



الأمم المتحدة

UNITED NATIONS

United Nations Support Mission In Libya
بعثة الأمم المتحدة للدعم في ليبيا

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Excellencies,
Distinguished Participants in the Libyan Dialogue Process,
Ladies and Gentlemen

Enclosed you will find the updated text of the draft proposal which is expected to form the basis of a comprehensive political agreement that will bring an end to the political and military conflict in Libya. This document is an expanded text of the drafts discussed in previous dialogue rounds, and incorporates some important changes, which I believe are a fair reflection of your constructive engagement with, and contribution to, the dialogue process. The current text provides a vision of the institutional architecture and security arrangements that will underpin the remainder of the transitional period.

This draft will not meet all the expectations of all the parties, particularly with regard to the distribution of competencies among the different institutions. It does, however, go a long way towards forging a common ground for a fair and reasonable political agreement that addresses the concerns of all parties.

The draft agreement provides for a transitional period limited to a maximum of two years. It outlines a vision that is guided by the principles of democracy, including the separation of powers, the peaceful rotation of power through fair elections, the unequivocal rejection of violence and terrorism, and respect for human rights. These are principles that you have all agreed must form the basis of a modern and democratic Libyan state.

The draft agreement envisions an empowered executive authority, based on clear separation of powers which, given the current Libyan context and experience of the post-revolutionary phase, is critical to efforts to overcome the difficult challenges facing Libya.

Furthermore, it provides for the establishment of a Council of State, whose competencies are fully outlined. It goes without saying that for some parties, those competencies fall short of expectations, while for others, they go too far.

The draft also outlines a new proposal for the Constitutional Drafting Assembly, extending its mandate and timeframe in light of the huge difficulties it has faced over the past months, in large part due to growing political polarization and the subsequent outbreak of armed hostilities.

At its core, this draft agreement is anchored in the inviolability of the democratic process and in recognition of judicial decisions. This includes upholding the results of Libya's democratic elections in June 2014, as well as taking all steps necessary to prevent a constitutional vacuum in line with the principle of the continuity of the state, This is a practice that is well established in countless judicial and political systems around the world, and one which can be justifiably invoked with respect to the 6 November 2014 ruling by the

Constitutional Circuit of Libya's Supreme Court.

As I have repeatedly stressed in all my meetings with the respective parties, the viability of any political agreement will ultimately be contingent on a spirit of cooperation among the different institutions, one which must be constantly reinforced by all the parties to this agreement. This will be key to preparing the country for the constitutional referendum and elections, and ultimately placing it on the firm path to long-term democracy and stability.

In democracies around the world, it is through good cooperation among state institutions that political systems are able to reap for their people the benefits of stability, as well as social and economic progress. It is this mode of positive and enhanced cooperation that this draft agreement seeks to replicate.

With this in mind, I urge all parties to invoke the necessary flexibility and compromise in order to uphold the higher national interest of their country. The Libyan people have made immeasurable sacrifices over the past four years in their struggle for freedom and a better future. The time has now come to put a permanent end to the strife in Libya and to the suffering of its people. Much now will hinge on your commitment to ending the conflict in Libya, and to making the necessary concessions in the interest of peace.

In the event that consensus is reached on this draft agreement, the international community has given assurances that it will do its utmost to provide all the needed assistance to support this new phase of Libya's political transition. This includes an enhanced cooperation mechanism for the necessary monitoring, humanitarian, and governance support at all levels. This will be key to creating a viable approach by which Libya and the international community can jointly overcome the many challenges facing Libya, including those of terrorism and illegal migration which must be addressed as a matter of urgent priority.

The tragic deaths of hundreds of migrants in the Mediterranean Sea over the past week, along with the barbaric execution of Ethiopian nationals in Libya, should serve as a poignant reminder of the moral responsibility that now befalls you as leaders and representatives of the Libyan people.

In terms of next steps, I would like to propose the following:

1. That the main parties and participants inform me in writing as to whether or not the general terms of this draft agreement are acceptable, including whether they have any major reservations. Any suggested amendments should be communicated to me by Sunday, 3 May 2015.

2. Assuming there is broad reception to the overall spirit of the agreement, I will convene a new and final round of consultations during which we should aim to finalise text of the agreement, and agree a timeline to bring together all the different dialogue tracks in a ceremony during which this agreement will be formally signed and a National Accord Government established.

Meanwhile, I will start consultations immediately with the parties to discuss nominations to the posts of Prime Minister and the two Deputies.

I also intend to convene a meeting of the security track over the coming days. In the interest of country and the Libyan people who continue to bear the brunt of the on-going

conflict and remain in dire need of assistance, I ask all relevant political and security actors to demonstrate the necessary spirit of cooperation and commitment in order to make this possible. In this regard, I note that the Army, armed groups must be involved and support the political solution. It is imperative that they complement the agreement with a specific roadmap for the implementation of the security arrangements outlined in this agreement.

I also intend to convene a meeting of tribal leaders soon. The United Nations, views their participation and support as a key pillar towards further ensuring the success of this agreement.

After months of intense discussions and negotiations, countless meetings with all the parties, I am confident that we have approached the final stages of this phase of the dialogue process. It is now time to for the main parties and participants in this process to decide whether or not they want to take that key and courageous step towards reaching a political solution facilitated by the United Nations and enjoying the support of the wider international community. The alternative is to continue fighting, and take the country further down the path of chaos and destruction.

Acceptance of this draft requires ownership and full responsibility on the part of the main parties and the participants. On Wednesday, 29 April, I will be briefing the United Nations Security Council on the latest developments regarding the Libyan dialogue process and the challenges facing Libya. I have no doubt the Council will be following developments closely as it contemplates next steps to be taken with respect to Libya and support for its political transition.

I am confident that should the different parties signal their acceptance of this agreement, this would mark a historic moment in their country's transition towards democracy, one which will avail the Libyan people ample opportunities to reap the dividends of peace, stability and long-term development.

Yours faithfully,

Bernardino Leon Gross



Special Representative of the Secretary General and Head of the United Nations Mission in
Libya

Participants in the Libyan Political Dialogue
Libya