

**Briefing on Libya by Mr. Jeffrey Feltman
Under-Secretary-General for Political Affairs
Meeting of the Security Council
12 September 2012**

Mr. President,

1. Yesterday, the world witnessed a sobering reminder of the challenges faced not only by the Libyans but by those in the international community who are committed to support Libya's ongoing transformation. In Benghazi, the U.S. diplomatic presence was deliberately attacked and burned; those claiming responsibility cited a video insulting to Islam as their motivation. Four U.S. diplomats were killed in the attack, including U.S. Ambassador to Libya John Christopher Stevens. I have seen reports that Libyan security personnel were also killed.

2. The United Nations rejects defamation of religion in all forms, but there is no justification for violence such as occurred in Benghazi yesterday. We condemn in the strongest terms this attack on a diplomatic facility, and we extend our condolences to the families, Libyan and American, of those killed and our wishes for a speedy and full recovery to those injured.

3. This organization, under the direction of the Secretary-General, is committed to doing its best to support Libya's ongoing transition and to help the Libyan people achieve their aspirations for a secure, democratic, united, and prosperous Libya. We work in partnership first and foremost with the Libyan people and government, but also with other governmental and non-governmental partners. The Secretary-General reminds the Libyan authorities of their obligations to protect diplomatic facilities and personnel. We welcome statements by Libyan authorities that they will bring those who killed the diplomatic personnel to justice.

4. U.S. Ambassador Chris Stevens was a close colleague and dear friend; we had worked together for years during my tenure at the U.S. State Department. I want to add my own words of condolence to his family and the wide circle of friends he had around the world.

Mr. President,

5. This attack, together with a spate of assassinations of security personnel in Benghazi, a series of explosive devices in Tripoli, and attacks on Sufi shrines, further emphasize the security challenges facing the authorities in Libya and these are a major theme of the Secretary-General's report now before the Council. While prepared before the news of the attack on the U.S. office in Benghazi, the Secretary-General's report detailed some of the most important milestones in Libya's democratic transition since the last briefing on 18 July. I will focus on the most significant developments since the preparation of the report, and will outline some of the challenges facing the new Libyan authorities and the way forward.

6. The transfer of authority from the National Transitional Council to the 200-member General National Congress on 8 August marked a historic moment. For the first time in over four decades, Libya now has a democratically elected body.

7. Reflecting the sense of public trust and expectation that accompanied its assumption of office, the General National Congress on 9 August, moved quickly to elect a president and two vice presidents, as per the Constitutional Declaration. The use of secret balloting and the fact that the proceedings were broadcast live on television reflect the Congress's commitment to democratic process. In his meetings with General National Congress President Magariaf and his two Vice Presidents, Special Representative Martin was assured of their commitment to make a clean break with the past by upholding the principles of transparency and accountability.

8. The General National Congress will now need to address several urgent priorities. High amongst these are the need to initiate a national dialogue on reconciliation; strengthen its capacity to exercise oversight over government, which is a daunting task in view of the country's lack of parliamentary experience; preventing the continuation of systematic corruption; and adopting local governance legislation. Progress on local governance issues will constitute the first step towards addressing the legitimate and urgent need for decentralised government. It is also crucial that the Congress create mechanisms through which civil society is assured a voice, and is adequately consulted on all important matters.

9. On 30 August, the General National Congress provisionally adopted its internal rules of procedure following intense discussions and amendments in the plenary. These rules will be critical for shaping Libya's political system, including the authority of the Presidency, the voting requirements for decision-making within the Congress, and the delineation of powers between the legislative and the executive.

10. At the request of the Libyan authorities, UNSMIL and the United Nations Development Programme provided various forms of technical assistance to the preparations for the transfer of authority from the National Transitional Council to the General National Congress, and then to the Congress's consideration of its internal rules of procedure and models of a possible secretariat structure. The UN also began induction training for the 200 members on issues related to the roles and functions of parliament and members. The UN will continue to provide technical support to the Congress and to coordinate with the international community offers of assistance and technical support.

11. Later today, the General National Congress will vote to appoint a Prime Minister who will be tasked with presenting a Cabinet to the Congress for its approval within two weeks. Today's appointment follows lengthy deliberations within the Congress over eligibility criteria and internal mechanisms for the appointment of the Prime Minister. Each of eight candidates, nominated by at least 15 members, presented their platform and answered questions, in televised proceedings. The transparency of this process is a testament to Libya's nascent democracy, and sets new standards for the region.

12. Key to the ability of the new Prime Minister to effectively address the formidable challenges facing Libya, will be the formation of a government of national consensus that is inclusive and enjoys widespread support. So too will be the ability of the new Government to work in partnership with the General National Congress.

13. On the eve of the election, an amendment to Article 30 of the Constitutional Declaration by the National Transitional Council changed what was to have been an appointed constitutional commission into an elected constituent assembly. This change has triggered much debate, and the General National Congress has yet to consider how it will respond. This amendment was part of an effort to defuse tensions arising from a perception

of marginalization and under representation mainly in the east that threatened the security of national elections. These issues remain a serious concern.

14. The UN continues to encourage the adoption of transparent, inclusive and consultative mechanism to manage the entire constitutional development process. The UN is prepared to offer a broad spectrum of support should the Libyans request it, including on the formation of the constitutional commission's secretariat, draft rules of procedure, public outreach and civic education, induction seminars, and ongoing substantive expert assistance. UNSMIL has begun efforts to help coordinate support among other international partners.

Mr. President,

15. The UN has encouraged Libyan authorities to consolidate the knowledge gained from the holding of elections and to preserve an institutional infrastructure to serve future elections. The UN has also begun to implement plans designed to increase awareness and knowledge of electoral issues among decision-makers and the public at large.

Mr. President,

16. I discussed at the beginning of this briefing the attack against the U.S. diplomatic facility in Benghazi. This is one example, but not the only one, demonstrating that foremost among the challenges and expectations facing the Libyan people and authorities is security. In his remarks marking the dissolution of the National Transitional Council, Chairman Mustafa Abdul Jalil acknowledged shortcomings in addressing these issues, a sentiment echoed by the General National Congress leadership and political leaders. These challenges are manifested by the presence of arms outside state control, lack of clarity and competition over security responsibilities between and within relevant ministries and institutions and the continued prevalence of armed brigades. In addition to these concerns, border security remains a top national priority to combat the smuggling of arms, drugs, human trafficking and illegal migration, as well as the spread of transnational organized crime.

17. Leaders from across the political spectrum have voiced their intention to make security their highest priority. It is clear that the General National Congress expects the new Cabinet to move quickly to announce immediate measures to begin to remedy these shortcomings as part of a longer term national security vision and plan.

18. To assist the government, UNSMIL is focusing its advisory and coordination efforts on six key inter-related areas: national security architecture, police reform, defence reform, arms and ammunition management, border security, and disarmament, demobilization, and reintegration. Accordingly, UNSMIL has increased its advisory capacity and stepped up efforts to strengthen international coordination for support to security sector governance.

Mr. President,

19. The urgency with which the security vacuum in Libya needs to be addressed was also highlighted by the spate of attacks on Sufi shrines over the past few weeks. These include the destruction on 24 August of one of Libya's most revered shrines in the city of Zliten in which bombs and a bulldozer were used. Further attacks were reported in Tripoli, Benghazi and Misrata.

20. These attacks elicited strong condemnation from the Libyan authorities, including Genenal National Congress President Mohammad Magariaf, as well as from Libya's Grand Mufti al-Sadiq al-Gheryani, who stressed that such attacks had no basis in Islam.

Mr. President,

21. The issue of conflict-related detentions in Libya has been particularly salient in briefings and reports to this Council. During August, the prosecutor's office commenced screening of detainees held in various detention centres in Misrata, leading to the subsequent release of 130 detainees. While this is a positive step, the Ministry of Justice needs to continue its efforts to implement a more systematic, accelerated approach to the screening of all remaining detainees. UNSMIL continues to urge Libyan authorities to put into place measures to prevent and investigate torture and mistreatment and also to devise a prosecutorial strategy to deal with the trials of senior former regime members. UNSMIL is working closely with the Libyan authorities in the area of judicial reform and is assisting in the reestablishment of the prison system, which is essential for bringing all conflict-related detainees under the authority of the Ministry of Justice, an area where progress has been limited.

22. In order to address crimes of the past while enabling effective truth-seeking processes, an effective transitional justice strategy will help consolidate democracy and rebuild trust in state institutions.

23. As the General National Congress assumes its functions, UNSMIL has begun informal consultations on views regarding UN support for Libya's needs based on principles of national ownership. It appears unlikely that there will be any request for adjustment to the mandate as outlined in resolution 2040 (2012). However, there may be additional requests for support within the mandated areas. UNSMIL and the UN country team will continue to use a range of modalities to mobilize surge capacity of technical expertise to respond accordingly in line with the mission concept of flexibility.

Mr. President,

24. I would like to take this opportunity to thank the staff of UNSMIL and particularly the outgoing Special Representative for his commitment, leadership and outstanding service in this critical period for the Libyan people. As noted, a great deal of work remains to be done. So as we express our appreciation, and bid farewell, to Ian Martin, the Secretary-General will shortly announce the appointment of his replacement. With the support of this Council, SRSG Martin worked tirelessly and courageously in building a strong foundation of UN-Libyan cooperation. I am confident we can count on this Council's strong support for Mr. Martin's successor and UNSMIL in their work to assist the Libyan people in consolidating and strengthening their democratic transformation.

Thank you.