



# Security Council

Seventy-seventh year

**8952**<sup>nd</sup> meeting

Monday, 24 January 2022, 10 a.m.

New York

*Provisional*

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*President:* Ms. Heimerback. . . . . (Norway)

*Members:*

Albania . . . . .	Mr. Hoxha
Brazil . . . . .	Mr. De Almeida Filho
China . . . . .	Mr. Xing Jisheng
France . . . . .	Mr. De Rivière
Gabon . . . . .	Mrs. Ngyema Ndong
Ghana . . . . .	Ms. Opong-Ntiri
India . . . . .	Mr. Tirumurti
Ireland . . . . .	Ms. Byrne Nason
Kenya . . . . .	Mr. Kimani
Mexico . . . . .	Mr. De la Fuente Ramírez
Russian Federation . . . . .	Mr. Polyanskiy
United Arab Emirates . . . . .	Mr. Abushahab
United Kingdom of Great Britain and Northern Ireland . . . . .	Mr. Kariuki
United States of America . . . . .	Mr. DeLaurentis

## Agenda

### The situation in Libya

Letter dated 15 December 2021 from the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council (S/2021/1058)

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2022/31)

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*The meeting was called to order at 10.05 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation in Libya**

**Letter dated 15 December 2021 from the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council (S/2021/1058)**

**Report of the Secretary-General on the United Nations Support Mission in Libya (S/2022/31)**

**The President:** In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Ms. Rosemary DiCarlo, Under-Secretary-General for Political and Peacebuilding Affairs; and Ms. Elham Saudi, co-founder and Director of Lawyers for Justice in Libya.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2021/1058, which contains the text of a letter dated 15 December 2021 from the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council, and to document S/2022/31, which contains the report of the Secretary-General on the United Nations Support Mission in Libya.

At this meeting, the Security Council will hear briefings by Under-Secretary-General DiCarlo; Ambassador Tirumurti, Permanent Representative of India, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya; and Ms. Saudi.

Recalling the Security Council's latest note by the President (S/2017/507) on its working methods, I wish to encourage all speakers, both members and non-members of the Council, to deliver their statements in five minutes or less. Note 507 also encourages briefers to be succinct and to focus on key issues. In

that spirit, briefers are further encouraged to limit their initial remarks to 7 to 10 minutes.

Everyone is also encouraged to wear a mask at all times, including while delivering remarks.

I give the floor to Ms. DiCarlo.

**Ms. DiCarlo:** I thank you, Madam President, for the opportunity to brief the Security Council on the latest developments in Libya.

Since the last briefing to the Council on 24 November 2021 (see S/PV.8912), growing polarization among political actors in disputes over key aspects of the electoral process ultimately resulted in the postponement of the 24 December elections, despite the advanced stage of technical preparations by the High National Election Commission. In announcing the postponement, the Commission cited shortcomings in the legal framework for the elections, contradicting court rulings on candidacies, and political and security concerns. The Commission referred the matter to the House of Representatives.

In response, on 28 December 2021, the House of Representatives established a road map committee to elaborate a new political path towards national elections. On 17 and 18 January, the Speaker of the House of Representatives convened Parliament and announced that the new road map would define the timetable and process for the holding of elections in coordination with relevant institutions. The road map committee is delivering its preliminary report today and the Parliament is expected to deliberate on it today or tomorrow.

On 5 December 2021, the Secretary-General appointed Ms. Stephanie Williams as his Special Adviser on Libya. The Special Adviser is working closely with the United Nations Support Mission in Libya (UNSMIL), as well as with Libyan regional and international stakeholders.

Since her arrival in Libya on 12 December, the Special Adviser has undertaken wide-ranging consultations in Tripoli, Benghazi, Misratah and Sirte. She has met members of the Presidency Council, the Government of National Unity, the High National Election Commission, the House of Representatives, the High State Council and the Supreme Judicial Council, as well as candidates for the presidential and parliamentary elections. She has also consulted with

relevant political, security and civil society actors from across the country.

Clearly, Libyan stakeholders hold different views regarding the path that can take the country to free, fair, inclusive and credible national elections and a peaceful transition. Discussion in the House of Representatives and among political actors is also increasingly focusing on the status of the Government of National Unity. Special Adviser Williams has reiterated to Libyan interlocutors that the focus of the political process should remain on the holding of parliamentary and presidential elections, to be held in the shortest possible time frame.

In all her meetings, the Special Adviser highlighted the 2.8 million Libyans who have registered to vote. She called on all stakeholders to respect the will of the Libyan people. She also encouraged them to continue to focus on the holding of presidential and parliamentary elections as soon as possible and to adhere to the timeline agreed to in the Libyan Political Dialogue Forum road map, which was endorsed by the Security Council.

Earlier this month, the Special Adviser held talks with the authorities in Tunisia, Turkey, Egypt and the Russian Federation. She also had exchanges with the African Union, the European Union, the League of Arab States and many other international stakeholders. The Special Adviser stressed that it was critical for the international community to remain united in its support for the timely holding of presidential and parliamentary elections.

Since our most recent briefing to the Council (see S/PV.8912), there have been ongoing dialogue initiatives among political, security and economic actors from across Libya. We have seen reports of consultations between the Speaker of the House of Representatives and the President of the High State Council, as well as among presidential candidates from western and eastern Libya.

On the security track, there been meetings among various armed groups. The Chief of General Staff of the western military forces under the Government of National Unity and the acting General Commander of the Libyan National Army also met in Sirte, where they were joined by military chiefs and heads of military departments from both sides.

On the economic track, further steps were taken towards reunification of the Central Bank of Libya

based on the recommendations of the independent financial audit and of the bank completed in July last year. The Governor and Deputy Governor of the bank shared with the economic working group of the Berlin Process their agreed overview of the way forward on reunification. Those are welcome developments.

We also welcome the renewed efforts, particularly by the Presidency Council, to advance national reconciliation based on the principles of transitional justice. Together with the African Union, we remain committed to supporting a rights-based reconciliation process that should advance in parallel to the ongoing Libyan-owned and Libya-led dialogue tracks.

The ceasefire has continued to hold; however, political uncertainty in the run-up to the elections negatively impacted the overall security situation, resulting in shifting alliances among armed groups affiliated with certain presidential candidates. Similarly, unfulfilled demands made to the Government of National Unity by the Petroleum Facilities Guard (PFG) in western Libya recently resulted in the shutdown of oil production, causing the National Oil Corporation to declare force majeure on 20 December. Oil production was restored on 9 January following negotiations between the PFG and the Government of National Unity.

As part of the efforts to implement the ceasefire agreement, the 5+5 Joint Military Commission travelled to Ankara and Moscow in December to discuss the implementation of their action plan for the withdrawal of foreign forces and mercenaries with Turkish and Russian authorities, including the establishment of communication and information-sharing mechanisms. Those welcome steps build on similar mechanisms already established with Chad, the Niger and the Sudan, which were discussed with the African Union.

Meanwhile, the second group of international monitors from the UNSMIL ceasefire monitoring component deployed to Tripoli in December to replace the first group, deployed in October. Despite serious logistical and security challenges, UNSMIL continues working on the establishment of the ceasefire monitoring hub in Sirte. In that regard, we look forward to the approval by the Government of National Unity to proceed with the needed work on accommodation and office facilities in Sirte.

The human rights situation in Libya remains very worrying. Over the reporting period, UNSMIL

documented incidents of election-related violence and attacks based on political affiliation, as well as threats and violence against members of the judiciary involved in proceedings on the eligibility of electoral candidates, and attacks against journalists, activists and individuals expressing political views. Such incidents are an obstacle to creating a conducive environment for free, fair, peaceful and credible elections.

We are particularly concerned at the fact that women and men working to protect and promote women's rights continue to be targeted by hate speech, defamation and incitement to violence. Some of the disturbing social media posts that posed a threat to the safety and security of those persons were removed after UNSMIL brought them to the attention of social media platforms. Arbitrary detention in facilities operated by State and non-State actors continues across the country, with many detainees subjected to serious human rights abuses. According to statistics provided by the Libyan authorities, more than 12,000 detainees are being held in 27 prisons and places of detention across Libya. Thousands of additional detainees, including children, do not appear in official statistics and are held illegally, often in inhumane conditions.

The situation of migrants and refugees in Libya remains highly concerning. Large numbers of migrants and refugees attempting to cross the Mediterranean Sea and returned to Libya continue to be detained in inhumane and degrading conditions, with restricted humanitarian assistance. Thousands are unaccounted for.

A joint UNSMIL-Office of the United Nations High Commissioner for Human Rights report published in November documents the fact that hundreds of foreign nationals were expelled in recent months to the Sudan and Chad from Libya's eastern and southern borders, without due process. In many instances, the expelled individuals were placed in extremely vulnerable situations across remote stretches of the Sahara Desert, without sufficient food, water, safety or medical care. The United Nations remains ready to work with the Libyan authorities on a long-term national response to migration and refugee management, in line with international law, to include addressing human rights concerns.

I am, however, pleased to report improvements in the overall humanitarian situation in 2021. The United Nations recorded a 30 per cent decrease in the

number of people in need of humanitarian assistance, from 1.3 million at the start of 2021 to 803,000 by the year's end. Of the 278,000 Libyans internally displaced one year ago, about 100,000 returned home in 2021. However, challenges persist in finding durable solutions for those still displaced and for returnee communities that lack basic services.

Political and institutional divisions in the absence of an approved national budget resulted in limited improvements in basic infrastructure and service delivery in 2021. The humanitarian response plan for Libya, extended through May 2022, is supporting the most vulnerable and refugee and migrant populations but requires additional funding.

Libya is at a delicate and fragile juncture on its path to unity and stability. We welcome and support the positive developments taking place across the three intra-Libyan dialogue tracks and recognize the challenges that must be overcome. We need to collectively nurture those positive steps. It is critical that the international community remain united in its support for elections, guided by the aspirations of the Libyan people, to be governed by elected institutions. As so many Libyans have told us, the way forward towards a stable and united Libya is through the ballot box, not the gun. We must stand with them.

**The President:** I thank Ms. DiCarlo for her briefing.

I now give the floor to Ambassador Tirumurti.

**Mr. Tirumurti:** In accordance with paragraph 24 (e) of resolution 1970 (2011), of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by the same resolution. The report covers the period from 25 November 2021 to 24 January 2022, during which time the Committee held two informal consultations and conducted additional work by silence procedure.

Allow me to begin by noting that the annual report on the work of the Committee for 2021 is available in document S/2021/1058.

During the informal consultations held on 1 December 2021, the Committee heard a presentation by the Coordinator of the Panel of Experts on the interim report of the Panel, submitted to the Committee on 22 November 2021 in accordance with resolution 2571 (2021), and discussed the recommendation contained therein. The interim report, which highlights aspects related to the implementation of the travel

ban, assets freezes, the arms embargo and measures in relation to attempts to illicitly export petroleum, including references to incidents of non-compliance, was submitted to the Security Council on 15 December 2021.

During the informal consultations held on 16 December 2021, which was organized in response to a communication received from the Libyan Investment Authority (LIA), a listed entity, the Committee received a briefing from the LIA on issues pertaining to asset-freeze implementation. Remarks were also made by the representative of Libya. In the interactive discussion that followed, Committee members emphasized the importance of preserving the integrity and value of the Libyan frozen assets for the benefit of the Libyan people. As to the arms embargo, the Committee received a vessel-inspection report from European Union Naval Force Mediterranean Operation IRINI.

In relation to the assets freeze, the Committee received two notifications from Bahrain invoking paragraph 21 of resolution 1970 (2011). The Committee acknowledged receipt of one of the notifications, while a response to the other is still under consideration.

With regard to the travel-ban measure, the Committee extended for a second time a six-month exemption request, granted for humanitarian purposes, to three individuals on the Committee's list — Ms. Safia Farkash Al-Barassi, Ms. Aisha Al-Qadhafi and Mr. Mohammed Al-Qadhafi. The Committee received a travel notification from Ms. Aisha Al-Qadhafi, under the aforementioned travel-ban exemption. The Committee also received a letter from Libya pertaining to the previously approved travel-ban exemption and limited assets-freeze exemption for Mr. Abu Zayd Umar Dorda; a response is under consideration.

Concerning the sanctions list, the Committee received a third communication from the focal point for de-listing established pursuant to resolution 1730 (2006), in connection with the submission of a de-listing request by an individual. The focal point process is still ongoing.

In conclusion, I would like to recall my intention to work proactively to organize a visit of the Committee to all the agreed areas of Libya, subject to logistical and security arrangements, as mentioned in the Committee's annual reports for 2018, 2019, 2020 and 2021 (see S/2018/1176, S/2019/972, S/2020/1256 and S/2021/1058, respectively). I would also like to reiterate

the Committee's commitment to contributing to promoting peace and stability in Libya.

**The President:** I thank Ambassador Tirumurti for his briefing.

I now give the floor to Ms. Saudi.

**Ms. Saudi:** My name is Elham Saudi. I am a Libyan woman, a mother, a lawyer and a human rights defender who has been working for peace and justice in Libya for over 10 years. Today I address the Security Council as Director of Lawyers for Justice in Libya (LFJL), a non-governmental organization dedicated to strengthening the rule of law and human rights in Libya.

In 2012, LFJL travelled across Libya speaking with thousands of Libyans about their aspirations for their country's constitution and transition to a stable democracy. In 2021, 10 years on, we performed another consultation. Much remained the same: a desire for peace, a determination to achieve lasting reconciliation and a constitution that protects human rights and prevents a return to dictatorship.

Some things changed. Perceptions of justice have become more urgent. Accountability for war crimes and human rights violations is now a paramount demand.

When LFJL last briefed this Council in 2019 (see S/PV.8611), it was during the peak of the war in Tripoli. Since then, those hostilities have ended, a fragile ceasefire has been adopted, a Unity Government has been appointed and a road map to elections has been drafted – all under the auspices of the United Nations. This progress may be invaluable, but it is also reversible as long as impunity prevails for crimes and violations of a decade of wars fought outside of any conventions. This impunity empowers those that the Security Council often calls “spoilers” and has enabled the failure of those elections that are enshrined in this Council's resolutions and to which the 2.8 million Libyans who registered to vote aspired.

My briefing today focuses on three main areas: the electoral process; the accountability deficit and the renewal of the mandate of the United Nations Support Mission in Libya (UNSMIL).

Libya's elections were intended to restore legitimacy to Libyan politics. If we are to ensure a legitimate outcome, the process must itself be considered legitimate. Elections must be rooted in a clear, unpoliticized and, thus, incontestably legitimate

legal basis — and a constitutional basis that provides for continued progress after election day.

Earlier this month, the Special Adviser to the Secretary-General said that it is possible and needed to have an electoral event before the end of June. Focusing on the dates for the elections, instead of a clear process to facilitate them, risks once again compromising due process for the sake of perceived political expediency.

A mediation process that learns the lessons from Libya's last few years should focus on creating milestones, including the requirements of an electoral law, a code for conducting the elections and a constitutional basis that appropriately sequences presidential and legislative elections, in line with a broader road map for the newly elected authorities to conclude Libya's transitional period effectively. If the Special Adviser's mediation process can get those right, then the election dates will naturally follow, and they will be elections that are far easier to manage, protect and successfully deliver.

Accountability is far too often portrayed as an obstacle to practical politics, but the last year of Libya's electoral process has shown why accountability is in fact a prerequisite to political progress. Poorly defined and fundamentally weak vetting criteria applied to candidates in the delayed elections resulted in individuals implicated in corruption, war crimes, crimes against humanity and human rights violations, including persons who have been indicted by the International Criminal Court (ICC) or who have command responsibility over persons indicted by the Court being accepted as candidates.

In its October 2021 report, the United Nations Independent Fact-Finding Mission on Libya (FFM) concluded that there are reasonable grounds to believe that war crimes and crimes against humanity have been committed in the country. The lack of accountability for such crimes enshrines impunity, prevents sustainable peace and hinders any political progress.

Individual criminal accountability can break this circle of impunity and deter future crimes. The Council recognized this when it referred the situation in Libya to the ICC. Prosecutor Khan made clear in his recent address to the Council (see S/PV.8948) that the situation in Libya is a priority for his Office precisely because it is a Security Council referral. However, with that referral, comes a responsibility for the Member States and the United Nations itself to

support — financially, logistically and politically — the Office of the Prosecutor.

Beyond the ICC, recent developments demonstrate the impact of States exercising universal jurisdiction over universal crimes. Where States put in place the legal and institutional frameworks to prosecute crimes against humanity irrespective of where, by whom and against whom they are committed, such frameworks help to make the world a smaller place for perpetrators, and often, they are the only avenue available to victims. This is the case for Libya, and Libya appreciates the efforts undertaken by some states to investigate international crimes committed in the country.

The Chair of the FFM stated that those responsible for crimes and violations in Libya include all parties to the conflict — and that includes third States, foreign fighters and mercenaries. This has also been confirmed by reports from non-governmental organizations. There is therefore an imperative on States to consider all perpetrators, whether from Libya or not and whether operating in Libya or outside it.

The Security Council also showed a commitment to accountability by setting up the sanctions committee established pursuant to resolution 1970 (2011). Sanctions have so far been the only direct consequence for a few alleged perpetrators of human rights violations. However, unless applied transparently and consistently, including by sanctioning third States for breaching the arms embargo by supplying Libyan parties with arms, sanctions can be perceived as arbitrary and insufficient. Additionally, when deployed in isolation instead of within a wider strategy or policy, sanctions do not provide victims with redress or reparation, nor do they provide accountability for gross human rights violations and serious international crimes.

Given Libya's accountability deficit, and the wider challenges created by a decade of conflict, Libya's civil society has had to fill many vacuums. This comes at a high cost. The systematic crackdown on civil society by all parties in Libya, including by the current Government of National Unity, has seen civil society organizations, and especially those working on human rights and peacebuilding, harassed and prevented from carrying out their work. Members of civil society have been threatened, disappeared, tortured and killed in retaliation for their work or public presence. The Council, as well as Member States that have been

supporting Libyan parties, must demand the protection of Libya's civil society.

Particularly targeted are women human rights defenders and women exercising their right to participate in political or public life. They face reprisals both offline and online, with systematic and coordinated smear campaigns against them that cause them to retreat from public life. We welcome the recent open debate (see S/PV.8949) on the theme: "Protecting participation: addressing violence targeting women in peace and security processes." It is an important first step, and we look forward to seeing concrete steps by the Council to implement recommendations made in that debate.

I deeply hope that the next civil society representative who briefs the Council will be able to take their rightful seat at this table and speak out without having the threat of reprisals be a factor in their decision to do so.

The Council is due to review UNSMIL's mandate today. The Mission plays an important role in mediation and the political process. However, as the independent strategic review of UNSMIL recommended, the approach and structural mechanism of UNSMIL should consider not only the political track, but also economic, security, humanitarian and human rights priorities, mindful of the interlinkages between them.

Mainstreaming human rights involves more than tokenistic meetings with civil society or the insertion of appropriate language to a political deal forged behind closed doors. It is about applying a human-rights-based approach that ensures that the process protects, enshrines and promotes the human rights of every Libyan and ensures inclusivity, including by empowering victims and allowing them to play an active role. Without mainstreaming human rights, UNSMIL sacrifices the rights of Libyans in pursuit of unsustainable and short-sighted notions of political progress.

It is therefore vital to the prospects of Libya's fragile ongoing political processes that structural mechanisms applying more comprehensive and transparent oversight of UNSMIL's activities in order to hold it accountable to the Libyan people and the Council are worked into future iterations of its mandate.

As we look ahead to another challenging year in Libya, we call on the Security Council and Member States to do five things.

First, they must support an electoral process rooted in a legitimate legislative and constitutional framework and that identifies and pursues the key steps needed to create a secure and conducive environment for Libya's elections.

Secondly, they must demand accountability of all parties to the conflict, including third States, foreign fighters and mercenaries, including by providing all necessary financial, logistical and political support to the ICC and by facilitating universal jurisdiction investigations in Member States.

Thirdly, they must apply sanctions fairly, transparently and consistently, in accordance with human rights standards and due process and in coordination with other accountability mechanisms, in order to contribute to judicial accountability and redress for victims.

Fourthly, they must protect women and civil society. They must demand that Libyan authorities ensure an enabling environment for women and civil society, in particular, human rights defenders and peacebuilders, including by supporting Libya's efforts to create a national action plan on women, peace and security.

Finally, they must adopt and implement the recommendations of the independent strategic review of UNSMIL in order to strengthen the Mission's effectiveness and ensure that it can deliver its mandate fully across all tracks, especially the human rights and international humanitarian law track, including by providing UNSMIL with the resources, capacities and support needed.

I would like to end not with my words, but with those of a representative of the families of the victims of the mass graves discovered in Tarhuna, whom we recently interviewed. He said:

"Can you imagine seeing people killed in front of your eyes? Then you cannot sleep for days ... If the law is not applied, then revenge becomes the only answer and then blood will reach to our knees. If there is justice, then peace will prevail and the cycle of revenge will stop."

It is for them and for every victim and family in Libya that the Council must act.

**The President:** I thank Ms. Saudi for her briefing.

I shall now give the floor to those members of the Council who wish to make statements.

**Mr. Kariuki** (United Kingdom): I would like to thank Under-Secretary-General DiCarlo and Ms. Saudi for briefing the Council today. I also thank Ambassador Tirumurti for his update. I would also like to take this opportunity to thank the Secretary-General's Special Adviser on Libya, Ms. Stephanie Williams, for her tireless work and extensive outreach across Libya.

As we have heard today and as is set out in the Secretary-General's report (S/2022/31), Libya is at a critical juncture. The delay of the elections planned for last December was disappointing. We must maintain momentum.

In that regard, I would like to make three points today.

First, I reaffirm the United Kingdom's full support for the United Nations-facilitated and Libyan-led and owned political process. Successful free, fair and inclusive elections will continue to be a crucial step in this process. The Libyan people have made clear their aspirations to have a say in who governs them. However, if we are to move forward and avoid continued delays and uncertainty, it is vital that the challenges that prevented elections from going ahead in December are addressed. In that connection, I listened carefully to Ms. Saudi's remarks on the importance of accountability.

It is important that we all continue to support the work of the United Nations Support Mission in Libya (UNSMIL) to bring together the political, security and economic tracks in support of Libya's stability, sovereignty and national unity. That is why we have proposed a draft resolution to renew UNSMIL's mandate.

Secondly, we continue to call for the full, equal and meaningful inclusion of women and youth in the peace and wider political process. We note that approximately 1 million of the 2.8 million registered voters are female. However, of the 98 individuals who registered to stand in the presidential elections last December, just two were women. A process that represents only half the population is not a sustainable or inclusive one. Women must be able to participate as both candidates and voters without fear of reprisals or intimidation. I am grateful to those women who put themselves forward to represent their communities despite those challenges.

Finally, it is more important than ever that international actors withdraw all foreign forces and mercenaries from Libya without further delay. We recommend the 5+5 Joint Military Commission's

action plan as an important initial step, but it is now incumbent on all to support its implementation. We encourage further progress on a plan to monitor and verify the presence and withdrawal of all foreign forces and mercenaries.

As ever, the United Kingdom stands ready to work with Libya and our international partners in order to build a more peaceful, stable future for the Libyan people.

**Mr. Abushahab** (United Arab Emirates) (*spoke in Arabic*): I thank Ms. Rosemary DiCarlo, Under Secretary-General for Political and Peacebuilding Affairs, and Ambassador Tirumurti, Permanent Representative of India and Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, for their comprehensive briefings. We also listened carefully to Ms. Saudi's briefing and welcome the participation of Ambassador Taher Elsonni, Permanent Representative of Libya, in today's meeting.

At the outset, we stress the importance of the international community's commitment to protecting the future of the State of Libya and supporting the brotherly Libyan people. Throughout the past decade, Libya has faced many difficult challenges that have prolonged the suffering of its people. However, in the light of recent progress and current international momentum, we see today an opportunity to achieve the security and stability that we all seek in Libya.

In that context, we would like to focus on three points.

First, we stress that there is no alternative to a political and diplomatic settlement in Libya. We welcome in this regard all Libyan efforts to achieve those goals. We also commend the United Nations endeavours in supporting the implementation of the agreed political outcomes of the second Berlin Conference and the Libyan Political Dialogue Forum, which is supported by resolutions 2570 (2021) and 2571 (2021).

However, in the context of recent developments in Libya that have prevented the holding of presidential and parliamentary elections, we emphasize our respect for Libya's decision. The United Arab Emirates hopes that the causes of the postponement will be addressed in a manner that meets the aspirations of the Libyan people. We also call on all parties and local actors to adopt dialogue as a means to reach national consensus

built on the legal and procedural rules of the elections and to respect and abide by their results. We stress, in that regard, the need to ensure the full, fair and equal participation of Libyan women and youth.

Secondly, my country emphasizes the importance of the pivotal work carried out by the 5+5 Joint Military Commission, under the auspices of the United Nations, to achieve stability and peace in Libya. We stress the need to ensure the implementation of the signed action plan for the withdrawal of foreign forces, fighters and mercenaries from Libya in a concurrent, phased, gradual and balanced manner.

We also welcome the establishment of the communication and coordination mechanism agreed by the Commission, together with Libya's neighbouring countries, in Cairo in November 2021 to support the plan. We look forward to the Joint Military Commission continuing to play its constructive and consensual role on that important track.

In the light of the current situation, we call for a continuation of efforts to seriously address the issue of the withdrawal of foreign forces and mercenaries, given its significance to the security track. That will also reflect positively on the political track and support the economic track, and provide wider scope for strengthening efforts to combat cross-border terrorists and armed groups while controlling illegal migration. In that context, we welcomed the meeting held in Sirte on 11 December 2021, which brought together the Libyan parties concerned to discuss the ways and means of unifying the military and security institutions and integrating armed formations.

Finally, the United Arab Emirates renews its full support for the United Nations Support Mission in Libya. We commend the role played by the Mission in coordinating and mediating the various political and security mechanisms and initiatives led by the Libyans. We call on the Mission to take into account the importance of adopting a balanced approach that prioritizes all areas in Libya.

In conclusion, we emphasize our full support for all Libyans and the importance of fully committing to upholding Libya's sovereignty, independence and national unity. We hope that efforts will be pooled to end divisions and that all parties will be able to turn the page of the past so that Libyans can reach a consensus solution through dialogue, based on Libyan national reconciliation, to achieve the aspirations of the brotherly

Libyan people for building a united Libyan State that enjoys sustainable peace, stability and prosperity.

**Ms. Byrne Nason** (Ireland): I too would like to thank our briefers: Under-Secretary-General DiCarlo, Ambassador Tirumurti and, especially, our civil society breifer, Ms. Elham Saudi. She delivered several very important messages to us this morning and we will reflect on her cogent and very courageous remarks.

Let me begin by noting that we look forward to the substantive renewal of the mandate of the United Nations Support Mission in Libya (UNSMIL) at the end of the month. The Mission continues to do vital work on the ground in Libya.

At the first meetings of the Libyan Political Dialogue Forum in November 2020, participants representing the full spectrum of Libyan society committed to a road map leading to democratic, inclusive and credible national elections. Libyans and the international community reaffirmed that solemn commitment in Berlin, Tripoli and once again in Paris, in November 2021. Since then, 2.8 million Libyans have registered to vote, showing their determination to decide their own future and turn the page on a lost decade of conflict and instability.

We call on all Libyan stakeholders to address the underlying issues that have held back progress in the electoral process to date and to swiftly commit to holding free, fair and inclusive elections, as soon as possible. The international community and the United Nations stand ready to support the Libyan authorities. I commend the critical work carried out by the High National Election Commission in preparing the country for a Libyan-led and Libyan-owned electoral process against a challenging backdrop. That crucial work now continues.

As Ms. Asma Khalifa told the Security Council in September 2021 (see S/PV.8855), and as we heard earlier once again from Ms. Saudi, Libyan women have been repeatedly failed by all actors in Libya. We should not accept the fact that only those who have not been in conflict get a chance to shape the peace. As Libyans continue on the path to peace, the full, equal, meaningful and safe participation of women and the inclusion of youth in all areas of Libya's political, economic and security sectors must be secured. Libyan women must be included in the political discussions that will determine the future of their country, Libya.

The ceasefire agreement of October 2020 cleared the space for a political process. We commend the progress made to date on its implementation. The coastal road between Sirte and Misratah has remained open, allowing the Special Adviser on Libya to travel and engage with a diverse group of Libyans. The deployment in October and December 2021 of the first United Nations ceasefire monitors marked an essential step forward, and we hope for further progress on that track.

We are concerned, however, about ongoing security threats, including those resulting from competition among armed groups. The unity of Libya must be safeguarded, and that includes unifying the security sector. We reiterate our call for the withdrawal of all foreign fighters, forces and mercenaries. That will require close consultation with Libya's neighbours and a United Nations-supervised and gender-responsive disarmament, demobilization and reintegration process. We commend the 5+5 Joint Military Commission for its close and ongoing cooperation with neighbouring States, the African Union and UNSMIL.

The impact of a decade of conflict in Libya has been devastating, including, most tragically, for Libya's children. We are appalled by reports of killings, maiming and abductions of children, despite the ceasefire. The Office for the Coordination of Humanitarian Affairs estimates that more than a quarter of a million children in Libya are in need of humanitarian assistance. We call on all parties to comply with their obligations under international humanitarian law and international human rights law, pursue accountability for violations and ensure unimpeded humanitarian access across the country. In that regard, we also continue to support the important work of the Independent Fact-Finding Mission on Libya.

Child migrants and refugees arbitrarily detained in Libya face deplorable conditions and abuse. We urge the Libyan authorities to seek alternatives to detention that prioritize the needs and rights of migrants and refugees, including children. Last week, we marked the twenty-fifth anniversary of the children and armed conflict mandate. Surely, the rights of children in Libya should be safeguarded, as a step towards ensuring the hope and prosperity of an entire future generation.

**Mr. Kimani** (Kenya): I have the honour to make this statement on behalf of the three African members

of the Security Council (A3), namely, Gabon, Ghana and Kenya.

We thank Under-Secretary-General Rosemary DiCarlo, Ambassador Tirumurti, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, and Ms. Elham Saudi for their briefings. We also welcome Ambassador Taher Elsonni, Permanent Representative of Libya, and look forward to his perspective.

Libya is an African country. We are joined by bonds of geography and fraternity. In the past decade, unfortunately, we have also been joined by the profound insecurity caused to the Sahel and West Africa by the collapse of security and order in Libya. Tens of thousands of Africans have been brutally murdered by terrorist and militant groups whose actions and capabilities are directly tied to the events that have taken place in Libya.

When the A3 calls for a Libyan-led peace process, we do so as Africans conscious that many, if not most, external interventions have rarely brought peace and security to the people of our continent. We recall the wars, coups and other security crises of the past few decades that have been caused by our territories and even people being used to wage proxy struggles between distant Powers. When the Libyan crisis started a decade ago, Africa advised that it was imperative for the people of Libya to seek national dialogue and reconciliation. We were categorical that military solutions would bring no resolution and we looked at the intervention by external forces as complicating the chances of peace, not increasing them. We still hold that position.

National dialogue and reconciliation are the key to lasting peace in Libya today. While we believe that elections are one of the essential steps to peace and stability, we know from experience that they can divide rather than unite a country — especially a country as bitterly divided as Libya has been. It is critical to peace that the elections deliver an outcome with political legitimacy in every part of the country. Otherwise, they may be a recipe for increased mistrust, division and perhaps even a resumption of violent conflict.

We also urge that the elections, which should be free, fair and inclusive, benefit from the further implementation of the Libya Political Dialogue Forum road map, which provides for a constitutional basis under its first objective. A constitutional basis that

would deliver elections that enjoy legitimacy must be premised on agreements that emerge from dialogue and reconciliation. We are therefore glad to note and encourage the continued talks among relevant stakeholders in Libya, including under the House of Representatives road map committee.

We also call on the United Nations to provide sufficient technical support, in the most transparent manner, for the holding of elections to provide results with greater legitimacy.

The African Union has committed to walk with Libya in the process of promoting national reconciliation. National reconciliation should run parallel to all tracks and stages of the peace process. We encourage the African Union to invigorate that support, especially during this decisive period. We also encourage the Secretary-General to involve African High Representatives in that dynamic for a better interaction with African organizations and stakeholders.

As Libya invests heavily in its peace process with international support, we fear that such support could be undermined by foreign interference and interests. One mark of such interference is the continued destabilizing presence of mercenaries, foreign fighters and foreign forces. In that regard, we urge the full implementation of the ceasefire agreement, including the withdrawal of foreign fighters and mercenaries and corresponding security sector reforms. We also emphasize the importance of implementing the comprehensive action plan agreed by the 5+5 Joint Military Commission on 8 October.

We further urge the United Nations Support Mission in Libya (UNSMIL) to ensure that the implementation of the ceasefire agreement is done in coordination with neighbouring States, other affected States and relevant regional mechanisms in order to mitigate the negative effects of its movement into the region.

We highlight the African Union's call for cooperation between key stakeholders in the development and implementation of the plan for the withdrawal of foreign forces in order to ensure that their withdrawal does not adversely impact stability in the region.

Another mark of foreign interference is the accumulation and flow of sophisticated weaponry and illicit small arms and light weapons in Libya and the Sahel region from foreign origins. In implementing the ceasefire agreement, we call for particular attention to

be paid to the need for corresponding disarmament, demobilization and reintegration efforts, both in Libya and the region. We also call for adherence to the arms embargo by all concerned and encourage international support in that regard.

The A3 notes that the situation in Libya has, over time, created a cross-border support infrastructure conducive to global terrorist actors and their facilitators in the region. There is an urgent need to strengthen the capacity of Libya and other neighbouring countries to effectively tackle that growing threat.

We further note that all Libya's frozen assets are to be preserved and eventually returned to and for the benefit of the people of Libya. We underscore the need for the implementation of the relevant sanctions to be done in liaison with the Libyan authorities. Additionally, it is important to undertake periodic reviews of those sanctions to ascertain that they respond to their intention.

Even as we stand with our Libyan brothers and sisters in their tireless efforts to restore peace, political stability and prosperity, we remain acutely aware of the plight of many thousands of African migrants and refugees on their soil. We condemn the abhorrent treatment that those migrants and refugees are being subjected to as they make their way to Europe.

It is appropriate that the European Union and other actors in the international community seek to address the root causes of that migration, but it is also crucial that all such actors uphold the human rights of those Africans who are migrating now on the Mediterranean and its bordering shores to the south and the north. We condemn their interception at sea and return to Libya. Those that aid such interceptions must desist from such inhumane actions and be guided by the relevant international laws and norms.

On the United Nations Support Mission in Libya, the A3 appreciates the important work it is doing in support of the peace process, especially at this critical time. In particular, we commend the Special Adviser to the Secretary-General on Libya for the role she has played since taking up office.

We also appreciate the effort of UNSMIL to support the inclusion of women and youth in the peace process. Their participation in that process is essential to the reconstruction of the country for sustainable peace. We therefore support the renewal of the UNSMIL mandate

for a substantial period to enable the Mission to fully focus on the critical assignment at hand.

Finally, we reaffirm our solidarity with the people of Libya and reaffirm our respect for Libya's territorial integrity and sovereignty.

**Mr. De Almeida Filho** (Brazil): I thank Ms. Rosemary DiCarlo for her briefing and thank Mr. Tirumurti for his report (see S/2021/1058). I also thank Ms. Elham Saudi for her intervention.

Brazil would like to express its concern about three main issues.

First, we are concerned about the postponement of the presidential and parliamentary elections of 24 December. Delays in that crucial step jeopardize advances made over the years. The Libyan people, especially the 2.8 million officially registered voters, deserve the right to choose their representatives in free, fair and inclusive elections. It must be guaranteed that the election results will be respected. The elections must take place alongside the construction of a constitutional framework that preserves the balance between Libyan political forces, that ensures the participation of women and that furthers stability.

The second issue to be addressed concerns the destabilizing effects of the presence of mercenaries and other foreign combatants in Libya. Brazil welcomes the announcement of the withdrawal of 300 foreign fighters from eastern Libya and supports the return of the remaining forces to their countries of origin, in line with the action plan of the 5+5 Joint Military Commission.

My third point of concern resides in the realization that the human rights situation in Libya remains unsettling. Reports of violations, especially against migrants and refugees, are commonplace, as are incidences of violence and threats against journalists and activists from civil society, the excessive use of force and arbitrary detentions. Those cannot go unanswered. Brazil appeals to the Libyan authorities not to let those responsible go unpunished.

From the beginning, the United Nations Support Mission in Libya (UNSMIL) has played an important role in promoting dialogue among Libyan stakeholders. In a few days, the Council will take a decision on its mandate. Brazil believes that UNSMIL must have the necessary conditions — which include the appointment of a Special Representative of the Secretary-General based in Tripoli — to fulfil its mission, in line with the

recommendations of the independent strategic review conducted in 2021.

**Mr. Hoxha** (Albania): Let me welcome Under-Secretary-General for Political and Peacebuilding Affairs Rosemary DiCarlo and thank her for the detailed information provided and commend her for the very consistent engagement with Libya. I thank also Ms. Elham Saudi for her remarks. She showed the high spirit of resilience and the important role women civil society representatives play. I thank also her for the recommendations. Let me also thank Ambassador Tirumurti for his report (see S/2021/1058).

The Special Adviser on Libya, Stephanie Williams, has been steering United Nations engagement in Libya for the past six weeks. We applaud her engagement with all the stakeholders and actors inside Libya and in the region. Albania supports the United Nations-led efforts through the Berlin process. The renewal of the mandate of the United Nations Support Mission in Libya (UNSMIL) later this week will be an opportunity for the members of the Security Council to reaffirm their commitment to the Libyan-led and Libyan-owned inclusive political process facilitated by the United Nations. We believe that can be achieved through the implementation of the strategic review of the Mission.

This day one month ago, the international community was prepared to celebrate Libya's first step towards the establishment of democracy, after more than 10 years of political and security instability. The Libyans' aspirations for free, fair, inclusive and credible presidential and parliamentary elections of 24 December 2021 were, unfortunately, not met.

There can be no alternative to holding elections through credible electoral processes in a reasonable and realistic future. Elections are the only way for the country to distance itself from the past and meet the current challenges of building a united, sovereign, stable and prosperous Libya and the only way for the Libyan people to decide their future themselves. Those who stand in the way and deny the right of the Libyans to hold elections must be held accountable. The members of the Security Council should be united in affirming the international commitment to help Libyans overcome the decade-long crisis and engage with the Libyans in support of their spirit of national unity and reconciliation.

For that to happen successfully, political uncertainties must be avoided and the full

implementation of the ceasefire of 23 October 2020 should continue. Moreover, the withdrawal of mercenaries, foreign fighters and foreign forces should be seen as an important confidence-building measure.

In the meantime, we should carry on supporting the work of the 5+5 Joint Military Commission (JMC), while urging the implementation of its action plan. It is crucial to underscore that those processes are firmly under the JMC control. We hope that coordination between the authorities of the west and those of the east can continue pragmatically and on a concrete basis, fully involving the 5+5 JMC in their activities.

The situation of human rights in Libya remains deplorable, as stated in the report of the Secretary-General (S/2022/31), but also as we heard from Ms. Saudi. The most vulnerable remain women and girls and children. The unlawful detentions of children in military facilities and the use of sexual violence against women and girls are unacceptable, should not be tolerated and are against Security Council resolutions. Perpetrators must be held accountable and, yes, accountability makes the world smaller for them.

We have similar concerns about the protection of migrant and refugee children held in inhumane conditions in detention centres. The October report of the Independent Fact-Finding Mission on Libya (A/HRC/48/83) documented evidence of child recruitment and use, including cross-border recruitment, as well as children detained in harsh conditions, subject to beatings and torture. In that regard, Albania welcomes the adoption last October of the Human Rights Council resolution on technical assistance and capacity-building to improve human rights in Libya (A/HRC/48/L.25), extending the mandate of the Fact-Finding Mission to Libya for a further nine months.

When we speak about the future, we need to keep in mind and highlight that economic recovery and good governance, security and stabilization based on the rule of law, human rights and gender equality are key prerequisites for moving from a country in stagnant crisis to one with real prospects of development and progress. The Security Council must address these major challenges in order to be able to move towards achieving the common goal of stabilizing Libya through sustainable political processes for the sake of and to the benefit of the Libyan people. An active and in-country mediation role by the United Nations remains crucial.

To that end, we should ensure that the recommendations of the strategic assessment be duly implemented in the framework of UNSMIL's mandate renewal, beginning with the return of the Head of Mission to Tripoli. And Albania supports the renewal of the UNSMIL mandate by the Security Council.

**Mr. Tirumurti (India):** At the outset, I would like to thank Under-Secretary-General Rosemary DiCarlo for her detailed briefing. I also thank Ms. Elham Saudi for her briefing and welcome the presence of Ambassador Taher Elsonni of Libya.

We regret to note that the presidential and parliamentary elections could not be held as scheduled on 24 December 2021, as an objective endorsed by the Libyan people themselves. That could have been an important milestone in the political process, carrying forward the momentum generated by the signing of the ceasefire agreement in October 2020. We hope that all issues related to the elections and candidatures will be resolved in time and the elections will be conducted smoothly. It is important for the Security Council to support the democratic aspirations of the Libyan people.

At the same time, we also note from the briefing that challenges still remain. The involvement of external forces in the internal affairs of Libya has negatively impacted the progress on the political track, and there has been resurgence in terrorist activity. Continued violations of the arms embargo are also equally alarming.

As Libya embarks on its journey towards peace and stability, it is incumbent upon the international community to continue to provide the necessary support so that the political progress achieved in the country does not whittle away. In that regard, I would like to make the following suggestions.

First, Libya's most important priority is holding the elections in a free, fair, inclusive and credible manner. A unified call from the Security Council would support that endeavour. We hope that the House of Representatives of Libya will come to an agreement soon to resolve its internal issues.

Secondly, the sovereignty, independence, unity and territorial integrity of Libya needs to be safeguarded. The peace process must be fully Libyan-led and Libyan-owned, with no imposition or external interference.

Thirdly, the provisions of the ceasefire agreement and the successive Security Council resolutions

need to be respected. It is important that the call of the Libyan parties be honoured with regard to the full and complete withdrawal of foreign forces and mercenaries. In that context, we welcome the progress made in the implementation of the action plan agreed by the 5+5 Joint Military Commission. The recent deportation of mercenaries from eastern Libya is a welcome development.

Fourthly, it is important that the international community focus its attention on the threat of terrorism in Africa, in particular in the Sahel region. We must ensure that terrorist groups and affiliated entities not be allowed to operate unchallenged in Libya. The report of the Secretary-General (S/2022/31) has highlighted the presence of training camps of the Islamic State in Iraq and the Levant in southern Libya. It is critical for the Security Council to focus and act upon the growing threat of terrorism in Africa.

Fifthly, we need to plan for the disarmament, demobilization and reintegration of armed groups and non-State armed actors. Libya also needs an inclusive and comprehensive national reconciliation process.

Finally, UNSMIL has played an important role in Libya and has been one of the key factors in bringing about the progress that we are witnessing now. We will work with other members of the Security Council to support UNSMIL and its mandate renewal.

To conclude, India has traditionally enjoyed close and mutually beneficial bilateral ties with Libya, and we remain committed to supporting Libya and the Libyan people in their endeavour to bring about lasting peace in the country.

**Mr. De la Fuente Ramírez** (Mexico) (*spoke in Spanish*): I thank Under-Secretary-General Rosemary DiCarlo for her briefing; our colleague Ambassador Tirumurti for the report of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, which he chairs; and Ms. Elham Saudi for her valuable and informative statements. We also welcome the representative of Libya to this meeting.

Mexico deplores the fact that despite the repeated appeals made by the Council, Libyan political actors did not reach the agreements necessary for the holding of the elections scheduled for 24 December 2021. We would urge all parties to agree as soon as possible on a new, viable date for the elections, in the context of

the 18-month time frame established by the Libyan Political Dialogue Forum for the transition.

My country acknowledges the work carried out by the United Nations Support Mission in Libya (UNSMIL) in preparing for the electoral process as well as in support of the unification of Libyan institutions. We commend the fact that initial steps have been taken to consolidate the operations of the Central Bank of Libya. In order for UNSMIL to be able to continue with its work in support of the Libyan political process in a predictable manner, we are in favour of renewing the Mission's mandate for a year.

Unfortunately, the power vacuum that has resulted from the prolonged conflict continues to have a very high human cost, which is unacceptable. We are also deeply concerned at the fact that the number of migrants in Libya who are victims of abuses or find themselves in precarious situations continues to increase. Violence against women and the security threats that internally displaced persons face when they return to their homes are also a great source of concern. For all those reasons, it is extremely important to strengthen the capacities of UNSMIL so that it can contribute more effectively to the protection of vulnerable groups, in particular women and children.

Given the political and security situation in the country, I wonder whether UNSMIL has sufficient personnel and the resources necessary for such complex tasks as monitoring the ceasefire. As we have heard, armed groups acting with impunity and obstructing the unification of the security forces represent the main threat both to the political process and to the civilian population. Mexico reiterates its call for efforts to be stepped up against the illegal trafficking of weapons and for the implementation of measures for the disarmament, demobilization and reintegration of militias. All States must abide by the obligations imposed by the arms embargo.

Lastly, there must be a withdrawal of foreign combatants, in coordination with neighbouring countries. The accumulation and diversion of weapons towards neighbouring countries is another very serious threat that must be addressed urgently. That is why we welcome the initial contacts between the Libyan authorities and their counterparts in the region. We hope that they continue and lead to positive results.

**Mr. De Rivière** (France) (*spoke in French*): I thank the Under-Secretary-General, the Chair of the

Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya and Ms. Saudi for their briefings.

Following the announcement of the postponement of the presidential and parliamentary elections scheduled to be held on 24 December, we deem it vital to reschedule those elections without delay and to respect the wishes of the Libyan people, who have been mobilized for more than a year now with a view to the holding of those elections.

Echoing the call of the Secretary-General, we urge Libyan actors to work together in order to establish as soon as possible a clear timetable for the holding of the elections. Differences with regard to electoral laws and the list of candidates for the presidential elections must be resolved through dialogue and through the courts. All parties must commit to respecting the outcome of the elections. Candidates occupying public positions must recuse themselves in order to ensure a fair competition. We will also continue to support the outstanding work being done by the High National Election Commission and its Chair, which is subject to extreme pressure but continues to be mobilized in preparation for the elections.

France calls on the Council to work together to maintain the impetus to hold elections in accordance with the road map of the Libyan Political Dialogue Forum, endorsed by resolution 2570 (2021). We fully support United Nations mediation efforts in that regard.

The electoral process has made it possible for remarkable progress to be made over the last year. Libyan political actors from all regions have committed to holding the elections and have begun a constructive dialogue. The absence of electoral prospects, however, could lead to further security instability and the temptation of the resort to arms. The elections are therefore necessary for the stabilization of Libya and provide a singular opportunity to turn the page on a decade of conflict and to bring about a lasting peace.

France calls on the Council to take action against those who, in Libya and elsewhere, wish to perpetuate the status quo and security instability. We would recall in that regard that any individual or entity hampering the transition, particularly the electoral process, is susceptible to listing by the Sanctions Committee.

The implementation of the ceasefire agreement, in particular the action plan of the 5+5 Joint Military

Commission of October 2021, must also continue in parallel. Together with the Libyan people, the United Nations and the participants in the Paris conference for Libya of 12 November, France calls for the withdrawal of mercenaries, foreign fighters and foreign forces from Libyan territory. It welcomes the first concrete step of the withdrawal of 300 mercenaries as well as the consultations of the 5+5 Joint Military Commission with regional and international actors. It is now vital to make progress on the implementation of a comprehensive process for the withdrawal of mercenaries, foreign fighters and foreign forces, steered and led by the Libyan people together with the help of UNSMIL and in coordination with the countries of the region.

In that regard, France calls upon Libyan actors to establish as soon as possible a timeline for the implementation of such a withdrawal. It encourages the United Nations to support that effort through its ceasefire monitoring component and its support for the disarmament, demobilization and reintegration process. France would recall that strict respect for the arms embargo applies to everyone, and it will remain vigilant with regard to its implementation.

Finally, we call for increased efforts to unify all Libyan institutions, particularly military, security and economic ones.

Those efforts can be undertaken only under the auspices of a stable, legitimate and unified Government capable of controlling its borders, fighting trafficking and putting an end to corruption, which is why there is the need for elections as soon as possible. It is essential that an end be put to human rights violations, particularly those of migrants, which we condemn.

We encourage the Libyan authorities to cooperate with UNSMIL, the International Criminal Court and the Human Rights Council Fact-Finding Mission in order to combat impunity in Libya. We also encourage UNSMIL to strengthen its protection mechanisms for children and women in line with its mandate.

We are at a decisive moment for the future of Libya. As we approach the renewal of UNSMIL's mandate, France calls on the members of the Security Council to rise to meet these challenges and to preserve the spirit of unity that presided over the Paris Conference.

**Mr. Polyanskiy** (Russian Federation) (*spoke in Russian*): We are grateful to Under-Secretary-General Rosemary DiCarlo for her briefing on the situation in

Libya. We are grateful to the Permanent Representative of India, Mr. Tirumurti, for his report (see S/2021/1058) on the activities of the Security Council Committee established pursuant to resolution 1970 (2011). We highly value the work of our Indian colleagues in that subsidiary body of the Council. We also listened carefully to Ms. Elham Saudi.

The situation in Libya and the surrounding region continues to be stable overall. At the Paris International Conference for Libya on 12 November 2021, the participants adopted a detailed outcome document that follows in the footsteps of the decisions made at previous multilateral meetings on the Libyan peace process. The international community sent another very clear signal to the Libyan sides on the need to follow the road map of the political process.

We are carefully following the discussions under way in Libya on rescheduling the presidential and parliamentary elections. This process should not be dragged out too much. We also believe that it is critically important that representatives of all the leading political forces be able to take part in elections. This will make it possible to achieve unity in Libyan society on the outcome of the future elections and avoid any new, dangerous escalation of the military and political conflict in the country. In this regard, we expect that the Libyans will, in the very near future, resolve all outstanding issues.

Owing to the pause on the political track, activities in other areas have been slowed down as well. Work on unifying Government institutions, including financial institutions, has not been completed. Efforts are needed to normalize the socioeconomic situation in the country.

There has also been no significant progress on the military track either. Of course, it is good that there have not been any active hostilities for over a year now. However, the opposing sides have not taken any further steps to prevent the possibility of an escalation of the ongoing standoff. This threatens to undermine the truce, with a new flare-up of violence triggered by an intentional provocation or an unplanned incident.

We also believe that an important role in consolidating the armed forces should be played by the Libyan National Army. At the same time, we welcome the fact that during its meeting in Geneva last October, the 5+5 Joint Military Committee agreed on a plan of action for a gradual, balanced and simultaneous

withdrawal from Libya of all mercenaries, foreign fighters and other forces.

We intend to continue to actively take part in international efforts to promote the political settlement in Libya, both through targeted engagement with the Libyan sides and in multilateral frameworks. We are concerned that starting in November 2021, the United Nations Support Mission in Libya (UNSMIL), which should be at the heart of these efforts, still has no one in charge, even though the head of the Mission should conduct good offices for Libyans to promote a Libyan-led and Libyan-owned political process. We believe that it is crucial for the Secretary-General to present his proposals for candidates to this position as soon as possible. It is essential for the United Nations emissary to have a relevant mandate from the Security Council. Unfortunately, for now, there is no such individual.

We will proceed from what I just said in negotiations on a draft Security Council resolution on the extension of the mandate of the Mission. We believe that it is important for the mandate to reflect the current goals of the Libyan settlement, which will change very quickly. In this regard, we suggest that our colleagues adopt a flexible approach regarding the term of the mandate renewal, and we will be ready to continue to engage in a constructive discussion.

**Mr. Xing Jisheng** (China) (*spoke in Chinese*): I thank Under-Secretary-General DiCarlo and Ambassador Tirumurti, Chair of the Security Council Committee established pursuant to resolution 1970 (2011) and Permanent Representative of India, for their briefings. I welcome the presence of Ambassador Elsonni, Permanent Representative of Libya, at this meeting. I have also listened attentively to the briefing by Ms. Elham Saudi

On the report of the Secretary-General contained in document S/2022/31 and the briefings we heard today, China would like to make three points.

First, in relation to the steady progress in the political transition, elections are important measures in the Libyan political process. As the 24 December election could not be held as scheduled, Libya is currently working on a new election plan. The Libyan people are looking forward to a coordinated and unified national governance framework with durable stability through elections so as to usher in a new stage of national development.

The holding of elections in post-conflict situations often faces many challenges. Realistic considerations should be fully taken into account in order to make full preparations in advance. China welcomes the recent consultations on the elections by the House of Representatives and the High State Council. It is important to adhere to the principle of the process being Libyan-led and Libyan-owned. We encourage all parties to maintain the current momentum of dialogue and consultation and reach broad political consensus through peaceful means on important issues related to the election so as to create good conditions for the smooth holding of the election.

China supports the United Nations in continuing to push dialogue among all Libyan parties forward. The United Nations Support Mission in Libya should continue to provide the necessary electoral support, which is within its mandate.

Secondly, an all-out effort in maintaining security and stability is needed. Foreign armed forces and mercenaries in Libya should actively cooperate with the 5+5 Joint Military Committee to withdraw as soon as possible in a phased, balanced, orderly and organized manner. In the process of withdrawal, close coordination should be maintained with neighbouring countries to avoid negative impacts on the security situation in the Sahel and other regions.

Thirdly, with regard to comprehensive progress in the peace process, the work on the economic track is good for the Libyan people, so that they may enjoy the peace dividend and consolidate the country's security and stability. China welcomes Libya's launch of a process for a unified central banking system and the work performed by the United Nations Development Programme for the economic reconstruction of Libya.

Reconciliation will help resolve the problems left over from the conflict, heal the wounds of war and promote harmonious coexistence. China welcomes the establishment of the High National Reconciliation Commission in Libya and looks forward to its making full use of various means to actively conduct its work. In addition, Libya has repeatedly expressed its serious concerns about the loss of frozen assets and made specific recommendations. The Security Council and the Libyan sanctions committee should actively study and respond to the recommendations in a timely manner.

**Mr. DeLaurentis** (United States of America): I thank Under-Secretary-General DiCarlo for her

briefing today. We commend the work of the United Nations Support Mission in Libya (UNSMIL) and Special Adviser Stephanie Williams during the past month to get the political process back on track and get Libya once again moving towards elections after the postponement of their expected date of 24 December. We thank Ambassador Tirumurti in particular for updating the Council on the important work conducted by the Security Council Committee established pursuant to resolution 1970 (2011), and I thank Ms. Elham Saudi for her briefing and the critical work she does in Libya.

Today I would like to focus on two broad topics: ensuring that Libyan voices are heard through a free and fair election and encouraging the positive momentum in Libya's security situation.

A total of 2.8 million people have registered to vote in Libya, more than 2.5 million of whom have collected their voter cards. Those are people who, clearly, are ready to vote and have demonstrated serious commitment to elections. It is time for their will to be respected. It is time to move beyond back-room deals among a small circle of powerful individuals backed by armed groups, carving up spoils and protecting their positions. The Libyan people are ready to decide their own future.

Libyan ownership of the electoral process is foundational. Libya's leaders must agree on a path forward that is credible and inclusive and then wholly commit to that path. Those vying to lead Libya must see that the Libyan people will accept only leadership empowered by elections and that they will tolerate only so much delay. Given that expectation, Libya's political actors must redouble their efforts to solve the difficult challenges surrounding elections and to do so with urgency.

The mechanisms to reach solutions exist — the Libyan Political Dialogue Forum road map remains in place. All Libya's leaders need is some courage and a commitment to the security and prosperity of the Libyan people. We believe that the High National Elections Commission, which has performed admirably in difficult circumstances, is a credible authority to implement an election plan. We urge UNSMIL to continue its strong support of the Commission, and we urge Libyan candidates and political groups to cooperate fully with it in order to ensure that electoral regulations are followed.

I want to remind those who would interfere in Libya's elections or stoke violence that the Security Council may impose sanctions on anyone, Libyan or otherwise, who obstructs or undermines elections. If need be, the Council can and must target election spoilers in order to promote accountability.

While we need renewed effort in order to restore momentum in the political process, encouraging developments are happening on the security and economic tracks. Tangible steps are being taken by Libyan leaders to explore the reunification of the Libyan military. The Central Bank of Libya is moving forward with the implementation of a plan to reunify the Bank. We support efforts to unify institutions, enhance transparency and ensure the equitable distributions of resources among all Libyans.

The United States remains encouraged by the steady progress of the 5+5 Joint Military Commission as it implements its comprehensive action plan for the withdrawal of armed groups. We welcome the report that UNSMIL ceasefire monitors have begun their work and look forward to the full operationalization of the ceasefire monitoring component.

We call on all States, including those on the Council, to adhere to resolutions 2570 (2021) and 2571 (2021) and to support the immediate withdrawal of all foreign forces and mercenaries. Unfortunately, we continue to receive disturbing documented reports of violence and abuses against migrants, asylum seekers and refugees in Libya. Libyan authorities must close illicit detention centres, end arbitrary detention practices and permit unhindered humanitarian access to affected populations.

Finally, the United States welcomes progress towards the renewal of UNSMIL's mandate. As noted in the report of the independent strategic review, the Mission needs to be strengthened in order to deliver on its mandate. We credit the work of the United Kingdom in steering the mandate negotiations and look forward to adopting a draft resolution that gives UNSMIL the tools and direction it needs to support the Libyan people.

**The President:** I shall now make a statement in my capacity as the representative of Norway.

We thank Under Secretary-General DiCarlo for her briefing and Ambassador Tirumurti for the periodic report (see S/2021/1058) of the Security Council Committee established pursuant to resolution 1970

(2011). I also want to thank Ms. Elham Saudi for joining us here in person today to share her insightful briefing and recommendations to the Council.

First, Norway regrets that the elections were not carried out on 24 December. That should not detract from the political transition in Libya. Norway strongly encourages the political actors to continue all endeavours towards the transfer of power to democratically elected institutions. Norway would like to see presidential and parliamentary elections take place as soon as possible. With 2.8 million Libyans having registered as voters, their expectation to have a say in the future of Libya is clear. Free, fair, and inclusive elections are imperative for Libya's progress. We urge the relevant Libyan institutions and authorities, including the House of Representatives, to contribute to the preparation of elections in a constructive way. The process must be Libyan-led and -owned.

We have seen positive political progress throughout the past year, and we should protect those achievements. The Libyan parties must agree on a road map towards a new election date. It is imperative that we do not let spoilers create alternative undemocratic tracks.

Let me also repeat our call for the full, meaningful and equal participation of women in Libya's political process, including elections. Libyan women have the right to play an equal part in shaping the future of their country as voters and as candidates. The participation of women is a crucial part of the democratic process and the legitimacy of the Libyan Government.

Furthermore, as Ms. Saudi elaborated, let me underline the importance of creating an enabling environment for peacebuilders, human rights defenders and civil society to carry out their work. Inclusive and participatory political processes require that everyone can engage safely and that civil society play an essential role.

Norway commends the Libyan parties for respecting the ceasefire agreement. Peace, stability and the absence of violence for the Libyan civilian population is of the utmost importance. We reiterate our call for the withdrawal of mercenaries, foreign fighters and foreign forces and once again stress the need for a disarmament, demobilization and reintegration process.

On the humanitarian situation, Norway is concerned about the reported lack of protection of civilians and continuing violations of the human rights of migrants,

refugees and asylum seekers. The reported situation of people held in unlawful and arbitrary detention is also highly worrisome, especially the reported continued incidents of sexual violence and abuse of children. Those unlawfully and arbitrarily detained, particularly children, must be released immediately.

Norway gives our full support to Special Adviser Stephanie Williams and the United Nations Support Mission in Libya (UNSMIL). A strong United Nations role is critical. The mandate renewal for UNSMIL this month is important. Norway also supports the implementation of the recommendations from the independent strategic review. We hope the Council can agree on a substantial draft resolution to renew the mandate for one year.

I now resume my functions as President of the Council.

I wish once again to remind all speakers to limit their statements to more than five minutes in order to enable the Council to carry out its work expeditiously.

I now give the floor the representative of Libya.

**Mr. Elsonni** (Libya) (*spoke in Arabic*): I congratulate you, Madam President, and Norway on your presidency of the Security Council for this month. I would also like to take this opportunity to welcome the new members who recently joined the Council. I also thank Ms. Rosemary DiCarlo for her briefing today, and through her we thank the Secretary-General for his quick response in appointing Ms. Stephanie Williams as Special Adviser on Libya after the sudden resignation of Mr. Ján Kubiš. We recall that it is very important to closely follow the work done efficiently by the United Nations Support Mission in Libya (UNSMIL), as the matter does not simply pertain to appointments but rather to efficiency in leadership.

We are closely following with interest the efforts that Ms. Williams is making. In a short time, she has succeeded in meeting with many political parties and stakeholders. We wish her every success. We also thank Ambassador Tirumurti for his briefing today. We also thank Ms. Elham Sauid for her briefing, as she represents part of the civil society. We reassure her that, when the State achieves stability, the national judiciary will be able to punish and subject to accountability those who perpetrated war crimes and crimes against humanity, as such crimes have no statute of limitations.

In the light of the wide spread of the coronavirus disease, we wish everyone safety and good health. I hope that the mask I am wearing today will not present an additional barrier in preventing my voice from being heard, as we have started to feel that these meetings are becoming repetitive and that the same words are being repeated while the state of my country remains unchanged.

Today marks a month after the date that everyone was looking for, namely, the holding of general elections. We were supposed to meet today to discuss the results of those elections and move forward towards a new phase that would reflect the voices of Libyans and their right to select their leadership. Unfortunately, it has been a disappointment to approximately 2.8 million Libyan men and women who were prepared to participate in exercising their national right — in connection with which there was an unprecedented number of candidates, almost 100 presidential and 5,000 parliamentary candidates. Many had viewed the elections as an opportunity to renew the legitimacy of State institutions, unify them and rebuild the country after years of violence, destruction and division.

However, the absence of a genuine consensus, as well as instances of political tug-of-war, conflicts of interest and interference by many foreign parties regrettably prevented the realization of that aspiration. That may have come as a surprise to some, but, in fact, it was predictable. We warned about such a scenario, dangers and challenges in the past when we spoke of a clear difference of opinion among the various parties and the absence of a minimum of consensus, especially with regard to a legal and constitutional framework to organize the elections.

In the light of the confidence crisis and in the absence of a national Constitution, or even a consensual constitutional foundation, as called for by most of the political actors, it would be very difficult to successfully conduct the elections, because they are supposed to be a means of political participation and not a means of manipulation and exclusion; a means to support stability and not an end in itself that may lead to a new conflict. In that context, and to avoid any political vacuum, the Government of National Unity reaffirms its commitment to the democratic transfer of power to the elected bodies as soon as the new election timeline is announced, thereby concluding all transitional phases, pursuant to the road map, international conferences and relevant Security Council resolutions. It is also

important to heed all voices calling for the need to achieve maximum consensus among all parties, without exception — especially with regard to consensus on the constitutional track and electoral laws — so that we can ensure the timely, transparent and fair presidential and parliamentary elections, the results of which would be upheld.

We reaffirm the commitment of the Government to provide all the necessary facilities and preparations to ensure the success of the electoral process, both through its support for the High National Elections Commission or through the various State bodies. We reiterate our request to the United Nations to support, seriously and more effectively, the electoral process and send its assessment teams, as well as coordinate with the High National Elections Commission to make the necessary arrangements in due time for the upcoming events. That will send a clear message to everyone concerning the international community's seriousness with regard to the holding of elections, which everyone is eagerly awaiting, without doubting them or their results.

We reiterate the importance of Libyan ownership and leadership of any political process that will lead the country towards stability and will impose the State's authority, while excluding all external dictates and intervention. We therefore call on the Council to support genuine national efforts currently seeking to overcome the challenges that we just mentioned in order to achieve a comprehensive national Libyan solution and end all the interim volatile phases. Everyone knows that the solution lies in returning legitimacy to the people through a strong constitutional framework that will clarify the structure of the State and its institutions.

With regard to Libyan leadership, ownership and national sovereignty, we would like to mention the military track. We commend the efforts of the 5+5 Joint Military Commission and its continued meetings in many Libyans cities, as well as the meetings that were recently held among numerous military leadership representatives — the aim of which is to begin professionally and effectively unifying the military institutions and establish the mechanisms necessary for ending all forms of foreign presence within Libyan territories, regardless of their names. That is the demand of all Libyans in the name of sovereignty, without which Libya will continue to be occupied and its national will held hostage by others.

In that regard, we recall the importance of all active military forces on the ground throughout the country to actively participate and engage in building security and military institutions in a professional manner that are not politicized and share a patriotic belief in the civil nature of the State and the rule of law. In terms of unifying sovereign State institutions, we have recently followed the final meetings to unify the Central Bank of Libya and the subsequent practical process to that end. Those steps will contribute tangibly to reforming the State's financial and economic policies.

We reaffirm that, despite recent events, Libya remains determined to regain its effective role at the regional and international levels to strengthen mutual cooperation and solidarity on the basis of equality, respect for Libya's sovereignty, territorial integrity and people's right to self-determination, in line with their free will and without any foreign dictates. We therefore look forward once again to the Security Council playing a positive and more effective role in supporting Libyan consensus, working to end all interventions in Libya and correcting past mistakes. It must also apologize to the Libyan people for the tragedies and violations they have suffered, as those violations do not have a statute of limitations.

Moreover, it must not shield spoilers, whether they be persons, entities or even countries, some of which continue to exclude others, abort the political process and push Libya into chaos once again, because they fear losing their influence, or they fear that the people will take away their authority through a direct and free democratic path.

In conclusion, we call on the Council to actively participate in supporting all efforts to launch a national reconciliation and transitional justice project. They are two concurrent and essential tracks that were unfortunately looked over in the past years, despite being the main foundation to guarantee the success of any political solution that would bring stability to the country. We renew our call on the African Union to support that goal. We have begun to see encouraging steps as the guns were silenced. We saw several meetings held among the various Libyan parties throughout the country, especially the launching of multiple dialogues among youth, as well as direct and indirect debates through social media networks, which included divergent political views revealing the national awareness of the youth, who will carry the torch for the advancement of the nation.

The time has come to build bridges of trust instead of reopening the wounds of the past. We must look ahead, taking the best from our ancient and contemporary history, and build on the positive aspects of previous regimes and stop arguing over the negative aspects. There is a need to be frank and open and to be ready for offering apologies, reconciliation and reparation.

We must reveal the fate of all missing persons and return refugees and displaced people to their homes. We must reject violence and hate speech. We must work together, hand in hand, to create safety and security for all and move from conflict and chaos to peace and stability. The time has come to launch a stage of

development and construction while putting an end to all forms of destruction and ruin.

Despite all those challenges and others, I stress before the Council that the Libyan nation has not been broken and shall, with the will of its people, recover and return stronger than before, God willing.

**The President:** There are no more names inscribed on the list of speakers.

I now invite Council members to informal consultations to continue our discussion on the subject.

*The meeting rose at 11.50 a.m.*