

The President of the Security Council presents his compliments to the members of the Council and has the honour to transmit herewith, for their information, a copy of a **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, and its enclosure.

This letter and its enclosure will be issued as a document of the Security Council under the symbol S/2021/380.

17 April 2021



New York, April 16, 2021

Excellency,

Ireland and Mexico, as co-chairs of the Security Council's Informal Expert Group on Women, Peace and Security and in close cooperation with the United Kingdom, would like to share the summary note of the following meeting of the Informal Experts Group:

- The situation in Libya

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

Please accept, Excellency, the assurances of our highest consideration.

Handwritten signature of Geraldine Byrne Nason in black ink.

Geraldine Byrne Nason
Permanent Representative
of Ireland
to the United Nations

Handwritten signature of Juan Ramón de la Fuente Ramírez in black ink.

Juan Ramón de la Fuente Ramírez
Permanent Representative
of Mexico
to the United Nations

Handwritten signature of Barbara Woodward in black ink.

Barbara Woodward
Permanent Representative
of the United Kingdom
to the United Nations

H.E. Mr. António Guterres
Secretary-General
United Nations
New York





SECURITY COUNCIL INFORMAL EXPERTS GROUP ON WOMEN, PEACE AND SECURITY

Summary of the meeting on Libya held on April 1st, 2021

On 1 April 2021, the Informal Expert Group on Women, Peace and Security (IEG) convened a meeting on the situation in Libya. The members were briefed by the Special Envoy of the Secretary-General on Libya, accompanied by colleagues from the United Nations Support Mission in Libya (UNSMIL) and the UN Country Team. The meeting concluded with an overview of key recommendations provided by UN Women and additional observations shared by the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

Questions from Council Members:

Members of the Security Council asked questions about the integration of gender issues and female monitors in the ceasefire monitoring arrangements, women's participation in the committees following up on the Berlin process, including the economic and security tracks, plans to curb hate speech and gender discrimination, ahead of the elections in light of the online abuse that some of the women participants in the Libyan Political Dialogue Forum (LPDF) and those appointed to the new cabinet have already received, the situation of women migrants and refugees in detention and women associated with ISIL in Libya, and an update on the potential deployment of women protection advisors as called for in last year's Security Council resolution 2542, which extended the mandate of UNSMIL. Other questions focused on options for enhanced reporting of gender-based violence and accountability for conflict-related sexual violence, the situation of women's organizations in Libya and the impact of the 2009 decree and subsequent regulations on civil society, the UN's capacity 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 to women's economic empowerment and their health, strengthen a gender perspective in the management of the pandemic, and ensure young people's involvement in implementation of the women, 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 at the end of the year.
- The UN is working with electoral management bodies and legislators on the integration of gender equality issues into the preparations for the elections, from voter registration and education campaigns to capacity-building for candidates, proposing changes to the legal framework, and monitoring harassment or violence against women as voters or candidates.
- With only five women among 35 ministers, the current government has a lower level of women's representation than the previous one, but has put women in charge of key ministries, including Foreign Affairs and Justice. The UN continues to encourage the Prime

Minister to ensure that a minimum of 30 percent of senior positions in the government are filled by women, in line with the Prime Minister's commitment and the political roadmap of the LPDF.

- UNSMIL and UN agencies contributed significantly to increasing women's representation in the Libyan Political Dialogue Forum in 2020, increasing it to 22 percent of all participants, compared to very few women delegates in the initial delegations from the Libyan institutions, and supporting their preparations through multiple dialogue sessions. This helped integrate many of the positions of women's organizations and women in political parties into the agreed LPDF roadmap.
- The ceasefire is holding but women are not represented in the 5+5 Libyan Joint Military Commission, and sexual violence was not explicitly addressed in the ceasefire agreement. As options for UN support to ceasefire monitoring arrangements are being considered, it is essential that women are represented in key committees and among the monitors, and that a gender perspective is integrated throughout so that it takes into account the security needs of all civilians.
- Women are also under-represented in the economic track of the Berlin process. Although previous meetings have included women participants, a recent meeting of this track was attended by approximately 40 men and no women.
- The Special Envoy has advocated for a woman to lead a national reconciliation commission, and for women, peace and security to be an organizing principle of community-based reconciliation.
- Libya does not have a national action plan on women, peace and security yet, but this would be a useful instrument to articulate women's priorities and help mobilize for internal support across the government and other actors. The UN will be supporting consultations on these with both the new government and civil society, building on previous discussions on this.
- The Libyan Women's Empowerment Unit, under the Presidency Council, still needs to receive adequate financial and political support to become an effective instrument for the implementation and monitoring of national policy.
- Women's representation in the justice sector exceeds 40 percent, but the Supreme Judicial Council is made up of 13 men and no women.
- The UN is supporting and promoting the adoption of a new law on violence against women and training the specialized judges dealing with these cases, as well as working with youth 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 protection advisor to UNSMIL in 2021, and UNSMIL has included this post for the regular budget proposal for 2022.
- Thousands of migrants, refugees, and arbitrarily detained people, including women and children, continue to be at high-risk of abuse and violence. With 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 background on human rights of both women leading the Ministry of Justice and the Ministry of Foreign Affairs, there is an opportunity to make progress on this issue.
- Sexual violence in detention settings has been consistently reported for several years, including incidents involving corrections officials affiliated with the Department for

Combatting Illegal Migration (DCIM), and 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, and in 2020 the UN reported 27 verified cases of conflict-related sexual violence, including rape, sexual exploitation, and forced prostitution, affecting 23 women, 3 men, and one girl, all of whom were migrants. However, under-reporting due to stigma and fear of retaliation is very high. For example, a girl was recently brutally gang-raped by four armed men in Tripoli and her family declined to report out of fear of reprisals. Libya still lacks anti-trafficking legislation and there are several gender-discriminatory provisions in the Penal Code and the legal framework, such as the requirement for hospitals to report women that are not able to record the paternity of their children, potentially resulting in their prosecution. In June 2020, the United Nations set up Monitoring, Analysis, and Reporting Arrangements on Conflict-Related Sexual Violence, but is still lacking a Senior Women Protection Advisor to coordinate this monitoring as well as strengthen the UN's capacity 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 is often silenced by attacks and threats, including through sexual violence and, especially during the pandemic, online harassment and abuse. As heard many times by the Security Council directly from the mouths of Libyan activists, many of them are risking their lives when speaking out on gender-related issues. This insecurity is exacerbated by the proliferation of arms and armed groups and the pervasive impunity surrounding these violations.

Recommendations:

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

- The Security Council should call for the proposed ceasefire monitoring arrangements to include a significant share of female monitors, address conflict-related sexual violence, regularly consult civil society, including women's organizations, and fully integrate a gender perspective, expertise, and training.
- The Security Council should call on the Libyan government to ensure women's representation in government positions reflects the 30 percent commitment made by the Prime Minister, and to protect the full equality and inclusion of all citizens, men and women as stipulated in the roadmap agreed on at the LPDF.
- 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 disarmament, demobilization, and reintegration.
- The Security Council should condemn threats, attacks and killings of women participating in the public space, including women human rights defenders, and call on Libyan

¹ These recommendations are suggestions from UN participants in this meeting or the background note prepared by the secretariat of the Informal Experts Group ahead of the meeting, and not recommendations from the Informal Experts Group as a whole or Council Members.

authorities to hold those responsible for these acts accountable and on the Libyan government to review measures that may restrict the work of civil society organizations.

- When renewing the mandate of UNSMIL later this year, the Security Council should retain all existing references to women, peace and security contained in the preamble and operational paragraphs of resolution 2542 (2020). In addition, in the operative paragraphs of a new mandate, the Security Council should call on 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, including by supporting follow-up on the recommendations from the multi-stakeholder women's consultations, and monitor and report on threats and violence against women in the public sphere.
- When renewing the mandate of the Panel of Experts supporting the sanctions committee, the Security Council should call for the inclusion of the necessary gender expertise, in line with paragraph 6 of resolution 2242 and paragraph 11 of resolution 2467, and urge the Panel to integrate gender as a cross-cutting issue across its investigations and reporting.
- 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, transferring women detainees to facilities with sufficient female guards, and granting humanitarian access to these facilities.
- Council Members should partner with and support the Libyan Government to strengthen the Women's Empowerment Unit and ensure adequate staffing and resourcing as well as coordination with other ministries.
- Council Members and other Member States should ensure that the mission receives adequate budgetary allocations to deliver its mandate on women, peace and security, including the swift deployment of women protection advisors as called for in resolution 2542 (2020).

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