

## **SRSG Abdoulaye Bathily's Remarks to The Security Council Meeting on Libya - 16 December 2022**

(As Delivered)

**16 December 2022**

Madam President,

Distinguished Members of the Security Council,

Since my last briefing on 15 November, I continued my dialogue with Libyan stakeholders and international partners to advance the political process and revive the electoral track in accordance with Security Council resolution 2656.

In this regard, I undertook a tour of the region to meet with the regional partners. From 19 to 30 November, I travelled to Türkiye, Qatar, the United Arab Emirates, Egypt and Tunisia.

In my meetings, I sought my interlocutors' continued and coordinated support for UNSMIL efforts to help the Libyan leaders overcome their differences, and resolve the legitimacy crisis of the interim institutions that have been in place for too long.

I reiterated that the first important step on the path to legitimacy, security, and sustained stability is to afford the 2.8 million Libyans registered to vote the opportunity to cast their ballot and to freely select their country's future leaders to open a new era for Libya, its neighbours and the region.

I am thankful for the unanimous expressions of support and commitment to the United Nations' efforts to support the resumption of the intra-Libyan dialogue.

In the coming weeks, while intensifying my engagements with the Libyan actors, I plan to conclude my regional tour and visit other international partners, to seek their views on the ongoing crisis in Libya and how best to support UNSMIL to carry out its mandate.

Madam President,

I have urged the leaders of the House of Representatives and the High Council of State, to rise above personal and group interests and work constructively towards finalizing the constitutional basis for elections, within a well-defined timeframe, in line with the pressing aspirations of the majority of the citizens of Libya.

Following my repeated calls to the Speaker of the House of Representatives and the President of the High State Council to meet inside Libya to demonstrate to all Libyans their willingness to initiate dialogue in earnest to find a way out of the crisis, Mr. Agila Saleh and Mr. Mishri agreed to meet under UN auspices in the city of Zintan on 4 December.

The meeting would have been the occasion to signal the resumption of the political dialogue on Libyan soil.

Regrettably, the meeting had to be postponed due to unforeseen logistical reasons as well as emerging political obstacles.

We are working with the chairs of the HoR and the HSC to identify a new date and location in Libya for this meeting to take place.

I am also in touch with the Presidential Council, to facilitate a meeting between the three institutions based on the recent proposal put forward by President of the Presidential Council Mr. Al-Mnefi in this regard.

While the meetings outside the country remain useful, it is evident that the meetings of national leaders inside the country will help set a positive example for the citizens towards healing the wounds of division in the society and signal the political will to mitigate the risks of partition of the country.

To garner the maximum level of support for the process, I informed the Prime Minister, Mr. Dbeibah, of the forthcoming meeting of the heads of the two chambers and the Presidential Council. I have also highlighted my readiness to work with all actors to reach consensus on a Libyan-owned and Libyan-led political process that can take the country out of over ten year of political pitfalls and increasing economic and social hardship for the majority of its population.

Today, I ask this Council, its members and all those who have the convening power, to support UNSMIL's efforts to bring Libyan political leaders back to the negotiating table and to prevent a further deterioration of the situation on the eve of the one-year anniversary of the postponement of the 24 December elections.

The protracted crisis in Libya significantly impacts people's wellbeing, compromises their security, and threatens their very existence. It also carries a serious risk of further dividing the country and its institutions.

We can already witness the signs of the partition with two parallel governments, separate security apparatuses, a divided central bank, the decision by the House of Representatives to establish a constitutional court in Benghazi in the East of the country in the absence of an agreed Constitution, and the growing discontent in all the regions over the unequal allocation of the huge revenues of oil and gas of the country.

Political leaders of all sides are to be held responsible of these disturbing developments for the future of the country.

Madam President,

In contrast to their political counterparts, under the leadership of the 5+5 Joint Military Commission (JMC), the security and military track has demonstrated a stronger will to make progress towards the implementation of the ceasefire agreement and to unify the country's security institutions.

The ceasefire continues to hold and there have been no violations recorded since my last briefing, despite the reported build-up of forces on both sides. The situation, however, remains tense and unpredictable throughout the country.

On 8 December, I attended with other co-chairs in Tunis a plenary session of the Security Working Group of the Berlin International Follow-up Committee, in the presence of most members of the Berlin process, the 5+5 Joint Military Commission and officials of the Libyan Ministry of Interior in charge of ensuring the security of the electoral process.

Following up on its previous meeting held in Sirte on 27 October, the Security Working Group discussed and agreed to the establishment of a Disarmament, Demobilization and Reintegration sub-committee of the JMC, in accordance with the 4<sup>th</sup> provision of the ceasefire agreement.

UNSMIL will provide the sub-committee with relevant technical support and expertise, as requested by the 5+5 JMC

In the absence of the necessary authorization from the Libyan authorities for the effective establishment of the UNSMIL Ceasefire Monitoring Mechanism (CMC) in Sirte, international ceasefire monitors continue to operate from Tripoli.

During the meeting I urged the 5+5 JMC to help overcome this hurdle to allow the CMC to be fully operational in accordance with relevant Security Council resolutions. I hope that the commitment made by the 5+5 JMC to support the deployment of the UNSMIL monitors to Sirte will materialize in the coming meeting of the 5+5 on 15 January in Sirte under the auspices of UNSMIL.

Madam President, The proliferation of weapons under the control of various state and non-state actors and the presence of foreign fighters, foreign forces and mercenaries continue to pose a serious challenge to the safety and security of Libyans and undermines efforts to unify the country's security institutions.

This year alone, 39 people have been killed and maimed in Explosive Remnants of War incidents, including 11 children. About 76 percent of those affected were civilians.

Madam President,

The Economic Working Group Co-chairs continue to engage with Libyan institutions to advance discussions on an agreement for a temporary expenditure and oversight mechanism.

I reiterate the importance, and urgency, of establishing a Libyan-led mechanism that brings together stakeholders from across the country to agree on spending priorities and ensure that oil and gas revenues are managed in a transparent and equitable manner, in line with Security Council Resolution 2656.

Madam President,

UNSMIL continues to observe a systematic campaign by Libyan security actors attempting to undermine and silence civil society, humanitarian actors, human rights defenders and political activists, including women and youth.

It is my conviction that a robust civil society is fundamental for a safe, open, and democratic discourse between the State and its citizens and represents the very foundation required for Libya's political transition.

On 8 December, to mark International Human Rights Day, I hosted a digital dialogue with Libyans during which participants expressed concern at the prevailing security situation and serious deterioration in basic services, including access to healthcare, education, housing and electricity. They also called for elections to be held.

Madam President,

My briefing today comes at the end of the global 16 days campaign on violence against women.

On 25 November, I issued a statement calling on all concerned parties in Libya to take concrete steps to combat violence against women and girls in all its online and offline forms. I have also called for the adoption of laws that would provide protection for women and girls victims of violence.

Violence against women is not an isolated phenomenon and its prevalent occurrence is enabled by Libya's institutional fragmentation and inadequate legal frameworks.

On a positive note, on October 19, the Government of National Unity issued a decision, which provides children of Libyan women, married to non-Libyans, access to basic services such as education and health.

It also waived the visa requirements for their children.

This is a step in the right direction that needs further consolidation through adopting relevant laws and strengthening institutions.

I urge relevant authorities to continue to take all the necessary measures and adopt laws that protect and enhance the rights of women and children.

Madam President,

I am concerned about new bureaucratic obstacles and movement restrictions faced by humanitarian organizations which are impeding humanitarian access and delivery of life saving humanitarian assistance to internally displaced persons as well as thousands of detainees without judgement throughout the numerous detention camps across the country.

I call on all Libyan authorities to facilitate the renewal of registration of international non-governmental humanitarian organizations and expedite visa approvals for their staff operating in Libya.

Madam President,

In summary and to conclude:

Work on the security track has resulted in some notable achievements, and the economic track is building some momentum, which can be built on.

The political track, however, is showing little sign of progress.

With the support of this Council and its individual member states:

1. We need to apply pressure on the country's political leaders on the urgency of finalizing the constitutional basis.

The continued disagreement between two individual men, the Speaker of the HoR and the President of the HCS, on a very limited number of provisions of the constitutional basis can no longer serve as a justification to hold an entire country hostage.

The patience of the people of Libya is not limitless.

If the two institutions cannot reach an agreement swiftly, alternative mechanisms can, and should be used to alleviate the sufferings caused by outdated and open ended interim political arrangements.

1. We need to think creatively about ways to ensure that free, fair, transparent and simultaneous presidential and parliamentary elections are organized and held under a single, unified and neutral administration, and that those who wish to run as candidates resign from their current functions to create a level playing field for all.
2. Finally, we need to hold those individuals and entities acting or supporting acts which prevent or undermine the holding of elections, accountable. This applies to acts committed before, during and after the election.

Together we must resolve to help the Libyans to mark the year 2023 the year of the beginning of a new era through the rise of legitimate institutions through free and fair elections.

I hope I can count on the active engagement of this Council towards this end.

I thank you for your attention.