



Security Council Briefing, 10 March 2014
Special Representative of the Secretary-General
and Head of UNSMIL, Tarek Mitri
(Check against delivery)

Madame President, Esteemed Members of the Security Council,

1. You have before you the Report of the Secretary-General on Libya covering events in that country since his last Report on 5 September 2013.
2. On 8 March, Libyan oil was loaded on a North Korean flagged vessel, the Morning Glory, by armed groups who have been blockading a number of oil terminals and fields in eastern Libya for many months. This constitutes an illegal act and violates Libya's sovereignty over its ports and natural resources.
3. Three months ago before this Council, I spoke of the steady decline in the security situation across Libya, and of mounting popular frustration with the political process. I alluded to the strong polarization resulting from disagreement over management of the transition period, reflecting deeper political and ideological divisions. On 2 March, the General National Congress building was stormed by protestors demanding its dissolution. About 150 young men ransacked the main chamber and assaulted members, four of whom were injured. I strongly condemned violence against the GNC premises and its members, reemphasizing the need to respect legitimate state institutions. While upholding the right to freedom of expression, I also made clear that the use of force to achieve political objectives is to be unequivocally rejected.
4. The decision of the General National Congress on 3 February regarding the transfer of authority in due course to a constitutionally elected legislative body did not defuse tensions ahead of 7 February, the date some have interpreted – controversially – as that on which the GNC's term should have ended. Acknowledging public pressure, this body opted for early elections, establishing de facto a new transitional period, to continue until the end of a longer constitutional process. It formed a 15-member committee to consider amendments to the Constitutional Declaration, issued by the National Transitional Council in August 2011.
5. Intense efforts to resolve differences and negotiate an agreement on the management of the transitional period, including the future of the General National Congress and the Government, have not succeeded in bringing an end to the divisions that have paralysed the political process. Considerable differences remain over holding both parliamentary and presidential elections, and the extent of powers to be granted to a future president. The application of the Political Isolation Law remains a contentious issue as well.
6. Throughout this process, the United Nations Support Mission in Libya has consistently encouraged the different parties to reach agreement on the main national priorities and the management of the transition. To this effect, I convened regular consultative meetings with leaders of the major political and civil society forces.



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Madame President,

7. In the previous three months, there has been a dramatic increase in violence across the country. In January and early February, clashes took place in the Warshafana area west of Tripoli, within earshot of UNSMIL's compound. In Sabha in the south and Kufra in the southeast, political, economic and social grievances spilled over into armed violence between rival groups, many along ethnic and tribal lines. Former regime supporters took advantage of the situation to occupy, for some time, government facilities. In Sabha, violence resulted in over 100 fatalities, including children and the elderly. It also led to the displacement of hundreds of families and shortages of fuel, food and medical supplies. In coordination with the national and local authorities, the United Nations moved quickly to provide displaced families in Awbari and Sabha with emergency relief items. Providing relief items to Kufra is also underway.

8. In the east, the unabated campaign of targeted assassinations, bombings, and abductions in Benghazi has reached intolerable levels. Many victims have been security and judicial personnel. But civilians have also suffered unchecked terror and intimidation. The killing in Benghazi on 24 February of seven Egyptian nationals, all Christians, are a sad illustration of the dangerous lawlessness. I take heart from the unequivocal condemnation and repulsion with which the Libyan public and leaders have reacted to these killings.

9. In a city which prides itself on its role in putting an end to decades of tyrannical rule, the present public's sense of anger is mounting. While the primary responsibility for reining in the perpetrators of this ugly campaign of terror lies with the State, this will only be possible with the concerted efforts by the Government, political, civic and revolutionary forces, aiming at the protection of the civilian population. In this context, the UN was criticized for what is seen as impotence by those whose expectations are far beyond what the UN Mission is mandated to do.

Madame President,

10. Nation-wide demonstrations have taken place since early February against the continued tenure of the General National Congress. Strong resentment and animosity has grown between the two main, though not homogeneous, camps. Libya faces the risk of embarking on a new trajectory of unprecedented violence.

11. On February 18th, two armed brigades gave an ultimatum to Congress members to step down within 5 hours or face military intervention. This escalation followed a series of attacks against media outlets that have strongly disapproved of the General National Congress. In my contacts with political and brigade leaders, as well as in a public statement, I called for restraint, warned against resorting to violence and appealed for a return to political dialogue. In a meeting with the two brigades, I reiterated this position asking them to resolve political problems by political means. It is widely believed that UNSMIL had a role in helping to avert violence on this occasion. It is regrettable, however, that some voices of criticism or slander failed to recognize the true motives and effects of the UN initiatives.



12. Mindful of our neutrality and respect of national sovereignty as well as strict adherence to non-interference in the internal affairs of Libya, I persistently called all actors on the Libyan scene to uphold the national interest and refrain from threatening to use force to resolve political disputes. I also reiterated the United Nations' support to the safeguarding of the legitimacy of Libya's elected institutions and their role in the peaceful transfer of their authority to an elected body.

Madame President,

13. On 20 February, the constitution drafting assembly elections took place. 649 candidates contested the elections, 54 women competed for the six reserved seats. 509,043 voters cast their ballots, representing 46% of the 1,101,541 registered voters. In addition to the Amazigh boycott of the polls, there was a sizeable boycott by the Tabu and Tuareg in the South. Their stance relates to their demand for a consensual decision-making mechanism in the constitution drafting assembly regarding their rights. There had to be re-run of the polls on 26 February in about 2% of centres. In some of them, polling did not take place because of the boycott. Security considerations in Derna meant that no polling took place there. A total of 13 seats from across Libya have not been filled.

Madame President,

14. There has been an alarming increase in attacks on journalists and media institutions. Several television stations in Tripoli and Benghazi were the target of armed acts of vandalism. A number of journalists and media figures were abducted. Attacks on media outlets and personnel were and must be condemned.

15. In February, the General National Congress promulgated a law which punishes with imprisonment any person found to be undermining the 17 February Revolution, or publicly insulting the legislative, executive or judicial authorities or disgracing the national flag. The law was criticised by many Libyans as incompatible with Libya's Constitutional Declaration and its international human rights obligations. We call upon the General National Congress to bring the Law in line with international human rights standards.

16. On 2 March, the 90-day deadline set by the Law on Transitional Justice for completing the screening of detainees expired. Initial figures suggest that the process has yet to be completed. UNSMIL remains concerned at reports of continuing torture, deaths in custody, kidnapping and secret detentions by brigades nominally affiliated to the Ministries of Justice or Defence. The handover of all detainees to the effective control of the state is a pre-requisite to the establishment of the rule of law in the country.

Madame President,

17. Strengthening the State's ability to assume its security responsibilities continues to be hindered by the absence of a political agreement over the rebuilding of a national army, the integration of revolutionary fighters and the collection of weapons. A solution to this problem will require a clear strategy and giving a number of assurances to the revolutionaries who are only nominally under state authority. These include recognition of their contributions to the revolution and safeguards for their legitimate rights and interests.



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18. Despite a number of systemic problems, efforts by the United Nations persevere. In addition to advice and technical assistance, there has been special attention given to developing national programmes to control arms and ammunition stockpiles, heavy weapons, and small arms as well as light weapons. I am pleased to report that the Government has responded positively and taken steps to create a structure to address these issues.

Madame President,

19. International and well-coordinated support to Libya is vital. In this regard, I welcome the holding and results of the Rome conference on March 6, with the participation of a large number of countries, including the five permanent members of the Security Council, neighbouring countries and other friends of Libya. The people of Libya expect that the international community will assist them in the difficult task of building a state, with strong and accountable institutions. Support to Libya, however, can be meaningful and effective if there is unequivocal commitment on the part of Libya's leaders to this goal and a political will to resolve, through dialogue and concerted efforts, the major problems of the country.

Thank you.
