

Statement by SRSG Abdoulaye Bathily to the Security Council
18 April 2023

(As delivered)

Mr. President,

Distinguished Members of the Security Council,

Since my last briefing on 27 February 2023, where I announced our elections enabling initiative to allow the Libyans to choose their leaders in 2023, I launched its implementation along multiple parallel axes which, together, make up a comprehensive approach to achieve this goal.

As indicated, our proposal is meant to enable elections in Libya this year by widening the scope of actors involved in this national issue of paramount importance. The active mobilisation of all stakeholders, including the Presidential Council, the Government, the House of Representatives and the High Council of State, is key to achieving consensus on political matters, security issues as well as questions pertaining to the participation of women and youth. The electoral process offers a unique opportunity to mobilise the entire national community so that elections are peaceful, inclusive, free and fair and pave the way for a new dispensation for the Libyans.

Lessons learnt elsewhere are true, that inclusive and consensus based election are the driver of peace and stability. In this spirit, and because of the difficulty to bring them all together face-to-face in one place at this point, I have engaged key Libyan political leaders through shuttle diplomacy to seek common ground and encourage them to make compromises that will clear the path for elections. I held separate meetings with President of the Presidential Council Mohamed al-Mnefi, Vice President Abdallah Al-Lafi, Speaker of the House of Representatives Agila Saleh, Prime Minister Abdelhamid Dbaibah, High State Council President Khaled Al-Mishri, Field Marshall Khalifa Haftar and HoR-appointed Prime Minister Fathi

Bashagha. I have also engaged individual political parties and coalitions of political forces, traditional leaders and notables, women and youth group leaders from all regions. They all expressed their readiness to discuss the parameters of the organisation of elections. This action will continue and intensify as relevant actors will need to negotiate and agree on the most contentious issues pertaining to the holding of inclusive elections this year. I welcome the commitment of these actors and call for the translation of their engagement into concrete steps on the ground.

For purposes of promoting the country's territorial integrity, furthering national reconciliation, strengthening the cease-fire and mobilising all armed actors for election security, I facilitated the 5+5 Joint Military Commission's engagement with Libyan security and military actors, including armed groups from all three regions of Libya. At the invitation of the 5+5 Joint Military Commission, I facilitated meetings in Tunis, Tripoli, Benghazi and Sebha on 15 and 26 March as well as on 7 and 9 April. On these occasions, leaders and representatives of military units and security formations operating in western, eastern and southern Libya committed to support all stages of elections, reject violence throughout Libya, take practical steps for the safe return of the internally displaced persons, release detainees and address the missing persons issue in the context of national reconciliation.

The meetings between military units and security formations from the east, west and south represent a breakthrough. These meetings were of great symbolic value on the path to reconciliation and unifying the country. As a result of these consultations, on 8 April 2023, Libyan National Army authorities released six detainees from western Libya as a confidence-building measure. In the same vein, on 13 April the two Chiefs of Staff of the armies, General Haddad and General Naduri, met in Benghazi and affirmed their commitments to furthering the reunification of the military and support the electoral process. I welcome the patriotism of the 5+5 JMC and of the two Chiefs of Staff and encourage them to continue promoting national unity. I urge political actors to follow the example set by military and security leaders.

Furthermore, I held several rounds of consultations in Tripoli, Benghazi and Sebha, with Libyans from all three regions representing civil society, women, youth, political parties, notables and cultural components, to hear and amplify their views on elections and their demands for greater inclusion in Libya's leaders and institutions. This axis of engagement also aims to ensure the adoption of a Code of conduct that commits all candidates and elections stakeholders to engage in the electoral process in a constructive manner and accept the results. I particularly encouraged women and youth to continue their engagement with all actors so that their concerns are addressed in the roadmap to elections. It is vital for the success of elections that all parts of Libyan society are involved and have their voices heard, and that the electoral campaign provides an opportunity for a peaceful competition of visions and programmes and not an occasion that triggers hate speech and violence.

Last but not the least, I have offered UNSMIL's technical expertise and logistical support to the 6+6 Committee of the House of Representatives (HoR) and High Council of State Council (HCS) to enable its work in preparing the electoral laws. Both Chambers have announced their respective members to the Committee based on regional representation. Regrettably however, the Committee does not include any women. Although the committee as a whole has yet to convene, on 5 April its six HCS members met for the first time with three of their six HoR counterparts to discuss their workplans and identify priority issues to be tackled by the Committee.

I am pleased to announce that in the course of the last days, I received a positive answer from both the HoR and HCS designated committees to accept the support from UNSMIL. I hope that genuine political will and wisdom will guide their deliberations.

I urge the leaders of the two chambers to expedite the work of the 6+6 Committee and publish a timebound work programme. For elections to take place this year, the electoral laws must be completed in time for the High National Elections Commission to begin implementing the electoral process by early July. Gaps and concerns being raised about Constitutional Amendment no. 13 will also

need to be addressed by this time for a viable electoral process. The Chairperson of the High National Elections Commission informed me that, while awaiting the electoral laws and the provision of necessary funds, the Commission has started initial preparations for implementing the electoral process. I call on the Government to provide HNEC with all necessary resources to complete its mandated tasks in a timely manner. For their part, UNSMIL and UNHQ are considering the Government's request for electoral assistance.

Mr. President,

Besides finalizing the constitutional and legal framework for elections, a level playing field is needed that does not give undue advantage to particular candidates and that engenders trust in elections among all sides. I call on Libya's leaders and all relevant actors to follow their stated commitment to elections with tangible, mutually acceptable solutions to achieve this. I commend the Presidential Council for its efforts to establish a national financial oversight mechanism for transparent and equitable spending of Libya's vast public resources, an important element to ensure that public funds are not used to the advantage of any side.

Mr. President,

While the overall security situation remains tense, the ceasefire continues to hold and there were positive developments on cooperation between the Libyan Army and the Libyan National Army and on the withdrawal of foreign fighters and mercenaries.

On 16 March, I co-chaired security working group of the Berlin Process, attended by the Chiefs of Staff of the Libyan Army and the 5+5 Joint Military Commission. The Chiefs of Staff asked for international support to equip a planned joint military brigade to secure Libya's southern borders, as a step towards the reunification of the armed forces.

In the margins of this meeting, Liaison Committees from Libya, Sudan, Chad, and Niger met to discuss strengthening cooperation and exchange of information on

mercenaries and fighters from Libya's southern neighbours present in the country. UNSMIL also convened Libyan ceasefire monitors from both sides together with focal points from the Joint Military Commission to highlight capacity building needs for the Libyan monitors and discuss activating their joint operations centre.

From 29 March to 4 April, I travelled to Sudan, Chad and Niger to discuss with the leaders of those countries how to improve conditions for the return of foreign fighters and mercenaries from Libya. My interlocutors offered their support to this goal while highlighting challenges, including porous borders, local and national dynamics in their countries, and varying motivations for the presence of these armed elements in Libya. The withdrawal of foreign fighters should be conducted in a coordinated, sequenced and synchronised manner to ensure that they do not become a threat to the security of their home countries. This process should also contribute to combatting terrorism, illegal gold mining, human and drug trafficking and all forms of criminality that affect the border areas.

Mr. President,

Turning to the human rights situation, it continues to be tense. During the reporting period, civic space has been further restricted, and operations of civil society organisations deemed illegal. On 27 March, the Independent Fact-Finding Mission on Libya issued its final report, which expressed concern on the situation and recommended further efforts to combat impunity. Also, the Berlin Process Working Group on International Humanitarian Law and Human Rights presented, on 15 March, a set of principles resulting from human rights dialogues to the Presidential Council, to address the Libyans' concerns. I urge Libyan authorities to rise to their human rights obligations, end impunity and provide more space for the action of civil society organisations.

In conclusion, since my 27 February briefing to your august body, there has been a new dynamic in Libya. Intensive consultations have taken place amongst security actors. Institutional and political leaders have also taken action to move

the political process forward. I urge Libyan leaders to meet the people's expectation to choose leaders this year by delivering on all their commitments.

My interactions with the majority of the stakeholders, citizens of Libya and their initiatives offer a new national dynamic which needs to be sustained and amplified. The international community should also remain mobilised and vigilant to further enable the activity of Libya's institutions and political actors towards elections. All international partners should support the current momentum and speak with one voice on Libyan matters.

UNSMIL will intensify its facilitation and mediation, through the multiple, interdependent, and mutually reinforcing axes of our comprehensive approach, to support the realisation of all political, legal and security requirements so elections can be held this year.

The people of Libya are eager to enter a new dawn for peace, stability and prosperity in their collective lives. Let us support them in achieving this legitimate aspiration.

Thank you.