

**Security Council**

Distr.: General
19 April 2021

Original: English

Letter dated 16 April 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Ireland and Mexico, as Co-Chairs of the Informal Expert Group on Women and Peace and Security of the Security Council, and in close cooperation with the United Kingdom, would like to share the summary note of the meeting of the Informal Expert Group on the situation in Libya (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) **Geraldine Byrne Nason**
Permanent Representative of Ireland to the Security Council

(Signed) **Juan Ramón de la Fuente Ramírez**
Permanent Representative of Mexico to the United Nations

(Signed) **Barbara Woodward**
Permanent Representative of the United Kingdom to the United Nations



Annex to the letter dated 16 April 2021 from the Permanent Representatives of Ireland, Mexico and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Informal Expert Group on Women and Peace and Security of the Security Council

Summary of the meeting on the situation in Libya held on 1 April 2021

On 1 April 2021, the Informal Expert Group on Women and Peace and Security of the Security Council convened a meeting on the situation in Libya. The members received a briefing from the Special Envoy of the Secretary-General on Libya. Representatives of the United Nations Support Mission in Libya (UNSMIL) and the United Nations country team provided additional information during the discussion that followed the briefing. The meeting concluded with an overview of key recommendations delivered by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and additional observations shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

Questions from Security Council members

Members of the Security Council asked about the integration of gender issues and the use of female monitors in ceasefire monitoring arrangements; women's participation in the work of the national committees following up on the Berlin process, including those working on the economic and security tracks; plans to curb hate speech and gender discrimination ahead of elections, in the light of the online abuse experienced by some of the women participants in the Libyan Political Dialogue Forum and by the women appointed to the new Cabinet; the situation of women migrants and refugees in detention and women associated with Islamic State in Iraq and the Levant (ISIL) in Libya. They also asked questions in response to an update on the potential deployment of women's protection advisers as called for in resolution [2542 \(2020\)](#), which extended the mandate of UNSMIL. Other questions focused on ways to enhance the reporting of gender-based violence and increase accountability for conflict-related sexual violence; the situation of women's organizations in Libya and the impact of the 2009 decree on the adoption of by-laws by women's associations and organizations and subsequent regulations on civil society; the capacity of the United Nations to monitor and respond to attacks on politically active women, including women human rights defenders, who are substantively engaged in gender-responsive security and justice sector reforms, including disarmament, demobilization and reintegration; support for women's economic empowerment and health; strengthening the gender perspective in the management of the coronavirus disease (COVID-19) pandemic; and ensuring the involvement of young people in the implementation of the women and peace and security agenda.

Main points raised in the meeting

- As Libya enters into a new phase, women's participation will be crucial for the success of the newly formed Government of National Unity and the preparations for the elections to be held at the end of 2021.
- The United Nations is working with electoral management bodies and legislators on integrating gender equality issues into various aspects of election preparations, including voter registration, education campaigns and capacity-

building for candidates; proposing changes to the legal framework; and monitoring harassment or violence against women voters or women candidates.

- The current Government has a lower level of women's representation than the previous one, with women accounting for only 5 of the 35 ministers. However, those women have been put in charge of key ministries, including the Ministry of Foreign Affairs and the Ministry of Justice. The United Nations continues to encourage the Prime Minister to ensure that a minimum of 30 per cent of senior positions in the Government are filled by women, in line with the Prime Minister's commitment and the political road map of the Libyan Political Dialogue Forum.
- UNSMIL and United Nations agencies contributed significantly to increasing women's representation in the Forum to 22 per cent of all participants in 2020, as compared to the very low number of women delegates in the delegations initially sent by Libyan institutions, and also provided a number of dialogue sessions aimed at supporting the women in their preparations. The sessions helped to integrate many of the positions held by women's organizations and women in political parties into the agreed road map of the Forum.
- Although the ceasefire is holding, women are not represented in the 5+5 Joint Military Commission and sexual violence was not explicitly addressed in the ceasefire agreement. As options for United Nations support to the ceasefire monitoring arrangements are being considered, it is essential that women be represented in key committees and among monitors and that a gender perspective be integrated throughout, so that the security needs of all civilians are taken into account.
- Women are also underrepresented in the group of experts working on the economic track of the Berlin process. Although previous meetings have included women participants, a recent meeting of the group was attended by approximately 40 men, without any women in attendance.
- The Special Envoy has advocated the appointment of a woman to lead a national reconciliation commission and the adoption of women and peace and security as an organizing principle of community-based reconciliation.
- Libya does not yet have a national action plan on women and peace and security, but such a plan would be useful for articulating women's priorities and for mobilizing internal support in the Government and among other actors. The United Nations will support consultations on a national action plan on women and peace and security with both the new government and civil society that would build on previous discussions.
- The Women's Empowerment Unit of the Government's Presidency Council still needs to receive adequate financial and political support before it can become an effective instrument for the implementation and monitoring of national policy.
- Although women hold more than 40 per cent of posts in the justice sector, the Supreme Judicial Council comprises 13 men and no women.
- The United Nations is providing support to, and promoting the adoption of, a new law aimed at combating violence against women and training specialist judges to handle cases involving violence against women. It is also working with young people and the media on campaigns to reduce or eliminate gender stereotypes and hate speech.
- The Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict will provide funding for the deployment of a women's

protection adviser to UNSMIL in 2021. UNSMIL has included the post in its regular budget proposal for 2022.

- Thousands of migrants, refugees and arbitrarily detained people, including women and children, continue to be at a high risk of abuse and violence. There is an opportunity to make progress on this issue in view of the engagement of the European Union and the African Union, the formation of a new government, including a new Minister of Interior, and the strong human rights background of the women leading the Ministry of Justice and the Ministry of Foreign Affairs.
- Sexual violence in detention settings, including incidents involving corrections officials affiliated with the Department for Combating Illegal Migration, has been reported consistently for several years. The pandemic has added a layer of complexity to humanitarian monitoring and oversight of custodial settings. Libya has been at the epicentre of the global migration crisis for several years. In 2020, the United Nations reported 27 verified cases of conflict-related sexual violence, including rape, sexual exploitation and forced prostitution, affecting 23 women, 3 men and 1 girl, all of whom were migrants. Underreporting remains a challenge, owing to stigma and fear of retaliation. For example, a girl was recently brutally gang raped by four armed men in Tripoli and her family declined to report the attack out of fear of reprisals. Libya still lacks legislation aimed at combating trafficking in persons and there are several provisions in the Penal Code and in the legal framework that discriminate on the basis of gender, such as the requirement that hospitals report women who are unable to provide information on the paternity of their children, potentially resulting in the women's prosecution. In June 2020, the United Nations established monitoring, analysis and reporting arrangements on conflict-related sexual violence, but is still lacking a senior women's protection adviser to coordinate the monitoring activities and to strengthen the capacity of the United Nations to ensure that women's protection is integrated into ceasefire monitoring; disarmament, demobilization and reintegration; early warning; threat assessments; and access to justice.
- While women are key agents for peace, their political participation and activism are often silenced by attacks and threats, including through sexual violence and, especially during the pandemic, online harassment and abuse. The Security Council has heard directly from Libyan activists on many occasions that many of them are risking their lives when speaking out on gender-related issues. The resulting insecurity is exacerbated by the proliferation of arms and armed groups and pervasive impunity surrounding these violations.

Recommendations

The following recommendations were made either by UN-Women, as the secretariat of the Informal Expert Group, or the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict:¹

(a) The Security Council should call for the proposed ceasefire monitoring arrangements to include a significant number of female monitors, for the arrangements to address conflict-related sexual violence, to involve regular consultations with civil society, including women's organizations, and to fully integrate a gender perspective, expertise and training;

¹ These recommendations are suggestions from United Nations participants in the meeting or from the background note prepared by the secretariat of the Informal Experts Group ahead of the meeting, and they are not recommendations from the Informal Expert Group as a whole or Council members.

(b) The Security Council should call upon the Libyan Government to ensure that women occupy 30 per cent of government positions in line with the commitment made by the Prime Minister and to protect the full equality and inclusion of all citizens, men and women, as stipulated in the road map agreed on at the Libyan Political Dialogue Forum;

(c) The Security Council should call for a gender perspective and consultations with women's organizations to be integrated into the economic, human rights, political and security tracks of the Berlin process, including in the area of disarmament, demobilization and reintegration;

(d) The Security Council should condemn threats, attacks and killings of women participating in the public space, including women human rights defenders; call upon Libyan authorities to hold those responsible for these acts accountable; and call upon the Libyan Government to review measures that may restrict the work of civil society organizations;

(e) When renewing the mandate of UNSMIL in 2021, the Security Council should retain all existing references to women and peace and security contained in the preamble and in the operative paragraphs of resolution [2542 \(2020\)](#). In addition, in the operative paragraphs of the new mandate, the Security Council should call upon all parties to ensure the full, equal and meaningful participation of diverse women at all stages of the dialogue and transition process, request UNSMIL to prioritize women's participation in the upcoming elections, engage regularly with a wide range of women's civil society organizations, and monitor and report on threats and violence against women in the public sphere;

(f) When renewing the mandate of the Panel of Experts established pursuant to resolution [1973 \(2011\)](#) that supports the Security Council Committee established pursuant to resolution [1970 \(2011\)](#) concerning Libya, the Security Council should call for the inclusion of the necessary gender expertise, in line with paragraph 6 of resolution [2242 \(2015\)](#) and paragraph 11 of resolution [2467 \(2019\)](#), and urge the Panel to integrate gender as a cross-cutting issue across its investigations and reporting;

(g) The Security Council should urge Libyan authorities to uphold human rights and international standards in the treatment of refugees, migrants and people in detention, including by putting in place measures to protect and assist detainees who have suffered, or are at risk of, sexual abuse, by transferring women detainees to facilities with a sufficient number of female guards and granting humanitarian access to such facilities;

(h) Council members should partner with and support the Libyan Government to strengthen the Women's Empowerment Unit and ensure that it is adequately staffed and resourced and that it is able to coordinate with the relevant ministries;

(i) Council members and other Member States should ensure that UNSMIL receives adequate budgetary allocations to deliver its mandate on women and peace and security, including the swift deployment of women's protection advisers, as called for in resolution [2542 \(2020\)](#).

The Co-Chairs thanked the Special Envoy and all participants and committed themselves to following up on the important issues raised at the meeting.