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From: Sullivan, Jacob J <SullivanJJ@state.gov>
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To: H
Subject: Fw: UNSC/Libya: Readout of 4/4 Briefing and Consultations

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From: Rice, Susan E (USUN)
Sent: Monday, April 04, 2011 10:06 PM
To: Sullivan, Jacob J; Burns, William J; Steinberg, James B
Subject: Fw: UNSC/Libya: Readout of 4/4 Briefing and Consultations

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From: Ried, Curtis R (USUN)
Sent: Monday, April 04, 2011 09:58 PM
To: Brimmer, Esther D; Pittman, H Dean; Holt, Victoria K; Desjardins, Marc L; Saha, Trina D; Feltman, Jeffrey D; Sanderson, Janet A; NEA-MAG-DL; Cretz, Gene A; Godfrey, John T; Miller, James N; Miller, Lisa D; Haldeman, William E (P); Cook, Akunna E; NEA-Staff-Assistants-DL; Naranjo, Brian R; Sidereas, Evyenia M
Cc: USUN-Libya-DL; Rice, Susan E (USUN)
Subject: UNSC/Libya: Readout of 4/4 Briefing and Consultations

Colleagues,

Attached is a readout of Special Envoy al-Khatib's briefing to the Council on the situation in Libya and the subsequent closed consultations. Regards, Curtis

SUMMARY. In his first briefing to the Security Council since assuming his position as the Secretary-General's Special Envoy for Libya, Abdul Ilah al-Khatib reported on his recent meetings in Tripoli and Benghazi where he made initial contact with Qadhafi regime and opposition officials. He reported that he was not able to make progress towards a political solution to the crisis given the ongoing violence. Khatib highlighted the establishment of an international contact group at the London conference and welcomed the African Union's effort to maintain a dialogue with both sides. Khatib expressed significant concern about the humanitarian situation, citing the continuing flow of refugees out of the country and the reports of gender-based violence and human rights violations. Remarks by Council members largely reflected their votes on UNSCR 1973. The UK and France stated that Coalition efforts had saved the lives of many civilians and dismissed Qadhafi's empty calls for a ceasefire. Brazil, China, India, and Russia expressed serious concern that Coalition activities had lead to civilian deaths and many Council members called for a political solution to the crisis. End Summary.

During an April 4 briefing to the Security Council, the Special Envoy of the Secretary-General for Libya, Abdul Ilah al-Khatib reported on his recent efforts to support a political solution to the Libyan crisis and to facilitate humanitarian access. He began by noting that despite efforts to impose a no-fly-zone and protect civilians, fighting continued between the ground forces of the armed opposition and Colonel Qadhafi loyalists. Khatib noted that recent gains by Qadhafi forces in and near the towns of Ras Lanouf and Brega had nearly reversed the gains made by the opposition since action by the coalition began. Regarding his March 31 visit to Tripoli, Khatib said that he made clear to Prime Minister Baghdadi Mahmoudi and other senior officials that Libya must implement UNSCRs 1970 and 1973 and call on Qadhafi's officials to immediately end military action, halt the siege by their forces on Libyan cities, release foreign journalists and secure safe access for humanitarian assistance. Khatib reported that during his April 1 trip to Benghazi

he met with Transitional National Council Chairman Mahmoud Jabil who made clear that any ceasefire agreement with the Qadhafi regime must include the immediate withdrawal of his forces from cities, access for humanitarian assistance, and Qadhafi's departure from power. TNC members told Khatib that UN sanctions should not apply to liberated areas of Libya as the TNC desperately needed to conclude agreements on future oil sales in order to pay the salaries of civil servants and procure supplies for opposition-held areas.

Khatib reported that the London conference led to the creation of an international contact group on Libya comprised of 12-15 entities, including member states and international organizations, which could serve as a focal point for the international community's efforts in Libya. He also welcomed the efforts of the African Union, but noted that he was not able to attend the March 25 meeting in Addis Ababa due to logistical reasons.

Khatib stated that there is limited information available about the humanitarian situation, but he expressed his fear that there are significant humanitarian concerns such as land mines, gender-based violence, and violations of human rights. He reported that over 400,000 people had fled Libya since the conflict began and 12,000 remained stranded on the Libyan side of the border. Khatib thanked Egypt and Tunisia for their support in assisting those who have fled. He stated that the UN Flash Appeal for \$113 million was funded at 70 percent as of April 3.

Later in consultations, Khatib shared his assessment that the TNC is comprised of a wide spectrum of Libyan society with many members coming from academia, civil society, government, and the military. He noted that he did not perceive any fundamentalist tendencies amongst TNC members. Khatib reported that one TNC member from Misrata traveled for 30 hours to convey to the Envoy the dire humanitarian that exists in the city. He noted that the TNC had detained several foreign mercenaries, but had allowed the ICRC access to these individuals. When asked for his thoughts on the way forward for the political track, Khatib stated that a major impediment to a ceasefire agreement is that there are elements within the Qadhafi regime who continue to believe that the current crisis can be overcome by military force. He also noted that at this point in the crisis, it would be difficult for the opposition to join any dialogue established by the Qadhafi regime. Overall, Khatib said that without UNSCR 1973, a great deal of harm would have been inflicted on the people of Benghazi, a view he said was widely held in Benghazi. He noted that he was prepared to travel again to Libya, but did not announce any immediate plan.

Council members expressed their full support for Khatib's efforts, called for a real ceasefire to be implemented and condemned the ongoing violence. The British and French PermReps informed the Council about the Coalition's efforts to protect civilians, patrol the no-fly-zone and enforce the arms embargo continue. They reported that to date 14 member states have duly notified the Secretary-General of having taken action under UNSCR 1973. The French PermRep explained that command of the operation was transferred to NATO on March 31. Both PermReps said that despite these efforts, the situation in Libya continues to deteriorate as Qadhafi ignores the demands of his own people and the international community. They also noted that the Coalition is exercising the utmost caution to avoid civilian casualties from airstrikes.

China, India, and Russia were most critical of the Coalition's actions, claiming that the ongoing multinational military operations go beyond the mandate established by 1973 and claimed that Coalition airstrikes have injured civilians. The Russian PermRep exclaimed that "violence only leads to violence," and the Indian PermRep expressed concern about the "talk" of "arming rebels or putting [foreign] boots on the ground". The Indian PermRep also warned against picking sides in a tribal society such as Libya's and cautioned against taking actions that could lead to the division of the country. The Brazilian PermRep noted concern about collateral damage from airstrikes and urged Khatib to facilitate a dialogue between both sides. Several Council members stressed that the arms embargo applies to all sides and stated explicitly that arming of the rebels would be in contravention of the embargo.

The Chinese PermRep said there must be a political solution to the crisis, but noted that China feels the international community's role in this process should be channeled through the United Nations rather than through the London conference contact group. The Brazilian PermRep stated that it is for Libyans to determine their future and expressed support for a political dialogue that would fulfill the legitimate aspirations of the Libyan people. The Russian PermRep said that any political transformation must ultimately be led by Libyans, but he welcomed Khatib's efforts to facilitate such a dialogue.

The Lebanese PermRep defended the Coalition's actions stating that the use of force was authorized by the Council, and Qadhafi had not heeded calls for a ceasefire. He said that the actions that have been taken are in line with UNSCR 1973 and these actions have protected civilians from Qadhafi's aggression.

Gabon, Nigeria, and South Africa highlighted the work of the African Union. South Africa said that the AU's High Level Committee would soon travel to Libya in the hopes of facilitating a dialogue between the two sides and asked Khatib about a letter to the SYG in this regard. Khatib noted that NATO had said the Coalition stood ready to facilitate travel once the African Union has submitted a concrete travel plan. The German PermRep said that his country stood ready to participate heavily in the reconstruction of Libya once a ceasefire is reached. Ambassador Rice underscored that Qadhafi's forces continue to intentionally target civilians and highlighted the fact that the international community's concrete actions have saved thousands of civilians.

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