

SRSG Abdoulaye Bathily s remarks to the security council meeting on Libya - 24 October 2022

(As Delivered)

24 Oct 2022

Mr. President,

Distinguished Members of the Security Council,

It is a great honour for me to brief you for the first time since I assumed my functions as Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya on 25th September. I look forward to working closely with the Council and trust I will be able to count on your support.

Prior to my arrival in Libya, on 14 October, I engaged with a broad range of representatives of Member States in New York, including Members of the Security Council, and representatives of regional organisations, to hear their thoughts on the situation in Libya and ideas on how to overcome the country's challenges. I stressed the importance of ensuring that the international community support Libyan efforts in a coordinated manner, rally behind the UN's lead, and refrain from taking any action that could further deepen divisions.

Mr. President,

The political deadlock persists with no clear end in sight to the prolonged stalemate over the executive. Further, efforts to resolve the remaining outstanding issues related to the constitutional basis for elections do not appear to lead to concrete action by the relevant actors, further delaying prospects for the holding of inclusive, free and fair elections aimed at ending the transition and reinstating the legitimacy of institutions.

To design a response to these daunting political challenges, I have decided to give priority to the consultations with Libyan institutional, political, security and civil society actors from across the country, including the South, East and West.

Therefore, since my arrival in Libya, I have embarked on a series of consultations with a broad range of Libyan political, security and economic actors, as well as representatives of civil society from all regions of the country, to gain a better understanding of the current challenges, possible solutions, and aspirations of the Libyan people.

I am grateful for my interlocutors who have without exception welcomed me and expressed their high hopes for the UN mediation and good offices role.

More specifically, I exchanged views with the President of the Presidential Council, members of the Government of National Unity (GNU), including Prime Minister Abdulhamid Dbeibah, Minister of Foreign Affairs Najla Mangoush and other GNU cabinet members. I also met with the Chief of General Staff, General Haddad, and with the Western members of the Joint Military Committee (JMC). Furthermore, I consulted with the High National Electoral Commission, the National Oil Corporation and the Central Bank of Libya. I further exchanged views with the President of the High State Council, Khaled Mishri, over the phone as he had to travel out of the country the day after my arrival. I travelled to Al Quba to meet the Speaker of the House of Representatives, Aguila Saleh. The day before yesterday, I travelled to Benghazi, where I met with Field Marshall Khalifa Haftar, General Commander of the Libyan National Army, the Eastern members of the JMC and the Prime Minister designated by the House of Representatives, Fathi Bashaga. I also met with representatives of women organisations. Yesterday in Tripoli, I received civil society organisations, women candidates for the parliamentary elections, and representatives of women civil society organisations.

Mr. President,

There remain significant differences on how Libyans want to overcome the current crisis. In response to the near unanimous condemnation across the spectrum of the presence of mercenaries, foreign fighters and foreign forces in Libya and the incessant foreign interference in the country's affairs, I stressed to all my interlocutors that the solution to the crisis must come from inside Libya, on the basis of the will of the Libyan people. I urged the country's leaders to hear the people's aspiration for peace, stability, economic development, and a responsive leadership.

Mr. President,

While the ceasefire continues to hold, the security track needs to be reinvigorated as it has been adversely impacted by the protracted political impasse. The violent clashes in Tripoli on 27 August have resulted in a shift in the power balance in the capital, which has deepened tensions between Eastern and Western security actors and led to a fragile stability.

Despite the noticeable decrease in mobilization of armed groups and clashes among them, there are reports of ongoing large-scale recruitment activities. Fighting between armed groups in Zawiya, west of Tripoli, on 25 September, trapped dozens of families for several hours and left at least three civilians killed, including a 10-year-old girl.

Further to my engagements with security actors in the East and the West, I am pleased to report that the 5+5 JMC has agreed to meet under UN auspices in Sirte next Thursday to discuss the resumption of the Commission's activities to further the implementation of the Ceasefire Agreement.

Regarding the Chief of Staff talks, the two Chiefs of Staff met in Tunis on 12 October on the margins of an air and defence exhibition. An intended visit by the Chief of Defence Staff of the Libyan Army to Benghazi is still pending. I encourage regular exchanges between the two Chiefs of Staff, to give momentum to steps towards the reunification of military institutions.

Mr. President,

Developments in the economic track include the release of the annual reports of the National Audit Bureau and the Administrative Control Authority on the activities of public institutions, including the Central Bank of Libya and the Government of National Unity. In response to some of the findings and recommendations in the reports, Prime Minister Dbeibah announced a series of corrective administrative measures. Investigations were opened into the work of Libyan officials, based on the observations and recommendations in the reports.

Mr. President,

Regrettably, the human rights situation in Libya remains concerning. Violations against migrants and asylum seekers continue with impunity. Arbitrary detention continues as a common practice.

On 7 October, in the aftermath of clashes between rival human-trafficking gangs in the city of Sabratha, eleven charred bodies of persons believed to be migrants were discovered in a docked boat and four more bodies found outside the boat bearing wounds. I note the announcement by the Ministry of Interior of an investigation, which should bring the perpetrators to justice.

I call on Libyan authorities to take immediate and credible measures to address the dire situation of migrants and refugees and dismantle the related trafficking and criminal networks.

Official statistics received by UNMSIL on 1 October show that nearly 11,000 individuals including 55 women are serving sentences in prisons run by the Judicial Police. In addition, nearly 6,000 individuals are in pretrial detention, including 113 women. 135 juveniles are behind bars. The total number represents a 40 percent increase from statistics released in August 2021. Many of those in pre-trial detention, representing a third of the total prison population, are detained with no access to justice. These numbers do not include the approximately 3,243 migrants who are arbitrarily detained in detention centres operated by Government entities.

Libyan authorities should guarantee due process and a fair trial for those detained on credible charges and immediately and unconditionally release all persons who are arbitrarily detained.

Mr. President,

On 12 October, the co-chairs of the Working Group on International Humanitarian Law and Human Rights of the International Follow-up Committee on Libya, in collaboration with the Presidency Council and the African Union, organised a briefing on national reconciliation by experts who shared best practices and other national experiences in this area. The meeting highlighted the role of victims at the centre of effective, rights-based reconciliation processes, the need to rebuild trust in State institutions, and the criticality of ensuring inclusivity and women's meaningful representation and participation. The experts also stressed the importance of ensuring that reconciliation efforts are effectively linked to the political process.

On 18 October, I met the Minister of Foreign Affairs of the Republic of the Congo in his capacity as representative of the Chairperson of the AU High-Level Committee on Libya. He briefed me on the outcome of the meeting that had just concluded during which the AU discussed preparations for a national reconciliation meeting with Libyan counterparts.

Mr. President,

The situation in Libya calls for a consensus State re-legitimation process. Legitimate institutions capable of providing for the basic needs of the people must be established on the basis of a genuine political will. In this process, the conduct of legislative and presidential elections is paramount. I will intensify consultations with relevant actors to progress towards an agreement on the necessary parameters to reach this objective, including during the upcoming Summit of the League of Arab States. It will be important for your august body to coordinate messaging and stress upon Libyan actors the need to work together, in a sincere and committed manner, towards elections. Your unified call for more coherence and coordination in the action of international actors would also be precious to UNSMIL's endeavour.

In the coming weeks, I intend to:

- Undertake to facilitate a meeting between the main leaders of the House of Representatives and High State Council to understand the commitments announced in Rabat on 21st October and agree on political, constitutional, legal and security measures to advance preparations for elections as soon as possible in keeping with the aspirations clearly expressed by the Libyan people.
- I intend also to travel to Sirte on 27th October to resume the 5+5 JMC work and revive the security track. On that basis, we will also reinvigorate the political and economic tracks.

- Finally, work to mobilise the support of the international community to ensure that we all coordinate in coherence with the above approach.

Thank you for your kind attention.