

United States Senate

WASHINGTON, DC 20510

November 10, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Secretary Pompeo,

We write to express concern over the worsening crisis in Libya and flagrant violations of the United Nations Arms Embargo. If the UN-led peace talks in Tunisia are to succeed, the arms embargo must be respected.

The United Nations has repeatedly identified foreign financial and materiel support to rival Libyan factions as the most significant factor prolonging the conflict and limiting prospects for peace. Indeed, Secretary-General Guterres recently said arms embargo violations are “a scandal and call into question the basic commitment to peace of all (UN member) states involved.” We were encouraged earlier this year by commitments made at the Berlin Conference in January and the February passage of UN Security Council Resolution 2510 calling for a ceasefire and enforcement of the arms embargo. However, these commitments have not been followed by actions, and foreign actors – including Russia, Turkey, and the United Arab Emirates (UAE) – continue to flagrantly violate the arms embargo with impunity. Reports that Russia and China are blocking the release of a new UN Panel of Experts report documenting arms embargo violations are unacceptable. These violations have fueled a deadly conflict that has killed thousands, displaced more than 425,000, collapsed the economy, and ravaged the Libyan health sector amidst the spread of the COVID-19 pandemic.

We are particularly concerned about the role of the UAE and its support for warlord Khalifa Haftar’s violent gambit to seize power from the internationally-recognized Government of National Accord (GNA). Between January and April of this year, the UAE reportedly dispatched more than 150 flights to bolster forces in areas under Haftar’s control. The UAE has also reportedly provided more than 1,000 Sudanese mercenaries to Haftar’s forces. We are additionally concerned by reports that a January drone strike, which killed 26 unarmed cadets in a Tripoli military academy, was carried out by the UAE in support of Haftar. This pernicious disregard for the arms embargo has killed and endangered civilians, destroyed vital civilian infrastructure, violated international humanitarian law, and obstructed peace negotiations. The UAE’s role in having perpetuated the conflict and needless humanitarian suffering must be a critical factor in considering the potential sale of F-35s to the UAE.

At the Berlin Conference on Libya, you joined world leaders in committing to “unequivocally and fully respect and implement” the UN arms embargo. Unfortunately, there have been few concrete steps to enforce the arms embargo or hold to account the perpetrators of

these egregious violations. Continued instability in Libya threatens the stability of the region and the security of our allies. We urge you to:

- Expediently work towards the release of the UN Panel of Experts report documenting arms embargo violations;
- Impose sanctions on all actors providing illicit arms to Libya in violation of the UN arms embargo;
- Confirm that no U.S.-origin aircraft or materiel have been transferred or used to transfer weapons to warring parties in the Libyan conflict;
- Press the UAE, Russia, Turkey, and Jordan to halt all transfers of military equipment and personnel to Libya;
- Determine if the UAE's violations of the arms embargo precludes them from future arms sales pursuant to the Arms Export Control Act;
- Determine if ties between Khalifa Haftar and the Wagner Group trigger mandatory sanctions pursuant to the Countering America's Adversaries Through Sanctions Act (CAATSA) and;
- Provide an update on concrete actions being taken to enforce the arms embargo and hold Emirati and other violators accountable for their violations and complicity in civilian harm.

Thank you for your continued attention to this important matter.

Sincerely,



Cory A. Booker
United States Senator



Bernard Sanders
United States Senator



Jeanne Shaheen
United States Senator