



Security Council

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Letter dated 22 January 2020 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

In the context of the Berlin Process, which has been ongoing since September 2019, the German Government hosted a conference in Berlin on 19 January 2020. The purpose of the conference was to create new political impetus and rally international support for finding a solution to the conflict in Libya. The Berlin Process was designed in support of the tireless efforts of the United Nations, the Secretary-General, António Guterres, and his Special Representative for Libya, Ghassan Salamé, to provide the preconditions for a Libyan-led and Libyan-owned political process that can end the hostilities and bring lasting peace.

Together with the Secretary-General and Germany, 11 countries attended the conference: China, France, Russia, the United Kingdom, the United States, Egypt, the United Arab Emirates, Italy, the Congo, Turkey and Algeria. The African Union, the Arab League and the European Union also took part.

All participants agreed that a political solution to the conflict in Libya is needed. They adopted conclusions to that end and endorsed an operationalization paper by the United Nations Support Mission in Libya to implement the conclusions (see annexes I and II).

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

(*Signed*) Christoph Heusgen
Ambassador
Permanent Representative of Germany



Annex I to the letter dated 22 January 2020 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

The Berlin Conference on Libya

19 January 2020

CONFERENCE CONCLUSIONS

1. Today's Berlin Conference on Libya, at the invitation of German Chancellor Merkel, has gathered the Governments of Algeria, China, Egypt, France, Germany, Italy, Russia, Turkey, the Republic of the Congo, United Arab Emirates, the United Kingdom and the United States of America and High Representatives of the United Nations, the African Union, the European Union, and the League of Arab States.
2. We, the participants, note the Co-Chair's statement on the political, security and humanitarian situation in Libya of the meeting at Foreign Ministers' level convened by France and Italy on the margins of the 74th General Assembly of the UN in New York on 26 September 2019.
3. We reaffirm our strong commitment to the sovereignty, independence, territorial integrity and national unity of Libya. Only a Libyan-led and Libyan owned political process can end the conflict and bring lasting peace.
4. The conflict in Libya, the instability in the country, the external interferences, the institutional divisions, the proliferation of a vast amount of unchecked weapons and the economy of predation continue to be a threat to international peace and security by providing fertile grounds for traffickers, armed groups and terrorist organizations. It has allowed Al Qaida and ISIS to flourish on the Libyan territory and to launch operations in Libya and in neighboring countries. It has facilitated a destabilizing wave of illegal migration in the region and an important deterioration of the humanitarian situation. We are committed to support Libyans in addressing those structural governance and security issues.
5. The "Berlin Process", in which we engaged to support the three-point-plan presented by Special Representative of the UN Secretary-General (SRSG) Ghassan Salamé to the United Nations Security Council (UNSC), has the sole objective of assisting the United Nations in unifying the International Community in their support for a peaceful solution to the Libyan crisis. There can be no military solution in Libya.
6. We commit to refraining from interference in the armed conflict or in the internal affairs of Libya and urge all international actors to do the same.
7. We recognize the central role of the United Nations to facilitate an inclusive intra-Libyan political and reconciliation process, based on the Libyan Political Agreement of 2015 and its institutions, UNSC Resolution [2259 \(2015\)](#), other relevant UNSC Resolutions and the principles agreed in Paris, Palermo and Abu Dhabi, as well as the important roles of the African Union and its High Level Committee of Heads of State and Government on Libya, the League of Arab States, the European Union and the neighboring countries in Libya's stabilization with particular regard to intra-Libyan national reconciliation, peace and security and political dialogue. All these International Organisations will closely work together. In this context we welcome the organization by the African Union of the Reconciliation Forum in the spring of 2020.
8. We fully support the good offices and mediation efforts of the United Nations Support Mission to Libya (UNSMIL) and SRSG Salamé. We stress that a durable

solution in Libya requires a comprehensive approach that addresses simultaneously the different aspects.

CEASEFIRE

9. We welcome the marked reduction in violence since January 12th and the negotiations undertaken in Moscow on January 13th as well as all other international initiatives aimed at paving the way towards a ceasefire agreement. We call on all parties concerned to redouble their efforts for a sustained suspension of hostilities, de-escalation and a permanent ceasefire. We reiterate the vital task of the Special Representative of the Secretary General of the United Nations in this regard. We call for credible, verifiable, sequenced and reciprocal steps, including credible steps towards the dismantling of armed groups and militias by all parties as per art. 34 of the LPA and referred to in UNSC resolutions 2420 and 2486, leading to a comprehensive and lasting cessation of all hostilities including air operations over the territory of Libya. We call for the redeployment of heavy weapons, artillery and aerial vehicles and their cantonment.

10. We call for the termination of all military movements by, or in direct support of, the conflict parties, in and over the entire territory of Libya, starting from the beginning of the ceasefire process.

11. We call for the institution of confidence-building measures, such as the exchange of prisoners and mortal remains.

12. We call for a comprehensive process of demobilization and disarmament of armed groups and militias in Libya and the subsequent integration of suitable personnel into civilian, security and military state institutions, on an individual basis and based on a census of armed groups personnel and professional vetting. We call upon the United Nations to assist this process.

13. We reaffirm the need to combat terrorism in LBY by all means in accordance with the UN Charter and international law, recognizing that development, security, and human rights are mutually reinforcing and are vital to an effective and comprehensive approach to countering terrorism. We call on all parties to dissociate from UN-listed terrorist groups. In this perspective, and in accordance with Art. 35 of the LPA, we welcome the efforts to combat terrorist individuals and entities designated by the UN Security Council.

14. We call for the implementation of UNSCR 2368 and other relevant resolutions concerning ISIL (Da'esh), Al-Qaida, and designated individuals, groups, and entities, in particular the provisions related to the travel ban and freezing without delay of the funds and other financial assets or economic resources of designated individuals and entities. We reaffirm enhanced cooperation to counter the foreign terrorist fighter threat in accordance with UNSC Resolution 2322.

15. We call upon the United Nations to facilitate ceasefire negotiations between the parties, including through the immediate establishment of technical committees to monitor and verify the implementation of the ceasefire.

16. We call upon the UNSC to impose appropriate sanctions on those who are found to be in violation of the ceasefire arrangements and on Member States to enforce these.

17. We call upon Member States to commit to supporting the provision of the United Nations Support Mission to Libya (UNSMIL) in line with UNSC Resolution [2486 \(2019\)](#) with the necessary personnel and equipment to effectively support the ceasefire.

ARMS EMBARGO

18. We commit to unequivocally and fully respect and implement the arms embargo established by United Nations Security Council Resolution 1970 (2011) and the Council's subsequent Resolutions, including the proliferation of arms from Libya, and call on all international actors to do the same.
19. We call on all actors to refrain from any activities exacerbating the conflict or inconsistent with the UNSC arms embargo or the ceasefire, including the financing of military capabilities or the recruitment of mercenaries.
20. We reiterate our call to stop any support to UN-designated terrorist individuals and groups. All perpetrators of terrorist acts should be held accountable.
21. We commit to efforts strengthening current monitoring mechanisms by the UN and competent national and international authorities, within our capabilities, including maritime, aerial and terrestrial monitoring, and through the provision of additional resources, in particular satellite imagery.
22. We commit to informing UNSMIL, the UNSC, its Committee established pursuant to resolution 1970 (2011) and its Panel of Experts established pursuant to resolution 1973 (2011) about potential breaches of the arms embargo, including by sharing intelligence, and call on all international actors to do the same.
23. We commit to supporting the UN Panel of Experts to effectively document and report such breaches and support them in investigating violations and urge all international actors to do the same. We encourage the Panel to investigate and alert the relevant UNSC Committee on violations of the UNSC arms embargo on a continuous basis. We commit to supporting and fully cooperating with the UN Panel of Experts.
24. We call on all actors to apply and enforce UNSC sanctions, including through national implementation measures, against those who are found to be in breach of the UNSC arms embargo or the ceasefire, from this day forward.

RETURN TO THE POLITICAL PROCESS

25. We support the Libyan Political Agreement as a viable framework for the political solution in Libya. We also call for the establishment of a functioning Presidency Council and the formation of a single, unified, inclusive and effective Libyan government approved by the House of Representatives.
26. We urge all Libyan parties to resume the inclusive Libyan-led and Libyan-owned political process under the auspices of UNSMIL, engaging in it constructively, paving the way to end the transitional period through free, fair, inclusive and credible parliamentary and presidential elections organized by an independent and effective High National Elections Commission.
27. We encourage the full, effective and meaningful participation of women and youth in all activities relating to Libya's democratic transition, conflict resolution and peacebuilding, and support the efforts of SRSR Salamé to facilitate wider engagement and participation of women and youth from across the spectrum of Libyan society in the political process and public institutions.
28. We urge all actors to restore and respect the integrity and unity of Libyan executive, legislative, judiciary and other State institutions.
29. We call for a transparent, accountable, fair and equitable distribution of public wealth and resources between different Libyan geographical areas, including through decentralization and support for municipalities, thereby removing a central grievance and cause of recriminations.

30. We call on the UNSC, the African Union, the League of Arab States and the European Union to act against Libyan spoilers of the political process, in line with relevant UNSC decisions.

31. We urge all Libyan parties to further engage in and support mediation and reconciliation efforts between Fezzan local communities so as to reconstruct the social fabric in an area long neglected.

32. We underline the important role of neighboring countries in the Libyan stabilization process.

33. We commit to using all bilateral contacts to urge all Libyan parties to enter into the ceasefire and engage in the intra-Libyan political process under UNSMIL auspices.

34. We commit to accepting and supporting the outcome of this intra-Libyan political process.

SECURITY SECTOR REFORM

35. We call for the restoration of the monopoly of the State to the legitimate use of force.

36. We support the establishment of unified Libyan national security, police and military forces under central, civilian authority, building upon the Cairo talks, and the documents produced therein.

ECONOMIC AND FINANCIAL REFORM

37. We maintain that it is of utmost importance to restore, respect and safeguard the integrity, unity and lawful governance of all Libyan sovereign institutions, in particular the Central Bank of Libya (CBL), the Libya Investment Authority (LIA), the National Oil Corporation (NOC) and the Audit Bureau (AB). Their boards of directors should be inclusive, representative, and active.

38. We commit to providing, upon request from these Libyan authorities and in full accordance with the principles of national ownership, technical assistance to improve transparency, accountability and effectiveness, bring those institutions into conformity with international standards, including through audit processes, and allow for an intra-Libyan dialogue attended by representatives of all different constituencies regarding grievances over the distribution of Libya's revenues. We call for improving the capacity of relevant Libyan oversight institutions, particularly the Audit Bureau, Administrative Oversight Authority, the National Anti-Corruption Authority, the Office of the Prosecutor General, and the relevant parliamentary committees as per the Libyan Political Agreement and pertinent Libyan laws.

39. We stress that the National Oil Corporation (NOC) is Libya's sole independent and legitimate oil company, in line with UN Security Council Resolutions [2259 \(2015\)](#) and [2441 \(2018\)](#). We urge all parties to continue to guarantee the security of its installations and refrain from any hostilities against all oil facilities and infrastructure. We reject any attempt at damaging Libya's oil infrastructure, any illicit exploitation of its energy resources, which belong to the Libyan people, through the sale or purchase of Libyan crude oil and derivatives outside the NOC's control and call for the transparent and equitable distribution of oil revenues. We appreciate the monthly publication by the NOC of oil revenues, as a proof to its commitment to improve transparency.

40. We support the Economic Dialogue with representatives of Libyan financial and economic institutions, and encourage the implementation of structural economic reforms. To facilitate this dialogue, we support the creation of an inclusive Libyan Expert Economic Commission composed of Libyan officials and experts reflecting the country's institutional and geographical diversity.

41. We support the empowerment of Libya's municipalities and urge central authorities to fully commit to providing the needed financial allocations to sustain local governance, particularly in the south.

42. We encourage the establishment of a reconstruction mechanism for Libya supporting development and reconstruction in all regions under the auspices of a new, representative and unified government exercising its authority over all Libyan territory, to develop the severely affected areas with priority to be placed on reconstruction projects in the cities of Benghazi, Derna, Murzuq, Sabha, Sirte, and Tripoli.

43. We recall that the UN Security Council froze LIA assets with the objective of preserving them for the benefit of the Libyan people, stress the need for a financial review of Libyan financial and economic institutions to support efforts of reunifying them, and to helping the relevant Libyan authorities to promote the integrity and unity of the LIA, including through a credible comprehensive audit of the LIA and its subsidiaries.

RESPECT FOR INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS

44. We urge all parties in Libya to fully respect international humanitarian law and human rights law, to protect civilians and civilian infrastructure, including airports, to allow access for medical, human rights monitors, humanitarian personnel and assistance and to take action in order to protect the civilian population, including internally displaced people, migrants, refugees, asylum seekers and prisoners, also through engagement with UN entities.

45. The lack of due process in the functioning of the national judicial system, including in prisons, is one of the contributing factors to the volatile and serious human rights and humanitarian situation. We call for follow-up on the decrees of the Libyan authorities to screen all detainees and prison inmates under the control of the Ministry of Justice/Judicial Police in order to strengthen the functioning of the judicial institutions and to release those illegally or arbitrarily detained.

46. We urge all parties to end the practice of arbitrary detention and the Libyan authorities to establish alternative procedures to detention, especially for those in high-risk areas of conflict, and gradually close the detention centres for migrants and asylum seekers while simultaneously amending the Libyan legislative frameworks on migration and asylum to align them with international law and internationally recognized standards and principles.

47. We stress the need to hold accountable all those who have violated provisions of international law, including in the areas of indiscriminate use of force against civilians, attacks on densely populated residential areas, extrajudicial killings, kidnappings, enforced disappearances, sexual and gender-based violence, torture and ill-treatment, human trafficking, and violence against or the abuse of migrants and refugees.

48. We urge all parties to refrain from any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, including through the use of social media.

49. We commit to supporting the work of Libyan institutions to document violations of international humanitarian law and human rights law.

50. We encourage the Libyan authorities to further proceed with strengthening transitional justice institutions, including prosecution initiatives, reparations, truth-seeking and institutional reform, which should be in line with internationally recognized standards and principles, in order to uphold and defend the rights to know the truth regarding the circumstances of the enforced disappearance, to have access

to justice and to have the right to obtain reparations and guarantees of non-recurrence in Libya, particularly in the context of missing persons.

FOLLOW-UP

51. We call on the Secretary-General of the United Nations, his Special Representative to Libya and the chair of the Berlin process to communicate the outcome of this process and conference to the Libyans. We welcome that Prime Minister Sarraj and Marshal Haftar have nominated their representatives for the military 5+5-Committee proposed by UNSMIL in its support of operationalization attached as an annex to these conclusions. In order to allow for substantial and serious talks in the 5+5-Committee, all participants of the Conference declare that they will refrain from any further military deployments or operations as long as the truce is respected.

52. We express our full support to the operationalization of these conclusions by the Special Representative of the Secretary-General to Libya attached to these Conclusions as an annex.

53. We agree that the Berlin Conference on Libya is one important step in a broader Libyan-led and Libyan-owned process designed to bring a decisive end to the Libyan crisis by addressing in a comprehensive manner the underlying drivers of the conflict. The follow-up from the Berlin Conference on Libya plays an important role. Successful translation of the commitments above into actionable activities will be key, as well as identification of precise indicators, roles and responsibilities, not only for the United Nations but also for the participants themselves as well as potentially other Member States and international organizations.

54. We herewith create an International Follow-Up Committee (IFC) consisting of all countries and International Organisations that participated in today's Berlin Conference on Libya in order to maintain coordination in the aftermath of the Berlin Conference on Libya, under the aegis of the United Nations. The IFC will meet on two levels:

(a) One plenary at Senior Official-level, to meet on a monthly basis with an UNSMIL chair and, additionally, a rotating co-chair and locations. The IFC would be responsible for tracking progress against implementation of these Conclusions and exert leverage where necessary. At the end of each session, a conclusion acknowledging specific achievements or compliance would be presented.

(b) Four technical working groups, with closed meetings at expert-level to take place twice a month during the first implementation stages. The working groups will be based on these Conclusions' baskets. Each group will be led by a UN representative. In closed sessions, participants will (i) address obstacles to implementation, (ii) share relevant information and (iii) coordinate operational requirements and assistance without prejudice to the mandate of the UN Security Council.

55. We shall bring the Conclusions of this Berlin Conference on Libya to the attention of the UN Security Council for consideration and call on SRSG Salamé and UNSMIL to support the implementation of commitments made in the framework of the Berlin process.

Annex II to the letter dated 22 January 2020 from the Permanent Representative of Germany to the United Nations addressed to the President of the Security Council

UNSMIL Operationalization of Berlin Process

Introduction

In preparation for the Berlin Summit, UNSMIL, consonant with its UNSC mandate and with the full authority of the UN Secretary General, has operationalized each of the six thematic baskets and conducted a comprehensive planning exercise that lays out an action plan to be implemented before, during, and after the Summit, working on the basis that each of the baskets shall advance simultaneously. This process also offers options for where Member States can provide support for and engage alongside the United Nations.

We will take the work on these baskets forward within the follow-up and implementation mechanism agreed in the Berlin Summit Communiqué.

Overview of baskets

• Political

Libyans above all want the unification of the country's executive, sovereign, economic, financial, security, and military institutions. UNSMIL is engaged in intensive consultations with the Libyan parties, members of the HoR and HSC, as well as other key constituencies to explore options for re-establishing a functioning executive branch. Women and youth must be sufficiently represented in all consultations.

Based on Article 64 of the Libyan Political Agreement, UNSMIL launched the process to establish a Political Dialogue Forum to be convened outside of Libya by the end of January comprised of 40 representative Libyans who shall be selected following consultations with major constituencies. The Forum shall convene in order to discuss the possibility of reforming the Presidency Council (1+2) and designating a new Prime Minister and two Deputy Prime Ministers who shall be charged with forming a government per the understandings reached in November 2017 in Tunis on the competencies of both the Presidency Council and the government.

The government will be presented to the HoR for a vote of confidence. Formation of a new government will naturally require all parties to agree to the dissolution of current executive authorities. This must take place simultaneously with the unification of currently divided national institutions.

A primary objective of the HoR will be the conclusion of the electoral legislation necessary to end the transitional period. To support this goal, the High National Electoral Commission (HNEC) must be fully funded and staffed. The Political Dialogue Forum shall lay out a roadmap for empowering and ensuring funding for the HNEC.

Those individuals and entities who threaten Libya's stability and obstruct or undermine the political process can be subject to sanctions as per relevant UNSC resolutions.

• Economic and Financial

The economic component underlines the importance of setting in motion complementary processes to unify and enhance the integrity of Libyan financial and economic institutions, enabling them to become more transparent and capable of

implementing needed reforms. Specific measures include supporting the ongoing processes to unify the CBL, in particular the international audit of the two banks, track two negotiations between officials of the two banks and strict implementation of the banking law, including full re-empowerment of the board of directors.

The international financial institutions and member states should assist and provide guidance to the LIA as it conducts a much-needed audit. The NOC should be encouraged to improve transparency and provided with the necessary resources to modernize the oil sector.

Two new economic initiatives are proposed in the Berlin communique: the creation of a Libyan Experts Economic Commission and a Libyan Reconstruction and Development Fund. The Commission would be composed of Libyan officials and experts reflecting the country's institutional and geographic diversity; the Commission shall include a separate Secretariat. The Commission shall provide a forum for inclusive dialogue and would allow existing institutions to progressively work to harmonize economic and financial policy while building the trust necessary for unification. Prior to the Berlin Conference, on 6 January 2020, UNSMIL convened 19 Libyan technical experts to launch the process of defining the Terms of Reference for the Commission. The Reconstruction and Development Fund would be based on a common planning document to supplement and streamline development spending on critical infrastructure.

Immediate steps should be taken to enhance local governance by: (1) pursuing the municipal electoral process so that the remaining municipal elections take place prior to mid-2020; (2) immediate activation of Law 59, in particular the establishment of the Supreme Council for Local Governance; (3) a substantial increase in the 2020 budget of financial support to the municipalities.

To support the success of the political/economic-financial baskets, states party to the Berlin process and regional organisations should hold meetings with their primary Libyan contacts to support the process and its outcomes, including the convening of the Economic Dialogue.

• Security

The security basket comprises a series of steps to consolidate the acceptance by the Libyan parties of calls for a truce, leading to a comprehensive and sustainable cessation of hostilities in Libya, stabilization of the security situation throughout the country, the demobilization of armed formations, and the reunification and rebuilding of security institutions establishing the monopoly of the state on the legitimate use of force. The security road map will be closely aligned with the political line of effort and its progress will be contingent upon political milestones throughout the process.

Step 1 comprises the establishment of a 5+5 joint military commission (JMC) of regular military and/or police officers under UN auspices drawing upon the Cairo talks and documents produced therein. The JMC constitutes the umbrella under which separate working groups shall be established with the following focus: (a) truce/ceasefire; (b) DDR; (c) counter-terrorism; (d) security arrangements/border control.

Step 2 comprises the consolidation of the truce with the immediate demobilization of non-Libyan fighters in the theatre of war.

Step 3 comprises the commencement of negotiations under the umbrella of the 5+5 JMC for a permanent ceasefire, with all that such talks would entail, including: the terms of reference for a ceasefire monitoring and verification mechanism (joint UN-Libyan); the separation of forces; confidence-building measures; and, the establishment of associated working groups comprised of representatives of both

parties and supported by the UN. The JMC shall be responsible for defining the timeframe for the negotiations and the implementation of the agreement within a reasonable period.

The technical working group/task force for demobilization, disarmament and, where appropriate, reintegration of armed groups will conduct a census of armed formations ('support forces') in cooperation with the Ministry of Interior, Ministry of Defence/Military Zones and General-Command of the new unity government. The task force will identify groups and individuals that could be rehabilitated, those who require reform and, finally, those who should be dismantled and disarmed. Terrorist and criminal elements shall be brought to justice.

The task force shall conduct a mapping of heavy weaponry (including newly imported weaponry), develop a set of guarantees and incentives for commanders of controversial armed formations and implement programmes for the medical treatment of combatants and the priority demobilization of young fighters. The task force will also develop a strategy for integration and re-integration of members of armed formations (including vetting).

Step 4 comprises the implementation of interim security arrangements starting with Tripoli by the ministries of interior and defence of the new unity government. The task force will identify needs for international assistance and coordinate its delivery, supported by UNSMIL.

• **Arms Embargo:**

Responsibility for compliance with existing United Nations resolutions relevant to the Sanctions regime and arms embargo primarily fall under the responsibility of Member States.

Enhanced and timely compliance with existing Security Council resolutions will lead to a reduction of the number of violations of the arms embargo, and act as a confidence-building measure in support of the ceasefire as well as DDR efforts.

Berlin participants are expected to commit to comply with the UN arms embargo as well as enhance relevant national legislations. They are called upon as per relevant UN Security Council resolutions to support the panel of experts in the execution of its mandate by sharing relevant information. Keeping in mind the renewal of the Panel of Experts' mandate in February 2020, Berlin participants are in favour of more frequent experts' reporting to the Sanctions Committee.

The Berlin group would coordinate technical assistance as well as urge Libyan counterparts to encourage sanctions implementation.

The Berlin format would also be used to coordinate technical assistance/resources enabling strengthening of border monitoring capabilities – either through pre-existing national (Libyan/neighboring states) or regional entities (EUBAM, G5+) or through establishing a stand-alone Inspection and Verification Mission under UNSC supervision. With regard to enhanced monitoring, it is essential that sea, land, and air monitoring be implemented simultaneously.

• **IHL/IHRL**

Promoting respect for international human rights, humanitarian law and the creation of an environment conducive for humanitarian actors and medical personnel to reach people in need is critical.

Arbitrary and unlawful detention is a key concern in Libya. The Berlin Group is asked to take concrete steps, including supporting judicial institutions and judicial police to review and screen inmates in prisons and promote due process, support the

implementation of the decrees of the Libyan authorities to screen inmates in prisons nominally under the control of the Ministry of Justice/Judicial Police to expedite and document the process to release arbitrarily or unlawfully detained inmates, support the unity and integrity of judicial institutions and to guarantee access to justice, and develop a prison road map in line with international standards. The Berlin Group is also asked to take concrete steps, including supporting the authorities to end arbitrary detention of migrants and refugees and to progressively close Detention Centres, with the establishment of human rights compliant alternatives to detention.

The documentation of human rights and IHL violations is an essential element and inextricably linked to strengthened accountability. Member states can play an important role in providing technical assistance and capacity building for the National Council for Civil Liberties (NCCHR) and related civil society actors to document and report on violations of IHL and IHRL. To hold perpetrators of the violations to account, the Berlin Group should support criminal justice reform with the aim of ensuring that Libya's national criminal justice system complies with international fair trial standards

Transitional justice mechanisms compliant with international standards can play an important role in securing sustainable peace, justice and reconciliation. The Berlin Group should support the establishment of a Fact-Finding and Reconciliation Commission; the establishment of a Commission for Missing Persons, including for tracing and identifying missing persons; the establishment of a comprehensive vetting programme; strengthen the capacity of national institutions to carry out community-wide transitional justice processes for Libyans, including bottom up reconciliation processes, and provide assistance for innovative truth-seeking and dialogue opportunities for Libyans.

The media often plays a negative role in the Libyan conflict, particularly in furthering inflaming the situation and in dividing communities. UNSMIL's existing mechanism to monitor hate speech shall be enhanced. Member States should contribute to this endeavor.
