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**HRVP VISIT TO TRIPOLI, 8 SEPTEMBER 2021**

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**I. SCENE SETTER**

***You are visiting Libya because this is a crucial moment*** *for the future of the country**and if the EU still wants to try to play a role, we have to* ***find the right way to engage with the authorities****.*

***Libya’s perception of the EU*** *has had a negative impact on bilateral relations with the new Government of National Unity, that have been quite complex so far.**For Libyan politicians across the board, the EU overall is too divided to be a valid interlocutor that can make a difference. In addition, for the authorities and stakeholders in Tripoli and western Libya - including the PM - the EU is associated only with the fight against migration and security concerns. On migration, like many North-African partners, they criticise the EU policy for being almost exclusively focused on Border control in the North (“asking the Southern partners to act as guardians of the Southern European borders” as they put it). On security, they remain critical of Operation Irini - in spite of the many explanations we have provided- which they see as being biased against Turkey, a country to which many of them are attached after it “saved them” from Haftar’s offensive on Tripoli and which has now growing influence in Tripoli.*

***Objective******of the visit*** *will be the**opportunity for you to meet for the first time the PM and Presidential Council (previous attempts to meet the PM or his Foreign Minister in the margin of events outside Libya failed). You want to engage with them to frame* ***a more comprehensive political relationship*** *between the EU and Libya, showing that the EU is not only interested in migration. To do so, building on your speech at the Berlin ministerial conference in June [in annex ], you will make* ***a concrete offer******to contribute to the stabilisation of the country*** *showing that the EU is the sole actor that can help Libya with what it needs most: building the state institutions it never had. You will also have to* ***address the misperceptions around Operation Irini*** *and open the door to a future visit by DSG Fries/NEAR Acting DG Popowski/Irini Commander (who has not yet managed to visit Tripoli since November 2020, due to lack of Libyan support).*

***Latest political developments*** *have brought the* ***country at a crossroads*** *where it can either move towards peaceful elections and the reunification of its institutions or slip back into divisions and new violence. After months of great hope, Libya is* ***again on a very worrying trajectory*** *that may lead to greater instability already in the coming weeks.*

*Prime Minister Dbeiba is manoeuvring to* ***postpone elections*** *(which are supposed to take place on 24 December) and so far the Parliament has not passed the legislation that would allow to respect the agreed electoral timeline. The Foreign Minister has clearly hinted to this risk in Alger on 1 Sep in a conference organised by FM Lamamra with Libya and its neighbours (provoking by the way an official French reaction). On the contrary, general Haftar and Gaddafi’s son Seif al Islam are among the many candidates in waiting who are pushing for elections to take place as planned. In the absence of a clear UN plan the US have tried to break this impasse with a compromise proposing to hold legislative elections and the 1st round of Presidential elections in December. The advantage would be that pushing for a two-round Presidential elections would impose more realistic calculations to the many potential candidates and would push for alliances since the beginning. With a one-round election, even someone with a short majority can become President and many will be tempted to run. However it looks like the would not be welcome by some of the actors (apparently FR and EGY) and it is difficult to anticipate any possible follow-up.*

*In the meantime Eastern Libyan stakeholders (and their international supporters, Egypt in particular) have increased criticism against PM Dbeiba making clear that they only agreed to support the PM’s mandate on the basis that it should expire on 24 December.* ***A crisis of legitimacy is likely to emerge****.*

*With regard to the* ***security situation*** *and the October 2020* ***ceasefire agreement,*** *a significant step forward has recently been taken with the* ***reopening of the coastal road*** *linking the east and the west of the country. Flights are now operating on a regular basis between different regions and hundreds of prisoners have been freed. But this is where the good news end and the* ***withdrawal of foreign forces****, which was a key component of the Agreement and reflected in successive Security Council resolutions,* ***has not even started****. In the absence of a UN plan, the only proposal on the table so far is the French one [in annex 6] that calls for a phased withdrawal of the different forces.*

***The economic situation*** *is also a symptom of deeper political problems and affects the daily livelihood of ordinary Libyans by depriving them of basic services. The* ***parliament has rejected different versions of the 2021 budget*** *submitted by the executive. Essentially, many of its members do not want to grant Dbeiba the money to make investments because they want to stress that as the Prime Minister of a transition government he should last only a few more months. The country is therefore running without a budget and the government can spend each month only 1/12 of what it spent last year, essentially only paying salaries and subsidies. The EU, as co-chair of the Berlin Economic Working Group with the US, Egypt and the UN, has played a very important role in negotiations that have brought to important economic reforms such as the start of the process leading to the reunification of the Central Bank. Now, in order to move forward, Libyans need to address underlying issues. For the moment, since security institutions were not reunified, each armed faction is demanding a quota of the budget to be managed independently.*

*On its side, the* ***UN mission under Special Envoy Jan Kubis*** *has not had enough political authority to facilitate a long-term solution. The Strategic Review of the UN mission mandated by the Security Council is extremely critical of Kubis’ performance and notably recommends that the Special Envoy be based in Tripoli, something Kubis has already refused. US are also very critical of his lack of initiative.*

***The programme****,**will focus on institutional meetings but could have last minute changes. FM Maas will be visiting the same day. You will keep the two visits in parallel but will have few moments together [placeholder]*

***You will meet:******PM******Dbeiba*** *possibly with economic ministers after a more bilateral meeting;****The President of the Presidency Council*** *(the collective presidency of the country)* ***Mohamed Al Mnefi******and his deputy Mousa al Koni*** *in two separate meetings.****UNSE Jan Kubis****, together with FM Maas.*

*[placeholder: for updates in the programme]*

***Communication*** *during and after the visit will play an important role. The* ***media landscape*** *in Tripoli is challenging. No international media outlet has a correspondent in Tripoli. Libyan media is hardly professional, very polarized and manipulative, with most TV channels under the influence of the warring parties.*

***Libyans have their sensitivities****. First, most Libyans are convinced that* ***migration*** *is a European problem dumped on them and that the EU is interested just in migration when it comes to Libya. Second, Libyans, after the 2011 NATO intervention, are obsessed with a new possible risk of* ***presence of European boots on the ground****. There is little capacity to understand the difference between a civilian mission like EUBAM and a military occupation. On the* ***positive side****, the EU was until recently considered an honest broker and your visit can help to re-establish that reputation.*

**II. MEETINGS**

**GENERAL MESSAGES**

The **overarching message** to your interlocutors is that **the EU wants to build a comprehensive partnership with Libya.** Now that Libya has entered in a new phase, the EU is ready to do whatever it takes to stabilize the country, dispel the impression EU is only interested in migration and security**.**

You will have **two sets of issues:**

1. With regards to the **Berlin follow up** *(see Berlin Conclusion in Annex 2):*
2. **Elections**: No more time to waste in finalizing preparations to hold them on 24 December as planned; legitimacy of the Government and stability of the country at stake.
3. **Withdrawal of all foreign forces and mercenaries:** we know it is very challenging (both TK and RU have no intention to leave) but it has to start, as it is a key piece of the ceasefire agreement*.*

2. On **bilateral relations**:

1. Follow up to **your letter of April** [ *which was focused on the short-term cooperation and included: support to elections; capacity-building for state security structures; border management activities; cooperation on migration management; support for security sector reform (see Annex 3)*] you come with **a more comprehensive long-term offer** to help them in a State building exercise they will have to start:
2. **Offer EU capacity building package** (*see Annex 5*) mobilizing expertise in the ministries, local administrations and others institutions to create a State structure, which Libya has never had.
3. Promoting to increase EU efforts to support **economic and institutional reforms** that are essential to stabilize the country.
4. Test their interest to start negotiations towards an **Association Agreement** once elections have taken place.
5. Need to clarify misunderstandings on **Operation Irini:**
6. Reiterate our offer to start the training of the **Libyan Coast Guard**
7. Open the door to a **visit by DSG Fries**, NEAR DG Popowski and Irini Commander Agostini.
8. **Consider expanding EUBAM’s mandate** to support the ceasefire and security sector reform as well as to help in the South for Libyans.
9. **Migration** may be raised because they are keeping migrants on the right side of the Mediterranean Migration is a common challenge requiring common solutions and cooperation

**ABDELHAMID DBEIBA, PRIME MINISTER**

*Abdelhamid Dbeiba is a Misratan (Tripolitania) with a* ***business sector*** *background - his family had an important role in public works under Gaddafi. As such, he has traditionally kept strong commercial connections with both Ankara and Moscow, although he has been accused since taking office to be too much under Turkish influence. He sees Europeans more as business interlocutors - with whom he can discuss contracts at bilateral level - than political partners. He is mainly interested if he sees concrete deliverables of interest for him (and his sponsors).*

*First time you see him. His style during high-level meetings is* ***very direct.*** *But**on the contrary**he is* ***very sensitive to perceived external influence*** *and wary of full respect of Libyan sovereignty. He complains that the EU is only interested in migration and security, a perception that this visit should aim to change. In spite of his public position, he is reticent to elections and would rather stay on for another two years. However he is in a weak position now, with 27 members of parliament threatening a vote of confidence.*

*If on a one-to-one half an hour PM will speak English. Should he associate other ministers to the larger meeting (we asked for Min of Finance and Min of Economy) he will switch to Arabic.*

**SPEAKING POINTS**

**GENERAL**

* In Tripoli one year after my first visit and after the **considerable progress Libyans made in the last year**. Happy to **engage personally** with you in this crucial time for the future of Libya and **see what the EU can do**, better and more, for this country so important and so close to us.

**ON BERLIN** [*messages Maas will also be passing*]

* In Berlin in June we all agreed on **two crucial commitments**:   
  1. Implementation of the agreed Roadmap and **elections on 24 December**;   
  2. Full implementation of the ceasefire agreement and **withdrawal of all foreign forces**.
* Worried because **progress seems stalling** on both issues.
* **What is your plan on elections**? We believe it is crucial for the long-term interest of the country and the perspective of its stability and unity, to let the Libyans choose their next leaders in December as agreed by the Libyans.
* On the **positive side on implementation of Ceasefire Agreement**, congratulations for the efforts that have allowed the reopening of the coastal road.In close cooperation with your MOI,the EU ready to deliver concrete support to the **Joint Police Force** that is being deployed. In few weeks they will have a EU funded common barrack and equipment. We also stand ready to provide tailor made training and strategic advice.
* However, how do you see **withdrawal of all foreign forces from Libya**. We understand that your foreign minister is preparing an initiative? Regretfully, it has been impossible to meet Minister Mangoush so far and we have heard of the initiative from partners only [placeholder: for updates in the programme]. What about the FR proposal?
* Libya still has **no budget for 2021**. As co-chairs of the Economic Working Group, the EU, together with the US and Egypt, have done their best to bring the parties together. What is the situation?

**ON THE BILATERAL RELATION**

**A new EU offer for broad cooperation**

* I am here **to see directly with you what the EU can do more** to support Libya in this crucial phase. I want to lay the foundations of a sustained, comprehensive, long term partnership. This is why last spring we were among the first to bring back to Tripoli our Ambassador and reopening our Delegation.
* On 23 April, I **sent you a letter** with a “list of possible concrete actions” of EU support for Libya for the coming months. We focused on support for elections; border management activities; support for security sector reform; cooperation for electricity and banking sectors.
* Today, if you are interest we **want to take a further step**. Libya will have to carry out a **State building exercise** involving all the institutions in the long term, but starting already now with the most urgent areas, economy, banking system, security sector. The Libyans will of course have full ownership, but they will also need support to attain their objectives. The EU has a lot of expertise in many areas.
* We could **mobilise technical assistance to support several ministries and institutions** and help the establishment of a strong and efficient Libyan administration, at central level and local level, depending on the overall system you will design for the country. Grateful for your reaction.
* Our objective is to create the conditions for Libya to become a key partner in the Mediterranean. We hope that the conditions will be reunited soon to start negotiating an **Association Agreement** between the EU and Libya which would fully associated to the European Neighbourhood Policy, like the other Mediterranean countries.

**Security cooperation and Operation Irini**

* I would like to raise directly with you is our Operation Irini to **dispel some misunderstandings**. Operation Irini’s records (in terms of monitoring and inspections) clearly demonstrate that it is impartial. I can elaborate if you want (*see defensive*).
* We heard your call on the EU to **engage more in the south**. We are ready to do that from Tripoli. Our civilian Mission EUBAM is already providing support to the Ministry of Interior, the Border Guards, the Joint Police Force. We are ready to do more.
* We are also ready to enhance significantly our support to your land and maritime borders, through the **provision of equipment** (in addition to existing programs, I can propose an assistance measure under the new European Peace Facility).
* We see this as a **coherent package**. It **comes with training**. It would not be acceptable for us that others do it instead of us.
* This is why it is important for Operation Irini to **resume training activities** in support of the Libyan Coast Guard and Navy. We did it with Operation Sophia (more than 500 Libyan Coast Guards trained in Europe through this program). Operation Irini inherited this mandate. EU member states are looking carefully at this. It is an opportunity for cooperation that will pave the ground for further support, in full respect of Libya’s sovereignty. What is your answer?
* My **Deputy-Secretary General**, together with the Commission and the Operation Commander of Operation Irini stand **ready to visit** you upon your return from UNGA to discuss the details.

**Migration**

* Must be **a part of the much broader agenda** the EU wants to develop. And we want to address our joint challenges for the benefit of both sides.
* You know our longstanding support to the work of UN agencies that conduct **voluntary returns, evacuation and resettlement** from Libya. I count on your continued support for evacuating the most vulnerable people from Libya and providing a humanitarian corridor responding to the urgent needs of these persons. The Emergency Transit Mechanisms (ETM) in Niger and Rwanda remain vital links in the important humanitarian infrastructure that we collectively put in place in 2017.
* We will relaunch the **Tripartite cooperation** [EU/UN/AU] to have a more global picture and better coordinate with the other African countries.

**DEFENSIVE ON IRINI’S IMPARTIALITY**

* Operation IRINI was established legally by the EU to contribute to the implementation of the arms embargo on Libya in accordance with the UN Security Council Resolutions 2292 (2016), which authorises the inspection of suspect vessels on the high seas and requires all UN member states to cooperate.
* Allegations that IRINI is only targeting one side, have no basis. The Operation has scrupulously monitored and documented arms embargo violations regardless of the source of violations and provenance of the vessels, and reported accordingly to the UN Panel of Experts on Libya.
* Of the reports sent by IRINI to UN Panel of Experts, more than half concerns possible violations of the arms embargo by the Eastern side. IRINI has inspected several vessels and on one occasion seized an oil cargo destined for the East.
* The UN have repeatedly expressed appreciation of the work of IRINI.
* If the international community wants IRINI to do more (including concerning the implementation of the arms embargo in the airspace and on land), a revised UNSC resolution and agreement of the Libyans would be needed

**CV:**

**Abdul Hamid Mohammed Al-Dabaiba, Prime Minister**

Born in 1959 in the western city of Misrata, Al-Dabaiba was educated in Canada and graduated in engineering at the University of Toronto.

He moved back to his native city in the midst of a construction boom after the 2003 Libya-US-UK understanding, where he eventually caught the eye of Gaddafi’s close associates, through his cousin, the construction magnate Ali Dabaiba. His expertise soon earned him the trust of Gaddafi, who, in 2007, entrusted him with the running the state-owned Libyan Investment and Development Company (LIDCO), responsible for some of the country’s biggest public works projects.

During his time as CEO of LIDCO from 2007-2011, he reportedly awarded billions in contracts especially to Turkish companies, and retains close business contacts with Turkey, one likely reason for the support he seems to enjoy from Ankara. He is also understood to have strong business connections in Russia.

**PRESIDENCY COUNCIL**

*The Presidency Council is the* ***other main institutional body in Tripoli****. It exercises the functions of* ***head of state*** *and, on paper although not in reality, of supreme commander of the armed forces. It has no executive power but it is the forum reuniting formally the three regions of Libya, therefore its members can have a significant political impact.*

*The Presidential Council was elected by the Libyan Political Dialogue Forum in February 2021, on a common ticket with PM Dbeiba. However, relations started to deteriorate quickly with the PM. It is formed by* ***President Mohammed Mnefi*** *(from a relevant tribe of* ***Eastern Libya****) and* ***2 vicepresidents****:* ***Mousa al Koni*** *(a Tuareg from a powerful family from* ***Southern Libya****) who will both be present and Abdallah Al Lafi (from West Libya) who is not in country.*

*Both Mnefi and Koni have demonstrated to be more sympathetic to the EU and have a stronger interest for cooperation with the EU and upholding the rule of law in Libya.*

**MEETING WITH PRESIDENT MNEFI**

*Mohamed Mnefi is formally Libya’s Head of State. He was a member of the Libyan General National Congress that led the country following the February revolution between 2012 and 2014, and was a founding member of the High Council of State (HSC) in Tripoli. Although coming from the East, he was initially with Haftar but, a pragmatic politician, he has now developed relatively good relations with the whole eastern leadership, so much so that he is considered by some a potential mediator between the two sides.*

*You will meet him for the first time. Messages in this meeting will be similar to those in the meeting with the Prime Minister. In particular, it is appropriate to mention security as it is one domain where they have at least some nominally, some power.*

**SPEAKING POINTS**

* Glad to meet you. I am here to discuss **how to strengthen the relationship** between the EU and Libya.

**Developments in Libya**

* Very impressed by the **considerable progress** of the last year. **Creation of reunified institutions** of which your Council is the highest example was an excellent signal and created hope. The **Ceasefire agreement** and the **Road Map** to elections endorsed by the UN Security Council, were an important sign of the **Libyans wanting to turn the page**.
* However, the implementation of these commitments poses challenges and that **reaching consensus is difficult**, in particular for the organization of the elections and the adoption of a budget for 2021.
* But it is crucial for the stability and unity of the country to **keep up the positive momentum**.
* Could the international community and the EU in particular do more to help bridging the **gap between the different sides**?
* The **withdrawal of all foreign forces** is also a priority**.** I understand that the foreign minister is working on an initiative. What is your analysis of the situation and how could faster progress be made?

**EU cooperation with Libya**

* I want to reaffirm EU’s readiness to **do whatever it can to help you stabilize your country**. We want to be your partner for the time of peace. I have proposed to the PM long-term assistance in State building and the formalization of our relations through an Association agreementas soon as conditions allow after the elections.
* During the visit of the President of the European Council Charles Michel in April, we shared with you our ideas to **support the reform of the Security Sector** in Libya. Our mission EUBAM Libya is fully back in Tripoli and is ready to deliver additional activities in response to requests from MOI.
* **The reopening of the coastal road** is a positive development and I am happy to say that the EU will deliver concrete support to the **Joint Police Force** that is being deployed. We have made the necessary arrangements to ensure that dedicated accommodation facilities and equipment will be available for the force by the end of September.
* We are also ready to **increase our support to your land and maritime borders**, through the provision of equipment. We see this as a coherent package, which comes with training with the Libyan Coast Guard and Navy which we have offered to resume through the EU Operation Irini.

**CV:**

**Mohamed Yunus Al-Mnefi, President of the Presidency Council**

Mohamed Yunus Al-Mnefi (born 1976) who represents the East of Libya in the Presidency Council, hails from the city of Tobruk and belongs to the Mnifa tribe.

He was a member of the Libyan General National Congress that led the country following the February revolution between 2012 and 2014, and was a founding member of the High Council of State (HSC) in Tripoli. Ideologically, he is said to be close to Libya’s Islamist politicians.

As Ambassador to Greece, he became Persona Non Grata in 2019 after refusing to disclose the contents of the Memorandum signed by the GNA with Turkey on security and the demarcation of maritime borders. While coming from Eastern Libya, he is known to have been opposing K Haftar since 2014, and has such no real basis or constituency in the East as a result

**MEETING WITH VICE-PRESIDENT AL-KONI**

*Vice president Al Koni comes from a powerful family from the Tuareg minority in Fezzan, southern Libya. He specifically asked a separated meeting to discuss potential cooperation in the South, something Libyans are showing particular interest for.*

*Fezzan is Libya’s most marginalized region populated by different coexisting tribes (essentially Tuareg and Tebu) and a number of non-Libyans with an unclear legal status. It is a region of traffics, which has experienced localized conflicts without interruption since Gaddafi’s fall in 2011. The Libyan government does not have a permanent presence nor control of this part of the country and is seeking support from partners.*

*VP Al Koni has recently travelled to Sudan and Chad to revitalize an agreement signed with Sudan, Niger and Chad in 2018 that stipulates the possibility of deploying forces to secure joint borders to combat cross-border crimes and irregular migration.*

*Working in Libya’s south is extremely difficult, both for security and logistical reasons and it is important to manage expectations as to what we can effectively do.*

**SPEAKING POINTS**

* Thank you for your continued friendship with the EU. I know that you had the opportunity to meet with some of my representatives in June and I am very happy to be able to discuss with you issues that are very important for Libya and where **we hope to be able to help**.
* We are keen to increase support on border management and we have heard your call to engage more on the south.We are ready to support through our civilian mission **EUBAM**, and the support **activities it can deliver from Tripoli**.
* We also have a number of EU funded projects that started operating in the South over the past few months – support to municipalities and support to integrated border and migration management in Fezzan with UNDP and IOM.
* We understand the importance for Libya of the control of southern borders. We appreciate and support your commitment to **improve cooperation with neighboring countries**. The proposal to reactivate the agreement signed with Chad, Sudan and Niger in 2018 is very useful. Do you think the EU can help with this regional approach?
* In this regard, our **civilian missions in Libya, Niger and Mali** have enhanced their cooperation and are ready to further assist regional efforts.
* We are also committed to relaunch **Tripartite cooperation** (EU/UN/AU) to better coordinate with the African Union in particular.

**CV:**

**Musa Al-Koni, Vice President for the South in the Presidency Council**

Vice President Musa al-Koni is a Tuareg from southern Libya. He comes originally from a non Arabic speaking family and is self-educated. M al-Koni has assumed a number of important positions throughout his career and was notably appointed as Consul-General in Mali under the Gaddafi regime. He defected in 2011 and was appointed the Tuareg representative to the National Transitional Council. He subsequently became Deputy President of the Presidential Council but resigned in January 2017. He has not been publicly active for a long time.

**JAN KUBIS, SPECIAL ENVOY TO LIBYA**

*Appointed as UN Special Envoy for Libya on 18 January 2021, after Mladenov declined the offer, Kubis is now in the storm. While his predecessors were based in Libya, the US insisted in splitting the position with a European Special Envoy based in Geneva and an UNSMIL Coordinator based in Tripoli. However, the new system has not delivered. Internally, a recent UN Strategic Review of UNSMIL strongly criticized the functioning of the mission and asked that the head of mission be based in Tripoli as in the past, something that Kubis has repeatedly rejected. Externally,* ***many are questioning his position****, both in Libya and among the international partners, including in particular the US. Unclear how long Kubis will be able continue in the current job, as UNSMIL’s and his mandate are due to renew on 15 September.*

*Kubis initially oversaw the creation of the Government of National Unity and of the Presidency Council thereby reaping the dividends of his predecessor’s efforts. However, it became quickly clear that his ability to implement the Road Map and the ceasefire agreement would be limited. He saw himself as a convening power and not as the person who would take initiatives to overcome the structural issues that continue to divide West and East stakeholders. This was particular true with the issue of the elections.*

*Kubis is currently in Libya and* ***you will meet him together with FM Maas****. He has been invited to visit Brussels but never managed. It is useful to see him now as it is expected that* ***he will present his own plan before UNGA starts****.*

* EU’s commitment and support to the work of the UN in Libya is steadfast. My strong message today was to put pressure for the respect of the lines agreed in Berlin. **There is no plan B** other than respecting the Road Map and go to the elections and implementing fully the ceasefire agreement.
* However, between us we know well that the situation looks very challenging in this moment. Which are **your expectations** **on the elections** after your recent meetings here? What do you think can be the **next steps** and how can we help? How could we put more pressureon the different stakeholders in order to respect the agreed timeline?
* We have heard about a **US proposal** **on the elections**, with Presidential elections in two rounds, starting in December. Is this an approach that you would support? [*see background]*
* Time is running very short, do you see any **acceptable alternative to elections in December**?
* What is otherwise the fall-back position? What can be done to **avoid a legitimacy crisis** and keeping all committed around reunification of the country?
* Who still would have, among the international partners, strong **leverage to put pressure for a compromise** solution? How serious are the threat by Easterners to recreate parallel institutions?
* Is there **any Libyan** who can be accepted as an “**honest broker**” between the different sides?
* On the security situation, what are the **progress in deploying UN ceasefire monitors**? We understand this has been in the making. Do you have a sense of the date for the first deployment and for the call for contributions?
* What are your impressions on the way forward about the **withdrawal of foreign forces from Libya**. There is a FR plan [*see annex 6]* for a phased withdrawal. From your international contacts, how do you expect that to proceed?

**III. BACKGROUND**

1. **Recent internal developments**

**Impasse on the road to elections**.

According to the Road Map agreed last November, Libya should hold **presidential and legislative elections on 24 December**. The Libyan Political Dialogue Forum and the House of Representatives have failed to approve a constitutional framework and electoral legislation by the established deadline of end of June 2021.

Deep disagreements have emerged between supporters of different options showing again a **regional** **divide in the country**.   
Most stakeholders **in western Libya** fear that presidential elections would lead to a new dictatorship and therefore would prefer to have just parliamentary elections. On the opposite side, **General Haftar and Gaddafi’s son Seif Al Islam** would like to have a strong presidency elected directly by Libyan citizens and advocate no restrictions on the right to run in the elections.   
In between **PM Dbeiba and the Speaker of the House of Representatives Aguila Saleh**, while not saying it publicly, are not enthusiastic supporters of elections altogether.

**Positions are different also among the international partners**. Everybody is putting pressure to have elections in December, as reiterated even in the Berlin 2 conclusions. However, views differ on the modalities. A US plan insisting on a two round presidential election (which would make a selection among the several presidential candidates) was discussed with the P3 +2 (IT and DE) but is facing opposition by FR, which has a preference for a single round.

UNSE Jan Kubis is expected to convene a meeting of the Libyan Political Dialogue Forum (LPDF) by mid-September to **break the impasse** between several conflicting proposals of legislation and constitutional framework.

The **growing possibility of postponing elections**, increases the chances that the current Prime Minister Dbeiba might stay in power beyond 24 December, something that eastern Libya and Egypt strongly oppose. The tension is raising and there are threats that the eastern-based House of Representatives **tries to organise a vote of non-confidence against the PM**. [placeholder in case of developments]

**The security and military track.**

Ten months after the Ceasefire Agreement signed in Geneva on 23 October 2020, the **levels of violence in Libya are still among the lowest** recorded since the fall of Gaddafi in 2011. Flights between the two sides of the country have restarted, the different factions continuously exchange prisoners and finally on 30 July the coastal road between east and western Libya was reopened. The ceasefire process has strengthened the role of the 5+5 Joint Military Committee composed of officers representing Tripoli-based authorities and the Libyan National Army. Based in Sirte, the 5+5 discusses all issues pertaining to the implementation of the agreement.

However, important parts of the ceasefire agreement remain unimplemented and no monitoring mechanism has been established so far. The most problematic is the lack of progress on the **withdrawal of foreign forces.** The agreement also called for the suspension of military cooperation with external partners (including for training purposes) but Turkey managed to push back against this provision on the grounds that it has a legitimate agreement signed with the Libyan authorities (originally signed with the GNA and renewed in April with the GNU). The deployment of a UN ceasefire monitoring mechanism has not yet started and only on 13 August a financial arrangement was agreed in New York.

Most importantly, **the two sides have not even begun a process of reunification of security institutions**. As an example, the Government of National Unity lacks a Minister of Defence because no agreement could be found between western-based forces and the Libyan National Army (LNA). The Presidency Council in Tripoli and the LNA in Benghazi issued parallel appointments for key decisions.

**The** **economic situation**

Of particular interest because of the **EU** **role as** **co-chair of Berlin’s Economic Working Group**, together with the UN, the US and Egypt. Less than four months before the end of the year, Libya **lacks an approved budget for 2021**. The Government can spend each month 1/12 of the budget of 2020.

Parliament blocked the government’s proposed budget for two main reasons:

1. The proposed budget was considered too big for an executive which is supposed to remain in office only until 24 December
2. There is no agreement on the allocation for Haftar’s Libyan National Army which wants its own independent budget, separate from that of the Ministry of Defense

While an audit was conducted under UN auspices, this did not lead to the reunification of the two Central Banks of Libya (CBL).

The Government of National Unity has appointed a Minister for Oil who on 29 August has removed the Chairman of the National Oil Corporation, the state institution that manages all contracts. Chairman Mustafa Sanallah was widely appreciated in the international community for his independence and his fight against corruption.

1. **The current institutional and decision making system in Libya**

*Libya* ***does not have a constitution*** *that reflects the new political order post-2011.   
The decision-making structure is the result of an original Constitutional Declaration agreed just before the fall of Gaddafi and of successive UN-brokered political agreements.*

**Main bodies and their function**:

* The **Presidency Council** (PC), is composed of three members, each representing one of the historical regions of Libya, with the President Mohammed Mnefi, who currently comes from Cyrenaica (East) and 2 Vice-Presidents, Mousa al Koni, coming from Fezzan (South) and Abdallah Al Lafi, coming from Tripolitania (West) and. The PC has the functions of **Head of state** and is theoretically the Supreme Commander of the Armed Forces but does not have any executive functions. It is also supposed to have a say in the appointment of the security ministers. Some armed groups, including all of those from Tripoli, are nominally under the control of the PC, which however has no effective way to oversee them. The Libyan Political Dialogue Forum [*see infra*] appointed the PC in its current configuration in February 2021, in a joint ticket with the Prime Minister.
* The **Prime Minister** Abdelhamid Dbeiba, from the West, is the effective kingmaker. Currently he also holds the interim of the Defence Ministry. In March 2021, the House of Representatives approved his **Government of National Unity** that comprises of ministers backed by all the relevant stakeholders. To note that in the previous Government of National Accord, Serraj was combining both the position of President of the PC and PM. The new system was born after Berlin from an attempt to be more inclusive and balanced between East and West.
* **The House of Representatives (HoR)** Elected in 2014, the HoR is based in Tobruk. It is the recognized legislative authority. However, from the outset, the HOR was dominated by loyalists and anti islamist supporters of general Haftar and ended up supporting the creation of an autonomous region in the east.

In reaction to this development, islamist and western forces decided to boycott the HOR and opened a separate western parliament in Tripoli, recognised by the UN as the **High State Council** in 2015. This is an advisory assembly and has a say over key appointments and changes to the constitution.   
As a result of this divide, the HOR remains until now a dysfunctional and divided parliament.

* With regard to the army, **the Libyan National Army** under the General Command of Khalifa Haftar is not recognized by all Libyans as the national armed forces. In Tripoli there is another parallel chain of command under Chief of staff Mohammed Al Haddad. In the reality, General Haftar leads an essentially eastern-based coalition of brigades while Haddad relies upon a collection of armed groups in Tripolitania.
* Similarly, **two parallel branches of the** **Central Bank of Libya** developed over the years, each of them issuing Libyan currency and contracting debt on behalf of the Libyan state, thereby creating a significant deficit. The Central bank in Tripoli is the official recipient of oil revenues and is regularly accused by the East to transfer part of them to Western armed groups.
* The **Libyan Political Dialogue Forum** is the newest Libyan body. It was created following the Berlin conference upon a proposal of Ghassan Salameh aimed at overcoming the inability of the House of Representatives to meet with the necessary quorum and take decisions. The LPDF is an inclusive body of 75 members, in part designated by the two parliaments, in part appointed by UNSMIL on the basis of indications of political leaders (Dbeiba, Haftar, Aguila etc.) and in part including independents in order to guarantee some presence of women and youth. In November 2020, the LPDF has agreed on a Road Map. According to it the LPDF could replace the House of Representatives in adopting the electoral legislation to have elections on 24 December 2021 as planned – a provision that UNSE Kubis has decided not to use.

1. **Main current political leaders**

*In a country that is still deeply divided, leadership is important beyond the institutional roles. While a full picture of relevant Libyan politicians would be difficult to paint due to the complexity of the political landscape, five key stakeholders should be kept in mind*.

* **PM Dbeiba:** comes from Misrata but has allies throughout Western Libya in Turkey and Russia
* **Khalifa Haftar:** eastern leader although in the reality he does not come from the East and has American citizenship acquired after he left Libya under Gaddafi. The champion of the fight against islamists. Strongly supported by FR and still by Egypt
* **Aguila Saleh:** currently the speaker of the House of Representatives. Comes from the east and was until recently Egypt’s favourite eastern leader.
* **Khaled Mishri:** is the head of the High State Council, a former member of the Muslim Brotherhood close to Ankara and Doha
* **Salam Islam Gaddafi** (Gadhafi’s son): played an important role in the last decade of his father’s regime. He was indicted by the International Criminal Court for his role in the repression of the 2011 revolution. He has recently re-emerged on the political stage with the backing of Russia.

1. **International stakeholders in Libya**

**Overview**

In the years following the 2011 revolution Libya was politically divided: on one side, the UN-backed Government of National Accord (GNA), led by Fayez al-Sarraj in Tripoli, and on the other General Haftar's Libyan National Army (LNA), controlling the vast majority of Libya. After the offensive on Tripoli launched in April 2019 by General Haftar, the GNA made substantial territorial gains, with Turkish support who deployed troops and mercenaries in January 2020 leading to a military standstill in Central Libya (Sirte/Jufra axis). Foreign intervention in support of the two warring sides – on one side, **TK supporting the GNA** and on the other side **Egypt, UAE and RU supporting the Eastern authorities** – gave a strong international dimension to the conflict. This replicates to a large extent dynamics increasingly at work in other parts of the Middle East - Muslim brotherhood affiliates TK, Qatar on the one hand and Egypt, the UAE and to a lesser extent Russia on the other.

The Libyan Joint Military Committee negotiations led to a **Ceasefire Agreement,** signed on 23 October 2020 in Geneva, which provides for an overall framework and calls for the withdrawal of all foreign mercenaries and the suspension of foreign trainings within 90 days. However, while the ceasefire has been holding overall, many challenges remain and the **withdrawal of foreign forces and mercenaries is yet to happen**.

**Turkey** –which had always had strong historical ties with Libyans and Misratans in particular - has now durably imposed itself as a **key stakeholder** in the overall Libyan equation and has **significantly reinforced** its presence in northwest Libya where Turkish regular troops and equipment are substantially deployed. They include two military bases - including Watiya airbase 27 kilometres from the Tunisian border - and several thousand Syrian mercenaries. Unsurprisingly, Ankara strongly opposed references to the need for foreign forces to withdraw in the June Berlin Ministerial Conference.

Ankara was officially recognised by the newly established Libyan interim Government of National Unity as one of its closest allies. The official visit conducted by Prime Minister Dbeiba to Ankara on 12 April led to the signing of five additional MoU’s, focusing primarily on the construction sector.

**Russia** plays a major role in the Libyan conflict, with a strong presence on the ground, which played a significant role in support of Haftar’s offensive on Tripoli and the successful taking over by LNA of Sirte in January 2020. **Wagner mercenaries are still well present** in the country. Since the GNU’s [establishment](https://www.dw.com/en/libyan-parliament-approves-unity-government/a-56826306) on 9 March 2021, Russia has embraced Libya’s interim government. However, In tandem with its establishment of closer ties with the GNU, Russia also maintains strong links with such actors as Khalifa Haftar’s (but also the al-Kaniyat militia) with a concentration of forces close to Libya’s strategically important oil fields, but denies doing so. Moscow officially supports plans to hold national elections on 24 December 2021.

This balancing strategy aims to allow Russia’s influence in Libya to remain unaffected by political changes on the ground and to allow lucrative reconstruction contracts. Russia increasingly uses Libya as an **entry point for broader objectives in Africa**, in particular the Sahel and central Africa.

**Egypt’s key objective** **is long-term stability in Libya remains** Originally a strong supporter of General Haftar, Egypt has had a more constructive attitude over the past year. It is among the strongest supporter for the holding of elections. He also has a strong interest in the withdrawal of all foreign forces and mercenaries from Libya. During the Berlin 2 conference, Minister Shoukry nonetheless reiterated Cairo’s readiness to intervene militarily, should it consider its national security at risk. Beyond the direct message to Ankara, this stood as a clear reminder to PM Dbeiba that any unbalanced political bargaining ignoring Egyptian interests would be bound to fail.

Egypt has been increasingly side-lined notably by Moscow over the past year and, as an alternative, has focused on supporting the UN-led process with the aim of regaining relevance in the context of rapidly shifting Libyan realities on the ground, but often found itself even more marginalised. Cairo maintains relevant contacts within the Tobruk-based Libyan Parliament and has influence over its President Aguila Saleh, a crucial actor to unlock the current legislative stalemate, and one that had been under EU sanctions until September 2020.

The **UAE** supports the political process under the auspices of the UN, the new executive authorities and the elections set for 24 December. Abu Dhabi’s position has shifted dramatically from strongly supporting General Haftar in the past, to decisively fostering contacts with Tripoli, in proactive support of the political process and the UN efforts. Yet, the UAE does not wish to see any actors ”sidelined” or ”alienated”, including Haftar. Simultaneously however, the UAE remains wary of other external actors’ role, in particular that of Turkey.The perspective that a too overly pro-Turkey/ Muslim brotherhood majority could possibly win the elections is not acceptable for the UAE. This factor will play a key role in shaping Abu Dhabi’s eventual position.

1. **EU cooperation in Libya**

# Financial cooperation

The EU has so far providedof assistance in Libya with a total of **700M€ during the 2014-2020** period under various funding instruments. However,unfortunately the combination of the conflict situation, huge constraints to work on the ground and limited political space for a proper EU action, have prevented the development of a more strategic approach in the management of our financial cooperation.

**Migration management** has been **the main area** of **support** with almost **500M€** (almost **¾** of the total amount) focused on 1) protection and assistance of migrants and refugees, 2) integrated border management, 3) support for municipalities along the migratory routes. Most of the actions are implemented by the UN agencies with little to no EU visibility**.**

**The other areas of intervention** include:  humanitarian aid, strengthening civil society, human rights and free media, democratic governance, entrepreneurship, youth empowerment, gender equality, health services and COVID-19 response (currently actions worth **over 60M€ for the COVID response** in Libya).

**The EU has also been co-funding initiatives for the political process in Libya:**

1. Support to Centre for Humanitarian Dialogue that played a decisive mediation role in the lead up to the ceasefire agreement.
2. Through strategic **support of mediation and dialogue**. Current EU actions include: NGOs; re-animating a Libyan-owned national dialogue to build consensus on necessary reforms; support to political dialogue between the Libyan factions to advance the political process; supporting local peace initiatives in Southern Libya and building the capacity of local Southern leadership to actively participate in dialogue and stabilisation effort;

In April, the **EU offered to the Libyan PM** through an HRVP letter **a package of possible EU funded measures** to accompany the Government in the coming months. The immediate focus was on: i) the organisation of the **elections** (Package already decided for Support to the High National Electoral Commission; mechanisms for international observation and support for domestic observation of the elections; fight against hate speech and disinformation);

In preparation under the draft 2021 **NDICI bilateral envelope:**

**EU for economic recovery in Libya**, EUR 12 million (tbc): This includes support to foster the emergence of a start-up ecosystem, to improve MSMEs (Medium and Small Enterprises) capacities, and to improve policies and institutional capacities for economic recovery.

**EU support to inclusive Governance and rule of law in Libya**, EUR 8 million (tbc): This includes institutional support to the Parliament (House of Representatives), promoting the participation of women in decision-making as well as access to quality and efficient justice for all, and improving public awareness on the rule of law in Libya

**Security and support to the implementation of the Ceasefire** Focus on support to the newly established Joint Police Force; pilot project on Disarmament, Demobilisation and Reintegration.

**In the long term**: reflection already ongoing with the Commission on i) a substantial package of technical assistance for proper capacity building in the main administration; ii) Security Sector Reform.

# CSDP Support

**EUBAM Libya:** launched in 2013, its mandate was recently extended for 2 years until 30 June 2023. The Mission is tasked with assisting the relevant Libyan authorities in building state security structures, in particular in the areas of **border management**, **law enforcement** and **criminal justice**, with a view to contributing to efforts to disrupt organised criminal networks involved notably in smuggling migrants, human trafficking and terrorism in Libya and the Central Mediterranean region. The mission also coordinates and implements projects with international partners in the fields of its engagement.

In the context of a recent strategic review of the mission, the Council also decided to extend the mission's mandate to support **UN-led efforts for peace** in Libya as part of the **Berlin Process**, within the scope of the mission's core areas of engagement. Following PSC’s endorsement of the options paper “EU Integrated Approach to supporting the peace process in Libya”, EUBAM will implement additional activities within its current mandate and is working on a revised OPLAN. Additional activities (on SSR or DDR) – as requested by the Libyans – would require a revision of the mandate and will necessitate first an EU assessment and then MS validation. For this to happen the necessary conditions should be in place, political (now only an interim government not yet controlling the entire country) and unified security institutions.

**Operation IRINI**: launched on 31 March 2020 and extended until 2023 is the only international operation contributing to the implementation and monitoring of the UN arms embargo. It also contributes to UN measures against the illicit export of crude oil and other petroleum products from Libya, as well as to the disruption of human smuggling and trafficking networks at sea. Operation IRINI stands ready to start the capacity building and training of the Libyan Coast Guard and Navy as per its mandate.

Since its launch, IRINI has conducted more than **3,700 hailing** (*As at 26/08: 2,737 hailing related to the arms embargo task, 1,027 hailing related to oil smuggling***), 173 friendly approaches** and **18 inspections**. IRINI conducted its first inspection in Sept 2020 (Royal Diamond 7 - illicit cargo confiscated in EL). It has conducted and 17 additional inspections since, where no illicit cargo was found. On six occasions in 2021, TR denied IRINI’s flag State consent request. Irini also intercepted a vessel suspected of being involved in oil smuggling off the coast of Tobruk on 22-24 May 2020. The operation has so far shared **26 special** **reports** (10 GNA, 13 LNA, 2 reports related to both sides and one on Human Smuggling) with the **UN Panel of Experts**. The Operation has also monitored several Libyan ports and oil facilities, as well as air routes, airports and landing strips suspected of handling military related cargos back and forth to Libya.

**EU Liaison and Planning Cell** (EULPC): established in 2015 to provide key security, intelligence and planning expertise to UNSMIL as well as enhanced situational awareness to Operation IRINI and EUBAM Libya.

***In the medium term:***

**CSDP engagement could evolve** and deepen in line with political developments and as new needs are identified. The EEAS will conduct a strategic analysis/review, which may containnew proposals on CSDP engagement for the consideration of Member States.

**Libyan requests**

In April 2021, EUBAM Libya received a request from the MoI for EU assistance in capacity building and training for 7000 police officers – including 400 staff for the Joint Police Force - and support in the rehabilitation of the MoI training facility damaged during the last war. In addition, the Joint Military Committee (JMC 5+5) has confirmed its request for EU assistance in building the capacities of the Joint Police Force (JPF). The JPF, established by the 23 October 2020 Ceasefire Agreement, would be composed initially of 200+200 officers (from each side)to be increased up to 3.500 staff and would be responsible for securing the Libyan Central area, along the coastal road. The Libyan authorities have also expressed a need for EU support on Libya’s borders, including in the South. The EU is looking how to address this request through its different instruments and tools. EUBAM is looking at the activities it can do under its current mandate. For the set-up phase of the Joint Police Force, FPI under the IcSP is developing a project in coordination with EUBAM.

1. **Migration**

Irregular arrivals to Europe from Libya have been surging. **In 2021 so far, more than 29,114 departures from Libya have been observed compared to 10,820 over the same period in 2020**. **6,989 people departed in the sole month of July, which constitutes a 96% increase** compared to July 2020 and about a fourth of the total number of departures in 2021.

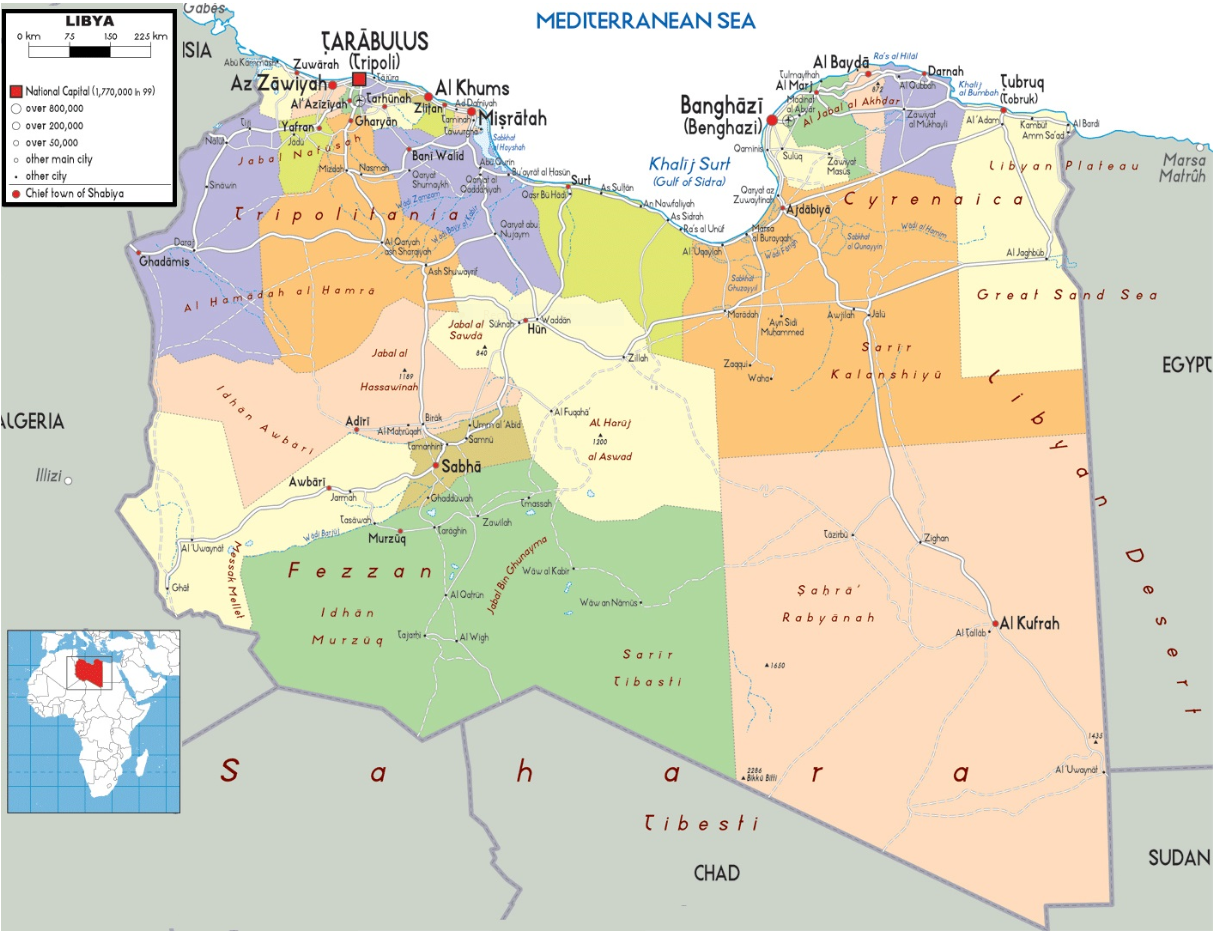
The overall number of people rescued and disembarked in Libya increased in terms of absolute numbers and percentage out of total departures, i.e., from 6,640 (46% of total departures) during Jan-Jul 2020 to 18,708 (52%) during the same period in 2021. In August, the number of disembarked in Libya surpassed 22.000 compared to about 12.000 for the entire 2020. The numbers are clearly portraying an upsurge in human smuggling, which remains significantly above the typical monthly totals seen since the migration crisis abated in 2017. The number of detained migrants in Libyan Detention centres has increased to around 6.500. Since November 2017 and thanks to the EU good cooperation with UN and AU: i) around 58,000 migrants returned with the support of UNHCR for resettlement, including to the Emergency Transit Mechanism (ETMs) in Niger and Rwanda; ii)6,379 vulnerable refugees and asylum-seekers left Libya via Voluntary Humanitarian Returns (VHR) by IOM and AU countries.

**IV. PRESS RELEASE**

**V. COUNTRY FICHE**

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| --- |
| **Official name:** State of Libya  **Capital:**Tripoli  **Main Cities:** Tripoli, Misratah, Sirte, Benghasi, Tobruk  **Neighbours**: Syria, Israel  **Official languages:** Arabic  **Religions: Religions**: Sunni Islam (96.6 %), Christians (2.7 %),  **Currency**: Libyan Dinar. Decision was taken by the Central bank in early 2021 to **devaluate** from 1.4 LYD/USD to 4.45 LYD/USD |

|  |  |
| --- | --- |
| **Head of State:** Mr Mohammad Younes Menfi (Chairman of the three-headed Presidential Council) together with Mossa Al-Koni, and Abdullah Hussein Al-Lafi as **vice-presidents** | **Human Development Index:**  110 (out of 189)  **Population:** 6.6 Million  **Rural population – median age – literacy:**  19.9% - 28.9 – 86.1 (2004) |
| **Head of Government and Prime Minister:** Mr Abdul Hamid Mohammed Dbeibah | **Ethnic Groups:** Arab 95%, Berber 5-8% |
| **Minister of Foreign Affairs:** Najla El-Mangoush | **Country surface in sq km:** 1,759,541 km2 |
| **Head of EU Delegation to Lebanon**: Ambassador Jose Sabadell | **Member of:** AU, UN, OPEC, OIC |
| **Political structure:** Parliamentary System | **Main parties:**  **(government/opposition):** NFA (National Forces Alliance), JRP (Justice and Reconstruction Party), Independents, Alwatan |
| The Libyan economy is heavily dependent on hydrocarbons, which account for more than 75 %of GDP, more than 95 % of exports and more than 90 % of government revenues. The **economy has greatly suffered from the past years of conflict** and the institutional split from 2014 to 2021. Frequent oil blockades have led to a rapid decline of foreign exchange reserves, while the public sector wage bill has spun out of control, with the number of public officials increasing from around 700.000 in 2010 to over 2 million in 2021.  The Libyan peace process has allowed for positive changes to take place, the first of which was **the lifting of the oil blockade** in September 2020. In early 2021, other reforms took place, including the **reunification of the Central Bank** and its decision to **devaluate the Libyan dinar** from 1.4 LYD/USD to 4.45 LYD/USD. The | **GDP per capita:** USD 3.500 (2020 est.)  **Real GDP Growth (est.):** 2.5% (2020)  **Unemployment rate (est):** 18.6% (2020)  **Public debt % of GDP (est.):** 260% (2020)  **World Bank doing business:** 186 (out of 190 countries) (2020) |
| **Trade with EU (2018):** EU imports €16.5 billion (mainly fuels); Exports to Libya €4.9 billion | **EU% of ODA in the country:** 79%  **EU (institutions + MS) rank ODA:** 1  **EU institutions rank ODA:** 3 |
| **EU interests:**  The EU has **three strategic interests** in Libya. First, to pursue **security and stabilisation** through support for the political process and institution building. This also includes the fight against violent extremism, the reform of the security sector and border management. Secondly, **migration** continues to be a key issue of political dialogue and accounts for approximately 80% of the EU's cooperation portfolio. Finally, Libya is important for the EU as one of its main **energy providers** (EU imports of Libyan oil was 11,4 billion in 2017). | **Elections:** According to the Road Map agreed in the Libyan Political Dialogue in November 2020, Libya should hold simultaneous presidential and legislative elections on 24 December 2021. The Political Dialogue Forum and the House of Representatives were supposed to approve a constitutional framework and electoral legislation by the end of the June 2021. Both have failed to do so until now.  Deep disagreements remain and the respect of the electoral timeline cannot be taken for granted. |



**VI. ANNEXES**

**ANNEX 1: HRVP SPEECH BERLIN 2 MINISTERIAL CONFERENCE**

**HRVP speech Berlin II Libya 23 June**

I would like to thank Minister Maas, Secretary General Guterres and all those who have invested so much effort to allow this conference to take place today. I also warmly welcome PM Dbeiba and the Libyan delegation.

Their presence today here is possibly the strongest evidence of the long road that we have walked together in the last one and a half years. As many of you have been pointing out.

This was possible thanks to the Berlin process, to the German initiative, to the restless work of the United Nations and, even more crucial, to the **Libyan leadership, commitment and ownership**.

Constructive and inclusive dialogue at the end pays off. **full sovereignty**, the **reunification of its institutions** and a stable future for Libya now look possible.

As we said, there are **still significant challenges**. But this is precisely why our meeting at this crucial juncture is a very timely opportunity to look ahead and see how we can all help Libya to consolidate this significant progress. This is a historic opportunity that cannot be lost. To avoid this,

We have to adress **two priorities**:

1. The organisation of the parliamentary and presidential **elections on 24 December**, essential to complete the transition and to establish a fully legitimate government;

2. The **full implementation of the Ceasefire agreement**, which includes the quick **withdrawal of all – ALL – foreign forces and mercenaries**.

We, in the **EU, are ready to further engage on both purposes**.

**On the elections:**

* we have already mobilised resources to provide **support to the High National Electoral Commission**;
* we will promote the participation of **women**, youth and vulnerable groups;
* we will work on **voter education programmes**;
* we will help strengthening the **fight against disinformation**.
* we are thinking on how we can ensure **international and domestic observation** of the elections, hoping that the conditions will allow for it.

**On Security:**

- We have the European Union Integrated Border Assistance Mission in Libya (**EUBAM Libya**) in Tripoli (they never left Tripoli, despite all difficulties), advising the Libyan authorities on border management, law enforcement and criminal justice;

- After Berlin 1, we deployed our **Operation Irini**, the only – ONLY -international presence in the Mediterranean contributing specifically to the implementation of the UN arms embargo through monitoring and inspections. And it has already been said after Berlin 1, the flow of arms continued. We reported on cases w

We have just extended it for two years following the **recent unanimous adoption of Security Council resolution 2578**. Irini is also ready to **strengthen the capacity of the Libyan Coast Guard and Navy** through trainings. We are going to deliver an important number of boats and we are ready to train the coast guards.

- We are providing support in **demining**, allowing displaced people to return safely to their homes.

These are concrete activities, not just words.

Moreover:

- We are ready to consider **additional** tailor-made assistance directly related to the **implementation of the Ceasefire**, including training and equipping the future Joint Police Force. We have a lot of experience on military and police training.

- We are also ready to engage in a more **comprehensive reform of the security sector**, including Demobilisation, Disarmament and Reintegration of armed groups and fighters.

These are the immediate issues.

But most importantly, we need to look beyond immediate priorities and focus on **longer term perspectives**.

Libya will need to undertake to **build a fully functioning state**. And this is exactly what the EU is good at helping. We are capable of **bringing together different strands of actions in support of State building**. And we are ready to put our expertise at the service of Libya. With the best will of helping.

Besides **good governance and human development**, we are also ready to engage in **economic reforms, development of private sector and job creation**.

Our own objective, together with the Libyans, is to create the conditions for Libya to become a key partner in the Mediterranean, **fully associated to the European Neighbourhood Policy**, like the other Mediterranean countries.

We hope that soon it will be possible to start negotiating a comprehensive Association Agreement between the EU and Libya.

One last, but very important point. As Libyan neighbours, we are interested in the establishment of a **comprehensive migration strategy**, in line with international standards.

We have been actively engaged in supporting migration management over the past years. We focussed on the protection of the migrants and on border management.We are aware of the human rights violations and of the need to find alternatives to detention centres. Today our spokeperson asked for the closure of all the camps. Already today we are the main contributors to the UN agencies in Libya helping the migrants.

We therefore welcome the commitments of the Government of National Unity in this field and we are ready to work together on the sustainable management of migratory flows.

We have listened carefully to the Prime Minister request to support Libya not only in their Northern border, the one that we can see from Europebut also consider the South, in a “whole of the route” approach. We are willing to coordinate with our African partners in this regard.

As you can see, the **path ahead is an ambitious one**. The EU, as a neighbour, an economic partner, a primary investor and ally, will be at Libyan side to help overcome the dark days of conflict and reach a free and prosperous future.

**ANNEX 2: SECOND BERLIN CONFERENCE ON LIBYA- CONFERENCE CONCLUSIONS**

**The Second Berlin Conference on Libya CONFERENCE CONCLUSIONS**

1. Today, at the invitation of German Foreign Minister Maas and United Nations Secretary-General Guterres, High Representatives of the Governments of Algeria, China, the Democratic Republic of the Congo (AU Chair), Egypt, France, Germany, Italy, Libya, the Netherlands, Russia, Switzerland, Tunisia, Turkey, the Republic of the Congo (Chair of the High-Level Commission of the AU on Libya), the United Arab Emirates, the United Kingdom, the United States of America, the United Nations, the African Union, the European Union, and the League of Arab States, have gathered for the Second Berlin Conference on Libya.
2. We, the participants, reiterate and reaffirm the commitments made in the Conclusions of the Berlin Conference on Libya of 19 January 2020.
3. The situation in Libya has improved significantly since the Berlin Conference on Libya held on 19 January 2020. Hostilities have stopped. A ceasefire is in place. The oil shutdown was lifted. An inclusive, Libyan-led and Libyan-owned Political dialogue resumed among all Libyan political parties and actors, under the auspices of the United Nations. An interim executive authority was established, and the interim Government of National Unity (GNU) approved by the House of Representatives.
4. Accordingly, as Libya is now proceeding towards national elections, the Berlin Process now includes Libya as a full participant. We warmly welcome the participation of Prime Minister Dabaiba, representing the interim Government of National Unity of Libya, which has reaffirmed its commitment to the election date of 24 December 2021, in today's conference.
5. However, more needs to be done to address and resolve the underlying causes of conflict, consolidate Libyan sovereignty, build on the progress made, and restore peace and prosperity for all Libyans. National Presidential and Parliamentary elections scheduled for 24 December 2021 need to take place as agreed in the Roadmap adopted by the Libyan Political Dialogue Forum (LPDF) in Tunis in November 2020, and their results need to be accepted by all. The necessary constitutional and legislative arrangements must be adopted. All foreign forces and mercenaries need to be withdrawn from Libya without delay[[1]](#footnote-1), and the security sector reformed and placed firmly under unified, civilian authority and oversight. A transparent and fair allocation of resources across the country must be ensured. Human rights violations and abuses as well as violations of international humanitarian law must be addressed and a process of inclusive, comprehensive and rights-based national reconciliation and transitional justice needs to begin. Inclusive intra-Libyan dialogue must continue.
6. We commend the Libyan parties for their readiness to turn the page, put behind them past conflicts and take serious steps towards the unification of Libyan institutions and ending the political transition.
7. We reaffirm our strong commitment to the UN-facilitated, Libyan-led and Libyan owned political process and the sovereignty, independence, territorial integrity and national unity of Libya.
8. We reaffirm our commitment to refrain from interference in the conflict or in the internal affairs of Libya and urge all international actors to do the same.
9. We recognize the important role and efforts of neighboring countries and the Libya Quartet (African Union, League of Arab States, European Union and the United Nations) in support of the Libyan peace process under the auspices of the United Nations.
10. We welcome the role of the United Nations Support Mission in Libya (UNSMIL), thank the former UN Special Representatives and UN Special Envoy Kubiš for their work, and we fully support the ongoing good offices efforts of the UN.
11. We welcome the interim Presidency Council (PC) and the interim Government of National Unity (GNU) as the Government of Libya charged with leading the country up to national elections on 24 December 2021, and underline our commitment to fully support Libya in this process.

POLITICAL PROCESS

1. We commend the role and achievements of the Libyan Political Dialogue Forum (LPDF) and its Roadmap, and of the House of Representatives (HoR) which met with a quorum for a vote of confidence in the GNU.
2. We call on the House of Representatives, the interim Presidency Council and the interim Government of National Unity to take further steps to reunify the country. We commit to supporting these authorities to the extent possible upon their request. We ask all Libyans to facilitate the full extension of the authority of the interim Presidency Council and the interim Government of National Unity throughout Libya and encourage the Libyan authorities and institutions to fully carry out their duties and responsibilities in the discharge of their mandate.
3. We urge all actors to restore and respect the integrity and unity of Libyan executive, legislative, judiciary and other State institutions, in particular the Central Bank of Libya and the National Oil Corporation (NOC).
4. We call on the House of Representatives, the interim Presidency Council, the interim Government of National Unity and relevant authorities and institutions to make the necessary preparations for and hold free, fair and inclusive national Presidential and Parliamentary elections on 24 December 2021, including urgently and in accordance with UNSC Resolution 2570, the clarification of the constitutional basis for elections and the enactment of legislation as necessary, as set out in the LPDF Roadmap, arrangements to ensure the full, equal and meaningful participation of women and the inclusion of youth, and to provide adequate funding for the High National Elections Commission (HNEC). We commit to comprehensive support for the interim Government of National Unity, as appropriate and upon its request, in its efforts to prepare the country for these elections.
5. We further call on the Libyan Political Dialogue Forum (LPDF) to take steps to facilitate the elections if necessary and in accordance with the LPDF Roadmap.
6. We underline the importance of the implementation of confidence-building measures to create an environment conducive for successful national elections, and the importance of voter education and countering hate speech and disinformation.
7. We recall that free, fair, credible, transparent and inclusive elections will allow the Libyan people to elect a representative and unified government and reinforce the independence, sovereignty, territorial integrity and national unity of Libya. We stand ready to support, at their request, the Libyan authorities in the organization of the elections, including through awareness raising among the voters and fight against disinformation during the electoral campaign.
8. We urgently call on the House of Representatives and the High Council of State to agree on sovereign positions in accordance with the text of the LPDF Roadmap in order to enable the executive authority to complete the process of unifying institutions to provide better services to the Libyan people.
9. We encourage UN Member States and international and regional organizations to deploy election observers, at the invitation of Libyan authorities and in coordination with UNSMIL.
10. We encourage the full, effective and meaningful participation of women and youth in all activities relating to Libya's democratic transition, conflict resolution and peacebuilding. We recall the commitment of the interim Government of National Unity to appoint women for at least 30 percent of all senior positions and urge them to implement their commitment without delay.
11. We commit to accepting and supporting the outcome of this intra-Libyan political process and urge all Libyans and international actors to do the same.
12. We call for the full compliance of all actors with UNSC sanctions, including through national implementation measures, against those who are found to be in breach of the UNSC arms embargo or the ceasefire, threaten the peace, stability or security of Libya or obstruct or undermine the successful completion of its political transition, including those elections planned for in the LPDF Roadmap, or who violate applicable international humanitarian law, international human rights law or commit human rights abuses in Libya. We strongly call on the UNSC to consider imposing such sanctions as appropriate.

SECURITY

1. We welcome and support the 23 October 2020 Ceasefire Agreement, that inter alia calls for the withdrawal of all mercenaries and foreign fighters from the Libyan territory, strongly call on all Libyan parties to ensure its full implementation without further delay, and strongly urge all UN Member States to respect and support the full implementation of the Ceasefire Agreement.
2. We commend the 5+5 Joint Military Committee (JMC) for reaching and maintaining the Ceasefire Agreement, and emphasize the importance of addressing all outstanding challenges towards its full implementation, including the completion of confidence-building procedures, releasing of detainees, clearing of mines, opening of the coastal road, and the establishment of unified Libyan national security institutions, under the authority and oversight of the interim Presidential Council and the interim Government of National Unity, building upon the Cairo talks and ongoing efforts.
3. We call on all relevant actors to implement and enforce United Nations Security Council (UNSC) sanctions, including through national and international implementation measures, against those who are found to be in breach of the UNSC arms embargo or the ceasefire.
4. We commit to supporting and fully cooperating with the UNSC Committee established pursuant to Resolution 1970 (2011) and its Panel of Experts established pursuant to Resolution 1973 (2011).
5. We express concern over the impact of the conflict on neighbouring countries including with regards to threats arising from the illicit transfer and destabilising accumulation of weapons and the flow of armed groups and mercenaries.
6. We commit to support the interim Presidency Council and the interim Government of National Unity in its endeavor to secure all of Libya's borders and control the cross-border movement of armed groups and weapons.
7. We commit to supporting the Libyan Ceasefire Monitoring Mechanism, under the leadership of the JMC and with support from an UNSMIL ceasefire monitoring component, in accordance with UNSC Resolution 2570 (2021).
8. We call for the restoration of the monopoly of the State on the legitimate use of force, and support efforts to unify the Libyan national security, police and military institutions under the authority and oversight of the interim Presidency Council and the interim Government of National Unity.
9. We support Libya in assuming its role as a stable and effective member of its regional and international environment and emphasize efforts to fight terrorist groups designated by the UN Security Council. We call for a reform of the security sector, with a credible, verifiable and comprehensive process of demobilization and disarmament of armed groups and militias in Libya and the integration of suitable personnel into civilian, security and military state institutions on an individual basis and based on a census of armed groups personnel and professional vetting. We call upon the United Nations to assist in this process.
10. 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 call on all parties to dissociate from UN-listed terrorist groups and individuals.
11. 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 and freezing of financial assets. We reaffirm enhanced cooperation to counter the foreign terrorist fighter threat in accordance with UNSC Resolution 2322 (2015).
12. We commit to unequivocally and fully respect and implement the arms embargo established by UNSC Resolution 1970 (2011) and the Council's subsequent Resolutions, and call on all international actors to do the same.
13. We call on all actors to refrain from any activities exacerbating the conflict or inconsistent with the UNSC arms embargo or the 23 October Ceasefire Agreement, including the financing of military capabilities or the recruitment of foreign fighters and mercenaries.
14. We welcome the unanimous adoption of UNSC Resolution 2578 (2021) renewing the authorizations in Resolution 2292 (2016). We take note of the work of EU operation EUNAVFOR MED IRINI concerning the implementation of the arms embargo on the high seas off the coast of Libya.

ECONOMIC AND FINANCIAL REFORMS

1. We commit to supporting the interim Government of National Unity in its efforts to improve the delivery of basic services to the Libyan people, restore water and electricity supply, education and medical services including providing vaccines against Covid-19, to combat corruption, revive and diversify the national economy, and engage in the reconstruction of the country's infrastructure.
2. We welcome the extensive efforts of the Libyan Expert Economic Commission (LEEC).
3. We welcome ongoing efforts to restore, respect and safeguard the integrity, unity and lawful governance of all Libyan sovereign financial and economic institutions and encourage continued efforts to increase the transparency of public spending.
4. We commend and stand ready to support efforts for the unity and integrity of the Central Bank of Libya and restoration of banking services across the country. The continued functioning of the Central Bank's board of directors in this regard as well as the ability to manage monetary policy is vital. The Central Bank's board of directors should be inclusive, representative and active.
5. We encourage and support the efforts of the interim Government of National Unity towards a transparent, accountable, fair and equitable distribution of public wealth and resources among all Libyans, notably through decentralization and support for municipalities, including in southern Libya, thereby removing a central driver of the Libyan conflict.
6. We commend and support the efforts of the interim Government of National Unity towards improving, the capacity of relevant Libyan oversight institutions, particularly the Audit Bureau, Administrative Oversight Authority, the National Anti-Corruption Authority and the Office of the Prosecutor General, including through providing resources.
7. We urge the House of Representatives to approve a balanced and agreed national budget without delay, noting that this is imperative for the interim Government of National Unity to fulfill its obligations, and would contribute to a more transparent and equitable distribution of funds.
8. We stress that the National Oil Corporation (NOC) is Libya's sole independent and legitimate oil company, in line with UNSC Resolutions 2259 (2015), 2441 (2018) and 2571 (2021). We appreciate the monthly publication by the NOC of oil revenues as proof of its commitment to improve financial transparency. We call on all parties to protect the NOC's integrity and preserve its apolitical technical nature.
9. We recall that the UN Security Council froze Libyan Investment Authority (LIA) assets with the objective of preserving them for the benefit of the Libyan people, stress the need for a financial review of Libyan financial and economic institutions to support efforts of reunifying them, and to helping the relevant Libyan authorities to promote the integrity and unity of the LIA, including through a credible comprehensive audit of the LIA and its subsidiaries.
10. Acknowledging the concerns of the interim Government of National Unity regarding LIA assets frozen by the UNSC, we welcome work on LIA reform, including between the LIA, interim Government of National Unity and the International Follow-up Committee on Libya Economic Working Group, to lay the groundwork for effective management of LIA assets in the future.
11. We support the efforts of the interim Government of National Unity to diversify, develop and open up its national economy, including through investment promotion, which will effectively contribute to stability, institution-building and the integration of youth into economic activity.

RESPECT FOR INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS

1. We recall the obligation of the interim Presidency Council, the interim Government of National Unity and all parties in Libya to fully respect international humanitarian law and international human rights law as applicable, to protect civilians and civilian infrastructure and all Libyans and Non-Libyans, and allow access for medical personnel, human rights monitors, humanitarian personnel and assistance, also through engagement with UN entities.
2. We acknowledge the first steps of the interim Presidency Council and interim Government of National Unity towards launching an inclusive, comprehensive and rights-based national reconciliation process, and encourage the Libyan authorities to build and strengthen transitional justice institutions, as appropriate, such as the domestic Fact-Finding and Reconciliation Commission (FFRC) and the recently established High Commission on National Reconciliation.
3. We welcome the support of regional organizations and neighboring countries to a rights-based inclusive and comprehensive national reconciliation process, and recognize the role of the African Union in this respect, as well as the readiness of Algeria to share its experience on national reconciliation.
4. We stress the need to hold accountable all those who have violated international law, as set forth in relevant UNSC Resolutions, including Resolution 1970 (2011). We support the work of Libyan institutions to document and prosecute violations of international humanitarian law and human rights violations and abuses. Special attention is needed for the missing and forcibly disappeared.
5. We stress the need for international actors and the Libyan authorities to condemn and address all acts of migrant smuggling and fight human trafficking into, through and from the Libyan territory and off the coast of Libya and hold accountable those responsible, as well as seeking the imposition of UN Security Council sanctions in accordance with its relevant Resolutions. We call on the Libyan interim authorities to facilitate humanitarian support, humanitarian evacuation flights and departures on a voluntary basis without interruptions.
6. We call for a judicial review of all detainees and prison inmates and for the immediate release of all those unlawfully or arbitrarily detained. We call on all parties to end and prevent torture and cruel and inhuman treatment, as well as sexual and gender-based violence.
7. We commit to assisting, as appropriate, the Libyan authorities in developing a comprehensive approach to addressing migration, including the root causes and sources, closure of detention centers, and other measures built on the principles of regional and international cooperation and international law.
8. We recognize the interim Libyan authorities' efforts to implement the LPDF Roadmap's commitment with regard to political and civil rights, democratic principles and equality of all citizens, men and women, including the rejection of hate speech or the use of violence in the political process. We call on all parties to respect the rights to freedom of assembly, association and expression. We recognise the need to protect women, including those participating in public spaces, from threats and reprisals.

FOLLOW-UP

1. Adding Libya as a member, the International Follow-Up Committee for Libya, consisting of the countries and Organizations participating in today's Conference, is charged with coordinating the implementation of these Conclusions under the aegis of the United Nations.
2. We will bring the Conclusions of this Second Berlin Conference on Libya to the attention of the UN Security Council for consideration.

**ANNEX 3: PAPER ON EU PROPOSAL FOR AN INITIAL SET OF POSSIBLE COOPERATION ACTIVITIES IN LIBYA (as sent to PM Dbeiba in April)**

H.E Mr Abdul Hamid Dbeiba

Prime Minister of the

Government of National Unity of Libya

Your excellency,

Let me first take this opportunity to congratulate you again on your appointment as Prime minister of the Government of National Unity of Libya.

As the recent visit of the President of the European Council to Tripoli demonstrated, and as I personally had the opportunity to convey in my introductory phone call with you, the European Union iscommitted to substantially support the ongoing efforts of your government at this historic juncture and is ready to reorient and step up its cooperation accordingly.

As you will be aware, the European Union is already active in various areas where it has a recognised added-value, being already the largest provider of assistance in Libya and financial contributor to the UN.

However, we are mindful that the work initiated by the Government of National Unity requires bespoke assistance and we wish to contribute with concrete measures to support your efforts to deliver on the urgent needs and expectations of the Libyan people. President Michel shared with President al Menfi a first general outline of what we see as immediate common priorities. I am now happy to share our preliminary reflections in the form of a more developed list of possible concrete actions under the areas already identified in the previous paper.

This preliminary list of actions builds on priorities already set forward by your government, as well as on needs largely identified for the preparation of the elections in December. It can of course be readjusted and further developed on the basis of our future discussions. The head of the EU delegation, Ambassador Sabadell, will be delighted to engage with you on the proposals at your earliest convenience. I am also personally looking forward to follow up on the possible actions directly with Foreign Minister Mangoush, whom I hope to have the opportunity to meet soon.

I would also like to take this opportunity to inform you that the European Union just renewed the mandate of our Operation Irini for two years, until 31 March 2023. In accordance with relevant UN Security Council resolutions, Operation Irini will continue to contribute to the implementation of the arms embargo on Libya and act as a deterrent, conducting inspections and monitoring suspect activities in an impartial manner. Admiral Agostini, Operation Irini’s commander, will soon visit Tripoli to discuss concrete ways to resume our capacity building and training activities in support of the Libyan Coast Guard and Navy.

I look forward to working with you and your government throughout this important period for Libya.

Yours sincerely,

**EU proposal for an initial set of possible cooperation activities in Libya**

The formation of a unified executive government in Libya, is an opportunity to rebuild a peaceful Libya and restore national sovereignty and territorial integrity. The new Government of National Unity (GNU) can open a new page for Libya, one of state building, stabilisation, reconstruction and reconciliation.

The EU reiterates its strong commitment to support the new institutions and the Libyan people, making use of its expertise and experience in the area of institution building and in particular sectors where the EU has a recognised added-value. The EU is already active in various areas, being the largest provider of assistance in Libya and financial contributor to the UN. To date, with a package of more than EUR 700 million for the 2014-2020 financial period, EU programmes in Libya have aimed at strengthening democratic and local governance, entrepreneurship, youth empowerment, rule of law, human rights, gender equality and free media, health services, COVID-19 response and migration management.

The outline hereafter is a proposal for an initial set of concrete areas for cooperation on which the EU would be ready to engage with Libya in the coming months. This proposal builds on the priorities that the GNU has already set forward and on needs largely identified, including the preparation for elections. Bearing in mind the centrality of Libyan ownership in this process, the proposed actions seek to enhance EU-Libya partnership in areas the EU considers of common interest. This list is not exhaustive and will be further defined and adjusted if needed. A bilateral envelope for the 2022-2027 financial period will be further defined, based on Libyan priorities, and in coordination among donors, to ensure sustainable and long-term support.

**1/ STATE BUILDING AND GOVERNANCE**

* With the view to the holding of **national parliamentary and presidential elections** on 24 December 2021, the EU is ready to offer a wide-range of flanking measures to accompany this Libyan-led process. The EU’s support in the upcoming pre-electoral phase and run-up to the elections could focus on:
* **Supporting the High National Electoral Commission** through re-activation of the currently suspended 2018 project “Promoting Elections for the People of Libya” (with UNDP).
* **Mobilising mechanisms for international observation and supporting domestic observation of the elections**, includingbuilding the capacities of Libyan organisations to prepare for their role in domestic election observation.
* **Supporting civic voter education programs**, targeting youth and women in particular.
* **Stepping-up the fight against hate speech and disinformation** through monitoring the impact of online and offline disinformation campaigns in Libya, awareness raising campaigns, training for journalists and media professionals.
* Based on its extensive and global experience, the EU has a lot to offer to **promote reconciliation efforts, protection of human rights** and gender equality in Libya. The EU could contribute to the Libyan efforts if requested in the event of the launching of a national and Libyan-owned reconciliation process in the future. In the immediate term and building on fruitful ongoing cooperation, the following measures could be pursued and stepped-up:
* **Enhancing support to the Libyan authorities in the forensic investigations** in relation to the mass graves (notably in Tarhouna) and missing persons.
* **Capacity building to international and civil society actors and facilitating dialogue with the Libyan authorities** to strengthen stability and peace in Libya, as well as to media organisations.
* The EU is ready to assist the relevant Libyan authorities in building **state security structures** **based on the Rule of Law** through operational support and at the level of policy reforms. EUBAM Libya is already playing an important role focusing on support to the Libyan authorities on border management, law enforcement, and criminal justice.
* **Supporting the criminal justice system**, in the areas of legislative drafting, professional skills of justice actors and international mutual legal assistance, as well as support to the juvenile justice system and women’s access to justice.
* **Stepping-up criminal investigation capacities**, notably in the fight against organised crime, as well as international police cooperation. The EU can step-up support to Libya’s national capacity to **investigate financial crime and** **recover stolen assets**.
* **Contributing to the development of a police service** and explore additional possible **police training activities**.
* **Supporting the fight against terrorism**, via assisting Libyan authorities to draw up and implement a national counterterrorism strategy in line with international standards.
* A significant area of EU support to Libya remains **migration.** The EU is already assisting in the field of **migration** **management**, support to Libyan communities that host a particularly high number of migrants and refugees and protection of vulnerable groups. Additional support to address migration could focus on:
* **Financial and technical support for Libya’s border management**. This would include the establishment and implementation of a comprehensive Border Management System in line with the White Paper prepared by EUBAM Libyaand the building of capacities for the General Administration for Coastal Security and the Libyan Coast Guard and Navy. On the maritime aspects, the EU, through its **Operation IRINI**, is also ready to resume training of the Libyan Coast Guard in coherence with the provision of equipment to the Libyan Coast Guard undertaken through other existing EU actions. As for land borders, further support could be envisaged (including in the South and at the Tunisian/Libyan border). These initiatives and potential further strands to be defined would contribute to ongoing efforts to disrupt migrant smuggling and human trafficking networks.
* **Supporting the adoption and implementation of a** **rights-based and transparent legislative framework** on migration governance compliant with international human rights standards. This includes ending the practice of arbitrary and indefinite detentionof migrants/refugees/asylum-seekers and develop alternatives to detention.
* **Providing policy and technical guidance to enhance migration labour governance** to harness the full potential of human capital in Libya for economic development.

**2/ ECONOMIC AND FINANCIAL REFORM PROCESS**

* The EU has a solid experience to support economic governance in Libya in particular promoting transparency and accountability, building capacity for better governance, advising on decentralisation and nurturing the development of the private sector and entrepreneurship. Building on ongoing EU actions, immediate support could focus on:
* **Supporting the rehabilitation of the Libyan** **electricity sector.** The EU is already financing another 18 months of technical assistance to assist in the implementation of the Libya Emergency Grid Stabilization Plan and stands ready to explore any other optionsto contribute to measures to reduce energy consumption at peak periods over the 2021 summer period.
* **Stabilisation of the Libyan banking sector.** The EU stands ready to provide expertise on urgent reforms to be implemented for the unification of the banking sector, improving liquidity and facilitating a role of the banking system in Libya’s reconstruction.
* **Technical support to the formulation of annual budgets**.
* **The unification of Libyan institutions will allow the EU to engage with its Libyan partners on economic recovery in a more structured and comprehensive manner**, in coordination with relevant international financial institutions. The EU would be ready to contribute to an Economic Dialogue on key economic policy priorities for the medium and long-term, such as economic diversification, local economic development and employment creation, improving access to finance and rehabilitating public infrastructure to cite only a few.
* The EU can also support the GNU in the **provision of reliable public services** through stepping-up actions in these areas: assisting the Libyan authorities to address the **COVID-19 pandemic**, improving access to basic **healthcare and education** services, supporting urgent needs to repairexisting **water and waste water systems** and addressing existing **humanitarian needs**.

**3/ SECURITY AND STABILISATION**

1. Through the variety and flexibility of its instruments, the EU has actively sought to support security and stabilisation in Libya. Moreover, the EU is the only international actor contributing to the implementation of the **UN arms embargo** through **Operation IRINI**. Based on activities already existing, the following actions could be considered in support of security and stabilisation at this crucial stage in the Libyan transition:

* Supporting UNSMIL and the Libyan parties in the **implementation of the ceasefire agreement**.
* **Supporting the clearance of the explosive remnants** **of war** in Sirte. Mine surveys and spot task clearances could facilitate the return of internally displaced persons to Southern Tripoli.

1. The EU could also provide increased support on **Security Sector Reform and Disarmament, Demobilization and Reintegration**.
2. As part of stabilisation efforts, the EU has actively supported in the past **mediation and dialogue** in Libya. Such positive experiences could be continued in the future to focus on reducing tensions in Southern Libya, promoting dialogue with local municipalities and local security actors, awareness of international humanitarian norms with armed actors.

**ANNEX 4: CONCEPT NOTE ON A EUROPEAN UNION TECHNICAL ADVISORY SUPPORT MISSION IN LIBYA**

**Concept note for a European Union Technical Advisory Support Mission in Libya (***18 June 2021)*

With the agreement on a new Government of National Unity under PM Abdulhamid Dbeiba, there is a real opportunity to reunite and stabilise Libya after many years of conflict and instability. It is clearly in the EU interest that Libya becomes a stable, prosperous, close and reliable partner with whom we can cooperate in a wide range of areas.

In the short term we agreed, in line with the objectives of the Berlin II conference, to focus our efforts on the preparation of the elections and the first actions towards Security Sector Reform (full implementation of the ceasefire agreement and training of the joint police force which will monitor it; demobilisation; unification of military and paramilitary security forces), where we will need to fully involve several of our Member States.

Of equal importance now is to turn to the longer-term and the crucial need –already expressed by the Libyan Government - to rapidly strengthen Libya’s civilian state (and regional) institutions.

The importance of Libya for the EU’s interests justify an extraordinary effort by the EU institutions to do whatever can be done now to help Libya build strong civilian institutions and give the new government the tools to succeed in uniting, stabilising and developing Libya and in building a strong relationship with the EU.

There is much to do:

1. Libya never had a strong central state of the kind that exists in the other countries in North Africa, and there is a need to build strong state institutions across the board, in order for Libya to be able to provide basic services to its population and to be fully integrated into the international institutions (finance, trade, etc.).
2. Libya is not a poor country. Due to its abundant oil and gas resources, it disposes of the financial resources necessary to finance its own state and regional institutions and to offer required basic services to its population. What is missing are the systems to ensure the functioning of these institutions.
3. Given the present fragmentation of Libya, there will need to be a strong element of decentralisation of competences to the different regions. This will require the development of a legal framework as well as of strong and capable regional institutions able to implement these competences.
4. As a resource rich country, Libya will be able to choose its model of development. In the interest of long term stability and economic development, Libya has every interest to focus on models that can provide long-term political and economic sustainability, ie which emphasise social justice, investment in skills for the population, economic diversification away from the sole reliance on hydrocarbons, transparent government, and good, friendly relations with its neighbours.
5. It is in the EU’s interest that Libya plays its full role within the European Neighbourhood Policy and develops the closest possible relations with the European Union (rather than with other regional or non-regional countries). The main instrument to develop such relations is to sign an Association Agreement with Libya, which ideally should cover the areas of key interest to the EU, including trade and investment. Libya needs to be able to ensure the implementation and enforcement of such an agreement, which will require the development of strong state institutions in a number of areas.
6. Before 2011, Libya was an important country of destination for migrants, due to its wealth and relatively small population compared to the vast size and resources of the country. Once politically and economically stabilised, Libya will once again attract many migrants (estimates talk of up to 3 million migrants needed for the reconstruction of the country). Developing effective co-operation with Libya in the field of migration is therefore a positive agenda and a shared interest.
7. Under Gadafi, Libya was a strong supporter of African integration and a key supporter (and financier) of the African Union. It is in the EU’s interest to encourage Libya to resume an active and supportive role in the AU and in favour of close AU-EU co-operation.

For all these reasons, an extraordinary effort by the EU institutions to build strong civilian state and regional institutions in Libya is justified and important, and should be launched as soon as possible.

At the same time, we know very well that Libyans highly value their sovereignty and are opposed to foreign interference or imposition. Any EU effort in this field therefore needs to be carried out in full agreement with the Libyan government and be seen as non-political, and be advisory rather than operational in nature.

Given the difficult working environment in Libya at the moment, there will need to be an extraordinary effort to mobilise resources and support for Libya, over and above what Commission DGs and the EEAS are able to offer within current structures and arrangements.

Against this background, we propose the setting up of a European Union Technical Advisory Support Mission in Libya (EUTASMIL). Drawing upon experience from similar ad hoc structures set up in the past (European Reconstruction Agency for the Balkans, Support Group for Ukraine, EUBAM Moldova), such a mission would be a dedicated and separate structure established by the European Commission in charge of organising and channeling technical advice and support to the Government of Libya, with a specific focus on building and strengthening civilian state and regional institutions.

EUTASMIL would be based in Tripoli, with outside logistical support as required. It would consist of 6-7 officials, led by a Head of Mission/Director in charge of managing and organising the provision of a wide range of technical advice to Libyan government ministries, Libyan state and regional institutions, e.g. the Libyan election commission in view of the elections foreseen for December 2021. The scope of the support provided would be agreed with the Government of Libya and could evolve over time, in response to developments and needs identified. Such technical assistance would also allow for the identification of needs for material EU support as required, and as such would facilitate programming of assistance.

Examples of areas in which EUTASMIL would be able to provide support:

1. Development of trade policy, including customs arrangements, SPS, etc.
2. Migration policy development.
3. Taxation policy, including
4. Development of financial legislation, including legal framework for the Central Bank, the banking sector, combating money laundering, financial transactions, co-operation with IFIs etc.
5. Development of policies for the effective provision of basic services to the Libyan population.
6. Development of legal frameworks for regionalisation and local self-government.

**ANNEX 5: PACKAGE OF EU SUPPORT MEASURES TO LIBYA (ISP Paper)**

***(see document in pdf)***

**ANNEX 6: FRENCH NON PAPER ( FR VERSION) CALENDRIER DE RETRAIT DES FORCES ET DES MERCENAIRES ETRANGERES DE LIBYE**

[traduit de l’anglais]

**NOTE LIBRE - Calendrier de retrait des forces et des mercenaires étrangers de Libye**

*Août 2021*

La présence de soldats et de mercenaires étrangers constitue un obstacle à la stabilité et à la réconciliation politique en Libye. Les interventions militaires étrangères, que ce soit à l’aide de mercenaires ou de personnel militaire classique, ont augmenté en 2019-2020 pour soutenir les parties libyennes belligérantes. Ces interventions étrangères violent l’embargo du Conseil de sécurité des Nations Unies (résolutions 1970, 1973 et 2292) et compromettent les engagements politiques pris en janvier 2020 lors de la conférence de Berlin.

**Cette question est au cœur de la feuille de route pour la stabilisation de la Libye** définie dans l’accord de cessez-le-feu du 23 octobre 2020, qui a été signé par la Commission militaire mixte 5+5 et entériné par la résolution 2570 du Conseil de sécurité des Nations Unies. Cette résolution « *demande à toutes les parties de veiller à l’application intégrale de l’accord de cessez-le-feu du 23 octobre 2020 et engage vivement tous les Etats Membres à respecter et à appuyer ce processus, notamment en retirant sans tarder l’ensemble des forces étrangères et des mercenaires du territoire libyen* ».

À ce jour, **cette disposition clé n’a pas été appliquée.**

Le statu quo constitue une grave menace pour la souveraineté et la sécurité de la Libye. La présence de forces et de mercenaires étrangers est source de conflits dans le pays et dans la région. Elle donne également du pouvoir à ceux qui nuisent à la paix en Libye, complique la réunification des institutions de sécurité et faciliterait la reprise des hostilités.

**La communauté internationale peut aider les autorités libyennes à élaborer une feuille de route pour parvenir à ce retrait,** conformément au calendrier politique, sous l’égide de la Mission d’appui des Nations Unies en Libye (MANUL) et dans le respect des résolutions 2542 et 2570 du Conseil de sécurité. Par ailleurs, la communauté internationale dialoguera avec les acteurs libyens et étrangers pour soutenir le processus et recenser des leviers d’action.

Ce processus devrait contribuer au renforcement et à la légitimation de la transition. Le **Conseil présidentiel** a un rôle à jouer comme Commandant suprême des forces de sécurité libyennes, en étroite coordination avec le **Premier ministre Aldabaiba.** La Commission militaire mixte 5+5 peut être le principal moteur libyen dans le cadre général du processus de Berlin.

Une **feuille de route modulable** formerait la base de cette initiative, avec une date de début fixée au 1er septembre et une fin prévue après les élections présidentielle et législatives du 24 décembre prochain.

Elle combinerait :

* des objectifs visant le retrait progressif, équilibré, réciproque et vérifié des forces et des mercenaires étrangers ;
* des mesures de réunification des forces armées et des institutions de sécurité libyennes ;
* le suivi et la publication de comptes rendus par la MANUL ;
* la mobilisation de la communauté internationale afin de soutenir le processus.

À court terme, la communauté internationale doit s’attacher en priorité à faciliter le départ des mercenaires syriens, puisque l’Ouest, l’Est et les soutiens des deux parties n’ont pas écarté la possibilité de s’engager en ce sens.

La fin de toute présence militaire étrangère en Libye demeure l’objectif principal, conformément aux résolutions pertinentes du Conseil de sécurité des Nations Unies. Le plan d’opérationnalisation reposera en partie sur le ferme soutien apporté par la communauté internationale à la tenue des élections le 24 décembre 2021.

Concernant le **Tchad,** les modalités et le calendrier de retour des mercenaires doivent être définis et mis en œuvre en plein accord avec le gouvernement transitoire tchadien et en étroite concertation avec l’Union africaine. Ce processus doit prendre en compte le calendrier et les progrès du dialogue national inclusif qui doit être lancé par les autorités dans les mois à venir, afin d'éviter toute nouvelle déstabilisation du pays et du processus de transition.

Concernant le **Soudan,** le processus de rapatriement doit se conformer aux dispositions de l’Accord de paix de Djouba, afin d’éviter toute nouvelle déstabilisation au Darfour qui risquerait de compromettre la transition. Le processus doit être défini et mené en plein accord avec le gouvernement soudanais et en étroite concertation avec la Mission intégrée des Nations Unies pour l’aide à la transition au Soudan (UNITAMS).

Les grandes étapes ci-après, susceptibles d’ajustement, pourraient être envisagées :

**0. Phase préliminaire, débutant le 1er septembre**

* Le **Conseil présidentiel** approuve une nouvelle fois l’accord de cessez-le-feu et définit de manière plus approfondie les paramètres de la mise en œuvre du retrait de tous les soldats et mercenaires étrangers.
* **La commission militaire mixte 5+5** équipe de surveillance du cessez-le-feu des Nations Unies entame l’évaluation de la présence de tous les mercenaires et soldats étrangers en Libye, en concertation avec l’équipe de surveillance du cessez-le-feu des Nations Unies.
* **La commission militaire mixte 5+5** fixe les principaux objectifs, modalités et lieux du processus de retrait progressif, en concertation avec la MANUL et les parties prenantes internationales.
* **Les parties prenantes internationales, le 5+5 et la MANUL se réunissent à Genève** pour s’accorder sur les prochaines étapes nécessaires à la mise en œuvre du processus de retrait.
* **Les autorités libyennes** engagent des contacts officiels avec les parties prenantes internationales et les pays d’origine des mercenaires afin de coordonner la préparation de leur retour dans ces pays tout en veillant à ce que ces mesures ne compromettent pas les conditions de sécurité dans ces pays. **La communauté internationale** participe à ces efforts par une action diplomatique.

1. **Phase I, débutant à la mi-septembre et s’achevant avant les élections présidentielle et législatives du 24 décembre**

* **Le retrait commence par le départ des groupes de mercenaires syriens au service des deux parties,** qui constituent le groupe de combattants étrangers le plus important, avec des chaînes de commandement claires. Les premiers groupes de mercenaires sont désarmés et quittent le pays.
* **La Commission militaire mixte 5+5 et l’équipe de surveillance du cessez-le-feu des Nations Unies s’assurent de la mise en oeuvre de cette première phase.**
* Le Conseil de sécurité se félicite du lancement de cette première phase (communiqué de presse).

1. **Phase II, à compter du 1er novembre**

Le processus de retrait est étendu aux groupes suivants :

o Les groupes de mercenaires provenant des **pays voisins,** conformément aux accords de rapatriement conclus avec ces États et sans préjudice des modalités et calendriers spécifiques qui seront définis pour le Soudan et le Tchad. Le processus est mené en étroite concertation avec l’Union africaine, sous le contrôle de la Commission militaire mixte 5+5 et avec l’aide de la MANUL, et pourrait se poursuivre durant la phase III.

o **Le personnel militaire et les combattants étrangers relevant d’un État, y compris le personnel des sociétés militaires privées,** sous le contrôle de la **Commission militaire mixte 5+5** et avec l’aide de la **MANUL.**

Les autorités libyennes intensifient les efforts de réunification dans le domaine de la sécurité et ouvrent partout dans le pays des centres de formation pour les officiers des forces armées, de la police et des douanes, sous l’autorité du Conseil présidentiel et avec l’aide de la MANUL.

Le Conseil de sécurité se félicite du lancement de cette deuxième phase (communiqué de presse), et annonce la conclusion de la phase 1.

1. **Phase III, à compter du 1er janvier**

La **Commission militaire mixte 5+5,** en concertation avec la **MANUL,** annonce les résultats de la première phase et les progrès de la deuxième phase.

Le nouveau gouvernement exige expressément que le retrait total de l’ensemble **des forces, des combattants et des mercenaires étrangers** soit achevé sous le contrôle de la MANUL et avec l’aide de la communauté internationale.

Les forces et les mercenaires étrangers restants quittent le pays tandis que la **Commission militaire mixte 5+5** et le **groupe de travail sur la sécurité** identifient les obstacles qui subsistent et les arrangements pratiques nécessaires.

Le nouveau gouvernement intensifie les efforts de réunification dans le domaine de la sécurité et ouvre partout dans le pays des centres de formation pour les officiers des forces armées, de la police et des douanes, avec l’aide de la MANUL.

Le Conseil de sécurité se félicite de la conclusion de cette troisième phase (déclaration présidentielle)./.

1. Turkey introduced a reservation. [↑](#footnote-ref-1)