



# Security Council

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## Letter dated 5 August 2024 from the representatives of Sierra Leone, Switzerland and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Sierra Leone and Switzerland, 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)* Michael Imran **Kanu**  
Permanent Representative of Sierra Leone to the United Nations

*(Signed)* Adrian **Hauri**  
Chargé d'affaires a.i. of the Permanent Mission of Switzerland  
to the United Nations

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



## **Annex to the letter dated 5 August 2024 from the representatives of Sierra Leone, Switzerland 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 25 June 2024**

On 25 June 2024, the Informal Expert Group on Women and Peace and Security convened a meeting on the situation in Libya. The members heard a briefing by the Deputy Special Representative of the Secretary-General for Political Affairs and Officer-in-Charge of the United Nations Support Mission in Libya (UNSMIL), Stephanie Koury, accompanied by colleagues from UNSMIL and the United Nations country team. The meeting concluded with an overview of key recommendations provided by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and additional observations on conflict-related sexual violence 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 questions on various aspects related to the participation and protection of Libyan women. Among them were issues such as women's participation in the upcoming municipal elections, as both voters and candidates, and protection efforts to support women's participation, the type of threats and violence that politically active Libyan women face and the key findings of the "eMonitor plus" platform. Several members also raised questions about the arbitrary detention of women and children associated with Da'esh and the progress made on their repatriation, as well as the cooperation between the United Nations and the Libyan authorities in this regard. They also asked about sexual and gender-based violence against women, what is holding up the adoption of the draft law on ending violence against women, United Nations strategies to support accountability for gender-based crimes and whether there are gaps in the UNSMIL mandate in this regard. Finally, there were some questions about the impact of the conflict in the Sudan on the human rights situation in Libya, what the United Nations is doing to counter increasing restrictions and reprisals against civil society, and United Nations efforts to promote women's economic empowerment and participation.

#### **Main points raised in the meeting**

##### *Women's representation in the political processes in Libya*

- In June 2024, the High National Elections Commission opened voter registration for municipal elections in 60 of the municipalities across Libya. Women's voter registration remains low. Authorities have prevented some in-person registration centres in eastern and southern Libya from opening. While voters can register via SMS, the United Nations and Member States have called for these registration centres to be opened. UNSMIL, the United Nations Development Programme (UNDP) and UN-Women are working with the High National Elections Commission to encourage greater voter registration by women.
- In October 2023, the House of Representatives adopted revised constitutional and electoral laws. The parliamentary law maintained an allocation of only six seats for women in the Senate, representing 6.6 per cent of the total of 90 seats,

far below the 20 per cent envisaged for the parliamentary elections in article 30 of amendment No. 13 to the Constitutional Declaration and the 30 per cent requested in the road map produced by the United Nations-facilitated Libyan Political Dialogue Forum.

- The High Council of State, an advisory body formed under the Libyan Political Agreement, is preparing to hold elections for its key leadership positions, including its chairperson, two deputies and a rapporteur, in August 2024. There have been internal efforts in the High Council of State to build women's coalitions to ensure that at least one of the four seats would be held by a woman.
- Women remain underrepresented in key decision-making bodies in Libya. For instance, the "6+6" committee, which includes six representatives from the House of Representatives and six from the High Council of State, includes no women members.
- In June 2024, 30 young Libyan women graduated from the Ra'idat joint training programme of UNSMIL, UNDP, UN-Women and the United Nations Children's Fund, which focused on strengthening women's leadership, decision-making and communications skills and enhancing their knowledge of elections, gender equality, media, human rights and peacebuilding. Training of the second cohort, with 30 new young Libyan women from across the country, begins in September.
- UNSMIL continues to support women's inclusion in the political processes, including through engagement and consultations with women's groups and interlocutors. Once the plans for the national elections progress, UNSMIL will provide support for women political candidates and engage with authorities, including local security actors, to prevent violence against women, including in the media and social media.

*Sexual and gender-based violence against women in Libya, including in politics*

- Sexual violence is used as a tactic to silence Libyan women politicians, human rights defenders, journalists, detainees and migrants. Libyan women have been targeted with hate speech, including sexualized hate speech.
- Ahead of the elections in 2021, which have yet to be held, UNSMIL documented several incidents of harassment of women political candidates, including sexualized defamation campaigns, hate speech, death threats and forced exile. Some women were told not to display their photos in election campaign posters, even if they were wearing a hijab. Some candidates had to withdraw their candidacy, as they were told that even if they won, they would not be able to take up their positions.
- Research on violence against women in politics in Libya, conducted by UN-Women in 2022, shows that 60 per cent of women in politics have experienced some form of violence during their candidacy or term in office. Research also shows discrimination against women in politics, including exclusion from meetings at local levels. There is a high need to protect politically active and publicly engaged women, including online and on social media.
- A draft law on combating violence against women, which was submitted to the Committee on Women's and Children's Affairs in February 2023, is yet to be adopted. The law was cleared by the legislative committee in January 2024. The United Nations has supported the development of the law, including by bringing together members of civil society, the House of Representatives and the High Council of State to ensure that the legislation aligns with Libya's international

obligations and serves the interests of Libyan women, including by addressing online violence and hate speech.

#### *Civic space*

- UNSMIL has documented arbitrary arrest and detention of Libyans, including women, for exercising their right to freedom of expression. This includes the detention of journalists, civil society representatives and individuals who are politically active or raising awareness of the elections and political processes, and members of think tanks and political parties. The 2022 anti-cybercrime law and the law criminalizing “witchcraft, sorcery and fortune-telling” have also been used to silence women and hinder freedom of expression.
- Women human rights defenders have expressed serious concerns and fear of reprisals for engaging or attempting to engage with the United Nations. They reported being subjected to threats by State and non-State actors in relation to their women’s rights and gender-related work, including with the United Nations, and that they did not feel safe to file official complaints about the latter with the relevant authorities.
- UNSMIL has been working closely with women’s organizations, civil society groups and the Special Rapporteur on the rights to freedom of peaceful assembly and of association to support the creation of an enabling environment by adopting a regulatory framework that would enable both the regulation required and foster an environment for thriving civic space and where individuals could engage in dialogue and dissent.
- In December 2023, the House of Representatives published an explanatory note forbidding the use of the term “gender” (decision No. 2, issued on 2 October 2023). In the note, the term is described as a threat to Libyan society and Islamic values, and the relevant authorities are called on to implement applicable laws to punish those who advocate for and use the term. This represents a significant legislative and societal backlash against gender equality, affecting the full implementation of United Nations support and restricting civil society in gender advocacy.
- The Internal Security Agency’s procedure that restricted women’s freedom of movement by requiring women departing alone from Libyan airports to complete a form on their reason for travelling abroad without a male companion or *mahram* has recently been reversed.
- In September 2022, the administrative appeal court in Tripoli upheld the decision to annul a memorandum of understanding between the Minister of State for Women’s Affairs and UN-Women on developing a national action plan on women and peace and security, signed in October 2021. The memorandum of understanding sparked a backlash from religious leaders and community members that the agreement and Security Council resolution [1325 \(2000\)](#) on women and peace and security contravene religious principles, norms and habits of the community.

#### *Women in detention, including arbitrary detention*

- There are severe challenges in gaining access to detention centres, especially to institutions controlled by armed groups. UNSMIL has received reports of torture, sexual violence, extortion and forced labour of detainees as well as migrants, who are held in detention facilities and detention camps. While many complaints of sexual violence have been shared with the Libyan authorities,

with proposals for women's safety and protection, none of these have been endorsed by the authorities.

- At least 25 women and 45 children allegedly associated with Da'esh remain in arbitrary detention. Some of the children have spent their entire lives in detention centres without ever having left these centres. UNSMIL continues to engage with the Libyan authorities to find a durable solution, whether securing the release of the women and children or moving them to a different location. There has been little progress in this regard owing to a lack of financial resources and political will by the authorities. Many of the women and children also do not have official nationality or paperwork, and their countries of origin are reluctant to take them back.

#### *Conflict-related sexual violence*

- The situation in Libya has been covered in the report of the Secretary-General on conflict-related sexual violence since 2014. Despite the gravity of the sexual violence crimes, no parties are listed in the context of Libya. This exemplifies some of the severe challenges in the implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence in Libya.
- Many of the sexual violence incidents and threats persist in detention centres, particularly against migrants, refugees and asylum-seekers held in official or informal detention sites, to which humanitarian access remains severely restricted. Challenges regarding access do not only have an impact on monitoring and reporting of conflict-related sexual violence in detention but also on the provision of health services to victims of such violence that lead to pregnancies in detention. Children born of conflict-related sexual violence and the lack of support to them and their mothers are also a concern.
- UNSMIL has received concerning reports of rape and sexual violence against Sudanese women who fled to Libya due to the ongoing conflict, which are currently being verified.
- Challenges for survivors of sexual violence to safely report incidents, including due to the risk of reprisals, stigmatization, threats and social norms, further contribute to the underreporting of conflict-related sexual violence.
- The confluence of armed conflict, transnational crime and trafficking makes Libya a particularly challenging context in which to address conflict-related sexual violence. There is a need not only for internal responses in Libya but also for cross-border regional responses, which is challenging for the United Nations.
- There are currently no sanctions against individuals who have perpetrated sexual violence against women despite the number of cases.

#### **Recommendations<sup>1</sup>**

In upcoming decisions or products on Libya, the Security Council should retain all existing gender-related language from resolution [2702 \(2023\)](#). This should include retaining and strengthening critical provisions on the prevention of and response to conflict-related sexual violence in the UNSMIL mandate.

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

In addition, the Security Council could:

- Recall the authorities' international commitments and reiterate that women's rights and women's empowerment are universal values that do not conflict with culture, religion or tradition.
- Call for women's full, equal, meaningful and safe participation in the presidential and parliamentary elections and at all levels of the process leading up to them, as well as in national dialogues on reconciliation, and in the economic, political, security and human rights and humanitarian law tracks of the Berlin process.
- Recall the 30 per cent quota for women agreed to in the Libyan Political Dialogue Forum.
- Condemn threats, attacks and killings of women participating in public life, including women human rights defenders, and call on Libyan authorities to undertake investigations and hold those responsible for these acts accountable, and review measures that may restrict the work of civil society organizations.
- Request UNSMIL to prioritize all activities related to the protection and promotion of women's rights, and to monitor and report on threats and reprisals against women human rights defenders and strengthen the coordination of its response in cases of reprisals, in close cooperation with civil society.
- Call for the ceasefire monitoring arrangements to include a significant representation of women monitors, address conflict-related sexual violence, regularly consult civil society organizations, including women's organizations, and fully integrate a gender perspective, expertise and training.
- Call on the authorities to enact pending legislation to address violence against women and trafficking.
- Call on the authorities and international partners to scale up protection and assistance to women and girls, from access to livelihoods to urgently needed access to sexual and reproductive health and gender-based violence prevention and response services.
- Call on the authorities to improve humanitarian access, including to detention centres, and enable humanitarian stakeholders to reach those in need, with particular attention to women and girls.
- Urge authorities to uphold human rights and international standards regarding the treatment of refugees, migrants and people in detention, and putting in place measures to end arbitrary detention and protect and assist detainees who have suffered from or are at risk of sexual abuse, and transfer women and children detained for illegal entry, exit and stay to alternative solutions that would benefit from best interest assessment, tailored support and rehabilitation.

In addition, the Co-Chairs of the Informal Expert Group and other Council members could:

- Propose that the sanctions committee dedicate a meeting to gender-related human rights violations in Libya and the issues raised in this regard by the Panel of Experts.
- Request information on United Nations capacity and resources to deliver on women and peace and security commitments and gender-responsive humanitarian action, and support the deployment of additional expertise on gender and women's protection.
- Engage bilaterally with Libyan authorities on the repercussions of new regulations on the work of the United Nations and civil society on gender equality.