

### 13. The situation in Libya

During the period under review, the Security Council held 12 meetings, adopted three resolutions, including two under Chapter VII of the Charter, and issued one presidential statement in relation to the situation in Libya. Except for those meetings convened to adopt a decision of the Council, all the meetings held under this item took the form of briefings.<sup>188</sup> More information on the meetings, including on participants, speakers and outcomes, is given in the table below.

In 2018, the Council was regularly briefed by the Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya (UNSMIL). In his six briefings, the Special Representative reported on the ongoing political, security, humanitarian, economic and institutional challenges in Libya and how the progressive expansion of UNSMIL was supporting the country's political and democratization process, in accordance with the United Nations Action Plan for Libya.<sup>189</sup> With regard to the political and democratization process, the briefings were focused on the status of holding a referendum on the draft constitution and presidential and parliamentary elections, as well as the development of a national conference as a platform for the Libyan people to crystallize their vision for a political transition and to foster institutional progress.<sup>190</sup> He also reported on the visit of the Under-Secretary-General for Political Affairs to Libya from 9 to 12 January 2018<sup>191</sup> and spoke about the deteriorating security situation in Tripoli and other parts of the country, including the brokering by UNSMIL of a ceasefire between the major parties to the conflict in September.<sup>192</sup> Other briefers included the Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya and the Prosecutor of the International Criminal Court. The Council was also addressed by the co-founder of Together We Build It, a Libyan civil society organization. Invitations under rule 37 of the provisional rules of procedure were extended to Libya.

The Chair of the Committee established pursuant to resolution 1970 (2011) briefed the Council four times on the activities of the Committee and its Panel

of Experts.<sup>193</sup> His briefings were focused on the violations of the sanctions regime, including the arms embargo, the violations in the context of human trafficking and migrant smuggling, the illicit exports of crude oil and refined petroleum products from Libya and the implementation of the asset freeze. The Prosecutor of the International Criminal Court briefed the Council twice to report on the progress and challenges relating to the investigations in Libya and the status of the Court's efforts to arrest Saif Al-Islam Qadhafi following the issuance of an arrest warrant in June 2011 by the Pre-Trial Chamber of the Court. She also called upon the Council and all States to effect and lend support to the arrest and surrender of fugitives of the Court in Libya and elsewhere.<sup>194</sup>

During their deliberations in 2018, Council members expressed full support for the United Nations Action Plan for Libya and underscored the importance of the role of the United Nations in facilitating a Libyan-led political solution to the challenges facing the country. The need for the institution of a universally recognized and respected Government at the national level was also discussed, including the need to establish a unified and strengthened Libyan police and security institutions. Speakers also focused on the country's underlying economic problems and financial corruption, threatening the unity and stability of the country. Council members expressed concern over the deteriorating security and humanitarian situation in Libya, as well as over the ongoing fight against terrorism and the continuing threat of terrorist groups in Libya.

The above issues were also addressed by the Council in its decisions during the reporting period. On 6 June 2018, the Council issued a presidential statement in which it reaffirmed its endorsement and full support for the United Nations Action Plan for Libya.<sup>195</sup> In the statement, the Council welcomed all efforts to strengthen an inclusive political dialogue among all Libyans within the framework of the Libyan Political Agreement, while bearing in mind that the political and security situation was not sustainable.<sup>196</sup> The Council welcomed the success of the first phase of the national conference and the organization, in a peaceful and organized process, of the first municipal elections in the city of Zawiyah, and encouraged all Member States to fully support the efforts of the

<sup>188</sup> For more information on the format of meetings, see part II, sect. I.

<sup>189</sup> S/PV.8159, pp. 2–4; S/PV.8211, p. 4; S/PV.8263, pp. 4–5; and S/PV.8312, pp. 2–3.

<sup>190</sup> S/PV.8159, p. 3; S/PV.8263, pp. 3–4; S/PV.8312, pp. 2–3; S/PV.8341, p. 4; and S/PV.8394, p. 4.

<sup>191</sup> S/PV.8159, p. 4.

<sup>192</sup> S/PV.8341, p. 2; and S/PV.8394, p. 2.

<sup>193</sup> S/PV.8159, pp. 4–5; S/PV.8263, pp. 5–6; S/PV.8312, pp. 5–6; and S/PV.8341, pp. 4–5.

<sup>194</sup> S/PV.8250, pp. 2–5; and S/PV.8388, pp. 2–4.

<sup>195</sup> S/PRST/2018/11, first paragraph.

<sup>196</sup> Ibid., second and fourth paragraphs.

Special Representative.<sup>197</sup> The Council also requested the Secretary-General to report, as necessary, on the support provided by UNSMIL for the subsequent phases leading to national elections.<sup>198</sup>

Shortly thereafter, on 11 June, the Council unanimously adopted resolution 2420 (2018). In the resolution, acting under Chapter VII of the Charter, the Council extended for 12 months the authorizations set out in resolution 2357 (2017) for Member States to inspect vessels in strict implementation of the arms embargo on the high seas off the coast of Libya and to use all measures commensurate to the specific circumstances to carry out such inspections.<sup>199</sup>

On 13 September 2018, the Council unanimously adopted resolution 2434 (2018), in which it welcomed the United Nations-brokered ceasefire in Tripoli and expressed its strong support for the ongoing efforts of UNSMIL and the Special Representative.<sup>200</sup> By virtue of the resolution, the Council extended until 15 September 2019 the mandate of UNSMIL as an integrated special political mission under the leadership of the Special Representative.<sup>201</sup>

On 5 November 2018, the Council adopted resolution 2441 (2018), in which, acting under Chapter VII of the Charter, it extended the sanctions measures related to petroleum, including crude oil and refined petroleum products, and the mandate of the Panel of Experts until 15 February 2020.<sup>202</sup> Resolution 2441 (2018) was adopted with 13 votes in favour and two abstentions. Further to the vote, the representative of the Russian Federation explained that his country was unable to support the resolution, drafted by the United Kingdom, as the authors had incorporated into the resolution a provision specifying sexual and gender-based violence as a separate criterion for sanctions even though such actions were fully covered in the existing listing criteria. He added that the issue of sexual and gender-based violence was considered by specialized bodies and the proper division of labour had to be adhered to.<sup>203</sup>

Developments in Libya were also considered elsewhere under the items entitled “Threats to international peace and security caused by terrorist acts” and “Maintenance of international peace and security”.<sup>204</sup>

<sup>197</sup> Ibid., seventh, eighth and fourteenth paragraphs.

<sup>198</sup> Ibid., sixteenth paragraph.

<sup>199</sup> Resolution 2420 (2018), para. 1. See also resolutions 2357 (2017), para. 1; and 2292 (2016), paras. 3 and 4. For further details on authorizations granted under Chapter VII, see part VII, sect. IV.A.

<sup>200</sup> Resolution 2434 (2018), fourth and fifth preambular paragraphs.

<sup>201</sup> Ibid., para. 1. For more information on the mandate of

UNSMIL see part X, sect. II.

<sup>202</sup> Resolution 2441 (2018), paras. 2 and 14.

<sup>203</sup> S/PV.8389, p. 3. For more information on the sanctions regime concerning Libya, see part VII, sect. III.

<sup>204</sup> For further details, see part I, sects. 31 and 37, respectively.

## Meetings: the situation in Libya

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.8159 17 January 2018			Libya	Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya, co-founder of Together We Build It	All Council members, <sup>a</sup> all invitees <sup>b</sup>	

## Repertoire of the Practice of the Security Council, 2018

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.8211</a> 21 March 2018	Report of the Secretary-General on the United Nations Support Mission in Libya (S/2018/140)		Libya	Special Representative of the Secretary-General	Six Council members, <sup>c</sup> all invitees <sup>d</sup>	
<a href="#">S/PV.8250</a> 9 May 2018			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	
<a href="#">S/PV.8263</a> 21 May 2018	Report of the Secretary-General on the United Nations Support Mission in Libya (S/2018/429)		Libya	Special Representative of the Secretary-General	All Council members, <sup>a</sup> all invitees <sup>e</sup>	
<a href="#">S/PV.8275</a> 6 June 2018			Libya			<a href="#">S/PRST/2018/11</a>
<a href="#">S/PV.8282</a> 11 June 2018		Draft resolution submitted by United Kingdom (S/2018/542)	Libya			Resolution <a href="#">2420 (2018)</a> 15-0-0 (adopted under Chapter VII)
<a href="#">S/PV.8312</a> 16 July 2018			Libya	Special Representative of the Secretary-General	Three Council members (Bolivia (Plurinational State of), Kazakhstan, Sweden), <sup>a</sup> all invitees <sup>d</sup>	
<a href="#">S/PV.8341</a> 5 September 2018	Report of the Secretary-General on the United Nations Support Mission in Libya (S/2018/780)		Libya	Special Representative of the Secretary-General	All Council members, <sup>a</sup> all invitees <sup>d</sup>	
<a href="#">S/PV.8350</a> 13 September 2018	Report of the Secretary-General on the United Nations Support Mission in Libya (S/2018/780)	Draft resolution submitted by United Kingdom (S/2018/836)	Libya			Resolution <a href="#">2434 (2018)</a> 15-0-0

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.8388 2 November 2018			Libya	Prosecutor of the International Criminal Court	All Council members, all invitees	
S/PV.8389 5 November 2018		Draft resolution submitted by United Kingdom (S/2018/985)	Libya		Seven Council members <sup>f</sup>	Resolution 2441 (2018) 13-0-2 <sup>g</sup> (adopted under Chapter VII)
S/PV.8394 8 November 2018			Libya	Special Representative of the Secretary- General	All Council members, all invitees <sup>d</sup>	

<sup>a</sup> The representative of Sweden spoke in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya.

<sup>b</sup> The Special Representative and the co-founder of Together We Build It participated in the meeting via videoconference from Tunis.

<sup>c</sup> Bolivia (Plurinational State of), Equatorial Guinea, Kazakhstan, Peru, Russian Federation and Sweden.

<sup>d</sup> The Special Representative participated in the meeting via videoconference from Tripoli.

<sup>e</sup> The Special Representative participated in the meeting via videoconference from Paris.

<sup>f</sup> Equatorial Guinea, France, Netherlands, Russian Federation, Sweden, United Kingdom and United States.

<sup>g</sup> *For:* Bolivia (Plurinational State of), Côte d'Ivoire, Equatorial Guinea, Ethiopia, France, Kazakhstan, Kuwait, Netherlands, Peru, Poland, Sweden, United Kingdom, United States; *against:* none; *abstaining:* China, Russian Federation.

## 14. The situation in Mali

During the period under review, the Security Council held six meetings and adopted two resolutions under Chapter VII of the Charter in connection with the situation in Mali. Except for two meetings convened to adopt the decisions of the Council, all other meetings under this item took the form of briefings.<sup>205</sup> The Council also met once with countries contributing troops and police to the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).<sup>206</sup> More information on the meetings, including on participants, speakers and outcomes, is given in the table below.

The Council heard briefings by the Under-Secretary-General for Peacekeeping Operations and the Special Representative of the Secretary-General for Mali and Head of MINUSMA, both invited under rule

39 of the provisional rules of procedure. In 2018, the discussions in the Council were focused on the delays in the implementation of the Agreement on Peace and Reconciliation in Mali of 2015, the deteriorating security and humanitarian situation in the country, the operationalization of the Joint Force of the Group of Five for the Sahel and the additional support required, and the presidential elections, which were held in July and August 2018.

On 23 January 2018, the Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations, who reported on the timeline for the implementation of urgent measures within the framework of the peace agreement. He emphasized the importance for the Government and the signatory movements to make every effort to respect the new timetable. He also reported on the increasing insecurity in the northern and central parts of the country and noted the worsening human rights and humanitarian situation. He welcomed the progress made in the operationalization of the Joint Force of the Group of Five for the Sahel during 2018 and informed the Council that, in spite of the capability gaps of

<sup>205</sup> For more information on the format of meetings, see part II, sect. I.

<sup>206</sup> Held on 7 June 2018 under the item entitled "Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B"; see S/PV.8281.