

## Update on women, peace and security in Libya August 29<sup>th</sup> 2019

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The Informal Expert Group of the Security Council on Women, Peace and Security reviewed the situation in Libya in April 2018 ([S/2018/881](#)) and November 2018 ([S/2018/1139](#)). This update summarizes relevant developments since then.

In December 2018, UNSMIL and OHCHR published a **report** that includes 1,300 first-hand testimonies and visits to 11 detention centers in Libya. It also documents “a terrible litany of violations and abuses committed by a range of state officials, armed groups, smugglers and traffickers against migrants and refugees.” The report notes that “**the overwhelming majority of women and older girls who passed through Libya as migrants reported being gang-raped by traffickers or witnessed others taken away to be abused.**” The report also documented the strip searches and sexual violence suffered by migrants and refugees being held in detention centers throughout the country, often in facilities without female guards.

In March, the Ambassadors of the UK, Germany, and Peru sent a letter to SRSG and Head of UNSMIL Ghassan Salamé asking for updates on the UN’s efforts to facilitate the equal representation of women and men in the upcoming **national conference**, as called for in the communiqué of the international conference in Palermo and in Security Council resolution 2434 (2018). The planned Libya National Conference, supported by the UN, was suspended after the Libyan National Army (LNA) under the command of General Khalifa Haftar launched an attack on Tripoli to cleanse the area of “terrorists and criminal groups.”

In March, **new regulations** of the Presidential Council on the Civil Society Commission were issued, specifically **impacting international non-governmental organizations** and providing for burdensome registration, requiring advance notification of activities and for the possibility to cancel work permissions of foreign organizations on very broad grounds. The regulations also contain stringent controls over local and foreign funding and could affect the work of local and international NGOs supporting women and girls in Libya.

In April, the **Secretary-General’s annual report on the conflict-related sexual violence** (CRSV) reported that the climate of insecurity and the control exercised by armed groups over large parts of Libya restrict the monitoring of CRSV. The lack of essential post-rape care drugs and clinical management of rape protocols, the absence of gender-based violence (GBV) services in several areas of Libya contributes to the severe under-reporting of incidents of GBV. UN agencies and UNSMIL have no interagency systems in Libya for collecting, storing, analysing and sharing relevant data such as the Monitoring Analysis and Reporting Arrangements (MARA) and the Gender-Based Violence Information Management System (GBVIMS).

During the Security Council debate on conflict-related sexual violence in April, **Ms. Inas Miloud** from Libya, co-coordinator of the 1325 Network in Libya, briefed on the situation in Libya, focusing on women, peace and security. Summarizing the hundreds of testimonies of survivors collected by her organization, she highlighted the additional risks borne by indigenous communities like the Tuareg, the Amazigh, and the Tebu, the widespread incidence of sexual violence during detention, displacement, and migration, and attacks against women human rights defenders, with at least ten such cases documented since 2017 and multiple organizations suspending and closing their activities due the harassment, threats, and severe restrictions on freedom of movement, assembly, and speech. She noted that “rigid patriarchal norms, amplified by the presence of armed groups and the widespread availability of weapons, are the central cause of gender-based violence and lack of security for women” and was critical of the UN’s support to women’s participation and leadership.<sup>1</sup> The Permanent Mission of Libya subsequently submitted a letter to the president of the Security Council criticizing her statement. This letter was quickly responded to by a letter from the

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<sup>1</sup> Her full speech can be read here: <http://www.womenpeacesecurity.org/resource/statement-unscc-sexual-violence-open-debate-april-2019/>.

Ambassadors of Belgium, France, Germany, the United Kingdom, the Dominican Republic, Peru and Poland demanding that Ms. Miloud be allowed to continue her work unhindered.

While track one peace talks are on hold, UNSMIL supported women's participation in **track two efforts** in Hammamet, Tunisia. UN Women organized conferences on gender equality and violent extremism in June and on women's role in peacebuilding in Libya in July. UNFPA and other agencies have continued to support the protection and empowerment of women and girls through the provision of psychosocial support and life skills training in four women's community centers in Tripoli, Misrata, Benghazi and Sabha, ensuring coverage of reproductive health service for hundreds of thousands of Libyan women through support to several medical centers, the deployment of mobile teams, and the repair and furnishing of maternity wards, and has established a hotline to support victims of gender-based violence. Most humanitarian assistance is concentrated in or around Tripoli due to lack of funding and access. The GBV sub-cluster does not recommend referrals to police stations because they are mostly manned by militia groups, and legal aid services are completely absent across Libya. 35 percent of the more than 14,000 Nigerians returned through the UN's Voluntary Return programme, led by IOM, are women, and many of them report difficulties in raising their children born of rape by traffickers or in the Libyan brothels where they were typically sold or held captive.

Despite the outbreak of conflict, **municipal council elections** took place earlier this year within the west and south. 21 municipal councils have been inaugurated. 120 women competed for the women's seats and 23 women were elected. The turnout rate for women was reportedly very low, due to the insecurity.

On 17 July, elected House of Representatives member **Ms. Siham Sergewa**, one of the most prominent women politicians in Libya, was violently abducted from her home in Benghazi by an unknown group. SRSG Salamé has been raising this issue with the authorities and General Haftar directly and issued a statement condemning the abduction.

Earlier this month, a **new report of the Political Settlements Research Programme analyzed the gender content of 26 peace agreements and transition documents signed in Libya between 2011 and 2018**, including not just the Constitutional Declaration and the Libyan Political Agreement, but also a number of intercommunal agreements and localized ceasefire agreements. The analysis concludes that while there are increased references to women and their participation in Libya's main transitional documents over time, specific provisions for women are ad-hoc across Libya's national and local peace processes and none of the agreements are fully gender-responsive or gender-inclusive.

UN Women and Monash University will soon publish an extensive research investigation on gender and violent extremism in Libya, led by Libyan researchers. Of note, their surveys revealed that **attitudes supporting or condoning violence against women are the most statistically significant factor associated with, and therefore explaining support for violent extremism**. No other variable (age, gender, education, employment, religion, and religiosity) was as strongly correlated with support for violent extremism as support for violence against women.

In spite of the threats and harassment they risk, **women activists** continue to criticize the parties and the international community for the continued exclusion of women from any political talks and have been raising the alarm about the **increase in the influx of new weapons** in spite of the arms embargo and the issue of violence targeting women in the political arena. They have continued to work on peacebuilding activities at the local level and mobilizing as first responders in the frontlines of humanitarian assistance, especially in areas with limited UN access. Young women are prominent among the 350 young Libyans who fast every Thursday to promote peace and request a day of truce every week to allow safe passage for civilians and humanitarian aid.

Libya has produced a report towards the Comprehensive National Review of the Progress Made Towards the Implementation of the Beijing Declaration and Platform for Action (**Beijing + 25**). Libya's report has been reviewed and approved by the Libyan National Women's Machinery. The report highlights the progress made over the past five years in implementing the decisions of the Beijing Declaration and Platform for Action that seek to achieve gender equality in Libya.<sup>2</sup>

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<sup>2</sup> The full report can be found here in both English and Arabic: <https://www.unwomen.org/en/csw/csw64-2020/preparations#national-level-reviews>

### **Recommendations for the Security Council and the Informal Experts Group**

Council Members should **follow up on the recommendations raised last year**, including:

- Calling on the SRSG to report regularly to the Security Council on his engagement with women-led civil society and women peace activists and human rights defenders, and to establish a mechanism for periodic consultation on activities related to conflict resolution, peacebuilding, disarmament, counterterrorism, security sector reform and security plans, human rights, and the provision of humanitarian assistance.
- Inquiring about the level of relevant expertise currently available in the mission and the panel of experts of the sanctions committee and address any gaps, as well as the staffing and resources of the government's Women's Empowerment Unit. For example, it is important that UNSMIL's senior gender advisor report directly to the SRSG, as in other missions and as called for in resolution 2242, and to deploy women protection advisers to accelerate the implementation of the monitoring, analysis, and reporting arrangements on conflict-related sexual violence.

In addition, in **any future negotiations for a new resolution on Libya**, apart from calling immediately for a ceasefire, the Council should maintain all the provisions on gender equality and women's protection and empowerment in resolution 2434, reinforce the language on monitoring and reporting on sexual and gender-based crimes, publicly condemn attacks and threats against human rights defenders, including women, and call for specific protection measures, dial up the need for women's meaningful participation to be a central requirement of all internationally-supported political talks and dialogues among the parties, and strongly urge all actors involved in humanitarian and recovery efforts to strengthen their gender analysis and target gender issues in their interventions.

Council Members should ask the UN for information on efforts to support the **legislative reforms** advocated for by women's groups, including the absence of anti-trafficking legislation, provisions in the Penal Code that exonerate perpetrators of rape if they agree to marry the survivor, and protect husbands and fathers who assault their wives and daughters as long as they do not cause hospitalization, the omission of sexual and gender-based violence from the 2013 Transitional Justice Law, and the urgent need for gender-responsive security sector reform.

The IEG co-chairs should reach out to Council Members and regional organizations with political influence over the conflict parties, such as the African Union, the European Union, and the League of Arab States, to communicate the main points of this discussion and ask how they are addressing the repeated calls for participation by Libyan women from civil society and the United Nations, including through immediate support -financial and otherwise- to women's participation in track 2 and track 3 efforts in Libya.