



# Security Council

Seventy-eighth year

*Provisional*

**9402**<sup>nd</sup> meeting

Tuesday, 22 August 2023, 10 a.m.

New York

*President:* Mrs. Thomas-Greenfield . . . . . (United States of America)

*Members:*

Albania . . . . .	Ms. Dautllari
Brazil . . . . .	Mr. Moretti
China . . . . .	Mr. Dai Bing
Ecuador . . . . .	Mr. Montalvo Sosa
France . . . . .	Mrs. Broadhurst Estival
Gabon . . . . .	Mrs. Ngyema Ndong
Ghana . . . . .	Mr. Agyeman
Japan . . . . .	Mr. Ishikane
Malta . . . . .	Ms. Gatt
Mozambique . . . . .	Mr. Fernandes
Russian Federation . . . . .	Mr. Polyanskiy
Switzerland . . . . .	Mrs. Chanda
United Arab Emirates . . . . .	Mr. Almazrouei
United Kingdom of Great Britain and Northern Ireland . .	Mr. Kariuki

## Agenda

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2023/589)

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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**

#### **Report of the Secretary-General on the United Nations Support Mission in Libya (S/2023/589)**

**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: Mr. Abdoulaye Bathily, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya, and Ms. Noura Al Jerbi, civil society breifer.

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/2023/589, which contains the report of the Secretary-General on the United Nations Support Mission in Libya.

I now give the floor to Mr. Bathily.

**Mr. Bathily:** Since my previous briefing (see S/PV.9351), I have continued my intensive engagement with the main Libyan stakeholders to achieve three main objectives. The first is to convince the House of Representatives and the High State Council to consider proposals from the High National Elections Commission, other Libyan actors — and there are many — and the United Nations Support Mission in Libya (UNSMIL) to address the legal loopholes and technical shortcomings in the draft electoral laws prepared by the 6+6 committee of the two Chambers. The second is to explore the possibility of convening a meeting of the main stakeholders or their representatives to reach a political agreement on the four main politically contested issues outlined during my most recent briefing to the Council. The third is to sustain dialogue among the security and military actors, to cultivate a security environment that enables progress on the elections and sustainable stability for the country.

In addition to my engagements with the major players, I continued to consult with Libyans of all walks of life, including political parties, community leaders and notables, youth and women's organizations and professional organizations, such as the Libyan Bar Association. I also continued my visits throughout Libya. As in the past with Sabha, Benghazi, Sirte, Misrata and Zintan, I visited the city of Zawiyah on 8 August and exchanged views with political figures, social leaders, civil society representatives, security actors, members of academia and other local actors. That visit, like the previous ones, demonstrated that the people of Libya want to end the successive interim arrangements and have a strong desire for an elected and legitimate leadership to govern the country.

With respect to the electoral laws and the way forward, I intensified my consultations with the President of the Presidential Council, the Prime Minister of the Government of National Unity, the Heads of the House of Representatives and High State Council and the Commander of the Libyan National Army. I shared written proposals to address the technical flaws and contested aspects of the draft electoral laws. The Chairman of the High National Elections Commission also wrote a detailed letter to the leaders of the two chambers, setting out how to address the legal loopholes and technical shortcomings in the draft laws. Libyan National Army Commander Khalifa Haftar shared with me, in writing, his own concerns about the draft laws, as did House of Representatives Speaker Agila Saleh. All Libyan leaders have agreed, in principle, to the amendment of those drafts.

I am pleased to report that the President of the Presidential Council informed me of his intention to convene the leaders of the two chambers to fine-tune the draft electoral laws, in the light of the comments of key stakeholders. I urge the two chambers and the 6+6 committee to resume work and finalize the electoral laws to make them implementable, so as to draw a reasonable timeline for elections.

Our effort to facilitate a settlement over the politically contested issues between Libya's main stakeholders has intensified. I am working with the President of the Presidential Council, Mohamed Menfi, to explore jointly convening Libyan-led and UNSMIL-facilitated negotiations among Libya's main political and institutional leaders. In parallel, I have broached the subject with House of Representatives Speaker Agila Saleh, the

then-High State Council President Khaled Al-Meshri, Prime Minister Abdulhamid Al Dabiba and Libyan National Army Commander Khalifa Haftar.

Although significant resistance to holding a face-to-face meeting persists on the part of certain actors who wish to maintain the status quo, steps are being taken. In that regard, Presidential Council President Menfi informed me three days ago about his meeting in Benghazi with House of Representatives Speaker Agila Saleh and Libyan National Army Commander Khalifa Haftar to explore concrete progress on the political track. I have urged the key Libyan institutional players to meet and agree on the politically contested issues pertaining to the elections. As I have repeatedly indicated to them, all election-related issues should be resolved through discussions and compromise between all relevant actors. As experience has shown over the past 10 years, unilateral steps must be avoided at all costs if we are to avert further violent conflict. The electoral landscape should be a level playing field for all candidates.

On 6 August, Mohammed Takala was elected President of the High State Council following internal elections in that chamber. He replaced Khaled Al-Meshri, who had been in the position since 2016. I held an initial meeting with the new bureau of the High State Council and conveyed UNSMIL's continuing commitment to supporting Libyans in their search for a way out of the current stalemate. It is more important than ever for Libya to conclude its current chapter of institutional fragmentation. Its citizens are yearning for unified political, military, security, economic and social institutions to safeguard the country's territorial integrity and national identity. In that regard, a unified Government agreed on by the major players is imperative for leading the country to elections.

The efforts to put in place a Libyan-owned mechanism for the transparent management of public funds have finally yielded a positive result. I welcomed the Presidential Council's decision of 6 July to create a high financial management committee tasked with overseeing public finances and promoting fairness, accountability and transparency in public spending, which will also help to ensure that public funds are not used to create an uneven electoral playing field. In the same spirit, on 20 August, Al-Siddiq Al-Kabir, the Governor of the Central Bank of Libya, stated that the reunification of the Central Bank as a sovereign Libyan institution has been finalized. The measures

that have been taken to effect the reunification include the integration of eastern and western deposits, the integration of the eastern and western settlement systems and the relocation of the Deputy Governor from the eastern branch to the Central Bank headquarters in Tripoli. Both the establishment of the high financial committee and the positive steps towards the reunification of the Central Bank have given us cautious optimism that with political will, Libya's stakeholders can come together in an inclusive manner to address issues of common concern for the greater good of the nation. I urge the financial committee to turn its discussions into effective action to achieve transparency, accountability and equity in State expenditures and the Central Bank to continue its efforts to reverse the effects of a divided public financial system.

The fragile stability that had prevailed in Tripoli since last year was shattered by fierce armed clashes on 14 and 15 August between the Deterrence Apparatus for Combating Organized Crime and Terrorism (DACOT) and the 444 Brigade, two of the largest armed groups in the capital. The fighting was triggered by DACOT's arrest of the 444 Brigade's commander at Mitiga airport, reportedly linked to personal rivalries. At least 55 people were reported killed during the clashes and more than 100 injured, including an unspecified number of civilians. Fortunately, other armed groups in Tripoli and its environs chose to remain neutral, which prevented the fighting from spreading. The clashes ended when a truce was brokered jointly by local elders, Prime Minister Al Dabiba, the Presidential Council, General Mohamed Al-Haddad, Chief of Staff of the Libyan Army, and leaders of neutral armed groups. I engaged with the Prime Minister and other relevant actors to urge them to take the action needed to stop the fighting. We condemn the clashes and the resulting loss of life, and we express our sympathies to the bereaved families and wish the injured a speedy recovery.

Those developments underline the absence of command-and-control over the fragmented security apparatus in western Libya and the precarious state of the security situation. They undermine the ongoing efforts to cultivate a security environment conducive to elections and highlight how urgent it is to establish legitimate authorities and unified military and security institutions in the country. Armed groups and security actors that commit violence against civilians must be held accountable. In addition, the unconstitutional

change of Government in the Niger has sparked concerns over a potential spillover into Libya, as has happened with the Sudan. As a pre-emptive step, the Libyan National Army closed the border with the Niger on 26 July and deployed reinforcements to the border zones. As with the crisis in the Sudan, the situation in the Niger is a cause for concern for the entire region.

On 25 July, UNSMIL co-chaired with Italy a plenary meeting of the Security Working Group of the Berlin Process International Follow-Up Committee in Benghazi. Libyan stakeholders, the 5+5 Joint Military Commission and international partners discussed the evolving political and security dynamics hampering tangible progress in the full implementation of the ceasefire agreement, the reunification of military institutions and the withdrawal of foreign forces, fighters and mercenaries. Once again, it will be essential for all parties to preserve the security gains achieved in recent years. To that end, UNSMIL will continue to engage relevant actors in advancing the reunification of military and security institutions, as a *sine qua non* for lasting stability in Libya.

I remain concerned about the ongoing human rights violations, including abductions, arbitrary arrests and disappearances in both east and west. I reiterate my call for an immediate halt to those practices, for the release of persons arbitrarily detained and for independent investigations. I note the recent partial access accorded to UNSMIL to a detention centre in Tripoli and call for more consistent access to places of detention throughout the country. I commend the Presidential Council's national reconciliation efforts under the leadership of Vice-President Abdullah Al-Lafi and supported by the African Union, including a preparatory meeting organized on 19 and 20 July in Brazzaville for a national reconciliation conference to be held by the end of the year. Women's participation at every stage of that process remains imperative.

I remain concerned about the serious humanitarian and human rights situation of migrants, refugees and asylum seekers at the Tunisia-Libya border. While I note the recent agreement of the Tunisian and Libyan authorities to relocate several hundred individuals, people continue to be pushed across the borders in remote desert areas, facing dire conditions with no access to food and water. I call for an end to expulsions and urge the Tunisian and Libyan authorities to ensure that people are sent to safe locations and to allow the United Nations and partners humanitarian access to all locations.

I am pleased to report that preparations for the Sustainable Development Goals (SDG) Summit in September by the Libyan Government are well under way. On 13 July, the United Nations and the Libyan Government convened a high-level event on national efforts in advancing the SDGs, including under the United Nations Sustainable Development Cooperation Framework 2023–2025.

In conclusion, upholding Libya's stability is even more critical now in the light of the recent clashes in Tripoli, the regional turmoil in the Sudan and the Niger and the combat that took place in the Tibesti region, in the south, a few days ago, between the Chadian army and armed elements. The current events in Libya and the region demonstrate that interim arrangements are fraught with risks of violence and disintegration for countries. It is fundamental to restore Libya's stability to preserve regional security.

Without an inclusive political agreement that paves the way for peaceful, inclusive and transparent elections across Libya, the situation will worsen and cause further suffering to the Libyan people. I therefore call on the political and moral responsibility of all leaders to close the open-ended interim arrangement, break the current impasse and stop frustrating the Libyans' legitimate aspiration for elections, peace and prosperity. I also count on the strong support of the members of the Council to use their influence, individually and collectively, to ensure the full commitment of Libyan leaders to the negotiation that is required to advance our shared objective — the stability of Libya and its neighbours. I once again repeat my call for all the regional and international partners of Libya to speak in one voice and act accordingly to respond to the aspirations of the people of Libya for peace, stability, prosperity and national unity.

**The President:** I thank Mr. Bathily for his briefing.

I now give the floor to Ms. Al Jerbi.

**Ms. Al Jerbi:** My name is Noura Al Jerbi, and I am a Libyan women's rights activist, journalist and editor-in-chief of one of Libya's few independent fact-checking organizations.

I had lived in Libya for most of my life, but I no longer live there because of the current situation. I nevertheless continue to fight for a better future for my country. Yet we continue to face significant challenges to building a society based on freedom, justice and

equality. A critical barrier to that future is the severe restrictions on the space for civil society in Libya today, including through the imposition of draconian laws and regulations, unwarranted investigations, arbitrary detentions, enforced disappearances of human rights defenders and activists, hate speech, disinformation, continued violations of women's rights and the lack of accountability.

Libya's legal framework is incomplete, reflects ongoing political divisions and serves only to repress civil society and limit fundamental freedoms. In March, Libya's Supreme Judicial Council declared a draconian Al-Qaddafi-era law — law no. 19 of 2001 — as valid. The House of Representatives' attempts at amending the law do not help. Law 19/2001 not only violates Libya's 2011 constitutional declaration, but was also repealed under law no. 29 of 2013, which abolished all repressive laws enacted before 2011. That law undermines the freedom and independence of civil society and violates the principles of freedom of expression and association enshrined in the International Covenant on Civil and Political Rights. For that reason, we seek the repeal of repressive laws and regulations intended to impede civil society organizations and their critical role in Libya's transition. That is necessary before any election can be organized and is also a fundamental basis for a free and fair vote.

The House of Representatives needs to enact a new civil society law that is in compliance with international legal standards to regulate the work of civil society organizations. In addition, it is necessary to have an independent civil society commission to guarantee that its work will not be subject to interference from political authorities, intelligence agencies or the security sector, including armed groups and militias. The pervasive issue of hate speech and disinformation undermines civil society by fuelling hostility and violence against human rights defenders and civil society organizations, triggering investigations and ultimately freezing their speech. We need immediate action to halt systemic media campaigns that incite hate and violence against human rights defenders and civil society organizations.

We are also seeing an increase in hate speech and online violence against women in civil society, politics and media. I myself have faced the distressing phenomenon of online violence. My work has made me a target of hate speech, harassment and threats on various online platforms. Those forms of online violence not only attempt to silence my voice but also

create an atmosphere of fear and intimidation, both for me and for others who wish to engage in meaningful discourse about human rights and social justice. As a journalist, fact-checker and human's rights activist, I urge the international community to push Libya to enact and enforce laws against online hate speech and violence targeting women, while also collaborating with technology companies to develop effective content-monitoring tools. Additionally, Libya should promote digital literacy programmes, establish user-friendly reporting channels and support women's organizations in their efforts to combat online gender-based violence. That comprehensive approach will contribute to a safer and more inclusive digital environment for all.

Given the alarming trend of human rights defenders and activists being arrested, investigated, prosecuted and physically attacked in Libya, it is imperative for the international community to prioritize safeguarding their digital spaces from hate speech and violence. More broadly, it is necessary to ensure the full protection of human rights defenders and civic activists to enable their work in a Libyan transition. All forms of abuse, including threats and reprisals against civil society organizations and human rights defenders, must be investigated, and those responsible should be held accountable.

As we advocate for the protection of human rights and the empowerment of civil society, we must also address another pressing issue significantly affecting our society: gender inequality and continued violations of women's rights. The latest violation is restrictions on women's movement. In May, the Government of National Unity's Internal Security Agency introduced a new procedure whereby Libyan women travelling alone from an airport in western Libya are required to complete an official declaration stating their reasons for travel and rationale for travelling alone. The eastern Government of National Stability imposed restrictions a month later, requiring security approvals for travel. Those new procedures discriminate against women by depriving them of their autonomy and rights as equal citizens. A multifaceted approach involving legal reform, awareness-raising and international cooperation is essential to ensuring the complete abolition of these unjust restrictions on women's travel in Libya.

Those restrictions also reflect the broader gender inequality within our society and parallel the lack of women's representation in current political dialogue. The absence of women's and youth's voices in political



dialogue hinders any real progress in a transition to peace and stability. A more inclusive approach is necessary for Libya's stability and for building a just and prosperous future for all.

I would like to end my time with a note on the importance of accountability for Libya's future, as it ensures justice, fosters reconciliation, deters future abuses and demonstrates a commitment to human rights and good governance. By holding individuals and institutions responsible for past wrongs, Libya can build the foundation of trust, stability and progress that is essential for a peaceful future. In championing human rights, we forge a path to a Libya marked by dignity, equality and justice — a future where every voice is heard, every life is valued, and the bonds of our shared humanity are unbreakable.

**The President:** I thank Ms. Al Jerbi 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 thank Special Representative of the Secretary-General Bathily and Ms. Al Jerbi for their briefings today. I welcome the participation of the representative of Libya in our meeting.

Let me make three points.

First, the United Kingdom is deeply concerned by the violence last week in Tripoli, in particular its impact on civilians. We have already seen the cost of violence and instability in Libya's neighbourhood this year, from the Sudan to the Niger. Libyan actors must heed this warning and fulfil their responsibilities to upholding peace and security across the country. Individuals and entities that threaten the peace and security or obstruct the political process in Libya may be designated under the Libya sanctions regime.

Secondly, these clashes underscore the importance of making urgent progress in Libya's political process. I welcome Special Representative Bathily's ongoing efforts to facilitate a negotiation between Libyan actors to reach a political agreement for elections. Libya's leaders must urgently engage with the Special Representative to give this process a chance of success. We call on Libya's leaders to work constructively with the Special Representative Bathily, including by attending any meetings he convenes, to be open to making concessions and to move the country towards elections.

Thirdly, Ms. Al Jerbi's briefing highlights the impact of the crackdown on civil society on ordinary Libyans. Competition over control of civic space by Libya's institutions and recent reports of arbitrary arrests and clampdowns on civil society activity indicate an alarming trend. Civic space should be protected to allow Libyans to hold their leaders accountable and to empower everyone to play a role in developing an open, democratic society that allows for freedom of association, operation and assembly.

Let me conclude by calling on Libya's leaders to consider the impact the political impasse is having on the Libyan people. Libya continues to suffer from the lack of political progress and is unable to make long-term investments for stability, security and prosperity. Libya's leaders must fulfil their responsibilities and make the compromises needed to deliver elections and unlock longer-term political progress.

**Mr. Ishikane** (Japan): I thank Special Representative of the Secretary-General Bathily for his update and Ms. Al Jerbi for her insightful briefing. I also welcome Ambassador Elsonni, who joins us today.

At the outset, Japan renews its strong call for the holding of presidential and parliamentary elections across Libya without delay. After seeing the efforts made by the 6+6 Committee, Security Council members unanimously voiced the need to further build on the progress achieved to secure a legal basis and political agreement to conduct free, fair, transparent, inclusive and safe elections. Elections are the only way to restore the legitimacy of the country's institutions. Regrettably, Libyan political stakeholders have not yet reached the consensus necessary to pave the way towards elections.

To realize the long-awaited elections, Japan strongly believes that the Council must fully support Special Representative Bathily's ongoing efforts to facilitate political negotiation and compromise among the Libyan actors. As things move forward, a more careful approach is needed to avoid any backsliding. The Special Representative's inclusive approach should be supported. While Japan notes the meeting in Benghazi on 19 August, the Council should also urge Libyan actors to engage constructively with Mr. Bathily's efforts. Japan hopes to support a truly Libyan-led and Libyan-owned political process.

Turning to the issue of security, Japan expresses its sincere condolences to the family members of those who were killed in the recent violent clashes in Tripoli.

Japan also notes with concern that the situation in the Sudan has significantly slowed down the efforts aimed at the withdrawal of foreign forces, foreign fighters and mercenaries. On another note, Japan welcomes the recent meeting of the security working group in Benghazi to create a safe environment that is conducive for elections.

On economic issues, Japan welcomes the announcement of the finalization of the reunification of the Central Bank of Libya and notes with appreciation the establishment of the High Financial Oversight Committee to ensure fair and transparent spending and distribution of national resources. We sincerely hope that these developments will help to create momentum towards unifying all the country's political, security and military institutions.

With regard to the asset-freeze measures, we welcome the discussion between the Libyan Investment Authority (LIA) and the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya earlier this month on the progress made in the implementation of the LIA's transformation strategy.

Lastly, Japan joins others in expressing concern about increasing restrictions imposed on the activities of civil society organizations on the ground. We call for the Libyan Government to take the steps necessary to clarify the legal basis for their activities. Further, humanitarian problems arising from the situation of refugees, migrants and abductees have to be addressed as soon as possible.

Let me conclude my statement by reiterating Japan's strong commitment to the Libyan people and their aspirations for a stable and peaceful Libya.

**Mrs. Broadhurst Estival** (France) (*spoke in French*): I would like to thank Special Representative Abdoulaye Bathily and Ms. Noura Al Jerbi for their briefings.

The Libyans have clearly expressed their desire to hold presidential and legislative elections. It is important to listen to them. The full commitment of all Libyan and international players to this end is essential. The Libyan people have the right to choose their leaders democratically by going to the polls.

The draft electoral laws proposed by the 6+6 committee, representing the Libyan House of Representatives and High State Council, are a step in

the right direction. They represent significant progress towards the holding of simultaneous presidential and legislative elections. Discussions between Libyan players, in conjunction with the Special Representative, must be encouraged in order to finalize and promulgate the electoral laws as soon as possible.

France welcomes the commitment of the United Nations Support Mission in Libya to continuing its work with all the Libyan institutions and players concerned, with a view to holding credible, inclusive and transparent elections. It reiterates its support for the mediation of Special Representative Bathily to achieve this objective.

The full implementation of the 23 October 2020 ceasefire agreement and the maintenance of stability and security in Libya are essential. Serious armed clashes between militias took place in Tripoli a few days ago against a backdrop of increasing insecurity in Tripolitania, owing to the growing influence of the militias. France once again calls on the Libyan authorities to prevent any escalation and reminds them of their responsibility to ensure the safety of the population. The latest events are a reminder of the importance of unified security and military institutions capable of ensuring security throughout the country and ending the militias' stranglehold. In that regard, in coordination with the United Nations and all its partners, France will continue to support the 5+5 Joint Military Commission and the two Chiefs of Staff, with a view towards reunifying the Libyan army. France will also continue to demand compliance with the arms embargo and the withdrawal of all foreign forces, fighters and mercenaries from Libyan territory, in cooperation with Libya's neighbouring countries.

The fair distribution of resources among all Libyan regions is key to resolving the political and security crisis and building a stable, unified and sovereign Libya. In that regard, France welcomes the establishment by the Presidential Council of a high financial management committee dedicated to the distribution of revenue sources and the management of public expenditures. France also welcomes the efforts of all Libyan stakeholders to that end.

France reiterates its concern about human rights violations against the civilian population, particularly migrants, in Libya. Ending human trafficking is an urgent priority. Attacks on fundamental freedoms and the curtailment of freedom of expression and associa-

tion are also very worrisome, as are the restrictions on Libyan women's freedom of movement that the civil-society briefer mentioned earlier. We call on the Libyan authorities to comply with their obligations under international law and international humanitarian law.

Political legitimacy, together with the country's sovereignty and unity, must be restored in Libya. That is the only way to achieve stability. The holding of transparent and impartial elections throughout Libya as soon as possible is imperative. France calls on the parties concerned to work in good faith and to cooperate with the Special Representative of the Secretary-General to that end, in accordance with the relevant Security Council resolutions and the expectations of the Libyan people.

**Mr. Agyeman** (Ghana) (*spoke in French*): I have the honour to deliver this statement on behalf of the three African members of the Security Council (A3), Gabon, Mozambique and my own country, Ghana. We thank the Special Representative of the Secretary-General, Mr. Abdoulaye Bathily, for his informative briefing. We also thank Ms. Al Jerbi. We welcome the participation of the Permanent Representative of Libya at this meeting. The A3 would like to underscore three points today.

First, we express our appreciation for Special Representative of the Secretary-General Bathily's tireless efforts to find consensus solutions, in cooperation with the Libyan authorities, to the issues related to the holding of transparent and inclusive presidential and legislative elections in Libya as soon as possible.

(*spoke in English*)

On the political front, the A3 commends the Special Representative's continued efforts to work with all the relevant Libyan institutions and actors to address the contested aspects of the electoral framework. While noting the useful work carried out by the 6+6 committee, we urge the Special Representative of the Secretary-General to work with all stakeholders to establish firm timelines in order to meet the aspirations of the Libyan people for the holding of elections without further delay. The A3 hopes that a political consensus among Libyan stakeholders on viable draft electoral legislation will be reached as soon as possible in order to pave the way for sustainable stability in the country. We reiterate our call on all Libyan stakeholders to ensure the meaningful participation of Libyan society, including women and

young people, in inclusive dialogue in good faith — the sole guarantee of the lasting peace and stability that the Libyan people deserve. The A3 reiterates that the peace process in Libya must be Libyan-led and Libyan-owned, facilitated by the United Nations, supported by the international community and guided by inclusive dialogue conducive to national reconciliation. In that regard, we welcomed the preparatory meeting held in Brazzaville on 20 July as part of the reconciliation processes facilitated by the African Union.

Secondly, with regard to the security situation, the A3 notes with concern the fragile security context recently manifested in armed clashes between rival groups in Tripoli. The violent clashes that took place on 14 and 15 August between the 444 Brigade and the Deterrence Apparatus caused at least 55 deaths and 146 injuries among civilians. We strongly condemn the incident and reiterate our call on all armed groups to exercise restraint and fully comply with the 2020 ceasefire agreement in order to maintain the current positive momentum towards long-term peace and security. The A3 calls on the Libyan authorities to pursue their efforts and commitment to unifying Libya's security forces.

Thirdly, on the human rights front, the A3 continues to urge the Libyan authorities, with the support of the international community, to work to improve the plight of migrants and refugees in Libya. We strongly condemn the massive arbitrary detention of asylum seekers in inhumane conditions and call on the national authorities to ensure that migrants are protected against any human rights violations, including trafficking, torture, sexual and gender-based violence and extortion. We echo the Secretary-General's call for alternatives to detentions aimed at managing migration in line with international law.

The A3 continues to be concerned about the economic impact of the protracted conflict and the ongoing political crisis in Libya, which are negatively affecting access to essential services, including health care and education, particularly for the most vulnerable. However, we commend the work of the high financial committee and the agreement reached two days ago to unify the Central Bank of Libya. We urge that the consultative and national-oriented approach taken to arriving at such important outcomes be replicated in resolving the many national challenges that Libya has to deal with.



Considering the ongoing political and security turmoil in the Sahel, the A3 would like to see a renewed commitment and a sense of urgency on the part of the State of Libya, bolstered by the support of the Security Council and the international community at large, for stabilizing Libya as soon as possible while respecting its sovereignty, political independence and territorial integrity.

**Mrs. Chanda** (Switzerland) (*spoke in French*): I thank Special Representative Abdoulaye Bathily and Ms. Noura Al Jerbi for their briefings. I would like to discuss the following three points.

First, with regard to the political process, Switzerland remains convinced of the importance of holding elections, especially in view of the fact that it is the Libyans themselves who are calling for elections. We take note of the work done by the 6+6 committee to reach agreement on draft electoral laws. It will be crucial to ensure that the unresolved issues are addressed. An inclusive pre-electoral agreement is essential to creating an environment conducive to fair and equitable elections. We support a process under the auspices of the United Nations Support Mission in Libya and call on Libyan stakeholders to engage constructively in that regard. Since security is also a precondition for ensuring an environment that facilitates the holding of elections, Switzerland is concerned about the extremely tense security situation, illustrated by the clashes that took place in Tripoli last week.

Secondly, with regard to the human rights situation, one of the lessons that Switzerland has drawn from its role as co-Chair of the Working Group on International Humanitarian Law and Human Rights within the Berlin Process is that it is crucial to give a voice to those who are dealing with the deteriorating situation on a daily basis. As Ms. Al Jerbi told us earlier, Libyans are letting us know about one of their major concerns, which is that the space for civil society is constantly shrinking, as the latest report of the Secretary-General confirms (S/2023/589). Excessive control and bureaucratic restrictions imposed by security actors continue to increase. Switzerland supports the Secretary-General's call for those measures to be lifted, in particular law no. 19 of 2001. That law restricts the rights of expression, association and peaceful assembly of all individuals, including members of civil society, in clear contradiction with Libya's obligations under international human rights law.

Switzerland is concerned in particular about the violations and abuses suffered by women and girls, whether they be Libyan or foreign. Sexual and gender-based assaults, including in places of detention, must be stopped, prevented and punished.

The inclusion of women in political processes, such as elections and the national reconciliation process, is also essential. They must be able to participate in complete safety, free from harassment, intimidation or impediments on their freedom of movement and fundamental rights.

With regard to sanctions, they must be implemented effectively, in compliance with Security Council decisions. Strengthening fair procedures in sanctions regimes is also important. Switzerland welcomes the work of the Ombudsperson to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities in promoting the application of the rule of law in United Nations sanctions. In that respect, we underscore the relevance of that review mechanism for delisting requests for other sanctions regimes similar to that one. In that connection, Switzerland recalls the letter addressed to the Security Council by the Group of Like-Minded States on Targeted Sanctions (S/2023/486).

**Mr. Dai Bing** (China) (*spoke in Chinese*): I thank Special Representative of the Secretary-General Bathily, as well as the Permanent Representative of Japan, Ambassador Ishikane, in his capacity as Chair of the Libya Sanctions Committee, for their briefings. I also listened carefully to Ms. Al Jerbi's statement. I welcome Ambassador Elsonni to today's meeting.

The political process in Libya is currently at a critical stage. China appreciates the work of the 6+6 joint committee in reaching agreement on the draft electoral law and notes the approval of the relevant draft law by the Libyan House of Representatives. China supports all parties in Libya in engaging in dialogue on the current basis, building consensus and promoting a comprehensive and inclusive political transition process.

China attaches great importance to and supports the continued important roles of the League of Arab States, the African Union and countries in the region. China

also supports Special Representative of the Secretary-General Bathily in strengthening communication with all parties in Libya to form synergy.

The Libyan issue is the result of multiple factors such as politics, history and ethnicity, and external pressure and interference are important sources of instability. Recently, relevant parties in Libya and regional organizations, such as the League of Arab States, have repeatedly called for respect for Libya's sovereignty and ownership on the Libyan issue. The international community should adhere to the principle of Libyan-led and Libya-owned, respect the voices of all parties involved, accommodate the reasonable concerns of all parties instead of blindly applying external pressure and imposing solutions.

Recent intense clashes in Tripoli have resulted in casualties. China calls on all parties in Libya to exercise restraint, avoid escalating actions and maintain the ceasefire.

China welcomes the fact that Special Representative of the Secretary-General Bathily has presided over the 5+5 Joint Military Commission meetings on many occasions and hopes that all parties in Libya will implement the results of the meetings and make substantial progress in unifying security agencies and establishing a ceasefire mechanism.

The withdrawal of external armed forces and mercenaries and is an important factor affecting the security of Libya and the region, and the spillover effects of the situation in the Sudan cannot be ignored. China supports Libya in strengthening communication and cooperation with countries in the region to ensure a smooth and orderly evacuation process and to maintain the common security of the country and the region.

China has noted the gradual recovery of oil production in Libya and the improvement of the economic situation. We welcome the important measures recently taken, such as the establishment of the high committee on financial oversight and the reunification of the Central Bank of Libya. The international community should assist Libya in coordinating efforts to promote political reconciliation and economic reconstruction and provide more support for Libya's foreign trade and investments.

All parties in Libya should resolve their differences in the management and income distribution of the petroleum industry and ensure that all people truly

benefit from the dividends of development. The frozen assets of the Libyan Government are the collective property of the Libyan people and should be used for national reconstruction and development. The Security Council and the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya should attach great importance to the issue of the loss of frozen assets and take practical measures to address it.

**Mr. Polyanskiy** (Russian Federation) (*spoke in Russian*): We are grateful to 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 briefings. We also listened to the briefer from civil society.

Unfortunately, for more than a decade now Libya has been unable to recover from the consequences of the military intervention of NATO countries, as a result of which its statehood was practically destroyed, its territorial integrity undermined and its economy ruined. As a result, despite numerous attempts, initiatives aimed at rebuilding the country have not been realized as quickly as hoped. The country is even more divided, owing to the influence of varied external interests and the lack of neutral and coordinated support for national dialogue.

Nevertheless, ongoing efforts by the Libyan people to put the pieces of their country back together are bearing fruit. We welcome the decision taken by Libyans on 6 July to establish a high committee on financial oversight and the decision of 20 August to merge the western and eastern branches of the Central Bank of Libya, which had been operating separately since 2014. We hope that the work to reunite the institution, which is responsible for, among other tasks, the distribution of revenues from energy exports, can also spur integration on the political track.

A key issue on the Libyan agenda is the preparation for and holding of presidential and parliamentary elections which would put an end to the protracted situation of having two authorities and ensure the restoration of the unity and territorial integrity of Libya, as well as address the challenges of its post-crisis recovery.

In that connection, we have been closely following the constitutional track of the Libyan political process. On 25 July, it was announced that the heads of the

House of Representatives and the High State Council had concluded negotiations and approved a road map within their respective structures for holding elections and forming a new national Government. Earlier at the end of June, within the framework of the 6+6 joint committee, which was created at their initiative in the Moroccan city of Bouznika, a number of important agreements were reached.

We call on all Libyan players to redouble their efforts and finally create suitable conditions for the organization of presidential and parliamentary elections in the foreseeable future. We believe that Libyans themselves should ultimately determine when and how to hold elections. In that regard, it is vital to focus efforts on providing them support in that endeavour, but not to take decisions for them.

If the outcome of the national elections in Libya is not recognized by all key political forces, the country will not be able to avoid worsening destabilization and another round of violence. Therefore, the electoral process must be transparent, genuinely inclusive and include, without discrimination, the full spectrum of the leading political forces of the former Jamahiriya, including representatives of the former authorities.

It is clear to us that in the current circumstances significant progress in Libya can be achieved only through the joint efforts of all Libyan stakeholders and influential global and regional players, with a central role played by the United Nations. In resolving the crisis, the United Nations and its key instrument, UNSMIL, are more important than ever. We reiterate our support for Mr. Bathily, Head of UNSMIL, in his tireless work to find acceptable ways to resolve the political impasse and boost political dialogue.

As stated by the President of Russia, Vladimir Putin, during the plenary session of the second Russia-Africa Summit on 28 July, it is important to achieve genuine national unity and to prevent Libya's territory from becoming an arena for confrontation between third States. Russia understands the complexity of that process and will, in its turn, do its utmost to support constructive cooperation among all Libyan forces.

The Libyan experience clearly shows that any separate initiatives including those that create different formats and round tables to support a resolution that do not include all influential international and regional players — and indeed, the representatives of Libya itself — will not achieve the desired result. Once again,

we underscore that our country is ready to engage in constructive cooperation with all stakeholders. At the same time, we are of course concerned by the attempts of some Western countries to use the situation in Libya to further certain geopolitical and economic interests, including in the hydrocarbon market.

It is good to hear that there has not been any active fighting in Libya for more than two years now. However, the security situation is fragile, as evidenced by the recent clashes in Tripoli, Zawiya and other cities. It is also concerning to see the strengthening position of the cells of international and regional terrorist structures in the country and the growing chaos in the border areas of the former Jamahiriya, some of the neighbours of which are experiencing a period of instability. Moreover, we note the need to intensify efforts to create the necessary conditions for the integration of the country's disparate military components into a single Libyan army. Achieving that goal requires a great deal of energy and political will. In that connection, we welcome the activities of the 5+5 Joint Military Commission, which is making further progress towards a complete resolution. One of the key areas in that regard is the ultimate removal of the foreign military presence from the territory of Libya. We are in favour of a synchronized, balanced, gradual and phased withdrawal of all non-Libyan armed groups and military units.

**Ms. Dautllari** (Albania): We thank Special Representative of the Secretary-General Bathily for his detailed presentation and Ms. Al Jerbi for her insightful remarks.

I would like to begin by welcoming the unification of the Central Bank of Libya and praising the stewardship of all those involved. We take note of and welcome the establishment of the high committee on financial oversight in Libya. We appreciate the significant step towards ensuring transparency in public funds and ensuring an equal distribution of Libya's national wealth, as requested by the Council. We hope that that momentum will last and will encourage the political forces in Libya to continue in that direction, as well as when it comes to the security track and the political processes. In fact, the recent deadly clashes in Tripoli are a stark reminder that the security situation is heavily affected by the political stalemate in Libya. We join others in their call for de-escalation and accountability. Such events also remind us of the necessity of full observation of the arms embargo in Libya.

We welcome the statement by Special Representative Bathily and reiterate Albania's full support for his mandate and crucial mediation role in Libya, which we commend. We remain committed to an inclusive Libyan-led and Libyan-owned political process mediated by the United Nations that paves the way towards holding free, fair and inclusive elections as soon as possible. All Libyan stakeholders must commit to finding credible and sustainable solutions to fulfil the aspirations of their own people. We therefore call on them to renew their efforts towards a political agreement. In that vein, the Libyan parties should define the legal basis necessary to lay the foundations for establishing democracy in the country through democratic elections based on an electoral law that meets the expectations of all political stakeholders. Elections are the only tool to restore legitimacy to Libyan institutions. It is therefore essential that the mediation of the United Nations and of Special Representative Bathily receive the strongest support from within and outside Libya. All actors share responsibility for creating the conditions for stability and security. Those obstructing must be held accountable.

On the security track, we acknowledge that the situation remains fragile and reiterate the urgency of unifying the military and security institutions to achieve sustainable peace and stability. Unfortunately, the political situation in the country has also had a heavy impact on the human rights situation. As our civil society briefer just shared — and this remains a deep concern — attacks against human rights defenders, women's rights activists, journalists and civil society associations must be stopped. Accountability is important in that regard, as mentioned by the briefer. Civil society has a crucial role to play in creating a climate conducive to free and fair elections.

Let us conclude by emphasizing to all Libyan stakeholders the necessity for a clear path towards elections. We call on them to constructively engage with the United Nations Support Mission in Libya to break the deadlock that is diminishing all hope for the future of Libyans.

**Mr. Moretti (Brazil):** I thank Special Representative Bathily for his briefing. I also thank Ms. Al Jerbi from civil society for her contribution, and I join others in welcoming the Libyan delegation to this meeting.

Brazil has followed with deep concern the recent armed clashes that erupted in Tripoli on 14 and 15 August. We deplore the return to hostilities and urge

all parties to refrain from further violence. We call upon all parties with authority over armed groups across the country to redouble their efforts towards establishing a unified and accountable security architecture in Libya. The threat of the resurgence of conflict in Libya is a stark reminder of the urgency of supporting the implementation of the October 2020 ceasefire, including through security sector reform. The disarmament, demobilization and reintegration of armed groups into Libyan society are also key to any successful strategy to improve the security conditions in the country. At the root of the current political impasse, there is an obvious and profound lack of trust and of social cohesion among key Libyan institutions and stakeholders. Those circumstances also enable external interference that reinforces the current political deadlock.

Peacebuilding efforts can establish an environment conducive to political and social reconciliation. In that sense, we recall the role that the Peacebuilding Commission can play, upon Libya's request, to mobilize international attention towards nationally determined peacebuilding needs and priorities. The Commission can help to foster dialogue among all relevant actors and contribute to the Security Council's consideration of the situation in Libya. The linkages between the situation in Libya and in neighbouring countries, particularly in the Sahel, also require close collaboration in the region. We acknowledge the contribution of the 5+5 Joint Military Commission to coordinating positions among relevant Libyan actors on the withdrawal and repatriation of foreign forces from Libya and to neighbouring countries. We acknowledge and commend the engagement of the African Union in support of the national reconciliation process in Libya. We hope it can contribute to sustainable solutions in the political sphere as well.

The establishment of a unified Government should be the result of a Libyan-led and Libyan-owned political process. Agreement between the House of Representatives and the High State Council, based on the work of the 6+6 committee, in preparation for national elections, aligns with that key principle.

We trust that the United Nations Support Mission in Libya will continue facilitating intra-Libyan dialogue to establish conditions conducive to the unification of the Government. Brazil reiterates its support for the mandate of the Special Representative of the Secretary-General to mediate among Libyan stakeholders in accordance with the principle of national ownership. We



were encouraged by the announcement on 20 August of the reunification of the Central Bank of Libya after nearly nine years of division. We are hopeful that the decision will have a positive impact on the Libyan economy and serve as a catalyst for the unification of other institutions.

After 12 years of an assets freeze, the preservation of Libya's frozen assets requires closer monitoring and updated measures by the Committee established pursuant to resolution 1970 (2011) concerning Libya, adapted to present-day circumstances. The paralysis of the political process in Libya should in no way justify paralysis in the Sanctions Committee in the face of reports of the depletion of funds or threats of confiscation of Libya's sovereign wealth. Brazil stands ready to explore technical improvements to the assets freeze within the Committee and the Council, as may be required.

**Mr. Almazrouei** (United Arab Emirates) (*spoke in Arabic*): I thank Mr. Abdoulaye Bathily, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya (UNSMIL), for his important briefing. We also listened to the briefing by Ms. Noura Al Jerbi. We welcome the participation of Ambassador Taher Elsonni of Libya in today's meeting. I would like to focus on the following key issues.

First, it is vital to resolve the outstanding issues concerning the draft legal framework for the elections, as prepared by the 6+6 committee, and to reach a compromise that is acceptable to all parties. That will enable parliamentary and presidential elections to be held simultaneously, based on solid legal foundations and with results that are respected by all parties, ultimately bringing the transitional period to a conclusion in a manner that accords with the will of our brother people of Libya. The United Arab Emirates calls on all parties to continue their efforts and build on the recent understandings in order to reach a comprehensive and just solution to the issue and overcome the political deadlock. We also stress the need for the parties to avoid any unilateral initiatives that may deepen current divisions. We affirm our support for the efforts of Mr. Bathily and UNSMIL in facilitating a Libyan-owned and Libyan-led political process.

Secondly, we must continue to address the various growing security challenges facing Libya, as exemplified by the recent worrisome developments we

have witnessed in Tripoli. The United Arab Emirates expresses its sincere condolences and sympathy to the families of the civilians who lost their lives in the recent clashes, and reiterates its call to all parties to de-escalate, resolve their differences peacefully and protect the safety of civilians, while exercising maximum restraint so as to ensure that such unfortunate events do not happen again. We also stress the urgent need to advance the unification of all vital State institutions to enable Libya to more effectively address its challenges and threats, given that the situation in some neighbouring countries could undermine the progress achieved in Libya in the past few years.

We commend the meeting held by the security working group of the Berlin process International Follow-up Committee in Benghazi at the end of July, which was attended by the members of the 5+5 Joint Military Commission, and we commend the sincere and responsible commitment demonstrated by the parties to fully implementing the ceasefire agreement. My country reaffirms the continued support for those efforts and all initiatives aimed at building confidence between the military and security leaderships and uniting the Libyan people. We align ourselves with the security working group and its call for the Libyan parties to create an environment conducive to holding elections. In that context, we stress the need for continuing efforts to unify the military and security institutions, as well as the gradual, balanced and simultaneous removal of all foreign forces, fighters and mercenaries.

Thirdly, we stress the need for the international community to unite in supporting the Libyan national efforts aimed at addressing irregular migration and its root causes while respecting Libya's sovereignty and national legislation. We also emphasize the need to expand those efforts to include countries of origin and countries of transit. We commend Libya's participation in international and regional efforts to address that issue.

Fourthly, my country stresses the importance of protecting the rights of the Libyan people and of preserving their wealth and frozen assets as a top priority. Those assets should be preserved for future generations, and Libyan concerns must be taken into account. That includes the issue of the erosion of Libyan assets, as well as attempts by others to control and acquire such assets. We reiterate our previous call for insulating the oil and financial sectors from political polarization and for maintaining their unity and integrity. The United Arab Emirates supports the

efforts of the Libyan Presidential Council to establish a financial oversight mechanism and commends its working methods in that regard. We also welcome the high financial management committee's approval for developing and unifying standards for the disclosure of revenues and public expenditure at the beginning of this month. On the other hand, we emphasize the need for the Security Council to take a serious and practical approach to the Libyan sanctions regime. The reassessment should ensure that it reflects the current situation in Libya and supports national efforts rather than obstructing them, especially in southern Libya.

In conclusion, we stress the importance of finalizing the national reconciliation process in a manner that is fully inclusive. That is essential to achieving tangible progress across all the political, security and economic issues in Libya. We eagerly anticipate the success of all initiatives aimed at maintaining Libya's independence, unity and territorial integrity.

**Mr. Montalvo Sosa** (Ecuador) (*spoke in Spanish*): I thank Special Representative Bathily for his briefing and Ms. Al Jerbi for her remarks. We welcome the Permanent Representative of Libya, Ambassador Elsonni, to today's meeting and will listen closely to his statement.

Ecuador has followed with concern the news about the armed clashes that occurred in Tripoli a few days ago, leaving dozens dead and many more injured. Those tragic events threaten to undermine the gains that have been made, as well as efforts to establish a healthy security environment conducive to progress on the political front. It is essential that the parties involved address their differences through dialogue and fulfil their responsibility to guarantee security and respect for civilians' human rights. We encourage the United Nations Support Mission in Libya to continue to support the efforts of the 5+5 Joint Military Commission in the implementation of the 2020 ceasefire agreement and in the development of the operational plan for the orderly exit of foreign forces, fighters and mercenaries. In order to prevent a deterioration of the humanitarian situation and the entry of arms and ammunition into the country it is important to ensure full respect for the arms embargo, in line with the relevant resolutions of the Security Council.

We commend the efforts of the United Nations team in Libya to prepare a response for a possible increase in humanitarian and protection needs along the borders.

We also welcome the establishment of a high financial oversight committee, as well as the announcement of the finalization of the reunification of the Central Bank of Libya. Those positive steps can be an important impetus for supporting the political process and contributing to the unification of other institutions for the benefit of the Libyan people.

My delegation agrees with the Secretary-General that the political process in Libya has reached a critical phase. We urge the relevant Libyan actors to agree on a realistic electoral framework and resolve all contentious issues with a view to holding peaceful, transparent and inclusive elections as soon as possible. Ecuador reiterates its support for the efforts of the Special Representative of the Secretary-General to facilitate an agreement among Libyan actors for the holding of such elections, in line with the relevant resolutions of the Council and building on the progress of the negotiations of the 6+6 committee.

In conclusion, we urge the country's leaders to work constructively and cooperate with Special Representative Bathily in order to find a solution that meets the Libyan people's desire for a return to democracy and a life of dignity and prosperity. The support of the international community in that regard continues to be important in a context of unconditional respect for the principle of national ownership.

**Ms. Gatt** (Malta): I thank Special Representative Bathily for his briefing and Ms. Al Jerbi for her insightful remarks. I also welcome the participation of the Permanent Representative of Libya in this meeting.

We continue to observe a prolonged political impasse in Libya. That gives rise to a tense security situation, which can quickly escalate into violent clashes, as we recently witnessed. That underlines the need for the international community to be unified and supportive of efforts to advance peace and stability in the country. Elections are necessary to find a sustainable and inclusive political solution.

On the political front, we continue to urge all Libyan parties and key stakeholders to engage fully, constructively, transparently and in a spirit of compromise with the Special Representative of the Secretary-General. Malta will continue to support the Special Representative's efforts to engage in inclusive consultations with a broad range of actors and to facilitate discussions among them. That is the only pathway to advancing a Libyan-led and Libyan-owned political process, under United Nations auspices, with

the necessary political consensus and legal framework to conduct free, fair, transparent, inclusive and secure elections. We reiterate the right of the Libyan people to choose their own leadership through such elections and to see their democratic aspirations realized. In that context, we emphasize the full, equal and meaningful participation of women in all political processes and electoral reforms, as well as their safe participation in elections.

The recent clashes in Tripoli and recent incidents in Zawiyah underscore the fragile security situation. We continue to call for dialogue, de-escalation and the legal responsibility to protect civilians. Structural threats to Libya's security continue to be present, posing threats to civilians in Libya, including children. In that context, we welcome that UNICEF will conduct a multiple-indicator cluster survey to increase data and analysis on women and children in the country. We hope that that will enhance Libya's capacity for child-rights monitoring and effective child-protection policies.

We are concerned about the continued presence of foreign fighters, foreign forces and mercenaries, whose full withdrawal should be prioritized. Equally concerning is the proliferation of weapons under the control of various State and non-State actors. Full compliance with the arms embargo and the broader framework of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya is essential. We believe that the assets freeze is meant to exist for the benefit of Libya and its people, and that Libyan funds held abroad must be declared and frozen for eventual repatriation. The continued work of the 5+5 Joint Military Commission and other measures that seek to stabilize the security situation require our full support. That includes the role of Operation IRINI and the holding of the first in-person plenary meetings in Libya of the security working group of the Berlin process International Follow-Up Committee on Libya.

We welcome the announced finalization of the reunification of the two branches of the Central Bank of Libya. We hope that that will lead to the unification of political and military institutions. We also welcome the establishment and recent meetings of a high committee on financial oversight to address issues of transparency in the spending of public funds and to ensure the fair distribution of national resources as a positive step. We hope that will support efforts to address the difficult socioeconomic conditions facing large segments of the Libyan population.

From the human rights perspective, we regret to note the decreased space for civil society in Libya. The recent restrictive measures on fundamental freedoms and rights, including on women's freedom of movement, run counter to the goal of inclusive elections and national reconciliation, in which women, young people and civil society have a pivotal role to play.

I conclude by reiterating Malta's support for all efforts that seek to secure an inclusive, peaceful, stable and prosperous present and future for all Libyans.

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

I would like to thank Special Representative Bathily for his informative briefing and all the work that he has been doing. I also thank Ms. Al Jerbi for all that she does to report on the hopes and the struggles of people across Libya and the need for accountability. Her voice was very powerful in the Security Council today. I welcome the participation of the Permanent Representative of Libya in this meeting.

Today I want to touch on five challenges facing Libya and discuss the path towards stability and democratic elections.

First, the United States is deeply concerned about the outbreak of violence in Libya and the region. We condemn the fighting between militias in Tripoli last week. Persistent grievances cannot be resolved through more fighting. That is abundantly clear. And with instability growing in places such as the Sudan and the Niger, factions within Libya must avoid actions that could precipitate a spiral into wider violence.

Secondly, I want to stress that the best path forward for the Libyan people is for all of us to support Special Representative of the Secretary-General Bathily's efforts to consolidate support for elections as soon as possible. We encourage the Special Representative to continue building on the work of the 6+6 committee, which is critical to addressing the contested elements of the electoral framework, securing the necessary inclusive political agreement on the path to elections and enabling a level playing field for all candidates. All parties — the House of Representatives, the High State Council, the Government of National Unity, the Libyan National Army and the Presidential Council — need to come together to make the necessary compromises required to hold elections.

Consistent with our support for national ownership of the election process, we also encourage all external actors to respect the Libyan people's desire to formulate their own path. In any discussions, the Special Representative's Office must continue to involve Libyan civil society actors, who will play a key role in the long-term success of any political transition. The Libyan people are ready for compromise — a compromise that will bring about elections and stability. Towards that end, we are open to supporting the formation of a technocratic caretaker Government, the sole task of which would be to bring the country to free and fair elections.

Thirdly, on the crucial question of revenue-management, we are encouraged by the unification of the Central Bank of Libya and the establishment of a high committee on financial oversight. This Libyan-led effort will ensure that no single player has exclusive control over public expenditures, and it will help to address legitimate grievances over equitable revenue distribution. The Committee must emphasize transparency and fiscal oversight to win the confidence of the Libyan people. Together with the recent announcement of new progress towards reunification of the Central Bank of Libya, these developments lend critical momentum to support of a political agreement.

Fourthly, we are encouraged by the 5+5 Joint Military Commission's efforts to remove foreign forces, fighters and mercenaries and advance efforts toward possible disarmament, demobilization and reintegration. Recent progress towards the formation of a joint unit that could patrol the south will help secure Libya's borders and prevent the spillover of regional turmoil.

Fifthly, we will continue to shine a spotlight on the Wagner Group's pernicious impact on Libya and across Africa. Let us be clear: countries with Wagner deployments within their borders find themselves poorer, weaker and less secure. We see that phenomenon in Mali, Burkina Faso, the Niger and the Sudan. Wagner's leadership has made no secret of its ambition to gain a further foothold in Africa and of its disregard for Libya's territorial integrity.

The Libyan people deserve change, they deserve progress, and they deserve hope. It is up to Libya's leaders to take action and deliver results. We urge all parties to work towards elections, which is a critical, long overdue step that will advance stability and prosperity.

I now resume my functions as President of the Council.

I give the floor to Ambassador Ishikane, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya.

**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 that resolution.

The report covers the period from 20 June to 22 August 2023, during which time the Committee met twice in informal consultations and conducted its work using the silence procedure. Most recently, in informal consultations on 18 August, the Committee heard a presentation by the Panel of Experts on its final report submitted in accordance with resolution 2644 (2022). The report, which will be submitted to the Council no later than 15 September 2023, covers a range of issues, including acts, particularly those of Libyan armed groups, which threaten the peace, stability or security of Libya, violations of international humanitarian law and human rights, including in the context of human trafficking and migrant smuggling, violation of the arms embargo, illicit exports of refined petroleum products and implementation of the assets freeze. In the interactive discussion that ensued, Committee members expressed their support for the work of the Panel. Committee members are currently considering the full recommendations of the Panel to the Committee for possible follow-up action.

Earlier, in informal consultations on 4 August 2023, which were organized in response to a communication received from the Libyan Investment Authority (LIA), a listed entity, the Committee heard a briefing from the LIA and its audit company on issues pertaining to implementation of the assets freeze. Remarks were also made by the representative of Libya. In the interactive discussion that followed, Committee members noted the progress made on the implementation of the LIA's transformation strategy and took note of the LIA's request on the assets freeze, which stressed the importance of guaranteeing that the frozen funds would remain for the benefit of the Libyan people.

Concerning the arms embargo, no negative decision was taken by the Committee in connection with two notifications invoking paragraph 13 (b) of resolution 2009 (2011), submitted by Kenya and Germany,



respectively. The Committee also approved a request for exemption under paragraph 9 (c) of resolution 1970 (2011), submitted by Malta. Further, the Committee responded to a letter from Libya pertaining to certain aspects of the implementation of the arms embargo. The Committee is currently considering a response to another letter from Libya on an interaction between a vessel flying the Libyan flag and the European Union Naval Force Mediterranean Operation IRINI. The Committee also received a letter from the European Union concerning the status of cargo seized on board a vessel flying the flag of Equatorial Guinea following an inspection thereof by Operation IRINI last year. One Committee member expressed varying views with regard to possible follow-up on the matter, referring to the implementation of resolution 2292 (2016). There is an absence of consensus among Committee members in this regard.

In the context of the measures aimed at preventing the illicit export of petroleum from Libya, including crude oil and refined petroleum products, the Committee received a letter from Libya, pursuant to resolution 2146 (2014), on the subject of the new Libyan Government focal point.

In relation to the assets freeze, no negative decision was taken by the Committee in relation to a notification invoking paragraph 19 (a) of resolution 1970 (2011), submitted by the Kingdom of Bahrain. The Committee also responded to letters from Libya and Bahrain on issues related to this measure. The Committee received two letters from the Libyan Investment Authority on various aspects of the assets freeze.

With regard to the travel ban, the Committee received two travel notifications from Ms. Aisha Al-Qadhafi, a listed individual, for travel from Oman to Egypt and thereafter to Italy, under a travel exemption granted previously for unlimited travel within a six-month period for humanitarian purposes. Subsequently, the Committee also received letters from Egypt and Italy, the countries of destination, notifying it of the travel.

With regard to the sanctions list, the Committee received a communication from the focal point for the listing established pursuant to resolution 1730 (2006) in connection with the new delisting request submitted by a listed individual, as well as a second communication from the focal point under the listing request submitted by another listed individual.

In conclusion, I would like to reiterate the Committee's commitment to contributing to the promotion of peace and stability in Libya.

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

I now give the floor to the representative of Libya.

**Mr. Elsonni** (Libya) (*spoke in Arabic*): At the outset, I would like to congratulate you, Madam President, on the United States presidency of the Security Council this month. I would also like to thank Mr. Bathily for his briefing, in which he demonstrated the scale of the challenges that my country is facing and underscored at the same time the shared responsibility of the Council with respect to what is happening.

I would also like to thank the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya for his briefing. We hope that he will be able to take into consideration the requests that we have made in relation to the list of sanctions imposed on individuals owing to the fact that the list contains names that should no longer be featured on it. We also have made other requests, including on the mechanism for dealing with the frozen Libyan assets, which we have already discussed at length. We hope that the Committee will be able to review this issue and safeguard the assets and funds belonging to Libyans.

We listened to Ms. Noura Al Jerbi and would like to thank her for her briefing today. The different challenges that she mentioned illustrate that many of them can only be solved through complete stability in Libya.

Libyans today are more determined than ever to preserve the stability of their country and prevent a return to political divisions and war. They hope to lay solid foundations upon which they will safely navigate the phase of democratic transition that my country has experienced for more than 10 years. That is why the current political situation will not allow for us to launch new processes and dialogues that will only prolong the transition phase. The solution lies in the strong and genuine will of all parties to overcome the crisis caused by the lack of trust among them. The leadership must be genuinely Libyan-owned to end the transition phase through the holding of national elections on the basis of just and equitable laws.

We therefore reiterate today our request to the international community to support national efforts and

prevent spoilers within and outside the country from depriving the Libyan people of their right to maintain stability, which has been achieved over the past two years following a series of bloody wars, in order to ensure the realization of a peaceful transition of power to be enjoyed and defended by the Libyan people.

Despite the challenges related to the democratic transition phase that Libya is currently experiencing, we have seen stability in terms of economic and living conditions in the country. The Government of National Unity has been able to address major issues related to citizens' daily lives, such as the energy and electricity issue and maintaining oil production, while even increasing its output. The stable situation has also contributed to the reopening of a large number of foreign embassies and consulates and the resumption of several foreign airlines' flights to Libyan airports. That has been coupled with measures taken by the Presidential Council concerning intra-Libyan reconciliation in cooperation with the African Union, together with the convening shortly of a national conference on reconciliation.

Despite all of that, the delay in finding a solution to and achieving consensus on the enactment of electoral laws by the relevant institutions, the holding of elections and efforts to end the fragile transitional phase has given rise to increased tensions among stakeholders in Libya. The unfortunate incidents that took place few days ago in the capital, Tripoli, and tragically led to dozens of casualties attest to that. The hesitation and indecision that characterizes the political process and the absence of radical solutions to the crisis in Libya will only create further crises and undermine efforts to reform the security sector and reunify the military institutions. Those incidents and others are not the first of their kind. We have seen similar incidents in various other regions of Libya over the past years. But we are fearful that, if the political impasse continues, they will not be the last of their kind either. The most recent security-related tensions must not be allowed to undermine the peacebuilding and democratization process in Libya but must send a warning signal to all parties to maintain stability and to commit to dialogue.

The Libyan people are asking the High State Council and the House of Representatives to demonstrate political will and shoulder their historic responsibility, as the problem in Libya is not a legal but a purely political one. The two bodies must fulfil their duty and accelerate the enactment of just and applicable laws

that are acceptable to all parties so that the Government can oversee the holding of elections as soon as possible to restore the legitimacy of all political bodies to meet the aspirations of Libyans for stability and prosperity, adequately build State institutions, reunify the military and security institutions, ensure the State's exclusive power over the armed forces, enforce laws and protect citizens. Achieving that goal requires the participation of all stakeholders in seeking a comprehensive solution that ensures everyone's commitment. The motivation must be based on peaceful political competition and the holding of presidential and legislative elections as soon as possible, not by making the same past mistakes and launching new transition phases.

We must build on the achievements of the 6+6 committee, made up of members of the High State Council and the House of Representatives. Pending issues must be resolved. The political, legal and technical issues that were raised to the committee must be taken into account. Just and equitable electoral laws must be enacted according to a time frame in order to guarantee comprehensive, transparent and credible elections that their outcome will be accepted by all. In the same context, we call upon the international community to provide technical support to the High National Elections Commission so that it will be ready to proceed once the electoral laws have been enacted. In that regard, we note that the Government is continuing to allocate all financial resources requested by the Commission to hold the elections.

We have recently been following the establishment of the high committee on financial oversight by the Presidential Council, the members of which represent all sovereign and executive bodies of the State. The committee seeks to reach a compromise on financial arrangements and managing State resources and public spending throughout the country, on the basis of information-sharing and transparency. The Committee has thus far convened four meetings, in several Libyan cities, and has made various practical recommendations to strengthen the Government's transparent policy on public spending. At its first meeting, held in Sirte, the Committee underscored the importance of pursuing development projects in the oil sector, reforms involving the electric grid and infrastructure projects in every region. In that context, two days ago marked a positive development when the Governor and Deputy Governor of the Central Bank of Libya announced its reunification, a long-awaited and

important step towards strengthening the activities of that sovereign and important institution and ending the years-long division.

Libya is not immune from events related to the current political and security events in neighbouring countries, as we have seen with regard to increased fighting in the Sudan and the recent crisis in the Niger, which might spread in the region, especially in the African Sahel. It is incumbent upon all to step up their support for the Libyans in order to end the current crisis and halt all negative foreign interference to prevent the conflict from worsening and spiralling out of control. The current events in Libya's neighbouring States provide an opportunity for terrorist groups and criminal networks to ratchet up their operations and threaten the region and every State in the world. A stable Libya will be able to address that despite all outstanding challenges and will be able to support its neighbours once its current political crisis has been resolved.

In that regard, the increase in tensions and instability is undermining my country's efforts to deal with the issue of irregular migration and its causes and effects. It is worth noting once again that the attempts to impose the settlement of migrants in Libya will be rejected. The position of Libya is clear and unambiguous and has been reflected in recent statements made by the President of the Presidential Council, the Head of Government and the law enacted by the House of Representatives, all of which underscore Libya's categorical rejection of the establishment of such a settlement, which certain States would unfortunately like to see in an attempt to exploit my country's current situation so as to settle irregular migrants and asylum seekers whose truly desired destination is actually Europe, not Libya. Despite all challenges, Libya has spared no effort to

ensure the protection of migrants on its territories. We are pursuing the implementation of a voluntary return programme of those migrants, in cooperation with the relevant United Nations organizations.

Before concluding, I must reiterate from this rostrum the strong indignation of Libya and the dissatisfaction of the Libyan people with regard to the acts carried out by some hard-core individuals from the far right in Europe who are burning copies of the Holy Qur'an, as we have seen recently in Denmark in front of the Libyan Embassy and, before that, in Sweden, while their countries look on. That is a desperate attempt to provoke Muslims under the pretext of freedom of expression. Those acts come at a time when all of us, pursuant to international resolutions, are combating the phenomenon of Islamophobia. We therefore call on all concerned States to put an end to that kind of act and support awareness among their citizens and not allow double standards with regard to freedom of expression.

The Islamic religion will never be affected by such acts. They will only fuel violence and threaten social peace and even international peace and security. Those who benefit from such acts are extremists and terrorists and their supporters and all those who exploit such acts to justify their crimes in the name of Islam while Islam is completely innocent. The Islamic religion is far from hate, radicalization and extremism. It is a religion of mercy, tolerance, coexistence and peace.

**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.*