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Interference in vain on the road to durable peace

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How Libya and Syria failed to implement durable peace after the Arab Spring, despite the interference of the United Nations.

Bachelor Project Internationale Politiek

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Introduction

The Middle East is a part of the world where a lot happens and is often in the news, regularly in a negative way. The language and culture are different from the Western world we know, and so it has been for a long time in the political arena. Over the last centuries, in most Middle Eastern countries, one man or a specific group was in power and decided what happened in a country. This political balance was partially broken in 2010 during the Arab Spring. One of the results of the Arab Spring in Libya and Syria was a civil war in both countries. This is even though in Libya Gaddafi lost power and was assassinated, and in Syria Assad remained in power. This study examines why lasting peace was not achieved in either country.

The Arab Spring is a wave of protests, insurgencies, and revolutions that started in 2010 in North African- and Middle Eastern countries. The most common causes of the dissatisfaction of the Arabs were oppression, unfair elections, corruption, price increases, lack of political freedom, and unemployment. The population in these Middle Eastern countries held their incumbent governments or heads of government accountable.

The incident that sparked the escalation was the self-immolation of the Tunisian street vendor Mohammed Bouazizi, on December 17, 2010, in protest of the seizure of his merchandise and the humiliation he suffered by a female police officer (Lageman, 2020). This incident led to massive protests resulting in the fall of the Tunisian government and spreading instability to neighboring countries in the following three months.

The Arab Spring started with hope, with the aim of a higher degree of democracy. However, the results of these revolutions are that parts of the region are still on fire. In the two of Arab countries subject of this study, Syria and Libya, an ongoing civil war is continuing. These are also the countries where the most casualties occurred. It is estimated that about half a million people have been killed in the protests, violence, and civil wars that followed in total in the Arab Spring (NOS, 2021). The situation has since changed from a cry for freedom and revolution to completely devastated countries.

Despite much-written literature on civil wars, UN interference, the Middle East, and the Arab Spring, there is no clear explanation or comparative research as to why both countries are in civil war. This while in Syria, the dictator has remained in power, and in Libya, the dictator has fallen and even been assassinated. The research question therefore reads:

Research question: 'Why has durable peace not been achieved in Libya and Syria after the Arab Spring, despite the interference of the United Nations?'

In this study, first applicable literature is reviewed, guiding the research. Next, a theoretical framework is defined, forming a stable foundation for the research. Then, three hypotheses will be derived from the reviewed literature, theoretical framework, and the pillars for durable peace according to the Institute for Economics and Peace.

Through a Most Different System Design (MDSD) there will be examined why both countries remain in the civil war despite the contrasting outcomes of the Arab Spring. For this qualitative research, conditions that the Institute for Economics and Peace give will be used as benchmarks for peace to answer this question. The research will include correspondence from the United Nations to and about Libya and Syria allowing an analysis of the actions taken to establish peace in both countries.

After analyzing the results of the research, we can answer the research question. The research will conclude that the implementation of durable peace failed because insufficiently progress was made to achieving a 'well-functioning government' and 'acceptance of the rights of others'.

Literature review

Much research has been done on civil wars, including the current civil wars in Libya and Syria. Many seek the answer to why the civil war still rages in one of the countries, all with different explanations. One of the most recently written articles on this topic comes from Costantini & Hanau Santini (2021, pp. 1 - 18). The article examines mediation processes in both Syria and Libya. In both countries, the influence of pure mediators is decreasing, whereby the United Nations has been sidelined. In addition, there is a spread of mediation attempts in favor of biased mediators with links to the persons in power. Mediation attempts in both countries have shown the emergence of conflict resolution based on authoritarian arrangements.

According to Dr. Hassanein Ali (2020, pp. 838 - 855), the COVID- 19 pandemic has increased the problems in Arab countries, including Libya and Syria. The armed confrontations increased, and thus the pandemic has not created a new dynamic towards peace. The research of Gade et al. (2019, pp. 2071 - 2097) has different explanations about the ongoing civil wars in Libya and Syria. They examine how power, ideology, and state sponsorship determine the formation of alliances. They conclude that ideological homophily is the primary driver of cooperation among rebel groups. These alliances create shifting power relations and instability (Gade et al, 2019, p. 2077), making peace difficult to achieve.

The article by Miranova et al. (2020, pp. 285 - 294), also describes that the civil wars is caused by the rebels. However, they argue that ex-combatants like to join behind well-organized organizations, and thus also explain the rapid rise of the Islamic State. Such a large, organized rebel group creates instability and a shift of power to the disadvantage of the government.

In addition to rebel groups influence, some articles argue that the insufficient human development is a large cause of the current situation in Libya and Syria, among others. Rapanos (2017, pp. 364 – 386) shows that in Tunisia the transition to democracy has been very smooth because indicators such as life expectancy, infant mortality, income and gender inequality and literacy score are many times better than in Libya and Syria.

Another explanation for the ongoing civil war, of in this case only Libya, comes from Zoubir (2020, pp. 11 – 27). According to Zoubir, foreign interventions lead to a lack of peace. Foreign powers have their own interests to intervene, which come at the expense of establishing peace.

A more institutional approach is given by Korotaev & Shishkina (2021, pp. 111 - 119). In their article, conclude that democracy also requires a democratic political culture. As an example, they cite the Political Isolation Law (PIL) in Libya, which excludes anyone from Gaddafi's regime from the elections. However, to promote democratic transformation, countries would benefit from institutional changes rather than personnel changes.

In both Syria and Libya's negative peace, the most minimal form of peace is not present. Although, there were a lot of ceasefires, for example in Syria there were 106 ceasefires. 72% of the ceasefires at the local level in Syria were complied with. According to Karakas & Svensson (2020, p. 682), who researched ceasefires in Syria from 2011 till 2017, informal and domestic peacemaking outperformed formal and external peacemaking and they gave three reasons for this. Informal and domestic approaches yield more possibilities for entry, that are adjusted for a local context and specific situations. Secondly, the interest of third parties is of less importance in the case of local peacekeeping. The third reason Karakas & Svensson (2020, p. 282) provided, is that the two actors will have to interact with each other in the future. This is an incentive to stay true to commitments (Karakas & Svensson, 2020, p. 282).

Next to this, Karakus & Svensson, mention the presence of insider mediators and confidence-building measures that are positively associated with successful ceasefires. They believe that there is an effect, associating external third-party mediators with more difficult conflict situations (2020, p. 283).

While taking into consideration this previously written literature, this article focuses on the complete story of Libya and Syria and examines multiple factors that affect the civil war in the two countries. The current literature consists of partial explanations but does not provide a clear explanation. What also doesn't fully become clear is why, despite their interference, the UN so far has failed to implement durable peace, and why the civil wars in both countries are still going on. What did the Syrian and Libyan governments do to reach a durable peace? What was the role of the UN interference in it? And most important why, despite the efforts made, peace isn't reached?

Theoretical framework and hypotheses

To get grip on the question, why there is an ongoing civil war in Libya and Syria despite the interference of the UN, you have to start at the beginning with an examination what a civil war exactly entails.

Due to Richard Jackson (2017, pp. 121 – 128), a civil war is a conflict in which the fighting parties are part of the same country or empire. Civil wars are often fought for religious, ethnic, or political reasons, but sometimes they are simply a battle between two rival groups (Fearon, 2007). Cederman & Vogt specify this definition: '*civil war can be defined as armed combat within a sovereign state between an incumbent government and a non-state challenger that claims full or partial sovereignty over the territory of the state*' (Cederman & Vogt, 2017, p. 2). In both cases, Syria and Libya, there was an incumbent government and a non-state challenger, where the government had full sovereignty. In both countries, the non-state challengers, namely the rebels or insurgents, claimed partial sovereignty.

Pushkina (2020, pp. 261 – 277) researches the current existing measures for the effectiveness of the United Nations and she proposes a new scale of measurement for the United Nations peacekeeping operations. She examines six cases based on her scale of measurement. Pushkina (2020, pp. 261 – 277) also gives the criteria of a successful peacekeeping operation: reducing human suffering, limiting violent conflict, preventing conflict from spreading, and preventing war from breaking out again. The absence of war indicates peace. However, peace is a relative concept, which requires additional elaboration of the concept.

According to the literature, peace can be divided into three kinds of peace.

In their book, Doyle & Sambalis (2006), make the distinction between negative and positive peace.

Negative peace is the simplest form of peace, the absence of violence and war. Positive peace is more difficult to explain because it can include many different aspects.

In brief, positive peace can best be described as the absence of structural violence (government or institutional oppression), cultural violence (denial of the right of association and the right to use one's language), and economic exploitation. Close to positive peace, there is durable peace (Galtung, 1969, p. 167) when there is positive peace permanently. This is the goal of peacekeeping operations.

The measures for the success of a peacekeeping operation, vary a lot. Due to Paris, peace is reached when a stable democracy and a developed economy are reached (2004, pp. 94 – 97), or bringing justice and equity (Cousens, 2000, pp. 183 – 185). This tends more to positive- and durable peace. This is often called 'second-generation' or 'multidimensional' peacekeeping.

Pugh adds that peacekeeping is an instrument of powerful states calling it 'liberal imperialism' (2004, pp. 43 – 48). Albrecht & Schlumberger (2004, p. 384) elaborate on this argument by concluding that political stability in the Middle East is in the interest of Western states. Thus, securing an unrestrained flow of oil to the Western economies.

Now that several important concepts and views have been covered, it is possible to continue to factors that influence peace. These factors are derived from the Positive Peace Report 2020, made by the Institute for Economics and Peace. In the literature, the following three important factors emerge and may explain why durable peace hasn't been reached. The selection for these factors will be further explained in the methodology.

Pillar 1: Well-functioning government

In the literature review, Korotaev & Shishkina (2021, pp. 111 - 119) gave an institutional approach about why peace in transformative countries is not achieved. In their article, they say that democracy also requires a democratic political culture. Countries would benefit from institutional changes rather than personnel changes to promote democratic transition.

The functioning of a government is influenced not only by the government itself but also by opposing forces. A good example is warlord Haftar who has a lot of power in Libya (Kose & Ozturk, 2020, pp. 113 – 138).

Research by Mason et al. (2011), shows that rebel victories in a civil war led to a more durable peace than a victory of the incumbent government. The condition precedent is that the rebel group is stable enough to survive for a longer period. Only, in the beginning, victories by the government lead to stabilized peace because it takes time for new rebel organizations to emerge or for defeated rebels to regroup, rebuild, and resume fighting. As time goes by, the peace brought about by the government's victory becomes more fragile (Mason et al., 2011, p. 181).

According to Murithi (2006, pp. 9 - 33), the fight against corruption and the striving for a democratic government provides a higher degree of peace.

Given the written literature on and influence of a well-functioning government, it is possible to formulate a hypothesis. The first hypotheses read:

H₁: The absence of durable peace is the consequence of a malfunctioning government and the lack of help from the UN.

Pillar 2: Equitable distribution of resources

In addition to fighting corruption, and striving for democratic governance, Murithi (2006, pp. 9 - 33) gives another factor affecting the achievement of peace. Equitable distribution of resources among all members of society is essential to building peace.

Due to Cederman & Vogt (2017), there are three main explanations for civil war, all three of which have to do with the equitable distribution of resources. The first one is a grievance-based explanation.

According to this explanation, civil war is the consequence of political or socioeconomic injustice. The second one is a greed-based explanation, which focuses on people's longing to amplify their economic benefits. The last explanation is opportunity-based, which centers on when people have an opportunity to mobilize violence, they will take that opportunity (Cederman & Vogt, 2017, pp. 2 – 3). When the Arab Spring started, in both countries, there was a lot of political and socioeconomic injustice and there still is.

When a government can decrease popular discontent by improving economic well-being, the chances of a civil war are lower. It is questionable, however, whether these (weak) states have the resources and the political will to achieve this (Mason et al, 2011).

Given the written literature on and influence of the equitable distribution of resources, it is possible to formulate a hypothesis. The second hypotheses read:

H₂: The problem of an unfair distribution of resources and the failure to address this problem is the reason for the absence of durable peace.

Pillar 3: Acceptance of the rights of others.

Another factor of importance about peace is the acceptance of the rights of others, human rights. Building of peace is promoted by progressive cultural principles and social solidarity that enhance human dignity (Murithi, 2006, pp. 9 - 33). Rost (2011, pp. 417 – 440) argues that in weak states, human rights violations are part of the escalating process that may result in civil war. According to Rost, human rights violations are a clear early warning sign of wars to come.

Given the written literature on and influence of human rights, it is possible to formulate a hypothesis.

The third hypotheses read:

H₃: The absence of durable peace is the consequence of the degree of violation of human rights and the failure to address this problem.

Methodology

Research design

To test the hypotheses and answer the research question, desk research has been conducted. For this qualitative research, the Most Different System Design will be used. Unlike Most Similar System Design, where specific results are different in similar cases, the Most Different System Designs include cases in which the results do not differ between very different cases (Halperin & Heath, 2015, pp. 221 – 223). This research design is typical of comparative research. It determines specific results to be explained, such as revolutions, military coups, democratic transitions, or "economic miracles" in newly industrialized countries. According to Halperin & Heath (2015, p. 221), this approach makes it possible to test whether the crucial similarity that the countries share is associated with the dependent variable based on the observed differences on important variables that function as a control mechanism.

Case selection

Even though durable peace has not yet been achieved in many countries in the Middle East, Libya and Syria were explicitly chosen for this study. The reason is that these cases fit well into the Most Different System design. The independent variable of the research, the fall of the dictator in power before the Arab Spring, does not match between the countries. In Syria, President Bashar al-Assad managed to stay in power. However, in Libya, the Gaddafi regime failed to hold on. The former leader, Muammar Gaddafi tried to flee the capital in a convoy, was stopped by French fighters and then captured, after which he died under unclear circumstances. The dependent variable, the outcome of the Arab Spring, is the ongoing civil war that followed. More background information about the civil war and political situation in Libya and Syria will be given in the empirical analysis.

Data selection and -characteristics

Data for this study were collected from official United Nations publications, that are available at the United Nations Official Digital Library.

Here one can find all resolutions, statements, or speeches from every country. The timeframe used for this research is from 2011, the beginning of the Arab Spring in Libya and Syria, until present. This research will analyze correspondence about the situation in Libya and Syria from and to the United Nations. These letters are published directly by the United Nations and thus are reliable information around the UN's interference in the Middle East.

To understand the situation in Libya and Syria, the study will look at some of the pillars for sustainable peace set forth by The Institute for Economics and Peace. Quotations from the correspondences will be categorized according to these pillars. Within these pillars, quotations will be categorized by indicator. The Institute for Economics and Peace is a think tank dedicated to shifting the world's focus to peace as a *'positive, achievable, and tangible measure of human well-being and progress'* (Institute for Economics and Peace, 2020).

In their positive peace report from 2020, the Institute for Economics and Peace analyzes eight factors that sustain (durable) peace. For this research three of these pillars will be addressed explicitly, based on what is considered important in the literature for civil war situations. This means a deductive approach is used for this research. A deductive approach means that you arrive at the data based on several predetermined themes, which you expect to be reflected in the data. These themes are based on the pillars from the positive peace report 2020, from the Institute for Economics and Peace.

The following three pillars were chosen because they were most often identified in the literature as the cause of a specific civil war. The research of the Institute for Economics and Peace is quantitative, which means it gives a good picture of the current situation. However, it says little about how this situation was reached.

The first pillar is a 'well-functioning government', which indicates the government; *'delivers a high-quality public and civil services, engenders trust and participation, demonstrates political stability, and upholds the rule of law'* (Institute for Economics and Peace, 2020, p. 9). This pillar is also given in the literature by Korotaev & Shishkina (2021, pp. 111 - 119). In their article, they argue that democracy also requires a democratic political culture and a well-functioning government. The three indicators of this pillar are political democracy, government effectiveness, and rule of law.

The second pillar is the ‘equitable distribution of resources’. The Institute for Economics and Peace clarifies that a country must: *‘tend to ensure equity in access to resources such as education, health, and to a lesser extent, equity in income distribution’* (Institute for Economics and Peace, 2020, p. 9). The three indicators of this pillar are life expectancy, poverty, and equal distribution of resources. The literature review showed that Cederman & Vogt (2017) consider socioeconomic inequality as one of the main causes of civil war.

The third, and last pillar is ‘acceptance of the rights of others. Due to Rost’s (2011) article, mentioned in the literature review, human rights violations are part of the escalation process of civil war. The explanatory note of the Institute for Economics and Peace about this pillar is: *‘Free Peaceful countries often have formal laws that guarantee basic human rights and freedoms, and the informal social and cultural norms that relate to behaviours of citizens’* (Institute for Economics and Peace, 2020, p. 9). The three indicators of this third pillar are gender inequality, group grievance, exclusion by socio-economic groups.

The indicators of all pillars are further elaborated in the coding scheme (Annex I).

The reason why explicitly these three pillars were chosen is that according to the existing literature and Institute for Economics and Peace, the indicators that complete these three pillars, are of the most important for civil war situations.

Empirical analysis

Before addressing the actual empirical analysis, it is important to have background information about the two countries. In both civil war situations, the UN interfered with peace and democracy. After this, each pillar is discussed per country and what the UN’s influence was on this area. It will indicate how often the themes come up and what they mean for current situations in countries. Examples and citations will also be included to support the findings.

Background section

Syria and the civil war

The official name of the country is the Syrian Arab Republic, and the capital of the country is Damascus. Syria gained independence in April 1946 and was established after World War I as a French mandate territory. The post-independence period was characterized by many military coups and attempted coups between 1949 and 1971. Of the population, 87% is Muslim and 10% is Christian.

Unlike most other Arab countries, Islam is not a state religion. However, it is the public religion and Sharia is an important source of Syrian law. Most of the Muslims are Sunni Muslims. In addition, there are other Muslim minorities to which 13% of the population belongs. The Islamic minorities are the Alawites, a sect that is often classified as Shia, which also includes President Assad.

Since 2000 the head of state of Syria is the president, Bashar al-Assad. The President of Syria is Commander in Chief of the Syrian Armed Forces. The president is elected every seven years and could be re-elected until 2012. In that year, a constitutional amendment took place that introduced a term limit of two times seven years. Because of this the uprisings and violence during the Arab Spring have partly that not resulted in the fall of the regime of Assad in Syria. By contrast, in the spring of 2011, the Prime Minister's office resigned amid continued demonstrations for more democracy.

During the Arab Spring, which made its appearance at the beginning of 2011, a large part of the Syrian population rose in revolt. President Assad's government has been pushing hard to suppress the uprisings. This resulted in a war in which Syrian Kurds saw their chance to realize an autonomous area called Rojava. The war turned into a major international conflict involving major powers such as the United States and Russia. In 2014, another major actor joined them: the Islamic State, a terrorist organization that strives for its own caliphate.

In 2020, the civil war drags on with the offensive of the Syrian government army supported by Russia. A significant outflow of refugees has started. This means the end of virtually the Sunni-radical opposition to the government of Assad, as the civil war continues.

The first and the second Libyan civil war

The State of Libya is located on the Mediterranean Sea and largely belongs to the Sahara. After a coup d'état in 1969, the country was ruled by a military regime led by the young Colonel Muammar Gaddafi. This coup was later referred to as the September Revolution. Under the Nasserist influence, it became more dictatorial in its leadership, and imposed an ideology of its own making in 1977, a mixture of socialism and Islam. In practice, Gaddafi's Libya could be seen as a dictatorship, headed by Gaddafi and aided by a small clique of military and political officials. Libya has been accused of widespread human rights violations and government-sponsored terrorism.

In February 2011, following the Arab Spring, an eight-month uprising against Gaddafi's regime erupted in neighboring countries. Rebels, who formed the National Transitional Council in Benghazi,

received military assistance from an international coalition led by the NATO from March 19, captured the capital Tripoli in August, and defeated the last Gaddafi loyalists in the following months, until 20 October 2011 Muammar Gaddafi himself was arrested and killed.

After the fall of Gaddafi in 2011, a civil war broke out between the warlord Haftar (power base in Eastern Libya) and the internationally recognized government (power base in Western Libya, the capital Tripoli). The warlord Haftar was supported by Egypt, Saudi Arabia, the United Arab Emirates, France, and Russia. The Salafists are also fighting side by side with Haftar's army. The Internationally recognized government is supported by Italy, Qatar, and Turkey. Germany is trying to mediate as a neutral party in the conflict. Haftar and the House of Representatives systematically rejected Prime Minister Saraj's call for an election. Egypt, Saudi Arabia, and the United Arab Emirates are more inclined to form a dictatorship in Libya due to geopolitical and internal political considerations. France also sent weapons to the warlord Haftar to overthrow the Libyan government.

According to the Tripoli government, Haftar received help from 600 to 800 Russians who worked for Wagner, the private army of Yevgeny Prigozhin, a close friend of Russian President Vladimir Putin. The current civil war is characterized by periodic fierce fighting, especially around the capital Tripoli, and many international diplomatic consultations. Turkey sent many troops to Tripoli through a third party. Due to the conflict with Saudi Arabia, Qatar is interested in supporting its ally Turkey.

Pillar 1: Well-functioning government

After the fall of Gaddafi in October 2011, Libya is entering a turbulent time. After years of living under Gaddafi's rule, it must now look for a new modus. In the letters, Abdurrahman Mohamed Shalgram, the Permanent Representative of Libya, informed that this is a turning point in history. Due to him, a new Libya is born in which all rights and fundamental freedoms are respected (Shalgram, in United Nations, 2011, p. 1). The UN is supporting this. However, the step towards a free Libya is not being made. Strange things continue to happen in the country, for example, the arrest of representatives of the United Nations. Here Libya shows that it is open to negotiations in satisfaction for all parties in a framework of respect for domestic and international law (Shalgram, in United Nations, 2012, p. 3). This is something that bears witness to the indicator of government effectiveness, with a view to the outside world. The Libyan government has a clear goal, there must be national consensus, disarmament, creating a modern national army that protects the State, respects the Constitution, and is subject to civilian authority.

Starting around 2013, there is a clear trend in Libya, namely the rise of extremism that is holding back the development of the country. The United Nations is considering an additional guard unit, as well as an armed private security company. It just seems impossible for Libya to stop the extremists from their actions. Especially around 2015 and 2016, the extremists gain the upper hand. The Libyan government expresses its dissatisfaction that the international community, so the UN as well, have watched but not intervened adequately.

The mission is clear to the Libyan authorities, only they fail due to a lack of authority: *'Providing support for the relevant Libyan authorities to implement programs for national reconciliation, national dialogue, and facilitate the return of Libyan displaced persons and refugees in cooperation with regional and international organizations'* (Dabbashi, in United Nations, 2014, p. 4). The lack of the indicator 'rule of law' becomes very clear here, and the UN is blamed for not helping enough in this area.

Another example of the lack of 'rule of law' is that the Libyan government fails in creating a monopoly on violence, as many weapons are circulating among ordinary citizens. In addition, State Law Enforcement Agencies do not have the support of the population.

The division in the country is also evident in one of the letters from 2016: *'I should like to draw your attention to paragraphs 15 and 16 of the report of the Secretary-General on the United Nations Support Mission in Libya (S/2016/452), where the expression "forces loyal to General Khalifa Haftar" is used instead of the term "Libyan army". This appears to be an insult to hundreds of officers and thousands of troops because it implies that they are loyal to an individual rather than to their homeland and to the legitimate authority that finances the army and supplies it with weapons. It is not in keeping with the neutral role that the United Nations is supposed to be playing in Libya and undermines the Libyan Political Agreement'* (Dabbashi, in United Nations, 2016, p. 1). Here UN is accused of not being neutral about the situation in the country and being skewed. This division in the country comes at the expense of the second indicator of a well-functioning government, the 'government effectiveness', for which the work of the UN is not conducive. The Libyan government would like to receive support from the international community. In the letters, they also complain that this happens too little.

The Libyan government regains the upper hand from 2017 and tries to deal with all the problems in the country, by focusing on 'the rule of law': *'We have stood up resolutely to those who have chosen the path of anarchy, including those who thought they could undermine security in Tripoli recently.'* (Elmajerbi, in United Nations, 2017, p. 3).

Yet the government fails to govern the country successfully. There is even talk of *'lawlessness'* in Libya. In April 2019 there is a conflict between Haftar's Libyan National Army (LNA) aligned to the government in the east and the opposing UN-backed Government of National Accord (GNA), based in the northwest of Libya, escalated in and around the capital Tripoli.

On September 1, 2019, yesterday morning, the forces of Haftar committed yet another criminal act that crossed all lines and boundaries when they launched missiles at Mitiga International Airport in the center of the capital Tripoli. There is a clear call for help from Libya, which the UN does little to address.

In conclusion, you could say about this pillar that the goodwill is there from the Libyan government. However, more parties want power, such as Khalifa Haftar. This stops the development of the well-functioning government, and therefore of the entire country of Libya. The work the UN is doing in Libya is not sufficient or counterproductive to improving indicators.

Secondly, Syria, where Assad announced political reforms in 2011. In this, the Syrian government meets the demands of its citizens. On this, they say: *"Those two laws make important provisions that respond to the demands of the people and lay the foundations for political plurality and democracy"* (Ja'afari, in United Nations, 2011, p. 2). In this, the indicator 'political democracy' clearly emerges. In addition, they state that national dialogue is needed to get through this crisis, not the international interference of the UN. They ask for time to make changes, instead of interference that can lead to escalation. In this, they also indicate no opposition at the national level: *"we will not allow subversion and conspiracies against the interests of Syria to prevent us continuing towards our goal"* (Ja'afari, in United Nations, 2011, p. 2). In this, the UN seems to be going along, and in addition to military intervention, does not do much in terms of the functioning of the government.

In 2012 Syria introduced a new constitution, where the indicator 'rule of law' is indicated: *'That Constitution provides for the establishment of the modern Syrian democratic State, which will be based on the rule of law, the equality of all citizens and political and economic pluralism; protect general freedoms; and exercise authority democratically through the ballot box'* (Ja'afari, in United Nations, 2012, p. 2).

In 2014, Syria shows cooperation with Lebanon to ensure national sovereignty and territorial integrity. This follows Israel's attacks on Lebanon. In 2016, Assad's regime got wind of the attack from Saudi Arabia via the UN: *'More than 30 people were killed and 125 injured at the Kamunah displaced persons camp in the city of Idlib when the camp was attacked by Russian aircraft. More than 12 people were*

killed and 20 injured in the village of Umm Karamil in the city of Aleppo when Assad regime helicopters dropped seven-barrel bombs on the homes of defenceless civilians ' (Hijab, in United Nations, 2016, p. 2). Again, the UN does not intervene harshly. However, the question is: what can the UN do actively? The Syrian government says it will cooperate with UN conferences in 2017. This shows a step in the good direction on the area of 'government effectiveness' of the Syrian Government towards the UN.

By 2018, the Syrian regime's attacks on innocent civilians had not stopped. Great Britain sounds the alarm in a letter via the UN: *'Then, as now, it is clear that in the absence of any credible consequences, Assad will commit whatever war crime he deems necessary to achieve a military solution'* (Pierce, in United Nations, 2018, p. 2). In general, one could say that Assad's policies do not tolerate opposition. They like to solve their problems in a 'national dialogue'. Even though reforms have been announced, little is happening in Syria and the UN can't make a big change. Letters from Syria say that the unrest in the country is being exaggerated by the international community. The government blames it on 'destructive acts of armed gangs'. This would damage the reputation of Syria.

Let's compare the indicators of the pillar 'well-functioning government'. Looking at the indicator 'political democracy', both countries fall badly short. In both countries, electoral processes and political participation are in poor shape. In Libya, we see that the intention is there, although the division in the country makes elections difficult. Next December 24, elections will take place in Libya. The interim government declares that Libya is "ready" for the elections. But inside, politicians, diplomats, and analysts admit that doubts are growing about the elections, which should help Libya leave behind ten years of war and chaos. The government of Libya asks the UN for help in this, but little effort is made evidenced by the correspondence. In Syria, there is no intention to hold elections. There is no focus on political participation or democracy. There is little in the news coverage about it.

The next indicator is "government effectiveness". Looking at this indicator both countries do not have a very effective government. However, the Syrian government is more effective than Libya's, according to the analysis. In it, because Assad has remained in power, there is less resistance to his policies. Assad can implement policies relatively independently and follow his own will and does not listen in any way to the UN. In Libya, where the interim government is trying to gain a foothold against Haftar, the government is less effective. Because of the divisions in the country, it is unable to implement effective policies independent of political pressure despite the support of the UN.

The last indicator that can be subsumed under 'well-functioning government' is the 'rule of law'. Again, this indicator shows that by keeping Assad in power, Syria scores better than Libya. This is mainly because Syria can act with a harder hand and less opposition than Libya. The analysis shows that the Libyan interim government is making efforts to restore the rule of law, but also falls short due to a lack of requested assistance from the UN.

The first hypothesis can be approved based on these results. Despite the different starting points, namely the fall of the dictator and the failure to fall, you cannot speak of a well-functioning government in either case. In both cases, democratic reforms are not reached. The UN could have played a greater role in the democratization process in Libya than it has now. The Libyan government also asked and is currently asking for this assistance, which is given a little by the UN. In Syria, the UN did not manage to get a foothold at all. The incumbent government led by Assad is in complete control here.

Pillar 2: Equitable distribution of resources

From the contact between Libya and the United Nations, it appears that there is not much talk of the pillar of equitable distribution of resources. A possible explanation for this is the fall of Gaddafi; the Libyan people probably have more patience and hope for an improvement in their economic situation after the fall of Gaddafi and safety and human rights are their priorities. However, property looting by citizens on other citizens is common, for example (Dabbashi, in United Nations, 2014, p. 1). This does point to poverty and despair among the population. From 2017 onwards, there is a development that the economy is starting to play a bigger role again. This is related to the fact that the extremists are less powerful than in previous years. Oil production is also resuming, which encourages corruption, in addition, oil production is creating more economic inequality within society, so here equal 'distribution of resources' is at issue (Elmajerbi, in United Nations, 2017, pp. 1 – 2). The Economic Reforms announced in September of the year 2018 have brought improvement to the economy. Both for the residents and liquidity of banks.

Yet, judging from the letters, one cannot say that this pillar is of such great influence on the civil war in Libya. However, it was of course one of the triggers for the uprising against Gaddafi. The same applies to Syria in this pillar, not much is said about this topic. With Assad still in power, the government in 2013 is trying to solve the problems in Syria. They are doing their best to solve the problems, the government says. Assad's political program also has humanitarian aid in it, and compensation will be paid out to Syrian citizens (Ja'afari, in United Nations, 2021, p. 1). However, this hasn't happened yet.

From the analysis, the indicator 'distribution of resources' is worse in Syria, than in Libya. However, in both countries, there is little focus on equal distribution of resources. The other indicator that falls under 'equitable distribution of resources' do not come up at all in the exchanges of letters. It seems that it is not a priority of the United Nations or the governments to solve this problem. While this is where the most dissatisfaction will be among the population, just as it was at the beginning of the Arab Spring.

Due to the limited data surrounding this pillar, equitable distribution of resources, it is not possible to formulate an answer to the hypothesis. On the other hand, you could say that there is little effort from the UN to solve financial problems. The emphasis in UN policy is not on this area. In both cases, there was some mention of the topic, but not enough to find a pattern. Therefore, hypothesis two is not valid in this study.

Pillar 3: Acceptance of the rights of others

Despite the words of Abdurrahman Mohamed Shalgram, the Permanent Representative of Libya, in the letter of 2011 in which he announced to accept human rights and guarantee fundamental rights. This did not change in the first years after the fall of Gaddafi. Because a few years after the fall of Gaddafi the State Law Enforcement Agencies still do not have the support of the population. Human rights violations continue to occur, and the UN is trying in vain to address this problem. This is a case of what the indicator 'group grievance' indicates, the violation of human rights because of different (political) groups in society. These human rights violations come mainly from extremist quarters and include attacks on journalists, human rights activists, and politicians (Dabbashi, in United Nations, 2014, pp. 1 – 2).

In the area of human rights, an upheaval also happens in 2017. A first really clear statement about improvements in the human rights situation in the country can be found in one of the letters to the UN: *'To the political actors, let me say this: Libyans' patience is running out. We should let the people decide and determine their own future. Let us make our people happy. Let us come together and bring an end to this division for the sake of Libya. Libya is a homeland for all. Let us walk together towards reconciliation and reconstruction'* (Serraj, in United Nations, 2017, p. 6).

The economic reforms in 2018 have resulted in an improvement in the field of human rights (Pierce, in United Nations, 2018). Women are being deployed in more and more positions, as the letters show: *'The National Front Party and the National Forces Alliance recently assigned women to executive positions in party leadership'* (Meza-Cuadra, Skoog & Pierce, in United Nations, 2018, p. 3). The

UNSMIL is also making structural changes around women's rights, with more women being deployed in governmental positions. Work is underway on the 'gender inequality' indicator, from the UN. Syria accuses other countries of violating human rights at the UN. The accusations are particularly against Israel, with which war is going on around the Golan Heights. Israel is accused of oppressing Syrian civilians. The violation of human rights itself is denied by Syria. In his letter, Permanent Representative of Syria Bashar Ja'afari says the following about this: *"It is extremely strange that the United Nations Secretariat, in the briefing that Mr. Pascoe gave to the Security Council on the situation in the Middle East, should adopt the same subjective approach, that is infamously aligned with the views of parties that are hostile towards Syria, and based on media reports that contain not the smallest grain of truth and that actually so distorts the facts on the ground as to portray the terrorists as civilians and interpret the State's performance of its responsibilities and duty to protect its people and their security, in accordance with Syrian and international law, as a violation of human rights"* (Ja'afari, in United Nations, 2012, p. 4).

In a 2015 letter to the UN, Saudi Arabia stated that all groups of the population were represented at a meeting. In this, they would have spoken with respect about each other and the history of the country.

In conclusion, one could say about the pillar 'acceptance of the rights of others' that the situation is not good in both countries. However, there is progress in this area in Libya, for example, with more women holding office, but it is still not optimal. With this, Libya does better than Syria on the gender equality indicator and this is partly due to the UN.

Syria has an even worse human rights record if the allegations are correct. The analysis shows that many of the human rights violations come from the indicator 'group grievance'. Divisions in society lead to human rights violations. In Libya, this is the case between the interim government and Haftar. In Syria, the division between supporters and opponents of Assad causes this. This is often directly accompanied by 'exclusion by socio-economic group', as this often also determines who the supporters and opponents of a government are.

In both countries, human rights play a major role in the peace situation, without being truly resolved. This despite the UN's efforts to address the problem, they have not succeeded in doing this. Therefore, the third hypothesis can be approved.

Conclusion

This study tried to answer the question: 'Why has durable peace not been achieved in Libya and Syria after the Arab Spring, despite the interference of the United Nations?'

The correspondence between Libya and the United Nations, and Syria and the United Nations, showed that the implementation of durable peace failed because of a lack of progress to achieve a ‘well-functioning government’ and the ‘acceptance of the rights of others’. This is (one of) the reason(s) why, despite their different outcome of the Arab Spring, the UN interference failed to implement durable peace, and civil war occurred.

The areas of a well-functioning government and the acceptance of rights of others, two key pillars for positive peace according to the Institute for Economics and Peace play an important role in this. The UN could have played a greater role in the democratization process, and so all the indicators of a well-functioning government, in Libya. The Libyan government also asked and is currently asking for this assistance, which is answered to a very limited extend the UN. In Syria, the incumbent government led by Assad is in complete control. The UN did not manage to realize any major changes in Syria.

The ‘equitable distribution of resources’, also one of the pillars of positive peace according to the Institute for Economics and Peace, is not sufficiently addressed in the correspondence between the countries and the United Nations to make a useful statement about it. The last pillar, ‘acceptance of the rights of others’, is very important to the UN. Despite this, the UN is not fully succeeding in significantly improving the human rights situation. It is a pillar that does matter to the peace situation.

According to this analysis, if more attention and effort were invested in a ‘well-functioning government’ and the ‘acceptance of the rights of others’, a lower level of violence could have been achieved in both countries. Even though the two countries come from different starting points, both are currently in civil war. The building blocks of peace examined in this research have, according to the analysis an impact on this. For both countries, as well as for the UN, the difficult task remains outstanding to restore durable peace.

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Annex I: Coding scheme

Factor/pillar	Indicator	Explanation	Color
Well-functioning government	Political democracy	Measures whether the electoral process, civil liberties, functioning of government, political participation and culture support secular democracy.	
	Government effectiveness	Government Effectiveness captures perceptions of the quality of public services, the quality of the civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies.	
	Rule of law	Rule of Law captures perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence.	
Equitable distribution of resources	Inequality-adjusted life expectancy	Measures the overall life expectancy of a population accounting for the disparity between the average life expectancy of the rich and that of the poor.	
	Poverty headcount ratio at \$5,50 a day	Poverty headcount ratio at \$5.50 a day is the percentage of the population living on less than \$5.50 a day at 2011 international prices.	
	Equal distribution of resources	This component measures the equity to which tangible and intangible resources are distributed in society.	
Acceptance of the rights of others	Gender equality	The Gender Inequality reflects women's disadvantage in three dimensions: reproductive health, political empowerment and the labour market.	
	Group grievance	The Group Grievance Indicator focuses on divisions and schisms between different groups in society – particularly divisions based on social or political characteristics – and their role in access to services or resources, and inclusion in the political process.	
	Exclusion by socio-economic group:	Exclusion involves denying individuals access to services or participation in governed spaces based on their identity or belonging to a particular group.	

Annex II: Empirical analysis

Libya:

United Nations S/2011/660
Security Council Distr.: General 25 October 2011 English Original: Arabic



Letter dated 25 October 2011 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

I have the honour to inform you that the National Transitional Council has announced the full liberation of Libya from the dictatorial regime of Muammar Qadhafi, the city of Sirte having been taken and Colonel Qadhafi having died on 20 October 2011 after suffering serious injuries during the clash between the revolutionaries and the Qadhafi loyalists who were trying to protect him and effect his escape from Sirte.

After 42 years of autocracy, terrorism and human rights violations, 20 October 2011 was a historic day for the Libyan people, when it was proclaimed that the dictatorship was over and a new Libya was born, a democratic Libya that respects human rights and protects fundamental freedoms.

The National Transitional Council affirms that the danger that justified the call for a no-fly zone over Libya no longer exists, and that the new Libyan authorities are able to protect civilians without outside assistance. It therefore requests the Security Council to take the measures necessary to terminate by 31 October 2011 the authorization provided under Security Council resolution 1973 (2011) relating to the imposition of a no-fly zone and the protection of civilians. The National Transitional Council would like to thank the United Nations Secretary-General and all the States that contributed to the implementation of the Security Council resolutions on Libya for supporting the Libyan people from the inception of their uprising to the day on which they rid themselves of the tyrant.

I should be grateful if you would have this letter circulated as an official document of the Security Council.

(Signed) Abdurrahman Mohamed **Shalgram**
Ambassador Permanent Representative

Letter dated 15 September 2011 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit the attached letter dated 14 September 2011 (see annex), from the Prime Minister of the National Transitional Council of Libya, Mahmoud Jibril, seeking the assistance and support of the United Nations and the international community in implementing the plans of the Council for stabilizing and rebuilding the country.

The letter also welcomes my letter dated 7 September 2011 to the President of the Security Council on the proposed United Nations mandate, particularly my intention to establish a United Nations support mission in Libya (S/2011/542).

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

(Signed) BAN Ki-moon

Letter dated 14 September 2011 from the Prime Minister of the National Transitional Council of Libya addressed to the Secretary-General

I have the honour to express my own thanks and appreciation, and those of the National Transitional Council, for the tireless efforts you have deployed in seeking a peaceful solution to the Libyan crisis, as well as your efforts to mobilize the United Nations, its specialized agencies, and international organizations, to assist and support the Libyan people in this critical period of their history.

In light of the victory of the Libyan people's revolution and the fall of the tyrannical regime of Colonel Gaddafi, I have the honour to convey that the National Transitional Council, the legitimate governing authority of Libya, is seeking the assistance and support of the United Nations and the international community in implementing its plans for stabilizing and rebuilding the country according to the following priorities:

Protect Libyan civilians, restore government services and allocate Libya's funds openly and transparently;

Prevent further abuses and violations of human rights and international humanitarian law and put an end to impunity;

Ensure a consultative, inclusive political process with a view to agreement on a constitution and the holding of free and fair elections;

Ensure the safety and fair treatment of foreign civilian nationals in Libya;

Prevent the proliferation of small arms and light weapons in accordance with obligations under international law;

Protect diplomatic personnel and premises.

I have the further honour to welcome your letter of 7 September 2011 to the President of the Security Council on the United Nations mandate, in particular your intention to establish a United Nations mission to assist and support the Libyan national efforts to:

Restore public security and order and promote the rule of law;

Undertake inclusive political dialogue, promote national reconciliation and embark upon the constitution-making and electoral processes;

Extend State authority, including through strengthening emerging accountable institutions and the restoration of public services;

Protect human rights, particularly for those belonging to vulnerable groups, and support transitional justice;

Take the immediate steps required to initiate economic recovery;

Coordinate support that may be requested from other multilateral and bilateral actors.

It is also the wish of the National Transitional Council to resume regular commercial flights to and from Libya while maintaining the authorization, by the Security Council under its resolution 1973 (2011), to protect civilians and enforce the no-fly zone for military aircraft until further notice.

(Signed) Mahmoud **Jibril**
Prime Minister of the National Transitional Council of Libya

11-56419 (E) 261011 261011



Please recycle 

United Nations S/2012/471
Security Council Distr.: General 21 June 2012 English

Original: Arabic and English



Identical letters dated 20 June 2012 from the Permanent Representative of Libya to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to attach herewith the Memorandum on the Arrest of the International Criminal Court Delegation from the Ministry of Foreign Affairs and International Cooperation (see annex). It would be highly appreciated if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Abdurrahman M. **Shalgham**
Ambassador Permanent Representative

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Annex to identical letters dated 20 June 2012 from the Permanent Representative of Libya to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Memorandum on the arrest of the delegation of the International Criminal Court

In response to Security Council resolution 1970 (2011) of 26 February 2011, which decided that the Libyan authorities should cooperate fully with the International Criminal Court (ICC) and with the Prosecutor of the Court, and pursuant to its commitments in respect of the Court, the Government of Libya, having secured the approval of the Public Prosecutor, received a delegation from the Court on 6 June 2012.

The basic purpose of the visit was to provide the ICC-appointed counsel for the defence with an opportunity of meeting with the accused, Saif al-Islam Gaddafi, at his place of detention in the city of Zintan and to discuss the possibility of designating another counsel for the defence, one of his own choosing.

The delegation consisted of the following persons:

Ms. Melinda Taylor, defence counsel (of Australian nationality)

Ms. Hélène Assaf, interpreter (of Lebanese nationality)

Mr. Alexander Khodakov, ICC expert (of Russian nationality)

Mr. Esteban Peralta Losilla, Chief, Counsel Support Section (of Spanish nationality)

During the meeting with the accused, Ms. Taylor handed him, in the presence of the interpreter, a number of documents the contents of which represented a threat to the national security of Libya. One of them was a coded letter from Mohammed Ismail, who had previously been the main aide of the accused while at the same time working as a leading figure in the security and intelligence service with close ties to its former Director, Abdullah al-Senussi. It is noteworthy that those documents were irrelevant for the proceedings of the ICC, and had no connection of any kind with the provision of appropriate legal advice in the case of the accused. Furthermore, spying and recording devices, including a video camera pen and watch, were found in the possession of Ms. Taylor and the other members of the delegation. This was inconsistent with the mandate of the ICC delegation and incompatible with the tasks assigned to the court-appointed counsel for the defence; it was also a flagrant breach of Libyan law and an offence punishable under the criminal legislation in force. Moreover, it was also at variance with the ethical and professional obligations incumbent upon the members of the ICC delegation, and contrary to the provisions of the Code of Professional Conduct for Counsel which was adopted by the Court on 2 December 2005.

In view of the circumstances and the fact that the offenders had been caught in the act, the Office of the Public Prosecutor decided that an immediate

investigation was necessary. Only two members of the delegation, Ms. Melinda Taylor and Ms. Hélène Assaf, were initially viewed as suspects for interrogation; the Office of the Public Prosecutor ordered the release of the other two members. However, they decided voluntarily to remain out of solidarity with their colleagues.

Owing to Ms. Taylor's refusal to cooperate with the examining magistrate from the Office of the Public Prosecutor or make any statement, she and her colleague, Hélène Assaf, were placed under house arrest. Ms. Taylor insisted that she would say nothing unless an international defence counsel was present, although the Office of the Public Prosecutor had provided a Libyan lawyer.

The Ministry of Foreign Affairs and International Cooperation quickly conveyed Ms. Taylor's request for an international counsel to the appropriate officials at the ICC. It is noteworthy that the prolongation of her house arrest has been entirely due to her refusal to cooperate with the Office of the Public Prosecutor.

On 7 June 2012, the Ministry of Foreign Affairs and International Cooperation informed the ICC what had happened. The ICC, instead of consulting with the Libyan authorities on how to deal with this problem, hastily issued a press release on 15 June 2012 in which it called upon Libya to release the members of the ICC team immediately, to ensure their safety, and to see to it that they were well treated; it said nothing about the offences they had committed or their disregard of professional ethics.

A meeting between the ICC delegation and the Office of the Public Prosecutor was held on 11 June 2012, and later that day the delegation met with the Public Prosecutor and the team from the Ministry of Foreign Affairs and International Cooperation in charge of cooperation with the ICC. The outcome of these two meetings was an agreement to the effect that arrangements would be made for a team from the ICC to visit the city of Zintan, accompanied by the ambassadors of Australia, Russia, Spain and Lebanon. The visit duly took place on 12 June 2012. In the course of it, the new delegation and the accompanying ambassadors met with the detained ICC members and engaged in direct conversation with them. The visitors also inspected the services and facilities provided by the Libyan authorities in the residence where the detained persons were living, and it is noteworthy that during the meeting the detained persons expressed satisfaction at the good treatment they were receiving and the facilities available to them. At the conclusion of the visit, the ambassadors asked the Libyan authorities to authorize individual visits to the detained persons and to allow them to telephone their families, and the Libyan authorities have promised to respond favourably to that request as soon as the investigation has been completed.

Pursuant to its commitments under Security Council resolution 1970 (2011), and in a spirit of cooperation to find a solution to this problem, the Libyan authorities acceded to the request of the Court to allow Mr. Andrea O'Shea, a defence counsel, to attend the investigation sessions, which began on 16 June and continued until the evening of 17 June 2012.

The Prime Minister, Dr. Abdurrahim El-Keib, attaches particular importance to Libya's relations with the ICC, as appears from the fact that he convened three meetings with the Deputy Prime Ministers, the Minister of Justice, the Public Prosecutor and the Deputy

Minister for Foreign Affairs and International Cooperation, for the purpose of exchanging views on the most useful means of solving this problem in accordance with the requirements of domestic and international law. The meeting held on Sunday, 17 June 2012, produced a discussion on a road map for expediting negotiations with the ICC within a specified time frame, and for reaching agreement on an effective action and consultation mechanism with a view to ensuring a just outcome for all the parties concerned.

Further to the investigation, on 18 June 2012 the Ministry of Foreign Affairs and International Cooperation met with the ICC team. A representative of the Office of the Public Prosecutor was also present, as was the legal adviser from the Office of the Prime Minister. The purpose of the meeting was to consider the steps that should be taken by both parties, Libya and the ICC, to reach agreement on a road map leading to a solution to this issue.

The Government of Libya continues to be committed to its cooperation with the International Criminal Court in order to find a solution that is satisfactory to all parties in a framework of respect for domestic and international law. It also remains committed to cooperation with the Court in respect of procedures concerning the accused Saif al-Islam Gaddafi and his full right to a defence. In return, the Government of Libya expects the ICC to ensure that members of delegations sent to Libya observe professional ethics, respect Libyan law and the sovereignty of the State, and refrain from committing any offences that may constitute obstacles to the establishment of an effective, positive partnership between it and the Court.

Ministry of Foreign Affairs and International Cooperation 19 June 2012



Letter dated 21 November 2013 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my last report on Libya dated 5 September 2013 (S/2013/516), which provided an update on the situation in Libya and the activities of the United Nations Support Mission in Libya (UNSMIL). In section IV of the report, entitled “Safety and security” and in my observations, I noted the overall deterioration of the security situation and the continued lack of effective host government protection for the United Nations (see S/2013/516, paras. 84, 85 and 100). **Regrettably, the situation has not improved and United Nations staff are at increased risk of attack.**

In October 2013, the Under-Secretary-General for Political Affairs, Jeffrey Feltman, in consultation with my Special Representative and Head of UNSMIL, Tarek Mitri, deployed a joint directors’ mission to Libya. The mission included directors from the Department of Field Support, the Department of Political Affairs, the Department of Safety and Security and the United Nations Development Programme. The mission aimed to take stock of UNSMIL and its ability to deliver its mandate in the changing and challenging Libyan context. **Of paramount importance was an evaluation of the new security dynamics at play in Libya and the safety and security of staff. The joint directors’ mission confirmed the urgent need to implement measures that enhance the protection of United Nations personnel and installations, especially in the light of the lack of reliable national security forces.**

Based on an assessment of the prevailing threats and risks for United Nations personnel and premises, the findings of the joint directors’ mission and my own conversations with senior managers, we have explored several options to improve security for the staff in Libya.

I have considered the possibility of deploying a United Nations guard unit to enhance the security arrangements currently in place. **Such a guard unit would provide perimeter security and access control for United Nations facilities and installations in Tripoli. It would act as a deterrent against possible attacks by extremist elements who are not welcoming of foreign personnel. The guard unit would also be able to relocate United Nations personnel under imminent threat of physical violence to safer locations.**

In this regard, the Secretariat has developed plans for the deployment of a United Nations guard unit comprising military units, provided as contingents by Member States, to form part of UNSMIL. Based on the recommendation of a

S/2013/704

reconnaissance team that I recently dispatched to Tripoli, I propose that the guard unit consist of up to 235 military personnel.

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Pending the conclusion of an amendment to the existing status-of-mission agreement for UNSMIL that would extend the necessary legal protection to the guard unit and to the States contributing contingents, it would be understood that the provisions of the model status-of-forces agreement (A/45/594) that apply to, and in respect of, the military personnel of national contingents assigned to the military component of a United Nations operation and to the property, funds and assets of the States contributing those contingents shall apply provisionally to, and in respect of, the military personnel of national contingents assigned to the guard unit and to the property, funds and assets of the States contributing those contingents.

I have also considered the option of contracting an armed private security company to perform the functions of the guard unit as described above. I have taken into consideration General Assembly resolution 67/254 of 12 April 2013, in which the Assembly recommended that the United Nations proceed with the recruitment of an armed private security company only as a last resort and when other alternatives, including protection by the host country, other support from Member States or internal United Nations system resources, are inadequate. I therefore recommend the deployment of a guard unit to UNSMIL, using the military option outlined above, rather than contracting an armed private security company.

I would be grateful if you could confirm that these arrangements are acceptable to the Security Council. If so, it would then be my intention to proceed with the establishment and deployment of the guard unit.

In keeping with existing practice, I would, in due course, notify the Security Council of the concurrence of the troop-contributing country or countries whose units would be deployed to Tripoli.

(Signed) **BAN** Ki-moon



Letter dated 26 August 2014 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

I have the honour to attach herewith the plan “Security Maintenance and Sustainable Stability in Libya”, adopted by the House of Representatives and the interim Government on 23 August 2014 (see annex).

I kindly request that the present letter and its annex be circulated among the members of the Security Council and issued as a document of the Council.

(Signed) Ibrahim O. **Dabbashi**
Ambassador Permanent Representative



Annex to the letter dated 26 August 2014 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

[Original: Arabic]

House of Representatives

Plan for maintaining security and supporting sustainable stability in Libya

23 August 2014

Introduction

Libya is experiencing rapid developments and a deterioration in security that could drag the country into civil war. It has therefore become important for all political elites and political forces, regardless of their affiliation, to remain firmly committed to the democratic process and to uphold the principles of political pluralism and recognition of diversity as a basis for that process, in order to effect a transition from the stage of revolution to a State of institutions and rule of law in a manner that ensures a promising democratic process. This can only come about if factions from across the political spectrum and civil society organizations work together to establish an inclusive national dialogue that will arrive at a political consensus on all essential issues.

To overcome difficulties and solve problems that have been ongoing since the fall of the dictatorial regime in Libya, and also to create a well-functioning political and security environment, develop a broad national consensus, embody the shared values that unite Libyans, reinforce national identity, ensure achievement of the goals of the 17 February revolution, establish State institutions and guarantee a peaceful transition to democracy, the House of Representatives and the interim Government have approved this plan, which counts on international support to establish security, achieve disarmament, reintegrate armed factions into the State apparatus and build a modern national army that protects the State, respects the Constitution and is subject to civilian authority.

Maintaining security

The past three years have demonstrated that protecting State institutions and ensuring the security of officials and ordinary civilians alike is not possible when there are armed groups that operate outside State control, widespread possession of weapons among civilians, and State law enforcement agencies do not enjoy the support, respect and recognition of all citizens. Successive events have confirmed that the absence of the army and the police has encouraged armed groups and lawbreakers to violate human rights, attack State institutions and property, and use violence against citizens and loot their property. The House of Representatives and the Government have therefore decided to seek the assistance of the international community, in particular the relevant international organizations, and regional organizations, in particular the League of Arab States, the African Union and the European Union, in providing necessary support and creating suitable conditions for the success and effectiveness of the democratic transition process. To achieve that goal, the Government, in coordination with the House of Representatives, will take the following steps:

First: In the Short Term:

Dealing with armed groups:

Call on all armed groups to hand over their weapons, with the Government committing to the rehabilitation of all unemployed members of such groups and their integration into State military and civil institutions.

Request the Security Council to send a strong warning to all rival armed groups to cease fire immediately and commence negotiations aimed at arriving at a peaceful solution and reaching consensus on disputed issues.

Request the Security Council to adopt a resolution, under Chapter VII, to impose targeted sanctions on individuals and the commanders of armed groups, pursuant to the suggestion of the House of Representatives and the Libyan Government, if they commit one or more of the following acts:

Failing to comply with the orders of the Government, or committing serious breaches of public security;

Launching attacks against State institutions, property or officials, or preventing officials from carrying out their duties;

Obstructing the democratic transformation process;

Using arms to commit unlawful actions;

Committing crimes and human rights violations, or inciting violence and extremism.

International support in countering terrorism

To request the United Nations Security Council to do the following:

Stress the need to hold accountable extremist groups and organizations, and associated individuals and entities, responsible for terrorist attacks against civilians, officials of the criminal justice system, human rights activists, politicians, journalists and writers;

Urge all States to cooperate, in accordance with their obligations under Security Council resolution 1373 (2001) and other relevant resolutions, in efforts aimed at prosecuting individuals, groups, institutions and entities that are directly or indirectly linked to terrorist acts, or that commit, organize, sponsor or finance such acts, in order to bring them to justice;

Urge all States to take all measures, in accordance with their obligations under international law and Security Council resolutions, to combat incitement to commit terrorist acts motivated by extremism and intolerance;

Call on all States, and in particular neighbouring States, to take measures at the national level to stop the flow of foreign terrorists into Libyan territory and cooperate with the Libyan authorities to prevent the movement of individuals or terrorist groups, in accordance with international law and Security Council resolutions, through border surveillance, operational cooperation in border security and enhanced judicial cooperation in criminal matters.

Second: In the Long Term:

In implementation of House of Representatives resolution No. 6 (2014) calling for urgent intervention to protect civilians and State institutions in Libya and the delegation of certain competences to the Office of the Speaker, a request will be submitted to the Security Council to expand the mandate of the current United Nations Support Mission in Libya (UNSMIL) and thereby create a United Nations stabilization and institution-building mission, with a presence in Tripoli, Benghazi and Sabha. The proposed mission shall have the following tasks:

Build the capacity of the Libyan State so that it can achieve the following objectives:

Disarmament and integration of revolutionaries and armed individuals in compliance with the call made by the House of Representatives in its resolution No.7 (2014) to dissolve all irregular formations;

Building an army capable of meeting current and future security challenges, with a focus on the protection of strategic facilities, including oil wells, oil export ports, other ports and airports, and border security;

Building a sound, effective and humane criminal justice system capable of protecting rights and freedoms (building the police force, reforming and modernizing courts, and rehabilitating prisons);

Creating a constitutional organs to oversee the democratic process and prevent any deviation from its principles, and moving forward with the adoption of a democratic political system compatible with the political, social and cultural conditions of Libyan society;

Providing support for the relevant Libyan authorities to implement programmes for national reconciliation, national dialogue, and facilitate the return of Libyan displaced persons and refugees in cooperation with regional and international organizations.

Financing the proposed United Nations stabilization and institution-building mission in Libya
In the absence of international financial support for this mission, the Libyan Government commits to funding it out of the State treasury for a specific period to be agreed on by the Government and the United Nations Secretariat.



United Nations S/2015/630
Security Council Distr.: General 14 August 2015
English Original: Arabic

Letter dated 13 August 2015 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

On instructions from my Government, I wish to draw the attention of the Security Council to the grave security and humanitarian situation in the city of Sirte, where the organization Islamic State has committed unprecedented crimes against the population.

Since Wednesday, 12 August 2015, the organization Islamic State has been massacring the civilian population. More than 30 civilians have been killed and a large number have been injured in an effort to suppress the inhabitants' uprising against Islamic State. The latter has carried out a series of assassinations and human rights violations targeting civilians, particularly moderate religious leaders and political activists.

The transitional Government of Libya expresses its outrage at the negative attitude of the international community and the Security Council, which has looked on at the suffering of the civilian population of Sirte and other Libyan cities all the while preventing the Libyan army from acquiring weapons and strengthening its capabilities. It is also outraged that the necessary measures have not been taken in order to protect civilians in accordance with Security Council resolution 2214 (2015), particularly paragraphs 3 and 7.

I should be grateful if the present letter could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Ibrahim O. A. **Dabbashi**
Ambassador Permanent Representative

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15-22838 (E) 241215

Security Council Distr.: General
23 December 2015

Original: English

Letter dated 23 December 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you the attached letter (see annex). I would be most grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Matthew Rycroft

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Annex to the letter dated 23 December 2015 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

[Original: Arabic] 22 December 2015

We have previously informed the United Nations Support Mission in Libya (UNSMIL) of the outcomes of our meeting in Malta on 15 December 2015. We made it clear that we were working in the context of the Libyan dialogue under United Nations auspices, and that we were endeavouring to expand the scope of consensus regarding the Libyan agreement in order to ensure its implementation and lay the foundations of peace and security with the support of all parties. In particular, we focused on the national consensus government, which should reflect the will and agreement of the Libyan people in order to gain full support. We impressed on UNSMIL the need for arrangements that would give a chance to the important agreement that we had reached in Malta. However, UNSMIL went ahead with the signing ceremony in Skhirat.

What Libya needs is a comprehensive national consensus. You will be aware that ignoring the views of the House of Representatives and the General National Congress would fundamentally undermine the very meaning of consensus and its outcomes. Moreover, the violent demonstrations that broke out in Tripoli and numerous other Libyan towns have underscored the lack of consensus regarding the presidential council. The latter is not the product of a Libyan consensus. Rather, it stems from the personal interpretation of the outgoing United Nations envoy, Bernardino León.

A government grounded in a genuine, broad-based national consensus would be in a position to confront the crisis facing Libya. A government bereft of such consensus — as is the case of the government announced by UNSMIL — would create serious complications for the situation in Libya.

(Signed) Aguila Saleh **Gouider**
President of the House of Representatives
(Signed) Nouri Ali **Abu-Sahmain**
President of the General National Congress



Letter dated 2 June 2016 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

I should like to draw your attention to paragraphs 15 and 16 of the report of the Secretary-General on the United Nations Support Mission in Libya (S/2016/452), where the expression “forces loyal to General Khalifa Haftar” is used instead of the term “Libyan army”. This appears to be an insult to hundreds of officers and thousands of troops because it implies that they are loyal to an individual rather than to their homeland and to the legitimate authority that finances the army and supplies it with weapons. It is not in keeping with the neutral role that the United Nations is supposed to be playing in Libya and undermines the Libyan Political Agreement.

The Libyan army is the sole regular armed force recognized by the Libyan House of Representatives, which, alongside the Presidency Council of the Government of National Accord, is one of the two legitimate authorities recognized by the Political Agreement. It is the authority before which General Khalifah Haftar swore his oath when he was appointed as Commander-in-Chief of the Libyan army, and also the authority that appointed General Abdulrazzaq Nazuri as Army Chief of Staff. General Nazuri is also the focal point for the ISIL (Da'esh) and Al-Qaida Sanctions Committee, and is responsible for signing end-user certificates for exemptions from the arms embargo against Libya.

Whatever the differences of opinion about the Commander-in-Chief of the Libyan army, that army is an institution with a presence on the ground in all parts of Libya. It should be a party to any resolution to the crisis in Libya and should have a major role in formulating Libya's security and defence policies through the Ministry of Defence of the Government of National Accord.

The contents of the report confirm that the Secretary-General's Special Representative in Libya and the Department of Political Affairs have accepted the propaganda of armed groups and political movements hostile to the army and the police. On 30 May 2016, in an interview with the French newspaper *Le Journal du Dimanche*, Martin Kobler said that Haftar does not have an army or any territory that he controls fully, as he claims, and that his army is more a patchwork of regular forces, former Qadhafi loyalists, mercenaries from the Sudan and Chad, and some tribal forces.

That statement has no basis in fact, and is a barefaced slander against the Libyan army for which the Secretariat and Mr. Kobler must apologize.

I should be grateful if you would have the present letter issued as a document of the Security Council.

(Signed) Ibrahim O. A. **Dabbashi**
Ambassador Permanent Representative





Distr.: General 26 July 2017

Letter dated 20 July 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

Upon instruction from my Government, I have the honour to transmit to you, in your capacity as President of the Security Council, the statement delivered on 15 July 2017 by the President of the Presidency of the Council of the Government of National Accord, Faiez Mustafa Serraj, to the Libyan people, which presents an initiative for a road map (see annex). I request that the present letter and its annex be circulated as a document of the Security Council.

(Signed) Elmahdi S. Elmajerbi

Annex to the letter dated 20 July 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Chargé d'affaires a.i.

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Statement delivered on 15 July 2017 by the President of the Presidency Council of the Government of National Accord, Faiez Mustafa Serraj, to the Libyan people setting out his proposed initiative

I address you today at a critical juncture in our country's history. I am fully aware of the suffering that citizens have been enduring — not just now, but for the past several decades. I address you at a time when everyone hopes that our country will join the ranks of the developed world and enjoy democracy and true freedom. However, we have been visited by new tragedies over the past six years, and we have concluded that we are responsible for our previous state of affairs. No one is more responsible than anyone else for present state of affairs. All are now equal. We have both erred and been in the right, and now the time has come for us to unite and save our country.

My people, I address you in all honesty and transparency, in order to inform you of the reality of the situation.

It has been more than a year since the Presidency Council of the Government of National Accord began working in Tripoli. That period has been marked by political, economic, financial and security crises and challenges, the most obvious of which were the lack of commitment on the part of the bodies arising from the Libyan Political Agreement to fulfilling all of the duties set out in that Agreement and the sharp division within State institutions. Nonetheless, we did all we could to mend the rift and achieve unity. We extended the hand of reconciliation to all.

The Political Agreement was meant to be a transitional measure designed to promote coexistence and establish the conditions under which the conflict and fighting could be brought to an end, and we could transition peacefully into a phase of stability and turn the page on the past. The task of the Presidency Council is to provide leadership through this period and lay the foundations of a democratic, civil State, a State of laws and institutions that provides security and a dignified existence for its citizens. We have stressed to everyone, on more than one occasion, that we are not a party to the conflict. We would like, instead, to be part of the solution. The nation is built with the brawn and intellect of its entire people, without exception.

From the outset, we have been determined to overcome the difficulties facing us and address the crises wracking our country, crises that have been going on for years. You are all aware of the economic and financial difficulties that we have been facing from the beginning, including budget shortfalls, a sharp decline in oil production and the failure of the Central Bank of Libya to adopt immediately effective financial policies, in order to resolve the liquidity crisis and prevent the exchange rate of the Libyan dinar from collapsing. We have done everything that we can at both the local and international levels, so that we can revive the economy and spend on security, health care, education and other services.

From the outset, the Presidency Council has strived assiduously to increase oil production. We have been level-headed, tolerant and far-reaching in our vision. We have not allowed ourselves to be drawn in by the repeated military escalations that have occurred at the ports. Aware of the enormity of the responsibility, we have

strived to avoid conflict and stem violence. Oil is a resource that belongs to all Libyans and is their sole source of livelihood. It was imperative that it should be kept out of the political struggle. Since we began our work in Tripoli nearly a year ago, oil production has jumped from 150,000 barrels per day to nearly 1 million barrels per day. Nonetheless, corruption has now become even greater, as has the number of those who steal public funds. Meanwhile, the members of the House of Representatives and the State Council are utterly incapable of fulfilling their political duties, so that they can set things right and hold accountable those responsible.

Libyans have run out patience. The time has come for us to work together. We may therefore be compelled to take extraordinary measures in order to address the situation.

The security situation is one of the most difficult issues to address. It is clear that numerous armed groups of various configurations and names are present in most cities. Our predecessors did not understand the danger of the proliferation of arms and did not attempt to collect them from the beginning. We are now reaping the fruits of that. Nonetheless, we addressed this problem in a balanced and realistic manner. Despite all challenges, the military and security institutions of the State have begun to make their presence felt. This task requires patience and a comprehensive programme. Our task has been, and continues to be, to stop the shedding of Libyan blood as much as possible, to strive to extricate the country from this predicament with as little loss of life as possible, and to avoid the destruction of the people's institutions and civilian property.

Young people have been integrated into the military and the police and their affiliated security agencies. We have stood up resolutely to those who have chosen the path of anarchy, including those who thought they could undermine security in Tripoli recently. The security and agencies proved that they were capable of providing security to the entire capital, thanks to the bravery of our youth and those who fell in the line of duty, all of whom proved their desire to ensure the security and safety of civilians, regardless of the sacrifice that had to be made. God willing, our policies will succeed.

When we speak of sacrifice, we must never forget our heroes who sacrificed their lives to eradicate terrorism in Sirte, despite the embargo that is in place and the paucity of resources. Our heroes who participated in the Bunyan al-Marsus operation made the ultimate sacrifice for the well-being of the country and in order to stamp out a scourge that has proliferated because of internecine conflict, the struggle over the mirage of power and efforts to take control of State capacities and resources.

In mentioning Sirte, I cannot overlook the sacrifice of our people in Benghazi and other Libyan cities. Whether they are members of the military or others, they are all Libyans. There are no conceptual differences between us when we fight against foreign terrorists who have entered the country. However, we cannot classify every countryman with whom we have differed as a terrorist.

With respect to foreign policy, we have dealt with the countries of the world in a balanced manner. We are not the hostage of foreigners. We have said, and continue to say, to those who meddle in our affairs: hands off Libya! We have made it clear that our request for assistance in revitalizing the country and countering terrorism is not an invitation to interfere and violate our sovereignty. Only when we unite, show respect for and uplift our people and revitalize our country will the world respect us and will we be able to realize sovereignty.

Having gone through all these challenges, and given my perspective on the current political situation and the difficulties that have led us to this political stalemate, and being inspired by a sense of national and moral responsibility to alleviate the suffering of the people, and in view of the inability of the House of Representatives and the State Council to come together in order to find a political compromise that would allow for the amendment of the Political Agreement, I have decided to present you today with my vision and proposal for the forthcoming phase, and to offer a road map that might help us to find a way out of this crisis and find common ground for arriving at a more secure and stable situation that is founded on the constitutional declaration, the Political Agreement and our national principles. It is an initiative that gives opportunity to all and opens the door for everyone to contribute to the building of the Libyan State of the future and to do so with a sense of free national will.

Following are the principles on which this vision and road map are based: First, the vision and road map underscore the right of citizenship and that all Libyans, men and women, are equal in rights and responsibilities, regardless of their political affiliations or ideological inclinations.

Second, the Presidency Council of the Government of National Accord is not a party to the conflict and does not support one side or another. This initiative is meant to complement, not replace, the Libyan Political Agreement and the path of consensus.

Third, no citizen, whether in Libya or abroad, whether supporter or opponent of the Agreement, should be excluded or marginalized. Efforts must begin immediately to return displaced persons and unite everyone in a spirit of true national reconciliation.

Fourth, the principles of the separation of powers and the peaceful transfer of power must be respected, and the military must be subordinate to the civilian executive authority.

Fifth, a comprehensive national defence and security strategy must be developed, the branches of the military must be unified, the army and the police and their subsidiary security agencies should be supported and must begin to fulfil their duties, and a national programme must be put in place to collect arms and either demobilize the members of armed groups or integrate them into State institutions within a specific time frame.

Sixth, public rights and liberties must be protected and management reform must be pursued as part of the effort to achieve transparency and combat corruption. In addition, decentralization must be implemented in order to ensure the rights of all regions of Libya.

Seventh, transitional justice, redress and amnesty mechanisms must be operationalized, in order to achieve comprehensive national reconciliation.

Eighth, all cultures and social legacies must be respected and the system of quotas and partisanship must be ended.

Ninth, national resources and the economic and financial institutions of the State must be safeguarded, and wealth must be distributed justly among all Libyans.

The proposed road map is as follows:

Combined presidential and parliamentary elections should be held in March 2018, leading to the election of a new President and a new Parliament. Their term should last three years at most, or until the constitution has been drafted

and put to a referendum. The President should be elected directly by the people. The Libyan Political Agreement and the Government of National Accord should remain in place until the elected President has appointed a new Head of Government and the Government has been confirmed by Parliament.

The presidential and parliamentary elections should be organized, supervised and monitored by the High National Election Commission, acting in coordination with the United Nations and with the assistance of the League of Arab States, the Organization of African Unity and the European Union.

Under the supervision and with the facilitation of the United Nations, the House of Representatives and the State Council should form dialogue committees to engage in societal dialogue among one another and with civil society institutions, with a view to preparing a draft electoral law and a proposed amendment to the Constitution determining the prerogatives of the President and the milestones of the coming phase.

Under the auspices of the High National Election Commission, the Government of National Accord and the institutions in place across the country should provide the means and create an appropriate climate to make this requirement a success.

A ceasefire and an end to all acts of hostility should be announced throughout the country, excepting counter-terrorism operations provided for under the Libyan Political Agreement and international instruments.

The House of Representatives and the State Council should form a joint committee to begin integrating the divided sovereign State institutions.

The Government of National Accord should provide the necessary services to and meet the needs of people in all regions. All of the institutions in place in the country should undertake to cooperate and ensure that the political conflict is kept separate from the provision of those services. The Central Bank of Libya should undertake promptly to enact policies to tackle the problem of liquidity and stabilize the exchange rate of the Libyan dinar.

A high council for national reconciliation should be established. It should comprise 100 members to be nominated in accordance with standards and conditions to be determined by a preparatory committee for national reconciliation. The members of the council should be notables and heads of tribes of the cities of Libya, civil society institutions, women and youth. They should be selected in such a manner as to reflect all political and ideological groups; no one should be excluded or marginalized. The council's functions should include organizing the Libyan national reconciliation conference; examining mechanisms for transitional justice, redress and amnesty; establishing committees for inter-city reconciliation; and creating an appropriate climate for social dialogue to make a success of the legislative and presidential elections and the new constitution.

I have just described my vision for finding a way out of the current crisis and bringing Libyans together in a spirit of unity. I am confident that the spirit of patriotism will prevail over narrow self-interest. I call on everyone to make concessions, however painful they may be, to guide our nation to safety.

Allow me to take this opportunity to call on allied and friendly countries, the League of Arab States, the Organization of African Unity, the European Union and the United Nations to support this vision, and capitalize on the initiatives that have been put forward thus far in order to introduce the necessary amendments to the

Political Agreement and create an appropriate atmosphere for the democratic process and comprehensive national reconciliation.

Lastly, allow me once again to appeal to the Libyan people and all national stakeholders. Whatever your political allegiances, whatever your intellectual convictions, I urge you to take part with a positive spirit so that we can succeed in giving the nation what it deserves. I urge our citizens abroad to return safely to our nation. I want to reach out to you and to every Libyan who misses their homeland. Let us turn a new page and look towards a radiant future for generations to come.

To the political actors, let me say this: Libyans' patience is running out. We should let the people decide and determine their own future. Let us make our people happy. Let us come together and bring an end to this division for the sake of Libya. Libya is a homeland for all. Let us walk together towards reconciliation and reconstruction.



Security Council Distr.: General
November 2018
English

Letter dated 14 December 2018 from the Permanent Representatives of Peru, Sweden and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Peru and Sweden, as Co-Chairs of the Informal Expert Group on Women and Peace and Security and in close cooperation with the United Kingdom, would like to share a summary of the meeting of the Informal Expert Group held on 28 November 2018 on Libya (see annex). We should be grateful if the present letter and its annex would be circulated as a document of the Security Council.

(Signed) Gustavo **Meza-Cuadra**

Permanent Representative of Peru to the United Nations

(Signed) Olof **Skoog**

Permanent Representative of Sweden to the United Nations

(Signed) Karen **Pierce**

Permanent Representative of the United Kingdom to the United Nations

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Annex to the letter dated 14 December 2018 from the Permanent Representatives of Peru, Sweden and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Informal Expert Group on Women and Peace and Security

Summary of the meeting on Libya, 28 November 2018

On 28 November 2018, the Informal Expert Group on Women and Peace and Security held a meeting on the situation in Libya. The members received a briefing from the Deputy Special Representative of the Secretary-General for Political Affairs of the United Nations Support Mission in Libya (UNSMIL), Stephanie Williams, accompanied by experts from the Mission and representatives of the United Nations country team in Tripoli and Tunis. Ms. Williams provided a comprehensive overview of key developments since April, the last time the Informal Expert Group convened to discuss women, peace and security in Libya, and pledged that ensuring women's meaningful participation in the upcoming national conference, elections, constitutional framework and the State that emerges from this transition, as well as all other aspects of the implementation of the United Nations Action Plan for Libya, will remain a core priority for UNSMIL and the country team.

Council members asked questions about the participation of women in high-level talks, the upcoming national conference and elections, regular engagement of UNSMIL with women's groups and human rights defenders, the buy-in of government counterparts and national stakeholders with regard to gender equality matters, the latest trends on sexual and gender-based violence and United Nations efforts to prevent and respond to such crimes, the impact of recent economic reforms on women and girls, and whether the Mission's gender adviser reports directly to the Special Representative of the Secretary-General, as called for in resolution 2242 (2015). Below are the main points raised in the briefing and during the meeting:

In the last bout of fighting in Tripoli between armed groups, 120 people lost their lives, including 34 women and children. These included recent attacks by armed militias in women-dedicated banks and medical facilities, such as the Jalaa Hospital for Women and Childbirth in Tripoli. The level of insecurity is still high, especially in the south, where lawlessness compounded by human trafficking and the smuggling of weapons and drugs will make it particularly difficult to facilitate women's participation in the elections planned for next year. Only five days before the meeting, ISIL had attacked a police station in Tazirbu, resulting in many casualties and abductions.

Libyan women continue to face discrimination in law and practice, particularly on matters related to marriage, divorce and inheritance, as well as travel restrictions and intimidation, which affect their choice of dress, behaviour and participation in public life. Women human rights defenders are the target of increasing threats.

An estimated 278,000 women are in need of humanitarian assistance, including 150,000 women facing protection issues such as gender-based violence. Some 170,000 women face challenges to access to sufficient health services, and 36,000 girls need support to access quality education.

The economic reforms announced in September have led to a palpable improvement in the lives of Libyans. Greater liquidity in the banks and a drop in the price of basic commodities are having a particularly positive effect in the lives of women, who were increasingly spending more and more time lining up

to withdraw paltry sums of their money from banks and were vulnerable to harassment.

The United Nations partnered with the Center for Humanitarian Dialogue to organize over 75 consultations across the country from April to July to prepare for the national conference that the United Nations will host in early 2019, and the outputs of these consultations and online submissions have been synthesized in a report shared with the United Nations in November. Equal representation of women and men in the upcoming national conference will be imperative, as called for in the communiqué of the recent international conference in Palermo and reiterated by the Deputy Special Representative of the Secretary-General.

UNSMIL supported the establishment of the first Women's Empowerment Network. The Network comprises around 30 civil society organizations and meets regularly to monitor and influence the implementation of the United Nations Action Plan. Women have also been included in United Nations-hosted discussions over amendments to the Libyan Political Agreement. Less than a handful of women from Libyan political parties were invited to the international conference in Palermo, as part of much larger delegations of the key Libyan political actors. Libyan women have been very vocal in multiple forums about their exclusion or underrepresentation. The Peacebuilding Fund is supporting efforts to create a national network of women mediators to facilitate their participation in local conflict resolution and the political track.

Since May, a network for women in political parties has been formed to increase women's participation and nominations as candidates in future electoral processes. The National Front Party and the National Forces Alliance recently assigned women to executive positions in party leadership. After efforts to increase the registration of women as voters were successful, the United Nations is now focused on the upcoming elections by providing technical advice and support to the gender unit of the High National Elections Commission, the Central Committee for Municipal Council Elections and the legislative committee of the House of Representatives.

A Women's Support and Empowerment Unit has been established within the Presidency Council but is underresourced and needs funding from the Government and its international partners.

The Minister of the Interior recently appointed female lieutenant colonels as directors of the offices for women's affairs and child and family protection, and the United Nations continues to provide support to these matters through its Policing and Security Joint Programme.

In September 2018, the Special Representative of the Secretary-General on Sexual Violence in Conflict visited centres of the International Organization for Migration and the Office of the United Nations High Commissioner for Refugees in the Niger and heard from victims of the trafficking networks that operate through Libya. Sexual violence against migrants, refugees and asylum seekers is committed by smugglers, traffickers, criminal networks, armed militias, and police and guards associated with the Ministry of the Interior. The Department for Combating Illegal Migration and the coast guard have also been implicated in violations. Migrant women have been abducted, raped and detained by armed groups, with some released following the payment of ransoms and others sold into sexual slavery. Sexual violence is reportedly committed also against men in detention settings. The United Nations regularly calls for an end to the arbitrary detention of women and for the presence of qualified full-time female guards in all detention facilities for women. In June, the Committee established pursuant to resolution 1970 (2011) concerning Libya

listed traffickers for the first time, as had been called for in paragraphs 12 and 13 of resolution 2331 (2016), adopted unanimously, on the linkages between trafficking in persons and the maintenance of international peace and security. For example, among the newly listed, Mohammed Kachlaf is accused of selling migrants into sexual slavery.

UNSMIL is undergoing structural changes and the gender adviser currently reports to the Chief of Staff. A P-4 leads the gender advisory unit and the Mission is currently recruiting a P-5. Both Deputy Special Representatives of the Secretary-General are women and 43 per cent of D-level staff are women. A gender task force meets quarterly to ensure coordination between the Mission and the country team and a monthly meeting ensures coordination with civil society and donors on gender-related issues.

The United Nations Entity for Gender Equality and the Empowerment of Women, as the secretariat of the Informal Expert Group, and the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict read out some of the recommendations highlighted in the background brief shared with the participants. These included:

The recommendations proposed in April are still relevant. These included calling upon the Special Representative of the Secretary-General to report regularly to the Security Council on his engagement with women-led civil society and women peace activists and human rights defenders and consult periodically with them not just on the upcoming national conference, elections or the constitution, but also on activities related to disarmament, counter-terrorism, security plans, human rights, reconstruction, the design of public service delivery and the provision of humanitarian assistance. Others called for a comprehensive disarmament strategy to include a gender perspective and the participation of women; the Government to adopt quotas to ensure a minimum of 30 per cent representation of women in all governance bodies, including those emerging from the political transition; and the Government to protect women migrants, refugees, asylum seekers, detainees, peace activists and human rights defenders who may be particularly targeted, and implement large-scale programmes for the psychosocial and economic rehabilitation of women and girls affected by the conflict, such as sexual violence survivors, women and girls disabled because of the war and ongoing insecurity, or affected by displacement, arbitrary detention and the loss of family members.

The Security Council must follow up on the implementation of resolutions 2434 (2018) and 2441 (2018), which contain clear mandates on women, peace and security for both the Mission and the sanctions regime. Council members can review recommendations for listing put forward by the Panel of Experts and consider designating individuals for sanctions, including on the basis of paragraph 11 of resolution 2441 (2018). Furthermore, Council members should ask about the level of relevant expertise currently available in the Mission and the Panel of Experts and address any gaps, and insist on full cooperation with the International Criminal Court and its investigation into sexual violence. For example, it is important that the UNSMIL senior gender adviser report directly to the Special Representative of the Secretary-General, as in other missions and as called for in resolution 2242 (2015). It is also important to deploy women protection advisers to accelerate the implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence. The Informal Expert Group Co-Chairs could ask the United Nations and the Government for an update on the implementation of previous government decrees on reparations for survivors of conflict-related sexual violence.

In upcoming meetings on Libya, Council members should ask the United Nations about the availability of gender-sensitive and sex-disaggregated data to effectively mainstream gender into its analysis and implementation of the United Nations Action Plan for Libya, and

publicly condemn any threats or attacks against women human rights defenders, which should be promptly and credibly investigated and prosecuted.

The Co-Chairs closed the meeting, thanking Ms. Williams, UNSMIL and the United Nations country team for their participation, and committed to following up on the recommendations.



Distr.: General

Letter dated 5 September 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit to you a letter dated 2 September 2019 from Mohamed T. H. Siala, Minister for Foreign Affairs of the State of Libya (see annex).

I request that the present letter and its annex be issued as a document of the Security Council.

(Signed) Elmahdi S. Elmajerbi
Ambassador Chargé d'affaires a.i.

Annex to the letter dated 5 September 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Letter dated 2 September 2019 from the Minister for Foreign Affairs and International Cooperation of the Government of National Accord addressed to the President of the Security Council

I should like to take this opportunity to convey to you my sincere greetings and warm congratulations on your assumption of the presidency of the Security Council. I have every confidence that your State will lead the Council in these difficult times to issue effective and decisive resolutions that will bring about resolutions to the crises being undergone by the world as a whole and my country in particular.

We are certain that the Council is paying full attention to what has been going on in my country since the beginning of April 2019 and closely monitoring the unjustified attack on the capital Tripoli that has led to the deaths of hundreds of civilians, injuries to thousands of others, and the displacement of entire residential neighbourhoods in flagrant violation of international instruments and norms.

On 1 September 2019, yesterday morning, the Haftar forces committed yet another criminal act that crossed all lines and boundaries when they launched missiles at Mitiga civilian airport in the centre of the capital Tripoli. The airport was packed with travellers and a Libyan Airlines flight carrying Hajj pilgrims was landing. The passengers suffered extensive injuries. The aircraft was hit, spreading panic and terror among women, children and elderly persons. Every day, indeed, every hour that goes by without the Council adopting decisive resolutions to rein in the aggressor and put a stop to his crimes before it is too late will have

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catastrophic humanitarian consequences that will threaten the security not only of Libya but of the entire region.

We renew our call on the Council to send a fact-finding mission to detail and document these crimes. We are informing you of all this in order to alert the Council to its historical responsibility to carry out its duties with respect to the maintenance of international peace and security and its prior commitments to our people.

(Signed) Mohamed T. H. **Siala**
Minister for Foreign Affairs

United Nations S/2020/878
Security Council Distr.: General

2 September 2020



English

Letter dated 2 September 2020 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have been assigned to inform you about a set of violations committed and carried out by Haftar's militia and his mercenaries, west of the city of Sirte, by targeting and bombing the sites of the Libyan Army of the Government of National Accord, there were a total of three violations committed in the past 72 hours, the most recent was the launch of Grad rockets, in an action that completely contradicts the announced ceasefire, and which reflects the deliberate intention of the commanders of the aggressor forces to refuse to the ceasefire in order to prevent Libya from reaching safety and stability.

Moreover, while the Government of my country warns against the continuation of these violations, it calls upon your distinguished Council to carry out its duties and take decisive actions against the irresponsible acts by these aggressors. Also, our Libyan Army forces reserve the right to respond to such violations and breaches at the appropriate time and place.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Taher **Elsonni**
Ambassador Permanent Representative

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Security Council Distr.: General 22 January 2021 English

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Original: Arabic

Letter dated 21 January 2021 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to annex herewith a letter dated 20 January 2021 from His Excellency Faiez Serraj, President of the Presidency Council of the Government of National Accord, addressed to the Secretary-General and the President of the Security Council (see annex) concerning the request of the State of Libya to the United Nations for support and technical assistance to conduct national general elections, which it was agreed will be held on 24 December 2021.

I should be grateful if the present letter and its annexes could be circulated to the members of the Security Council and issued as a document of the Council.

(Signed) Taher Elsonni

Ambassador Permanent Representative

Annex to the letter dated 21 January 2021 from the Permanent Representative of Libya to the United Nations addressed to the President of the Security Council

In keeping with our commitment to continuing to strengthen cooperation and coordination with the United Nations and the international community in support of the efforts being made by the Libyan Government to respond to the numerous challenges and difficulties being undergone by the country during this transitional stage, and our desire to see through the national elections that we have supported and requested on numerous occasions, that is to say, to hold simultaneous presidential and parliamentary general elections in Libya so that the Libyan people may choose their leadership and representatives freely with a view to bringing an end to current political divisions, finding a solution to the crisis caused by the struggle over legitimacy, and consolidating the institutions of the State so as to move on to a stage of stability and reconstruction,

In line with the consensus reached at the United Nations-sponsored Libyan Political Dialogue Forum held in Tunisia, which set 24 December 2021 as the date to hold national general elections (a decision that has been widely welcomed nationally and internationally), which is now only a few months away,

In order to build on this great momentum and make sure that this will be a free, fair and credible election in which all Libyans can participate, including those displaced internally and abroad,

In order to start preparing now to secure and provide all the resources needed by the High National Electoral Commission supplementary to the 50 million dinars already allocated for this process by the Government,

And further to Security Council resolution 2542 (2020), in which the Council welcomed the commitment of the Libyan parties to work to organize a credible and peaceful electoral process and respect the results, and decided that the United Nations Support Mission in Libya (UNSMIL) would support and organize those elections,

We hereby convey to you our desire to invite the United Nations to provide technical assistance, explore ways to make sure that all stages of the election are implemented, and provide observers throughout the electoral process until it is completed and the final results are certified.

We stress that your response to the aspirations of the Libyan people will make a positive contribution to taking advantage of the current national and international consensus. Through you, we call on the Security Council to adopt a resolution welcoming the holding of general elections on the scheduled date that Libyans have approved and issue a mandate to UNSMIL to support Libya and provide it with the resources needed to ensure the success of the process. We also hope that at the earliest possible opportunity, the United Nations will send a team to assess needs and consult and coordinate with the High National Electoral Commission and the relevant parties, with a view to ensuring the success of this important national election.

(Signed) Faiez Mustafa **Serraj**

President of the Presidency Council of the Government of National Accord

Syria:

United Nations

S/2011/501

Security Council

Distr.: General 8 August 2011



English

Letter dated 8 August 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 7 August 2011, from His Excellency Walid Moualem, Minister for Foreign Affairs and Emigrants of the Syrian Arab Republic, which represents the position of the Syrian Arab Republic regarding the presidential statement issued by the Security Council on 3 August 2011 (see annex).

I would appreciate it if the present letter and its annex would be circulated as a document of the Security Council.

(Signed) Dr. Bashar **Ja'afari**
Ambassador Permanent Representative

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S/2011/501

Annex to the letter dated 8 August 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]
Syrian Arab Republic
Minister for Foreign Affairs and Emigrants

I regret to say that certain members of the Security Council, in the statement issued by that body, based its position on information that was taken from only one side, without giving the consideration that is particularly due in the light of the current situation in Syria to the facts and information provided by the Syrian State, which is the party with primary and ultimate responsibility and concern for the security and stability of the Syrian people and the integrity of its land and institutions.

There are numerous exaggerations in the depiction of current events in Syria, and the reality of what is taking place on the ground is magnified with provocative and alarmist intent. The number of casualties is similarly exaggerated, while the damage and human and material losses that are being inflicted on Syria through the murderous and destructive acts of armed gangs are deliberately ignored. That regrettable disregard for the facts on the ground, which informed the Security Council statement, is an extremely negative factor in respect of Syrian interests, because it encourages the armed gangs of wreckers to continue to use weapons and carry out acts of murder and destruction, thereby considerably hindering the chances of preserving the fundamental interests of the country.

As you are aware, President Bashar Al-Assad, in his statement of 20 June 2011, set out a package of significant reforms concerning a number of aspects of public life in Syria and, in particular, the political aspect, in the laws governing parties and general elections. Those two laws make important provisions that respond to the demands of the people and lay the foundations for political plurality and democracy. It has already been announced that general elections will be held before the end of 2011 and that political affairs will be decided through the ballotbox.

I have referred above to just a few of the plans and ideas that were announced by President Al-Assad in the aforementioned statement. The Syrian leadership continues to believe that national dialogue is the best way to resolve the crisis through which the country is passing. However, the difficulty of conducting that dialogue, which is caused by the negativity of the opposition stance, will not divert us from moving along the path of the reform which we desire; we will not allow subversion and conspiracies against the interests of Syria to prevent us continuing towards our goal.

We believe that, at this crucial point for Syria, it behoves the international community to promote peace and the end of acts of destruction, and to encourage the steps towards reform that are being taken. Sufficient time must be allowed for those reforms to bear fruit, rather than encouragement being provided for an escalation of the unrest and violence. It is with the greatest regret that we say that the statements that are being issued by certain members of the Security Council,

S/2011/501

which are intended to increase pressure on Syria, in fact merely serve to exacerbate the disturbances and violence, which in no way serves the interests of Syria.

(Signed) **Walid Al-Moualem**

Minister for Foreign Affairs and Emigrants of the Syrian Arab Republic

United Nations S/2012/137
Security Council Distr.: General 7 March 2012 English Original: Arabic



Identical letters dated 2 March 2012 from the Permanent Representative of the Syrian Arab Republic addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and with reference to the regular monthly meeting of the Security Council on the situation in the Middle East which was held on 28 February 2012, I should like to point out the following:

It has become clear to everyone that certain parties within the Security Council are continuing to embroil the Council in Syrian internal developments on pretexts and groundless excuses that bear no relation to the role in and responsibilities of the Council for maintaining global peace and security in accordance with the Charter of the United Nations. Their sole aim is, rather, to turn the Council into a tool for the implementation of their interventionist plans, which are far removed from the spirit, purposes and principles of the United Nations. Recently, those parties have been tireless in dragging what is taking place in Syria into the discussions over the agenda item on the situation in the Middle East. Historically, as everyone knows, that item has been devoted to consideration of ways of implementing United Nations resolutions, including those of the Security Council, that relate to the ending of the Israeli occupation of occupied Arab territories, including the occupied Syrian Golan, up to the line of 4 July 1967, and halting Israeli violations of international humanitarian law, human rights law and other international instruments, with a view to bringing a just and comprehensive peace to the region. It is extremely strange that the United Nations Secretariat, in the briefing that Mr. Pascoe gave to the Security Council on the situation in the Middle East, should adopt the same subjective approach, that is infamously aligned with the views of parties that are hostile towards Syria, and based on media reports that contain not the smallest grain of truth and that actually so distort the facts on the ground as to portray the terrorists as civilians and interpret the State's performance of its responsibilities and duty to protect its people and their security, in accordance with Syrian and international law, as a violation of human rights. Against that background, I should like to set forth the following points with regard to the above-mentioned briefing:

Mr. Pascoe began his briefing by talking about the situation in Syria, thereby giving greater importance and priority to the internal events that are taking place in Syria than to the issue that lies at the heart of the agenda item on the situation in the Middle East, namely, the ending of the Israeli occupation of occupied Arab territories and settling the Arab-Israeli struggle on the basis of the recognized terms of reference for peace. That is an international issue that has reached an extremely dangerous stage because of Israel's intransigence; its continuing, systematic killing



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of the Arab civilians who are suffering under the occupation; and its refusal to implement the hundreds of resolutions that have been adopted by the United Nations in that regard. That issue is also directly linked to the core responsibility of the Security Council, namely, to maintain global peace and security, and the reason for an agenda item to have been devoted to the situation in the Middle East. That item has remained on the agenda for many long decades without being resolved. Now, certain parties are trying to draw a veil over that issue and to cover up the failure to resolve it, by bringing into Security Council discussions internal affairs that exceed the scope of the agenda item.

It is extremely unfortunate that Mr. Pascoe made no mention in his briefing of the situation in the occupied Syrian Golan, which Israel persists in refusing to return to Syria, the nation of which it is part, refusing to comply with the resolutions of international legitimacy and, in particular, Security Council resolution 497 (1981). Israel also continues to pursue terrorist and repressive policies towards the Syrian citizens who are subjected to occupation in the Golan. Furthermore, as part of their continuing campaign to extirpate the ties of occupied Golan with Syria and completely divide it from the Syrian geographical entity of which it is an integral part, the Israeli occupying authorities are building a racist separation barrier in the Golan, to the east of the town of Majdal Shams, as we have informed the Secretary-General in a number of official letters. We have also repeatedly drawn the attention of the United Nations Secretariat and the Secretary-General's staff to the danger of omitting the issue of the Golan from Secretariat briefings on the agenda item on the situation in the Middle East; unfortunately, to no avail. It is both unacceptable and astonishing that the Secretariat should fail to make any mention in its briefings of Israel's continued violation of the human rights of the Syrians who are suffering grievously under the occupation or its continued grave violations of international law. It is as if none of those violations have ever taken place, or as if Israel has ended its occupation of the Golan! It is as if the Syrians in the occupied Golan, who are living under the most repugnant occupation, do not deserve even the smallest part of the attention which the Secretariat pays in its briefing to the situation in Syria!

In his briefing, Mr. Pascoe unfortunately adopted the account proffered by the terrorist groups of what is taking place in Syria, and made no mention of the genuine reforms that are being carried out in Syria, which culminated in the adoption of a new constitution. That Constitution provides for the establishment of the modern Syrian democratic State, which will be based on the rule of law, the equality of all citizens and political and economic pluralism; protect general freedoms; and exercise authority democratically through the ballot box. The briefing quite unjustly ascribes full responsibility to the Government of Syria for the painful events that are taking place there, on the basis of misleading information for which there is no evidence and which lacks all credibility. At the same time, it mentions the operations carried out by the armed groups, but ignores the fact that those terrorist groups are responsible for acts that include killing, sabotage, and the destruction of infrastructure by attacking institutions and destroying public and private property; destroying oil and gas pipelines, the railways, the facilities that provide public services to citizens; and the indiscriminate killing of civilians, soldiers, and those who maintain public order. Their actions in recent months have caused substantial human and material losses in Syria. Unfortunately, it appears that the Secretariat has heard nothing about those criminal acts, despite the fact that the

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Government of Syria has sent it scores of official communications setting forth documented information on those acts which was corroborated in the report of the League of Arab States observer mission. Given that Mr. Pascoe has adopted the points of view of all Syria's enemies, why did he not mention the statements made by the Minister for Foreign Affairs of the Kingdom of Saudi Arabia, the Prime Minister of Qatar and certain Western States, or indeed, the statements made by Al-Qaida leader Ayman Zawahiri, concerning the fact that they are supporting and arming the terrorist groups in Syria? It is one of the responsibilities of the Security Council, in order to maintain regional and global peace and security, to condemn and punish such statements, on the basis that they represent incitement, support and financing for terrorism, killing and destruction.

I should be grateful if you would have the present letter issued as an official document of the Security Council.

(Signed) **Bashar Ja'afari**
Ambassador Permanent Representative

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United Nations S/2013/62



Security Council Distr.: General 28 January 2013 English Original: Arabic

Identical letters dated 28 January 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from the Government of the Syrian Arab Republic, I should like to draw your attention to the following information:

The speech on the crisis in Syria delivered by President Bashar Al-Assad on 6 January 2013 provides ample scope for a political solution. The speech is grounded in the principles and purposes of the Charter of the United Nations, international law, the relevant United Nations resolutions and the Geneva communiqué of 30 June 2012. It sets out a realistic basis for a solution to the events in Syria and reflects the fundamental elements that should underlie any such solution.

The President of the Syrian Arab Republic has requested the Syrian Government to put in place mechanisms and measures to implement the political programme to resolve the crisis. A ministerial working group chaired by the Prime Minister has been formed. It is comprised of eight ministers whose purviews include national dialogue and reconciliation and humanitarian issues. The Prime Minister has requested the competent Government authorities to meet intensively in order to expedite emergency measures to mitigate the impact of the events, particularly the damage caused by terrorist sabotage of facilities, and to reconstruct the energy and water infrastructure, provide consumer goods, control the economic situation, adopt decisions to assist and compensate those affected by the crisis, and address the plight of displaced persons in the country and abroad.

The political programme states that an end to violence is a priority for genuine action towards national dialogue, reconciliation and reconstruction. It stresses that all States and

regional and international actors should undertake to cease or refrain from arming, funding or harbouring armed groups; that all armed groups should immediately cease violence; and that the Army and Armed Forces should undertake to end military operations. The programme also provides that the access of humanitarian aid to those who need it should be facilitated; that work to restore the infrastructure should begin; that compensation should be paid to those affected; that Syrian citizens who left because of the events should receive the necessary guarantees; that their return through border crossings should be facilitated; and that all Syrian opposition forces should receive guarantees in order to enter the country, remain there and depart without hindrance with a view to participating in the national dialogue.

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S/2013/62

In implementation of the political programme, and after the ministerial working group had considered the necessary guarantees for Syrian citizens who left because of the events, the Ministry of the Interior issued a call on 24 January 2012 for all Syrian citizens who left the national territory because of the events to return to Syria, irrespective of whether they left lawfully or unlawfully and of any proceedings in place against them. It stated that the competent authorities would do everything necessary to facilitate the process and address the status of undocumented persons at border centres.

The Ministry of the Interior has issued instructions stating that all Syrian opposition forces outside Syrian territory that wish to participate in national dialogue may enter the country, irrespective of the documents in their possession. It has committed to taking every measure to facilitate the process and address their situation through the border centres. Acting on a decision of the ministerial working group, the Ministry of Justice has taken measures to expedite the processing of cases involving the current events and to release anyone who has not been convicted. The Ministry will put in place mechanisms to regularize the situation of any individuals who lay down their weapons and hand them over to the competent authorities. Such individuals will not be prosecuted in that connection. On 27 January 2013, the Higher Council of the Judiciary issued decision No. 15 suspending any judicial proceedings against any opposition political forces and personalities participating in the national dialogue.

As regards humanitarian issues, the Higher Relief Commission has been requested to provide humanitarian assistance and facilitate its access to those who need it, in cooperation with civil society initiatives, the institutions of the international community and the relevant international organizations within and beyond Syria. The Commission adopted decisions to strengthen the role of the Syrian Red Crescent and the International Committee of the Red Cross in providing essential assistance to affected families that settled outside the country, and to work with those families in order to bring them back to their home country with provisions for all of their fundamental needs.

The Syrian State is now in a position to work towards realizing the political programme on the ground. In the next few days, we shall inform the Security Council of other measures that will be taken. Syria trusts that the international community and the United Nations will help to ensure that the political programme and the Government's efforts to implement it are understood, and that they will assist in its implementation without preconditions for the sake of the stability of Syria and the preservation of international peace and security in the Middle East and the world.

I should be grateful if this letter could be issued as an official document of the Security Council.

(Signed) **Bashar Ja'afari**
Ambassador Permanent Representative

United Nations S/2014/216
Security Council Distr.: General 25 March 2014 English

Original: Arabic



Identical letters dated 24 March 2014 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the observations of the Syrian Arab Republic regarding the report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) for the period from 14 November 2013 to 27 February 2014 (S/2014/130).

The Syrian Arab Republic remains committed to cooperating with Lebanon in order to ensure respect for the national sovereignty and territorial integrity of the two kindred countries, and thereby foster the security and stability of both countries, avoid undermining each other's national security or stability, and achieve the supreme interests of both countries.

The Syrian Arab Republic recalls that Security Council resolution 1701 (2006) was adopted as a result of Israel's military aggression against Lebanon. Accordingly, the Secretary-General's reports should conform to the mandate set out in the resolution, instead of deviating from its primary objective. It is surprised that the Secretary-General persists in mentioning Syria in his reports on the implementation of the resolution, including by making reference to matters that are outside the resolution's scope, such as the question of displaced Syrians in Lebanon, and by addressing matters that pertain to the national sovereignty of both countries, such as the demarcation of their borders.

The Government of the Syrian Arab Republic rejects Israel's inflammatory claims concerning the smuggling of weapons from Syria to certain political actors in Lebanon. Those claims are meant to achieve political aims that are known to all. What is surprising, however, is the insistence of some individuals at the United Nations that such malicious allegations should be included in the Secretary-General's reports, although it is acknowledged that the allegations cannot be investigated. This is a stark and puzzling contradiction in the position of the United Nations Secretariat. What is even more puzzling is that the Secretariat should include allegations that Hizbullah is intervening in Syria and ignore the fact that Lebanese political movements are openly sponsoring,



protecting and supporting the takfirist terrorist groups that are active in many parts of Lebanon. Those movements are also providing the terrorists with political and logistical support, and that has enabled them to turn those areas into a rear base for terrorist groups that are active in areas next to the Lebanese border.

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Please recycle 

The Syrian Arab Republic stresses that it is important for the Security Council and the reports of the Secretary-General to avoid double standards with regard to counter-terrorism and the threat that terrorism represents to Syria. Events in Lebanon and Iraq have proven that terrorism is not confined to a particular State, but that the threat extends to the countries of the entire region and beyond.
I should be grateful if the present letter could be circulated as a document of the Security Council.

(Signed) Bashar **Ja'afari**
Permanent Representative of the Syrian Arab Republic
to the United Nations

S/2014/216**ouncil**
ber 2015

Distr.: General

Original: English

Letter dated 11 December 2015 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to attach herewith the statement of the Syrian Revolutionary and Opposition Forces, issued in Riyadh on 10 December 2015 (see annex).

It would be highly appreciated if the present letter and its annex were issued as a document of the Security Council.

(Signed) Abdallah **Al-Mouallimi**
Ambassador Permanent Representative



21-00864 (E) 260121

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**Annex to the letter dated 11 December 2015 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council
[Original: Arabic]**

Statement of the Syrian revolutionary and opposition forces expressing their commitment to the territorial sovereignty of Syria and their belief in the civilian nature of the Syrian State

In response to an invitation from the Government of the Kingdom of Saudi Arabia, the Syrian revolutionary and opposition forces held an expanded meeting in Riyadh on 27 and 28 Safar, A.H. 1437 (9 and 10 December, A.D. 2015). The meeting was attended by men and women representing the armed groups and the range of Syrian opposition movements in the country and abroad. All components of Syrian society were represented, including Arabs, Kurds, Turkmen, Assyrians, Syriac communities, Circassians and Armenians. The purpose of the meeting was to foster unity and develop a shared vision of a negotiated political solution to the Syrian issue on the basis of the Geneva communiqué and the relevant international resolutions, without prejudice to the core principles of the revolution.

The participants discussed the items on the agenda in an atmosphere of mutual respect and deep sense of historic responsibility towards the steadfast people of Syria. They exchanged views on the critical issues facing Syria and examined the pertinent documents, including the statement issued by the International Syria Support Group at its meeting in Vienna on 14 November 2015. They expressed their commitment to the territorial integrity of Syria and their belief that the Syrian State should be civilian in nature and should have sovereignty over all Syrian territory on the basis of administrative decentralization. They expressed their commitment to the democratic process, which should take the form of a multilateral system representing all components of Syrian society, men and women alike, without discrimination or exclusion on religious, sectarian or ethnic grounds, based on the principles of citizenship, human rights, transparency, accountability and the rule of law for all.

The participants undertook to work to preserve the institutions of the Syrian State, while recognizing the need to restructure and reform the security and military institutions. They emphasized that they rejected terrorism in all its forms, irrespective of its origin, including the terrorism of the regime and its sectarian militias. They stressed that the monopoly over the use of weapons rested exclusively with the legitimate institutions of the Syrian State chosen by the Syrian people in free and fair elections.

The participants stressed that they rejected the presence of all foreign fighters, including those naturalized in order to kill the Syrian people, and the militias, armed groups and foreign armed forces on Syrian soil. They insisted that all such forces must be expelled from the national territory. They emphasized that the solution to the Syrian crisis should be political in the first instance, in accordance with international resolutions, and that it should be backed up with international guarantees. The political transition in Syria was the responsibility of Syrians. It should include international support consistent with national sovereignty in the context of a legitimate, elected government.

They agreed that the goal of the political solution should be the establishment of a State based on the principle of citizenship. Bashar Al-Assad and the senior officials and figureheads of his regime should have no place in that solution or in any future political arrangements.

The participants stated that they were prepared to enter into negotiations with representatives of the Syrian regime on the basis of the Geneva communiqué of 30 June 2012 and the relevant international resolutions, which should constitute the terms of reference for negotiations. The latter should be overseen and guaranteed by the United Nations, and should have the backing of the International Syria Support Group. They should take place within a specific time frame to be agreed with the United Nations. Participants agreed to form a team to negotiate with representatives of the regime, on the understanding that no member of that team would be entitled to take part in the transitional governing body.

They called for the United Nations and the international community to compel the Syrian regime to take measures demonstrating its good faith before the beginning of the negotiating process, including a stop to death sentences imposed on Syrians for opposing the regime; the release of prisoners and detainees; the lifting of the blockades on besieged areas; the granting of permission for humanitarian aid convoys to reach people in need; the return of refugees; an immediate end to forced displacement; and an end to the bombardment of civilian areas, including the use of barrel bombs.

The participants stressed their commitment to implementing the components of the transitional phase in Syria as set out in the Geneva communiqué and, in particular, the establishment of a transitional governing body with full executive powers. They expressed their desire for a ceasefire on the basis of conditions to be agreed upon the establishment of the transitional governing institutions, in the context of written international guarantees with the force of international law. They emphasized that Bashar Al-Assad and the senior officials and figureheads of his rule should leave power at the outset of the transitional phase.

The participants stated that they accepted and supported the role of the United Nations and the international community in supervising the ceasefire, disarmament, peacekeeping, the distribution of humanitarian assistance and the coordination of reconstruction efforts in Syria. At the end of the meeting, the participants agreed to the establishment of a high-level negotiating body drawn from the Syrian revolutionary and opposition forces. The body would have its headquarters in Riyadh and would be responsible for selecting the negotiating delegation. It would act as the point of reference for negotiations with the Syrian regime on behalf of the participants.



Distr.: General 11 May 2016

Letter dated 6 May 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith a letter dated 6 May 2016 from the Special Representative of the Syrian National Coalition to the United Nations, Najib Ghadbian (see annex).

I should be grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Abdallah Y. **Al-Mouallimi**
Permanent Representative

Annex to the letter dated 6 May 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

On behalf of the High Negotiations Committee for the Syrian National Coalition and as requested by the General Coordinator of the Committee, Riad Hijab, it is my honour to transmit to you a letter dated 6 May 2016 from Mr. Hijab (see enclosure).

(Signed) Najib **Ghabdian**
Special Representative of the Syrian National Coalition
to the United Nations



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Enclosure

[Original: Arabic]

Further to my previous letters regarding massacres perpetrated by the Syrian regime against defenceless civilians, it is with the utmost sorrow and sadness, mingled with extreme pain and outrage, that I inform you of two new massacres committed by the Assad regime and the Russian Air Force on Thursday, 5 May 2016, in the village of Umm Karamil in the city of Aleppo and Kamunah camp in the city of Idlib.

More than 30 people were killed and 125 injured at the Kamunah displaced persons camp in the city of Idlib when the camp was attacked by Russian aircraft. More than 12 people were killed and 20 injured in the village of Umm Karamil in the city of Aleppo when Assad regime helicopters dropped seven barrel bombs on the homes of defenceless civilians.

The Assad regime, along with Russia, Iran and allied mercenary militias, have violated the cessation of hostilities agreement continuously from the day that it entered into force. Today, following the renewal of the agreement, they continue to commit serious violations, which only confirms our view that for the agreement to be of any benefit, monitoring and accountability mechanisms must be created to ensure its implementation.

What has been happening is grounds for both consternation and condemnation. The quantitative and qualitative savagery and lunacy of the killing and destruction, combined with the deafening silence on the part of the United Nations, raise numerous questions.

The preceding is just the tip of the iceberg when it comes to the daily crimes being perpetrated by the regime and its allies. The regime has surrounded Hama Central Prison after cutting off water, electricity and food, and is mobilizing mechanized forces in preparation for overrunning it and killing everyone inside. All the inmates are prisoners of conscience who were arrested and forcibly disappeared after the peaceful protests in Syria began in 2011.

We hold the regime and its allies responsible for every drop of blood that has or will be spilt, and for the consequences of this out-of-control spiral, which will have extremely dangerous regional and international implications if this silence on the part of the Security Council and the international community continues.

We renew our call on the Security Council to intervene immediately to ensure the safety of detainees in Hama Central Prison and to stop the daily murder being committed by Assad's forces and their allies. The Security Council should enforce its resolutions on achieving a political transition in Syria, in accordance with resolution 2254 (2015) and other resolutions, and should compel the regime to comply with the cessation of hostilities agreement, cease its indiscriminate bombing of civilians, allow the delivery of humanitarian assistance to persons in need, lift the blockade of besieged regions and towns, free detainees and disclose the fates of disappeared persons. That would pave the way for the resumption of negotiations towards the desired political transition.

(Signed) **Riad Hijab**

General Coordinator, High Negotiations Committee

Appendix I
The Kamunah camp massacre

Regime warplanes carried out several attacks against the Kamunah displaced persons camp, near the city of Sarmada in the Idlib countryside, slaughtering the civilians who had taken shelter there, the majority of whom were from the town of Anadan in the Idlib countryside.

Initial estimates indicate that more than 30 persons were killed and a large number were injured. Those numbers are expected to rise because of the large fires that broke out among the refugees' tents and because rescue teams have not yet been able to reach the victims.

Number of dead: 30 civilians Number of injured: 125 civilians

Victims' names: unidentified civilians

Appendix II
The Umm Karamil massacre, Aleppo

In the evening of 5 May 2016, regime warplanes committed yet another massacre. Regime helicopters dropped more than six barrel bombs on the town of Umm Karamil in the southern countryside of Aleppo, causing a horrific massacre of civilians in which more than 12 persons were killed and some 20 others were injured. Those numbers are expected to rise because some victims remained trapped under rubble, while some of the wounded are in critical condition.

Number of dead: 12 civilians Number of injured: 20 civilians Victims' names:

Muhammad Abdulhilal al-Muhaymid (civilian)

Walid al-Tu'mah (civilian)

Adnan Abdulhilal (civilian)

Ahmad al-Husayn (60-year-old civilian)

Husayn al-Khalaf (24-year-old civilian)

Adan Muhammad Hilal (civilian) 7 to 12: unidentified civilians

Video links: <https://www.youtube.com/watch?v=Zc1msumXDfw>



Security Council Distr.: General
December 2017
English

Identical letters dated 17 December 2017 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to attach herewith a letter dated 17 December 2017 from Walid Al-Moualem, Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of the Syrian Arab Republic, addressed to the Secretary-General and the President of the Security Council, regarding the position of the Syrian Arab Republic on the course and outcomes of the eighth round of the Geneva talks (see annex).

It would be highly appreciated if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Mounzer Mounzer Chargé d'affaires a.i.



17-22752 (E) 261217 281217

Annex to the identical letters dated 17 December 2017 from the Charge d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Letter dated 17 December 2017 from the Deputy Prime Minister and Minister for Foreign Affairs and Expatriates addressed to the Secretary-General and the President of the Security Council, regarding the progress and results of the eighth round of the Geneva talks

The eighth round of the Geneva talks was held on 28 November 2017, after a three-month postponement. That is to say, it was held immediately following what was termed “the Riyadh Conference” of the Syrian opposition parties, which was attended by the Personal Representative of the Secretary-General, Mr. de Mistura. Here, we will dispense with a detailed litany of the deliberate violations of United Nations resolutions relating to the Syrian crisis — and in particular of Security Council resolution 2254 (2015) — emerging from that meeting, which precluded any constructive dialogue with the Syrian State by setting preconditions on crucial issues. The purpose behind adoption of the Riyadh 2 document was to sabotage the Geneva process and block the path to a political solution of the Syrian crisis. The Syrian Government has therefore informed the Special Envoy that it will not be contributing to achievement of the objectives of the Riyadh 2 group, and will not waste time and prolong the crisis by engaging with the outcomes of the Riyadh 2 meeting, which were dictated to the participants by their Western and Saudi Arabian handlers. Security Council resolution 2254 (2015) rejects any preconditions and provides that dialogue must be conducted among the Syrians themselves without any outside interference. Unfortunately, the Special Envoy, who attended the Riyadh 2 meeting, saw fit to commend its outcomes in a rather provocative way. He aligned himself and the United Nations with the so-called “opposition” and its preconditions, and set about promoting and justifying the dangerous outcomes of the Riyadh 2 meeting. In so doing, Mr. de Mistura has become part of the crisis instead of a facilitator for its solution. It goes without saying that this has resulted in wasted time and a wasted opportunity to make any substantive progress during the latest round in Geneva. It should be noted that at the previous Geneva rounds, the delegation of the Syrian Arab Republic to those talks cooperated proactively with the agenda proposed by the Special Envoy. We do not consider focusing on discussing the dangers of terrorism and the crimes being committed in Syria to be a waste of time. On the contrary, discussing the topic of terrorism paves the way for discussion of the other baskets, and is also a sign of the seriousness with which the Government of the Syrian Arab Republic approaches discussion of the political track. Instead of placing blame on the outcomes of the Riyadh 2 meeting, the very purpose of which was to sabotage the eighth round of the Geneva talks and undermine the mission of the Special Envoy, Mr. de Mistura has used the media to place blame on the Government for obstructing his mission. It is as if the dangers and preconditions entailed in the outcomes of the Riyadh 2 meeting mean nothing to him. Not only that, but he has embraced the positions of parties that do not represent the true interests of the Syria people in reaching the desired solution.

21-00864 (E) 260121

The Syrian Arab Republic affirms its commitment to respect the provisions of the Charter of the United Nations and the principles of international law as the basis for the role of the United Nations. In keeping with its desire for the credibility of the United Nations to be maintained, the Syria Arab Republic insists on rejecting the abuse of that Organization's mechanisms by certain influential Member States to impose their agendas on other Member States.

In that regard, we draw your attention to the irresponsible and provocative statements made just at the start of the proceedings of the eighth Geneva round by the capitals of certain States that are sponsoring armed terrorist groups in our country. They demonstrate conclusively that those capitals have no respect for the terms of reference of the Geneva process and no desire to reach a solution that responds to the aspirations of the Syrian people.

The Syrian Arab Republic has taken part in 15 rounds of talks in Geneva and Astana, and two rounds in Moscow. It looks forward taking active part in the national dialogue conference to be held in Sochi. That sends an unambiguous message about the desire of the Syrian Arab Republic to cooperate proactively with all genuine efforts towards stopping the bloodshed in our country and reaching a political solution in line with the aspirations of the Syrian people. In that regard, the Government of the Syrian Arab Republic hopes that the Secretary-General of the United Nations will use his good offices to work to convince States that are sponsoring the opposition to rescind the Riyadh 2 statement to open the door to meaningful progress in the talks.

(Signed) Walid **al-Moualem**

Deputy Prime Minister Minister for Foreign Affairs and Expatriates



Distr.: General 11 April 2018

Letter dated 10 April 2018 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter from Syrian civil society groups (see annex). I should be most grateful if you would circulate the present letter and its annex as a document of the Security Council.

(Signed) Karen **Pierce**



Annex to the letter dated 10 April 2018 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

We draw your attention today to a lethal chemical attack perpetrated in the city of Duma in Eastern Ghouta on 7 April that took the lives of at least 42 Syrian civilians, primarily children and women. All 500 cases treated by doctors and nurses in Duma exhibited symptoms consistent with exposure to a chemical agent, including respiratory distress, central cyanosis, foaming at the mouth and corneal burns.

This devastating chemical attack took place less than two weeks after Syrian civil society groups wrote to the President of the Security Council addressing the failure of Member States to enforce Security Council resolution 2401 (2018) and protect Syrian civilians. In our letter, we expressed our deep concern for the safety of our people in Eastern Ghouta and warned that the vicious cycle of impunity would allow further atrocities to take place. As predicted, the failure to enforce resolution 2401 (2018) emboldened the Syrian regime and its allies to use every conventional and non-conventional weapon in their arsenal to kill, starve, maim, gas and forcibly displace the civilians of Eastern Ghouta. We warned that absent any consequences for its war crimes, the regime would only escalate its military campaign against Syrian civilians. We warned of impending massacres such as this most recent chemical attack on Duma.

Tragically, we were right.

These actions are part of a calculated pattern of violence perpetrated by the regime that flouts any efforts to pursue a political solution. After the adoption of Security Council resolution 2118 (2013), in which the Council demanded that the Syrian regime dismantle its chemical weapons programme, the Syrian people have suffered hundreds of chemical attacks at the hands of the Assad regime, including from sarin and weaponized poisonous chlorine gas. Less than one week ago, we observed the one-year anniversary of the regime's sarin attack in Khan Shaykhun, Idlib. Then, as now, it is clear that in the absence of any credible consequences, Assad will commit whatever war crime he deems necessary to achieve a military solution.

Members of the Security Council must uphold their responsibilities under international law to protect the civilians of Syria. More than statements, resolutions and condolences, we call on members of the Council to:

Take all necessary steps to protect Syrian civilians and deter future indiscriminate attacks.

In resolution 2401 (2018), the Security Council authorized a nationwide ceasefire: it is high time members of the Council acted in their own capacity to enforce it. Syrians cannot afford to wait any longer;

Ensure that all war crimes are met with credible consequences. The failure to answer Assad's war crimes with credible consequences has encouraged him to ramp up his killing through chemical and conventional means. Red lines must be enforced, not only for chemical attacks, but for all indiscriminate attacks on civilians. This response must not be one-off, but must instead be part of a sustained, comprehensive strategy designed to deter all indiscriminate attacks, not solely the chemical atrocity in Duma;

Urgently deliver life-saving humanitarian aid, including food, medicine and shelter, to the millions of displaced people, particularly those currently residing in Idlib, whose urgent needs are growing. Cross-border humanitarian assistance to Idlib is urgently needed now;

Establish an international criminal tribunal to pursue accountability for all war crimes committed since the start of the Syrian crisis. Due to Russia's repeated

use of the veto, it is clear that a referral to the International Criminal Court is blocked. It is therefore incumbent on members of the General Assembly to act in their own capacity to establish a criminal tribunal.

The Syrian people are defenceless against the ongoing slaughter by the regime and its allies. How many more innocent lives lost will it take for Member States to take meaningful action to save us?

Signatories:

Violations Documentation Center in Syria

Syrian Center for Media and Freedom of Expression Women Now for Development

Local Development and Small Projects Support Baytna Syria

Alseeraj for Development and Healthcare Shaml, Syrian civil society coalition Dawlaty

Citizenship League The Day After

The Syrian Forum

Syria Civil Defence/The White Helmets Local Administration Councils Unit

United Nations S/2019/806
Security Council Distr.: General

10 October 2019

Original: Arabic



Letters dated 10 October 2019 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to transmit to you the statement that was issued by the Ministry of Foreign Affairs and Expatriates of the Syrian Arab Republic with regard to the military build-up on the Turkish-Syrian border:

The Syrian Arab Republic condemns in the strongest terms the reckless statements and the hostile intentions of the Turkish regime and the military build-up on the Syrian border, which constitutes a flagrant violation of international law and a blatant violation of Security Council resolutions, in all of which the Council affirms that the unity, integrity and sovereignty of Syria must be respected.

The hostile conduct of the Erdoğan regime reveals clearly the expansionist ambitions of Turkey in the territory the Syrian Arab Republic, which is something that cannot be justified under any pretext. The Turkish regime's purported aim of securing the border is contradicted by the regime's denial of and disregard for the Adana agreement. The Erdoğan Government would be able to achieve that aim were it only to respect and comply with that agreement. The Syrian Arab Republic holds certain Kurdish organizations responsible for what is happening because of their fealty to the American project. In our past meetings with those organizations, we alerted them repeatedly to the dangers of that project and urged them not be used as tools in the service of American policy against their homeland. However, those organizations insisted on being the tools of foreigners.

The Syrian Arab Republic reaffirms the inviolability, sovereignty and integrity of its territory, and reiterates its determination and resolve to respond to the Turkish aggression by all legitimate means. In addition, it stresses that it stands ready to embrace its misguided people if they return to their senses, with a view to preserving the safety and unity of the territory and people of Syria.

Syria would like to point out that the Erdoğan regime would place itself among the ranks of terrorist groups and armed gangs if it were to continue with its aggression, and thereby forfeit unequivocally the role of guarantor in the Astana process and deal a crushing blow to the entire political process.

I should be grateful if the present letter could be issued as a document of the Security Council.

(Signed) Bashar **Ja'afari**
Ambassador Permanent Representative

19-17546 (E) 111019

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Security Council Distr.: General
November 2020
Original: Arabic

Identical letters dated 9 December 2020 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, and in response to the letter dated 24 November 2020 from the representative of the occupying Israeli authorities (S/2020/1140), I should like to convey to you the following information.

The Syrian Arab Republic has sent many letters to the Security Council in response to repeated Israeli aggressions against its territory. In those letters, the Syrian Arab Republic has time and again called upon the Council to condemn the repeated acts of aggression committed by Israel against the sovereignty and territorial integrity of Syria, and to immediately take forceful measures to curb such acts and hold Israel accountable. The Syrian Arab Republic has also warned Israel of the grave consequences of its ongoing aggressions and reaffirmed that Israel bears full responsibility for them.

The Israeli letter is centred on allegations and lies that improvised explosive devices were planted along the line of separation. Those allegations and lies are nothing more than yet another attempt to mislead and distort the facts, with a view to obscuring the reality that Israel is responsible for its dangerous and hostile approach and that it is Israel that engages in State terrorism and continues to violate Security Council resolution 350 (1974) concerning the Agreement on Disengagement between Israeli and Syrian Forces. This attempt, like those before it, is bound to fail because all are now aware that Israel is a rogue State and is no less a threat to international peace and security than the terrorist organizations Islamic State in Iraq and the Levant and the Nusrah Front. As confirmed by the reports of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF), Israel openly supported members of those terrorist organizations when they were present in that area, up to the time that it was liberated by the Syrian Arab Army in cooperation with its allies.

The representative of Israel, in his letter addressed to the Secretary-General and the President of the Security Council, states that several explosive devices were discovered west of the Alpha line on 17 November 2020, and that a similar incident occurred on 3 August 2020, adding that both incidents took place in the same area (Rasm Karm al-Bir, which lies near the village of Ayn al-Qadi).

The aforementioned area is used by the Syrian nationals living there for grazing and hunting. On 3 August 2020, Israel targeted and killed four Syrian civilians who were laying snares to trap porcupines. Israel fabricated a video, which it broadcast



through its hostile media outlets, alleging that those individuals were a cell operating on behalf the Islamic Republic of Iran and Hizbullah. It should be noted that Israel did not ask United Nations forces in that area to verify the identities of the four Syrian hunters, but rather decided to kill them all. At the time of the incident, the Syrian delegation to the armistice commission informed United Nations forces in the occupied Syrian Golan that the four Syrian nationals who had been targeted and killed were self-employed civilians bound only by ties of kinship and a love of hunting. The four were known to the inhabitants of that village. The command of the United Nations forces in the occupied Syrian Golan conveyed that information to its headquarters in New York. The bodies of the Syrian civilian victims were taken away, in the presence of United Nations forces and the International Red Cross personnel, by villagers from Ayn al-Qadi who were in the area of separation, with a view to verifying that those individuals were indeed Syrian civilians who were hunting in the area of separation. With regard to the discovery on 17 November 2020 of several explosive devices in that area, on that same day, the Syrian delegation to the armistice commission informed the general in command of the United Nations forces in the occupied Syrian Golan, who was in quarantine at Camp Faouar, that three explosive devices had been found west of the ceasefire line. He instructed Brigadier General Maureen O'Brien, the deputy force commander, to investigate the allegations made by Israel. Upon her return, she informed the Syrian delegation to the armistice commission that three improvised explosive devices, which were not armed, had been found and that they were investigating. The force commander and his two deputies said that there was no cause for alarm and no reason for a hostile Israeli response, because everyone understood that the devices not armed and improvised. However, the exact opposite happened. Israel attacked a military position staffed by Syrian security forces in the area of limitation and targeted a rocket launch pad located in an area near Rif Dimashq Governorate, deep in Syrian territory, killing four persons and wounding several others.

In the light of the above, we reaffirm that the allegations made by Israel are false, because that area is monitored around the clock by an Israeli military unit stationed opposite the village of Ayn al-Qadi, and because all the evidence and information indicate that there were no Hizbullah or Islamic Republic of Iran personnel in the area, but rather only Syrian civilians. Moreover, those improvised explosive devices, if there were in fact any, were left behind by armed terrorist groups that had been working with Israel. It should be noted that, to date, there is still an illegal gate, which is known as the Rasm Karm al-Bir gate, in that area. This gate is one of 37 that Israel has built along the ceasefire line to facilitate the entry and exit of terrorists and militants. The existence of that gate was documented and it is being investigated by the United Nations forces command, because such a gate constitutes a clear violation of the Disengagement of Forces Agreement and an act of provocation that could lead to an escalation of the situation. Accordingly, everything that was stated in the aforementioned identical letters is an attempt to cover up past and future Israeli attacks, which constitute a violation of the obligations of Israel under the 1974 Disengagement of Forces Agreement.

In that connection, it should be noted that the enemy has repeatedly violated the Disengagement of Forces Agreement in that area under the pretext that Hizbullah members and Islamic Republic of Iran cells were present there.

Following are some of those violations:

On 17 January 2020, the enemy abducted Nayif Hasan Salman, a Syrian national, in the separation zone, although he had not crossed the ceasefire line from the Ayn al-Qadi area while hunting porcupine. After interrogating him for two days, the enemy released him and he was delivered to the Syrian delegation

to the armistice commission by the United Nations forces in the occupied Syrian Golan at the Qunaytirah crossing gate in the presence of representatives of the International Committee of the Red Cross.

On 3 August 2020, as detailed above, Israel targeted and killed four Syrian civilians in the Ayn al-Qadi area, in the area of separation, on the pretext that they were planting an explosive device, although the four had not crossed the ceasefire line.

On 14 September 2020, Israel abducted Abdullah Adnan al-Qasim, a 16-year-old civilian from the village of Ayn al-Qadi, as he was herding sheep in the area of separation. He had not crossed the ceasefire line. After being interrogated, he was released and then delivered to the Syrian delegation to the armistice commission by the United Nations forces in the occupied Syrian Golan at the Qunaytirah crossing gate in the presence of representatives of the International Committee of the Red Cross.

On 15 September 2020, an Israeli military unit crossed the ceasefire line and headed to the village of Ayn al-Qadi, before returning sometime later to the west of the line. The residents of that area fled their homes because they feared that they were in danger. That incident was documented by the command of the United Nations forces in the occupied Syrian Golan. The aim of Israel in sending the aforementioned identical letters is to launch a new strategy that has nothing to do with the planting of explosive devices. Instead, the aim of the new strategy is to legitimize the targeting of civilian and military targets by Israel under international cover that is usually compliant, thus negating the role of the United Nations forces in the occupied Syrian Golan that monitor the implementation of the ceasefire and cessation of hostilities agreements. Another aim of the new strategy is to legitimize its attacks against Syria and create new justifications for violating the 1974 Disengagement of Forces Agreement. In other words, this is an attempt to introduce a new section into the Agreement entitled "Justifications: security of Israel", or some other such designation.

In the light of the above, and given that the United States and certain Western States continue to protect Israel and provide cover for its repeated attacks, and taking into account that the Israeli leadership is aware that it will not be held accountable for its crimes, Israel will continue to pursue its dangerous and hostile approach. Israel would not be able to do this without the boundless and ongoing support and immunity from accountability that the United States Administration provides, thereby enabling Israel to continue engaging in State terrorism and threatening regional and international peace and security. This attack would not have occurred without a green light from the United States that was given on the basis of fabrications and spectacles staged by its clients that are no longer fooling anyone.

The repeated Israeli attacks against the Syrian Arab Republic have not and will not succeed in protecting the terrorist organizations that are the partners and proxies of Israel. Neither will those attacks divert the Syrian Arab Army from continuing to make gains in combating terrorism and other Israeli tactics in many parts of the Syrian Arab Republic. The Syrian Arab Republic reiterates that it will not hesitate to exercise its right to respond and defend its territory, people and sovereignty by all the means sanctioned under the Charter of the United Nations, international law and international humanitarian law.

The Syrian Arab Republic once again calls upon the Security Council to fulfil its responsibility pursuant to the Charter of the United Nations, the most important of which is maintaining international peace and security. The Council must take resolute and immediate action to prevent the recurrence of these Israeli acts of aggression, to

compel Israel to respect Security Council resolutions on the Disengagement of Forces Agreement and to hold Israel accountable for its crimes and acts of terrorism against the Syrian and Palestinian peoples and for its ongoing support for terrorist organizations. Such conduct is in flagrant violation of the Charter, international law, Security Council resolutions 242 (1967), 338 (1973), 350 (1974) and 497 (1981) and all of the international resolutions and instruments concerning counter-terrorism.

I should be grateful if the present letter could be issued as a document of the Security Council.

(Signed) **Bashar Ja'afari**
Ambassador Permanent Representative



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Agenda item 37
The situation in the Middle East

Identical letters dated 19 February 2021 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

On instructions for my Government, and further to our previous letters concerning the hostile conduct of the occupying Israeli authorities, their systematic violations of international law, the principles and purposes of the United Nations and authoritative international resolutions, and their efforts to entrench and perpetuate their occupation of the occupied Syrian Golan, I should like to convey to you the following information.

On 9 February 2021, the office of the Prime Minister of the occupying Israeli entity, Benjamin Netanyahu, published another inflammatory statement concerning the occupied Syrian Golan, in which it said that the Golan Heights will forever remain part of the State of Israel. It also said that the position of Israel is clear: in any future possible scenario, the Golan Heights will remain Israeli.

The Syrian Arab Republic once again condemns, in the strongest terms, the conduct of the occupying Israeli authorities and statements similar to one above that its officials have made. Such conduct and statements reaffirm the utter disregard of Israel for international law and the purposes and principles of the Charter of the United Nations, and its open contempt for Security Council resolutions concerning the occupied Syrian Golan, including resolution 497 (1981).

It is lamentable that, although nearly 54 years have passed since Israel occupied the Syrian Golan in June 1967, the Security Council remains incapable of fulfilling its responsibility to put an end to the Israeli occupation, which poses a threat to regional and international peace and security, and hold the Israeli authorities accountable for their crimes, owing to the immunity and support that the Governments of certain Western States that are permanent members of the Security Council, most notably the United States of America, give to Israel.



The Government of the Syrian Arab Republic once again calls upon the Security Council to take urgent action in order to ensure implementation of its resolutions concerning the ending of Israeli occupation of the Syrian Golan and other occupied Arab territories, including resolutions 242 (1967), 338 (1973), 350 (1974) and 497 (1981), and of the relevant General Assembly resolutions, the most recent of which are resolutions 75/24 and 75/99. The Council must also take urgent action in order to compel the occupying Israeli entity to halt its illegal settlement-building activities and its repressive measures against our people in the occupied Syrian Golan and to withdraw from the entire occupied Syrian Golan, up to the line of 4 June 1967.

Syria reaffirms that the occupied Golan is an integral part of its territory and that it will strive to recover it fully using all means available under international law and international custom. It also reaffirms that no unilateral measures or steps that Israel or its supporters take to alter the political, legal, historical and geographical characteristics of the occupied Syrian Golan will ever succeed.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Koussay **Aldahhak**
Minister CounsellorChargé d'affaires a.i.
