



# Security Council

Seventy-eighth year

**9351**<sup>st</sup> meeting

Monday, 19 June 2023, 10 a.m.

New York

*Provisional*

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*President:* Mr. Abushahab . . . . . (United Arab Emirates)

*Members:*

Albania . . . . .	Mr. Hoxha
Brazil . . . . .	Mr. Sénéchal de Goffredo Junior
China . . . . .	Mr. Dai Bing
Ecuador . . . . .	Mr. Pérez Loose
France . . . . .	Mrs. Broadhurst Estival
Gabon . . . . .	Mrs. Ngyema Ndong
Ghana . . . . .	Mr. Korbieh
Japan . . . . .	Mr. Ishikane
Malta . . . . .	Mrs. Frazier
Mozambique . . . . .	Mr. Afonso
Russian Federation . . . . .	Mr. Polyanskiy
Switzerland . . . . .	Mr. Hauri
United Kingdom of Great Britain and Northern Ireland . .	Dame Barbara Woodward
United States of America . . . . .	Mr. DeLaurentis

## Agenda

The situation in Libya

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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**

**The President** (*spoke in Arabic*): 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: Mr. Abdoulaye Bathily, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya; and Ms. Abeir Imneina, Head of WASHM Center for Women's Studies.

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

At this meeting, the Security Council will hear briefings by Mr. Bathily, Mr. Kimihiro Ishikane, Permanent Representative of Japan, in his capacity as Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya, and Ms. Imneina.

I now give the floor to Mr. Bathily.

**Mr. Bathily:** It is a great honour for me today to address the Security Council on the situation in Libya.

Let me first express my heartfelt condolences to the families of the migrants who lost their lives in the sinking of a boat that sailed from Tobruk, Libya, and sank in the Mediterranean Sea last Wednesday. I also wish a speedy recovery to the survivors. That tragedy is a brutal reminder of our collective duty to find a solution to all aspects of the crisis in Libya, which has an impact in other parts of the world.

Since my last briefing in April (see S/PV.9306), I have continued to engage with a wide range of Libyan stakeholders as part of my initiative announced in February to enable successful elections. Those stakeholders include institutional players, namely the members and head of the Presidential Council, the House of Representatives, the High State Council, the Government, the High National Electoral Commission and the High Judicial Council. I also engaged with municipal councils, political parties, civil society

groups, women and youth organizations, academics and professional groupings such as lawyers, business leaders and organizations. Furthermore, I continue to consult with the General Commander of the Libyan National Army, the 5+5 Joint Military Commission and security actors from all three regions of Libya to encourage them to commit to the electoral process in a spirit of compromise and national reconciliation.

Between 22 May and 6 June, the 6+6 committee tasked by the House of Representatives and the High State Council to finalize the electoral laws met in Bouznika, Morocco. The Kingdom of Morocco hosted the meetings. The United Nations Support Mission in Libya (UNSMIL) assigned a technical team comprised of electoral, gender and constitutional experts to advise the committee. On 6 June, the committee announced that it had reached agreement on draft laws for presidential and parliamentary elections. We acknowledge the effort of the 6+6 committee as an important step forward, although it was not sufficient to resolve the most contested issues and enable successful elections. We have since seen a flurry of mixed reactions from Libyan stakeholders on the agreed texts indicating which key issues remain strongly contested.

In addition, while acknowledging that the proposed law represents significant progress, the High National Electoral Commission has officially written to the House of Representatives and the High State Council expressing its concerns about serious loopholes and technical shortcomings in the draft laws. Through our own study of the texts, we identified at least four main issues in that regard. The most politically contested issues include, first, the eligibility criteria for candidates for the presidential election; secondly, the provision for a mandatory second round of the presidential election, even if a candidate secures more than 50 per cent of the votes required to win; thirdly, provisions stipulating that if the first round of the presidential election fails, parliamentary elections will not take place; fourthly, a provision requiring the establishment of a new interim Government before elections can take place.

As a result of intensive advocacy, the draft law makes it possible to secure at least 20 per cent of seats for women in the House of Representatives. However, it allocates only six seats out of 90 for women in the Senate. The eligibility criteria for presidential elections, the linkage between presidential and parliamentary elections and the issue of forming a new unified Government are highly contentious and require

a political agreement among the major stakeholders and key constituencies across the Libyan political spectrum first and foremost. Short of that, related provisions would almost certainly not be implementable and might even trigger a new crisis.

To avoid that gloomy prospect for the people of Libya and the region, it is now crucial to take steps to overcome the persistent disagreement over that long-standing issue. Acting in a spirit of compromise, the main Libyan decision-makers must put the greater interests of the Libyan people above everything else and come to a political agreement on these matters. Without such compromises, the contested issues are likely to take the electoral process into a cul-de-sac as in 2021, which would further polarize and even destabilize the country. I therefore call on the Council to increase its pressure on the relevant actors and use its collective and individual leverage to ensure that they demonstrate the political will needed to take their country to successful elections.

On the security front, Tripoli has remained relatively calm. The ongoing operations conducted by the Government against trafficking activities in drugs, weapons, fuel and humans in Zawiya and the surrounding areas have prompted allegations of political motives and could therefore risk undermining the relative stability in Tripolitania. On 25 May, the Ministry of Defence launched an aerial campaign described as part of a law-enforcement operation against criminal networks in the city and towns along the coastal road between Tripoli and the Libya-Tunisia border. On 29 May, the Ministry announced the start of the second phase of the operation, which is ongoing. As of 11 June, available sources indicated that 23 air raids have been recorded, resulting in injuries to civilians and the destruction of one medical clinic. While segments of the population in the area have consistently called on the authorities to address the insecurity created by the scourge of trafficking in people, drugs and weapons, there are concerns that conducting military-style operations in a densely populated urban setting carries many risks that could escalate the security situation. I reiterate my call to the authorities to make the protection of civilians a top priority in those operations.

Meanwhile, in the South, the conflict in the Sudan has raised concerns about its potential destabilizing effects on Libya, especially a potential influx of refugees and the cross-border movement of armed elements. We are monitoring the situation closely, and I have assured the Libyan authorities that the United Nations stands ready to give it support, while emphasizing the need to provide

the refugees fleeing war with humanitarian protection. There is also a widespread fear among Libyans that should the conflict in the Sudan last longer, its spillover consequences could pose a new set of challenges to the stability of Libya and the region. It would be likely to render elusive the withdrawal of foreign fighters, foreign forces and mercenaries from Libya, which we have been working on very actively.

In that delicate context, the dialogue that I have facilitated among security and military actors is continuing. I recently facilitated a meeting between the 5+5 Joint Military Commission and armed formations in Tripoli, Sebha and Benghazi. Those meetings, which brought together warring parties for the first time since the beginning of the crisis in 2011, have raised positive expectations among the Libyan public and created some momentum that must be maintained and developed. Regardless of their affiliation, the security and military actors committed in public statements to supporting the electoral process, accepting its results, rejecting all forms of violence and ensuring the protection of civilians. I intend to broaden that dialogue by taking those meetings to other cities in all three regions and by securing further commitments on the part of those actors, and their actions on the ground must reflect the commitments they make.

The International Follow-up Committee on Libya of the Berlin process and its Working Groups continue to serve as the overall framework for international support to the intra-Libyan dialogue tracks. Two in-person meetings were held inside Libya in May for the first time. On 22 May, the co-Chairs of the Working Group on International Humanitarian Law and Human Rights organized an in-person plenary session in Tripoli jointly with the Presidential Council. The presence of all members of the Presidential Council demonstrated their commitment to mainstreaming human rights throughout the political process. At the meeting I stressed that an open civic space with an active civil society and independent rule-of-law institutions are critical enablers of elections, long-term stability and national reconciliation in Libya. The session concluded with the signing of a declaration of intent between the Presidential Council and the working group co-Chairs to make human rights a central pillar of the Libyan political and reconciliation process and to establish a regular and inclusive dialogue to advance human rights in Libya.

On 24 May, I also co-chaired with Türkiye the first in-person plenary meeting of the security working group, which was attended by the 5+5 Joint Military

Commission, the security working group co-Chairs and other members of the International Follow-Up Committee on Libya. That meeting was a continuation of our efforts to support the implementation of the ceasefire and the reunification of military and security institutions. I appreciate the efforts of the 5+5 Joint Military Commission to continue their dialogue to rebuild unity and trust among military and security actors.

On the economic front, I welcome the conclusion of the International Monetary Fund's (IMF) article IV consultation with the Libyan authorities after a decade-long hiatus. Many of its recommendations reinforce calls on the Libyan leadership to enhance equitable, accountable and transparent State resource management and oversight and to make tangible progress in unifying the Central Bank of Libya. Those issues are pertinent to the effort to build consensus on elections, including on establishing a level playing field for all candidates. UNSMIL will support the implementation of the recommendations agreed upon between the IMF and Libya, including through the economic working group of the Berlin process, and ensure that the implementation progresses in a manner that adds momentum to the political track.

On human rights, I observed a concerning increase of excessive controls by security agencies that, together with other actors, restrict fundamental rights, including freedom of assembly and freedom of movement. The Internal Security Agency recently introduced a new procedure that restricts women's freedom of movement by requiring women departing alone from Libyan airports in the western region to complete a form on their reason for travelling abroad without a male companion. That discriminatory procedure has raised concerns among women and other citizens. We support their call for the revocation of that procedure.

Equally alarming are the decisions issued by the Government of National Unity on 22 May to form a committee to regulate civil society organizations based on law no. 19 of 2001 — a restrictive historical law that asserts State control over civil society activities. Any law or regulation governing civil society should comply with national and international human rights guarantees. New restrictions on civil society and on women's freedom of movement are particularly alarming in a country working towards inclusive elections and national reconciliation, in which women and civil society play an essential role.

I am also deeply concerned by measures that contravene basic fair trial guarantees, whereby security actors force confessions from persons in custody and

publish them on social media. That is a clear violation of Libyan and international laws that protect against self-incrimination and confessions obtained under duress. I call on all Libyan leaders to demonstrate more tolerance among themselves and towards their fellow citizens. I also urge them to engage on the path of national reconciliation. The release of detainees must be a pillar in that commitment.

The political process in Libya has, as members can see, once again reached a critical stage. Let me reiterate what has been my consistent message in Libya: successful elections require not only a legal framework, but also a political agreement that ensures the inclusion of all major stakeholders. By my next briefing to the Council, I intend to intensify negotiations and convene major stakeholders — or their trusted representatives — to reach a final settlement on the most contentious issues, to make the draft laws implementable and to enable successful elections through an inclusive political agreement.

While we all endorse calls for non-interference and the principle of a Libyan-Libyan solution as the basis of any efficient instrument for sustainable peace and stability, those catchwords must not remain mere slogans to hide an agenda for prolonging the status quo at the expense of the aspirations of the Libyan people for legitimate institutions and prosperity. The prolonged status quo is detrimental to the interests of the people of Libya. It is fraught with disaster for Libya and its neighbours. It is imperative that the Council's commitment to the mandate it entrusts to UNSMIL is translated into increased and targeted pressure on actors, truly speaking with one voice and acting accordingly to remove the spoilers from the process towards Libya's full recovery.

I reiterate my call on all regional and international partners to truly help the Libyan leaders to work together towards the recovery of their motherland and answer the call of the ordinary Libyan citizens vying for peace, prosperity and national reconciliation.

**The President** (*spoke in Arabic*): I thank Mr. Bathily for his briefing.

I now give the floor to Ambassador Ishikane.

**Mr. Ishikane**: 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 pursuant to

resolution 1970 (2011) concerning Libya. The report covers the period from 19 April to 19 June 2023, during which time the Committee conducted its work using the silence procedure with the aim of facilitating the implementation of the sanctions measures.

Starting with the arms embargo, the Committee responded to a letter from the European Union in connection with the exception contained in paragraph 9 of resolution 2095 (2013). The Committee is also considering a letter from Libya, submitted in response to a prior letter from the Committee, pertaining to certain aspects of the implementation of the arms embargo.

In the context of the measures aimed at preventing illicit exports of petroleum, including crude oil and refined petroleum products from Libya, and following up on my previous report to the Council (see S/PV.9306), the Committee dispatched a letter to Libya on the subject of the Libyan Government focal point pursuant to resolution 2146 (2014). In relation to the assets freeze, no negative decision was taken by the Committee regarding a notification invoking paragraph 19 (a) of resolution 1970 (2011), submitted by the United Kingdom. The Committee also provided clarification on the scope of the assets freeze, as requested by Belgium.

With regard to the travel ban, the Committee received a travel notification from Ms. Aisha Al-Qadhafi, a listed individual, for travel from Oman to Saudi Arabia, under a travel exemption previously granted for unlimited travel within a six-month period for humanitarian purposes. Subsequently, the Committee was notified on the matter in a letter from Saudi Arabia, the country of destination, as well as a communication from the individual confirming her return to Oman. During the reporting period the Committee extended for a fifth time the six-month exemption 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.

With regard to the sanctions list, the Committee received a ninth communication from the focal point for delisting established pursuant to resolution 1730 (2006), in connection with a delisting request submitted by a listed individual, conveying the position of the country of citizenship. I would like to mention that while the delisting process through the focal point for delisting is ongoing, Libya also submitted a separate delisting request relating to the same individual, as previously

reported. During the reporting period, through the focal point for delisting, the Committee also received a request for delisting from the travel ban from a second listed individual, whose name is currently inscribed on the Committee's sanctions list as subject to the assets-freeze and travel-ban measures.

During the reporting period the Committee received a letter from the Panel of Experts on Libya on its future planned travels to Libya, which the Committee is currently considering. Lastly, I would like to note that the Committee remains committed to facilitating the implementation of the measures I have discussed and to contributing to promoting peace and stability in Libya.

**The President** (*spoke in Arabic*): I thank Ambassador Ishikane for his briefing.

I now give the floor to Ms. Imneina.

**Ms. Imneina** (*spoke in Arabic*): At the outset, I would like to begin my statement by thanking the Security Council for inviting me to this meeting and providing civil society with an opportunity to brief the Council on the human rights situation in Libya from a gender perspective.

I am Abeir Imneina, a professor at the University of Benghazi and Head of WASHM Center for Women's Studies. I am also interested in human rights issues in general and gender issues in particular. I want to address the Council today with a view to emphasizing civil society's urgent priorities with regard to establishing genuine and sustainable stability in Libya through the creation of an environment that guarantees freedom to work and freedom of expression and contributes to development and reconstruction and strengthening social peace.

Before I go any further, I would like to describe the features of the current situation in Libya. They include the proliferation of weapons, weak and divided governmental institutions and multiple forms of extremism; a political deadlock caused by the repeated postponement of elections, especially parliamentary elections; an unacceptable delay in the holding of a referendum on the draft constitution aimed at ending the transitional stages that have failed to create the stability we desire; unbalanced demographics in southern Libya, owing to a lack of control over the borders in the south and blatant foreign interference violating Libya's sovereignty; overlapping corruption in the political, governance and security arenas that is obstructing

all electoral processes or projects aimed at achieving stability and rejecting the client-State system; and a dominant extremist religious narrative that is opposed to democracy and women's participation in public policymaking at all levels.

With that in mind, I would like to remind members of the reality facing civil society in Libya. We are suffering from the prevailing power of national institutions over the right of people to assembly, association and work under the existing laws, which has not only shrunk the space for civil freedom, as stipulated under the interim constitutional declaration, but has also restricted freedom of expression and movement and the right to belong to any civil-society organization. Civil society, including unions, federations and working organizations, is suffering the consequences of such associations' exclusion from all the committees deciding the future of Libya and from discussions on a genuine and fair road map to bring about peace. Civil society in Libya has fallen victim to enforced disappearances, kidnapping, extrajudicial arrests and accusations of immorality and espionage on behalf of foreign Powers. People have been subject to arrest and torture on the pretext of safeguarding established values. Members of civil society, and women in particular, are suffering from systematic online violence aimed at intimidating and excluding them from participating in the public space.

In addition, women in particular are suffering from unjustified measures restricting their movement and encroaching on their privacy by depriving them of the right to travel if they refuse to fill out specific forms explaining the reasons for their travel. That is an arbitrary measure representing the worst forms of discrimination and violations of citizens' rights and public freedoms.

Women are also suffering from reluctance on the part of the legislative authority to enact laws combating violence against women and the violations of women's right to live in safety and dignity in both public and private spaces. Libyan women's right to marry non-Libyans is being violated and their children from such unions forbidden from obtaining citizenship. Today, as I address the Security Council, which adopted resolution 1325 (2000) to protect women in peace and war, I believe it is important to recall the stigmatization that has affected women activists in civil-society organizations who have called for establishing a national strategy to implement resolution 1325 (2000), as has

been done in other sister countries and those that have suffered from the scourge of war. A national strategy would bring justice for women who have suffered from war and displacement.

Through this statement, civil society is calling on national institutions in Libya to work on several areas.

They must structure civil society through the enactment of a law regulating the establishment and work of civil society organizations and preventing any authority from asserting dominance over their activities and rights.

They must involve various civil society components, organizations and unions in all United Nations processes to discuss future political arrangements.

They must respect women's participation regarding elected councils by ensuring fair opportunities for women to compete and be appointed to high-level positions.

They must accelerate the adoption of a law combating violence against women and another law establishing a national council for women in order to address all aspects of women's empowerment. Likewise, they must adopt a national policy to implement the 2030 Agenda for Sustainable Development and promote the role of women within it.

They must eliminate all forms of discrimination related to women and their economic, political and social roles.

They must focus on improving educational, economic, social and health conditions of people with disabilities, and work to create an urban environment that is responsive to their rights to movement and work.

They must inspire confidence in the successful role of civil society organizations, instead of disseminating hate speech and intimidation.

They must integrate referendums as a priority into future processes and detain activists only in accordance with legal regulations and procedures. They must integrate parties, if elected, into all future institutions to promote civil values and include women on candidate lists.

Finally, they must stress the importance of publicly adopting a policy against impunity, which undermines all efforts to ensure accountability for all those who violated human rights, especially the human rights of active individuals and organizations working in the civil domain. God save Libya.

**The President** (*spoke in Arabic*): I thank Ms. Imneina for her briefing.

As a result of a number of technical difficulties during Ms. Imneina's briefing, we will distribute the text of that statement at a subsequent stage.

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

**Dame Barbara Woodward** (United Kingdom): I would like to start by thanking Special Representative of the Secretary-General Bathily, Ambassador Ishikane and Ms. Imneina for their briefings today.

I visited Libya earlier this month to meet the Special Representative of the Secretary-General and the team of the United Nations Support Mission in Libya. I want to thank them for their engagement and tireless efforts to support Libya on its path to peace and stability.

During my visit, I also met Libyan people to hear and understand their concerns. The clear and consistent message was the urgency of moving the political process forward and for political leadership to deliver the stability and security the people of Libya want and deserve.

As we have heard so clearly from the Special Representative of the Secretary-General, this is not just an abstract point about politics and governance. I visited a World Health Organization (WHO) health-centre project, to which the United Kingdom has contributed over \$2.5 million of funding. I want to thank the WHO and the staff for facilitating my visit and for their work to bring physical and mental health support into primary health-care services in Libya. That is important work. But the point is that the political impasse directly impacts the health-care system and Libyans who need health care, antenatal checks, dental treatment, primary care and so on. These hospital services, health care provision and long-term investment that Libya can well afford are stalled because of the political impasse.

I therefore return from my visit with clarity about the importance of Council members and the international community supporting Special Representative Bathily in his work to facilitate an effective political process for positive change through a clear road map to successful elections and beyond.

In that context, the United Kingdom takes note of the 6+6 committee's work to agree draft electoral laws. However, the reception to their announcement

demonstrates the need for broader political agreement between Libyan power-holders, and we welcome the Special Representative's commitment to convene stakeholders to reach agreement in order to make the draft law implementable. That is the only way we can overcome the issues preventing elections and then make progress towards long-term stability.

During my visit, Libyan people told me that they want to engage actively, freely and safely in the political sphere. They want to exercise their right to vote and work towards a better future, to move beyond — as the Special Representative said — slogans that prolong the status quo and are detrimental to the Libyan people. The United Kingdom will continue our work to ensure that those aspirations are fulfilled, including through our support to the Special Representative and his efforts towards peace and stability.

**Mr. Ishikane** (Japan): I thank Special Representative of the Secretary-General Bathily and Ms. Imneina for their briefings and welcome the participation of Ambassador Elsonni here today.

At the outset, I would like to express Japan's satisfaction with the recent adoption of resolution 2684 (2023), extending the authorization for Member States to conduct inspections on the high seas off Libya.

First and foremost, Japan again reiterates the importance of holding elections before the end of 2023. As Special Representative Bathily and Ambassador Elsonni have repeatedly said in the Council, the Libyan people wish to see elections. The holding of transparent and credible elections is the most important step towards an inclusive, Libyan-led and -owned political process. The Security Council unanimously expressed its strong commitment to that in its presidential statement in March (S/PRST/2023/2). Elections are the only way to restore the legitimacy of the country's institutions.

In that regard, we acknowledge the recent effort of the joint 6+6 committee of the House of Representatives and the High State Council. Building upon that effort, it is imperative to swiftly introduce an electoral law that will pave the way for the prompt holding of elections. We hope that this step will receive the full backing of all relevant Libyan stakeholders. We will spare no effort in our support for Special Representative Bathily and his Mission to help the Libyan people hold elections as soon as possible.

Turning to the security track, Japan welcomes the continued positive developments, including the meeting of the security working group of the Berlin process International Follow-Up Committee, held for the first time on Libyan soil on 24 May. We also support the holding of a series of working group meetings in different regions of Libya.

Libya's stability is key to the peace, security and prosperity of the whole region. In that regard, Japan echoes the Special Representative in welcoming the advancement of dialogue on the withdrawal of foreign fighters, foreign forces and mercenaries.

Regional stability is also key to Libyan peace. The deteriorating situation in the Sudan could pose a security and humanitarian threat to Libya, especially in the southern region. Japan will keep a close eye on possible cross-border movements of fighters and equipment, as well as on whether developments in the Sudan encourage illicit business, including smuggling and human trafficking by opportunistic organized criminal groups.

Before concluding, let me again reiterate our firm commitment to support the Libyan people's desire to have legitimate State institutions that can protect them and promote their welfare.

**Mr. Dai Bing** (China) (*spoke in Chinese*): I thank Special Representative Bathily and the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, the Permanent Representative of Japan, Ambassador Ishikane, for their briefings. I also welcome the Permanent Representative of Libya, Ambassador Elsonni to today's meeting.

For some time now, the parties in Libya have made positive progress in advancing the political process, maintaining security and stability, and restoring construction and development. That having been said, Libya's political and peace processes still face many difficulties and challenges. There is still a long way to go to achieve long-term peace and security. The international community should increase attention to and investment in Libya and provide constructive support for the maintenance of peace and stability in the country and the region.

I wish to emphasize the following points.

First, the political process should be advanced without any let-up. China commends the 6+6 committee for holding several rounds of talks earlier

this month and reaching preliminary consensus on the draft electoral laws. We welcome Egypt, Morocco and other countries of the region for their continued support. China encourages all parties in Libya to build on their achievements, maintain the momentum of communication and dialogue and seek to forge consensus on key issues and create enabling conditions for advancing the political transition.

China supports Mr. Bathily in stepping up engagement with all parties in Libya. We also support the African Union and other regional organizations in promoting the national reconciliation process. The recent developments in Africa have once again shown that solutions to African issues need to be found from within Africa. The international community should respect the Libyan-led and Libyan-owned approach, accommodate the reasonable concerns of all parties in Libya, provide constructive support to the political process and avoid forcing any solutions on the country from outside

Secondly, security and stability should be maintained with commitment. China commends the 5+5 Joint Military Commission for holding multiple meetings this year to discuss such issues as unification of security institutions and establishment of a ceasefire mechanism. We have noted that the security working group has held its first plenary meeting. China encourages the United Nations Support Mission in Libya (UNSMIL) to strengthen cooperation with the 5+5 Joint Military Commission, promote the ceasefire monitoring mechanism and create a favourable security environment for the political transition in Libya.

At the same time, militia fighting, abduction, assaults and other security incidents still occur from time to time in Libya. The spillover effects of the situation in the Sudan cannot be ignored either. All parties in Libya must maintain the hard-won ceasefire and avoid actions that could cause escalations of the situation. In the current situation, it is imperative to properly address the withdrawal of external armed forces and mercenaries and ensure that the relevant processes can proceed in a smooth and orderly manner to avoid any fallout on Libya's domestic stability and the security of the neighbouring countries

Thirdly, there should be persistence in promoting reconstruction and development. In the recent period, Libya's oil production and export have steadily resumed, along with a positive momentum for development.

Development and reconstruction will generate economic dividends, improve livelihoods, work as an important catalyst and provide cohesion in maintaining peace and political stability, strengthening national identity and promoting social unity. The international community should support Libya's reconstruction, help the country develop its economy and improve its people's livelihoods. When implementing the Sustainable Development Cooperation Framework 2023–2025, the United Nations should align it with Libya's key areas for cooperation and use United Nations development resources to generate real benefits.

All parties in Libya should properly resolve their differences over the management of the oil industry and the distribution of oil revenues and ensure that the oil revenues benefit the Libyan people. The Libyan Government has long-standing concerns over losses resulting from the frozen assets. The Security Council and the Libya Sanctions Committee should take this matter very seriously and craft substantive measures to address it.

**Mrs. Broadhurst Estival** (France) (*spoke in French*): I would like to thank the Special Representative of the Secretary-General, the Permanent Representative of Japan, and Ms. Abeir Imneina for their briefings. We welcome the presence of the Permanent Representative of Libya in the Chamber today.

National elections in Libya are within reach. The full mobilization of all Libyan and international players in this direction is essential. The Libyan people wish to choose their leaders democratically. That is why France welcomes the progress made on the electoral law by the 6+6 committee, which represents the Libyan Parliament and High Council of State. We are grateful to the United Nations Support Mission in Libya (UNSMIL), and to Morocco and Egypt for their support for the committee's work over recent months. This is a significant step towards the holding of simultaneous presidential and legislative elections. We must move forward on this basis, and we encourage the Libyan players to facilitate the promulgation of the electoral laws as soon as possible.

France welcomes UNSMIL's commitment to continuing to work with all the Libyan institutions and players concerned to ensure credible, inclusive and transparent elections. The contribution of everyone is necessary to creating an optimal political, security and legal environment. Fair competition between

all candidates will be essential, within a framework guaranteeing the equality, equity and transparency of the electoral process. In this respect, France reaffirms its full support for the Libyan High National Electoral Commission.

The full implementation of the October 2020 ceasefire agreement is essential. In recent weeks, armed clashes have taken place in Tripolitania, in the town of Zawiya in particular. France calls on the Libyan authorities to prevent any escalation and recalls that they are responsible for ensuring the safety of the population.

These events underline the importance of unified security and military institutions throughout the country. It is in this spirit that France will continue to support, in coordination with the United Nations, the Libyan 5+5 Joint Military Committee and the two Chiefs of Staff, with a view to reunifying the Libyan army. France has allocated \$100,000 to finance United Nations efforts to support the work of the 5+5 Joint Military Committee.

France also demands compliance with the arms embargo and the withdrawal of all foreign forces, foreign fighters and mercenaries from Libyan territory, in cooperation with Libya's neighbouring countries. It also reaffirms its commitment to preserving the consensus in Libya against terrorism and radical Islamism.

Public funds must serve the general interest in Libya. Libyans expect a fair and transparent redistribution of oil revenues.

France is also concerned about human rights violations in Libya, the first victims of which are migrants. The reduction in freedom of expression and association is also worrisome, as are the restrictions on the freedom of movement of Libyan women, as mentioned by the Special Representative of the Secretary-General and Ms. Imneina.

Political legitimacy must be restored in Libya, as must the country's sovereignty and unity. This is essential for lasting stability and prosperity that benefits all. France supports Special Representative Abdoulaye Bathily in achieving these objectives. An endless political transition in Libya is unsustainable, and the holding of elections is essential.

**Mr. Hoxha** (Albania): I thank Special Representative of the Secretary-General Bathily for his update on the recent developments in Libya. We support

his work and mediation efforts and strongly encourage him to maintain his focus and leadership. I also thank Ambassador Ishikane for his briefing.

I would like to make the following brief points.

First, on the political situation, despite promising developments, a frustratingly long stalemate on the way forward towards elections recalls what we have witnessed in Libya for many years. It is hard to deny that multiple failed political transitions since 2012 have taken their toll on the Libyan people. So many times hope has surrendered to cynicism, eroding trust and blurring perspectives. The continued and increasingly complex internal divisions and external influences affecting the country threaten to undo progress and throw the country into another spiral of crisis and violence. That should not be allowed.

We take note of the work made by the 6+6 commission, which met again in Bouznika, Morocco. Libyan parties must define the legal basis necessary for holding elections in 2023. It is crucial that the electoral laws meet the expectations of all political stakeholders through a broad political agreement to guarantee swift, free, fair and transparent elections.

As we have reiterated many times before, time is of the essence. The status quo, perpetuated through indefinite delays, is not an option, nor is it sustainable. Obstructive manoeuvres just place an undue toll on the Libyan people, society and economy and delay the restoration of democracy. They only keep the country up against a wall. That is why elections are a must and the starting point to restore legitimacy to the Libyan institutions and charter a path towards stability. The efforts of the Special Representative of the Secretary-General in that respect deserve and have our full support.

Secondly, with regard to the security track, we acknowledge that the situation remains fragile and volatile. Despite the holding of the ceasefire and the sustained contacts between the Chiefs of Staff from western and eastern Libya, recent episodes of armed violence in both regions of the country are a testament to the urgency of unifying the military and security institutions. We welcome the meeting of the security working group on 24 May, which was held for the first time in Tripoli, and we are confident that the 5+5 Joint Military Commission will soon resume its meetings.

Maintaining the ceasefire and agreements on productive confidence-building mechanisms are critical, but comprehensive security sector reform, as well as

the disarmament, demobilization, reintegration and integration of the armed groups is also essential for security throughout the country. That has become even more pressing given the serious deterioration of the security situation in the region. The alarming events in the Sudan only reinforce the need to quickly find a sustainable solution in Libya. Weapons supplies from Libya to the Sudan, Mali and other countries in the Sahel remain a serious concern. The arms embargo must be fully implemented, and therefore we commend the Council on its adoption of resolution 2684 (2023) earlier this month.

Thirdly, turning to human rights and civil society, just a few months ago, the Independent Fact-Finding Mission on Libya expressed deep concern over the country's deteriorating human rights situation. Attacks against human rights defenders, women's rights activists, journalists and civil society associations must stop. Civil society has a crucial role to play in building an atmosphere that is conducive to free and fair elections for Libyans to exercise their rights and choose a representative Government to run the country.

Let me conclude by emphasizing again the centrality of a clear path towards elections. We reiterate our call on all stakeholders to constructively engage with the United Nations Support Mission in Libya and the Special Representative of the Secretary-General and break the current deadlock. Libya's actors and current rivals need to come together and agree on a political settlement for the future of the country. That is what Libya needs. That is what Libyans want. It should provide a framework for the division of power and national resources, promote reconciliation and redress grievances and injustices. None of that is impossible, but none of it will be achieved without concerted efforts and genuine political will. That long and arduous path starts with free and fair presidential and parliamentary elections.

**Mr. Polyanskiy** (Russian Federation) (*spoke in Russian*): We thank the Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya (UNSMIL), Mr. Abdoulaye Bathily, and the Permanent Representative of Japan, Mr. Kimihiro Ishikane, for their statements. We also listened closely to Ms. Abeir Imneina.

The developments in Libya do not give us much cause for optimism. The country continues to have two competing Governments. The prospects for overcoming

the protracted internal crisis unfortunately continue to appear dim. We call on the Libyan leaders to put aside any possible differences and work together to ensure comprehensive security and a definitive normalization of the situation. We firmly believe that this is in keeping with achieving lasting peace and stability throughout the entire North African region, which is still suffering the consequences of the tragic events of 2011.

The way out of the current stalemate is the holding of national elections. It is essential for Libya to agree on the modalities for organizing the electoral process as soon as possible. Active efforts in the joint 6+6 committee format have paved the way for holding those elections. We welcome the progress made during the inter-Libyan talks in Bouznika, Morocco, where a compromise on key aspects of the legal framework for the upcoming elections was almost reached. Libyans are literally one step away from the breakthrough that is needed. We hope that those efforts will continue and that conditions will be met for the simultaneous holding the presidential and parliamentary elections in the near future. The focus of international mediation efforts should be on providing Libyans with all possible support to enable them to swiftly move on to the next stages of the political process.

We believe that the electoral process should be transparent, truly inclusive and include, on a non-discriminatory basis, the entire spectrum of the leading political forces of the former Jamahiriya, including representatives of the former Government. That will ensure that Libyan society accept the results of the elections and will preclude the possibility of a new military and political deterioration of the situation. It is also necessary to limit external interference and allow Libyans themselves to play the leading role in determining the future of their long-suffering country.

An important positive element of the situation on the ground is that there have been no active hostilities in Libya for over two years. However, the threat of a resumption of large-scale military confrontation has not been completely eliminated. We continue to see sporadic clashes between local armed groups. In that context, it is important to ensure the general maintenance of the ceasefire regime in the country to eliminate the threat to civilians and ensure uninterrupted transportation connections.

We welcome the ongoing activities of the 5+5 Joint Military Commission, but further progress towards a comprehensive settlement of the conflict requires active work. One of the key areas in that regard is the eventual

withdrawal of the foreign military presence in Libya. We advocate a synchronized, balanced, gradual and phased withdrawal of all non-Libyan armed groups and military units.

We believe that reinvigorating the political process requires the conscious desire on the part of the key Libyan stakeholders to come to a reasonable compromise under the auspices of the United Nations and UNSMIL, its most important instrument in Libya, with the consolidated support of the international community. We take this opportunity to reaffirm our support for Mr. Bathily in his efforts to find ways to overcome the internal political impasse and give impetus to political dialogue. In that context, we consider any unilateral initiatives, including those aimed at creating formats to facilitate a settlement without the participation of all influential international and regional players and the Libyans themselves, to be counterproductive.

Operational coordination with members of the Security Council has also taken on a special role at this decisive stage. We stress once again that our country stands ready to work constructively with all interested parties.

At this critical juncture for Libya, the main task of the international community is to continue to encourage the country's leaders to maintain and build on the positive trends of recent months. We cannot allow Libya to become a stage for confrontation between external forces working to perpetuate divisions within the country and exacerbate instability and chaos. Against that background, the double agenda of our Western colleagues is obvious. Their goal is the same as it was before: not a long-term solution, but rather to provide resources for their own economic needs at the expense of Libya's hydrocarbon resources. The stable functioning of Libya's oil sector is important for post-war reconstruction, with the understanding that the country's natural resources belong first and foremost to its citizens. Order must also be restored in its economic and financial sectors, based on the principle of Libyan ownership of financial assets, including those in frozen accounts.

In conclusion, we remain concerned about the problem of illegal migration and the proliferation of weapons in Libya, which have an impact on security both within the country itself and in the Sahelo-Saharan region as a whole. We look forward to more effective inspection efforts off the coast of Libya, which must be carried out in strict compliance with international law.

**Mr. Hauri** (Switzerland) (*spoke in French*): I would like to thank Special Representative Abdoulaye Bathily and the briefers for their insights. I also welcome the presence of the Permanent Representative of Libya in today's meeting.

Before I elaborate on three points, I just want to mention the tragic incident in the Mediterranean in which an overloaded boat capsized and sank off the coast of Greece on its way from Libya. Thousands of migrants are dying and disappearing every year in the Mediterranean. We are saddened by the news of the shipwreck, and I want to express my deepest condolences to the victims and their families.

First, Switzerland takes note of the work done by the 6+6 joint committee in Bouznika, Morocco, to reach agreement on draft electoral laws. While they represent an essential step in the political process, electoral laws alone will not pave the way for elections. An inclusive pre-electoral agreement is needed to guarantee an environment conducive to the elections and to acceptance of their results. In that agreement, the Libyan stakeholders should commit firmly to guaranteeing the security of the electoral process, respect for freedom of expression and association and the full participation of civil society. The agreement should also include clear benchmarks and specific deadlines. That process can be carried out only under the auspices of the United Nations Support Mission in Libya (UNSMIL) and through the personal commitment of the Special Representative, to whom Switzerland reiterates its full support. Switzerland therefore urges all Libyan stakeholders to engage constructively, sincerely and substantively, with the mediation of the Special Representative, who will be working to develop an outline of the pre-electoral agreement.

Secondly, Switzerland encourages the international community to support the Special Representative in a united and coherent manner. We are ready to provide that support, particularly at the various levels of the Berlin process. In Tripoli on 22 May, Switzerland and the other co-Chairs convened a plenary meeting of the Working Group on International Humanitarian Law and Human Rights. The meeting concluded with the signing of a declaration of intent between the Presidential Council and the Working Group's co-Chairs aimed at ensuring the centrality of human rights at all stages of the political and reconciliation process, as well as establishing a permanent and inclusive dialogue to improve the human rights situation in Libya.

Thirdly, Switzerland notes with concern that security agencies and other actors have been increasingly using populist discourse to justify excessive oversight procedures that restrict fundamental rights. In that context, we are concerned about the recent introduction of a new procedure at Mitiga airport that restricts women's freedom of movement. Furthermore, we regret that bureaucratic restrictions continue to criminalize the work of Libyan and international civil-society organizations. Any legislation pertaining to those organizations must comply with Libya's national and international obligations under such agreements as the International Covenant on Civil and Political Rights, to which Libya is a signatory. In particular, the Covenant protects the fundamental rights to freedom of expression and peaceful assembly and association, as well as the work of civil-society organizations and human rights defenders. The old law no.19 of 2001 does not meet those standards, which are binding for Libya.

On the security front, we have followed with concern reports of the use of force, including in populated areas, as in the recent case in Zawiya. We call on all actors to take the necessary measures to guarantee the protection of the civilian population — and that includes internally displaced persons. In that regard, Switzerland urges the Government of Libya to continue to find sustainable solutions for such people in order to meet their needs, including by improving access to basic services and undertaking reconstruction efforts.

Switzerland believes firmly that there can be no lasting solution — in Libya and elsewhere — without ensuring the human rights of every individual, especially those who are vulnerable. That is why we are ready to continue our commitment and cooperation in this area.

**Mr. Afonso** (Mozambique): I have the honour to deliver this statement on behalf of the African members of the Security Council (A3), namely, Gabon, Ghana and Mozambique.

The A3 thanks the Special Representative of the Secretary-General, Mr. Abdoulaye Bathily, and Ambassador Kimihiro Ishikane, Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya, for their insightful briefings. Our gratitude also goes to Ms. Abeir Imneina, Head of WASHM Center for Women's Studies, for her

important statement. We welcome the participation of Ambassador Elsonni, the Permanent Representative of Libya, in today's meeting.

*(spoke in French)*

The A3 is very pleased to endorse the role played by Special Representative Bathily in the efforts to find consensus ways to hold credible presidential and legislative elections in Libya. Gabon, Ghana and Mozambique welcome Mr. Bathily's inclusive approach with all the relevant Libyan actors and institutions, aimed at narrowing differences and resolving the contested elements of the electoral framework, securing the political agreement necessary for the elections and creating a level playing field for all candidates.

We also welcome the progress made by the 6+6 joint committee in drafting electoral laws for the presidential and legislative elections. We believe that is an important step that must be maintained. In that regard, and in order to ensure the acceptance of all the political players involved, we call on the parties to continue to engage constructively and in a spirit of compromise so that the elections can take place in 2023, in line with the sincere hopes of the Libyan people. We reiterate our appeal to the various segments of Libyan society, including women and young people, to engage in good faith in the talks, to ensure that all the efforts made so far can contribute significantly to the promotion of lasting peace and stability in Libya.

*(spoke in English)*

The A3 would like to further reiterate that the peace process in Libya must be Libyan-led and -owned, facilitated by the United Nations and supported by the international community as a whole and guided by an inclusive dialogue conducive to national reconciliation. The A3 further emphasizes its call for the national reconciliation process to be part of any political arrangement. That will help to heal Libyans' wounds. In that regard, we welcome the critical role of the African Union, the Libyan Presidential Council, regional organizations and neighbouring countries.

We take positive note that the 2020 ceasefire agreement continues to hold in Libya, despite the tense situation and security incidents in the country. We call on the parties to continue showing restraint by fully complying with the ceasefire agreement in order to preserve the current path conducive to lasting peace and security.

Gabon, Ghana and Mozambique strongly condemn the presence of foreign forces and foreign fighters on Libyan soil. Their presence undermines Libya's territorial integrity and the country's full ownership of the peace process. Their immediate departure is essential for a favourable and conducive environment for advancing the ongoing political process, leading to the holding of elections this year. In that regard, we reiterate our appreciation for the 5+5 Joint Military Commission and liaison committees' efforts to facilitate the full withdrawal of foreign forces and foreign fighters from Libya.

We are concerned about the spillover effect of the actions of foreign fighters and their consequences on the security situation in the Sahel region. It is a situation that aggravates the spread of terrorism and the proliferation of small arms and light weapons. We reiterate our call for coordinated action by the countries of the region, regional organizations and the international community in order to address and counter that threat. We urge that disarmament, demobilization and reintegration efforts not only be concentrated in Libya but also be undertaken through a collaborative approach with neighbouring countries and regional organizations.

The A3 is concerned about the fact that the protracted conflict and ongoing political crisis in Libya continue to have an impact on macroeconomic indicators and negatively affect access to essential services, including health and education, particularly for the most vulnerable. Oil production disruptions, in particular, constrain economic growth and prevent Libyans from fully harnessing their vast natural resources potential to finance development programmes and accelerate progress towards the Sustainable Development Goals. We wish to remind the Council that Libya's frozen assets belong to Libyans and must be protected and preserved for the Libyan people.

The A3 is deeply disheartened by the sinking of a migrant boat off the coast of Greece. In that connection, we strongly condemn the violations of human rights of refugees and migrants, including human trafficking, torture, sexual and gender-based violence and extortion, as presented in the most recent report of the Secretary-General (S/2023/248). We demand the humane treatment of refugees, migrants and asylum seekers, as a basic requirement of international law and associated conventions. We echo the Secretary-General's call for alternatives to detentions in order to manage migration, in line with international law.

The A3 wishes to reiterate its call for full respect for Libya's territorial integrity, sovereignty and national unity, in line with resolution 2656 (2022).

**Mrs. Frazier** (Malta): Echoing the Special Representative of the Secretary-General and others, I begin by expressing Malta's heartfelt condolences to the families of the migrants who lost their lives at sea last Wednesday. We wish a speedy recovery to the survivors. The tragedy is a brutal reminder of how important it is to address the scourge of human smuggling and trafficking.

I thank Special Representative Bathily for his briefing, and the Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya, Ambassador Ishikane, and Ms. Imneina for their contributions. I welcome the participation of the Permanent Representative of Libya in our briefing today.

The international community's focus on and support to the situation in Libya remain critical. We take positive note of the work of the 6+6 committee to overcome the political impasse in Libya. We are also encouraged by the Special Representative's efforts and consultations with a broad range of actors, which are aimed at generating the necessary impetus and consensus to address the political stalemate. We support all such efforts and their effective implementation to develop the political consensus and legal framework needed to advance the Libyan-led and Libyan-owned political process, under United Nations auspices.

To that end, it is fundamental that actors, including all Libyan political actors, engage with each other in a constructive and transparent manner, guided by a spirit of compromise, to address all outstanding issues. That includes the finalization of the relevant electoral legislation that will lead to free, fair, transparent, inclusive and secure elections. The international community has an important role to play and must be ready to provide the necessary assistance and political support to the United Nations and to the Libyan authorities for the holding of such elections. It is crucial that the High National Elections Commission be provided with the necessary resources to complete its mandated tasks in a timely manner.

Malta also emphasizes the importance of gender equality and of ensuring the full, equal and meaningful participation of women in all political processes and electoral reforms, as well as women's safe participation in elections. Women have a crucial role to play in the

reconstruction of peace, stability and prosperity in Libya. On this occasion, we also underline the key role of civil society and youth in mapping Libya's future.

The security situation in Libya continues to severely affect children and is undermined by the proliferation of weapons under the control of various State and non-State actors. Malta strongly believes in the full and rigorous implementation of the 1970 sanctions and in the full compliance by all Member States with the arms embargo. In that context, we emphasize the role of Operation IRINI and welcome the Council's adoption of resolution 2684 (2023).

Security is equally threatened by the continued presence of foreign fighters, foreign forces and mercenaries. Their full withdrawal should be prioritized. Efforts to stabilize the security situation are to be commended. We continue to highlight the role of the 5+5 Joint Military Commission and welcome the holding of the first plenary session of the security working group of the Berlin process International Follow-Up Committee on Libya.

The safety, stability and protections offered to Libyans must be a priority. In that regard, Malta also underlines the complementary importance of advancing accountability efforts to achieve long-term peace and stability in Libya. Progress on all fronts will also be needed to address the difficult socioeconomic conditions facing large segments of the Libyan population.

**Mr. Sénéchal de Goffredo Junior** (Brazil): At the outset, I would like to echo previous speakers in expressing our condolences to the families of the victims of the sinking of the ship off the coast of Greece last week.

I thank Ambassador Ishikane for reporting on the recent activities of the Committee established pursuant to resolution 1970 (2011) concerning Libya. I also thank Special Representative Bathily for his comprehensive briefing, as well as Ms. Imneina for sharing her perspective with the Council. I also welcome the Permanent Representative of Libya to today's meeting.

Brazil supports the Special Representative's engagement with all Libyan stakeholders with a view to building a nationwide consensus for presidential and parliamentary elections. Given that we are already halfway through 2023, the goal of holding elections in the current year seems increasingly ambitious. In our view, that ambition should be carefully measured. We

should not lose sight of the core mandate of the United Nations Support Mission in Libya (UNSMIL), which is to mediate and provide its good offices in furthering a political dialogue among all the Libyan parties.

We welcome the announcement made by the members of the 6+6 joint committee earlier this month on the agreement they reached regarding electoral laws. We thank the Government of Morocco for hosting the meetings in the city of Bouznika, Morocco, enabling the members of the House of Representatives and the High State Council in the 6+6 committee to work constructively for that goal. We encourage the two Libyan chambers to follow up on the outcome, as appropriate, including by addressing concerns identified by key Libyan stakeholders and eventually by enacting the relevant legislation.

Brazil recognizes the important role that the League of Arab States and the African Union can play in support of building trust and fostering national reconciliation among all Libyan stakeholders. National reconciliation and measures that build trust should run in parallel to efforts to bring about a political transition. Additionally, a comprehensive peacebuilding approach would also contribute to the sustainability of any political settlement in Libya. In that regard, Brazil encourages the Libyan authorities to consider engaging with the Peacebuilding Commission, which could help mobilize international support for Libya's national peacebuilding priorities, with full respect for Libyan sovereignty.

In relation to foreign assistance provided to Libyan authorities outside the framework of United Nations institutions, Brazil stresses the importance of respecting the relevant Security Council resolutions. The provision of material and logistical support carries the risk of further destabilizing the situation on the ground. We want to specifically point out that the provision of military training may constitute a breach of the United Nations arms embargo pursuant to resolution 1970 (2011), regardless of the Libyan stakeholders that benefit from it. We also echo concerns expressed by the Panel of Experts of the 1970 Committee regarding the freezing of Libyan assets under the United Nations sanctions regime. As the Panel has suggested, we encourage Member States to consider exempting those assets, where applicable, from banking policies of negative interest rates, which contribute to their depletion. We also trust that the Sanctions Committee, assisted by the Panel of Experts, will be sensitive to the

need to avoid other reasons for the erosion of Libyan assets frozen abroad and preserve Libyan funds for the benefit of the Libyan people.

We share the concerns expressed by UNSMIL regarding the situation of asylum seekers in Libya and encourage the relevant Libyan authorities to collaborate with UNSMIL to address those concerns, with a view to protecting the human rights of refugees and migrants. We agree with the Special Representative on the need "to work together to ensure the centrality of human rights throughout all stages of the political process in Libya". Alleviating the tragedy of refugees and migrants in the Libyan context is part of our common responsibility, and we call for intensified efforts by the international community in that regard, including through development-based approaches.

In conclusion, Brazil reiterates the need for an inclusive Libyan-led and Libyan-owned political process, which the United Nations should continue to facilitate based on the principles of inclusivity, transparency, non-discrimination and national ownership.

**Mr. Pérez Loose** (Ecuador) (*spoke in Spanish*): We join others in expressing our sentiments of sorrow today regarding the sinking of a ship that led to the death of many Libyan migrants — a incident that could have been prevented.

I thank Ambassador Kimihiro Ishikane, Permanent Representative of Japan, for his report on the activities of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya. We have also taken note of the briefing provided by Mr. Abdoulaye Bathily, Special Representative of the Secretary-General, as well as that by Ms. Imneina, a member of civil society, and we very much regret that we could not hear her full statement due to an issue with the interpretation. We also welcome Ambassador Elsonni, the Permanent Representative of Libya, to this meeting.

Ecuador reiterates its support for Mr. Bathily and for the United Nations Support Mission in Libya team for the work they are doing there in the quest for a lasting solution to the political crisis and for peace and stability in the country.

We note the outcome of the work of the 6+6 joint committee of the House of Representatives and the High State Council in reaching agreement on the laws laying the groundwork for the presidential and

parliamentary elections scheduled for the end of this year. We join others in expressing our appreciation to the Kingdom of Morocco for its efforts to facilitate that meeting between the Libyan parties. We hope that within a framework of cooperation and compromise, the Libyan actors will resolve the outstanding issues and reach the political agreement necessary for the holding of fair, transparent, inclusive and secure elections that guarantee a level playing field for all candidates, and that all political actors will refrain from any action that could delay the ongoing process.

We encourage Special Representative Bathily to continue promoting alternative mechanisms aimed at ensuring the political transition in Libya and the holding of elections as soon as possible. We also encourage him to continue the rounds of consultations with the various sectors of Libyan society, including persons with disabilities, women, young people and ethnic minorities, in order to ensure their participation in the political process. Ecuador hopes that such an inclusive process will contribute, as was noted in April (see S/PV.9306), to the adoption of a code of conduct that will allow the results of the elections to be accepted by all candidates. It is imperative that the election campaign be conducted in a safe and peaceful environment, free from hate speech and violence. To that end, the civic space must be protected. All Libyans must be able to express themselves freely and to assemble and associate peacefully.

With regard to the security situation, we reiterate our thanks for the work of the 5+5 Joint Military Commission on the reunification of security institutions and the implementation of the ceasefire agreement. We commend the support of the military and security leadership for the political process and the creation of an environment conducive to the safe holding of elections. The significant progress on dialogue concerning the withdrawal of foreign forces and fighters and the reactivation of the liaison committees with neighbouring countries are important, particularly in the light of the developments in the Sudan. Their withdrawal must be carried out in a coordinated and gradual manner. We also encourage the Libyan authorities to take effective measures to address the plight of migrants and refugees. We remain concerned about the reports of possible arbitrary arrests of migrants and asylum seekers, including pregnant women and children. We should remember that those vulnerable groups must be treated with dignity and in accordance with international law and international humanitarian law.

We would be remiss if we failed to mention the impact that the Libyan crisis is having on the entire region and by extension how important it is to counter situations that could further affect its stability and security. The support of the international community will therefore be vital to the intensification of all efforts in that regard, including those that help to dismantle the criminal and human trafficking networks operating in the region.

In conclusion, I reiterate Ecuador's support for the peace process in Libya and urge all the parties in the country to work constructively with Special Representative Bathily to find a solution that can end the political impasse.

**Mr. DeLaurentis** (United States of America): I thank Special Representative Bathily and Ambassador Ishikane for their briefings. We also thank Ms. Imneina for her contribution.

The United States takes note of the progress reported by the 6+6 joint committee in reaching agreement on a package of electoral laws and thanks Morocco for hosting that round of talks. We welcome the commitment of the United Nations Support Mission in Libya to working with all Libyan institutions and actors to ensure that the progress made so far leads to timely elections. We urge all players to engage constructively with Mr. Bathily in securing the necessary political, security and legal environment for elections. It is beyond time for those who occupy Libya's leadership positions to demonstrate leadership and fulfil the Libyan people's demand for elections that re-legitimize their political institutions without further delay. We reiterate our full support for the Special Representative's efforts to promote a political consensus for holding elections. Anyone with Libya's best interests in mind should welcome his good offices and impartial facilitation.

We continue to credit the work of the 5+5 Joint Military Commission and encourage the speedy implementation of all the terms of the 2020 ceasefire agreement, particularly the removal of foreign forces, fighters and mercenaries and the identification and categorization of armed groups for possible disarmament, demobilization and reintegration. The cooperative and practical approach of the 5+5 to solving problems that affect Libyans' daily lives highlights the benefits of progress by Libya towards unifying its security structure.

We are concerned about the military operations in Zawiya involving drone strikes and urge all the parties to take great care to avoid actions that could spiral into wider violence. We are concerned about the possibility of weapons transfers from Libya to the conflict in the Sudan and note that the Libya arms embargo prohibits the export of arms and related material from Libya. The United Nations regional arms embargo on Darfur also prohibits arms and related material from entering the Darfur region. We encourage the Panels of Experts on Libya and the Sudan to monitor the situation carefully. We continue to be deeply concerned about the detention of Mr. Imad Ben Rajab, the focal point for the area of the illicit transport of petroleum, and urge the Libyan authorities to provide the Committee established pursuant to resolution 1970 (2011) concerning Libya with information about the circumstances of his arrest and ensure that he is provided with full due process. Without a focal point able to perform the functions detailed in the relevant resolutions, the Sanctions Committee's ability to carry out its responsibilities is threatened, and we are concerned about reports of increased fuel smuggling since Mr. Ben Rajab's arrest.

We are pleased that this month the Security Council renewed the authority used by the European Union Naval Force Mediterranean Operation IRINI to inspect vessels suspected of violating the arms embargo and applaud IRINI's work in deterring such violations. Violations of the arms and oil embargoes, as well as the continued presence of mercenaries and foreign fighters, are an indication that foreign actors are profiting from and supporting the status quo. Foreign interference has prolonged the political impasse and destabilized Libya and must end so that the Libyan people themselves can control their future and chart a path to peace and prosperity.

**The President** (*spoke in Arabic*): I shall now make a statement as the representative of the United Arab Emirates.

I thank Special Representative of the Secretary-General Mr. Abdoulaye Bathily and Mr. Kimihiro Ishikane, Permanent Representative of Japan, in his capacity as Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya, for their comprehensive briefings. I also thank Ms. Imneina for her briefing and welcome Ambassador Elsonni to this meeting.

With regard to recent developments in Libya, I would like to express our hope that the Libyan people can resolve their outstanding issues, reach the consensus needed to adopt the laws required for holding legislative and presidential elections, end the transitional phases and meet their aspirations for security and stability. In that context, we stress the importance of ensuring the full, meaningful and equal participation of women in those efforts and of safeguarding their safety and dignity. We reiterate the importance of keeping the political process on track, which is critical to achieving a Libyan-led and -owned permanent political settlement that can enable Libya to put the past behind it and end its internal divisions.

It is therefore important to continue the diplomatic efforts, including those under the auspices of the United Nations. The good offices of Mr. Bathily and his team play a vital role in bridging Libyans' views. We also value the continued efforts of Morocco and Egypt in supporting the Libyans and providing an environment conducive to a dialogue that contributes to achieving constitutional progress. While the efforts related to the electoral process continue, we underscore the importance of focusing on national reconciliation and dialogue, which are essential to building trust among the parties, healing divisions and achieving the national unity that is imperative to ensuring stability in Libya. Accordingly, we support the efforts by the Presidential Council, the African Union and the League of Arab States to ensure the success of national reconciliation efforts for the sake of all Libyans.

Establishing security in Libya is also essential for building a stable State. In that connection, we welcome the meeting held in May, in Tripoli, of the security working group of the Berlin process with the United Nations Support Mission in Libya as part of the continued meetings held by the 5+5 Joint Military Commission in various regions of Libya.

Those encouraging steps, in addition to the release of prisoners, demonstrate the commitment of the military leaders to support the implementation of the ceasefire agreement and the determination of the national leaders to participate in those meetings. We hope that those steps will contribute to boosting national morale among the Libyan people.

Actual steps must also be taken on the ground, including the withdrawal of all foreign forces, foreign fighters and mercenaries in a simultaneous, phased,

gradual and balanced manner. The unification of military and security institutions across the country must also proceed. We again urge all parties to avoid any escalatory actions or practices threatening the safety of civilians.

We are fully committed to international efforts aimed at supporting the security situation in Libya. However, we have concerns and observations to share about the effectiveness of the mechanisms authorized to implement the arms embargo and the extent of compliance with it. Ignoring the positions and legal interpretations of the Member States regarding the arms embargo and its selective application can undermine national capacity-building in Libya.

To maintain Libya's counter-terrorism gains, the measures adopted by the Council must not impede the efforts of the Libyan forces to address security threats, especially in southern Libya. The Council must therefore seriously consider the current sanctions regime and ensure that it reflects the current reality in Libya and supports its national efforts, rather than becoming a means of disruption.

In conclusion, the United Arab Emirates reaffirms its support for Libya's sovereignty, independence and national unity. We hope that all efforts will be aimed at overcoming political divisions, putting Libyan interests above all, preserving and protecting Libya's natural resources and frozen assets and realizing the aspirations of the brotherly Libyan people towards building a State that enjoys sustainable peace.

I now resume my functions as President of the Council.

I give the floor to the representative of Libya.

**Mr. Elsonni** (Libya) (*spoke in Arabic*): At the outset, I would like to congratulate you, Mr. President, on assuming the presidency of the Security Council during this month, and I wish you every success in your endeavours. I also thank the Ambassador of Japan, His Excellency Mr. Ishikane, for his briefing as Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya. I also thank Ms. Imneina for her statement, especially as she represents one of the segments of civil society in Libya.

We listened to the briefing of Mr. Bathily as he went over the challenges facing my country, Libya. According to the previously adopted timeline, by the end of this month we were supposed to conclude all consultations to issue the legislation necessary to conduct the elections by the end of the year.

In that context, we have followed the work of the 6+6 committee and of the House of Representatives and their agreements, as well as the different reactions to said agreements and the challenges they met. It is therefore important to tackle the outstanding issues and settle them. It is equally important to consult with the committee and with the other national and political leaders and the relevant institutions in order to guarantee continued stability and provide an enabling environment, as well as to adopt a timeline for the parliamentary and presidential elections to be held this year. The elections should be fair, transparent and based on equitable and fair legislation. That is indeed achievable. The elections do not seek to marginalize anyone, and they should be accepted and conclude all the transitional stages. In that context, I would like to thank the Kingdom of Morocco for hosting the committee meetings and for providing us with an environment conducive to conducting the intra-Libyan dialogue.

If we are to objectively and responsibly deal with the current situation and respond to the aspirations of the Libyan people to a dignified life, prosperity and development, it is important to ensure the success of the democratic process. We should avoid repeating the failed experiences of the past. The Libyan people are tired of them and of coming up with new transitional stages that would once again bring about a new conflict of power. We must consider the concerns and reservations of the various parties. We have heard some of those concerns in Mr. Bathily's briefing and in today's statements.

Despite the efforts of the 6+6 committee, we have received objections on some of the outcomes of their work. We therefore call on all parties to positively contribute to settling those issues. We call on the United Nations, as a facilitator, to help us tackle those differences expeditiously. We are confident that with the necessary goodwill, we can overcome that vicious circle and start building a stable State.

The Libyans are in a state of anger and frustration. They see that the dream of holding elections is fizzling for the second time. I therefore ask the Council not to give up on them. Today, as I address the Council and ask it not to give up on the Libyan people, it is because many countries are directly intervening in the Libyan political decision. The slogan of a Libyan-led and -owned process is just a slogan, unfortunately. That has been repeatedly borne out. We therefore recall the importance of what Mr. Bathily has repeated time

and again — that he will be working with the relevant Libyan institutions and the Presidential Council and will engage with the various political stakeholders in order to resolve outstanding issues and help reach consensual laws that would allow us to organize free and fair elections.

In the same context, we welcome the response of the United Nations to the request made by the President of the Government of National Unity to send a team to assess our needs to organize elections. The team has already met several stakeholders in Libya, and we are looking forward to their report, comments and observations. In that context, the Government reiterates its support of United Nations efforts and its willingness to spare no effort to guarantee the success of the elections.

Despite all the challenges my country is facing on the political track, we should always remember the efforts that are being made by the Joint Military Commission in order to guarantee stability and defuse tensions. We remain hopeful and commend the national spirit that has prevailed in their meetings, especially the most recent one held in Tunisia, in order to follow up on the implementation of the ceasefire agreement. That meeting culminated again with a call to the entire Libyan people to put an end to all foreign presence on Libyan territories.

We listened to the statement of the Chair of the 1970 Committee and to the outcomes of the Panel of Experts. I would like to comment on the nature of those sanctions, their objective and their effectiveness, especially with regard to the asset freeze and the sanctions imposed on individuals.

We all know the conditions that led to the freezing of the Libyan assets and the funds of the Libyan Investment Authority in 2011. The purpose was to protect Libyan wealth, but we also witnessed the measures subsequently taken by several countries that show how the issue has been politicized for the past 12 years, leading to enormous losses and the depletion of those funds. Some countries preferred to continue imposing the asset freeze in order to earn interest on the funds deposited in their banks. Such measures, which were previously unheard of in the context of the United Nations sanctions, have affected the sovereignty of our national institutions. Unfortunately, during this period, the role of the Sanctions Committee and its Panel of Experts has changed many times — from monitoring

the implementation resolution 1970 (2011) to managing the Libyan Investment Authority and its methods of work, asking it to adopt certain strategies and assessing its performance and building its capacity.

We do not believe these roles fall within the Committee's competency and mandate, as if the Authority had only been established today. Nevertheless, the Libyan Investment Authority responded to all the demands it received and elaborated strategies to fulfil its plan of action. It also reviewed the status of assets frozen by seeking help from international companies and was able to show that the assets were indeed being depleted. It worked with Deloitte auditors, and it recently asked Ernst and Young to verify the status of the assets and ensure transparency. What else could we do?

Unfortunately, things are becoming even more complicated because some countries are using certain paragraphs, or even language in reports of the Panel of Experts — and we all know that those reports are not necessarily binding, as they are just opinions by the Panel — to keep the Libyan assets frozen without any legal justification. We have had a very disheartening experience with Belgium in that regard. We therefore call on the Sanctions Committee to reconsider the regime and allow, as we have repeatedly requested, the Libyan Investment Authority to invest and manage Libya's frozen assets. We are not asking the Council to lift the assets freeze, but to give us, at the very least, the freedom to manage our own assets, even if they are frozen.

With regard to the sanctions regime, and specifically to the sanctions on individuals, Council members know that Libya has submitted requests to remove the names of some individuals from the sanctions list for humanitarian reasons or because keeping them on those lists was no longer justified. However, our requests have not been satisfactorily answered, nor did we receive a logical or clear explanation for that failure. Keeping those individuals on the sanctions list is exacerbating their humanitarian plight. Accordingly, I would ask whether those individuals — among there are women — are in fact threatening international peace and security. I would also ask how keeping these individuals listed are protecting human rights.

For instance, Council members are aware of the dire humanitarian situation of citizen Hannibal Al-Qadhafi, who started a hunger strike two weeks ago. He has been forcibly detained in a prison by certain groups

in Lebanon for nine years now. He has been tortured and humiliated for illogical and unjustified political reasons. Unfortunately, some are using the fact that he is on the sanctions list to justify his detention. We therefore call on the Council to ask the Lebanese Government to release Mr. Al-Qadhafi immediately and end this inhumane situation.

We are confident that our brothers in Lebanon will cooperate with us through the committee established by the Presidential Council, the National Unity Government, Libyan institutions and friendly countries to find an immediate solution to this crisis. The positive engagement of the Security Council with the cases of detained Libyan citizens sends a hopeful message and bolsters efforts led by the Presidential Council and the African Union to foster national reconciliation, for which Council members have repeatedly expressed their support.

In conclusion, and as stated in previous briefings, although we are witnessing relative stability across the regions of our country, and notwithstanding our

optimism, we would still like to convey the calls of the Libyan citizens to the Security Council to end all negative interference in our internal affairs. We call on the Council not to use the situation in Libya as grounds for settling political scores. We need the Council to support the Libyan national will, end the divisions and achieve stability based on true Libyan ownership and leadership. We greatly believe in our people, particularly Libyan youth, who, in the last 12 years, have become more mature and knowledgeable. If they are allowed to take over, we will be able, through a collective national effort, to overcome the crisis, achieve reconciliation, bridge the gap and restore to Libya the international position that it deserves.

**The President** (*spoke in Arabic*): 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 12.05 p.m.*