

**Security Council**

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Letter dated 16 November 2021 from the Permanent Representatives of France, Germany, Italy and Libya to the United Nations addressed to the President of the Security Council

France, Germany, Italy and Libya would like to share the Declaration of the Paris International Conference for Libya, organized on 12 November 2021, which was co-convened by our four countries and the United Nations (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

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Annex to the letter dated 16 November 2021 from the Permanent Representatives of France, Germany, Italy and Libya to the United Nations addressed to the President of the Security Council

Declaration of the Paris International Conference for Libya

12 November 2021

On 12 November 2021, the President of the French Republic, the Federal Chancellor of Germany, the President of the Italian Council of Ministers, the President of the interim Presidency Council of Libya, the Prime Minister of the interim Government of National Unity of Libya, and the Secretary-General of the United Nations, co-convened a conference of Heads of State and Government on Libya, in Paris, in support of the implementation of a Libyan-led and owned political process facilitated by the United Nations, leading to a political solution to the Libyan crisis.

The following countries and regional organizations participated in the Conference: Algeria, Chad, China, Cyprus, the Democratic Republic of Congo (chair of the African Union), Egypt, Greece, Jordan, Kuwait (Chair of the Ministerial Council of the League of Arab States), Malta, Morocco, the Netherlands, Niger, Qatar, Russia, Spain, Switzerland, Tunisia, Turkey, the Republic of the Congo (Chair of the African Union High-Level Committee on Libya), the United Arab Emirates, the United Kingdom, the United States of America, the African Union, the European Union, the League of Arab States and the Executive Secretariat of the Group of Five for the Sahel.

(a) We, participants, reaffirm our full respect and commitment to the sovereignty, independence, territorial integrity and national unity of Libya. We reject all foreign interferences in Libyan affairs.

(b) We welcome the progress made towards restoring peace and stability in Libya since the Berlin Conference I, with the signing of the ceasefire agreement on 23 October 2020, the adoption of the Libyan political roadmap in Tunis on 15 November 2020, and the approval of the interim Government of National Unity on 10 March 2021. We reiterate our commitment to the success of the Libyan political process, to the full implementation of the 23 October 2020 ceasefire agreement and to the holding of presidential and parliamentary elections on 24 December 2021, in accordance with the Libyan political roadmap and United Nations Security Council (UNSC) resolutions [2570](#) and [2571 \(2021\)](#) and the Berlin II conference conclusions.

(c) We acknowledge, since the 2015 Libyan Political Agreement, the outcomes of the Paris and Palermo conferences and other international and regional efforts on Libya, and crucially, the progress made through the Berlin Process on Libya. We welcome the 21 October 2021 Libya Stabilization Conference in Tripoli as an important contribution under Libyan leadership to the international efforts aiming at a political solution to the Libyan crisis, and as a historical milestone ten years after the Libyan Revolution. We commend the commitment of the interim Presidency Council and the interim Government of National Unity to ensuring the success of the political transition through the holding of presidential and parliamentary elections on 24 December 2021, and to implementing the ceasefire agreement through the comprehensive “Action Plan for the withdrawal of mercenaries, foreign fighters and foreign forces from the Libyan territory”.

(d) We reaffirm the international community’s continued commitment, in partnership with the Libyan interim executive authority (interim Presidency Council and interim Government of National Unity) and other relevant Libyan authorities, for

a peaceful, stable and prosperous Libya through an inclusive Libyan-led and Libyan-owned political process facilitated by the United Nations. We recall the creation of the High National Reconciliation Commission under the auspices of the interim Presidency Council and call on all actors to commit in earnest to national reconciliation.

(e) We commend the role of the United Nations in the operationalization of the conclusions of the first and second Berlin conferences and in the implementation of the relevant UNSC resolutions, including 1325, 1970, 2570 and 2571. We express strong support for the ongoing efforts of the United Nations Support Mission in Libya (UNSMIL) to further Libyan-led and Libyan-owned inclusive political, security and economic dialogue tracks, and to monitor and report abuses and violations of human rights and violations of international humanitarian law. We recognize the important role and efforts of neighbouring countries, the Libya Quartet (African Union, League of Arab States, European Union and the United Nations) and the African Union High-Level Committee on Libya in support of the Libyan peace process under the auspices of the United Nations.

Political

1. We stress the importance for all Libyan stakeholders to commit unequivocally to the holding of free, fair, inclusive and credible presidential and parliamentary elections on 24 December 2021 as stipulated in the Libyan political roadmap and endorsed in UNSC resolutions 2570 and 2571 (2021) as well as the conclusions of the second Berlin conference of 23 June 2021, and to accept their outcomes. We commend the technical steps already taken to prepare for the voting, as confirmed by the High National Elections Commission (HNEC), including the registration of 2.8 million Libyans on the electoral lists. We take note of the announcement of the opening of the registration process for presidential and parliamentary candidates, as well as of an electoral timeline for presidential and parliamentary elections starting on 24 December 2021. We also take note of the HNEC's announcement that final results for both presidential and parliamentary elections shall be announced simultaneously. We look forward to the formalization by the HNEC of the full electoral calendar and its implementation in a peaceful environment. It is our understanding that, to avoid any vacuum of power, the transfer of power from the current interim executive authority to the new executive authority will take place following the simultaneous announcement by the HNEC of the final results of both presidential and parliamentary elections.

2. We stress the importance of an inclusive and consultative electoral process. We therefore call upon the Libyan stakeholders to take steps, including with the good offices of UNSMIL, to increase mutual trust and build consensus for the upcoming elections on 24 December 2021.

3. We fully support the efforts of the HNEC to put in place the technical basis for successful presidential and parliamentary elections on 24 December 2021, including the simultaneous announcement of the final results of parliamentary and presidential elections. We share the aspiration of the Libyan people to exercise the right to vote for their executive and legislative representatives. We recognize the need for Libyan institutions to be unified so as to enjoy a democratic mandate from the people and we encourage the new parliament, once elected, to focus on establishing a permanent constitution that is broadly accepted throughout Libya.

4. We call on all relevant Libyan authorities and institutions to provide the HNEC with the required support to deliver free, fair, inclusive and credible elections, and the full, equal and meaningful participation of women and the inclusion of youth. We urge Libyan leaders and institutions to take specific measures to ensure a substantial

representation of women in the new legislature, and to engage civil society in these efforts. We recall that upcoming national presidential and parliamentary elections will enable the Libyan people to elect representative and unified institutions from among all Libyan political actors and will contribute to strengthening the independence, sovereignty, territorial integrity and national unity of Libya. We commend the efforts led by the interim Government of National Unity in coordination with the HNEC to take the necessary measures to ensure the security of the electoral process and a democratic handover of power to the new government resulting from the elections. We underscore UNSMIL's role in supporting the 24 December 2021 elections and we express our commitment to fully supporting Libya in the electoral process.

5. We urge all Libyan stakeholders and candidates to respect their commitments towards holding elections on 24 December 2021, to publicly commit to respecting the rights of their political opponents before, during and after the elections, to accept the results of free, fair and inclusive elections, and to commit to the Code of Conduct prepared by the HNEC. We call on all Libyan stakeholders to continue to work together in the spirit of unity once results are announced and to refrain from any actions that could obstruct or undermine the outcome of the elections and the democratic handover of power to the newly elected authorities and institutions. We affirm that individuals or entities, inside or outside of Libya, who might attempt to obstruct, undermine, manipulate or falsify the electoral process and the political transition will be held accountable and may be designated by the United Nations Sanctions Committee in accordance with UNSC resolution [2571 \(2021\)](#). We commit to respecting the Libyan electoral processes and urge all other international actors to do the same.

6. We encourage United Nations Member States and international and regional organizations to provide electoral observers, in coordination with the Libyan authorities, in particular with the interim Government of National Unity and the HNEC.

7. We stress the need for a comprehensive and inclusive national reconciliation process, based on the principle of transitional justice and respect for human rights, led by Libyan authorities, including the High National Reconciliation Commission, with the support of the United Nations, the African Union, the League of Arab States, regional and neighbouring countries. We emphasize the role and rights of women, and their full, meaningful and equal participation in political and public life.

Security

8. We reaffirm our commitment to the full implementation of the 23 October 2020 ceasefire agreement and we welcome the reopening of the coastal road. We highly commend the work of the 5+5 Joint Military Commission (JMC) and we commit to supporting and fully coordinating with the relevant Libyan authorities and the 5+5 JMC and support the latter's pivotal role in maintaining and taking steps towards the full and timely implementation of the ceasefire agreement. We welcome the exchange of prisoners and joint security operations under the auspices of the 5+5 JMC.

9. We express our full support for the comprehensive "Action Plan for the withdrawal of mercenaries, foreign fighters and foreign forces from the Libyan territory" developed by the 5+5 JMC in line with UNSC resolution [2570 \(2021\)](#) including through the prompt development of timelines, as a first step towards the full implementation of the 23 October 2020 ceasefire agreement and UNSC resolution [2570](#). We welcome the meeting that took place in Geneva from 6 to 8 October 2021 in that regard. We commit to facilitating its synchronised, phased, gradual and balanced implementation as set out in the action plan and call on all relevant actors to implement its provisions without delay. We note that the repatriation of mercenaries, foreign fighters, foreign forces and non-state armed actors will require

the guidance of the 5+5 JMC with the support of UNSMIL and swift coordination between their countries of origin and Libya. We commend the meeting of the 5+5 JMC with neighbouring countries (Chad, Niger, Sudan) in Cairo from 30 October to 1 November 2021 to agree on a concept of a communication and coordination mechanism.¹

10. We welcome the arrival of the initial group of UNSMIL ceasefire monitoring team in support of the Libyan Ceasefire Monitoring Mechanism established under the leadership of the 5+5 JMC, we call for its full deployment in accordance with UNSC resolution [2570 \(2021\)](#) and we urge the Libyan Ceasefire Monitoring Mechanism to rapidly agree on a plan to monitor and verify the presence and withdrawal of all mercenaries, foreign fighters and foreign forces.

11. We call on all relevant actors to implement and enforce UNSC sanctions, including through national and international implementation measures, against breaches of the arms embargo and of the ceasefire. We take note of the work of the European Union Naval Force Mediterranean Operation (EUNAVFOR MED) IRINI concerning the implementation of the arms embargo through inspections of vessels on the high seas off the coast of Libya.

12. We welcome ongoing Libyan-led initiatives towards Disarmament, Demobilization and Reintegration (DDR) of members of armed groups and non-state actors into society, with the involvement of all Libyan institutions including municipalities, Chambers of Commerce and communities, including women, which open the path to a comprehensive, inclusive, nationwide DDR plan as part of a political settlement in Libya. We stress the need for urgent initiatives to assist Libyan authorities in implementing an effective DDR plan. We emphasize the importance for gender-based violence, including conflict-related sexual violence to be addressed in ceasefire monitoring, DDR and Security Sector Reform (SSR) arrangements, vetting of armed security forces, justice, reparations, and recovery and development. We emphasize the importance of the supervision of 5+5 JMC on the full implementation of this DDR plan in coordination with Libyan authorities and UNSMIL.

13. We express our support for SSR and stress the importance of the establishment of a unified, inclusive, accountable civilian-led military and security architecture for Libya and we encourage Libyan authorities to further engage and achieve progress through inclusive dialogue on these issues, sheltered from foreign interference, and especially taking into account the Cairo talks.

14. We reaffirm the need to combat terrorism in Libya by all means in accordance with the UN Charter and international law, recognizing that development, security, and human rights are mutually reinforcing and are vital to an effective and comprehensive approach to countering terrorism. We commend and recognize the important role of Libyans in fighting terrorism in their territory. We call on all parties to dissociate from UN-listed terrorist groups and individuals. We call for the implementation of UNSC resolution [2368 \(2017\)](#) and other relevant resolutions concerning ISIL (Da'esh), Al-Qaida, and designated individuals, groups, and entities, in particular the provisions related to the travel ban, arms embargo and freezing of financial assets. We reaffirm the need for enhanced cooperation to counter the foreign terrorist fighters threat in accordance with UNSC resolution [2322 \(2016\)](#), and we welcome the establishment of the Libya National Authority on counter-terrorism, in accordance with the United Nations Global counter-terrorism Strategy.

15. We commend the interim Presidency Council for its pro-active role in promoting dialogue with Libya's neighbouring countries, given the regional dimension of the crisis including threats arising from the illicit transfer and accumulation of weapons

¹ Turkey introduces a reservation with regard to the status of foreign forces.

and the free movement of armed groups and mercenaries and foreign terrorist fighters across borders. We welcome efforts of neighbouring countries in supporting Libyans to restore the stability of their country, including through activating the quadripartite border management agreement between Libya, Sudan, Chad, and Niger and through efforts led by the African Union and the League of Arab States.

Economy

16. We underline the importance of further Libyan steps towards unification of the Central Bank of Libya and for the implementation, without delay, of the recommendations of the international financial audit review. We stress the need for a transparent management and equitable distribution of resources and delivery of public services across the whole country, and we call on the interim Government of National Unity to continue its efforts to restore the unity of Libyan economic and financial institutions and to improve basic services for the benefit of all people in Libya, wherever they live in the country. In this regard, we commend efforts exerted towards the reunification of Libyan sovereign institutions.

17. We call on all stakeholders to respect and safeguard the integrity and unity of Libyan financial institutions and of the National Oil Corporation (NOC), in line with UNSC resolutions [2259 \(2015\)](#), [2441 \(2018\)](#) and [2571 \(2021\)](#). We express concern regarding continuous attempts of armed groups to exert control over the NOC and oil exports, and we affirm that such actions may pose a threat to the peace, security and stability of Libya.

18. We call on the Libyan House of Representatives and the interim Government of National Unity to resume consultations towards approving a balanced and consensual national budget. We stress the importance of regularizing the budget formulation and promulgation process to enhance budgetary governance, transparency and accountability and in the meantime, of publishing information of spending under financial arrangements.

19. We underscore that unified, democratically elected authorities accountable to the people and dedicated to transparency, unity, fighting corruption, and providing for the needs of the people throughout Libya would send a positive signal that assets, once unfrozen, would be managed and used for the stability and development of Libya and for the prosperity of the Libyan people. In this respect, we affirm our intention to ensure that assets frozen pursuant to paragraph 17 of UNSC resolution [1970 \(2011\)](#) shall be made available to and for the benefit of the Libyan people at a future time to be decided by the UNSC. We commit to helping the relevant Libyan authorities to promote the integrity and unity and good governance of the Libyan Investment Authority (LIA), including through a credible, comprehensive audit of the LIA and its subsidiaries.

Respect for international humanitarian law and human rights

20. We recall the obligation of the Libyan interim authorities and all actors in Libya to fully respect international law, in particular international human rights law and international humanitarian law, including those regarding the protection of civilians and civilian infrastructure. We welcome the efforts of the Libyan interim authorities to respect and fulfil their obligations. We urge all actors in Libya to guarantee the full, safe and unhindered access of the United Nations and international humanitarian agencies to all people in need, Libyans and non-Libyans, in coordination with Libyan authorities, including in all places of detention. We underline the importance of access to humanitarian assistance to all people in Libya, in full respect of the principles of humanity, neutrality, impartiality and independence, consistent with international human rights law and international humanitarian law.

21. We emphasize that all those responsible for violations and abuses of international humanitarian law and international human rights law, Libyan and foreign, will be held accountable, including through the measures set forth in relevant UNSC resolutions, including 1970 (2011). We recall the urgency of ending all violations and abuses of international humanitarian law and international human rights law in Libya including arbitrary arrest and detention, inhuman and degrading conditions of detention and of ensuring access to justice for all, particularly women and girls, on issues of sexual and gender-based violence. In this respect, we acknowledge the work done by the committee of Libyan experts and human rights activists, convened by UNSMIL and OHCHR, to develop appropriate legislation aimed at preventing and combating violence against women.

22. We commit to condemning and acting against all violations and abuses of migrants, acts of migrant smuggling and human trafficking, or facilitation thereof. Noting that Libya is not a party to the 1951 Refugee Convention, we welcome the work of the UNSMIL and UN agencies, funds and programmes in coordinating and supporting the provision of humanitarian assistance and protection for refugees, migrants and asylum-seekers. We recognize the efforts and engagement of the Libyan interim authorities in resolving issues relating to migration despite challenges on the ground. We call for the full implementation of existing measures and for the reporting of violations to the UNSC Sanctions Committee for Libya. We recall that all violations and abuses of migrants, acts of migrant smuggling and human trafficking, as well as all other violations of international humanitarian law and international human rights law in Libya, that constitute a threat to international peace and security, may be a basis for designation for targeted UNSC sanctions including travel ban and the freezing of assets.

23. We recall the necessity to implement the Libyan political roadmap's provisions to respect political and civil rights, democratic principles and equality of all citizens, including the rejection of hate speech, incitement or the use of violence in the political process. We call on all Libyan actors to respect economic, social and cultural rights, as well as fundamental freedoms including the rights to freedom of assembly and association and freedom of expression and recognizing the critical role of civil society in ensuring the legitimacy of electoral processes. Libyan civil society, including human rights defenders and journalists, must be protected as key partners and interlocutors to help ensure peace and stability in the political process.

24. We underline the important role of the Independent Fact-Finding Mission mandated by the UN Human Rights Council (in Resolution 43/39 of 22 June 2020) in establishing facts and circumstances and documenting alleged violations and abuses of international human rights law and international humanitarian law by all parties in Libya since the beginning of 2016, with a view to ensuring accountability that should also form part of the national reconciliation process, and we take note of the Mission's report to the Human Rights Council in September 2021. We call for full, safe and unhindered access of the Mission to all parts of the country to fulfil its mandate. We welcome the efforts and steps made by the interim Government of National Unity towards reforming and restructuring the national human rights institution, and we welcome its continued full cooperation with the Independent Fact-Finding Mission including during its visit to Libya from 23 to 26 August 2021. We welcome the interim Government of National Unity's commitment to respecting and fulfilling Libyan international obligations, including under international humanitarian law and international human rights law. We emphasize the importance of providing technical assistance and capacity building to Libya.

25. We welcome the continued resumption of voluntary humanitarian evacuation and voluntary humanitarian return flights of migrants and refugees out of Libya and we acknowledge the cooperation of Libyan interim authorities in that regard. We are

committed to assisting, as appropriate, the Libyan authorities in developing a comprehensive and gender responsive approach to addressing migration and forced displacement, in collaboration with UN agencies and programs, consistent with the principles of regional and international cooperation and in compliance with international law. We underline the positive role played by the United Nations, the African Union, and the European Union as part of the tripartite mechanism and we invite them to intensify their efforts.
