



Security Council

Seventy-fifth year

8722nd meeting

Wednesday, 12 February 2020, 4 p.m.

New York

Provisional

President: Mr. Goffin (Belgium)

Members:

China	Mr. Wu Haitao
Dominican Republic	Mr. Singer Weisinger
Estonia	Mr. Auväärt
France	Mr. De Rivière
Germany	Mr. Schulz
Indonesia	Mr. Djani
Niger	Mr. Maman Sani
Russian Federation	Mr. Nebenzia
Saint Vincent and the Grenadines	Ms. Miguel
South Africa	Mr. Matjila
Tunisia	Mr. Ladeb
United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
United States of America	Ms. Norman-Chalet
Viet Nam	Mr. Pham

Agenda

The situation in Libya

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The meeting was called to order at 4.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2020/113, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Belgium, China, Dominican Republic, Estonia, France, Germany, Indonesia, Niger, Saint Vincent and the Grenadines, South Africa, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

Against:

None

Abstaining:

Russian Federation

The President (*spoke in French*): The draft resolution received 14 votes in favour, none against and 1 abstention. The draft resolution has been adopted as resolution 2510 (2020).

I shall now give the floor to those members of the Council who wish to make statements.

Mr. Schulz (Germany): As the host country of the Berlin Conference on Libya, we are very pleased to see Security Council endorse the conclusions of the Conference today. With the adoption of resolution 2510 (2020), the Council sends an important signal for peace in Libya that reaffirms the concrete commitments of all participants in the Berlin Conference. It is crucial for Libya that we are able to send this signal of unity.

The adoption of the resolution is timely, just days before the inaugural meeting of the international follow-up committee to the Berlin Conference on Libya, to be held at a ministerial level chaired by German Foreign Minister Heiko Maas on 16 February on the margins of the Munich Security Conference. The international follow-up committee will coordinate efforts to ensure the implementation of the conclusions of the Berlin Conference.

We are also encouraged by the progress made thus far in implementing some aspects of the Berlin Conference conclusions. We call upon the parties to continue their cooperation in the 5+5 Joint Military Commission in order to work out the conditions of the ceasefire. We also welcome the ongoing preparations for political talks and call for the inclusive participation and representation across all segments of Libyan society.

While taking note of the meetings of the African Union High-Level Committee on Libya in Brazzaville and the session on Libya during the recent African Union summit in Addis Ababa, we welcome the ongoing efforts of the African Union in supporting the Berlin process. The African Union plays an important role in finally bringing peace to Libya.

The implementation of the existing arms embargo remains key. There cannot be a sustainable military solution to the conflict in Libya. With today's resolution, the international community has once more demonstrated its resolve to hold violators accountable. We welcome that the resolution expressly denounces foreign interference in the conflict in Libya. The swift implementation of the Berlin conclusions is now crucial in the light of the ongoing violations of international humanitarian law and reports of mounting civilian casualties.

Mr. Ladeb (Tunisia) (*spoke in Arabic*): I deliver this statement on behalf of Tunisia. The Niger associates itself with this statement.

Tunisia welcomes the adoption of resolution 2510 (2020), concerning the political process in Libya. The resolution will support the conditions for a lasting ceasefire in Libya as soon as possible. My country welcomes the broad consensus in the Security Council on the need to make progress in the political process in Libya, put an end to hostilities, stop foreign interference and respect the arms embargo. That is the very essence of the conclusions of Berlin Conference.

My country welcomes the efforts of the United Nations and the Special Representative of the Secretary-General, Mr. Ghassan Salamé, to achieve a political settlement to the conflict in Libya. We reiterate our thanks to the Federal Republic of Germany for having hosted Berlin Conference. We would also like to thank the penholder, the United Kingdom, for its efforts during the negotiations on the resolution. Likewise, we thank all the members of the Security Council for their positive approach, as well as the support provided to my delegation's proposals.

Tunisia made sure that the resolution mentions the Libyan political agreement as a reference and that it includes a commitment to Libya's sovereignty, independence, territorial integrity and national unity, as well as an emphasis on the fact that there is no military solution to the crisis in Libya and that there is a need to reach a permanent ceasefire as soon as possible, in addition to making reference to the important role played by the neighbouring countries and regional organizations, in particular the African Union and the League of Arab States, in supporting the political process in Libya.

We welcome the initiative of the African Union to hold a reconciliation meeting among the Libyan parties in the spring, support the Berlin Conference conclusions and ensure that oil operations are not disrupted, for the benefit of all Libyans, while also addressing the threat of terrorism in the region. Tunisia calls upon all parties to implement this resolution and work to transform the truce into a permanent ceasefire without further delay. We support the 5+5 Joint Military Commission in proceeding with its work in order to achieve that goal. Tunisia also looks forward to convening the Libyan political forum in the near future. We also welcome the ongoing economic process that was recently launched to overcome the economic challenges facing Libya.

In conclusion, in line with the Tunis communiqué for peace, we stress that all Libyans should come to the dialogue table and arrive at consensus to emerge from the current crisis in the context of a political agreement and respect for international legitimacy. We also reiterate that a solution to the Libyan conflict must be found among Libyans themselves, without exclusion or marginalization and within the framework of a comprehensive reconciliation process under a civilian system in a unified Libyan State.

Mr. Wu Haitao (China) (*spoke in Chinese*): The current situation in Libya is complex, sensitive and fragile and is seriously affecting the security and stability of neighbouring countries and the region as a whole. China supports the continued leading role of the United Nations in promoting a Libyan-led and Libyan-owned political process. We call on all parties to the Libyan conflict to achieve a lasting ceasefire as soon as possible. We appreciate the constructive actions taken recently by the international community to ease the situation in Libya.

The recently held Berlin Conference on Libya issued a communiqué that reflects the important consensus reached by the participants. The Security Council's endorsement of the communiqué will contribute to an early peaceful settlement of the Libyan question. In the light of that, we adopted resolution 2510 (2020), on which China voted in favour. China takes note of the fact that the resolution was not adopted unanimously. We believe that the views of all sides should be fully respected during consultations in order to reach consensus and maintain the unity of the Council. That is the only way for the resolution to yield the maximum positive effect. We hope that all parties in Libya, relevant countries in the region and the international community will work together for the earnest implementation of the Berlin outcome. In that process, the Secretariat should develop a plan of action that fully reflects the leadership and ownership of Libyans, accommodates the concerns of all parties and leverages the positive role of the countries concerned.

China supports the African Union and the League of Arab States in bringing their unique influence to bear on a political settlement to the Libyan question and in working in synergy with the United Nations. In the implementation of the outcome of the Berlin Conference and the Council's resolution, the international community should remain highly vigilant against terrorism in and around Libya, resolutely combat all forms of terrorism in the country and prevent the cross-border movement of foreign terrorist fighters. We must prevent Libya from becoming a breeding ground for terrorism, the spread of which can jeopardize the country's peace process.

Mr. Djani (Indonesia): Indonesia welcomes the adoption of resolution 2510 (2020). We thank the penholder and the members of the Security Council for their constructive engagement. We would like to thank Germany for hosting the Berlin Conference.

But today's resolution is not only about the Berlin Conference. It is about giving a chance for peace to take place in Libya. It is about giving hope to the Libyans that peace is not elusive. It is about saving the lives of the Libyans. It has been 11 months since the outbreak of the current crisis in Libya, and the attention of the world is upon us, the Security Council. Indonesia voted in favour of resolution 2510 (2020) so as to fulfil our moral obligation and our solemn duty as a member of the Security Council.

We support the international efforts to find peace in Libya, which enjoy Libyan support and have continued in a Libyan-owned and Libyan-led process. Libya's sovereignty and territorial integrity are of the utmost importance. We support the work of neighbours and regional organizations to help resolve the conflict in the country. We support the work of the United Nations Support Mission in Libya and of Special Representative of the Secretary-General Ghassan Salamé, including his three-step plan and multi-track approach. We have heard his plea, and the Council must step up.

We call on the parties in Libya to make use of the tools available to them and engage in peaceful dialogue in good faith and with an honest interest in the future of Libya. We call on everyone to adhere to their commitments under international law, as well as to respect the arms embargo and create a conducive atmosphere so that peace can prevail.

Mr. Pham (Viet Nam): We welcome the diplomatic efforts of the United Nations, Germany and other parties in convening the Berlin Conference on Libya. Given the fragile situation on the ground, it is vital for the Security Council to seize the momentum created in Berlin and support the implementation of the Conference's outcome. While resolution 2510 (2020) is not perfect, it represents a commitment on the part of the international community to strive towards a Libyan-led and Libyan-owned peace process to finally put an end to the conflict in Libya. Viet Nam therefore decided to vote in favour of resolution 2510 (2020). It is our sincere wish that the negotiations on issues of great importance to the international community and the countries concerned, such as in this case, address all concerns to ensure the unified position of the Security Council.

Mr. Auväärt (Estonia): Estonia supported the adoption of resolution 2510 (2020) to endorse the Berlin Conference conclusions. The positive

momentum achieved in Berlin needed to be enhanced and solidified, and that is what the resolution does. We thank the United Kingdom and Germany for their work and patience in leading the negotiations over the past three and a half weeks — a process that should have taken far less time considering the actual urgency of the situation on the ground in Libya. The core message of the resolution is clear.

First, the foreign interference in the conflict and the blatant violations of the arms embargo must stop, as agreed on in Berlin.

Secondly, the parties to the conflict need to agree on an immediate and lasting ceasefire, which is the basis for any further steps towards sustainable peace in Libya.

Last, but by no means least, international efforts on Libya need to be led by the United Nations. Estonia fully supports Special Representative Salamé's three-point plan and his mediation between the Libyan parties. We need a united Security Council to send a clear signal to the parties involved in the Libyan conflict, as well as to the Libyan people in their daily suffering, by implementing what was agreed in Berlin and here today. Let us not fail them and continue with the implementation of the Berlin conclusions.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): The Russian Federation abstained in the voting on resolution 2510 (2020), which was drafted by the United Kingdom and Germany in support of the Berlin Conference on Libya. We still do not have a clear understanding of whether all Libyan parties are ready to implement that decision, although we have repeatedly underscored the importance of that step both during preparations for the Berlin Conference and after its conclusion. It was a requirement due to the specifics of the Libyan crisis, which was the result of gross violations of the various relevant Security Council resolutions in 2011.

It must be highlighted that, from the very beginning, Russian representatives played an active part in preparations for the Conference in the German capital. In addition to working on the final communiqué, we tried to support our German colleagues with practical steps to create favourable conditions for the success of the Conference. To that end, together with Turkey, we organized a meeting of the Libyan parties in Moscow on 13 January. Our initiative was aimed at achieving the establishment of a ceasefire in Libya and became a

significant contribution to international efforts. Is that not proof that Russia demonstrated as much interest as anyone else in coordinating and implementing the Berlin decisions, if not more?

Nevertheless, the way in which subsequent work unfolded at the United Nations suggests that many were more interested in simply adopting a Security Council resolution as quickly as possible, regardless of how it would be implemented. If the resolution is an end in itself, then it appears that we have achieved that goal.

The Berlin Conference was designed as one of the steps in Special Representative Salamé's three-point plan, namely, the consolidation of external actors in the interest of creating the necessary conditions to launch a peace process in Libya. We are all in agreement with regard to that goal. All of the participants in Berlin signed the document. If it were a matter of welcoming that result at the Security Council, we could have done so the very next day after the Conference. Instead, we were told that it was necessary to adopt a resolution that would look to the future and have more muscle. The idea itself is not a bad one, but it does have one defect that we are tired of repeating: the absence of clearly expressed consent by the Libyan parties themselves. That is the fundamental principle of the Libyan peace process, which is enshrined in Security Council resolutions on the matter.

Allow me to reiterate that only the Libyans themselves should determine the future of their country. I stress that that principle must extend to the recommendations set out in the Berlin outcome document and apply to those aspects that are to be implemented by the Libyan parties, not by external actors. We spoke about that principle with both the organizers of the meeting in Germany and United Nations officials. Was the consent of the Libyan parties obtained? No. Were there any serious attempts to obtain it? No. Meanwhile, we urged our colleagues not to rush into adopting a resolution. That was also discussed by other members of the Council that were not invited to Berlin but have a direct interest in the Libyan peace process.

The Libyans have just begun their dialogue, including within the framework of the 5+5 Joint Military Commission, through which the ceasefire parameters should be formulated, as mentioned in the Berlin communiqué. Why could we not wait for the outcome of the Libyan consultations? Then we could

have confirmed that the Libyans themselves were in agreement and the Security Council could have enshrined their decision. Instead, what we have today is a document that orders the execution of something that does not yet exist, provides for the possibility of imposing sanctions for the non-implementation of something that does not yet exist and requires the Secretary-General to provide his recommendations in that regard.

We doubt that such ultimatums will encourage the Libyans to come to an agreement sooner. It is our sincere wish to see the provisions of Security Council resolutions on Libya implemented. We would like this document to be viable; however, we do not believe that it will be possible on the basis of this text. Therefore, we could not vote in favour of it. If resolution 2510 (2020) is not implemented, we will remind the Council of what we have said today. We have a number of other criticisms regarding the text of the resolution, the details of which I will not elaborate on, as we voiced all of our concerns during consultations. Unfortunately, they were rejected by the co-penholders.

I would like to mention one more thing. Yesterday we adopted another resolution on Libya (resolution 2509 (2020)) (see S/PV.8719), a so-called sanctions resolution. We could not help but notice the liberal approach taken by some of our colleagues in reflecting the realities on the ground in the texts of resolutions. In one case, despite a particular event being a one-off, it was persistently inserted into documents and, in another, when an abundance of information and facts from a variety of sources was available, they were disregarded.

In conclusion, yesterday and today we have adopted two resolutions on Libya on which there is no consensus. That is a result of the actions of some of our colleagues, about which we cannot express anything but deep disappointment and regret.

Ms. Norman-Chalet (United States of America): First, I would like to thank the United Kingdom, as penholder, for proposing resolution 2510 (2020), which was just adopted. However, I want to note that we are disappointed that today's vote did not garner unanimous support among the members of the Security Council, despite commitments agreed to by leaders in Berlin, including the Russian Federation. It is also very unfortunate that foreign mercenaries, including from the Kremlin-linked Wagner Group, are making

an inclusive political solution harder to achieve. Such actions undermine the achievement of a political solution facilitated by the United Nations and are not helping the Libyan parties to come together, as was stated was necessary.

However, through the resolution just adopted, the Security Council answers the call of the Libyan people for the international community to stop using their country to wage conflict; to stop driving Libyans from their homes; to help foster respect for international humanitarian law and the need for unhindered life-saving humanitarian access; to support their desire for democratic governance; and to let schools reopen and health centres restock. By voting to adopt this resolution, the United States emphasizes the need for additional accountability for those Member States that continue to violate the arms embargo in spite of the explicit commitments made in Berlin — violations that continued immediately following the Berlin Conference. External actors must stop fuelling the conflict. Countries that participated in the Berlin Conference committed to respect the arms embargo in promises made by those at the highest levels of Government. Resolution 2510 (2020) makes it clear that now is the time for all Member States to comply with the United Nations arms embargo.

The United States also reiterates its call for de-escalation and the immediate withdrawal of all foreign forces, including foreign mercenaries and fighters. It is deeply regrettable that, despite commitments made at the Berlin Conference, again, some countries — including from around this table and others mentioned in the report of the Panel of Experts (see S/2019/914) — continue to send military equipment and personnel to Libya. We remain concerned about reports that forces affiliated with both the Libyan National Army (LNA) and the Government of National Accord (GNA) are contemplating significant military action in the near future. Whether offensive or pre-emptive in nature, such actions would violate the understandings reached in Berlin.

Resolution 2510 (2020) clearly supports the United Nations Support Mission in Libya in its important work to have both the LNA and the GNA agree to de-escalate and take active steps to establish a lasting ceasefire through ongoing 5+5 Joint Military Commission talks. Those talks should continue unimpeded.

The United States also condemns the grave threat to Libya's unity and to the well-being of the Libyan people posed by the shutdown of Libyan oil and gas facilities by the Libyan National Army. Libya's energy resources belong to its people and underlie Libya's economic well-being. The Council previously made it clear that no party should use those resources as a political bargaining chip. The facilities must be reopened without preconditions. Economic issues are core drivers of the ongoing conflict, and Libya's resources and revenues must also be distributed transparently and equitably for the benefit of all Libyan people.

Ms. Pierce (United Kingdom): Resolution 2510 (2020), which we just adopted, is viable. We all want to see it implemented. I must say, it is the first time that I have heard a period of three weeks after a conference described as a rush. Some of us might think it is a bit leisurely given the situation on the ground. However, the important thing is that the resolution gives concrete expression to the commitments that leaders, including President Putin, adopted at Berlin, so that the international community and the United Nations can take action to uphold the arms embargo, assist the parties in arriving at a ceasefire, make preparations to look at options for monitoring it before it is agreed and monitor that ceasefire once agreed. The most important thing, though, is that the players are now in no doubt as to the strong will of the Security Council. We want to see a ceasefire, we want to see the arms embargo upheld and we want to help the United Nations assist the parties in arriving at a Libyan-owned and Libyan-led solution. The United Nations might be front and centre of the international community's efforts, but it is able to call on the support of the African Union, the League of Arab States and the European Union.

On a general point, I want to stress again that the Security Council does not act only when parties ask it to act. The whole point of having the Security Council is that it can step into a situation and make its own decisions. That is why it is a sovereign Council. Furthermore, consensus should never mean, and has never meant, the lowest common denominator.

The President (*spoke in French*): The representative of the Russian Federation has asked for the floor to make a further statement.

Mr. Nebenzia (Russian Federation) (*spoke in Russian*): I am not going to repeat what I said before about why we have doubts about whether resolution

2510 (2020) can be implemented. That is what led us to abstain in the voting. We will see; events will show us who was right. If the resolution has a positive impact on resolving the conflict, I will be the first to acknowledge that I was wrong. However, in the form in which it was drafted, we have serious doubts that the resolution will contribute to any kind of resolution, at least in the way that we would like to see.

I would like to add that we are accustomed to the United States being obsessed with trying to find a Russian fingerprint in every situation. Instead of trying to find those who are guilty and attaching labels, let us instead remember what led to the current situation in Libya. If members do not recall what that was, let me remind them. A Security Council resolution was blatantly violated in 2011, after which the country, which had been thriving, was destroyed — we know by which countries — and Libyan statehood basically ceased to exist. As a result, Libya became what it became, and we still cannot put it back together again. Furthermore, Libya has become a haven for all types of foreign terrorist fighters from all sorts of countries. I also recall that Russia wanted to include a reference to those terrorists in the resolution. The country that was most against doing so was the United States. Rhetorically, I wonder why.

The President (*spoke in French*): I now give the floor to the representative of Libya.

Mr. Elsonni (Libya) (*spoke in Arabic*): At the outset, I would like to congratulate you, Mr. President, on assuming the presidency of the Security Council for this month. We also express our appreciation to the members of the Council for their efforts in adopting resolution 2510 (2020), although it is long-overdue given the events in my country for more than 10 months now.

We welcome the confirmation by the Council that the only solution to the Libyan crisis is a political one. While we understand the reservations of some States with regard to certain paragraphs in the resolution, we hope to work together in order to bring our views closer together and overcome any differences, with a view to achieving full consensus as we saw at the Berlin Conference. That would free Libyans from the international restrictions, leading to self-determination. As we hear every single day, the solution should be a Libyan-led and Libyan-owned.

Today's resolution is undoubtedly an official acknowledgement of the failure of the military

adventure embarked upon by the aggressor and his supporters, and of the failure of the attempted usurpation of authority by force, as well as the failure of the coup against legitimacy. We are here today trying again to return to dialogue and a peaceful solution, which was just around the corner last April. We hope that the States supporting the aggression that has led to the killing, displacement and deepening of the wounds of Libyans have been convinced of the fact that the era of imposing solutions by force is long gone.

We welcome the resolution, which is committed to the sovereignty, territorial integrity and national unity of Libya, and which reconfirmed resolutions 2259 (2015) and 2441 (2018), regarding the Libyan Political Agreement and other sub-agreements emanating from it. The resolution emphasizes the legitimacy of the Government of National Accord and its exclusive direct supervision of the sovereign institutions and the national oil facilities. It also condemns the closure of oil facilities and stresses the need for them to reopen. Their closure affects all Libyans and threatens an all-out economic collapse in the country.

At the same time, we thank Germany for its efforts and diplomacy and reiterate our support for the outcomes of the Berlin Conference to reach a peaceful solution to the Libyan crisis. We hope that all the States that took part in the Conference will be committed to what was agreed upon and abide by the resolution. We also welcome the resolution's mention of the importance of the African Union (AU) and the outcomes of the recently held summit in Addis Ababa. We hope that the AU will play an active role under South Africa's chairmanship, especially when it comes to national reconciliation.

Although we welcome this resolution, we are cautiously optimistic. We wonder why there are persistent violations of the truce and continued bombardment and killing of civilians. Why are there threats against civilian airports? Why is there a ban on the landing of aircraft, as experienced by the United Nations and the Special Envoy's team? That was mentioned in a statement issued by the team this morning. What are the guarantees for the success of the outcomes of Berlin Conference and the political track, including the discussions to be held in Geneva? What are the guarantees for the success of the Berlin Conference? Thus far, we have not seen any concrete results from what is known as the 5+5 Libyan Joint Military Commission when it comes to confirming a

ceasefire? Some parties have not yet given the names of their representatives for the political dialogue process. Others are apprehensive regarding the selection and representation mechanism, and about repeating past mistakes. Those are legitimate questions that need to be answered.

The resolution has raised our hopes, and we remain hopeful that there might be a strong international will for its implementation. Will the Council this time be able to put an end to the obstructionists? Will it be able to end violations and war crimes and hold their perpetrators accountable? Will it put an end to the flow of mercenaries? According to the report of the Panel of Experts on the Sudan (see S/2020/36), at least five Darfur armed groups have joined the Haftar militias, including the Sudan Liberation Movement/Army, the Transitional Council of the Sudan Liberation Movement/Army, the Justice and Equality Movement, the Sudan liberation Forces and the Sudanese Revolutionary Awakening Council.

There are thousands of mercenaries and materiel spread out in Al-Jufra, Al-Hone, Al-Qatrun and southern Tripoli, as well as in the oil crescent area.

Sudanese mercenaries are intent on closing Libyan oil facilities. Some are trying to spread the rumour that those closures were carried out by Libyan tribes demanding equitable distribution of wealth. Many of those and others are contributing to the destabilization of the uncontrolled southern part of Libya, similar to what happened during the August 2019 massacre in Murzuq, which involved the killing nearly 40 citizens by direct air strikes. This information does not come from us; rather, it is derived from the relevant United Nations reports. Yet there are those who continue to call those people the Libyan National Army.

In conclusion, we thank the States that have begun to reconsider their positions after understanding the aggressor's intentions. We would like to remind all present that we are eager to reach a peaceful solution, stop the bloodshed and work to find a platform for dialogue among all Libyans, without exception. We will spare no effort in working towards achieving that goal. We will, however, remain vigilant and prepared for ill-intentioned actions. For as we say, according to the Hadith, "Once bitten, twice shy".

The meeting rose at 4.40 p.m.