

REMARKS BY SRSB ABDOULAYE BATHILY TO THE SECURITY COUNCIL

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Madame President,

Since I invited the five key Libyan stakeholders for a dialogue to resolve all contested issues pertaining to the electoral laws and the formation of a unified government, I have escalated my engagement with them and proposed ways to address their concerns while maintaining the integrity of the dialogue initiative as originally proposed.

Unfortunately, my attempts to address their concerns were met with stubborn resistance, unreasonable expectations, and indifference to the interests of the Libyan people. Their entrenched positions are incentivised by a divided regional and global landscape, perpetuating the status quo which may subject Libya and the region to further instability and insecurity.

Since the end of 2022, the United Nations-led efforts to help resolve Libya's political crisis through elections faced national as well as regional pushbacks, revealing an intentional defiance to engage in earnest and a tenacity to perpetually delay elections. Amidst this environment of entrenched positions and regional and global complexities, the challenges facing United Nations-led efforts in Libya have become increasingly pronounced, and the Mission has endeavoured to maintain its neutrality and integrity.

Madame President,

Despite continuous and extensive engagement with the main institutional actors, their persistent positions are significantly impeding efforts to advance the political process.

Mr. Takala and Mr. Dbeibah nominated their representatives for the proposed dialogue, but both put pre-conditions which require the reopening of the electoral laws obtained by consensus after eight months of negotiations by the 6+6 Interparliamentary Committee and published in the Official Gazette by the Speaker

of HoR. Mr. Takala and Mr. Dbeibah also require the adoption of a new constitution as a pre-requisite for the electoral process.

Mr. Agila Saleh continues to set the formation of a new government by the HoR as his priority, arguing that the HoR is the main legislative body that enjoys utmost legitimacy, contrary to other Libyan institutions. Other Libyans, however, recall that the HoR was elected in 2014, ten years ago, and its terms of office has therefore elapsed, as that of other current interim institutions.

General Haftar conditions his participation either to the invitation of the HoR-backed government led by Ossama Hammad, or to the disinvasion of Mr. Dbeibah, i.e. the exclusion of both governments.

In fact, the LNA is indisputably the decision-making authority on political, military and security matters in Eastern and Southern Libya. The Hammad government is its executive wing. While UNSMIL and UN agencies, funds and programmes engage the HoR-backed government especially on issues pertaining to humanitarian assistance and to the reconstruction on Derna, the administration is not, on its own, one of the key institutions whose buy-in is needed for a political settlement to enable elections. Extending a separate seat at the table to the HoR-backed government would effectively formalize the divisions in Libya.

As for the GNU, formed as a result of a UNSMIL-facilitated process in the wake of the Berlin international consensus in 2021, it has entrenched itself as a major player in the West, although it is increasingly challenged by growing rival forces. The extension of its role beyond the promised delivery of elections exposes its limits and prompts its opponents to question its legitimacy. Nevertheless, it remains the internationally recognized government of Libya in the current interim phase.

For UNSMIL, the selection of the five parties is based on an objective assessment of the Libyan landscape. It is cognisant of both geographical and geopolitical realities and reflects the current configuration of forces on the ground. The rivalry among these five major players is at the heart of the problem. The dialogue proposal is a balanced way to an inclusive solution.

These complexities were exacerbated by an apparent agreement between the President of the Presidential Council, Mr. Mohamed al-Menfi, HoR Speaker Mr. Agila Saleh, and the President of the High Council of State, Mr. Mohamed Takala, according to a joint statement following a trilateral meeting on 10 March in

Cairo, with which UNSMIL was not associated. My subsequent discussions with the leaders who participated in the Cairo meeting revealed diverging interpretations of and lack of details on its outcome. There is also lack of buy-in among those Libyan leaders who were not part of the meeting.

Unilateral, parallel and uncoordinated initiatives contribute to unnecessary complications and to the consolidation of the status-quo. The unity of the international community under the convening role of the UN, is key to resolving to Libya crisis.

Madame President,

Preconditions put forward by Libyan leaders contradict their proclaimed intention to find a Libyan-led and Libyan-owned solution to the conflict. So far, they have not demonstrated their good will.

Concerns regarding the weakening of the international consensus on Libya are growing within the general population, as their country has become the playground for fierce rivalry among regional and international actors motivated by geopolitical, political and economic interests as well as competition extending beyond Libya and related to its neighbourhood. The renewed scramble for Libya, its position and immense resources among internal and external players is rendering a solution ever elusive.

Madame President,

As part of my wider outreach, I travelled to Bani Walid on 4 March, in a first visit of an SRSB since 2012, as well as to Tarhuna and Jado on 4 and 8 April, respectively, where I engaged with local communities, tribal leaders and political activists of these marginalised western cities. I also met in Tripoli with several delegations representing the south given the region's historic challenges in political engagement, economic inclusion and services provision. During these meetings, I listened to concerns about political and economic exclusion, social injustices, the plight of political prisoners, as well as aspirations for equal rights. I also emphasised the importance of a genuine national and rights-based reconciliation for a successful political process and urged the local populations to increase their political activism through their representatives to generate the necessary social pressure in support of elections.

With the same objective, I also encouraged the High National Elections Commission to press on with Municipal Elections which continue to be hindered by inadequate government support for this crucial process. I appeal once more to the Government of National Unity to allocate funds for elections in all municipalities with expired or expiring mandates in 2024.

Madame President,

The economic situation in Libya is becoming severely strained, amidst warnings from the Central Bank of Libya of an impending liquidity crisis.

The temporary surcharge of up to 27 per cent on official foreign currency exchange approved by Speaker Saleh on 14 March, combined with the declining value of the Libyan dinar in the domestic parallel market and restricted access to foreign currencies, has noticeably fuelled public anger as concerns are growing over rising prices for essential goods and services, including medical care.

It is imperative for Libyan authorities to address not only the symptoms but also the root causes of persistent harmful economic and financial practices. These practices are affecting the entire country, the welfare of the general population while enabling Libyan stakeholders to maintain the current status quo.

I, therefore, urge Libyan authorities to promptly agree on a national budget and decisively address significant deficiencies in transparent, equitable, and accountable management of State resources for the benefit of all Libyans, including those in the marginalized areas of the country. I will consult with the co-chairs of the Economic Working Group on how we can best support given the pressing nature of the situation.

As the world observed International Women's Day on 8 March, it is imperative to prioritise women's economic empowerment. Despite the significant potential for women to contribute to Libya's economy, various structural barriers impede their participation. I urge for intensified efforts to enable women's full engagement in the economy, ensuring that both women and young people, contribute to the nation's prosperity.

Madame President,

The economic dimension of shifting alliances between institutional, political and security actors represent a worrisome trend with a growing potential to

undermine peace and stability. This trend was especially conspicuous in western Libya, notably in cities like Tripoli, Misrata and Zawiya.

Against this backdrop, the presence of armed actors and heavy weaponry in Libya's capital is of strong concern as it constitutes a significant threat to the safety of the civilian population. I urge all stakeholders to pursue a peaceful resolution to the growing tensions and avert any further escalation.

In addition to Zawiya which remains volatile, tensions escalated on 18 March between armed elements of the Zuwara local communities and the Ministry of Interior's security agencies over the control of the Ras Ajdir border crossing to Tunisia. While it is legitimate for the government to assert control over Libya's borders, dialogue with local communities is essential to address concerns and prevent the perception of pursuing factional interests.

Moreover, the continued militarisation of armed actors in all three regions and military manoeuvres by the Libyan Armed Forces near the ceasefire line east of Sirte pose a risk to the Ceasefire Agreement. Any escalation of tensions in Libya would exacerbate instability not only in Chad, the Niger Republic, and Sudan but also across the wider region of the Sahel.

Madame President,

Despite these worrying domestic trends, no violation of the Ceasefire Agreement was recorded. However, progress on implementing its outstanding provisions, particularly on the withdrawal of foreign fighters, foreign forces and mercenaries, remains hindered by the political stalemate and instability in the southern neighbouring countries of Libya, where many of the foreign fighters and mercenaries originate.

UNSMIL has enhanced coordination with the monitoring subcommittee and liaison committees of Libya, Niger, Chad, and Sudan, as per the 5+5 Joint Military Commission's request. A resulting joint training program is anticipated to be launched with these entities in May to boost capacity, trust, and coordination for the withdrawal process. Here again the situation in the Sahel remains worrisome with respect to this project.

Madame President,

I am deeply concerned about the rise in abductions, disappearances, and arbitrary arrests in Libya, perpetrated by security forces with impunity in both eastern, southern and western regions, which undermine fundamental freedoms and instil fear. As legislative reforms to protect civic space are crucial, I urge Libyan authorities to continue supporting the initiative led by the Special Rapporteur on Freedom of Assembly and Association to uphold human rights obligations.

I also remain deeply concerned about the dire situation of migrants and refugees in Libya who endure human rights violations throughout the migration process. The discovery of mass graves in southwest Libya on 22 March, containing the bodies of 65 migrants who died while being smuggled through the desert, is extremely distressing. While noting Libyan authorities' investigation into their death, I urge bolstered regional cooperation to ensure migrants' protection.

Recent reports from Sabha revealed shocking treatment of migrants in arbitrary detention, underscoring the urgent need for action by Libyan authorities to ease human suffering. I welcome the recent high-level meeting of the African Union, European Union, and United Nations Taskforce in Tripoli highlighting Libya's migration challenges with relevant Ministers.

Madame President,

After the Brazzaville meeting of the African Union High-Level Panel on Libya and the subsequent AU Summit, it was agreed that a National Reconciliation Conference would be held in Sirte this 28 April. I am sorry to inform the Council that the Conference was postponed to another date. Divisions among Libyan leaders manifested themselves once again on such a critical file. UNSMIL will continue to support to national reconciliation process, including on a new date, venue, agenda and other preparations for this Conference with the African Union.

Madame President,

With a deep sense of disappointment, it is disheartening to witness individuals in positions of power putting their personal interests above the needs of their country. Throughout the country, good willing Libyans among political parties, civil society organisations, women and youth, the communities, the business sector, the military and security groups as well as other components of society, express their impatience to break the current stalemate and save their country from the dynamics of chaos and failure. The selfish resolve of current

leaders to maintain the status quo through delaying tactics and manoeuvres at the expense of the Libyan people must stop. Libyan leaders must reach a political settlement based on negotiations and compromise. We cannot allow the aspirations of 2.8 million of registered Libyan voters to be overshadowed by the narrow interests of a few. I call on the Council to heed their legitimate dream!

Security Council members must, therefore, uphold their responsibility in words and deeds, individually and collectively, by demonstrating unity to compel Libyan and regional stakeholders to back UNSMIL's efforts to restore unity and legitimacy to Libyan institutions through a political dialogue. Peace and stability in Libya remain ever a *sine qua non* for the stability of the Sahel and the wider region. More than ever, the renewed and coordinated commitment among regional and international actors is imperative.

Thank you!