

Update on women, peace and security in Libya November 28th 2018

The Informal Expert Group of the Security Council on Women, Peace and Security discussed the situation in Libya in April 2018 ([S/2018/881](#)), with the participation of the leadership of UNSMIL and the United Nations Country Team. This update summarizes relevant developments since then.

In the Security Council

Since April, the Security Council has issued two technical rollovers of the authorization for member states to inspect vessels on the high seas off the coast of Libya when they are suspected of being used for migrant smuggling or human trafficking, two resolutions extending the mandate of UNSMIL and the sanctions regime, and a presidential statement. The latter called for the meaningful and equal participation and representation of women in the political process, and especially in the elections. **Resolution 2343, adopted in September, requested UNSMIL to “take fully into account a gender perspective throughout its mandate** to assist the GNA in ensuring the full and effective participation of women in the democratic transition, reconciliation, efforts, the security sector, and in national institutions, as well as the protection of women and girls from sexual and gender-based violence, in line with resolution 1325 (2000).” The resolution also supported the efforts of the SRSG to facilitate wider engagement and participation of women from across the spectrum of Libyan society in the political process and public institutions, as well as in conflict resolution and peacebuilding, and called on the Libyan authorities to prevent and respond to sexual violence in conflict, including ending impunity for sexual and gender-based violence crimes and taking all steps necessary to investigate such violations and mistreatment in prisons and detention centers. Earlier this month, **resolution 2441 renewing the sanctions regime included these two new elements:** that “planning, directing, or committing acts involving sexual and gender-based violence” is now a designation criterion for the sanctions committee, and that the Council “requests the Panel of Experts to include the necessary sexual and gender-based violence expertise, in line with paragraph 6 of resolution 2242 (2015). Russia and China abstained in this resolution, and Russia articulated its objections to the inclusion of sexual and gender-based violence in the debate in the Security Council. Notably, six of the seven individuals sanctioned by the Committee this year are human traffickers, and these are the **first-ever sanctions imposed by the Security Council on human traffickers.**

Women’s participation in peace talks and the political process

Earlier this month, Italy hosted an **international conference on Libya in Palermo** (November 12th-13th). Almost 40 countries and regional organizations participated, including delegations from the four key Libyan political actors. The conference’s conclusions expressed strong support for a national conference in early 2019 and elections in the spring, as proposed by the UN. Women’s participation was only mentioned in the context of the national conference, although several participants in Palermo called for greater efforts in including women in peace talks and political dialogues and criticized their limited presence in the event. **Only four women were invited at the last minute to be part of the Libyan delegations, as a result of sustained pressure from women’s groups and several countries,** including during the Security Council meeting on Libya that took place immediately before the conference.

The limited presence of women in high-level meetings and political talks was the focus of a written submission by the Women's International League for Peace and Freedom to the 39th session of the **Human Rights Council in late September**, at which there was an Interactive Dialogue on Libya. The statement ([A/HRC/39/NGO/148](#)) criticized the absence of women in the international conference on Libya that took place in Paris in May and on other occasions, the low level of participation of women in the consultative phase of the national conference -approximately a quarter of the 7,000 participants- and the international community's emphasis on tribal, ethnic, or regional affiliations as markers for political inclusiveness. At a side event of the session of the Human Rights Council, the Libyan NGO "Together We Build It" launched a campaign called "You are missing the full picture" to raise the visibility of the limited participation of women.

In October, the Presidency Council established a **Women's Empowerment Unit**, in line with the Libyan Political Agreement and appointed Laila Lafi as its Chairperson and Hanan Al-Fakhri as her Deputy. In May, UNSMIL convened two-dozen women from Libyan political parties and newly established political movements, and the participants formed a **Women's Empowerment Network** to promote the nomination of women in the planned elections. The National Front Party and Nation Forces Alliance have since assigned women to executive positions, including Deputy President and General Secretary.

Women continue to play an important role in **conflict mediation at the local level**. Women are members of the Councils of the Notables and Elderly in several cities, such as Bayda and Sabha, and earlier this year a woman local mediator led a reconciliation in Sirt between the two tribes of Awlad Suleiman and Qaddadifa. Women mediators in Libya have voiced their disappointment about their continued exclusion from planning and decision-making after the adoption of peace agreements at the local level, as in the case of the agreement reached between Misrata and Tawergha in June of this year.

Sexual and gender-based violence

Reports of sexual violence during migration, trafficking, and in detention centers continue. Although women represent only 9 percent of the identified migrants, it is estimated that the number of women and girls who may be victims of trafficking and sexual exploitation increased significantly in 2016 and 2017. In August, IOM reported that the number of migrants held in detention centers had soared due to a surge in the number of persons intercepted at sea and returned to Libya.

The **September report of the panel of experts of the sanctions committee for Libya** provided detailed findings of their interviews with Nigerian women in Edo State, Nigeria. According to their investigations, the key actors are the sponsors, who operate brothels in destination countries, relatives or close friends who entice women with opportunities to work in a beauty salon or a tailor shop, in Italy or elsewhere in Europe, and the local spiritual authorities who hold the women and girls accountable for reimbursement. The journey through Nigeria, Niger and Libya includes harassment and exploitation by the armed groups that operate in those territories and facilitate their passage, including collective sexual abuse during so-called "night parties" in "connection houses" along the way, or raids by Libyan criminal groups of young men known as "Asma boys", notably in Sabha and Tripoli. **During her visit to Niger in September, the SRSG on Sexual Violence in Conflict visited IOM and UNHCR centers and heard similar testimonies** of women and girls experiencing sexual violence in detention settings and "sold" multiple times, unable to return home because of stigmatization. **UNSMIL's Human Rights Division** also had similar findings following its **visits to Nigeria and Italy and Nigeria** in December 2017 and April 2018 respectively. Migrant and refugee women and girls, particularly those traveling without male relatives, are vulnerable to forced prostitution and sexual exploitation in conditions amounting to sexual slavery, under the absolute power and control of their captors. The women and girls are forced to take home-made contraceptives and abortifacients. As Libya lacks anti-trafficking legislation or systems to identify and protect survivors, and

criminalizes prostitution and sexual relations outside of wedlock, women and girls who are forced into these so-called “connection houses” do not report their experiences to Libyan authorities, fearing prosecution.

Women and girls are arbitrarily detained, sometimes on the basis of family affiliations or for accusations of engaging in consensual sexual relations outside of marriage. Many were held in the Mitiga detention center, the Jawwiyah prison, and facilities of the Central Security/Abu Salim and the Department for Combating Illegal Migration (DCIM) without female guards. The only facility operated by DCIM that has female guards is the Tarik al-Sikka detention center, where they were introduced in January 2018. Women held at detention centers operated by DCIM have consistently reported being strip-searched by or in front of male guards. Some have also reported being subjected to intrusive cavity searches, and male guards routinely enter women’s cells and washing and sanitation facilities without warning. In the al-Jadaida Women’s Prison, there were reports of Special Deterrence Force (SDF) members beating women with water pipes and the backs of rifles. In early November, an armed gang assaulted the Al-Jalaa Hospital for Women and Childbirth, and armed men frequently attack and extort money from women waiting in line for banking services.

In July, Amnesty International issued a special report on the **attacks against women human rights defenders in Libya**. The report denounces that Libyan women activists, bloggers, and journalists are increasingly being silenced, as they face gender-based violence in the form of physical assault, abductions, and sexual violence, as well as smear campaigns, gender-related slurs, and attempts at intimidation, especially when they dare speak out against corruption or the predations of the militias or the Libyan National Army. This has compounded the chilling effect of the assassinations of the member of parliament Fariha al-Barkawi and the prominent human rights defender Salwa Bugaighis in 2014 and local activist Entisar El Hassari in 2015.

Recommendations

The recommendations proposed in April are still relevant. These included, *inter alia*, 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 establish a mechanism for periodic consultation with a diverse representation of women’s groups on activities related to conflict resolution, peacebuilding, disarmament, counterterrorism, security plans, human rights, and the provision of humanitarian assistance. Others called for a **comprehensive disarmament strategy to include a gender perspective and the participation of women**; the government to adopt quotas to ensure a **minimum of 30 percent of representation of women in all governance bodies**, including those emerging from the political transition; and the government to **protect women migrants, refugees, asylum-seekers, detainees, peace activists, and human rights defenders** who may be particularly targeted, and implement large-scale programmes for the **psycho-social and economic rehabilitation of women and girls affected by the conflict**, such as sexual violence survivors, women and girls disabled because of the war and ongoing insecurity, or affected by displacement, arbitrary detention, and the loss of family members.

The Security Council must follow up on the **implementation of resolutions 2343 and 2441**, which contain clear mandates on women, peace and security for both the mission and the sanctions regime. Council members should ask about the **level of relevant expertise currently available in the mission and the panel of experts of the sanctions committee** and address any gaps. 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. It is also important to deploy **women protection advisers** to accelerate the implementation of the monitoring, analysis, and reporting arrangements on conflict-related sexual violence. Similarly, while the establishment of the government’s **Women’s Empowerment Unit** has been commended, it is important that they are provided adequate resources and staff.

Council Members should also ask the UN and Libyan authorities about their specific plans to ensure the meaningful participation of women in upcoming peace talks and political dialogues and in the next phase of the national conference; engage local women mediators in the design and decision-making on public service delivery systems as part of reconstruction plans and in all disarmament efforts; and ensure that women from all parts of the country will have access to information on the elections and opportunities to run for office safely; and publicly condemn and credibly investigate any threats or attacks against women human rights defenders, online or offline. More generally, they should request the UN to mainstream gender in its analysis and the implementation of the UN Action Plan for Libya, including through the collection of gender-sensitive and sex-disaggregated data.

Finally, Council Members should encourage the GNA to ratify the **Arms Trade Treaty** and adopt national legislation to enforce it, maintain the UN embargo on all weapons sales to Libya, and investigate illicit arms transfers.