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Department of Political Affairs - Security Council Affairs Division
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15. The situation in Libya

Overview

During the period from 2012 to 2013, the Security Council held 18 meetings in connection with the situation in Libya, and adopted one presidential statement as well as two resolutions under Chapter VII of the Charter. In its deliberations, the Council focused on the numerous security challenges facing the country, the human rights situation and the political developments after elections to the General National Congress (GNC) in July 2012 and the formation of a new Government.

By resolutions [2040 \(2012\)](#) and [2095 \(2013\)](#), the Council modified and twice extended the mandate of the United Nations Support Mission in Libya (UNSMIL) for periods of one year.¹ By the same resolutions, the Council also made adjustments to the sanctions regime established pursuant to resolution [1970 \(2011\)](#), as modified by resolution [2009 \(2011\)](#).² The Council also modified and extended the mandate of the Panel of Experts twice, for 12 months first and subsequently for 13 months.³

The table at the end of the section lists the meetings at which this agenda item was considered, and gives information on, inter alia, invitees, speakers and decisions adopted.

Transitional period leading up to elections in July 2012

At its meeting on 25 January 2012, the Council heard a briefing by the Special Representative of the Secretary-General and Head of UNSMIL on a variety of political and

¹ For information on the mandate of UNSMIL, see part X, sect. II, with regard to political and peacebuilding missions.

² For information on sanctions, see part VII, sect. III, with regard to Article 41 of the Charter.

³ For information on the Panel of Experts, see part IX, sect. I, B.1, with regard to Security Council committees overseeing specific sanctions measures.

security challenges affecting Libya's transition, including the lack of full legitimacy of the interim authorities at the national and local levels, growing popular dissatisfaction with the performance of the National Transitional Council (NTC) and the interim Government, weak state institutions and security structures, wide circulation of weapons, and uncertain future of the diverse armed brigades and revolutionary fighters in the country. The Special Representative made reference to UNSMIL's coordination role with regard to international assistance as well as to measures relating to arms proliferation and border security. He also mentioned UNSMIL's role in providing technical support to the newly established National Council for Public Liberties and Human Rights. In closing, he underscored the need to support Libya's interim authorities in addressing internal priorities identified by them rather than the longer-term interests of external actors.⁴

The Council also heard a briefing from the High Commissioner for Human Rights who stressed three main points: first, the need to take urgent steps to put an end to human rights abuses, especially those occurring in detention; secondly, the need for the authorities to expeditiously deliver on their commitment to make transitional justice a reality; and thirdly, the need for the Libyan authorities to use civil society, including women's and youth groups, as a key resource to address the social and political challenges. She also identified the situation of persons subjected to internal forced and involuntary displacement and that of women in Libya as areas of concern. With reference to the inquiry underway into the possible civilian deaths resulting from the operations of the North Atlantic Treaty Organization (NATO), she noted that its findings should provide information on the extent to which NATO forces took all feasible measures to protect civilians, details of events where civilians were killed or injured and the remedial actions undertaken.⁵

In his statement, the representative of Libya affirmed that the situation in the country was not bright. While some progress had been achieved in establishing an interim Government and a NTC and in passing an electoral and an interim justice law, challenges remained concerning the treatment of Libyan and non-Libyan Tuareg communities, absence of administrative structures, national reconciliation, involvement of armed combatants in the post-conflict Libya, and representation of women. In closing, he defended and praised

⁴ [S/PV.6707, pp. 2-6.](#)

⁵ *Ibid.*, pp. 7-8.

NATO's intervention in Libya and thanked the Council for "its great, historic decision to save [his] homeland".⁶

In his briefing on 29 February 2012, the Special Representative described the peaceful nature of the celebration of the first anniversary of the revolution in spite of security concerns. While dwelling on the numerous challenges faced by the Government, he also made reference to the progress achieved in providing security with the adoption of the transitional justice and electoral laws as well as the development of State authority. He also described the supporting role of UNSMIL in a number of key areas such as arms proliferation, border security, the rehabilitation of the police and human rights.⁷ The Council was also briefed by the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Portugal) on the work of the Committee and on the implementation of the arms embargo, asset freeze and travel ban.⁸ In his statement, the representative of Libya assured the Council that despite the various challenges elections would be held in June 2012. He appealed to the international community for more assistance and for the release of the country's frozen assets in order to, among other things, combat terrorism in the Sahara.⁹

A week later, on 7 March 2012, the Council met again to hear a briefing of the Special Representative. At that meeting, the Special Representative explained that the planning process undertaken by UNSMIL reaffirmed its continued relevance and helped to define the five areas in which it needed to engage more deeply in the following 12 months, namely democratic transition and electoral processes; public security; arms proliferation and border security; human rights, transitional justice and the rule of law; and coordination of international assistance. He clarified that the role of the United Nations had to be to support the people of Libya where and when needed. He proposed for the Mission to maintain a light footprint with the aim of providing flexible, responsive and high-quality expertise in a structurally integrated form thereby maximizing the impact of the entire United Nations system.¹⁰ In his statement, the Prime Minister of Libya underscored the challenges confronting Libya and the rising expectations of its people. While noting his Government's

⁶ Ibid., pp. 9-11.

⁷ [S/PV.6728, pp. 2-7.](#)

⁸ Ibid., pp. 7-8

⁹ Ibid., pp. 8-9.

¹⁰ [S/PV.6731, pp. 2-5.](#)

achievements, he acknowledged that there had been some violations of human rights. In support of efforts to achieve security, he called upon the Council to lift the embargo on military equipment and weaponry and expressed appreciation for recent international efforts to release frozen assets.¹¹

The representative of the Russian Federation took the floor to express concern about the civilian casualties as a result of the NATO airstrikes on Libya as well as the uncontrolled proliferation of Libyan arms in the region.¹² In response, the representatives of the United States, France and Germany countered that the International Commission of Inquiry of the Human Rights Council had concluded that the NATO campaign was highly precise to avoid civilian casualties and was in full accordance with international humanitarian law and the United Nations mandate.¹³ The representative of China echoed the concerns of the Russian Federation, both regarding the NATO campaign and the proliferation of weapons.¹⁴ Finally, the Prime Minister of Libya reassured the Council that the Government had investigated the death of “each and every Libyan civilian” and had enjoyed the cooperation of NATO. He argued that the matter should not be made fodder for political propaganda or prevent the international community from intervening in situations in other States where the people “are being massacred by their own rulers”.¹⁵

On 10 May 2012, the Special Representative briefed the Council on the preparations for the first elections to be held in Libya in more than 45 years. He also briefed the Council about local conflicts and escalating tensions. He informed the Council that in each case the Government had reacted quickly by deploying forces and mediation capacities and highlighted that rapid reaction was necessary to defuse tensions and prevent their entrenchment. Whilst facing disturbances resulting from discontent among some of the armed brigades, he noted that the country was experiencing economic progress. This notwithstanding, the scale of the challenges coupled with the high expectations of the Libyan people for tangible and quick progress had strained the interim political system. He dwelled in particular on key questions such as the integration of the revolutionary fighters, treatment of detainees, and control of weapons and border security which were urgent challenges to be

¹¹ Ibid., 5-7.

¹² Ibid., p.8.

¹³ Ibid., pp. 8-9.

¹⁴ Ibid., pp. 9-10.

¹⁵ Ibid., p.10.

settled through early legitimate electoral processes. In this connection, he briefed the Council on the progress achieved and praised the High National Elections Commission and the Libyan authorities for their efforts to carry forward the electoral operation and to establish a functioning State based on the rule of law and democracy.¹⁶ The Council also heard a briefing from the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Portugal) who reported about threats and challenges of arms proliferation from Libya to the region and the implementation of the arms embargo, travel ban and asset freeze.¹⁷

Establishment of democratic institutions amid persistent security challenges

At its meeting on 18 July 2012, the Council heard a briefing from the Special Representative on the elections of 7 July. Despite violent incidents and efforts of some groups to sabotage them, the organization of the elections had been an extraordinary accomplishment. In order to meet concerns in the east of Libya, he noted the decision taken by the NTC not to draft the constitution itself but to guarantee equal representation of Libya's three historic regions in the constitution-making process through a 60-member constitutional commission. Furthermore, he underscored the urgency of reaching an agreement in the NTC on the formation of a new Government which would have to face numerous challenges in the justice, security and defence sectors, including border security, clearance of explosive remnants of war and weapons control, as well as in other fields such as the development of institutions of a modern State, the fight against corruption in the management of the country's wealth, the diversification of the economy and creation of employment, and the proper regulation of migrant labour. While expressing confidence on the continuation of cooperation between the new Government and UNSMIL in the areas where the Mission was already active such as the support in the democratic transition, promotion of the rule of law and human rights, restoration of public security, countering of illicit proliferation of arms, he voiced concerns about the insufficient capabilities of UNSMIL to carry out the fifth element of the mandate, namely, support to the Libyan efforts to coordinate international assistance.¹⁸

¹⁶ [S/PV.6768](#), pp. 2-7.

¹⁷ *Ibid.*, pp. 7-8.

¹⁸ [S/PV.6807](#), pp. 2-5.

In his statement, the representative of Libya confirmed that the elections were free and fair and met all international standards. He expressed gratitude to the Security Council and UNSMIL for their role.¹⁹

On 12 September 2012, one day after the attack on the United States diplomatic presence in Benghazi, the Council was briefed by the Under-Secretary-General for Political Affairs. He condemned the attack in the strongest terms and underlined that this incident, together with a spate of assassinations of security personnel in Benghazi, explosive devices in Tripoli and attacks on Sufi shrines, emphasized the security challenges facing the authorities in Libya. At the same time, he noted the historic nature of the transfer of authority from the NTC to the 200-member GNC on 8 August and the election by the GNC of a President, two Vice-Presidents and a Prime Minister. However, he reminded the Council that the GNC needed to address several urgent priorities, including initiating a national dialogue on reconciliation, strengthening its capacity to oversee the Government, preventing systemic corruption and adopting local governance legislation. He added that to assist the Government, UNSMIL had increased its advisory capacity and stepped up efforts to strengthen international coordination for support to security sector governance. Reiterating comments made in his previous briefings to the Council concerning persistent challenges, he welcomed the release of 130 detainees during August as a first important step towards solving the issue of conflict-related detentions. He underlined that UNSMIL was working closely with the Libyan authorities in the areas of judicial reform.²⁰ The representative of Libya took the floor to reiterate his Government's condemnation of the attack on 11 September and assured the Council that the perpetrators of that heinous crime would be brought to justice.²¹

On 8 November 2012, following the one-year anniversary of Libya's liberation, the new Special Representative briefed the Council on the formation of the new Libyan Government and the priorities indicated by it in the areas of internal affairs, in particular security-related issues, as well as reconstruction and economic development. Furthermore, he informed the Council about the military operations launched by the Libyan authorities in

¹⁹ Ibid., p. 6.

²⁰ [S/PV.6832](#), pp. 2-4.

²¹ Ibid., p. 5.

Bani Walid to extend the State's authority and the concerns of the United Nations with regard to the protection of civilians and the return of internally displaced persons (IDPs). He added that UNSMIL and the United Nations country team had conducted four missions around and inside Bani Walid to assess the needs of IDPs and to provide assistance. Noting that while some progress had been made, security conditions remained precarious. In this regard, he underscored the need for rapid and effective policy decisions and practical measures in the area of security sector reform and full activation of the judiciary so that perpetrators were held accountable and rule of law upheld.²² The Council was also briefed by the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Portugal) who reported on the two meetings held by the Committee between 11 May and 8 November, the first one on the implementation of the travel ban, asset freeze and arms embargo, and the second one on issues related to arms proliferation.²³

At the meeting on 29 January 2013, the Special Representative briefed the Council on developments related to the constitution-making process, security sector reform, border security, national reconciliation and transitional justice. He explained that the security situation remained precarious, although efforts to reform the security sector had begun to assure greater coherence. In context of national reconciliation efforts, he noted the strong drive among certain political forces to further marginalize persons associated with the previous regime with the introduction of a proposal on "political isolation". UNSMIL had encouraged consultations on this proposal and careful attention to its possible undesirable effects on reconciliation and social cohesion. He underscored the technical assistance provided by UNSMIL to the Libyan authorities in developing effective institutions and processes, and the advice rendered to the Office of the Prosecutor-General on the implementation of an overall prosecutorial strategy.²⁴ The representative of Libya underlined that the Government depended on UNSMIL at a critical time and it was important for the Mission to remain in Libya because of its advisory role in relation to security sector reform, constitution drafting and elections.²⁵

²² [S/PV.6857](#), pp. 2-5.

²³ *Ibid.*, p. 5.

²⁴ [S/PV.6912](#), pp. 2-5.

²⁵ *Ibid.*, p. 5.

Modification of sanctions regime and mandates of UNSMIL and Panel of Experts

On 12 March 2012 and 14 March 2013, acting under Chapter VII of the Charter, the Council unanimously adopted resolutions [2040 \(2012\)](#) and [2095 \(2013\)](#). In each instance, it extended and modified the mandates of the Panel of Experts and that of UNSMIL to allow the Mission to assist the Libyan authorities in defining national needs and priorities and to offer strategic and technical advice accordingly. The Council also modified the scope of the sanctions regime imposed by resolution [1970 \(2011\)](#), as modified by resolution [2009 \(2011\)](#).²⁶

At the meeting on 14 March 2013, the Special Representative briefed the Council on the events of 15 and 17 February to celebrate Libya's second anniversary of the revolution that were also accompanied with demands for greater stability and an end to the political and socioeconomic marginalization of the east. He reiterated his concern about the political crisis over a proposed law on political isolation, the overall security situation and the condition of detainees. He explained that the improvement in the country's security situation was hampered by weak State institutions and security coordination mechanisms. He added that Libya's democratic transition required an inclusive dialogue leading to national reconciliation. In conclusion, he noted that the Secretary-General had proposed the renewal of the mandate of UNSMIL for 12 additional months to allow the Mission to continue to assist the State of Libya in defining national priorities related to its democratic transition, consistent with the request from the Libyan authorities.²⁷ The Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Rwanda) also briefed the Council on developments in the period from 9 November 2012 to 14 March 2013. He also briefed the Council on the content of the final report of the Panel of Experts concerning the implementation of the sanctions regime and confirmed that the Committee had agreed to take follow-up action on five of the eight recommendations of the Panel.²⁸

In his statement, the Prime Minister of Libya, Mr. Ali Zeidan, highlighted that while the security challenges faced by the country were enormous and difficult, progress had been achieved in the security and justice sectors. He underscored the Government's efforts in

²⁶ For details, refer to the footnotes on p.1.

²⁷ [S/PV.6934](#), pp. 2-4.

²⁸ *Ibid.*, pp. 4-5.

promoting national reconciliation, reintegrating IDPs and rebuilding a variety of national institutions. In closing, he asked for the Council's assistance in restoring the frozen assets.²⁹

Deterioration of the security situation and internal divisions

On 18 June 2013, the Council was briefed by the Special Representative on the 8 June incident in Benghazi when a peaceful demonstration outside the barracks of an armed brigade deteriorated into an exchange of fire that left many dead and wounded. After the events, several brigade barracks in Benghazi were transferred to the Libyan Army and the GNC charged the Government with the task of integrating the armed brigades that remained outside State control. The Special Representative also informed the Council of the unilateral declaration on 1 June by the transitional council of Barqa-Cyrenaica, a federal region in eastern Libya, on grounds of the central Government's failure to address security and governance issues in the region. He also reported on the adoption and impact of the law on political isolation excluding individuals associated with the former regime from public life for 10 years. In that context, he underlined the urgency of adopting a transnational justice law anchored in truth-seeking, accountability and repatriations. He made reference to UNSMIL's work in assisting the Libyan authorities in a variety of areas, including the transitional justice process, conflict-related detentions, and the preparation of the elections for the constituent assembly. He also explained the controversy regarding the role of UNSMIL (and its perceived interventionist approach) following the adoption of resolution [2095 \(2013\)](#) under Chapter VII and the efforts undertaken by the Mission to dispel misperceptions as well as false expectations.³⁰

The Council also heard a briefing from the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Rwanda)³¹ who reported on the follow-up actions to the recommendations included in the final report of the Panel of Experts.³²

On 16 September 2013, the Council heard a briefing from the Special Representative on the numerous political and security issues affecting the country. He pointed out that the

²⁹ Ibid., pp. 5-7.

³⁰ [S/PV.6981](#), pp. 2-5.

³¹ Ibid., p. 5.

³² [S/2012/163](#).

regional dynamics, political disagreements among the various forces, disruption of oil exports and lack of a law on transitional justice had strained the political processes taking place in the country even though some progress had been achieved on the constitution-making process. He noted that the security problems remained the predominant concern and underscored the importance of national dialogue to overcome the disillusionment with the political process.³³ The Council was also briefed by the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Rwanda), on the follow-up actions by the Committee on the recommendations by the Panel of Experts established pursuant to resolution [2095 \(2013\)](#) and the agreement signed with INTERPOL on INTERPOL-Security Council special notices.³⁴ The representative of Libya acknowledged the difficulties faced by the Libyan authorities and called for the continuous support of the Council and all Member States.³⁵

On 9 December 2013, the Special Representative informed the Council of the mass demonstrations and armed clashes between civilians and armed brigades in Tripoli, Benghazi and Darnah, expressing discontent with the political process and distrust of the armed brigades. Despite the efforts of the Government to restore stability, the weak capacity of the State military and policy institutions remained a serious concern. He informed that UNSMIL's request for the strengthening of the protection of its premises was misunderstood by groups in the country, some suspecting that the proposed arrangement was a prelude to an international intervention. In spite of certain improvements and the passing of the new law on transitional justice, he reiterated concern about the situation of the conflict-related detainees. He further informed the Council about UNSMIL's contribution to preparations for the national dialogue through technical assistance and advice.³⁶

The Council also heard a briefing from the Chair of the Committee established pursuant to resolution [1970 \(2011\)](#) (Rwanda) on the implementation of sanctions measures and on the difficulties encountered by the Panel of Experts in obtaining responses from certain Member States to requests for visits.³⁷

³³ [S/PV.7031](#), pp. 2-4.

³⁴ *Ibid.*, p. 5.

³⁵ *Ibid.*, p. 6.

³⁶ [S/PV.7075](#), pp. 2-4.

³⁷ *Ibid.*, p. 4.

At its meeting on 16 December 2013, the Council issued a presidential statement expressing grave concern at the worsening security situation and political divisions which threatened to undermine Libya's transition to democracy. The Council welcomed the efforts of UNSMIL to facilitate inclusive national dialogue and noted that the adoption of a constitution would be crucial for a secure and prosperous future. The Council strongly condemned the killing of unarmed protestors in Tripoli on 15 November and called for urgent progress towards an inclusive approach to disarmament, demobilization and reintegration into civil life of armed groups. The Council also stressed the urgent need to strengthen military and police institutions in Libya, expressed concern at the threat posed by unsecured arms and ammunition and their proliferation, and condemned cases of torture and mistreatment.³⁸

In his statement, the representative of Libya noted that while his Government had come to different conclusions from those in the presidential statement, the overall message of support for the Libyan people and efforts of the newly elected authorities to expedite the democratic transition was much appreciated. He underscored the principled position and commitment of the Libyan authorities to prevent extrajudicial killings and inhumane treatments and stressed that the GNC and the Government were determined to strengthen State authority and impose the rule of law.³⁹

Bi-annual briefings of the International Criminal Court

The Prosecutor of the International Criminal Court (ICC) briefed the Council on four occasions during the period under review pursuant to resolution [1970 \(2011\)](#). On 16 May 2012, the Prosecutor informed the Council that Libya had submitted an admissibility challenge for the Saif Al-Islam Al-Qadhafi case in order to conduct a national investigation against him. This was the first time in the history of the ICC that a State presented such a challenge. He also informed the Council that the Mauritanian authorities had arrested the second indictee – Abdullah Al-Senussi and that his Office was also gathering information about the activities of high-level Al-Qadhafi officials outside Libya. He called for a national comprehensive strategy to address all crimes and an end to impunity as well as for the

³⁸ [S/PRST/2013/21](#).

³⁹ [S/PV.7083](#), p. 2.

dismantlement of all unofficial and unacknowledged detention centres. He also reported on the United Nations Commission of Inquiry and its finding that NATO did not deliberately target civilians in Libya.⁴⁰ While the representatives of Pakistan and Morocco favoured giving priority to national jurisdiction,⁴¹ the majority of Member States left the decision to the ICC judges, with the representatives of Guatemala and South Africa calling for cooperation between the ICC and national courts irrespective of the decision on the admissibility challenge.⁴²

The representative of the Russian Federation asked for the prosecution of Al-Qadhafi opponents and, together with the representative of China, expressed concerns about the civilian casualties that had resulted from NATO's activities.⁴³ The representatives of Guatemala, South Africa, Germany, France, Togo and Azerbaijan stressed the importance of placing all detainees under the control of national authorities.⁴⁴ The representative of Libya underlined his country's ability to conduct transparent and fair trials that met all safeguards provided for under international law and expressed the intention of the Libyan judicial authorities to investigate allegations of torture and crimes committed by the rebels against detainees. In conclusion, he reaffirmed the conviction of the Libyan authorities that the strategies employed by NATO leaders were designed merely to protect civilians from the violence aimed at them by Al-Qadhafi forces.⁴⁵

At the briefing on 7 November 2012, the new Prosecutor of the ICC updated the Council on the admissibility challenge presented by the Libyan authorities for the Al-Qadhafi case and on their intent also to challenge the admissibility of the case against Al-Senussi. She referred to the adoption of Law 38, which granted amnesty at the national level for acts made necessary by the 17 February revolution, and Law 35, ensuring that acts found to be in contravention of international law and human rights covenants were not exempt. Furthermore, she stated that her Office continued to collect evidence in relation to several allegations, including of rape and sexual violence.⁴⁶ With regard to the admissibility challenge, the representatives of Togo, South Africa, Pakistan and Morocco encouraged

⁴⁰ [S/PV.6772](#), pp. 2-4.

⁴¹ *Ibid.*, p. 4 (Pakistan); p. 8 (Morocco).

⁴² *Ibid.*, p. 7 (Guatemala); p. 8 (South Africa).

⁴³ *Ibid.*, pp. 5-6 (Russian Federation); p. 11 (China).

⁴⁴ *Ibid.*, p. 7 (Guatemala); p. 8 (South Africa); p. 9 (Germany); p. 12 (France); p. 13 (Togo); p. 15 (Azerbaijan).

⁴⁵ *Ibid.*, pp. 15-16.

⁴⁶ [S/PV.6855](#), pp. 2-3.

domestic prosecution as a first option,⁴⁷ whereas the representatives of Colombia and the Russian Federation expressed serious doubts about Libya's capabilities to ensure fair legal proceedings.⁴⁸ Several countries called for continued cooperation between Libya and the ICC. The representative of Libya underscored the Government's plan to deal with different aspects of the implementation of the judicial system and every crime, irrespective of the identity of the victim or the accused.⁴⁹

On 8 May 2013, the Prosecutor reported on the response filed by her Office to Libya's challenge on the admissibility of the Saif Al-Islam Al-Qadhafi and Al-Senussi cases. She added that the Al-Qadhafi case had reached a stage where it remained for the Chamber to pronounce. She further informed the Council that her Office was documenting the most serious crimes committed by former Al-Qadhafi officials, some of whom were outside of Libya, and expressed concern about the allegations of crimes committed by rebel forces. In conclusion, she underscored that as Prosecutor she could not get involved in political considerations or stretch the interpretation of the Rome Statute. Equally, neither the Council, nor its members or any other State should seek to interfere with the judicial processes of the Court.⁵⁰

The representative of the Russian Federation complained about the lack of progress in the prosecution of the individuals who had committed serious crimes and reiterated his serious doubts that conditions in Libya allowed for fair legal proceedings.⁵¹ Conversely, the representative of Rwanda noted that ICC had failed to live up to international aspirations of delivering justice independent of political interference and had been selective in its methods of investigating and prosecuting perpetrators.⁵² In conclusion, the representative of Libya noted that the relationship between ICC and the Libyan Government was based on complementarity and cooperation and expressed the hope that States would cooperate with them in bringing all accused to justice.⁵³

⁴⁷ Ibid., p. 5 (Togo); pp. 6-7 (South Africa); p. 10 (Pakistan); p. 12 (Morocco).

⁴⁸ Ibid., p. 4 (Colombia); pp. 5-6 (Russian Federation).

⁴⁹ Ibid., p. 15.

⁵⁰ [S/PV.6962](#), pp. 2-3.

⁵¹ Ibid., p. 5.

⁵² Ibid., p. 9.

⁵³ Ibid., p. 17.

At the meeting on 14 November 2013, the Prosecutor highlighted that the security situation in Libya hampered the ability of her Office to effectively undertake investigations. While appreciating gains towards a system based on the rule of law, she expressed concern about the treatment of detainees and minorities. She updated the Council on the decisions issued in relation to the Al-Senussi and the Saif Al-Islam Al-Qadhafi cases. With regard to the latter, she affirmed the obligation on the part of the Government of Libya to surrender Mr. Al-Qadhafi to the custody of the Court. She also underlined the joint, complementary efforts of the Government of Libya and the Court to investigate and prosecute all perpetrators of crimes and, to that end, she informed the Council on the conclusion of a burden-sharing memorandum of understanding.⁵⁴ The representative of Libya reiterated his Government's commitment to judicial complementarity and hoped that ICC would soon recognise Libya's responsibility for the trial of Al-Qadhafi.⁵⁵

⁵⁴ [S/PV.7059](#), pp. 2-3.

⁵⁵ *Ibid.*, p.16.

Meetings: the situation in Libya

<i>Meeting and Date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.6707 25 January 2012			Libya	Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, United Nations High Commissioner for Human Rights	All invitees	
S/PV.6728 29 February 2012			Libya	Special Representative of the Secretary-General and Head of UNSMIL	Portugal (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and all invitees	
S/PV.6731 7 March 2012	Report of the Secretary-General on the United Nations Support Mission in Libya (S/2012/129)		Libya (Prime Minister)	Special Representative of the Secretary-General and Head of UNSMIL	China, France, Germany, Russian Federation, United States and all invitees	
S/PV.6733 12 March 2012	Report of the Secretary-General on UNSMIL (S/2012/129) Letter dated 7 March 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/139)	Draft resolution submitted by France, Germany, Morocco, Portugal, United Kingdom, United States (S/2012/146)	Libya		Libya	Resolution 2040 (2012) 15-0-0 (adopted under Chapter VII)

<i>Meeting and Date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.6768 10 May 2012	Letter dated 23 March 2012 from the Chairman of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya addressed to the President of the Security Council (S/2012/178)		Libya	Special Representative of the Secretary-General and Head of UNSMIL	Portugal (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and rule 39 invitee	
S/PV.6772 16 May 2012			Libya	Prosecutor of the International Criminal Court	All Council members and all invitees	
S/PV.6807 18 July 2012			Libya	Special Representative of the Secretary-General and Head of UNSMIL	All invitees	
S/PV.6832 12 September 2012	Report of the Secretary-General on UNSMIL (S/2012/675)		Libya	Under-Secretary-General for Political Affairs	All invitees	
S/PV.6855 7 November 2012			Libya	Prosecutor of the International Criminal Court	All Council members and all invitees	
S/PV.6857 8 November 2012			Libya	Special Representative of the Secretary-General and Head of UNSMIL	Portugal (as Chair of the Committee established pursuant to resolution 1970 (2011)) and rule 39 invitee	
S/PV.6912 29 January 2013			Libya	Special Representative of the Secretary-General and Head of UNSMIL	All invitees	

<i>Meeting and Date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.6934 14 March 2013	Report of the Secretary-General on UNSMIL (S/2013/104)	Draft resolution submitted by Australia, France, Luxembourg, Morocco, Rwanda, United Kingdom, United States (S/2013/156)	Libya (Prime Minister)	Special Representative of the Secretary-General and Head of UNSMIL	Rwanda (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and all invitees	Resolution 2095 (2013) 15-0-0 (adopted under Chapter VII)
S/PV.6962 8 May 2013			Libya	Prosecutor of the International Criminal Court	All Council members and all invitees	
S/PV.6981 18 June 2013			Libya	Special Representative of the Secretary-General and Head of UNSMIL	Rwanda (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and rule 39 invitee	
S/PV.7031 16 September 2013	Report of the Secretary-General on UNSMIL (S/2013/516)		Libya	Special Representative of the Secretary-General and Head of UNSMIL	Rwanda (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and all invitees	
S/PV.7059 14 November 2013			Libya	Prosecutor of the International Criminal Court	All Council members and all invitees	
S/PV.7075 9 December 2013			Libya	Special Representative of the Secretary-General and Head of UNSMIL	Rwanda (as Chair of the Security Council Committee established pursuant to resolution 1970 (2011)) and all rule 39 invitees	
S/PV.7083 16 December 2013			Libya		All invitees	S/PRST/2013/21