://www.youtube.com/watch?v=QNKawOp9TAA>.

A screenshot from a video footage of Abd Al-Bassit Ghweila, known to be very close to the Mufti, who is mobilizing local supporters in order to wage 'Jihad in Libya', instead of Syria or Iraq. The video was made in Zliten in August 2014.



عبد الباسط غويلة خليفة الصادق الغرياني يعلن الجهاد في طرابلس

Source: <https://www.youtube.com/watch?v=De5-LN8MXV8>.

Annexes 20 Appointment letter Faraj Mohammad Mansour

Decree from the interim Minister of Interior confirming the nomination of Faraj Mohammad Mansour as the head of the Special Missions Force, pursuant to the decision 81 of 2015 of former Interior Minister Omar Al-Sinki

الجمهورية العربية السورية
وزارة الداخلية

قرار وكيل وزارة الداخلية المكلف بتسيير مهام الوزارة
رقم (113) لسنة 2015م
بشأن تكليف ضابط شرطة بمهام

وكيل وزارة الداخلية المكلف بتسيير المهام

- بعد الإطلاع على الإعلان المنشور بتاريخ 3 أغسطس 2011م.
- وعلى القانون رقم (10) لسنة 1992م، بشأن الأمن والشرطة ولائحته التنفيذية
- وعلى القانون رقم (12) لسنة 2010م، بشأن علاقات العمل و لائحته التنفيذية.
- وعلى قرار مجلس النواب رقم (24) لسنة 2014م، بشأن منح الثقة للحكومة النيابية المؤقتة
- وعلى قرار مجلس الوزراء رقم (145) لسنة 2012م، بشأن اعتماد الهيكل التنظيمي والمختصاصات وزارة الداخلية وتنظيم جهازها الإداري .
- وعلى قرار رئيس مجلس الوزراء ووزير الداخلية المكلف رقم (221) لسنة 2015 م
- وعلى قرار وزير الداخلية رقم (81) لسنة 2015 .
- وللمقتضيات المصلحة العامة .

قـــــرر

المســـــادة (1)

يكلف ملازم أول / فرج محمد منصور رئيساً لقوة المهام الخاصة .

المســـــادة (2)

يتولى رئيس قوة المهام الخاصة ممارسة الاختصاصات والسلطات المشار إليها بقرار رئيس مجلس الوزراء ووزير الداخلية المكلف رقم (221) أو أي مهام أخرى يكلف بها من قبل وزارة الداخلية .

المســـــادة (3)

يصل بهذا القرار من تاريخ صدوره وعلى الجهات المختصة التقيد والتنفيذ .

عقيد / مصطفى عمر الدباشي
وكيل وزارة الداخلية المكلف بتسيير مهام الوزارة

صدر في: الدباشي
12 . 6 . 2015
م . م . 1 / 12

Source: Social media, 12 June 2015

Annexes 21 Gharghour massacre

Extract from video surveillance in the area of Gharghour very clearly indicating the involvement of major Misratan brigades in the events that took place



Street Camera 1 1800-1900 Nov 15 2013.mov - Frame 8415_prop.tif
Case #90-AG-3288101 Lab #131213255 ADO

13



Street Camera 1 1800-1900 Nov 15 2013.mov - Frame 27801.tif
Case #90-AG-3288101 Lab #131213255 ADO

78

Source: Confidential

Annexes 22 Blockages of humanitarian aid

Agreement signed between the Tebu and the Zway in Kufra on 11 October 2015 stipulating the removal of road blockades between Kufra and Ajdabiya, hand over the control of checkpoints to neutral forces, and grant the access of humanitarian delivery convoys to Kufra and its outskirts



Source: Social media, 11 October 2015

A communiqué by AMMAN NGO on 30 September 2015 denouncing the siege against Tebu neighbourhoods in Kufra



(AOAD)

بيان
بشأن الأحداث الجارية في الكفرة

تدين و تستنكر منظمة الأمان لمناهضة التمييز العنصري ، ما تتعرض له الأقلية التباوية من قصف مستمر لأحيائها السكنية بمدينة الكفرة من قبل الميليشيات المحسوبة على الزوية ، كما نعرب عن قلقنا الشديد إزاء السد الترابي (جدار العازل) التي أقامتها الزوية لازدياد الخناق على التبو و حصارهم داخل المدينة مانعة عنهم الماء و الغذاء و الدواء في جريمة ممنهجة منذ عدة سنوات لغرض التفرد بهم و القضاء عليهم

كما نستنكر التحريض و خطاب الكراهية و التمييز الذي يقوم به المؤتمر الوطني و حكومة الإنقاذ الوطني و الأجهزة التابعة لهما و نحمل كل تبعات الحرب الدائرة في الكفرة لهما . كما تدين المنظمة قيام الحكومة السودانية بتقديم الدعم و التمويل لهذه الميليشيات عبر الحدود الليبية السودانية المشتركة و الطيران

و تعتبر المنظمة هذه الأفعال غير المسؤولة تمييزاً عنصرياً و انحيازاً غير مقبولاً لقبيلة الزوية العربية في صراعها مع الأقلية التباوية داخل مدينة الكفرة و أن المنظمة تمتلك من الوثائق و الأدلة ما يؤكد تغذية الصراع من قبل الجهات المذكورة و تعرض المدنيين التبو إلى إبادة جماعية ممنهجة

إذ نناشد الجهات المسؤولة و المعنية و المؤسسات الدولية سرعة التحرك و أخذ ما يلزم من إجراءات لحل الأزمة و رفع الحصار و إغاثة المتضررين

منظمة الأمان لمناهضة التمييز العنصري
طبرق / 30 / سبتمبر / 2015م



www.aoadlibya.org Email-info@aoadlibya.org Tel-00218-71-3164775 00218-92-7901059

Source: Confidential Tebu source

Social media source reporting on the blockage of a humanitarian convoy on the main road next to Al-Sarir oil field

أوقفت مجموعة مسلحة متمركزة بمنطقة السرير فجر أمس الإثنين، قافلة شاحنات الإغاثة الإنسانية المتجهة إلى مدينة الكفرة ، التي قام بتجهيزها بعض من التجار ورجال الأعمال بالمنطقة الشرقية ، وطلبوا منها العودة.
وأبدي مشرفو قافلة الإغاثة استياءهم من الهلال الأحمر الليبي ، لعدم تقديمه أي تسهيلات ، أو اتخاذ إجراءات لضمان وصول مواد الإغاثة ، وعدم تواصلهم مع السائقين ، مما سبب عنه تأخير وصول الشحنة لأهالي الكفرة ، وتلف المواد الغذائية والخضروات والأدوية.
يذكر أن قافلة المساعدات الإنسانية المقدمة لأهالي مدينة الكفرة، مكونة من ستين شاحنة تم تجهيزها منذ أكثر من أسبوع.
وكالة ليبيا للأنباء

[See Translation](#)



Source: Social media, 3 October 2015

Annexes 23 Turi Defense Group

1. Following a request for information, the United States provided the Panel with the publicly available United States of America vs. Marc Turi and Turi Defense Group indictment.¹ The case is based on allegations that Mr. Turi and the Turi Defense Group violated several articles of the United States' Arms Export Control Act including providing false documentation to a government agency related to a scheme to transfer military materiel to Libya through Qatar or the UAE in 2011.
2. The initial application by Mr. Turi to export military materiel, valued at USD 195 million, to the National Transitional Council (NTC) listed Dolarian Capital as an additional party. The application was denied on 22 March 2011 (indictment, paragraph 24). Subsequently Mr. Turi submitted two additional applications on 29 March 2011, one to transfer material to the value of USD 267 million to Qatar and another to transfer material of the same value and content to the UAE in June 2011. The indictment states that these requests were attempts to facilitate the transshipment of materiel to Libya via Qatar or the UAE (paragraph 24).
3. The Panel noted that the transaction was for a large quantity of material. However, the materiel on the list is an older generation of weapons, not the type of weapons in general use by modern defence services such as the UAE and Qatar. Therefore the question arose who the intended end user might have been.
4. Turi Defense Group had already conducted arms transactions in other countries, with United States permission, and the defence argues that Mr. Turi was working at the behest of the United States in this instance.² Court records show that Mr. Turi was in email contact with the United States Ambassador to Libya during April 2011. Ambassador Stevens replied that he would keep the information provided by Mr. Turi 'in mind' and share it with his colleagues in Washington.³
5. The public statement of a United States Senator, and the testimony of a former government official before a federal grand jury, in support of the defendant's motion,⁴ indicate that the United States may have transferred weapons to Libya directly or indirectly in 2011. While the United States notified the Secretary-General under paragraph 4 of resolution 1973 (2011) of the provision of non-lethal equipment to the NTC in 2011 (S/2011/172), there was no notification made regarding transfers of lethal materiel.

¹ CR-14-00191-PHX-DGC (DKD), The United States of America v. Marc Turi and Turi Defense Group, Indictment, The United States District Court, District of Arizona, filed 11 February 2014, p. 17-20.

² CR-14-00191-PHX-DGC (DKD), Before: The Honourable David G. Campbell, Judge Reporter's Transcript of Proceedings Pre-trial Conference (Sealed), 3 September 2014, p. 22.

³ CR-14-00191-PHX-DGC (DKD), Before: The Honourable David G. Campbell, Judge Reporter's Transcript of Proceedings Pre-trial Conference (Sealed), 3 September 2014, p. 22.

⁴ Cause No. 14-CR-00191-DGC. Declaration of David J. Manners in support of defendants' motion to compel disclosure of Grand Jury Materials. United States District Court, District of Arizona, 5 May 2015.

6. According to the initial motion to dismiss the indictment, no weapons transfer took place pursuant to the requests. The Panel wrote to the United States to confirm the information and establish whether the United States authorities were involved in or aware of Mr. Turi's transactions with Libyan parties. A response is pending and the Panel continues its investigations.

Annexes 24 Dolarian Capital Inc.

1. After the Revolution in 2011 and the fall of the Qadhafi regime, armed groups and other local actors ended up in control of the tremendous military stockpiles of the Jamahiriya. Some international brokers who had facilitated transfers to Libya during the revolution tried to organize transactions moving Libyan weapons out of the country.
2. The president of Dolarian Capital Inc., Ara Dolarian, was involved in trying to broker materiel to and from Libya during 2011. The Panel contacted the United States in 2012 and 2013 to obtain information about Mr. Dolarian's activities. The United States informed the Panel that an investigation was ongoing; subsequently the Panel received no further responses to its queries about the case.
3. According to information published by the Washington Post in 2015,¹ Dolarian Capital Inc. obtained approval from the United States authorities to export military materiel to Kuwait in 2011, for onward transfer to Libya. The Panel contacted the United States to request information about the activities of Mr. Dolarian and Dolarian Capital Inc. in relation to Libya in 2011 and enquired whether the company had obtained approval from the United States authorities to broker defence materiel to Libya, Kuwait, Qatar, or the UAE in 2011. A response is still pending.
4. In September 2011, a very large stockpile of bounding mines, referred to as 'Bouncing Betty' anti-personnel mines (APM), was documented near the *Khamis Brigade* headquarter in Tripoli by Human Rights Watch (HRW). The same week, Mr. Dolarian contacted United Nations representatives with a proposal to sell "Bouncing Betty" to the UN for disposal. According to Mr. Dolarian, 130,000 Bouncing Betty APMs were available in Libya for a total of USD 38 million (see email chain below).
5. A few days later, HRW witnessed the loading of the APMs into trucks and asked the individuals loading them where they were heading. The person they spoke to, a Libyan-American, explained that they were moving the mines to the Nafusa mountains with the agreement of the NTC. The Libyan-American was in contact with Mr. Dolarian who complained about the 'interference' a couple of days later. The United Nations did not buy the mines and the Panel has not heard anything about this materiel since it was moved from its original location; its whereabouts and status remains unknown. In his communications, Mr. Dolarian mentioned that: "*The United Nations is the preferred buyer yet it is not the only buyer for these land mines and materials.*"
6. In his communications to the United Nations representatives Mr. Dolarian implied that he had already requested approval for exports of materiel to Libya from the United States authorities: "*Dolarian Capital has begun making arrangements with its carrier to fly loads out of Libya, the first plane loads will be Bouncing Betty's. All plane loads out of Libya will be Dangerous Goods owned by*

¹ 'Clinton State Department approved U.S weapons shipment to Libya despite ban', Washington Times, 20 October 2015, <http://www.washingtontimes.com/news/2015/oct/20/hillary-clinton-state-department-approved-us-weapo/?page=all>.

Dolarian Capital, Dangerous Goods that it has purchased in Libya. Tomorrow Dolarian Capital will be making supplementary filing to its existing Libyan papers with the U.S. Department of State and the supplementary filling will be for the acquisition of Dangerous Goods in Libya”.

Emails sent by Dolarian to UN representatives in 2011

From: Ara Dolarian [mailto:██████████@dolarian.com]
Sent: Thursday, September 08, 2011 12:08 AM
To: ██████████@unog.ch ██████████@unog.ch>; ██████████@unog.ch ██████████@unog.ch>; ██████████
Cc: ██████████@unog.ch ██████████@unog.ch>; ██████████@un.org <██████████@un.org>
Subject: Bouncing Betty_Anti-Personal Mines

My name is Ara G. Dolarian, I am the President of Dolarian Capital, Inc. (www.Dolarian.com). Dolarian is licensed and registered with the U.S. Department of State, Department of Justice and other Government Agency to manufacture, import, export and broker, weapons and ammunition. My firm has supported UN Peacekeeping efforts in Africa. I am contacted by individuals in Libya to purchase weapons and ammunition from them and today I was offered: 21,000 Bouncing Betty's. This is a product my firm does not trade in and immediately thought of the U.N. needing to acquire these assets to assure the destruction of them. My Libyan contact is now in the process of counting the number of land mines he controls.

I am uncertain as to whom to discuss this matter with so I have reached out to all of you for advice.

Ara G Dolarian
 President

Global Cell Phone Number: ██████████

From: Ara Dolarian
Sent: Monday, September ██████████, 2011 4:04 PM
To: ██████████' ██████████@unog.ch'; ██████████@unog.ch'; ██████████
Cc: ██████████@unog.ch'; ██████████@unops.org'; ██████████@un.org'
Subject: RE: Bouncing Betty_Anti-Personal Mines

Mr. ██████████,

Thank you for returning my phone call this afternoon.

After our conversation regarding the Bouncing Betty's, land mines and other materials being collected in Libya, I called and spoke to the SELLER of these goods. These goods are being offered for sale on the market with the United Nations being the preferred buyer. It was made very clear to me again by the SELLER that these goods are not being donated to the United Nations, they are for sale.

The asking price for the Bouncing Betty's is \$290.00 each. Once this transaction is completed the SELLER has informed me that there may be other materials that may be offered for sale.

My cell global cell phone number is ██████████. I look forward to hearing from you or the United Nations person with the authority to negotiate and immediately purchase these dangerous goods thereby taking them off the market and destroying them.

Best regards,

Ara

Cc: U.S. Representatives

From: Ara Dolarian [REDACTED] <[REDACTED]@dolarian.com>
To: [REDACTED] <[REDACTED]@un.org>
Cc: Disarmament APLC Meeting of States Parties : [REDACTED] <[REDACTED]@unog.ch>, [REDACTED] <[REDACTED]@unog.ch>, [REDACTED] <[REDACTED]@unog.ch>, [REDACTED] <[REDACTED]@apminebanconvention.org>, [REDACTED] <[REDACTED]@apminebanconvention.org>, [REDACTED] <[REDACTED]@unops.org>, [REDACTED] <[REDACTED]@unops.org>, [REDACTED] <[REDACTED]@dolarian.com>, [REDACTED] <[REDACTED]@unog.ch>, [REDACTED] <[REDACTED]@yahoo.com>, [REDACTED] <[REDACTED]@yahoo.com>
Date: 16/09/11 11:58 AM
Subject: RE: Bouncing Betty_Anti-Personal Mines

Mr. [REDACTED]:

It is my understanding that you and your employees continue to visit ammunition depots throughout Libya and repeatedly ask the people at these sites to donate these dangerous goods to the United Nations. You are the Deputy Chief of Staff for the United Nations, you have authority, you are the face and voice of the United Nations in Africa and Libya is in Africa, so you are the face and the voice of the United Nations in Libya, further you have clearly expressed your desire to acquire these assets.

Dolarian Capital has begun making arrangements with its carrier to fly loads out of Libya, the first plane loads will be Bouncing Betty's. All plane loads out of Libya will be Dangerous Goods owned by Dolarian Capital, Dangerous Goods that it has purchased in Libya. Tomorrow Dolarian Capital will be making supplementary filing to its existing Libyan papers with the U.S. Department of State and the supplementary filing will be for the acquisition of Dangerous Goods in Libya. In Dolarian Capital's supplementary filing it will list the United Nations as the buyer for land mines and other materials Dolarian Capital acquired in Libya.

[REDACTED]
[REDACTED]

See you there, best regards,

Ara G Dolarian

From: Ara Dolarian [mailto:██████████@dolarian.com]

Sent: Friday, September 16, 2011 9:09 PM

To: ██████████

Cc: Disarmament APLC Meeting of States Parties; ██████████@unog.ch; ██████████; ██████████
██████████@unops.org; ██████████@yahoo.com; ██████████

Subject: RE: Bouncing Betty_Anti-Personal Mines

Please find the attached Dolarian Capital submission to the United States Department of State, Defense Trade Control. Mr. ██████████ I asked for you for the name and contact information for the Chief of Staff for Libya and did not receive. I have used you as the PIC until a substitute is provided.

Ara

Copy of Dolarian's request for prior approval to broker materiel from Libya dated 16 September 2011



September 16, 2011

Office of Defense Trade Controls
SA-1, 12th Floor
Directorate of Defense Trade Controls
Bureau of Political – Military Affairs
United States Department of State
Washington, D.C. 20522-0112

Dolarian Capital, Inc. Reference Number: 44_2011

Re.: Request for Prior Approval under 22 CFR §129.7 for Brokerage to the United Nations.

Dear Director:

Dolarian Capital, Inc. herein requests the Prior Approval for the pending transaction with the United Nations from the U.S. Department of State, Directorate of Defense Trade Controls for the brokerage of articles of war on the attached "Commodity List" from the Territory of Libya.

It is the intent that the goods being brokered are for humanitarian purposes and are to be demilitarized and destroyed.

On the following pages, please find the enclosed:

- Dolarian Capital, Inc. 22 CFR 126.13 declaration
- List of equipment, USML category, Quantity, and Quote Price
- A full list of included parties and of tentative sources

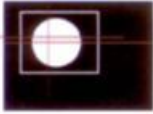
Under penalty according to federal law (22 CFR 127.2; 22 USC 2278; 18 USC 1001) I, Ara G Dolarian, as authorized by Dolarian Capital, Inc. warrant the truth of the statements made herein.

Respectfully,

Ara G Dolarian
President
Dolarian Capital, Inc.
DDTC Broker Reg.: K-2179



1284 West Shaw Avenue Suite 102
Fresno California 93711
Telephone Number: 559-243-0117



September 16, 2011

Mr. Kevin Maloney
Director, Office of Defense Trade Controls Licensing
2401 E Street N.W., Suite 1200 (SA-1)
Washington, D.C. 20522-0112

Dear Mr. Maloney:

I, Ara G Dolarian, am a U.S. person as defined in ITAR 120.15 and I am a responsible official empowered by the applicant to certify the following in compliance with ITAR 126.13:

1. Neither the applicant, its chief executive officer, president, vice presidents, other senior officers or officials (e.g. comptroller, treasurer, general counsel) nor any member of its board of directors is:

a. the subject of an indictment for or has been convicted of violating any of the U.S. criminal statutes enumerated in ITAR 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976); or

b. ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government;

2. To the best of the applicant's knowledge, no party to the export as defined in ITAR 126.7(e) has been convicted of violating any of the U.S. criminal statutes enumerated in ITAR 120.27 since the effective date of the Arms Export Control Act, Public Law 94-329, 90 Stat. 729 (June 30, 1976), or is ineligible to contract with, or to receive a license or other approval to import defense articles or defense services from, or to receive an export license or other approval from any agency of the U.S. Government, and

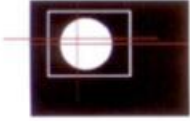
3. The natural person signing the application for the license or other request for approval is a responsible official who has been empowered by the applicant and is a citizen of the United States.

Sincerely,

Ara G Dolarian
President
Dolarian Capital, Inc.
DDTC Broker Reg.: K-2179



1284 West Shaw Avenue Suite 102
Fresno California 93711
Telephone Number: 559-243-0117



COMMODITY LIST

Description	USML Category	Quantity	Price Per	Total Price
Landmines, Bouncing Betty	IV	130,000	290.00	37,700,00.00
			TOTAL:	\$37,700,000.00

Source of USML Categories: 22 CFR Part 121, Revised as of April 1, 2008

*agb
16 Sept 11*

1284 West Shaw Avenue Suite 102
Fresno California 93711
Telephone Number: 559-243-0117

Annexes 25 Updates on delivery of notified military materiel

1. The Panel contacted several Member States who had notified the Committee under paragraph 13 (a) of resolution 2009 (2011).

Bulgaria

2. Bulgaria responded that between 1 January 2012 and August 2015, no export of military materiel to Libya occurred.

Serbia

3. Serbia provided a detailed list of the status of the various exports licences they issued as well as the transfers they notified to the Committee. The details were provided separately to the Committee.

Turkey

4. Turkey communicated that out of the 20,000 handguns notified for export in August 2012, only 7,500 have been delivered to Libya. Turkey also mentioned that while the materiel notified in May 2013 (three automatic rifles and three sub-machine guns) had not been delivered, the four pistols notified in August 2013 had been.

5. Responses from the Belarus and the United States are still pending.

Annexes 26 Illicit transfer of Armoured Personnel Carriers to Libya in 2012

1. In August 2012, Armoured Personnel Carriers (APCs) were transferred from the UAE to the 'Libyan Ministry of Interior' without prior notification. The vehicles, including Cougar, Spartan and Cobra types, were produced by Streit Group.
2. The Panel met representatives of Streit Group and received full cooperation. The documents provided by the company include authorisations for the transfers from various UAE administrative offices including the *UAE Committee for Goods and Materials Subjected to Import and Export Control Executive Office*, and the customs declaration, which mentions Streit Group as the consignee and Libya as the destination of the goods (see below). The Panel sent a letter to the UAE requesting additional information including details of the precise end-user. No response was received.
3. The Panel also provided Streit Group with an opportunity of rebuttal. In its response, the company 'strenuously reject any suggestion that Streit Group could knowingly or otherwise break national or international law'. They further mention that 'Streit Group's export actions were and continue to in complete accord with the governing UAE laws/regulations. In this instance, legal UAE export approval and EUC were obtained'.
4. Despite the fact that the UAE authorities authorised the transfer, the transfer occurred in violation of the arms embargo as it was not notified in advance to the Sanctions Committee.

Document: Clearance from the UAE Committee for Goods and Materials subjected to import and export control



United Arab Emirates COMMITTEE FOR GOODS & MATERIALS SUBJECTED TO IMPORT & EXPORT CONTROL/ EXECUTIVE OFFICE		الإمارات العربية المتحدة لجنة السلع و المسودات الخاضعة لرقابة الاستيراد و التصدير المكتب التنفيذي	
Date: 20-May-2012 التاريخ:		تصريح استيراد / تصدير Schedule () الجنود (299) استمارة رقم :	
Material's Name	131 Armored cars	اسم المادة	
Quantity/KG	Ford F550,F350, Cobra, Spartan, Swal,cougar	الكمية / الكيلوجرام	
Chemical Structure	N/A	الصيغة الجزيئية	
Specification	Armored Car B6 Armored Level	مواصفات المادة	
Used for	Safe transport	استعمال المادة	
HS Code	87033300	رقم النظام المنسق	
CAS No.	N/A	رقم التسجيل الكيميائي	
Item life span	10 Years	عمر الافتراضي	
Manufacturer Name	Streit Security Vehicles	الشركة المصنعة	
End User	Ministry of Interior of Libya	المستخدم النهائي	
Importing company	Ministry of Interior of Libya	الشركة المستوردة	
Carriers	Streit Security Vehicles	الشركات الناقلة	
Invoice No.	SG20052012-1	رقم الفاتورة	
Shipping route	Rak to Libya	خط سير الشحنة من - الى	
Country of origin	JAPAN / USA / UAE/CANADA	بلد المنشأ	
Arrival date	N/A	تاريخ وصول المادة	
Exporting company	Streit Security Vehicles	الشركة المصدرة	

** EXECUTIVE OFFICE should be notified about the real quantity of the chemical substance imported, exported or terminated according to amount maintained in permit given
المصدرة المذكورة بالطلب أو تجزئتها بين دفعات أو تغيير الكمية المستوردة أو

<input type="checkbox"/>	 EXECUTIVE OFFICE Stamp رقم المكتب التنفيذي	<input checked="" type="checkbox"/>
Signature	 التوقيع	 Company Stamp رقم الشركة
Company's Person in charge Name: JAOUAD MAKHLOUF Tel Number: 050 911 47 58		الشخص المسؤول في الشركة الاسم: رقم الهاتف:

من: 3785 دبي الإمارات العربية المتحدة * هاتف: +97144040040 * فاكس: +97143574499 * بريد إلكتروني: info@uaeiec.gov.ae
 P.O.Box-3785 Dubai, United Arab Emirates * Tel: +97144040040 * Fax: +97143574499 * Email: info@uaeiec.gov.ae

Document: Customs Declaration

 UNITED ARAB EMIRATES Federal Customs Authority DUBAI CUSTOMS		Page 1 of 1		الإمارات العربية المتحدة الهيئة الاتحادية للجمارك جمارك دبي		 Consignee Copy	
PORT TYPE SEA 4 نوع الميناء Customs Declaration		DEC TYPE EXPORT 3 نوع البيان Export from Local to ROW		DEC DATE 23/08/2012 2 تاريخ البيان 23/08/2012		DEC NO. 201-01118642-12 1 رقم البيان 201-01118642-12 141501726662	
NET WEIGHT 246000 (kg) 7 الوزن الصافي GROSS WEIGHT 246000 (kg) 10 الوزن الخايم MEASUREMENT 13 القياس NO. OF PACKAGES 40 - UNIT 16 عدد الطرود		CONSIGNEE / EXPORTER AE-000087 - STREIT SECURITY VEHICLES (I - S6665) 6 المصدر / المصدّر INTERCESSOR CO. AE-1019095 - NORTH AFRICA SHIPPING 9 الشركة الوسيطة COMMERCIAL REG. No. 8000114 12 رقم السجل التجاري EXPORT TO 15 المصدر إليه		DELIVERY ORDER NO. 5 رقم إذن التسليم CAR/CAPT. 8 الشاحنة / القطار / السائق CAMBER'S NAME 11 اسم الناقل VOYAGE / FLIGHT No. 14 رقم الرحلة		MARKS & NUMBERS BILL NO 19220033222 19 العلامات والأرقام PORT OF LOADING JEBEL ALI 18 ميناء الشحن PORT OF DISCHARGE 20 ميناء التصدير DESTINATION LIBYA (LIBYAN ARAB JAMAHIRIYA) 21 جهة المقصد	
TOTAL DUTY AED 0.00 3 اجمالي الرسوم INCOME TYPE 30 نوع الإيراد DUTY RATE 29 نسبة الرسم LOCAL VALUE 11303600.00 25 قيمة البضاعة المحلية FOREIGN VALUE 11303600.00 25 قيمة البضاعة الأجنبية CURRENCY AED 24 العملة RATE 1.0000 27 النسبة		GOODS DESCRIPTION FORD F550 AGI YEAR 2008 COLOR URBAN CAMOUFLAGE 23 وصف البضاعة H.S. CODE 87033300 22 بند التعريف		VEHICLE YARD-35 JEBEL ALI PORT (for vehicle export of bills only)		LORDED ON VSL MABRSK WAVE ON 14.09.12 Recv: 689081	
EXEMPTION OF DUTY 44 المستفيد BENEFICIARY		WEIGHT 246000 kg 37 الوزن الخايم NET 36 الوزن الصافي CLASSIFICATION 35 التصنيف UNIT u 38 وحدة QTY. 40 34 الكمية PACKAGES 33 الطرود TYPE UNT 33 النوع QTY. 40 34 الكمية		CUSTOMS RESTRICTIONS 40 القيود الجمركية RELEASE REF. 41 مرجع الفسخ AGENCY 40 الجهة			
TOTAL DUTY AED 0.00 56 الرسوم الجمركية HANDLING 57 رسوم المناولة STORAGE 58 رسوم التخزين OTHER CHARGES 59 رسوم أخرى TOTAL FEE 110 61 إجمالي الرسوم PAYMENT METHOD 62 طريقة الدفع GUARANTEE/CHEQUE RGCH 100.00 EP-3086903 KDCH 10.00 EP-3086903 64 رقم		CLEARING AGENT AE-1025700 30 العميل الجمركي WOODPAD CUSTOM BROKER LLC WORLD TRADE CENTER DOCUMENT RECEIVED		INSPECTION 45 المعاينة REASONS FOR NOT RELEASING 45 أسباب عدم الفسخ RESPECTOR 46 المعاین GROUP SUPERVISOR 47 رئيس المجموعة OTHER REMARKS 48 ملاحظات أخرى [CFR] FRT: INS: Total Value: 11303600 RELEASE DATE 23/08/2012 49 تاريخ الفسخ wcbshya			
DATE 66 تاريخ BANK 66 بنك RECEIPT NO. 67 رقم إيصال الدفع DATE 68 تاريخ BANK 69 بنك		TRANSIT 50 الترانزيت ROUTE 50 خط السير EXIT PORT JEBEL ALI 51 ميناء الخروج EXIT TRANSACTION NO. 52 قيد الخروج DATE 53 تاريخه SECURITY OFFICER 54 موظف أمن TRANSIT OFFICER 60 مرآب ترانزيت		Distribution: 1-Handling Authority 2-Consignee 3-Consignee 4-Customs توزيع النسخ: 1- سلطة المناولة 2- للمستورد 3- للمستورد 4- للجمارك			

Annexes 27 Transfers and potential transfers of materiel from the UAE

1. In 2013, the *Sawaeq* brigade procured new materiel including APCs, uniforms and rifles.
2. Nimr APCs are produced in the UAE by Nimr Automotive (State-owned Tawazun group). The Panel requested information about these transfers, however, the UAE did not respond.
3. AR-M9F rifles, produced by JSCo Arsenal in Bulgaria, have not been documented in Libya before 2013. While Bulgaria notified the Committee in March 2014 of the transfer of 5,000 AR-M9F to the Libyan Ministry of Defence, Bulgaria informed the Panel that the materiel was never delivered to Libya.
4. In 2014, Libyan individuals offered AR-M9F rifles for sale on Facebook (see below photographs). Armament Research Services (ARES),¹ a specialist technical intelligence firm, monitors some restricted Facebook Libyan market pages, and provided the Panel with complete details about one AR-M9F (serial number AB 46 7222), which the Panel asked Bulgaria to trace. The Bulgarian authorities informed the Panel that the International Golden Group originally imported the weapon and that the end user was the UAE Armed Forces. The International Golden Group is a company based in Abu Dhabi, and was previously involved in a violation of the Libyan arms embargo (see S/2013/99, paragraph 81). The Panel asked the UAE to provide information about this transfer but the authorities did not respond.

Photographs: Example of ARM-9F rifles on sale on restricted Libyan market Facebook pages



Source: ARES, 2015

¹ www.armamentresearch.com.

Annexes 28 Posts from Egyptian Air Force (EAF) Facebook page

Posted on 14 March 2015¹

Translation: Picture of 10 March of MiG-21 – previously Egyptian- in the service of the Libyan air force. Armed with unguided Nasr bombs produced by Egypt, weight 250 kg General purpose bomb



Posted on 14 March 2015

Translation: Egyptian Nasr-250 bomb in his first official appearance on its Libyan MiG-21 fighter jet (formerly Egyptian).



¹ <https://www.facebook.com/Egy.AF/photos/pb.115037968570990.-2207520000.1453415906./825292360878877/?type=3&theater>.

Annexes 29 Investigations related to the transfers of Armoured Personnel Carriers (APCs)

1. Since the adoption of resolution 2095 (2013), transfers of non-lethal military materiel to the Libyan government are no longer subject to the arms embargo. In recent months, it has become clear that the Committee considers non-armed military armoured vehicles as non-lethal materiel. However, the Panel believes that all transfers of APCs should be under embargo as they significantly increase the military capability of armed groups. In addition, most types of APCs identified by the Panel can easily be mounted with weapons after delivery. The Panel is also concerned about diversions of this materiel to militias.

Seizure of armoured vehicles in Greece

2. In February 2015, the Greek authorities seized 8 APCs produced by Streit Group on board a vessel bound to Libya. Documentation indicated that the vehicles were supposed to be delivered to Tripoli. The seizure was reported in the media in July 2015¹.

3. Since the adoption of Resolution 2095 (March 2011), transfers of non-lethal military materiel to the Libyan government is not under embargo anymore. However, the destination of the vehicles being Tripoli, the end-user could not be the Libyan interim government which is based in Bayda since 2014.

4. Greece wrote to the Committee to seek guidance and the Panel investigated the case. The deal has been signed at the beginning of 2014 when the Libyan government was still in Tripoli. Details of the case were provided separately to the Committee.

MSPV

5. In May 2015, Facebook pages related to the LNA published photographs showing the delivery of armoured vehicles in eastern Libya. The vehicles appeared to be consistent with those manufactured by Minerva Special Purpose Vehicles (MSPV) based in the UAE (see photographs below).

¹ ‘Greece impounds military vehicles bound for Libya’, IHS Jane’s Defence Weekly, 23 July 2015.

<http://www.janes.com/article/53181/greece-impounds-military-vehicles-bound-for-libya>

Photographs: Panthera T6 delivered in Eastern Libya in 2015



Source: LNA Facebook page, photographs posted on 1 May 2015

6. The Panel contacted the company to obtain information about the specific end-user of the materiel. MSPV provided the document below, which indicates that the vehicles were destined to the Ministry of Interior.

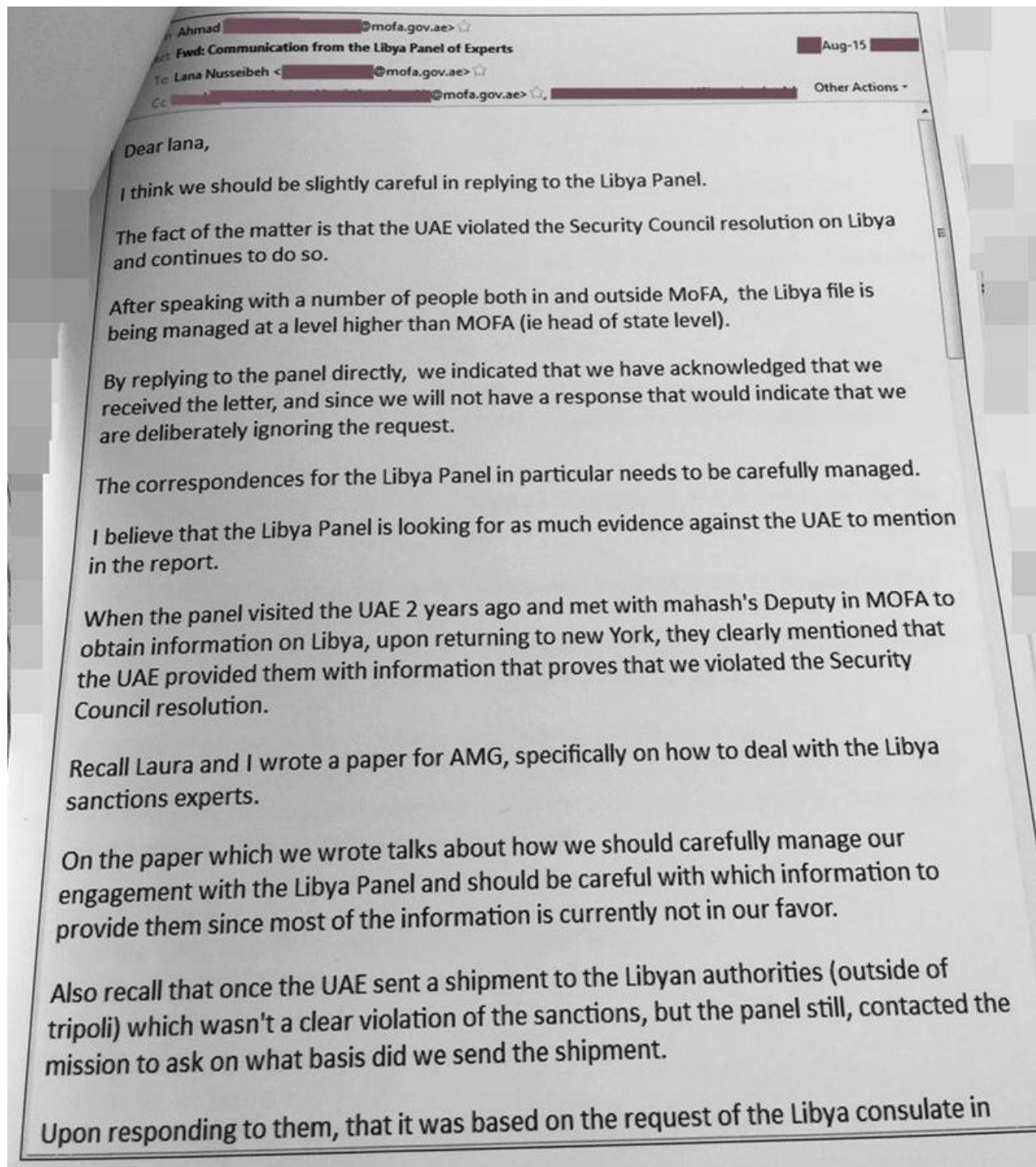
Letter from the former Interior Minister dated 18 December 2014 asking the Libyan ambassador to the UAE to intervene in the blockage of the transfer of 100 armoured vehicles

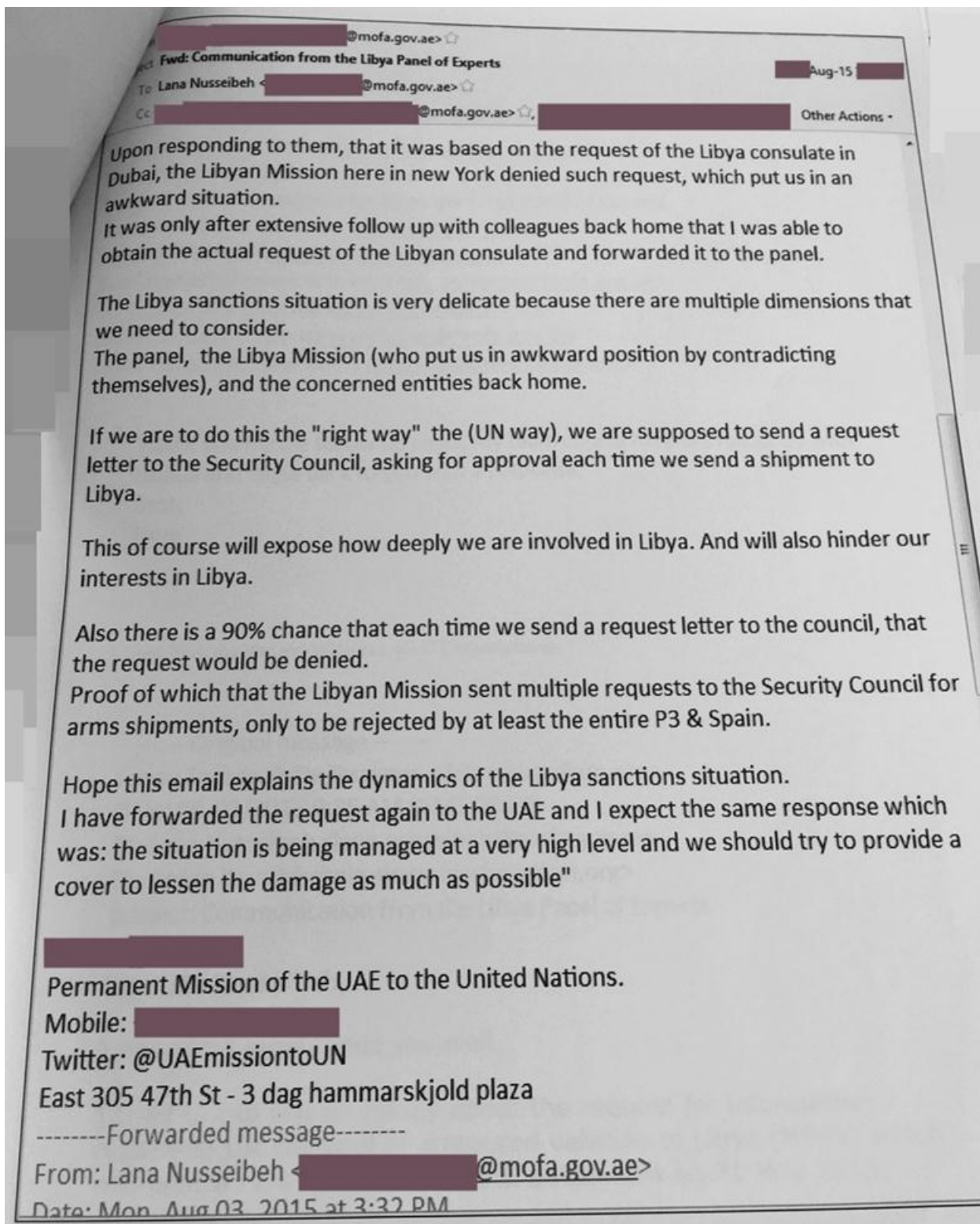


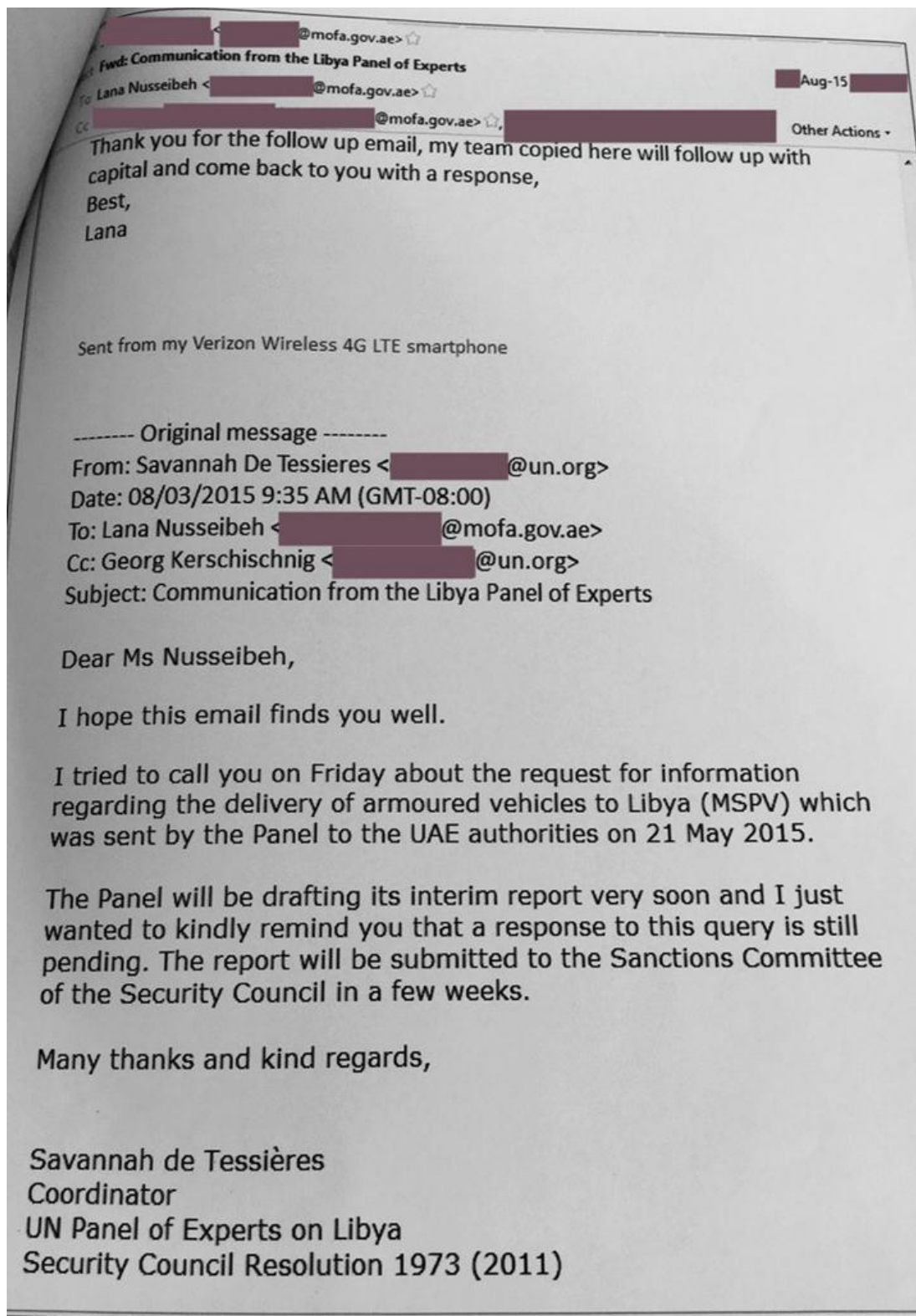
Source: MSPV

Annexes 30 Leaked UAE emails

Email Chain apparently leaked from the UAE Ministry of Foreign Affairs







Source: Confidential; redacted by the Panel

Annexes 31 Investigation on potential transfers from Montenegro

1. In March 2015, the Panel was provided with an EUC signed by Khaled Alsherif on 15 December 2014 (see below). The document looks similar to previous EUC documents: the signature of Mr. Alsherif is consistent and the list of materiel is also consistent with the needs of armed groups in Libya. The EUC indicates that the Serbian registered brokering company, Tehnoremont, would purchase the materiel from the supplier, Montenegro Defence Industry.
2. The Panel contacted both Serbia and Montenegro to obtain further information and establish whether any contract had been signed and if any materiel had been transferred.
3. Serbia responded that Tehnoremont had never been in contact with Mr. Alsherif or been in possession of the EUC, nor had the company ever submitted a request to ship military equipment to Libya. The Serbian authorities also explained that there is no evidence in the records of the Ministry of Trade for the approval of the export of military materiel to Libya. Serbia also told the Panel that due to the sensitive situation in Libya, in June 2014, the authorities had recommended that arms and ammunition manufacturers desist from submitting licence request for exports to Libya and freeze ongoing transactions until further notice.
4. Montenegro said that no contract had been signed ‘related to submitted copy of the EUC’ and that no transfer had taken place. They did not deny the existence of the EUC.

EUC issued by the NSG Ministry of Defense

التاريخ Date: 15/12/2014
 رقم الإصدار Ref Number: /

وزارة الدفاع
 ديوان الوزارة

Ministry of Defense
 END USER CERTIFICATE

TO WHOM IT MAY CONCERN

This is to certify that following products for the needs of the Armed Forces of Libya, will be purchased from supplier "MONTENEGRO DEFENCE INDUSTRY" Ltd., Miljana Vukova bb, Podgorica, Montenegro over exporter "TEHNOREMONT" Kis Ferencna 49,21230 Temerin, Republic of Serbia.

No.	Description	Quantity (pcs.)
1.	RPG -7 launcher, with options Developed	200
2.	PG - 7 V/VM rocket anti tank	2 000
3.	PG - 7 V/VM rocket	1 000
4.	Ammunition 7,62 x 39*mm	1 000 000
5.	Ammunition 7,62 x 51mm, new	1 000 000
6.	Ammunition 7,62 x 54mm	4 000 000
7.	Ammunition 12.7 x 108mm	1 000 000
8.	Ammunition 14.5mm	2 000 000
9.	23mm Ammunition	1 000 000
10.	Artillery Rocket 140mm	5 000
11.	122mm Round HE Grad	5 000
12.	81mm / 82mm HE mortar shell , new Ammunition	5 000
13.	120mm HE mortar shell, new Ammunition	5 000
14.	Artillery 130mm rocket	10 000
15.	61mm/60mm HE mortar Ammunition	10 000
16.	130 mm round HE, full charge	10 000

خاتمة حركة انقاذ ليبيا
 وزارة الدفاع
 ديوان الوزارة

دولة ليبيا - وزارة الخارجية والتعاون الدولي
 إدارة الشؤون القنصلية - قسم القنصلية
 تمثيل في: 28/12/2014
 رقم: 216
 من: السيد / خالد شريف
 رقم: 15-12-2014
 الردود الممنولة: 15
 بون تجعل مسؤوليتها عن ايراد هذا المنتج

Ministry of Defence of Libya hereby certifies that the items mentioned in the End User Certificate are for the exclusive use of the Armed Forces of Libya for operations of keeping peace and security of Libya and will not be re-sold, re-exported or transferred to any third party without written permission of the Authorities of Republic of Serbia and will not be used for any other purpose except the one mentioned in the End User Certificate.

Ministry of Defence of Libya undertakes responsibility to submit "Delivery Verification Certificate" upon receipt of subject goods.

For the End User Signature, stamp: KHALED. sharif
 15-12-2014

www.defense.go

Source: Confidential

Annexes 32 Investigations about alleged transfers from Turkey

Information provided by Turkey in relation to alleged transfers reported in the Panel's previous report (S/2015/128)

1. In its last final report, the Panel reported two alleged transfers of military materiel by air from Turkey to Tripoli and Misrata.
2. In paragraph 184 of S/2015/128, the Panel reported that it had received first-hand information regarding the transfer of military materiel on a regular commercial passenger flight operated by Afriqiyah on 17 September 2014. The Panel interviewed a passenger of the flight who confirmed that while only 15 passengers had received their luggage, a significant number of wooden boxes of military materiel had been unloaded from the aircraft. After the submission of the last final report (S/2015/128), the Turkish authorities provided the Panel with the flight documentation, including the airway bill, which indicates that the cargo on board was a coffin and aircraft components for Afriqiyah.
3. In paragraph 185 of the same report, the Panel reported that it had received information about the transfer of military materiel on a flight operated by a Libyan air carrier, from Istanbul to Misrata on 13 November 2014. The Turkish authorities informed the Panel that following a check with their customs authorities, the flight only carried passengers' baggage and no cargo.

Annexes 33 EUC from the NSG Ministry of Defense

التاريخ/...../..... هجري
Date
الموافق 2015/01/26 ميلادي
رقم الإشاري: و.د. / 57 / 0456
Ref. Number



Ministry of Defense

رئاسة مجلس الوزراء
وزارة الدفاع
ديوان الوزارة

END USER CERTIFICATE

TO: DELTA INTERNATIONAL

This is to certify that following products for the needs of the Armed Forces of Libya, will be purchased from following supplier :

- UNITED ith. ihr. Ve ins. San.Tic. A. S.
- Address: Barbaros Mah. Mor Sumbul Sok Deluxia Palace No 5. D 349 Bati Atasehir- Istanbul/ TURKEY.
- Tel: +902162903741
- Fax: +90216903740
- Email: muqdad.alhmadani@unitediq.com

No.	Description	Quantity (pcs.)
2.	Ammunition 23 mm for Ant-Aircraft Gun ZU-23 Round.	500,000
3.	Ammunition 14,5*114 mm for AA Gun Round.	500,000
4.	Ammunition 7,62x54 mm for machinegun PKT Round Linked.	500,000
5.	Ammunition 12,7x108 mm for machinegun DSHK	500,000
6.	Ammunition 23 mm for Ant-Aircraft Gun ZU-23 Round.	500,000
7.	Ammunition 14,5*114 mm for AA Gun Round.	500,000
8.	Night Vision (Goggles ATN NVG7 – XR5).	30
9.	Mortar Rounds 120.	1,000
10.	Mortar Rounds 81.	1,000
11.	Mortar Rounds 61	1,000
12.	Grad 122 mm Rocket (2000 – 40kg).	10,000
13.	Anti – Tank Launcher GP 135 MI.	2,000
14.	Rocket 9 M111M Fagot.	2,000
14.	Rocket 9M313 1 GLA -1 Kornet.	2,000
15.	Rocket Launcher 130	1,000
16.	Rocket 9 Launcher 107	1,000
17.	Canon "Field Gun" 106	1,000
18.	Launcher gp51g 1GLA - L	150



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www.defense.gov.ly

التاريخ/...../..... هجري
Date
الموافق 2015/01/26 ميلادي
رقم الإشاري : د / 0456.../57
Ref. Number



Ministry of Defense

رئاسة مجلس الوزراء
وزارة الدفاع
ديوان الوزارة

Ministry of Defense of Libya hereby certifies that the items mentioned in the End User Certificate are for the exclusive use of the Armed Forces of Libya for operations of keeping peace and security of Libya and will not be re-sold, re-exported or transferred to any third party without written permission of the Authorities of supplier and will not be used for any other purpose except the one mentioned in the End User Certificate.

- The End User for the certificate that all of the facts contained in the certificates are true and correct to the best knowledge and belief.
- This certificate is not allowed to be used to copies, it must be dealt with original.
- This certificate is viald for exporting formalities up to 30/12/2015.

Ministry of Defense of Libya undertakes responsibility to submit "Delivery Verification Certificate" upon receipt of subject goods.

Khalifh M. Ghwel,
First Deputy Prime Minister
and acting Minister of Defense

For the End User
Signature, stamp

Annexes 34 Haddad 1

Cargo manifest of Haddad 1 found on board the vessel

CARGO MANIFEST						
VESSEL NAME : M/V. HADDAD 1		VESSEL FLAG : BOL/PA		PORT OF LOADING : ISKENDERUN-TURKEY		
SAILING DATE : 25/09/2015		PORT OF DISCHARGING : MISURATA-LIBYA		MASTER NAME : MUSTAFA SABRA		
B/L NO	SHIPPER	CO: CONSIGNEE NF: NOTIFY	QUANTITY	DESCRIPTION		GROSS WEIGHT
1	MAYI BENLİ LOJİSTİK İÇ VE DİŞ TİC.LTD.ŞT. ŞİŞLİEVLER MAH.ŞEYH SADEK CADDESİ DİZ BOK. NO:113 BAĞÇELİEVLER-İSTANBUL	CO: DAR ALAHAM COMPANY TRABELUS STREET NO:143 TEL:0021891330992 MISURATA / LIBYA NF: SAME AS CONSIGNEE	1 CONTEYNER	1X30' GCRU:113417-6 SEAL NO: 898398 PLASTIC MAT 492000 PCS.		9.880,00 KGS
2	TORUN SİLAH TURİZM NAKLİYAT VE SİLAH SANAYİ LİMİTED ŞİRKETİ ÜZÜMLÜ-SEYRİHİR / KONYA	CO: ASSEL INTERNATIONAL CO. TEL:00218912141799 MISURATA / LIBYA NF: SAME AS CONSIGNEE	1 CONTEYNER	1X40' MLCU: 820985-2 SEAL NO: 899374 VARIOUS HOUSEHOLD GOODS 578 PCS.		18.597,00 KGS
TOTAL :			2 CONTEYNERS			28.477,00 KGS.



RIZKAR
Shipping Agency Company
ISKENDERUN-TURKEY

CARGO MANIFEST

M/V. HADDAD I		VESSEL FLAG : BOLIVIA	PORT OF LOADING : ISKENDERUN-TURKEY		
28.08.2015		PORT OF DISCHARGING : MISURATA SEA PORT	MASTER NAME : MUSTAFA SABRA		
S.A. NO	SHIPPERS	CO: CONSIGNEE NF: NOTIFY	QUANTITY	DESCRIPTION	GROSS WEIGHT
3	BAASURU LOJISTIK TIC. SAN. PET. URN. TAR. TEKS. GIDA GAYRI MENKUL İTH. İHR. SAN. VE TIC. İ. TD. ŞTİ. Yeni Saraylı Street 16. Cad. 75 D/5104 No.16 ANTAKYA / TURKEY	CO AL FARWOK CO. ALKOURIS / LIBYA NF SAME AS CONSIGNEE	1 PCS.	1 UNIT CEMENT BULKER 65 M3 (COMPRESSOR.) MARKS :D.T.S. MODEL:2016 CHASSIS NO:NP5DT6050F0113957	14.200,00 KGS
TOTAL :			1 RECES	TOTAL:	14.200.00 KGS.



FIMAR
Shipping Agency Company
ISKENDERUN-TURKEY

17

Cargo manifest provided by Turkey

CARGO MANIFEST						
VESSEL NAME : MV. HADDAD 1		VESSEL FLAG : BOLIVIA		PORT OF LOADING : ISKENDERUN-TURKEY		
SAILED DATE : 28.08.2015		PORT OF DISCHARGING : BEYRUT		MASTER NAME : MUSTAFA SABRA		
BL NO	SHIPPERS	CO: CONSIGNEE NF: NOTIFY	QUANTITY	DESCRIPTION	GR WEI	
1	YAVAŞÇALAR AV SPOR MALZEMELERİ SANAYİ VE TİCARET ANONİM ŞİRKETİ ATATÜRK M. TURGUT REİS CADDESİ NO:128 BALIKESİR	CO SUDAN POLICE FORCE SUDAN NF SAME AS CONSIGNEE	1 CONTEYNER	1X20' GCNU:153417-8 SEAL NO: 898398 (28 KAP) TARANCA FİŞEĞİ VE AV ÇADIRLARI İÇİN NET.	6.860,1	
2	TORUN SİLAH TURİZM NAKLİYAT VE SİLAH SANAYİ LİMİTED ŞİRKETİ ÜZÜMLÜ-BEYŞEHİR / KONYA	CO YASSINE MIDDLE EAST COMPANY 102 MAIN ROAD BEYRUT-LÜBNAN NF SAME AS CONSIGNEE	1 CONTEYNER	1X40' MLCU: 520588-2 SEAL NO: 898374 (578 KAP) YIVSİZ ÇİFTE AV TÜFEDİ (400 ADET) YIVSİZ POMPALI AV TÜFEDİ (3560 ADET) YIVSİZ OTOMATİK VE YARI OTM. AV TÜFEDİ (960 ADET) HASIR KOMİDİN (93 ADET)	18.527	
TOTAL : 2 CONTEYNERS					TOTAL: 25.467,4	





CARGO MANIFEST							
VESSEL NAME : M/V. HADDAD 1		VESSEL FLAG : BOLIVIA		PORT OF LOADING : ISKENDERUN-TURKEY			
SAILED DATE : 23.08.2015		PORT OF DISCHARGING : MISURATA SEA PORT		MASTER NAME : MUSTAFA SABRA			
BL NO	SHIPPERS		CO: CONSIGNEE NF: NOTIFY	QUANTITY	DESCRIPTION		W
3	SAMSUM LOJISTIK OTOM.SAN.PET.ÜRÜN.TAR.TEKS. GIDA GAYRI MENKUL İTH.İHR.SAN.VE TIC.LTD.ŞTİ. Yeni Sanayi Sitesi 16.Cad. 73 Dİ Blok No.16 ANTAKYA / TURKEY	CO	AL FARWOK CO. ALKOUMS / LIBYA	1 PCS.	1 UNIT CEMENT BULKER 65 M3 (COMPRESSOR.) MARKS :D.T.S. MODEL:3014 CHASSIS NO:NP9DTS088F0113857		14.2
		NF	SAME AS CONSIGNEE				
TOTAL :				1 PIECES			TOTAL 14.200

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Annexes 35 Transfers of shotguns, hunting rifles and related ammunition

1. Transfers of shotguns, hunting rifles and related ammunition have been occurring on a regular basis since the revolution, in violation of the arms embargo. The Panel visited shops and stalls selling these types of materiel in 2013. In 2015, eyewitnesses confirmed that this type of shop is still operating in Misrata and Tripoli. Materiel is regularly transferred to Libya by boat, mainly from Turkey but also from Greece, Italy and Malta.

Updates on previously reported cases

Malta

2. The Panel visited Malta in July 2015, and requested updates on previously reported cases of transfers. The Maltese authorities said that the prosecution of the various Libyan and Maltese nationals involved was ongoing, and that the authorities would update the Panel in due course. They also mentioned another potential case of transfer to Libya involving Mr. Azzopardi, who has already been involved in two violations of the arms embargo. The Panel hopes to receive additional information as soon as possible.

Turkey

3. Turkey said it would provide updates on cases previously reported, once information became available (see S/2015/128, paragraphs 15 and 16 of Annex 21).

New investigations

Italy

4. In November 2015, media articles reported the seizure of 170 carbines and 200,000 rounds of ammunition concealed in containers in Genoa port and destined to Misrata.¹ Following a request for information, the Italian authorities informed the Panel that the Public Prosecution Office of Genoa had launched a criminal investigation and provided a detailed report of the seizure. The report indicated that the Italian Guardia di Finanza had discovered ‘the illegal entry of materiel into Italian territory without the necessary authorization from the Genoa Police and the attempt to violate the arms embargo on Libya’ in May 2015. The materiel was concealed at the bottom of a container which was declared as transporting ‘toys’. The Panel travelled to Genoa to inspect the materiel in January 2016.

¹ ‘Armi dirette in Libia, maxi sequestro in Porto a Genova’, La Repubblica, 6 November 2015, http://genova.repubblica.it/cronaca/2015/11/06/news/armi_dirette_in_libia_maxi_sequestro_in_porto-126765209/?refresh_ce.

Pictures: Air gun rifles seized by the Italian authorities



Source: Panel of Experts

5. Documentation provided to the Panel indicates that UAE-based companies originally purchased the materiel from three German firms.
6. Examination of the cargo manifest indicates that the shipper was North Africa Shipping, a company based in the UAE, which was previously involved in a violation of the arms embargo in 2012 (see 0). According to their website, North Africa Shipping was founded in 1995 in Dubai with the aim of securing container shipments to Libya.
7. The Panel is of the opinion that these weapons were not intended as toys. Both the types of weapons discovered have muzzle velocities exceeding 200 metres/second, and the joule energy is 23 joule and 30 joule for the HW 80 and the 350 Magnum respectively, clearly establishing these weapons as firearms.

Turkey

8. Since January 2015, according to Turkey, its customs authorities have seized blank firing pistols and hunting rifles in two separate incidents in Ambarli Port in Istanbul. Legal action was commenced against two companies by the customs authorities. Turkey said it would provide the Panel with additional information on any developments related to the cases, as it became available. The Turkish authorities had already prevented an export from Ambarli Port in 2014 (see S/2015/128, Annex 21).
9. The Panel is currently investigating a potentially illicit transfer from Turkey to Libya, which was seized in Greece in September 2015 on board the Haddad 1 and included 5,000 shotguns produced by Torun in 2015, and ammunition produced by Yavasclar, two Turkish companies (see paragraph 154). The Panel has previously documented transfers of Torun materiel from Libya. In addition, Turkey provided detailed information about the case and informed the Panel that, in 2012, Yavasclar exported 325,000 “shotshells”, and, in 2013, Torun transferred 5,000 shotguns to Libya in breach of the arms embargo. Turkey recently provided documentation about these transfers which the Panel is currently analysing.
10. Turkey reiterated to the Panel that materiel including “hunting rifles/cartridges, blank pistols and rubber bullets”, are not subjected to exporting licences in Turkey. In 2013, Turkey contacted the Committee to request guidance about this issue. The Committee confirmed that this type of materiel is subject to the embargo. The Turkish authorities explained that, subsequently, they created a working group and circulated guidelines to all producers, exporters and relevant actors explaining that the transfer of this materiel required the approval of the Committee through the relevant Turkish authorities.
11. However, despite these efforts, since 2013 violations of the arms embargo involving transfers of this type of materiel from Turkey have continued.

12. For instance, in December 2015, the Panel examined 12 and 16 gauge shotguns that had been seized by the Tunisian military in 2015 on their way from Libya. These shotguns were produced by Torun in 2013 and 2014 (see 0). The Panel is also investigating other cases.

13. Finally, some Turkish producers have also recently been posting advertisements onto Libyan Facebook groups focusing on arms sales highlighting the fact that they are considering Libya as a potential market.²

² Jenzen-Jones, N.R. & Michael Smallwood. 2016 (forthcoming). *Web Traffick: Analysing the online trade of small arms & light weapons in Libya*. Working Paper. Security Assessment in North Africa. Geneva: Small Arms Survey.

Annexes 36 Additional information on arms transfers out of Libya

Transfers through Eastern borders

Egypt

1. During the mandate, the Panel has noted regular reports on seizures of weapons in the media and on the official *Facebook* page of the Egyptian armed forces, including from terrorist entities in the Sinai Peninsula.¹ Some of the photographs feature weapons that are typical of systems documented in Libyan arsenals.

Photograph of a member of *Ansar Beit al Maqdis* killed in the Sinai featuring an AK-103-2



Source: Facebook page of the Egyptian armed forces, 15 March 2015

2. The Panel met the Egyptian authorities in January 2016, and requested detailed information about transfers of arms from Libya to Egypt, including to groups in the Sinai and Gaza. They acknowledged that the security situation in Libya has a detrimental impact on Egypt, including the trafficking of arms. The authorities provided the Panel with quantitative data about seizures of arms operated in Egypt in 2015 (see Table below). However, the authorities did not provide details of the locations of these seizures, those involved, or the end-users, which would allow the Panel to investigate further. Despite repeated requests, the Panel has never been granted access to arms seized by the Egyptian authorities.

¹ <https://www.facebook.com/Egy.Army.Spox>.

Table: Weapons and ammunition seized by the Egyptian authorities in 2015

1

1600709E

Translated from Arabic

Weapons and ammunition seized by the Egyptian authorities in the period from January to December 2015

	<i>Item</i>	<i>Number</i>
1	7.62 x 39 mm calibre automatic rifle	17
2	Shotgun	483
3	Pistol	25
4	General-purpose machine gun	7
5	Sniper rifle	3
6	Rounds, various calibres	6 939

Source: Egyptian authorities

3. During its visit to Israel, the Panel also obtained data indicating that some of the arms trafficking routes to Egypt and Gaza are still in operation. Weapons, mainly including small arms, light weapons and related ammunition, are smuggled overland and via the Mediterranean Sea. Maritime smuggling routes originate in Benghazi and Tobruk through Marsa-Matruh and El Salloum in Egypt. Overland trafficking routes originate in Benghazi and flow consecutively from there through Tobruk, El Salloum, Marsa-Matruh, Alexandria, Cairo, and Suez to Gaza.

Transfers through western borders

Tunisia

4. During the Panel's last visit to Tunisia, prosecutors and investigators in charge of the Bardo² and the Sousse³ attack investigations told the Panel that the perpetrators, all Tunisians, had travelled

² 'Le musee du Bardo attaque a Tunis', Reuters, 18 March 2015.

<http://fr.reuters.com/article/topNews/idFRKBN0ME1WZ20150318>

to Libya to training camps in Sabratha at the end of 2014. According to them, the military materiel used during the attacks came from Libya.

5. Several seizures of arms from Libya were reported by the Ministry of Interior. For instance, a seizure made at the end of November was related to the same terrorist network that organized the Sousse attack (see below photograph). Some of the rifles, including an AK 103-2, are typical of those found in Libya.

Photograph of arms seized in a cache in Sousse in November 2015



Source: Ministry of Interior, Tunisia, December 2015

6. During the inspection of arms and ammunition originating from Libya, seized by the military on the border or in the southern militarised zone of the country, the Panel documented new shotguns produced by Torun (Turkey) (see below photograph). The Panel also documented ammunition of various calibres, including 7.62x51mm ammunition produced in Pakistan. The Panel had already documented this ammunition in Libya, and asked Pakistan to trace it in 2013. The ammunition was transferred from Pakistan to Qatar, which re-transferred it to Libya in 2011 in violation of the arms embargo (see S/2013/99, paragraphs 67 ff).

7. Following the inspection, the military also seized assault rifles including two FN FALs and 4 AK-type rifles.

³ 'Un hotel attaque en Tunisie', Reuters, 26 June 2015.

<http://fr.reuters.com/article/topNews/idFRKBN0P61GC20150626>

Photograph: Torun 12 and 16 gauge shotguns seized when entering Tunisia from Libya



Source: Panel of Experts, Tunis, December 2015

8. The Panel also received the results of tracing requests regarding an FN FAL assault rifle seized by the Tunisian authorities in 2014. This was part of an order from 1981 and delivered to Qatar. This rifle was probably transferred by Qatar during the revolution (see S/2014/106, paragraph 57). This shows again how arms and ammunition transferred to Libya can proliferate outside the country.

Algeria

9. Statements from the Algerian authorities and media reports indicate that smuggling of arms from Libya to Algeria continues, and that a number of arms caches have been discovered in the south of the country.⁴ In July, a network of arms traffickers smuggling materiel from Libya was reportedly dismantled in the Wilaya of Ghardaia.⁵ In January 2016, the army announced that they had intercepted a convoy near the Libyan border, which included seven Libyan terrorists, arms and ammunition.⁶

⁴ See, for instance, Walid Ramzi, 'Algeria seizes weapons on Libya border', Magharebia, 14 January 2015, <http://allafrica.com/stories/201501150902.html>; 'Discovery of weapons cache near Libya border highlights ongoing militant threat to southern Algerian energy assets', IHS, 14 April 2015, <http://www.janes.com/article/50690/discovery-of-weapons-cache-near-libyan-border-highlights-ongoing-militant-threat-to-southern-algerian-energy-assets>.

⁵ حجز أسلحة مهربة من ليبيا في غرداية. El Khabar, 11 July 2015,

<http://www.elkhabar.com/press/article/85184/%D8%AD%D8%AC%D8%B2-%D8%A3%D8%B3%D9%84%D8%AD%D8%A9-%D9%85%D9%87%D8%B1%D8%A8%D8%A9-%D9%85%D9%86-%D9%84%D9%8A%D8%A8%D9%8A%D8%A7-%D9%81%D9%8A-%D8%BA%D8%B1%D8%AF%D8%A7%D9%8A%D8%A9/#sthash.k6AGVbop.PYX8hIXx.dpbs>.

⁶ 'Illizi: arrestation de sept terroristes et saisie d'un lot d'armement', Algerie Presse Service, 12 January 2016. <http://www.aps.dz/algerie/34707-illizi-arrestation-de-sept-terroristes-et-saisie-d%E2%80%99un-lot-d%E2%80%99armements-4rm-ouargla-sept-7-terroristes-de-nationalit%C3%A9-libyenne-ont-%C3%A9t%C3%A9-arr%C3%AAt%C3%A9s-mardi-dans-la-zone-de-hassi-kiout-illizi-par-les-%C3%A9l%C3%A9ments-d%E2%80%99un-d%C3%A9tachement-de-l%E2%80%99arm%C3%A9e-nationale-p>

10. The Panel wrote to Algeria several times requesting a visit, but received no response. The Panel hopes that Algeria will agree to share information on this issue with the Panel or the Committee as soon as possible.

Transfers through southern borders

Niger

11. Following are examples of convoys transporting members of Sahelian armed groups, arms and other illicit goods intercepted in northern Niger between September 2014 and May 2015, based on information from several confidential official sources.

17 September 2014

12. Arrest of Abu Asseem, in charge of communications for Al Mourabitoun (QDe.141), on the Salvador Pass, on his way to Libya. Sudanese national; joined AQIM (QDe.014) in Tombouctou in 2012. The aim of his mission was to go and meet Mokhtar Belmokhtar (QDi.136) in Ajdabiya to make a video about the In Amenas attack.

10 October 2014

13. Six pick-up vehicles were intercepted transporting three tons of armaments for Mali. According to the statements of the occupants, the arms had been provided by an Algerian national living in Ubari, Libya, from the Tareq Ibn Ziyad branch of AQIM (QDe.014). He retrieved them from a cache in the desert. The arms were destined for Iyad Ag Ghali (QDi.316), leader of Ansar Eddine (QDe.135), to be distributed between Ansar Eddine and another group linked to AQIM in northern Mali.

4 February 2015

14. The French and Nigerien authorities intercepted a convoy of six vehicles, which included eight members of the MNLA transporting a large quantity of arms and ammunition, and EUR 539,000 in cash. They claimed it was collected from people supporting the MNLA in Libya, however sources believe that the money was from a ransom payment. The vehicles were prepared in Ubari, from where the convoy departed, the destination was Kidal.

2 May 2015

15. In the far north of the country, the Nigerien army discovered an abandoned vehicle containing 1,700 rounds for assault rifles, one 82mm mortar launcher, 27 60mm mortar rounds, eleven 107mm rockets, one PKM and 60 radios, which they told the Panel were from Libya. The owner of the vehicle was not identified.

Arrest of armed drug traffickers

16. In January 2015, Libyan nationals from Qatrun were intercepted in possession of cannabis they loaded in Chad. They were equipped with a PKM and 258 rounds of ammunition coming from Libya.

17. In February 2015, a convoy of two cars was intercepted in northern Niger transporting drugs from Niger to Libya. The occupants were Tebus of Libyan and Chadian nationalities living in Murzuq. They were arrested with a significant quantity of arms (see sect. V.E). The Panel received results of its tracing request regarding the four FN FALs, three of which were sold to Libya by Belgium in the 1970s (serial number 49328 ordered in 1972; 82455 in 1974 and 188990 in 1977), one was sold to the DRC in 1970.

18. Finally, the Nigerien army and gendarmerie have also conducted regular small seizures of arms and ammunition in the north of the country, originating from Libya, from gold prospectors around Djado Plateau, armed robbers and traffickers of various goods.

Table: Seizures operated in northern Niger by the Nigerien military Jan-Sept 2015

Date	Location	Individual	Materiel
12 January 2015	Chirfa	Tchadian national	1 handgun, 1 AK type rifle and 20 rounds of ammo
27 January 2015	FEN	-	1 RPG launcher, 2 PKM, 2 FAL assault rifles, 2 grenades and ammunition
27 January 2015	FEN	-	4 AK type rifles, 2 rockets, ammunition for AK and PKM, grenades and military uniforms
17 February 2015	Djado	Nigerien national	1 handgun VZOKNR and 6 rounds of ammunition
2 May 2015	24 bia	-	1 PKM, 1 82mm mortar launcher, 1700 rounds of ammunition, 27 60 mm mortar rounds, 11 107mm rockets, 60 radios
10 May 2015	Djado	Chadian nationals	160 rounds of 7.62x39mm ammunition
29 May 2015	Djado	Nigerien national, gold digger	1 handgun Falcon Sport
17 June 2015	Djado	Armed robbers, Nigerien nationals	3 AKs, 1 FAL and 75 rounds of ammunition
17 June 2015	24 bia	Chadian National	1 AK and 30 rounds of ammunition
2 July 2015	-	-	1 AK
10 July 2015	PMR DAO		1 PKM, 1 handgun, 1 RPG, 230 rounds of ammunition, 5 40mm rockets
17 July 2015	-	-	1 AK
19 July 2015	Djado	Chadian gold digger	1 AK and 4 rounds of ammunition
23 August 2015	Emi Fezzan, coming from Libya		1 AK

24 August 2015	Salvador	Chadian national	1 AK, 78 rounds of 7.62x39mm ammunition, 2 handguns and 71 rounds 7mm ammunition
25 August 2015	Emi Bouli	Malian nationals	2 PKM, 2 AK, 700 rounds of ammunition, 250 kg of cannabis,
27 August 2015	Emi Bouli	Libyan national	1 Ak and 28 rounds of ammunition

Source: Forces Armees du Niger, Oct 2015

Mali

19. Libyan military materiel is used by non-state actors in Mali, and has been documented in caches of terrorist groups in particular.⁷ Information provided to the Panel by France in February and December 2015 indicates that, while the majority of arsenals maintained by terrorist groups in Mali come from Malian stockpiles, Libya is still a major source of materiel from them. According to the French authorities, 50 per cent of the materiel used by terrorist groups comes from Malian stockpiles, 40 per cent from Libya, and 10 per cent from other sources. With the clear diminution of seizures from Malian national stockpiles, Libya has become the main source of procurement for these groups.

20. Various types of materiel originating from Libya have been seized from a range of armed groups, mainly north of the Gao-Tombouctou line (see Table 2). While most of this materiel arrived in Mali after the imposition of the arms embargo on Libya, it is very difficult to provide accurate dates for their transfer to Mali. procurement chains.

21. Finally, the recent increase in violent clashes in Northern Mali between Malian armed groups suggests that these groups are likely to seek additional materiel.

Table: Types of materiel originating from Libya and used by terrorist groups in Mali

Type of Materiel	Comments
Weapons systems	
Assault rifles	
Anti-tank launchers	rockets
Machine guns of various calibres	
Recoilless guns	Several SPG-9 types and 106 mm coming from Libya
Multiple rockets launchers	Between 4 and 6 BM 21 arrived from Sabha in early 2012
Vehicles	Several armoured BRDM-2 and dozens of technicals (pick-up trucks mounted with weapons systems)
Ammunition	

⁷ Information confirmed by the Joint Mission Analysis Center of MINUSMA.

Small and medium calibres	Numerous boxes indicate Tripoli and Benghazi as original location of delivery
Mortar rounds	
Rockets	Several 107 mm rockets coming from Libya discovered in 2013
Anti-tank grenades	Several crates of PG rockets which markings indicate Benghazi, Tobruk and Tripoli as original location of delivery
Rifle grenades	NR 434 originate from Libyan stockpiles

Source: French authorities, February 2015

Annexes 37 Libyan/Syrian trafficking network

1. The Panel confirmed the existence of a Libya-based network providing logistical support, including large quantities of arms, to Syrian rebels in the wake of the Libyan revolution. The Libyans involved with the network were all employed by either the Ministry of Interior or the Ministry of Defence. A part of its initial budget was provided by the NTC and it operated with the approval of at least a part of the NTC hierarchy. Syrian ‘revolutionaries’ in Tripoli participated in the daily operations.
2. Initially, supplies were gathered from existing stocks and a post-revolutionary surplus of arms. However, the quantity and quality of those weapons was considered insufficient by the end-users and facilitators. Subsequently, the Libyan network approached several arms brokers to import better quality materiel. Although the Panel has documented cases where EUCs signed by Libyan ministry officials were provided to suppliers, most of the materiel was never intended to remain in Libya.
3. The Tripoli-based *Syrian Revolution Monitoring Office* in Tripoli operated with the knowledge of high-ranking officers from within both civilian and military intelligence services, including Mustafa Nuh. The management of the office’s activities, in terms of both finance and logistics, was in the hands of Ala’ Abu Hafs and Fawzi al-Mu‘ammari. A third Libyan security officer, Abdulhamed Elaleem, was used as a brokering agent traveling to meet with both the arms suppliers and the end-users from Syria. The Panel is still confirming additional names of those involved.
4. In Benghazi and the east, the collection of surplus arms destined for Syria was organized by the Rafallah al-Sahati Brigade, which was at the time under the command of Ismail Sallabi.¹ The Panel received reports that Rafallah al-Sahati received new and specific orders of materiel for transshipment to Syria and is still confirming such events.
5. Individual members of the network made personal profits from the smuggling operation through widespread corruption. They skimmed money from the operational costs, or kept certain quantities of the materiel.
6. Witness accounts, supported by corroborative data, indicate that finance and logistics were provided from several Gulf States including Qatar. They further confirm the Panel’s previously reported information (see S/2014/106, paragraphs 191-194). The Panel has contacted Saudi Arabia to clarify two reports of the involvement of Saudi nationals.
7. The same sources indicate that the arms were flown or shipped to Syria’s neighbouring countries, notably Turkey and Lebanon, confirming the Panel’s earlier findings. The Panel

¹ Reuters, ‘Libya militia leader plays down shift to military command’, 26 September 2012, <http://www.reuters.com/article/us-libya-militia-idUSBRE88P1GD20120926>

previously reported on transfers to Syria via Lebanon (see S/2014/106 paragraphs 195-196) and Turkey (see S/2014/106 paragraphs 183-190). Two sources also mentioned transfers to Syria via Jordan.

8. Following requests from the Panel, Turkey responded that since March 2011 no military materiel was transferred from Libya to Turkey and Jordan replied that it had not detected any entry of Libyan weapons, not allowing the use of its territory for such purposes.

9. So far, the Panel has identified the involvement of this network in three transfers to Syria and it expects that more will follow.

10. Firstly, information from confidential sources indicates that the network was responsible for loading three containers of arms on board the Letfallah II in April 2012 (see paragraphs 171-182 of S/2013/99). Secondly, the Panel also found that the January 2013 delivery of Caracal pistols to Mitiga (see paragraphs 125-131 of S/2015/128) was in part destined to be transferred onwards to Syria. The Panel is not yet in a position to report on the third case.

11. It should be highlighted that although attempts were made to create a single coordination mechanism for all transfers to Syria, parallel channels continued. Sponsoring States worked through preferred agents; other supply lines were more directly under the control of the Syrian opposition; and a third factor was the geographical distance between operations from eastern and western Libya.

12. The Panel has also contacted Syria to obtain additional information on the individuals involved and awaits its response.

Annexes 38 Investigation about Nour M

1. The Panel reported the seizure of 1,100 tons of ammunition for assault rifles and machine guns in its previous report (see S/2015/128, paragraphs 142 ff). Information collected at this time indicated that the shipment was heading to Libya and had been signed by Khaled Al-Sherif. The Panel obtained additional evidence proving that the shipment was bound for Turkey. Information obtained by the Panel indicates that the shipment was intended to be transferred through Turkey to Syria.
2. The Panel analysed maritime traffic data, which indicates that the Nour M was not headed towards Libya, but to the eastern Mediterranean (see below for a snapshot of the last leg of the trip). In addition, the Panel was provided with transcripts of the interviews with the crew members arrested on board in Greece, which confirmed that the vessel was heading for Iskenderun.
3. From the various interviews, it appears that the captain, of Turkish nationality, and his first mate were aware of the nature of the materiel being transported on board and of the real destination of the vessel but kept this information from the rest of the crew, telling them that they were transporting chemical or plastic material and heading to Libya.
4. One crew member saw a document on the bridge indicating that the cargo was ammunition. In addition, during his initial interview by the Greek security forces, he declared to the authorities: *“I have to add that at a certain point the Captain changed our initial route and when I asked him why he did that he answered that we would go to Iskenderun, Turkey, we would unload there some containers and we would continue with the remaining 6 containers to Libya. I asked the Turkish crew whether they knew about our route to Iskenderun and they said that they knew from the start”*.
5. The Panel requested information from Turkey about the brokering and transport companies registered in Turkey: the deal was brokered by TSS Silah ve Savunma Sanayi Dis Ticaret Limited Sirketi and the vessel belonged to TSS Group Tutun ve Sigara Sanayi ve Dis Ticaret Limited Sirketi.¹
6. These companies have reportedly been involved in illicit activities in the past.² The Panel also requested that Turkey provide information regarding the financial transaction. It responded to the Panel that *“brokering activities have not been regulated in Turkey yet and therefore brokers do not have to apply to permission for transaction which do not involve Turkish producers/buyers if the cargo does not touch Turkish soil”*. Turkish authorities were not able to provide records of financial transactions, as they are protected under Turkish legislation and may not be revealed without a court

¹ According to the Turkish authorities, this company changed its name to ‘Alrazi Group Insaat Otel Turizm Isletmeciligi Sanayi ve Dis Ticaret Limited Sirketi’ on 5 November 2014

² See, for instance, https://reportingproject.net/troubles_with_big_tobacco/documents/OCCRP_tobacco-11.pdf, or Wikileaks cables 09ANKARA1799, 09STATE113007, 09STATE95661.

order. Finally, despite the Turkish companies violating the arms embargo against Libya, to the Panel's knowledge there are no prosecutions of these companies.

7. The Panel has also recently written to Ukraine, from where the shipment departed, to obtain additional information.

8. Finally, the Panel is concerned about the status of the materiel seized in Greece, which includes 1,100 tons of ammunition for assault rifles and machine guns (32 million rounds). The Panel understands the language used in paragraph 20 of resolution 2213 (2014) – ‘dispose’ – to mean the eventual destruction of the seized materiel. The Greek authorities informed the Panel that in the framework of the international efforts to counter ISIL, a multilateral program was underway for the ‘disposal’ of part of the seized ammunition as a contribution of Greece in this regard.

Map: Last leg of the trip of the Nour M



Source: Lloyd's List

Annexes 39 Tracing of arms seized in Syria

Tracing of arms seized by the Syrian authorities from the opposition which are likely to have come from Libya

1. During its visit to Syria in December 2014, the Panel was provided with a 60-page list of weapons systems which the authorities consider may have originated from Libya, and which were seized by the Syrian army. However, owing to the inaccurate identification of the systems, and in many cases only partial marking information, the Panel was only able to request Belgium to trace 20 FAL assault rifles.

2. Belgium responded that it was unable to trace five of the items because of insufficient details. Belgium explained that eight of the weapons had likely been sold to Libya; two had definitely been sold to Libya; four to the United Arab Emirates; and one to Kuwait (see Table 1).

Table 1: Results of tracing requests of FN FALs seized in Syria

	Markings	Results of tracing request
1.	41751	Client number. The rifle is likely to be part of an order made by Libya in 1972.
2.	163858	Client number. The rifle is likely to be part of an order made by Libya in 1975.
3.	188187; 190113; 201019; 203520; 208604; 203854	Client numbers. The 6 rifles are likely to be part of an order made by Libya in 1977.
4.	1013641	Serial Number. The rifle is part of an order made by Libya in 1973.
5.	1243240	Serial Number. The rifle is part of an order made by Libya in 1975.
6.	1297391	Serial Number. The rifle is part of an order made by Abu Dhabi in 1976.
7.	1436040; 1437404; 1473503	Serial Numbers. The 3 rifles are part of an order made by Abu Dhabi in 1978.
15.	1666463	Serial Number. The rifle is part of an order made by Kuwait in 1985.

3. While this further confirms that the Syrian opposition is using materiel that was transferred from Libya, it is proving very difficult to obtain information about the chain of transfer of this specific materiel.

4. The Panel contacted Syria in December 2015 to obtain additional information about potential transfers from Libya which the authorities may have detected. A response is still pending.

Central Bank of Libya, Tripoli

Date: 24 March 2015

Cheque number: 176702

Dinars	Dirhams
1 000 000	00

Pay to the order of: ~~Shura~~ Council of Benghazi Revolutionaries, account number 17621 [illegible]

The sum of: one million dinars only

Ministry of Defence

101200000002129

First signature: [illegible]

Second signature: [illegible]

Please do not write below this line.

Central Bank of Libya, Tripoli

Date: 24 March 2015

Cheque number: 176700

Dinars	Dirhams
4 990 000	00

Pay to the order of: ~~Shura~~ Council of Benghazi Revolutionaries, account number 17621

The sum of: Four million nine hundred and ninety thousand dinars only

Ministry of Defence

101200000002129

First signature: [illegible]

Second signature: [illegible]

Please do not write below this line.

Annexes 41 NOC statement

NOC statement on its responsibilities regarding the distribution of fuel



بيان المؤسسة حول ما تناقلته وسائل الاعلام بخصوص تهريب الوقود عبر المنافذ البحرية

اطنعت المؤسسة الوطنية للنفط عنى ما تناولته بعض وسائل الاعلام المحلية والعالمية بشأن تهريب الوقود المدعوم عبر المنافذ البحرية وفي هذا الخصوص تؤكد المؤسسة أنها قد نيهت مرارا انى خطورة هذا الموضوع وأخطرت مكتب النائب العام وكذلك الجهات المختصة بالدولة الليبية وزودتها بالمعلومات والبيانات المتوفرة عن هذا الموضوع واننى بدورها يمكن لها أن تتواصل وتتعاون مع الجهات الدولية بهذا الخصوص.

كما أن المؤسسة تطالب من جديد كل الجهات المعنية بالقيام بواجباتها ومسئولياتها بهدف المحافظة على مقدرات البلاد والحد من هذا اننزيف الذي يؤثر على حياة المواطن ويستهدف مقدرات الوطن وقدراته العائنية.

ومن المعنوم أن المؤسسة الوطنية للنفط توفر الوقود للسوق المحلي من خلال شركة البريقة لتسويق النفط والتي بدورها تقوم بتخزين ومناولة الوقود وتوزيعه عبر قنوات التوزيع المعتمدة والمتمثلة في شركات التوزيع المعتمدة ((لا تتبع إدارياً المؤسسة الوطنية للنفط)) وعنى كبار المستهلكين وهم الشركات الوطنية الكبرى مثل الشركة العامة للكهرباء والشركة العامة للنقل البحري والخطوط الليبية

حفظ الله ليبيا

المؤسسة الوطنية للنفط

27 يوليو 2015م

Annexes 42 INTERPOL Red Notice on Mr. D'Aloja

Informe sobre individuos

D'ALOJA Andrea Nº de expediente: **2015/19466**
 Fecha de nacimiento(DD/MM/AAAA): **14-08-1952** Oficina de origen: **OCN ROMA Italia** Última actualización: **14-04-2015**

Situación y Finalidad de la persona en INTERPOL

Referencia del caso en INTERPOL	Situación	Finalidad	Inscrito hasta el
Caso 1: 2015/19467-1	Buscado	Detención	23-03-2020

Persona



Apellido: **D'ALOJA** Sexo: **Masculino**
 Nombre: **Andrea** Fecha de nacimiento: **14-08-1952**
 Lugar de nacimiento: **ROME, Italia** Nacionalidades: **Italia (Comprobada)**
 Apellido de origen: **D'ALOJA**

Detalles
 Regiones/paises a donde pudiera desplazarse: **República Dominicana**

Documentos de identidad

Nacionalidad	Tipo	Número
1. Italia	Tarjeta de identidad	AO6951097
2. Italia	Pasaporte	AA1906442

Descripción física

Talla (cm)	Peso (kg)	Complexión	Cabello	Ojos
			Entrecano	Castaños

▼ **Caso 1**

Referencia del caso en INTERPOL	Referencia del mensaje de la OCN	Situación	Finalidad
2015/19467-1	AG-2015-3817/2-2/FUS	Buscado	Detención

Códigos del delito: **FRAUDE CONTRA LA ADMINISTRACIÓN PÚBLICA | ORGANIZACIÓN, ASOCIACIÓN O GRUPO DELICTIVO | FALSIFICACIÓN**

Source: Interpol apresa dos italianos acusados de falsificación y fraude, Noticias Sin, 22 July 2015, <http://www.noticiassin.com/2015/07/interpol-apresa-dos-italianos-acusados-de-falsificacion-y-fraude>.

Annexes 43 Fahmi Slim's smuggling network

1. One individual stands out in the fuel smuggling business from Zwara. All the sources indicate his name and activities: Fahmi Ben Khalifa, a.k.a. Fahmi Slim. He has a long record of smuggling. During the Qadhafi regime he was imprisoned for a period for drug smuggling.
2. Maltese authorities and sources on the ground have linked him with two vessels that are involved in fuel smuggling: Basbosa Star (IMO 8846838) and Amazigh F (IMO 7332488).

Basbosa Star

The vessel flies the Republic of Palau flag and is owned and managed by:

IMO number	Role	Name of company	Address	Date of effect
5723374	Beneficial Owner	ADJ SWORDFISH LTD	22, Trig tal-Mensija, San Gwann, SGN 1608, Malta.	since 25/03/2013
5723374	Ship manager/Commercial manager	ADJ SWORDFISH LTD	22, Trig tal-Mensija, San Gwann, SGN 1608, Malta.	during 02/2013
5678752	Registered owner	ADJ SHIPPING CO	Care of ADJ Swordfish Ltd , 22, Trig tal-Mensija, San Gwann, SGN 1608, Malta.	during 02/2013
9991001	ISM Manager	UNKNOWN		since 01/11/1997

Source: equasis.org



Source: marinetransport.com

3. Further research on the companies involved (which share the same address in Malta) shows that ADJ Swordfish Ltd. changed its name to ADJ Trading Ltd. on 26 February 2014, the shareholders of which are as follows:

Involved Party	Address	Nationality
FAHMI BEN KHALIFA 560147C	SARAGE EL ISLAM, CITY OF TRIPOLI TRIPOLI STATE OF LIBYA	LIBYAN

Shares

Type	Class	Issued Shares	% Paid up	Nominal Value Per Share in EUR
Ordinary		330,000	100.0	1.000000

Involved Party	Address	Nationality
DARREN DEBONO 49474M	22, MENSIJA ROAD, SAN GWANN SGN 1608 MALTA	MALTESE

Shares

Type	Class	Issued Shares	% Paid up	Nominal Value Per Share in EUR
Ordinary		330,000	100.0	1.000000

Involved Party	Address	Nationality
AHMED IBRAHIM HASSAN AHMED ARAFA 46447A	8, SIMOHA, ALEXANDRIA EGYPT	EGYPTIAN

Shares

Type	Class	Issued Shares	% Paid up	Nominal Value Per Share in EUR
Ordinary		330,000	100.0	1.000000

Source: Maltese Registry of Companies

4. The company's operational address (ADJ Swordfish Limited) is PO Box 105, 1045, Majuro, Marshall Islands. This address is shared by the company Basbosa Shipping Company Limited, which is the registered owner of the Amazigh F.

Amazigh F		Location	
IMO:	7332488	Type:	Combined Chemical And Oil Tanker
Flag:	Palau	Status:	Live
Reg. Owner:	Basbosa Shipping Company Limited		

Source: Lloydsintelligence.com



5. The Amazigh F changed her name and registered owner in December 2015. The new name is Sea Master X and the new registered owner is Sea N 10 Company Limited, still located in the Marshall Islands, with the ship flying the Palau flag.¹
6. Both vessels approached the Libyan coast during 2015, most of the times following the pattern of smugglers, that is to say, shutting down the AIS system when getting close to the Libyan coast.
7. The Basbosa Star approached Libya on 29 March 2015, 14 May 2015, 29 June 2015, 4 July 2015 and 17 July 2015. Within the same period the Amazigh F did so on 18 April 2015, 5 June 2015 and 5 July 2015.
8. Both vessels have been detected alongside each other on the following dates and coordinates between January and September 2015²:

Confidential Annex 1. Date	Confidential Annex 2. Lat	Confidential Annex 3. Lon
Confidential Annex 4. 12/02/2015	Confidential Annex 5. 35,9175	Confidential Annex 6. 14,833
Confidential Annex 7. 04/04/2015	Confidential Annex 8. 35,90417	Confidential Annex 9. 14,826
Confidential Annex 10. 01/07/2015	Confidential Annex 11. 35,91889	Confidential Annex 12. 14,821
Confidential Annex 13. 02/07/2015	Confidential Annex 14. 35,91778	Confidential Annex 15. 14,820
Confidential Annex 16. 12/07/2015	Confidential Annex 17. 35,91361	Confidential Annex 18. 14,81
Confidential Annex 19. 13/07/2015	Confidential Annex 20. 35,91278	Confidential Annex 21. 14,817
Confidential Annex 22. 16/09/2015	Confidential Annex 23. 35,91639	Confidential Annex 24. 14,817
Confidential Annex 25. 18/09/2015	Confidential Annex 26. 35,91472	Confidential Annex 27. 14,817
Confidential Annex 28. 19/09/2015	Confidential Annex 29. 35,91444	Confidential Annex 30. 14,817
Confidential Annex 31. 24/09/2015	Confidential Annex 32. 35,90306	Confidential Annex 33. 14,823

Source: AIS data by Lloyd's

9. It should be noted that the positions in the table are on the limits of Maltese territorial waters.

¹ The change of the names of vessels, flags or addresses, is a standard practice within criminal groups in order to make it difficult to trace them. Links between companies, vessels and individuals have a limited validity over time.

² It is not a regular maneuver for vessels to be alongside out of port. This is usually intended to facilitate ship-to-ship operations, such as exchange of goods or rescue operations. It is to be remarked that constraints imposed on the calculus reduce the number of ship-to-ship operations that both vessels may have had.

10. Both vessels have also been alongside another vessel, Solia (IMO 6823131), on the following dates:

Confidential Annex 34. Date	Confidential Annex 35. Vessels
Confidential Annex 36. 03/09/2015	Confidential Annex 37. BASBOSA-SOLIA
Confidential Annex 38. 04/09/2015	Confidential Annex 39. BASBOSA-SOLIA
Confidential Annex 40. 11/09/2015	Confidential Annex 41. AMAZIGH F-SOLIA
Confidential Annex 42. 12/09/2015	Confidential Annex 43. AMAZIGH F-SOLIA
Confidential Annex 44. 26/09/2015	Confidential Annex 45. BASBOSA-SOLIA
Confidential Annex 46. 26/10/2015	Confidential Annex 47. BASBOSA-SOLIA
Confidential Annex 48. 31/10/2015	Confidential Annex 49. BASBOSA-SOLIA

Source: AIS data by Lloyd's

11. Solia approached the vicinity of Zwara on 8 May 2015 (5 nautical miles off the coast) and on 15 June 2015. For the rest of 2015 the vessel remained around 12 miles off the Maltese coast.

12. One of the partners of Fahmi Slim in ADJ Trading Limited, Darren Debono, also owns the company Andrea Martina Limited (C41309, Maltese Registry of Companies), which also operates the vessel Bonu 5,³ as can be seen in the following documents:

³ This reinforces the links between Fahmi Slim, Darren Debono, and their companies.

OPERATORS OF VESSELS OTHER THAN PASSENGER VESSELS CERTIFIED TO PLY FOR HIRE OR REWARD WITHIN THE PORTS, INTERNAL WATERS AND TERRITORIAL WATERS OF MALTA

issued under the *COMMERCIAL VESSEL REGULATIONS, S.L. 499.23*

Licensing & Small Ships Registration Department
Ports and Yachting Directorate



Malta Transport Centre, Marsa MRS 1917 Malta. Tel: +356 21222203 Fax: +356 229 14599 Info: tm@transport.gov.mt www.transport.gov.mt

Operator/Licence Holder Name	Type of Vessel	Name of Vessel	Off/Reg. No	Minimum No. of Crew
Cassar Enterprises Limited	A' Frame Derrick Barge	SEA WOLF II	01208	6+4
Cornflower Shipping Limited	Bunker Barge	SEAGULL I	05048	4
EM Fuels Limited	Bunker Barge	SALVATUR	02359	4
EM Fuels Limited	Bunker Barge	SOLIA	6823131	20 (MSD)
Go Fuels Ltd.	Bunker Barge	VANNA	7928706	14 (MSD)
Go Fuels Ltd.	Bunker Barge	SAN BERT II	01807	4
Go Fuels Ltd.	Bunker Barge	BAWA I	05882	5
Go Fuels Ltd.	Bunker Barge	ELAURA	09755	15
Macoli (Malta) Limited	Bunker Barge	VEMAOIL XX	07775	20 (MSD)
Macoli (Malta) Limited	Bunker Barge	VEMAOIL XI	08845	18 (MSD)
Triva Shipping Company Limited	Bunker Barge	VALLIERE	14720	5
Valetta Bunkers Limited	Bunker Barge	BALLUTA BAY	8013091	14
Valetta Bunkers Limited	Bunker Barge	SALINA BAY	8013118	14 (MSD)
Port Logistics Operations Ltd	Dedicated Pilot Boat	DELTA	11247	4+2
Port Logistics Operations Ltd	Dedicated Pilot Boat	FOXTROT	13593	12+2
Port Logistics Operations Ltd	Dedicated Pilot Boat	BRAVO 1	05601	8+2
Port Logistics Operations Ltd	Dedicated Pilot Boat	ECHO I	11720	6+2
Emarine Ltd	Dipper Dredger	AVE CAESAR	13094	3
Cassar Enterprises Limited	Flat Barge	B45	10477	n/a
Emarine Ltd	Grab Dredger	MAGNUS	10391	4
Emarine Ltd	Hopper Barge	SAN PAOLO	12692	6
Port Logistics Operations Ltd	Pilot Boat	ALFA 1	03424	4+2
Port Logistics Operations Ltd	Pilot Boat	OHIO	14866	8+2
A & J Company Ltd	Supply Vessel	MARIA C	06555	12+4
A & J Company Ltd	Supply Vessel	MIGGI	01980	12+4
A & J Company Ltd	Supply Vessel	JOANNA M	15640	12+4
Patron Group Limited	Supply Vessel	SEA PATRON	8214097	12+4
Polaris Marine Services Company Limited	Supply Vessel	SEA EXPRESS III	8328173	4
Port Logistics Operations Ltd	Supply Vessel	DILIGENCE	7944231	12+4
A & J Company Ltd	Supply Workboat	UNDAUNTED	07273	12+2
Tug Malta Ltd	Tug Boat	SPINOLA	9495258	6
Tug Malta Ltd	Tug Boat	WENZINA	09948	6
Tug Malta Ltd	Tug Boat	MARI	05121	5
Tug Malta Ltd	Tug Boat	ST ELMO	9594999	7+3
Tug Malta Ltd	Tug Boat	LIENI	02709	6
Tug Malta Ltd	Tug Boat	PAWLINA	09850	7
Cassar Marine Services Limited	Utility Boat	CMS SEAHORSE	7315650	12+6
Cassar Marine Services Limited	Utility Boat	CMS SEAJAGUAR	11841	12+4
Go Fuels Ltd.	Utility Boat	SEA STORM	12521	12+4
A & J Company Ltd	Workboat	WILFRED	11682	12+2
A & J Company Ltd	Workboat	SWIFT	13959	10+2
Alldiver Limited	Workboat	KIRBY FS	12972	12+3
Alpha Briggs Mediterranean Ltd	Workboat	ADRIENA	S - 04347	4+1
Andrea Martina Limited	Workboat	BONU 5	15411	4+2

Source: Malta Transport Centre

17 SEP 2009

CH1309/9

Form T



COMPANIES ACT, 1995

Notice of transfer or transmission of shares
Pursuant to Section 120(3)



~~On behalf of~~ Company: **Andrea Martina Limited**

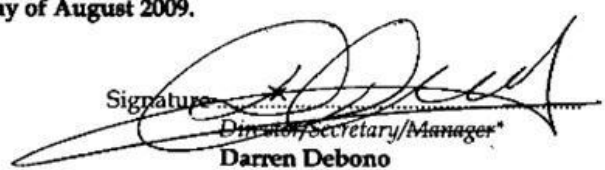
Delivered by: **Chris Baldacchino**

To the *Registrar of Companies*:

(a) **Andrea Martina Limited** hereby gives notice in accordance with Section 120 (3) of the Companies Act, 1995 that (b) 250 Ordinary shares having a nominal value of Eur2.329373 per share have been transferred as indicated hereunder.

Name and Address of transferor	Name and Address of transferee	No. of shares transferred	Type of shares
Jeffrey Aquilina 41, Melita Street, Sliema. SLM1514. I.D. 455467(M)	Darren Debono 22, Mensija Road, San Gwann. SGN1432. I.D. 49474(M)	250	Ordinary

The above transfer of shares has been registered with in the name of the person entitled to be the registered holder on the **31st. day of August 2009.**

Signature: 
Director/Secretary/Manager*
Darren Debono

Dated this the **31st. day of August 2009.**

This form must be completed in typed form.

- (a) *State company name*
(b) *State number of shares*

Source: Maltese Registry of Companies

13. According to marine traffic data, the Bonu 5 approached the Amazigh F and the Basbosa Star on 24 September 2015, resulting in all three of them alongside each other.

14. The following image should help simplify the links depicted above:

VESSEL	COMPANY	ADDRESS	INDIVIDUALS
AMAZIGH F	BASBOSA SHIPPING	MARSHALL ISLANDS ⁴	UNKNOWN
BASBOSA STAR	ADJ TRADING	MARSHALL ISLANDS ⁵	FAHMI SLIM AHMED ARAFA
			DARREN DEBONO
BONU 5	ANDREA MARTINA	MALTA	DARREN DEBONO

15. Fahmi Slim runs another Libyan company, Tiuboda Oil and Gas Services. According to documentation dated 26 August 2014, issued by the Ministry of Economy of the Libyan Interim Government to the Maltese authorities, Tiuboda Oil and Gas Services LLC was a company registered and duly inscribed with the said Ministry on 23 March 2012 under commercial register No. 41992 and licence No. 4541992, and has the right and is entitled to carry out the activity set out in the company's Memorandum of Association. As this company is not registered in Malta, no further information is available thereon. This documentation was made available to Maltese authorities regarding a request to import oil from Libya via the said Tiuboda Oil and Gas Services LLC, which the Maltese authorities then refused.

⁴ Both companies share the same operational address in the Marshall Islands.

⁵ Both companies share the same operational address in the Marshall Islands.

Goods are to be bought and transported from Tiuboda Oil Services Limited.

Address: Head Office Location, Al Nasr Street, City of Tripoli 82874, Tarabulus, Libya

Company registration number: 41992

Company tax number: 18571

Company Licence number: 4541992

Company Bank name: Bank Sahari Zwara

Bank Account Number: 5020 1731

Chairman of the Board of Directors: Mr Fahmi Saleem Mousa Ben Kalifa

Source: Confidential source, extract of document

16. Fahmi Slim has already been mentioned in the media as one of the main protagonists of smuggling networks in Zwara.⁶ He has rebutted publicly those allegations.⁷

17. It should be noted that the fuel was subsidised until the CBL proposed abolishing subsidies for fuel and other products in October 2015,⁸ and the NSG (which controls Zwara) approved this in November.⁹

18. This should reduce the income of smugglers, but it remains unclear how it will actually be implemented, as well as what real impact it will have on smuggling, primarily because prices of gasoline and diesel in Libya will remain far lower than in neighbouring countries. Prices in Libya are expected to rise up to USD 0.34 per litre of gasoline and USD 0.50 per litre of diesel,¹⁰ while in Tunisia, gasoline is USD 0.77 per litre and in Chad, gasoline prices reach USD 0.74 and diesel USD 0.90 per litre. In Malta, gasoline is sold at USD 1.46 per litre.¹¹

⁶ 'Why does EU tolerate Libya's smuggler kingpin as migrants drown?', Asia Times, 16 October 2015, <http://atimes.com/2015/10/eu-turns-blind-eye-to-fuel-for-arms-smuggling-as-migrants-drown>

⁷ 'Libyan businessman denies links with human traffickers', The Independent, 14 November 2015, <http://www.independent.com.mt/articles/2015-11-14/local-news/Libyan-businessman-denies-links-with-human-traffickers-6736150055>

⁸ 'Central Bank acts on subsidies removal', Libya Herald, 12 October 2015, <https://www.libyaherald.com/2015/10/12/central-bank-acts-on-subsidy-removal>.

⁹ 'Salvation Government gives the go ahead for subsidy removal', The Libya Observer, 4 November 2015, <http://www.libyaobserver.ly/economy/salvation-government-gives-go-ahead-susidy-removal>.

¹⁰ 'Libya: Central Bank acts on subsidies removal', AICC Trading, 16 October 2015, <https://aicc1234.wordpress.com/2015/10/16/libya-central-bank-acts-on-subsidy-removal>.

¹¹ Data have been retrieved from <http://www.globalpetrolprices.com>.

Annexes 44 Fuel smuggling

Sun Oil I

1. This vessel was taken to Tripoli on 2 January 2015, allegedly after making a distress call because of mechanical problems. According to Romanian authorities, the ship was sold to the Maltese company BTZ Valetta Company Limited, on 20 September 2013. On 20 January 2014, the vessel was deleted from the registry of Constanta harbour (Romania). Therefore, the ship could not fly the Romanian flag, and adopted the flag of Moldova.
2. According to available AIS positions, after being sold to BTZ Valetta Company Limited, the vessel approached the Libyan coast on several occasions after June 2014. Her movements were confined to Malta, the Libyan coast and the Southern Italian coast. The ship approached Libya on 28 June 2014, 28 August 2014 and spent several days in the vicinity of Zuwara between 8 and 16 September 2014. Finally, the Sun Oil I again approached Zuwara on 7 December 2014. No positions are available for 26 days, until the vessel appeared again on 2 January 2015, heading to Tripoli, as shown in the following image.



Source: AIS data provided by Lloyd's

BTZ Valletta Company Limited (C59405, Maltese Registry of Companies) is owned by BTZ Holding International Limited, whose directors are:

4. Particulars of Directors

Particulars of the persons who are directors of the company at the date of this return.

Name (in the case of an individual, name or names and surname. In the case of a body corporate, the corporate name)	Nationality	Usual residential address (in the case of a body corporate, its registered office).
ANDREA D'ALOJA	ITALIAN	VIA DI SAN VALENTINO 32, ROMA, ITALY
ALBERTO TABONE	MALTESE	21 NARCISSI STREET, SANTA LUCIJA, MALTA

Source: Maltese Registry of Companies

3. Andrea D'Aloja is the same individual arrested in the Dominican Republic and mentioned in Annex 42. The Italian authorities made a number of arrests in December 2014 related to this case. This investigation, known in Italy as 'Mafia Capitale', has many different strands, one of them concerning fraudulent sales of fuel to the Italian Navy, potentially from Libya. According to media reports the transactions involved Libyan vessels, Maltese companies and Italian citizens. Andrea D'Aloja uploaded one photograph of the Sun Oil I to the website www.marinetraffic.com:



Sovereign M

4. This vessel was impounded in the vicinity of Zwara on 27 August 2015 and taken to the port of Tripoli. Since March 2014 there are no official documents of the ownership of the vessel, but the following document found on board indicates that the Maltese company Patron Group Limited is the shipper. Sources in Libya confirm that crew members verified this information:

The Board of Directors of Patron Group Limited (C35360, Maltese Registry of Companies) consists of:

NAME: Paul Attard

Born: 1978

Also a director of LOGSERV CO. LTD, MALTA SHIPPING LIMITED, PATRON GROUP LIMITED, PATRON RESOURCES LTD, PATRON TRADING LIMITED, SALPA NAVIGATION LIMITED, WHOLESale BARGAINS LIMITED.

NAME: John Farrugia

Also a director of C J LIMITED, CFJF COMPANY LIMITED, D.B.R. INVESTMENTS LIMITED, MELITE YACHTS CONSTRUCTION CO. LTD., MELITE YACHTS DISTRIBUTORS CO. LTD, PATRON GROUP LIMITED.

NAME: Silvo Buttigieg

Also a director of BRINCED LTD., COLOURED CEMENT INTERNATIONAL LIMITED, DA MANWEL LIMITED, DELTA EUROTRANS LTD, FIBERMAR SERVICES LIMITED, G.M.C. FREIGHT SERVICES LTD., HERMELOCK (MALTA) LIMITED, IRONWOODS (MALTA) COMPANY LIMITED, M.D. TRUCKING LIMITED, MC BEN'S LIMITED, MEDIGLOBAL SUPPLIES LIMITED, PATRON GROUP LIMITED, SALPA NAVIGATION LIMITED, SEASIDE LIMITED, SILVED DEVELOPERS LIMITED, STENCIL PAVE (MALTA) LIMITED.

Source: Dun & Bradstreet

An invoice was found on board the Sovereign M, involving another Maltese company:

Invoice #024/15
09.03.15

الشركة العربية للملاحة العالمية
شركة مروي للملاحة

Fuel supply invoice for Golden Fleet LTD
Sovereign M
C - 15/04

Description	Price per unit	Liters
Gasoil 0.1 sulphur	0.42 E	700,000
	TOTAL	294,000 E

5. The seal in the oil certificate above is the same as in the gasoil certificate of origin in paragraph 9 below where it is confirmed that the seal is related to the Zawiya refinery. The refinery is not being

supplied by pipelines, as it used to receive crude oil from oil fields in El Sharara (NC 115 and NC 186), but the pipeline remains closed since El Sharara fell under the control of the Misratan *Third Force* in November 2014.

Mechanik Chebotarev

6. On 16 September 2015 this vessel was impounded in the vicinity of Zwara on suspicion of smuggling fuel from Zwara. She was taken to Tripoli, and on 17 September 2015 to Misrata, arriving on 18 September 2015.



7. According to information provided by the Russian Federation, the vessel set sail from the port of Kavkaz (Russia) to Izmir (Turkey) but diverted her route to the coast of Libya. The chartering company is a Maltese company, 360 Marine Trading Limited, and the contact person is Rodrick Grech, owner of the company Six Seven Eight Limited, also based in Malta.

8. Rodrick Grech has registered the following domain names, among others:

```
Domain Name: 360MARINETRADING.COM
Registrar URL: http://www.godaddy.com
Registrant Name: Rodrick Grech
Registrant Organization: Six Seven Eight Ltd.
Name Server: NS01.DOMAINCONTROL.COM
Name Server: NS02.DOMAINCONTROL.COM
DNSSEC: unsigned
```

```
Domain Name: PETROPLUSLTD.COM
Registrar URL: http://www.godaddy.com
Registrant Name: Rodrick Grech
Registrant Organization: Six Seven Eight Ltd.
Name Server: NS07.DOMAINCONTROL.COM
Name Server: NS08.DOMAINCONTROL.COM
DNSSEC: unsigned
```

You must [Register](#) or [Log in](#) to view the Whois record for this domain name

9. It is noteworthy that Petro Plus Limited is a company known to the Panel for being the charterer of the vessel *Ruta* (IMO 8711899), mentioned in the Panel's interim report in 2014,¹ a Ukrainian vessel that was allegedly carrying smuggled fuel from Zwara in July 2014, as shown in the cargo manifest below:

¹ 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, was apprehended near Malta for smuggling crude oil from Libya. The vessel was not smuggling crude oil but carrying fuel. Maltese authorities denied that the vessel had been apprehended by them.



ORIGINAL

Cargo Manifest

First Original

July 21st 2014

<i>Name of Vessel</i>	RUTA
<i>Nationality</i>	Ukraine
<i>Master Name</i>	
<i>Terminal</i>	Ras Hanzir
<i>Destination</i>	Malta
<i>Consignor</i>	Petro Plus Ltd
<i>Consignee</i>	The Order of MY Bunkers
<i>Description Cargo</i>	Gasoil .1 %
<i>Bill of Lading / s</i>	1217/94
<i>Cargo Quantity</i>	2845.380 MT Air

Master
MT RUTA



Malta Office: The Business Centre, Valley Road, Msida, Malta. Tel: +356 20 105123
Libya Office: Zuara - 11aj Is Salem - next to Salem Mosque - 11 Mthalla El Xarkija. Tel: +218 91 49210 18

10. And also on the certificate of origin of the fuel, found on board the Ruta:



شهادة منشأ



Certificate of Origin

شهادة منشأ

Date 21st July 2104 21st July 2104 التاريخ

Dilbya declares the the entire quantity of GASOIL 0,1 نقر نحن شركة نفط ليبيا بان كامل الشحنة من وقود الديزل

Loaded on the M/T المنقولة على ظهر الناقل

RUTA RUTA

is the product of Libyan oilfields processed at Zawia refinery مسي من انتاج الحقول في دولة ليبيا و تم تكريرها بمصفاة الزاوية

Metric Tons	2845.380	طن متري
Long Tons		طن طويل
Barrels		برميل
Liters		لتر




11. The company owning the Ruta also owns the Inzhener Valchuk (IMO 8711825) which has also been identified as having been near Zwara, on 2 May 2015, 5 July 2015 and 28 July 2015. This vessel was also identified by several sources on the ground as being involved in smuggling operations. She follows the sailing pattern of a smuggling vessel. The related company is Manchester Shipping,² based in Odessa (Ukraine).

12. According to interviews conducted by the Panel in December, most crewmembers of the Mechanik Chebotarev have been released, and a judicial case has been opened by the prosecutor in Misrata. The charges against the crew are reportedly related to ‘irregular sailing’ within Libyan territorial waters. For this reason some members of the crew remain in Misrata to face trial. They cannot be prosecuted for fuel smuggling as at the time of the impounding, the vessel had not yet loaded the fuel.

13. The following image simplifies the relations established:

VESSEL	COMPANY	ADDRESS	INDIVIDUALS
MECHANIK CHEBOTAREV	360 MARINE TRADING	MALTA	RODRICK GRECH
RUTA	PETRO PLUS LIMITED MANCHESTER SHIPPING	MALTA	RODRICK GRECH
INZHENER VALCHUK	MANCHESTER SHIPPING	ODESSA	UNKNOWN

² <http://man-ship.com/>

Annexes 45 Armed group transport of illegal migrants

Photograph taken by migrants transported by an armed group in Libya, showing the logo of *Sariyat Istanbul*



Source: Confidential

Annexes 46 Letters of credit

1. Lists of letter of credits that have benefited to Haytham Al-Tajuri and his business associates. The list also includes the list of fake companies and the amount for which they applied. The document also mentions threats that were made by Mr. Tajuri and his associates to the CB and commercial banks employees. In addition to Haytham Al-Tajuri, the table contains the names of his associates.

التاريخ : 21 أغسطس 2015

الموضوع / بلاغ ضد عصية إجرامية

تقوم بالخطاف مونتيفن المصارف و مصرف ليبيا المركزي

انتم لكم بهذا البلاغ بعد أن صدقت بي مدلت بى مدلت طلب النجدة والمساعدة و توفير الأمن للمواطن ، ولا يغيب عنكم التوضيح الأهمية كما يمكن رؤية رقم 132-207-13717

تلك مجموعة مسلحة و احياناً يرتكبها الخارج عن القانون هيثم التاجوري ، أغلب لترويج المعاملات في فتح اعتماد لشركات و همة للتجارة في العملة ، وعندما نلتك من الأجراءات نجدها غير قانونية وأن الموضوع هو عبارة عن سوقة للتمال العلم للاختار في العملة في السوق السوداء و احيال إليكم بيانات المعاملات بالكامل وتنتظرون التأكد وأنا مستعد للمساعدة القانونية .

اسماء المتورطين و شركاتهم الوهمية

الاسم : عبدالحميم شويقر
المعاملة : 132-207-13717
اسم الشركة : شركة جنات ليبيا للمواد الغذائية
رقم الاعتماد : LC01150750018132
قيمة الاعتماد : EUR 5,850,000.00 يورو
تاريخ فتح الاعتماد : 15 مارس 2015

الاسم : عبدالحميم شويقر
اسم الشركة : شركة الأسيل الناهر للمواد الغذائية
المعاملة : 132-207-13700
رقم الاعتماد : LC01150780001132
قيمة الاعتماد : EUR 6,200,000.00 يورو

تاريخ فتح الاعتماد : 19 - مارس - 2015

الاسم : علي عاشور الشبو
اسم الشركة : شركة الجراء لاستيراد المواد الغذائية ومواد التنظيف ليبيا
المعاملة : 6971-207-132
رقم الاعتماد : LC01152170008132
قيمة الاعتماد : EUR 1,535,328.00 يورو
تاريخ الفتح : 05 - أغسطس - 2015

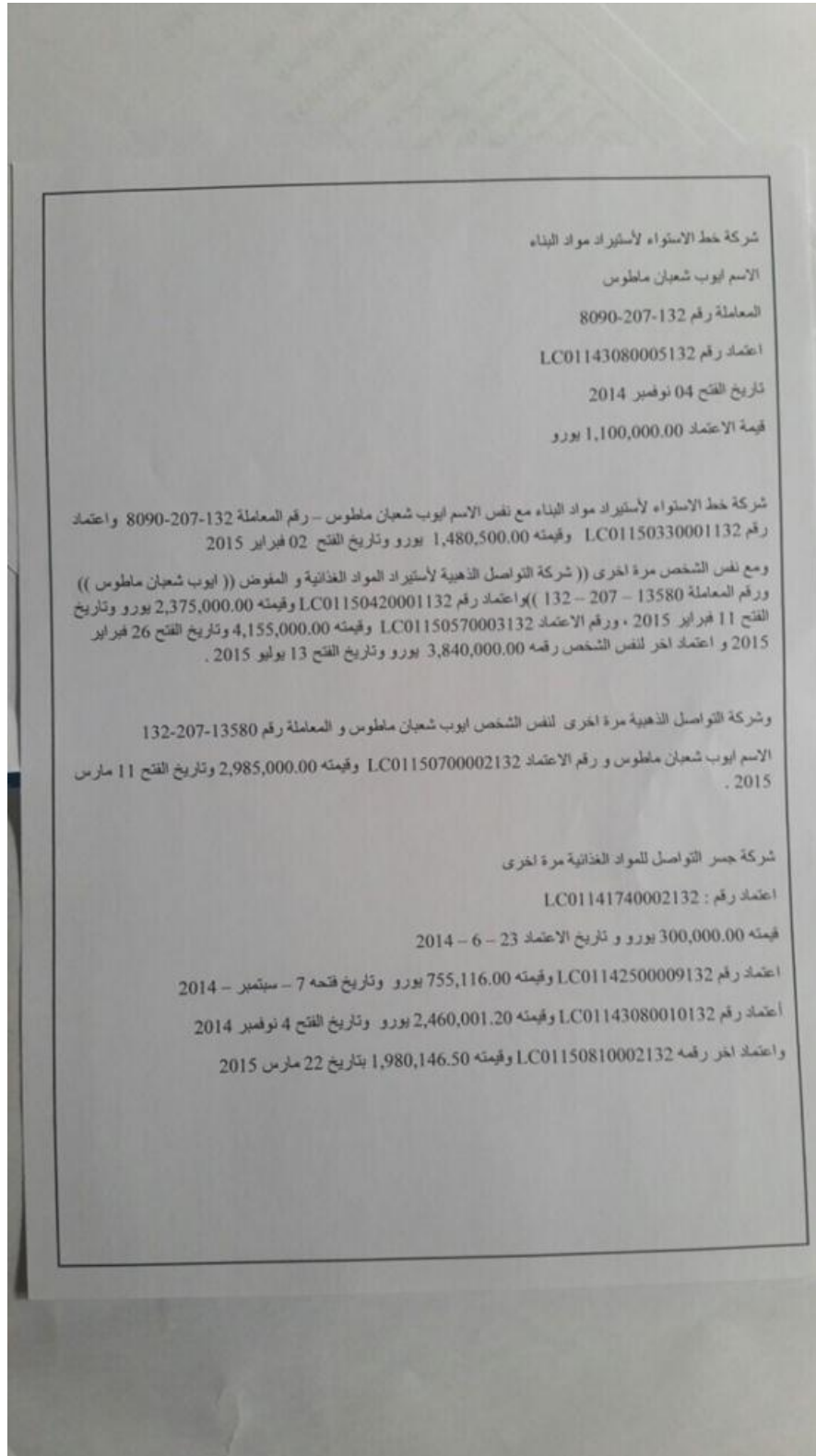
الاسم : علي عاشور الشبو
اسم الشركة : الجراء للسفر والسياحة
رقم الاعتماد : LC02150500001132
قيمة الاعتماد : EUR 5,184,000.00 يورو
تاريخ فتحه : 19 - فبراير - 2015

الاسم علي عاشور الشبو
المعاملة : 132-207-6971
شركة الجراء للمواد الغذائية
رقم الاعتماد : LC01151940015132
قيمة الاعتماد : 959,580.00
تاريخ الفتح : 13 يوليو 2015

الاسم علي عاشور الشبو
((وهذا اعتمادين منفصلين على معاملة واحد يظهر توامىء و تورط موظفين مصرف ليبيا في الجريمة))
المعاملة : 6971 - 207 - 132
اسم الشركة : الجراء للمواد الغذائية
رقم الاعتماد : LC01151940017132
قيمة الاعتماد : 959,580.00
تاريخ فتح الاعتماد : 13 يوليو 2015

الاسم : علي عاشور الشبو + تورط شخص من مصرف ليبيا يخص لجنة التحقيق
اسم الشركة : النبتة لاستيراد المواد الغذائية
رقم المعاملة : 132-207-7288
رقم الاعتماد : LC01150250008132
قيمة الاعتماد : 975,004.00 دولار امريكي
تاريخ فتح الاعتماد : 25 - يناير - 2015
واعتماد اخر رقم الاعتماد LC01150770010132
وقيمته 1,160,000.00 دولار
وتاريخ فتحه 18 مارس 2015

شركة النبتة لاستيراد المواد الغذائية




Source: Confidential

Annexes 47 Armed group protection of a construction company

Legal translation of a complaint against a construction company receiving protection from the SDF

The Panel received further documentation related to the case.

DAR ALMARIFA FOR
LEGAL TRANSLATION




دار المعرفة للترجمة القانونية

التاريخ: 2015 / 7 / 15
الاشاري:

State of Libya
Subject: Complaint

Attention / Manager of Janzour Security Directorate



Greetings,
Complaint Submitter: Abdulrahman Abujaafar Khalifa in my capacity as Chairman of Board of Directors of Al-Taqana Al-Kubra General Contracting & Real Estate Investment – of Libyan nationality – ID No. 519104 – residing in Janzour.

AGAINST

- 1- S.J.Kazmi, General Manager of SSB International Company, of Indian nationality, residing in Nufleen Area- Tripoli, nearby the Market.
- 2- Amre Jit Singh, of Indian nationality, Procurement Manager at SSB International Company.
- 3- Emad Elsherrief, liaison officer at SSB International Company.

FACTS

Whereas the company Headquarters is located at Janzour and it has many works performed in different sites, the public relations manager of the company, Saurabh Estisch Bakshi, of Indian nationality was susceptible to many threats. He was ordered to leave Libya and the Libyan company and return back to India. When we redialed the mobile phone no. (0912136914), it was the voice of Mr. Amre Jit Singh, of Indian nationality, Procurement Manager at SSB International Company. A complaint was filed to the Indian Embassy on 14/6/2014 and the Indian Embassy summoned Amre Jit Singh, Procurement Manager at SSBIL International Company but he did not appear before the embassy despite notification served to him.

At that time, Mr. S.J.Kazmi, the General Manager of SSB International Company, of Indian nationality, threatened that he would place the company among the blacklisted companies in India and that we could not be able to leave to India in a clear and frank threat in violation to law. The act of Mr. S.J.Kazmi, the General Manager of SSB International Company is deemed as a threat crime and he asked us to withdraw the complaint within two days, otherwise he would get use of his

+218 92 506 8647
+218 21 489 0704 E-mail : daralmarifa@hotmail.com مجمع نادي اليرموك جنزور

DAR ALMARIFA FOR
LEGAL TRANSLATION



دار المعرفة للترجمة القانونية



التاريخ: 2015/7/15
الاشاري:

relations against us and this is legally convicted , an allegation of influence, a crime penalized by the Libyan Penal Law.

We filed a complaint to Got Elshaal Police Station on that incident on 23/9/2014 and the first complained, Amre Jit Singh was arrested, while the second complained, S.J.Kazmi was not arrested because he was inside the premises of the company and did not like to be out.

Members of Deterrence Force discharged Amre Jit Singh from Got Elshaal Police Station and did not bring him back as per attached letter from Got Elshaal Police Station.

One week later, members of Deterrence Force attended to the company, in Al-Saraj and requested me to hand them Saurabh Estisch Bakshi, who filed the complaint with me against the abovementioned two persons. I responded to them that he had not been around and he had an assignment to perform. They captured me and put me into jail until Saurabh Estisch Bakshi would be captured and my vehicle, a white Toyota Camry, 2007 model was seized. Few days later I was released after they arrested Saurabh Estisch Bakshi, who is still detained by Deterrence Force up-to-date.

I filed a direct complaint to the official in charge of office of Public lawyer- Tripoli on 26/11/2014, explaining the abovementioned facts and he referred the issue to Chairman of North Tripoli Public Prosecution. Deterrence Force – Meatiga- was contacted via the official in charge of office of Public lawyer and Deterrence Force was asked to settle the matter and release Saurabh Estisch Bakshi.

Accordingly, Mr. / Abdussalam Ben Shaaban called me and asked me to appear and I did with company of Naji Addali, Mohamed Assaturi and Ahmed Abuzehir. During discussion, Mr. / Emad Elsherrief appeared and began to say bad words as if he was a member of Deterrence Force, mentioning that there were e-mail messages in my name and that they had been observing me since 2012.

I tried to seek excuses and evade and requested Mr. / Abdussalam Ben Shaaban to go and return on the next day to finalize the matter because I realized that I would be arrested and sent to jail as a means of pressure and assignment and to conform to whatever they would demand. This motivated me to complete the minutes at Got

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E-mail : daralmarifa@hotmail.com

مجمع نادي البرموكس جنزور

DAR ALMARIFA FOR
LEGAL TRANSLATION



دار المعرفة للترجمة القانونية

التاريخ: 2015/7/15
الاشاري:

Elshaal Police Station against Mr. / Emad Elsherrief as per testimony contained in this appendix.

THEREFORE

I do hereby transfer this Memorandum for your information, and necessary legal procedures undertaking against the abovementioned two complained persons.

Best regards

Complainant

Abdulrahman Abujaafar Khalifa



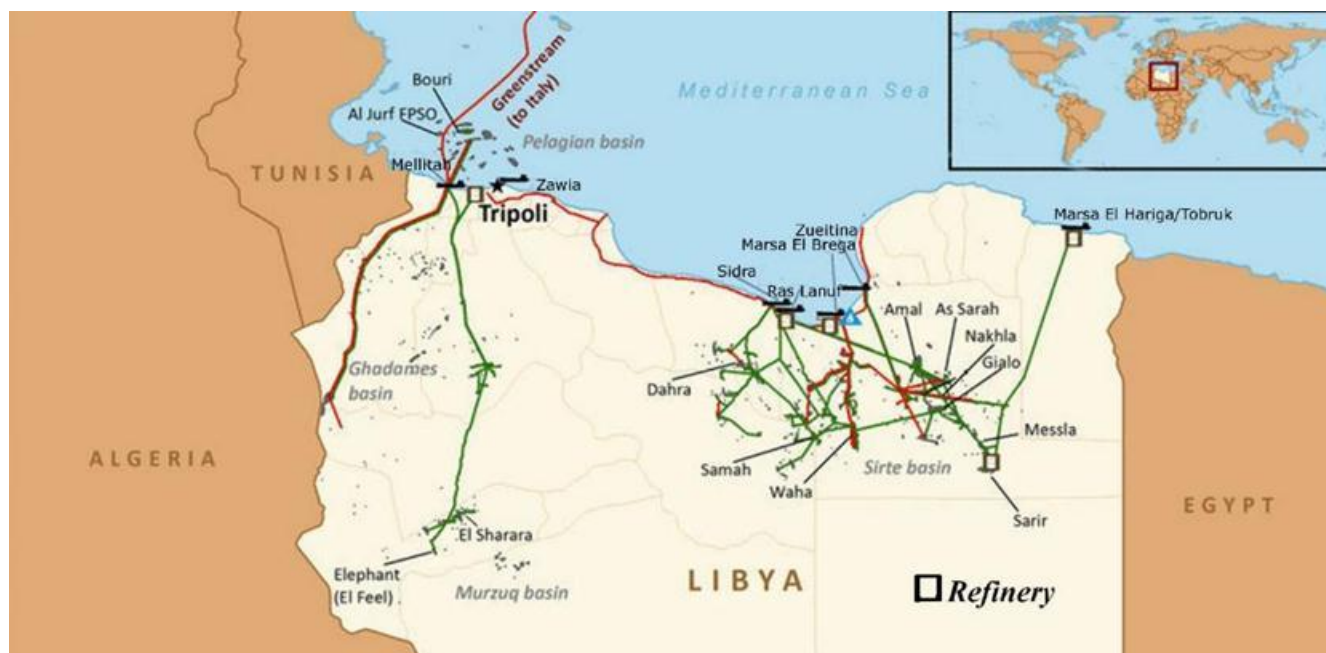
+218 92 506 8647
+218 21 489 0704

E-mail : daralmarifa@hotmail.com

مجمع نادي اليرموك جنزور

Annexes 48 Oil ports in Libya

OIL PORTS	REFINERY	KNOWN EXPORTS	REGION	CONTROL	ALLEGIANCE
MARSA AL HARIGA	TOBRUK	YES	EAST	TOBRUK	LNA
ZUEITINA		FORCE MAJEURE	OIL CRESCENT	TOBRUK	JADHRAN
MARSA AL BREGA	MARSA AL BREGA		OIL CRESCENT	TOBRUK	JADHRAN
RAS LANUF	RAS LANUF	FORCE MAJEURE	OIL CRESCENT	TOBRUK	JADHRAN
SIDRA		FORCE MAJEURE	OIL CRESCENT	TOBRUK	JADHRAN
ZAWIA	ZAWIA		WEST	TRIPOLI	LOCAL MILITIAS
MELLITA H			WEST	TRIPOLI	LOCAL MILITIAS
BOURI		YES	WEST	TRIPOLI	LOCAL MILITIAS
FARWA (AL JURF)		YES	WEST	TRIPOLI	LOCAL MILITIAS
	SARIR		SOUTH EAST	TOBRUK	LNA



Source: US Energy Information Administration

Annexes 49 Letters from eastern NOC

Letters addressed to the Panel of Experts from the eastern authorities that never reached the addressee

ديوان رئاسة مجلس الوزراء

التاريخ: 15-9-2015
الرقم: 15-9-15



الحكومة الليبية المؤقتة

TO: THE CHAIRMAN OF THE UN PANEL OF EXPERTS ON LIBYA
SECURITY COUNCIL RESOLUTION 1973(2011)

SUBJECT: DECLARATION BY THE LIBYAN GOVERNMENT

The elected and internationally recognized Libyan House of Representatives has assigned the Libyan Government in November of 2014 to restructure NOC Board of Directors with HQ to be re-allocated in its original Establishment town of Benghazi in compliance with the Libyan Government decree No. 247 issued in Tripoli on the 5th of Jun 2013.

NOC Management Board is fully committed to honor any and all legally signed agreements and contracts with the IOCs active in Libya and abroad and it is fully committed to the maintenance and developments of the Libyan Oil and Gas resources as they represent the main financial Libyan income source, For the Libyan state and public.

The Libyan Government would like to declare that NOC Libya based its temporary HQ at Al- Bayda Libya; transparently energizing the crude oil export on the international market; making sure that all oil export revenues are deposited in the Libyan Central Bank account established at the Arab International Bank which will be monitored by the LCB watch revenues as well as any and all International Monitoring Funds and will finance the United Libyan Government budget through the Libyan Ministry of Finance for the State of Libya to be used and distributed for the benefits of all the Libyan population.

Sincerely

E/Elbadri A.

Dr. Abdulssalam Mohammed Elbadri
Deputy of Prime Minister For Services Affairs
Head of Oil and Gas Committee

Cc:-

Libyan House of Parliaments
Libyan Prime Minister
Libyan Governor of the Central Bank
NOC Board of Director



مَصْرَفَ لِيْبْيَا الْمَرْكَزِي

Date: 27 October 2015

To: THE CHAIRMAN OF THE UN PANEL OF EXPERTS ON LIBYA
SECURITY COUNCIL RESOLUTION 1973(2011)

Subject: DECLARATION BY THE LIBYAN CENTRAL BANK

The elected and internationally recognized Libyan House of Representative has assigned the Libyan Government in November 2014 to restructure NOC board of Directors with HQ to be re-allocated in its original Establishment town of Benghazi in compliance with the Libyan Government decree No.247 issued in Tripoli on Jun 5, 2013.

The Libyan Central Bank would like to declare that all revenues from crude oil export on the international market executed by NOC Libya based its temporary HQ at Al-Bayda Libya will be deposited in the Libyan Central Bank account established at the Arab International Bank which will be monitored by the LCB watch revenues as well as any and all International Monitoring Funds and will finance the united Libyan Government budget through the Libyan Ministry of Finance for the State of Libya to be Used and distributed for the benefits of all the Libyan population.

Sincerely

Ali Mohamed Salem
Governor of the Libyan Central Bank



Cc:

Libyan House of Representative.
Libyan Prime Minister.
Libyan Foreign Minister.
NOC Board of Directors.

⚡

00218 69 463 1785 - 00218 69 463 1410

info@centralbankoflibya.org

Annexes 50 Eastern NOC letters to oil companies

Documents provided by the Chairman of the eastern NOC

التاريخ: 2015/10/13		الحكومة الليبية المؤقتة المؤسسة الوطنية للنفط Libyan National Oil Corp.
الموافق: / /		
الاشغري: / /		

October 13, 2015
Ref:12.101M-file

For the attention of The General Manager Crude Oil and Refined Products Trading.

We NOC Libya, acting on behalf of the Legitimate and Democratically Elected Government of Libya hereby announce that all International trading of Crude Oil and Refined Products will be carried out through the office of NOC based in El Bida - Libya.

In the spirit of fair trade NOC will honor all previous Term Contracts, where possible, until conclusion. However, to enable this to be achievable all Companies need to register with NOC at the address below within 15 (fifteen) days from the date of this mail. Failure to adhere to this request will render non-compliant Companies to be in default and subsequently unable to secure deliveries of Crude Oil and Refined Products from Libya.

All new enquiries from potential NOC/IOC's must register with NOC El Bida and secure an official registration number to enable them to uplift product/ participate in tenders.

We trust that the above is self-explanatory and is non-negotiable. NOC look forward to a long and mutually beneficial relationship with the existing customer base and welcome all new Companies in to what will be an exciting phase of the rebuilding of the New Libya.

The contact details for NOC are as follows:

Yours sincerely,

Dr. Nagi Elmagrabi,
Chairman of the Board of Directors



العنوان: البيضاء - أم الصفاصاف - شارع: أم الصفاصاف خلف كلية القانون (شارع شهداء المنزل) ص.ب (1480) - ☎ 0695710300

التاريخ:		الحكومة الليبية المؤقتة
الموافق:		المؤسسة الوطنية للنفط
الاشري:		Libyan National Oil Corp.

Circular & Notification No. 02/2015
National Oil Corporation
Government of Libya

Dated: 16th October 2015

To: All Crude Oil and Refined Products Trading Companies.

Subject: Clarification and Notification regarding Crude Oil and Refined Products International Trading

Sir,

We, NOC Libya, acting on behalf of the Legitimate and Internationally recognized Government of Libya hereby announce the following:

1. All International trading of Crude Oil and Refined Products will be carried out through the legitimate office of NOC based in El Bida - Libya.
2. In the spirit of good faith and fair trade, the NOC will honor all previous Term Contracts, where possible, until conclusion. However, to enable this to be achievable all Companies need to register with NOC at the address below within 15 (fifteen) days from the date of this letter.
3. All new enquiries from potential NOC/IOC's must register with NOC El Bida and secure an official registration number to enable them to uplift product/ participate in tenders.
4. Failure to adhere to this request will render non-compliant Companies to be in default and subsequently unable to secure deliveries of Crude Oil and Refined Products from Libya.

The above matters were discussed and endorsed by the Libyan Council of Deputies. We trust that the above is self-explanatory and is non-negotiable.

NOC look forward to a long and mutually beneficial relationship with the existing customer base and welcome all new Companies in to what will be an exciting phase of the rebuilding of the New Libya.

The contact details for NOC are as follows:

National Oil Corporation:
E-mail: info@noc-ly.org
P.O.Box 1480 El Bida, Libya
Fax : 00218695710400

Yours sincerely,




Dr. Nagi Elmagrabi,
Chairman of the Board of Directors



CC:

- The Chairman of the Council of Deputies, House of Representative Office.
- Prime Minister Office

0695710300 ☎ - (1480) - شارع أم الصمصصات خلف كلية القانون (شارع شهداء الجبل) ص.ب (1480) - ليبيا

التاريخ: _____ الموافق: _____ الاشاري: _____		الحكومة الليبية المؤقتة المؤسسة الوطنية للنفط Libyan National Oil Corp.
Date: 18.10.2015 Ref: IM.27/10		
To Whom It May Concern,		
<p>We National Oil Corporation (NOC) El Bida do, by way of this letter, inform all Companies wishing to conclude transactions with the Internationally recognized NOC of Libya, under the jurisdiction of the legitimate Libyan Government, that the following ports are deemed safe and controlled 100% by the legitimate NOC.</p>		
<ol style="list-style-type: none"> 1. Marsa Al Hariga 2. Zueitina 3. Marsa El Brega 4. Ras Lanuf (Closed : Force Majeure) 5. Es Sidra (Closed : Force Majeure) 		
<p>We trust the above is self-explanatory and will assist you in your enquiries.</p>		
Regards 		
Dr. Nagi El Magrabi Chairman of Board of Directors National Oil Corporation		
cc: - Mr. Prime Minister. - Dr. Deputy prime Minister, Chairman of Oil and Gas Committee - Members of Board of Directors - General Manager, International Marketing		
العنوان: البيضاء- أم الصفاصاف - شارع: أم الصفاصاف خلف كلية القانون (شارع شهداء الجبل) ص.ب (1480) - 0695710300		

Source: Confidential

Annexes 52 Eastern NOC threatening companies with consequences

Letter from the Chairman of eastern NOC

التاريخ: الموافق: الاشاري:		الحكومة الليبية المؤقتة المؤسسة الوطنية للنفط
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Date: 01.12.2015
 Our Ref: INT 01.12.2015

Att.: CEO & GD & CFO

Subject: Crude Oil Schedule Shipment and Marketing

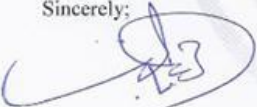
Dear,

The National Oil Company (NOC) Libya, acting on behalf of the Legitimate and internationally recognized Government of the State of Libya would like to bring to your attention the following:

1. All International trading of crude oil and refined products will be carried out ONLY through the legitimate office of NOC based in El Bida - Libya.
2. The NOC will refuse all shipment of crude oil schedules that financially arranged with other entities than the legitimate NOC.
3. Companies that are illegally deals with entities other than the NOC, will also face legal consequences. Libya is a signatory to the United Nations Convention Against Corruption (UNCAC).

We would like to reaffirm that NOC is offering lucrative business opportunities that targeting to attract many international well-reputed oil companies.

Sincerely:



Dr. Nagi El Magrabi
 Chairman of the Board of Directors



NOC Libya

cc:

- Prime Minister
- Deputy Prime Minister
- Committee of Energy, House of Representatives
- NOC members of Board of Directors

العنوان: البيضاء أم الصلصاف - شارع أم الصلصاف/ خلف كلية القانون (مجمع شهداء الجبل) ص.ب (1480) فاكس 218695710300 هاتف 600 /00218695710400

Source: Confidential

Annexes 54 Maltese court transcript

**QORTI CIVILI PRIM'AWLA
IMHALLEF
ONOR. IMHALLEF LAWRENCE MINTOFF**

Illum l-Erbgha, 6 ta' Mejju, 2015
Rik Nru: 814/2014
Differita: 19 ta' Gunju, 2015

Dr Shaheryar Ghaznavi noe

Vs

Dr. Simon Micallef Stafrace et noe

Advocate Charilos Oikonomopoulos, called to give evidence by the respondent Advocate Chalilios Oykonomokupulos nomine, in English language confirms on oath:

Lawyer: You had been appointed by the Court to represent Safia Kerkash Mohammed and Capital Resources Limited

Witness: Yes

Lawyer: In your former capacity can you please explain to the Court what you know about whereabouts and the residence of Saifa Kerkash Mohammed, both in September 2014, when this action was filed in the Court and the current status

Witness: Ms. Mohammed was living in Oman when the application was filed in September, 2014 and is currently living in Egypt

Lawyer: Are you aware of any connection that she may or may have not had with Malta?

Witness: I'm aware from discussions with her that she had no connection with Malta at all. She doesn't own any properties in Malta if this is a criteria, she has no other connection in Malta and ... visited Malta in her life

Lawyer: Are you in a position to inform the Court regarding the status of other heirs of the defendant in this case?

Witness: Yes in fact the other two heirs, have nothing to do with Malta, one of them has never visited Malta, the other had visited Malta occasionally as a consort to the deceased

Lawyer: And for the formality to be registered, can you inform what nationality the heirs have?

Witness: The other two heirs are from the European Union locality

Lawyer: Where as Ms. Kerkash?

Witness: She is Libyan

Court: Cross-examination

Lawyer: Can you indicate to the Court when did Safia Kerkash go to Egypt?

Witness: February

Lawyer: Of which year?

Witness: 2015

Lawyer: Where is she presently located in Egypt?

Witness: She is located in Egypt

Lawyer: Where in Egypt?

Witness: In Cairo

Lawyer: The other two heirs that you made reference to who are they?

Witness: I cannot disclose their names because of security grounds and they are not applicants

Lawyer: I'm sorry, you have referred to them, so you have to reveal their identity, otherwise you should have never referred to them