



## Security Council

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### Letter dated 29 December 2020 from the Secretary-General addressed to the President of the Security Council

I have the honour to submit to the Security Council, pursuant to paragraph 5 of its resolution [2510 \(2020\)](#) and paragraph 4 of its resolution [2542 \(2020\)](#), in addition to my exchange of letters with the President of the Security Council dated 13 and 18 November 2020 ([S/2020/1124](#) and [S/2020/1125](#)), an interim report providing an assessment of the steps required to reach a lasting ceasefire agreement, the possible role of the United Nations Support Mission in Libya in providing scalable ceasefire support and proposals for effective ceasefire monitoring under the auspices of the United Nations.

I should be grateful if you would bring the present letter and the interim report to the attention of the members of the Security Council.

*(Signed)* António **Guterres**



# Proposed ceasefire monitoring arrangements in Libya

## Interim report of the Secretary-General

### I. Introduction

1. The present interim report is submitted pursuant to Security Council resolutions [2510 \(2020\)](#) and [2542 \(2020\)](#), in addition to my exchange of letters with the President of the Security Council dated 13 and 18 November 2020 ([S/2020/1124](#) and [S/2020/1125](#)). It provides a brief overview of the latest developments concerning the intra-Libyan dialogue since the issuance of my previous report on the activities of the United Nations Support Mission in Libya (UNSMIL), on 25 August ([S/2020/832](#)), with a particular focus on the security/military track, and updates on the necessary conditions for, and proposals on, effective ceasefire monitoring arrangements under the auspices of the United Nations.

### II. Latest developments

#### Security/military dialogue

2. Since the previous report, significant progress has been achieved on the security/military track of the intra-Libyan dialogue facilitated by UNSMIL, in accordance with the decisions of the process relating to the Berlin Conference on Libya. My Acting Special Representative for Libya intensified her engagement with Libyan, regional and international stakeholders, including women's and youth groups, to galvanize support for a permanent ceasefire agreement and the resumption of the intra-Libyan dialogue.

3. Beginning on 28 September 2020, in Hurghada, Egypt, representatives of the Government of National Accord and the Libyan National Army held two days of constructive face-to-face security and military talks, under the auspices of UNSMIL. The participants included members of the 5+5 Joint Military Commission, police officers and other relevant actors. They made recommendations that were subsequently discussed and endorsed during the Commission meeting in Geneva.

4. From 19 to 23 October 2020, the 5+5 Joint Military Commission met face-to-face at the United Nations Office at Geneva. The talks were facilitated by UNSMIL and culminated in the signature, on 23 October, of an agreement for a complete and permanent ceasefire in Libya by the representatives to the Commission of the Libyan Army of the Government of National Accord and the Libyan National Army, General Command of the Armed Forces. The Secretary-General transmitted the agreement to the Security Council on 27 October (see [S/2020/1043](#)).

5. Through the agreement, the parties formalized the de facto truce in place at the time and endorsed the recommendations made in Hurghada. More specifically, they agreed to a complete and permanent ceasefire in Libya with immediate effect. Under the agreement, all armed forces are to withdraw from all lines of contact and all mercenaries and foreign fighters to leave Libyan territory within three months. The parties agreed to form a limited joint military force to deter ceasefire violations in the defined area. They also agreed to confidence-building measures.

6. To enable the implementation of the commitments included in the agreement, the 5+5 Joint Military Commission agreed to establish subcommittees to follow up on the redeployment of Libyan forces to peacetime locations and the repatriation of foreign fighters from the defined area; the deployment of a joint Libyan police force; the mitigation of explosive ordnance threats, including mines, booby traps and

improvised explosive devices; and the classification of armed groups in preparation for future demobilization and integration into security solutions or reintegration into civilian life. A joint security room was also designated to oversee the reopening of land and air routes across Libyan territory and the deployment of a joint Libyan police force.

7. From 2 to 4 November 2020, in Ghadamis, Libya, the 5+5 Joint Military Commission unanimously agreed to establish a Libyan-led and Libyan-owned ceasefire monitoring mechanism. Initially, it would be limited to a defined area in central Libya around Sirte, from Suknah to Abu Qurayn and Bin Jawwad, subject to potential future extension. Discussions were also held on confidence-building measures and principles for a ceasefire monitoring mechanism, which were agreed upon by the Commission.

8. From 10 to 13 November 2020, the 5+5 Joint Military Commission reconvened in its newly established headquarters in Sirte. It identified the reopening of the coastal road between Sirte and Abu Qurayn as the main priority. The reopening would be supported by the deployment of a joint Libyan police force, the clearance of mines and booby traps and the withdrawal of foreign forces and mercenaries from the area.

9. On 23 November 2020, the 5+5 Joint Military Commission gave a briefing, for the first time, to the security working group of the international follow-up committee to the Berlin Conference on Libya, co-chaired by France, Italy, Turkey, the United Kingdom of Great Britain and Northern Ireland and the African Union. The Commission reiterated its request to the Security Council to swiftly adopt a resolution adopting the ceasefire agreement. It also sought international support to speed up the departure of foreign fighters and mercenaries and to ensure compliance with the arms embargo imposed by the Council. It appealed for the deployment of international monitors under the auspices of UNSMIL. In that connection, it noted that the contribution of regional organizations, including the African Union, the European Union and the League of Arab States, to making the ceasefire monitoring mechanism operational would need to be provided through the United Nations. However, it welcomed in-kind or financial contributions with regard to a list of needed equipment.

10. The 5+5 Joint Military Commission delegations continued to pursue the implementation of their priorities with regard to the ceasefire agreement. They created three subcommittees to work on suggested modalities for the redeployment of Libyan forces to non-conflict locations and the repatriation of foreign fighters from the defined area; the deployment of the joint Libyan police force; and the mitigation of explosive ordnance threats, including mines, booby traps and improvised explosive devices.

### **Political dialogue**

11. Progress on the security/military track generated momentum for the resumption of intra-Libyan political talks facilitated by UNSMIL. With the support of the presidency of Tunisia, the Libyan Political Dialogue Forum was held in Tunis from 9 to 15 November 2020. It comprised 75 representatives, including 17 women, from all Libyan regions and political and social constituencies, as well as from the House of Representatives and the High State Council. On 15 November, the Forum adopted a political road map, intended to culminate in the holding of presidential and parliamentary elections on 24 December 2021. The Forum agreed to allocate 30 per cent of leadership positions in the Government to women.

12. On 3 December 2020, the political working group of the international follow-up committee met. The Co-Chairs – Algeria, Germany and the League of Arab States – subsequently issued a statement in which they called upon all Libyan stakeholders to support the outcomes of the Forum as a first step towards the restoration of a unified

and legitimized executive authority. They emphasized that the political track could help to consolidate the implementation of the ceasefire agreement and ease recent tensions with regard to economic governance and the equitable usage of oil export revenues.

### **Economic dialogue**

13. The developments on the security/military track also had an impact on the economic track. In October, the National Oil Corporation progressively lifted the declaration of force majeure, ending the blockage of oil infrastructure after more than nine months.

14. Following the decision of the 5+5 Joint Military Commission to unify and restructure the Petroleum Facilities Guard (see para. 7), my Acting Special Representative held meetings in Burayqah, Libya, with the Chair of the National Oil Corporation and the commanders of the Petroleum Facilities Guards of the eastern and western regions, on 16 November 2020. The participants discussed the roles of the Guard, the need to maintain a smooth and secure flow of oil production and the way forward to unify the Guard. They also agreed to hold further technical meetings on restructuring the Guard. The Corporation indicated its intention to launch a model pilot project in a new oil facility in Erawan, south-west Libya, in 2021, which would include the proposed new security arrangements.

15. With the resumption of oil production, pressure continued to build for a more durable economic arrangement on the management of national resources. On 1 December 2020, the Presidency Council held a meeting of the Council of Ministers to declare its intention to negotiate an economic arrangement that would allow for the equitable use of oil revenues. The same day, the Co-Chairs of the economic working group of the international follow-up committee – Egypt, the United States of America and the European Union – issued a statement in support of the Libyan-negotiated arrangement to hold oil revenues in abeyance under the apolitical management of the National Oil Corporation. Building on those efforts, on 14 and 15 December, UNSMIL convened a technical meeting in Geneva of key Libyan economic actors, attended by representatives of the World Bank. The meeting was focused on the development of economic reforms and the restoration of public confidence in the management of the Libyan economy.

### **Humanitarian law/human rights dialogue**

16. Building on its mandate to strengthen respect for the principles of international humanitarian law and human rights among all parties in Libya, the international humanitarian law and human rights working group of the international follow-up committee, co-chaired by the Netherlands and Switzerland, held dedicated sessions on confidence-building measures. The discussions were focused on the exchange of prisoners/detainees, the sick and the wounded, in addition to the demining of cities and roads.

17. From the beginning of the conflict, UNSMIL supported local initiatives by tribal elders, armed groups and others to implement exchanges of injured combatants and the bodies of those killed or tortured during the conflict. The exchanges had become politicized since the end of September. The challenges notwithstanding, UNSMIL continued to engage with relevant Libyan actors, including women's groups, in pursuit of efforts to exchange combatants, detainees and human remains, among others, including by documenting requests to release the bodies of family members.

18. On 1 December 2020, the Minister of Justice, the Director of the General Authority for the Search for and Identification of Missing Persons and civil society representatives provided a briefing to the working group on national efforts and plans

to further prioritize transitional justice mechanisms while implementing the Libyan Political Dialogue Forum outcomes.

### **III. Steps required to reach a lasting ceasefire agreement**

19. A lasting ceasefire in Libya needs, above all else, the buy-in of the parties and of ordinary Libyans. The Libyan parties should jointly agree on the modalities for the implementation of the ceasefire and decide on the level of support that they require from the international community.

20. The 5+5 Joint Military Commission agreed that there would be an incremental withdrawal of forces from central Libya within 90 days of the signing of the ceasefire agreement, with a gradual deployment of a joint Libyan police force. Given the delays in the operationalization of the measures, the timeline for the implementation of the ceasefire also risks being delayed. Indeed, Government of National Accord forces remain stationed at Abu Qurayn and Washkah, with ongoing patrolling activities reportedly being conducted. Military cargo flights were reported at Watiyah airbase and Misratah airport. The Libyan National Army and auxiliary groups continued to set up fortifications and military outposts equipped with air defence systems between Sirte and Jufrah and in the northern area of Jufrah airbase. Intense cargo aircraft activity was also reported between Baninah airport, Jufrah and Qardabiyah airbase. Meanwhile, on 6 December 2020, the media reported that Libyan National Army units in Awbari, southern Libya, had attempted to take control of a military camp affiliated with the Government of National Accord, with the Minister of Defence of the Government of National Accord and the High State Council describing the incident as a ceasefire violation.

21. A lasting ceasefire also requires support from regional and international stakeholders. The arms embargo and other sanctions put in place by the Security Council must also be fully adhered to by all Member States. The volatility of the developments on the ground may be exacerbated by increased foreign intervention and military support.

22. Suitable security and operational conditions must be in place for the deployment of the ceasefire monitoring mechanism. There must be a mutual agreement among the Libyan parties on national and international security actors; new and inclusive security arrangements across the country; agreed adjudication mechanisms in the defined area; and national and international enforcement options in the event of non-compliance. Moreover, the deployment of Libyan and/or international monitors must take into account provisions related to coronavirus disease (COVID-19) measures, which will also affect medical and emergency support.

23. Meaningful reforms of the security sector, as well as gender-sensitive demobilization and disarmament initiatives, coupled with reintegration options, are also vital. Primary among the reforms is the re-establishment of a State monopoly on security and the use of force. That can be achieved only through the reunification of the army and the police, the demobilization and reintegration of armed groups and the establishment of adequate safeguards for the conduct of all forces. The initiatives will need to be further developed by the 5+5 Joint Military Commission, with the support of the United Nations and the assistance of Member States.

24. Sustained efforts by the Libyan parties to implement the political road map leading to presidential and parliamentary elections are also critical to consolidating the ceasefire. The Libyan Political Dialogue Forum agreed to meet regularly to monitor the implementation of the road map to ensure that the benchmarks towards elections are met and to prevent a new open-ended transition.

25. It is also important to prevent other risks, including national and international spoilers, political and social divisions, hostilities, parallel institutions with personal, political or ideologically divergent agendas, and the existence of other armed groups with uncontrolled stockpiles of arms and ammunition in Libya.
26. On the economic track, basic services, including water and electricity, continued to be eroded, fuelling protests in cities in August and September 2020. The Libyan Expert Economic Commission has to develop a road map on economic arrangements, including the management of national resources.
27. Peace dividends for civilians and other social confidence-building measures, such as the return of civilians to their homes, the restoration of essential services, exchanges of prisoners and detainees, demining, transitional justice measures and reconciliation, will be equally important in sustaining the durability of the ceasefire through the humanitarian/human rights dialogue track.
28. Lastly, in order to ensure lasting peace, the United Nations monitoring component would need the full support of the Libyan parties, including with regard to security, operational, logistical, administrative and technical aspects. It must be adequately resourced (human, financial and materiel/equipment, among others). The preparation, deployment modalities, security and other support requirements cannot currently be provided from within existing UNSMIL resources. A clear but flexible Security Council mandate to support the ceasefire monitoring mechanism would enable access to the requisite resources.

## **IV. Ceasefire monitoring mechanism**

### **Request from the Libyan parties**

29. The 5+5 Joint Military Commission has requested the assistance of the United Nations in the implementation of the ceasefire monitoring mechanism. While discussions are continuing to further define the details necessary for the implementation of the ceasefire agreement, the broad outline of the mechanism, as envisaged by the Commission, has been agreed upon.
30. Initially, the mechanism would operate in a defined area bounded by a triangular zone based on the following three points: Bin Jawwad to Sirte (155 km); Abu Qurayn to Sirte (132 km); and Suknah to Sirte (277 km). It would report to the 5+5 Joint Military Commission as the overarching decision-making authority that would guide, manage and oversee the overall implementation of the ceasefire agreement until the establishment of new unified Libyan executive authorities.
31. The mechanism would include two layers: joint subcommittees and joint ceasefire monitoring teams. The subcommittees would be responsible for the overall monitoring of compliance, resolving conflict and responding to complaints and violations of the ceasefire. They would also play an important role in arbitrating, or facilitating the arbitration of, violations and disputes. The joint monitoring teams, when constituted and tasked, would monitor and verify reported violations and specific actions of the parties in a defined area, in compliance with the provisions of the agreement.
32. The 5+5 Joint Military Commission has requested unarmed, non-uniformed individual international monitors to be deployed under the auspices of the United Nations, working alongside joint Government of National Accord/Libyan National Army monitoring teams for specific monitoring and verification tasks. The Libyan parties have also conveyed their firm position that no deployment of foreign forces of any kind, including United Nations uniformed personnel, should occur on Libyan

territory. The Commission welcomed the offer of potential support for the mechanism from regional organizations, including the African Union, the European Union and the League of Arab States, under the auspices of the United Nations.

33. According to the mechanism concept, the United Nations would be expected to provide a nimble and scalable team of impartial international monitors to carry out monitoring in the defined area. A phased approach would be required, in line with the priorities set by the 5+5 Joint Military Commission. The Libyan and United Nations monitors would initially provide oversight and report compliance along the coastal road in terms of the removal of military forces and mercenaries, the deployment of the joint Libyan police force and the clearance of explosive remnants of war, booby traps and mines. As soon as conditions permit, they would expand their monitoring work to the Abu Qurayn-Bin Jawwad-Suknah triangle and possibly beyond.

#### **Secretariat support for the operationalization of the ceasefire agreement and options for a ceasefire monitoring mechanism**

34. Following the Libyan request for assistance with the implementation of the ceasefire monitoring mechanism, the Secretariat established a Libya planning team. An inter-agency mechanism chaired by the Department of Political and Peacebuilding Affairs, it includes representatives of relevant components of the Department of Operational Support, the Department of Peace Operations, the Office of Legal Affairs and UNSMIL.

35. The planning team guides coordinated United Nations efforts to support the implementation of the ceasefire agreement. It is developing a draft concept of operations and options for the implementation of a ceasefire monitoring mechanism, taking into account the conditions for a lasting ceasefire agreement (see paras. 19–28) and the planning parameters already set out (see paras. 29–33). The United Nations planning process goes hand in hand with the Libyan-owned and Libyan-led process. Given that the 5+5 Joint Military Commission discussions are continuing, with the details required for the implementation of the ceasefire agreement not yet finalized, the United Nations planning has to remain flexible.

36. The draft concept of operations for United Nations support for the ceasefire monitoring mechanism envisages a scalable solution to meet the Libyan aspirations. The initial focus would be on establishing a forward presence, as soon as conditions permit, from the existing hub in Tripoli. That would enable the United Nations to support monitoring efforts on the coastal road within the defined area of the ceasefire agreement and gradually build up capacity and resources. That option also offers flexibility for a light footprint. It would enable the United Nations to react swiftly and scale up the deployment of monitors as the situation on the ground improves.

37. While UNSMIL has conducted preliminary security and logistical assessments, the establishment of a United Nations monitoring component in Sirte, as requested, would require sufficient lead time and additional assessments. Large parts of the city have been devastated, by both recent fighting and the campaign to rid the city of Islamic State in Iraq and the Levant in 2016. The component would be the first United Nations presence in the area, at some 500 km from the existing centre of operations in Tripoli. More specifically, the deployment of United Nations monitors to the area around Sirte and future scalability throughout the defined area would require assistance from Member States in the form of funding and the provision of individual male and female monitors in line with United Nations human resources guidelines. It would also require the recruitment of mission support personnel; the identification of adequate infrastructure and secure hubs; life support, protected transport and other logistics; communications; and security measures and in-extremis support, including medical evacuation.

38. The security of the United Nations monitors would fall under the United Nations security management system for Libya, which relies in the first instance on the host authorities, in this case specifically the joint Libyan police force. Relevant security risk assessments would need to be conducted before any deployment.

39. In line with the Libyan request, individual international monitors would be deployed within the framework of the agreed United Nations monitoring component. The monitors could include civilians, including former members of the military, and serving members of the military and police officers with appropriate experience, including women. They would be recruited through the regular United Nations procedures.

40. Given the need to ensure coherent United Nations support for the tracks of the dialogue and for the ceasefire mechanism, the international monitors should be deployed under an UNSMIL umbrella. The UNSMIL monitoring component would report to the Mission leadership. Joint Libyan committees and/or subcommittees would be established, with UNSMIL offering facilitation and impartial monitoring support in line with the agreed modalities. UNSMIL would retain the flexibility to form a joint team or teams composed of representatives of Libyan parties and international monitors, to undertake specific monitoring tasks in support of the ceasefire monitoring mechanism, when requested by the 5+5 Joint Military Commission.

41. Having an UNSMIL monitoring component as part of the Mission would ensure an effective and efficient use of resources. It would also vest a higher degree of ownership and accountability with the parties and provide flexibility to UNSMIL with regard to the scalability of its support. Lastly, it would allow UNSMIL to retain the ability to report objectively on the status of implementation of the ceasefire agreement.

## **V. Observations and recommendations**

42. On 23 March 2020, I appealed to warring parties across the world to implement a global ceasefire by the end of 2020 in order to enable an effective and coherent response to the COVID-19 pandemic. In that regard, I welcome the agreement for a complete and permanent ceasefire in Libya signed on 23 October within the framework of the UNSMIL-facilitated 5+5 Joint Military Commission. It is a fundamental step towards peace and stability in the country.

43. The 5+5 Joint Military Commission has made significant strides towards establishing the conditions for and initiating the implementation of a permanent ceasefire agreement. I commend the Libyan parties on the implementation of confidence-building measures since the signing of the agreement, including the resumption of commercial flights connecting eastern and southern airports with the capital, the resumption of oil production and the opening of roads. I reiterate the commitment of the United Nations to assisting and supporting the Commission in making the agreement operational. I call upon all national, regional and international stakeholders to respect the provisions of the agreement and ensure its implementation without delay. That includes ensuring full and unconditional respect for the arms embargo imposed by the Security Council.

44. I thank Member States and regional organizations, including the African Union, the European Union and the League of Arab States, for their significant contributions to the working groups of the international follow-up committee to the Berlin Conference on Libya. The continued active engagement and support of the committee is essential to ensure the implementation of the ceasefire agreement. I encourage



Member States and regional organizations to support the operationalization of the ceasefire mechanism, including by providing individual monitors under the auspices of the United Nations.

45. The implementation of the ceasefire agreement must be led and owned by Libyans. The Secretariat intends to provide full support to the ceasefire monitoring mechanism. In that regard, I recommend the establishment of a ceasefire monitoring component as part of UNSMIL. As a first step, I propose the establishment and deployment to Tripoli of an advance team, security conditions and COVID-19 requirements permitting. The advance team would be supported by the Libya planning team. It would provide the foundations for a scalable United Nations ceasefire monitoring mechanism based in Sirte, taking into account the ongoing 5+5 Joint Military Commission discussions on the implementation of the ceasefire agreement. However, as UNSMIL cannot provide support to the ceasefire monitoring mechanism from within its existing resources, I urge the Security Council to give the Mission a clear but flexible mandate to enable it to support the mechanism. Such a mandate will enable UNSMIL to have access to the requisite resources.

46. I thank my Acting Special Representative for Libya, Stephanie Williams, the staff of UNSMIL and the United Nations country team for their dedication and persistence in assisting and supporting all Libyan stakeholders, including women's groups, on their path to achieving peace and stability in the country.

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