



(Check Against Delivery)

**Security Council Briefing, 9 December 2013  
Special Representative of the Secretary-General  
and Head of UNSMIL, Tarek Mitri**

Mr. President,

1. When I last briefed this Council just over a month ago, I spoke of the precariousness of the security situation in Libya. Regrettably, this continues to be true today. Discontent as well as worries of the civilian population have mounted significantly. Over the past few weeks, we saw expressions of popular frustration with the political process and with various brigades translated into street protests.
2. In Tripoli, public anger directed against revolutionary brigades and other armed groups, was further fuelled by the frequent clashes among them. A minor dispute quickly escalated into fierce fighting which spread in the capital. Prompted by calls, including from Tripoli's local council, for mass protests to demand the withdrawal of armed groups from the capital, demonstrators took to the streets following Friday prayers on 15 November, and marched on compounds in the Gharghour district held by revolutionary brigades from Misrata. Tragically, 46 people lost their lives; another 516 were injured. Large swathes of the population were mobilized into a campaign of civil disobedience demanding the evacuation of all armed formations. Bowing to public pressure, Misratan forces have since announced their withdrawal from the city. A number of other brigades have also vacated premises they previously occupied.
3. There were also a wave of protests in Benghazi demanding the eviction of armed brigades, and for the reconstitution of the police and army. This public outcry comes against the backdrop of unprecedented levels of insecurity over the past few weeks, with assassinations and abductions of security and state officials appearing to intensify in both Benghazi and Derna. The authorities appointed a military commander for Benghazi, charged with the task of restoring stability to the city and its surrounding areas, followed by a large scale deployment of Libyan army units. Despite these measures, there remain serious problems to overcome. On 18 November, Benghazi's military commander survived an assassination attempt, seen as a continuation of a sustained targeting of symbols of state authority. Heavy fighting erupted in Benghazi on 25 November between Special Forces units and the Ansar al-Sharia brigades. The official death toll was put at nine, in addition to an undisclosed number of Ansar al-Sharia casualties. Despite a negotiated truce, this remains tenuous, given reports of subsequent killings targeting members of the Special Forces.

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4. Despite steps by the government to quickly deploy army units in Tripoli to prevent a security vacuum, the weak capacity of state military and police institutions remains a serious problem. Doubts also remain about how comprehensive or lasting some of the recent moves will be. The events of the past month have again highlighted the need for dialogue with the main armed groups. In the present juncture, we believe it is essential for all parties to engage in dialogue and create the right balance of incentives in order to stimulate a comprehensive process of reintegration and eventual disarmament, ultimately moving towards the establishment of a state monopoly on the use of armed force.

Mr. President,

5. In the context of insecurity prevailing since many months, UNSMIL has asked for enhancing the protection of its premises, an ordinary measure taken by diplomatic missions, international or regional bodies in Libya and elsewhere. The request of the Secretary-General relative to a guard unit that could be sent to Tripoli and the response of your esteemed Council, was misunderstood by groups in Libya, some going as far as suspecting the proposed arrangement to be a prelude to an international intervention. The Libyan government and UNSMIL issued clarifications and had to state the obvious. We will have to spare no effort in dispelling misinterpretations and suspicions, no matter how unjustified they may seem, and reaffirming the role of the UN support mission in Libya, committed to the full respect of its national sovereignty.

Mr. President,

6. The situation of the 8,000 conflict-related detainees remains a source of concern. The majority of those continue to be held by armed brigades, awaiting judicial process. Prolonged detention and interrogation in the absence of effective state control or oversight, has created an environment conducive to torture and other forms of ill-treatment. UNSMIL has found hard evidence of torture, with 27 deaths in custody recorded since the end of the conflict, 11 of which took place this year. Our report on torture has received noteworthy attention and the Government welcomed its recommendations.

7. We take heart from the improvement in the conditions of detention facilities that are placed under the authority of newly trained officers of the Judicial Police. In this regard, UNSMIL will continue its monitoring work, and its efforts to assist the Judicial Police in developing its capacity to manage all detention centers in line with international human rights standards.



8. I am pleased to report that a new Law on Transitional Justice was promulgated last week by the General National Congress. The law includes provisions on truth-seeking, reparations for victims and requiring that detainees be released or handed over to the judiciary within 90 days of its promulgation. UNSMIL had provided extensive comments, based on best practices, and some of them were duly taken into account. In a related context, I welcome the recent release of four senior leaders of the Warfallah tribe, held for more than one year in al-Zawiya and without charge or trial. Similar initiatives will undoubtedly contribute to the process towards establishing the rule of law and achieving national reconciliation.

Mr. President,

9. Since my briefing to this Council on 4 November with respect to the control of man-portable surface-to-air missiles (MANPADS) and uranium fissile material (otherwise known as yellowcake), UNSMIL has received preliminary information but requested the Libyan authorities to share more documentation on MANPADS subject to its control. In addition, the Mission hopes to see greater cooperation with international partners on issues of arms proliferation.

10. With respect to yellowcake, we have received information indicating that 6,400 barrels are stored in a non-functional former military facility close to Sabha, under the control of a Libyan army battalion. With UNSMIL support, an inspection team from the International Atomic Energy Agency (IAEA) will visit this month to verify existing stockpiles and conditions of storage. Further to the verified destruction in April-May this year of almost 9 metric tons of mustard gas, an inspection team from the Organization for the Prohibition of Chemical Weapons (OPCW) is expected to visit later this month to observe and verify the destruction of chemical weapons in line with Libya's obligations under the Chemical Weapons Convention. The Prime Minister established an inter-ministerial committee tasked with developing a national arms and ammunition management strategy. UNSMIL will be closely assisting in this regard.

Mr. President,

11. Progress towards the election of a 60-member constitution drafting assembly remains steady, with the nominations process having closed on 7 November, with a total of 700 registered candidates, including 74 women who will contest the six seats reserved for women. A vetting process with right to appeal is now underway. The preliminary candidate lists were published on 7 December. With the support of UNSMIL, a joint action plan has been developed by a newly established national women's network to empower women and strengthen their participation in the political process, particularly in the upcoming elections.



12. Although the first phase of voter registration commenced on 1 December, the High National Elections Commission remains cautious about committing to a firm date for polling. This is partly a result of the Amazigh community's boycott of nominations. Notwithstanding the fact that 6 seats have been reserved for cultural and ethnic minority groups, disagreement over constitutional guarantees on minority rights waits for an acceptable compromise solution.

13. In view of the continued absence of political agreement over the tenure of the General National Congress, I convened, in November, a consultative meeting of forty leaders of major political forces, women and other independent personalities, to explore options for the management of the democratic transition. As with the first consultation a month earlier, the exchanges were markedly frank, but also reflected a shared desire among all participants to reach an agreement on the way forward, grounded in a commitment to the democratic process, and conscious of the need to prevent a political vacuum at all costs.

Mr. President,

14. In my previous briefings to this Council, I underlined the important role an inclusive national dialogue can play in defusing excessive political polarization and produce a shared vision for the future, both immediate and longer term. A number of national dialogue initiatives have been announced over the past few months, UNSMIL continues to underscore the need for a single process that enjoys acceptance of all parties.

15. The Mission is making available political and technical advice in the preparation for national dialogue, drawing upon the experiences of other countries. In this regard, I am pleased to report some progress. A two-day workshop in November provided the first opportunity for Libyans of all political hues to take part in structured discussions on the issue. I take heart from the appreciation they voiced for UNSMIL's role in facilitating the meeting, and their call for the Mission to remain closely engaged in the process.

Thank you.

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