

**Security Council**

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Letter dated 5 August 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, in your capacity as the President of the Security Council, a letter dated 31 July 2019 from Mr. Faiez Mustafa Serraj, President of the Presidency Council of the Government of National Accord, addressed to Mr. Ghassan Salamé, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya (UNSMIL) (see annex).

I humbly 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 August 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 from the Presidency Council of the Government of National
Accord to the Special Representative of the Secretary-General for
Libya, Ghassan Salamé**

We have considered your briefing before the Security Council on 29 July 2019 concerning the situation in Libya. Frankly, we found it disappointing for several reasons.

Haftar and his forces launched an unprovoked surprise attack on the capital Tripoli while the Secretary-General of the United Nations was in Libya. That attack provoked what you referred to as an armed conflict which, as you stated, caused killings, terror and intimidation; displaced civilians; and destroyed civilian infrastructure, particularly hospitals.

The sympathy that you have shown ought to have included calling for an end to the onslaught against the capital and for the withdrawal of the invading forces. Those steps would effectively put a stop to the military operations; the Government of National Accord has done no more than exercise legitimate self-defence in order to secure the capital, its people and everyone who lives there.

You persist in placing all parties on an equal footing, but that approach badly misrepresents the facts. The actions taken by the Government of National Accord should properly be understood as legitimate self-defence, a right that is guaranteed under domestic and international law. Calls for de-escalation should be directed to the party responsible for the outbreak of war.

We also object strongly to your argument that the aggression was caused by unequal distribution of wealth. This war was started purely in order to take power and thwart the drive for a civilian State. The financial and administrative corruption in the areas controlled by the invading forces speak volumes on that point.

Every report shows that Haftar has unquestionably committed grave violations including indiscriminately bombarding civilian neighbourhoods and airports, hospitals and medical staff, killing prisoners, mutilating bodies, and hiring mercenaries from numerous countries. And yet, once again, we find ourselves accused of committing similar violations, without legal or factual evidence.

We also wish to address what you said about the migrant detention centre, which was treacherously bombarded from the air. While the attackers bombed the centre, the international community stayed silent, failed to condemn Haftar's forces for that vicious crime, and sought instead to level unjustified accusations at the guards who were protecting the location.

We have continued to address irregular migration with all the legal and humanitarian means available to a country in the throes of war. Indeed, the migrants had not been exposed to any danger until the attack took place.

Our legal and humanitarian obligation stops at the point when you minimize the problem of irregular migrants in shelters. We wish to ask a question of the United Nations, which you represent: what solution did you have in mind for some 800,000 irregular migrants spread across the country, whose aim is to cross the Mediterranean Sea to Europe? What position will the international community take when it comes

to punishing human smugglers and traffickers in origin and destination States? How can the blame be placed on the Government of National Accord, which is at war through no choice of its own? The international community has not yet tried hard enough to solve the problem; it needs to show the will to get things done.

The increasingly frequent attacks on Mitiga airport, which serves as the only functioning airport in the greater Tripoli area, are another crime to be laid at the door of Haftar's forces. We should like to know on what grounds you allege that the airport has been used for military purposes; your own Mission is among its most frequent users. Would it not be more appropriate to make a firm request that the aggressor stop bombarding civilians? Statements such as these merely encourage the Haftar forces to attack the airport – as in fact happened, with substantial human and material losses, mere hours after your briefing was broadcast. Why did the briefing ignore the fact that Haftar has launched attacks from the oil field airstrips of Burayqah and Sidrah, thereby posing a threat to the Libyan people's only source of income?

You have constantly sought to avoid confronting the party responsible for this horrific turmoil. The aggressor crossed a vast distance to attack Tripoli and start an illegal war at a time when the country was moving forward and preparing, in a spirit of optimism, to convene the comprehensive national conference for which you had called. The attack disrupted the conference, sparked chaos and plunged the country into war. Why did the briefing fail to mention any of those facts, or to call out those responsible by name? This stark contradiction is a telling sign of a hesitant, indecisive stance.

On more than one occasion, you have referred to Haftar's forces as a national army. Yet he is the one who formed criminal militias, some local and others foreign, not to mention brainwashed groups that carry out abductions, torture and summary executions. Most recently, they abducted the parliamentarian Siham Sergewa, attacked her family, tortured her husband and son, and subjected her to enforced disappearance.

We were also surprised that you did not mention the ongoing efforts of the Government of National Accord, despite the war imposed on it, to combat terrorism in partnership with the United States of America.

In another misrepresentation, you accuse all parties of targeting doctors and health facilities. Not a single incident has been attributed to Government forces; all of the violations occurred when sites under Government control were attacked by Haftar's forces. You failed to mention that the Haftar forces' official spokesperson admitted to the bombardment of the health facility on the airport road, which claimed the lives of six medical staff.

We had hoped that you would put forward a plan for a political solution based on the initiative of the President of the Presidency Council, which you have welcomed in the past, in order to put the country back on the political track. We wonder why you failed to refer to Haftar's own initiative, under which he would take power alone for four years before a return to the political process.

The solution is clear: the aggressor force must withdraw. Only then can your Mission press ahead with the political process that came to a halt on 4 April 2019.

(Signed) Faiez Mustafa **Serraj**
President of the Presidency Council
Government of National Accord of the State of Libya