

# **SRSB ABDOLAYE BATHILY'S BRIEFING TO THE SECURITY COUNCIL ON THE SITUATION IN LIYBA**

**22 AUGUST 2023**

**Madam President,**

**Distinguished Members of the Security Council,**

Since my last briefing, I continued my intensive engagement with the main Libyan stakeholders to achieve three main objectives: Firstly, 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 UNSMIL, to address the legal loopholes and technical shortcomings in the draft electoral laws prepared by the 6+6 Committee of the two Chambers. Secondly, 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 last briefing to this Council. And, thirdly, 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 works of life, including political parties, community leaders and notables, youth and women's organisations and professional organisations, such as the 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<sup>th</sup> of August and exchanged views with political figures, social leaders, civil society representatives, security actors, members of the academia and other local actors. This 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.

**Madam President,**

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 HoR Speaker Agila Saleh. All Libyan leaders have agreed in principle to the amendment of these 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 finetune the draft electoral laws, in light of the comments of key stakeholders. I urge the two chambers and the 6+6 Committee to resume work and finalise 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 intensified. I am working with the President of the Presidential Council, Muhammad Menfi, to explore jointly convening Libyan-led and UNSMIL-facilitated negotiations between 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 Mishri, Prime Minister Abdul Hamid Dbeibah, and LNA 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 this regard, Presidential Council President Menfi informed me three days ago of his meeting in Benghazi, with HoR Speaker Agila Saleh and LNA Commander Khalifa Haftar, to explore concrete progress on the political track. I urge 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 elections-related issues should be resolved through discussions and compromises between all relevant actors. Unilateral steps must be avoided at all costs if we are to avert further violent conflicts as experience has shown over the last ten years. The electoral landscape should be a level-playing field for all the candidates.

**Madam President,**

On 6 August, Mr. Mohammed Takala was elected President of the High State Council, following internal elections in that chamber. He replaced Khaled Meshri who had been in the position since 2016. I held an initial meeting with the new bureau of the HCS and conveyed UNSMIL's continuing commitment to support Libyans in their search for a way out of the current stalemate. Libya needs more than ever to close the current page of institutional fragmentation. Citizens yearn for unified political, military, security, economic and social institutions to safeguard the territorial integrity and the national identity of the country. In that regard, a unified government, agreed upon by the major players, is an imperative for leading the country to elections.

**Madam President,**

Efforts to put in place a Libyan-owned mechanism for transparent management of public funds have finally yielded a positive result. I welcome 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, Central Bank Governor Siddiq El-Kabir stated that the reunification of the Central Bank of Libya as a sovereign Libyan institution has been finalized. Measures undertaken to effect the reunification include the integration of East and West deposits, integration of the East and West settlement systems, and the relocation of the Deputy Governor from the East 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 give us cautious optimism that, with political will, Libyan stakeholders can come together, in an inclusive manner, to address issues of common concern for the greater good of the nation. I urge the High Financial Committee to turn discussions into impactful actions 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.

**Madam President,**

The fragile stability that had prevailed in Tripoli since August 2022 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, the two largest armed groups in the capital. The fighting was triggered by the arrest by DACOT of the commander of the 444 Brigade at Mitiga Airport, reportedly linked to personal rivalries. At least 55 people were reported killed and over a hundred injured during the clashes, 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 Dbeibah, the Presidential Council, the Chief of Staff of the Libyan Army, General Mohammed Haddad, and leaders of neutral armed groups. I engaged the Prime Minister and other relevant actors to urge them to take the necessary action to stop the fighting. We condemn these clashes and the associated loss of lives, express our sympathies to the bereaved families and wish a speedy recovery to the injured.

These 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 ongoing efforts to cultivate a security environment conducive to elections and highlight the urgency of the establishment of legitimate authorities and unified military and security institutions in the country. Armed groups and security actors, who commit violence against civilians, must be held accountable.

In addition, the unconstitutional change of government in Niger Republic has sparked concerns of potential spillover into Libya, just as what has happened in Sudan. As a pre-emptive step, the Libyan National Army closed the border with Niger on 26 July and deployed reinforcements to the border zones. Like previously with the crisis in Sudan, the situation in Niger Republic is a cause of 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 in Benghazi. Libyan stakeholders, the 5+5 JMC and international partners discussed the evolving political and security dynamics hampering tangible progress in the full implementation of the Ceasefire Agreement, the reunification of the military institutions and the withdrawal of foreign forces, foreign fighters and mercenaries.

Once again, it is essential that all parties preserve the security gains achieved in recent years. To this end, UNSMIL will continue to engage relevant actors to advance the reunification of military and security institutions, a sine qua non for lasting stability.

**Madam President,**

I remain concerned about human rights violations, including abductions, arbitrary arrests, and disappearances in the East and West. I reinforce my call for an immediate halt to these practices, release of persons arbitrarily detained, and independent investigations. I note the recent partial access of 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, with the leadership of Vice President Abdullah Al-Lafi, supported by the African Union, including a preparatory meeting on 19 and 20 July in Brazzaville, Republic of Congo for a National Reconciliation

Conference by year's end. Women's participation at every stage of this process remains imperative.

**Madam President,**

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 border in remote desert areas, facing dire conditions with no access to food and water.

I call for an end to expulsions and urge Tunisian and Libyan authorities to ensure people are sent to safe locations, and to allow the UN and partners humanitarian access to all locations.

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

**Madam President,**

To conclude, upholding Libya's stability is even more critical now in light of the recent clashes in Tripoli, the regional turmoil in Sudan and Niger and the combats that took place in Tibesti region, in the south, a few days ago, between the Chadian Army and armed elements. 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 arrangements, 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 this 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 objectives: the stability of Libya and its neighbours.

Once more, I repeat my call for all the regional and international partners of Libya to speak with one voice and act accordingly to respond to the aspirations of the people of Libya, for peace, stability, prosperity and national unity.

I thank you for your attention.