



# Security Council

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## United Nations Support Mission in Libya

### Report of the Secretary-General

#### I. Introduction

1. The present report, submitted pursuant to Security Council resolutions [2510 \(2020\)](#), [2542 \(2020\)](#), [2570 \(2021\)](#), [2647 \(2022\)](#) and [2656 \(2022\)](#), covers political, security and economic developments in Libya. It provides an overview of the human rights and humanitarian situation in the country and the activities of the United Nations Support Mission in Libya (UNSMIL) since the issuance of the previous report ([S/2022/932](#)) on 9 December 2022.

#### II. Political and security-related developments

2. During the reporting period, the Special Representative of the Secretary-General for Libya and Head of UNSMIL, Abdoulaye Bathily, intensified his engagement with Libyan actors to identify a consensual pathway towards the holding of inclusive and credible presidential and legislative elections on the basis of a solid constitutional framework. He met with key political and security figures, senior government officials and members of the House of Representatives, the High State Council and the Presidential Council. He also met with representatives of cultural components, tribal leaders and civil society actors, including women and youth.

3. The Special Representative further consulted with regional partners to seek their views on ways to address the political impasse and on the withdrawal of foreign forces, foreign fighters and mercenaries from Libya. He travelled to Algeria, Chad, Egypt, the Niger, the Sudan and Tunisia and held consultations with regional organizations, including the African Union, the European Union and the League of Arab States. He visited the Congo and met with the President, Denis Sassou Nguesso, in his capacity as Chairperson of the African Union High-level Committee on Libya. The Special Representative also sought the views of a number of international partners on a potential way forward to end the political stalemate.

4. The Special Representative's consultations revealed a sentiment of frustration among Libyans with the continuing political impasse and growing scepticism regarding the possibility of reaching consensus on a viable pathway to elections. In addition, political actors, civil society representatives, women and youth groups, as well as tribal leaders and notables across Libya, expressed their wish to have a more



inclusive dialogue track, which would go beyond the institutional process undertaken by the House of Representatives and the High State Council.

5. On the basis of his extensive consultations, the Special Representative proposed the establishment of a mechanism aimed at the organization and conduct of presidential and legislative elections in 2023. The mechanism, which he referred to as the high-level panel for elections, aims to provide a platform to advance consensus around contentious issues, such as the development of a constitutional framework for elections and a road map with specific timelines for the holding of elections. In parallel, the Special Representative extended the Mission's support to the two houses of Libya, particularly after the proposed establishment of the so-called "6+6" House of Representatives and High State Council joint committee tasked with finalizing the constitutional and legislative framework for the holding of elections.

6. During the reporting period, the security situation remained tense in the country, but the ceasefire continued to hold. In Tripoli and the western region, several clashes were reported among armed groups over territorial dominance or control over illicit activities. Similarly, the situation in the east was characterized by sporadic security incidents, including arrests, kidnappings and assassination attempts. Southern Libya remained affected by organized criminal activity and armed clashes between organized criminal groups and the Libyan National Army. Protests were also held in the country as a result of the extradition of Abu Agila Mas'ud, a suspect in the 1988 Lockerbie bombing, to the United States of America.

#### **A. Implementation of the intra-Libyan dialogue tracks**

7. On 23 December, the Speaker of the House of Representatives, Aguila Saleh, and the President of the High State Council, Khaled Mishri, issued a joint letter in which they announced the postponement of the establishment of a constitutional court in Benghazi that the House of Representatives had approved on 6 December, enabling the resumption of collaboration between the two institutions. As a result of a meeting between Mr. Saleh and Mr. Mishri on 5 January in Cairo, the two leaders announced that they would task a joint committee composed of members of the two chambers with submitting a draft constitutional basis to the two houses for consideration and that they would later set out a road map for the holding of elections.

8. Subsequently, in remarks made during a House of Representatives session on 17 January in Benghazi and in subsequent statements, the Speaker indicated that the agreement reached with the High State Council was limited to reactivating the respective constitutional committees. He also indicated that the House could unilaterally amend the draft constitution if no agreement was reached with the Council, adding that the House was the sole legislative authority in Libya and that the Council was a consultative body.

9. Meanwhile, on 24 December, during a rally in Benghazi, the Commander of the Libyan National Army, General Khalifa Haftar, called for an inclusive constitutional basis that would not exclude any contender from the presidential race. On the same occasion, he added that a dialogue among a wide range of Libyan actors, under the mediation of the United Nations, was the only way to break the political impasse while maintaining the unity and territorial integrity of Libya.

10. On 29 December, the President of the Presidential Council, Mohamed Younis Menfi, announced that invitations had been sent to Mr. Saleh and Mr. Mishri to attend a trilateral meeting in Ghadamis on 11 January to discuss the way forward in the political process. On 2 January, the spokesperson for the Speaker of the House of Representatives said that the Speaker would decline the invitation, while the High State Council voted against participating in the initiative.

11. On 6 February, the High State Council finalized its review of the seven candidates for each of the five sovereign positions: Deputy Governor of the Central Bank of Libya; Chair of the High National Elections Commission; Head of the Audit Bureau; Deputy Head of the Administrative Control Authority; and Deputy Head of the Anti-Corruption Authority. Pursuant to the 2020 Bouznika agreement, the names of the seven candidates for each sovereign position would be submitted to the House of Representatives in order for the House to select three names from each list. The High State Council would then select a name for each position out of the final lists.

12. On 7 February, the House of Representatives held a session in Benghazi during which it approved constitutional amendment No. 13. A revised version of the amendment was published in the Official Gazette on 23 February, although it had not yet been endorsed by the High State Council. The amendment stipulated that the President would be based in Tripoli and serve as the Chief Executive and Head of Government. In addition, the amendment established a bicameral parliament, with a Benghazi-based House of Representatives and a Tripoli-based Senate consisting of 90 members, with 30 representatives from each of the three regions of the country. The High State Council endorsed the amendment during an extraordinary session on 2 March, but 55 of the 135 members of the Council later contested the fact that the quorum necessary for the vote had been met and expressed some concern regarding the content of the amendment. On 4 March, the Prime Minister of the Government of National Unity, Abdulhamid Al Dabiba, stated that any constitutional basis for elections had to be put to a referendum.

13. Meanwhile, on 26 February in Tripoli, the leaders of the two houses agreed to establish a joint committee referred to as the “6+6” committee to finalize the necessary constitutional and legislative framework for the holding of elections. On 20 March, the House of Representatives elected its six representatives to the committee. However, the High State Council had not yet convened a session to formally nominate its six representatives owing to the continued controversy among its members over the endorsement of constitutional amendment No. 13.

14. On the security track, UNSMIL continued to support the work of the 5+5 Joint Military Commission and the implementation of the 2020 ceasefire agreement. On 15 and 16 January, the Special Representative chaired a meeting with the Commission in Sirte. At the meeting, the Commission approved the terms of reference of a subcommittee on disarmament, demobilization and reintegration, requested UNSMIL to facilitate the Commission’s engagement with armed groups and decided to initiate the work of the liaison committees of Chad, the Niger, the Sudan and the African Union to enhance coordination on the withdrawal of foreign fighters and mercenaries from Libya. On 7 and 8 February, the Special Representative chaired a meeting in Cairo, bringing together the Commission and the liaison committees of Libya, the Niger and the Sudan. Participants agreed to establish an integrated mechanism for joint coordination and data exchange to facilitate the full withdrawal of foreign fighters and mercenaries from Libya. Subsequently, on 16 March, the liaison committees of Chad and Libya signed a similar agreement.

15. Previously, on 6 February, the Special Representative had met with General Haftar in Benghazi and had called upon the General to continue to support the implementation of the ceasefire agreement, including the withdrawal of foreign fighters, foreign forces and mercenaries.

16. On 13 March, the Special Representative met with General Haftar and the Prime Minister-designate nominated by the House of Representatives, Fathi Bashagha, in separate meetings in Benghazi, during which he presented his initiative to bring Libyan leaders together to find a way out of the protracted political crisis.

17. On 15 March, UNSMIL facilitated a meeting in Tunis of the 5+5 Joint Military Commission and leaders of armed groups from eastern and western Libya to discuss efforts to ensure a conducive security environment for elections and the protection of civilians.

18. On 27 March in Tripoli, the Special Representative met again with the 5+5 Joint Military Commission and armed group leaders from eastern, western and southern Libya. The meeting concluded with participants committing, in a public statement, to supporting the holding of fair and transparent elections in Libya in 2023 and to creating a peaceful and conducive environment for the elections. Participants also agreed to hold their next meeting in Benghazi.

19. On the economic track, the process of reunifying the two branches of the Central Bank of Libya, as recommended by the United Nations-facilitated international audit, remained impeded by the division within the Libyan executive. However, the new Deputy Governor and Head of the eastern branch of the Central Bank, Maree Moftah al-Baraasi, appointed by the House of Representatives on 22 November, and senior staff of the Central Bank in Tripoli resumed their technical-level collaboration in December.

20. On 29 December, the Government of National Unity allocated unspent 2022 funds, equivalent to \$3.5 billion, for development projects. The Speaker of the House of Representatives and Mr. Bashagha objected to the allocation on the basis that the House had never approved the 2022 budget of the Government of National Unity. On the same day, Mr. Bashagha presented to Mr. Saleh a draft budget for 2023, equivalent to \$12.06 billion, for review and subsequent approval by the House. Mr. Saleh urged the Central Bank of Libya, the National Oil Corporation and other relevant authorities in Tripoli not to disburse any funds until the approval of a national budget.

## **B. International Follow-up Committee on Libya of the Berlin process**

21. The International Follow-up Committee on Libya of the Berlin process and its working groups continued to serve as the overall framework for international support for the intra-Libyan dialogue tracks.

22. On 8 December, a plenary meeting of the security working group, co-chaired by France and the United Nations, was held in Tunis and was attended by members of the 5+5 Joint Military Commission and Ministry of Interior officials in charge of elections security. The Commission, with the support of UNSMIL, endorsed the terms of reference of the subcommittee on disarmament, demobilization and reintegration, which is entrusted with the categorization of armed groups in accordance with article 4 of the 2020 ceasefire agreement. The Commission also agreed to establish the liaison committees of Chad, the Niger, the Sudan and the African Union, which had been endorsed in Cairo in November 2021. The Commission noted that the liaison committees would play an essential role in the withdrawal of foreign fighters and mercenaries from Libya.

23. As part of the commemorations of Human Rights Day on 10 December, the Special Representative held a virtual dialogue on human rights on 8 December, with over 330 participants, including 123 young people, from across Libya. On 10 December, the Co-Chairs of the international humanitarian law and human rights working group (Netherlands (Kingdom of the), Switzerland and United Nations) issued a statement in which they called upon Libyan authorities to ensure that human rights were placed at the centre of the ongoing political process. In addition, on 15 March, the Co-Chairs presented to the President of the Presidential Council a list of seven human rights principles and recommendations to inform the political and reconciliation process, based on a series of inclusive human rights dialogues, during

which Libyans had identified human rights abuses, exclusion and marginalization as the root causes of nearly every driver of conflict and instability in Libya. On 14 and 15 December, respectively, UNSMIL held two consultative sessions on the rights of persons with disabilities and labour rights with participants, including youth representatives and women, from across Libya. The consultative sessions and the virtual dialogue were part of a series of inclusive discussions organized by the Co-Chairs of the working group aimed at informing the next steps to be taken in the political and reconciliation process in the country.

24. At meetings held on 15 December and 19 February, the Co-Chairs of the economic working group (Egypt, United States, European Union and United Nations) discussed options for an inclusive, equitable and transparent revenue management and oversight mechanism based on proposals by Libyan counterparts and international experts. During the meeting on 19 February, the Co-Chairs also reviewed the most recent status report submitted by the Central Bank of Libya on 15 February regarding its reform and unification process. In the report, the Bank confirmed the resumption of technical-level collaboration between the branches of the Central Bank in Tripoli and Benghazi, including in the area of currency delivery and cheque clearance, and reconfirmed its commitment to complete its reform and unification process.

25. On 16 March, a meeting of the security working group was held in Tunis, with the participation of the Chiefs of Staff from western and eastern Libya and the 5+5 Joint Military Commission. The meeting included sessions at the ambassadorial and technical levels. During the technical session, participants reviewed the Commission's list of required equipment for and the projected roles of a Libyan joint military force.

### **C. International and regional engagement**

26. During the reporting period, the Special Representative met with regional and international stakeholders. At the regional level, he held consultations with senior officials in Algeria, Chad, the Congo, Egypt, Morocco, the Niger, the Sudan and Tunisia. He exchanged views on recent developments on the political, economic and security tracks and discussed options to support a Libyan-led and Libyan-owned road map for the holding of elections. Similarly, at the international level, the Special Representative visited France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States.

27. On 22 January, the Special Representative participated in the consultative meeting of the Council of the League of Arab States in Tripoli. On 2 February, he attended a virtual session on the situation in Libya of the Peace and Security Council of the African Union. In his remarks at both events, he reiterated that inclusive elections were the only way to renew the legitimacy of the country's institutions and highlighted the need to assist Libya in overcoming the political impasse and conducting elections as soon as possible.

28. On 23 February, the Special Representative attended a meeting of representatives from Egypt, France, Germany, Qatar, Türkiye, the United Arab Emirates, the United Kingdom and the United States in Washington, D.C., to discuss the situation in Libya. He expressed concern about the implications associated with the status quo and encouraged international partners to remain unified in their position on the Libyan crisis.

#### **D. Situation in the western region**

29. During the reporting period, there were sporadic clashes among armed groups in Tripoli and surrounding western areas over territorial control. There were also persisting rivalries among local armed actors over illicit activities. On 15 and 16 December, two men belonging to armed groups were killed in armed clashes in Sabratah. As a result of the clashes, civilians, including women and children, were evacuated from the area while the western coastal road between Tripoli and the Tunisian border was temporarily closed. No civilian casualties were reported, but the shooting resulted in damage to the Sabratah hospital, in particular the paediatric ward.

30. Between 3 and 7 January, armed clashes, involving heavy artillery, in Ujaylat, western Sabratah, resulted in damage to civilian properties and the suspension of school classes.

31. On 4 January, the Fifty-first Brigade and the 304th Battalion conducted heavy weapons testing in the Tajura' district, causing a partial closure of the western coastal road. On 11 January, an altercation between members of the Internal Security Agency and the Deterrence Apparatus for Combating Organized Crime and Terrorism led to the suspension of operations at Mitiga airport in Tripoli. On 19 January, in the vicinity of Tripoli International Airport in southern Tripoli, a violent confrontation broke out between the Deterrence Apparatus and the 111th Battalion. The 444 Brigade deployed to the area and separated the fighting parties. The clashes reportedly resulted in three fatalities.

#### **E. Situation in the eastern region**

32. While the security situation remained stable in the eastern region, there were growing tensions and an increase in hostile acts among various units of the Libyan National Army competing for territorial control in Benghazi. On 22 December, the General Command of the Libyan National Army established the Benghazi Security Battalion in an apparent response to increased security incidents in the town. On 22 and 23 January, four separate security incidents were reported overnight in various parts of the city, including an attack against the house of the Director of the Criminal Investigation Department of Benghazi, with no fatalities reported.

#### **F. Situation in the southern region**

33. On 11 December, the handover to the United States of a Lockerbie bombing suspect, Abu Agila Mas'ud, and subsequent rumours about the possible handing over of Abdullah al-Senussi, a former intelligence chief who is currently detained in Tripoli, resulted in public opposition against the Government of National Unity. On 20 December, protesters in Sabha threatened the closure of oil fields to secure the release of Mr. Al-Senussi, who remained detained.

#### **G. Violent extremist organizations**

34. On 19 December, Islamic State in Iraq and the Levant released photographs showing members of its Libya branch pledging allegiance to its new leader, Abu al-Husayn al-Husayni al-Qurashi. The pledge came one day after the Criminal Court in Tripoli sentenced 17 individuals to death on charges of joining the organization, participating in the killing of 53 people in the western city of Sabratah and destroying public property in 2016. Two additional individuals were sentenced to life in prison, and 14 others were sentenced to shorter prison terms.

35. On 4 January, the Islamic State in Iraq and the Levant-affiliated news outlet, Amaq, released the figures of asymmetric activities perpetrated by the terrorist organization around the world in 2022. Of the 2,058 attacks claimed worldwide, Islamic State in Iraq and the Levant indicated that 3 had been perpetrated in Libya, resulting in nine casualties.

## **H. Economic situation**

36. Oil production in Libya was sustained at around 1.2 million barrels per day, following the full resumption of oil production in late July 2022. However, threats to suspend production continued to be made by various actors by blocking access to oil fields in order to advance their political and socioeconomic demands. On 10 January, the Court of Appeals in Tripoli suspended the implementation of the memorandum of understanding on hydrocarbon and gas signed on 3 October 2022 by the Government of National Unity and Türkiye and referred the agreement for investigation.

37. On 4 and 9 January, respectively, the Central Bank of Libya and the Ministry of Finance published reports on revenues and public spending for the 2022 fiscal year in an effort to enhance transparency and accountability in the management of State resources. In both reports, the Bank and the Ministry concurred that State revenues amounted to the equivalent of \$28.2 billion and that expenditures exceeded \$26.8 billion. While the reports are the most detailed to date, Libyan and international experts voiced concern about inconsistencies and a lack of compliance with disclosure and transparency standards.

38. The International Monetary Fund forecasted that the country's economy will grow by 17.9 per cent in real terms in 2023, provided that oil and, to a lesser extent, gas exports are not affected by forced interruptions to production. Barring any major extended disruption or a sharp slowdown in global growth undercutting oil prices, Libya is expected to continue to benefit from higher fiscal revenues.

## **III. Other activities of the Mission**

### **A. Electoral support**

39. UNSMIL and the United Nations Development Programme (UNDP) continued to support the High National Elections Commission in maintaining its technical readiness to organize elections once a political agreement on the legal framework is reached.

40. During the reporting period, the support was focused on advancing plans for the development and implementation of enhanced voter registration and polling verification processes that entail the use of supplementary technology and measures as safeguards against electoral fraud. On 18 December, the Government of National Unity informed the Commission that it would fund the procurement of the hardware component to improve voter identification as part of the electoral support project. Furthermore, UNSMIL and UNDP continued to support the Commission in its efforts to establish an "eMonitor plus" platform, which will be used to track online violence against women, including hate speech, in particular during electoral periods. Reports from the platform will be shared regularly, with the first report to be presented in May during a regional conference on enhancing women's participation in elections, organized in Tripoli by the Commission, UNSMIL and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

41. On 15 January, the Chair of the Commission sent a letter to the Speaker of the House of Representatives in which the Commission encouraged the drafting and adoption of a law to govern electoral dispute resolutions as part of a wider electoral legislative framework. The Commission emphasized the need for a dedicated and stand-alone law on the resolution of electoral disputes to support future electoral processes, following lessons learned after the postponement of the 2021 national elections.

42. During the reporting period, the Central Committee for Local Elections conducted six municipal council elections. In November, the Committee restarted the voter registration process, citing technical issues with the registration platform. This significantly reduced voter participation, which did not surpass 20 per cent of eligible potential voters. In addition, the Court of Appeals in Tripoli accepted a complaint filed on 26 December against the regulation governing local elections, disputing its validity and requesting its cancellation. The final judgment has yet to be issued. In the interim, the Court recommended to the Committee that it suspend further elections until a final ruling is issued.

43. The House of Representatives-appointed committee for local elections in the east reported that it had begun to prepare for voter registration in order to carry out five municipal council elections in the east and south-east, but an election date has yet to be announced.

## **B. Human rights, transitional justice and the rule of law**

44. Libyan security actors and affiliated armed groups continued to employ increasingly aggressive methods to intimidate and arbitrarily detain civil society and humanitarian actors, while spreading a narrative accusing them of not respecting Libyan culture and values. During the reporting period, several women human rights defenders and women activists were subjected to intimidation and assaults, both online and offline, including after 17 February, when authorities began to apply the 2022 anti-cybercrime law. UNSMIL further documented how judicial release orders were routinely ignored by security actors, resulting in the illegal detention of individuals and constituting a regression in terms of the rule of law.

### **1. Rule of law**

45. On 15 December, the General Assembly of the Supreme Court rejected a new law issued by the House of Representatives on 6 December establishing a new constitutional court in Benghazi. The move by the House had been based on a “draft” constitutional framework that had been discussed at the meeting between the Speaker of the House and the President of the High State Council held in June 2022 in Geneva, under the auspices of the United Nations, but that had never been approved by the two Libyan chambers.

46. The Public Prosecution Office increased its anti-corruption efforts, including by carrying out investigations and arrests, in particular in the banking, oil, education, customs and health sectors, as well as in local governments and municipalities. On 10 January, the Office issued an arrest warrant for three officials of the National Oil Corporation on charges of corruption. The Office declined to provide a copy of the charges to UNSMIL, placed the accused in pretrial detention pending the conclusion of the investigation and referred the file to the Court of Appeals in Tripoli.

47. The Mission continued to receive reports of ongoing instances of the right to fair trial being denied to defendants. On 7 December, four civil society actors who had been charged on arbitrary grounds after peacefully exercising their right to freedom of expression received a three-year prison sentence. UNSMIL noted that the



judgment constituted a regression in terms of the legal protection of the right to freedom of expression, leading to arbitrary and disproportionate charges.

48. UNSMIL continued to provide capacity-building assistance to Libyan institutions on the link between law enforcement and accountability. From 13 to 15 December, in cooperation with the Team of Experts on the Rule of Law and Sexual Violence in Conflict, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), UNSMIL held a workshop on the rights of migrants and refugees for 20 Libyan chief prosecutors. On 19 and 20 December, an additional workshop was conducted on international standards for human rights and criminal justice for 15 Libyan chief military prosecutors.

49. On 20 February, the Prime Minister of the Government of National Unity joined the Minister of Justice and the Presidents of the Supreme Court and the Supreme Judicial Council in the opening ceremony of the newly renovated High Judicial Institute.

## **2. Unlawful deprivation of liberty, detention and torture**

50. UNSMIL continued to receive reports of enforced disappearances and prolonged arbitrary detention of Libyans and non-Libyans in prisons and detention centres across the country. The Mission continued to receive consistent reports of men and women detainees in all parts of Libya being subjected to ill-treatment, sexual violence, torture or coercive sexual practices in exchange for water, food or essential items.

51. In the Kuwayfiah detention centre in Benghazi, at least 60 detainees who had reportedly completed their sentences remained arbitrarily detained in inhumane conditions. In Mitiga prison, hundreds of detainees continued to be unlawfully held without judicial process. In the facility, dozens of detainees who had started a hunger strike in October and November to protest their ill-treatment and prolonged arbitrary detention were reportedly placed in solitary confinement and denied family visits and access to medical care. These punitive measures remained in place during the current reporting period. The Deterrence Apparatus for Combating Organized Crime and Terrorism, which manages the prison, continued to systematically deny the issuance of detention certificates, effectively denying hundreds of families of detainees the possibility of receiving salaries, allowances and other entitlements on behalf of their detained family member, pushing them into poverty. Authorities continued to deny repeated requests by UNSMIL to visit places of detention.

52. On 19 January, the Executive Director of the Benghazi-based Civil Society Commission, Ibrahim al-Maqsabi, was released after being arbitrarily detained since December by the Benghazi-based Internal Security Agency. On 26 January, the Head of the Registration and Documentation Unit of the Civil Society Commission, Salem al-Maadani, who had also been arrested in December, was released. Their arbitrary arrest and prolonged detention constitute a serious interference in the Commission's work and independent mandate, indicating a further shrinking of civic space. In addition, UNSMIL received reports of harassment and intimidation of human rights defenders in eastern Libya who had publicly supported the two detainees.

53. According to official statistics provided by the Judicial Police, as at 8 March, the number of detainees in the 30 official centres of detention, including those in pretrial detention, was 19,730. Many of those in pretrial detention remained in prolonged detention with limited and delayed access to justice. The prisoner rate of 286 per 100,000 persons remained significantly higher than that of other conflict-affected countries. The total number of people held was 22 per cent higher than the numbers reported in October. Of note, 17 per cent of the detainees were foreigners.

Various sources indicated that about 12,000 other individuals, including migrants and asylum-seekers, were detained in unofficial places of detention under the control of militias and armed groups.

### **3. Migrants and refugees**

54. On 31 December, the Department for Combating Illegal Migration in Kufrah expelled more than 400 migrants and asylum-seekers, including women and children, mainly from Chad and the Sudan, with most expelled towards the Sudan. International organizations were not granted access to the facility. Prior to their expulsion, the detainees had been reportedly subjected to trafficking, torture, sexual and gender-based violence and extortion and had suffered from serious illnesses owing to a lack of access to basic health care. Their collective expulsion violates the country's obligations under international law, including the principle of non-refoulement.

55. UNSMIL observed a concerning increase in the detention of migrant children, in violation of the country's obligations under international human rights law. Many detained children were also victims of trafficking and abuse. UNSMIL verified 24 cases of children abducted from the Sudan, where they had been registered as asylum-seekers and subsequently trafficked to Libya. Monitoring by UNSMIL indicated that these children were subjected to further human rights violations in Libya, including forced labour in military compounds without payment. As at 5 March, 60 migrant and refugee unaccompanied children were being arbitrarily detained at the Shari' al-Zawiya detention centre, with no prospect of release.

56. The number of migrants and refugees attempting to cross the Mediterranean Sea from Libya increased during the reporting period. As at 1 March, 3,046 individuals, including women and children, had been intercepted and returned to Libya since the start of 2023. An additional 1,153 people were reported dead and 182 were reported missing by IOM between 1 January and 4 March. Migrants and refugees who disembarked at Libyan ports to which United Nations humanitarian agencies have access received basic emergency relief items, as well as health-care services and protection. Most migrants were subsequently transferred to detention centres, to which the agencies do not have regular access.

57. As at 5 March, the number of migrants detained in government-operated detention centres stood at 3,817, of whom 913, or 24 per cent, were classified as potential persons of concern by UNHCR. Most of the detainees accounted for were held in Tripoli at Ayn Zarah (1,875 individuals), while others were held in the east (1,119 individuals), the south (100 individuals) and the west (79 individuals). The United Nations continued to receive reports of hundreds of other migrants and refugees detained and subjected to human rights abuses in facilities operated by armed groups.

58. On 17 February, the officials from the Ministry of Foreign Affairs of Egypt said that six Egyptian Copts had been freed after being abducted on 4 February in Zawiyah, where they had been reportedly detained in a migrant detention centre.

### **4. Groups in vulnerable situations**

59. The volatile security situation and recurring clashes continued to affect children in all parts of the country. On 13 December, a projectile landed on a school roof in Benghazi without exploding. No casualties were reported. On 16 January, a 10-year-old boy who lived in the Qasr Bin Ghashir area, south of Tripoli, died after playing with a 3-mm remnant of war that exploded on him.

60. The conflict in Ukraine continued to have an impact on the increased price of staple food. Scarcity of and limited access to food in the south, compounded by high

food prices, gradually reduced the purchasing power of families, affecting their ability to meet their basic needs.

## **5. Transitional justice and rights-based reconciliation**

61. On 20 December, the Vice-President of the Presidential Council, Abdullah al-Lafi, convened a women's forum to support national reconciliation efforts. The event brought together women from the three regions of Libya to brainstorm on a strategic vision for the national reconciliation process. It was one of several thematic meetings led by the Presidential Council in preparation for a national conference on reconciliation.

62. On 28 December, the General Authority for the Search for and Identification of Missing Persons discovered a mass grave in Sirte and collected the human remains of 18 unidentified bodies. The General Authority believed that the mass grave might be linked to the violence that occurred in Sirte in 2016.

63. Between 8 and 12 January, the Presidential Council convened a preparatory meeting for the national reconciliation conference in Tripoli, with the support of the African Union. Mr. Al-Lafi chaired a series of meetings with more than 150 Libyan stakeholders, including youth representatives and women. The stakeholders represented, among others, the former Qadhafi regime, groups from the 2011 revolution, pro-Haftar groups, the main political parties, the House of Representatives and the High State Council, and included religious leaders, security actors and armed groups, representatives of the main tribes, members of the judiciary, academics, experts and some representatives of victims' groups, civil society organizations and ethnic minorities.

64. In his closing remarks, the Special Representative commended the Presidential Council and the African Union for organizing the meeting, called upon all stakeholders to contribute constructively to the political and reconciliation processes and emphasized the link between reconciliation and justice. The recommendations from the working groups of the meeting on security, governance, transitional justice, decentralization, national identity and rules of procedure are expected to inform the preparation of a national conference, to be held later in 2023, while the Presidential Council and its implementing partners will continue to organize national consultations with communities and diverse stakeholders across the country.

## **6. Human rights due diligence policy**

65. Building on a series of meetings in June 2022 aimed at supporting the implementation of the human rights due diligence policy on United Nations support to non-United Nations security forces, UNSMIL and the United Nations country team improved standard operating procedures for the implementation of the policy, updated risk assessments and developed incident reports on human rights violations and for standard vetting forms used by United Nations agencies.

## **C. Security sector**

### **1. Support for Libyan planning for interim security arrangements and the unification of security forces**

66. UNSMIL continued constructive discussions regarding a pre-security sector reform process by also engaging with the Libya Centre for Strategic Studies and Research, the Committee for Defence and Security of the House of Representatives and civil society organizations. Talks were focused on matters pertaining to the

possible architecture of national security and the role of civilian oversight of the security sector.

## **2. Arms and ammunition management**

67. On 31 January, the Mine Action Service of UNSMIL supported the Libyan Mine Action Centre in its annual planning meeting with mine action implementing partners to coordinate international assistance for 2023. Participants also reviewed the figures from 2022, during which time more than 27,400 different types and calibres of explosive remnants of war were discovered and disposed of by mine action partners throughout Libya.

68. In January, international mine action non-governmental organizations (NGOs) were at risk of suspending their activities as a result of bureaucratic impediments associated with the ongoing suspension of the registration of international organizations, which is required in order to operate in the country. On 29 January, the Libyan Mine Action Centre, supported by UNSMIL, successfully obtained from the Ministry of Defence exemptions to the extension of accreditation for a number of international mine action NGOs. On 10 February, the Centre issued an extension of the accreditation of the NGOs until 31 March. Afterwards, the accreditation of the NGOs was temporarily extended until the issues around the registration process are resolved among Libyan institutions.

## **3. Implementation of the ceasefire agreement**

69. The ceasefire continued to hold, although the security situation remained tense throughout the country. UNSMIL continued to support the establishment of an effective Libyan ceasefire monitoring mechanism able to coordinate, monitor and assess progress on the withdrawal of foreign forces, foreign fighters and mercenaries by supporting Libyan efforts to implement the provisions of the ceasefire agreement, de-escalate tensions and build mutual trust among relevant Libyan actors.

70. On 15 January, the UNSMIL ceasefire monitoring team met with the Libyan monitors and subsequently with the 5+5 Joint Military Commission in Sirte, with whom they discussed the working modalities of the monitors, including the integration of the monitors' activities into plans for the withdrawal of foreign fighters, foreign forces and mercenaries.

71. In addition, on 15 and 16 January, pursuant to article 2 of the ceasefire agreement, the 5+5 Joint Military Commission agreed to establish a nimble joint military force as a symbolic first step towards the reunification of the army. UNSMIL supported the Commission in reviewing the command, composition, tasks and positioning of the force, including by factoring in developments since the signature of the ceasefire agreement. The Commission also decided to initiate the work of the liaison committees of Chad, the Niger, the Sudan and the African Union, with the aim of enhancing coordination on the withdrawal of foreign fighters and mercenaries.

## **D. Empowerment of women**

72. On 10 December, UNSMIL concluded its 16 days of activism against violence against women. The campaign included a statement by the Special Representative, who shared a series of messages aimed at raising awareness of cyberviolence against women in Libya. UNSMIL further worked to support a group of civil society organizations in developing and sharing a set of 16 messages on the theme, posted daily on their social media accounts. In addition, the United Nations Population Fund (UNFPA) launched a global awareness campaign under the local theme "Safe legislation! A comprehensive law to protect women and girls". Through the targeted

use of social and conventional media, as well as through workshops, discussions and art shows, campaign organizers were able to reach an audience of more than 1.7 million people in Libya.

73. On 20 December, the Vice-President of the Presidential Council convened the women's forum to support national reconciliation efforts, in preparation for the national conference on reconciliation (see para. 61).

74. On 6 February, a group of Libyan legal experts officially submitted a draft law on combating violence against women to the Committee on Women's and Children's Affairs, with copies sent to the President of the women's parliamentary bloc and the Speaker of the House of Representatives. The development of the draft law was facilitated by UNSMIL, in cooperation with UNFPA and UN-Women.

## **E. Youth and peace and security**

75. On 15 December, the Special Representative met with delegates of the Libyan Youth Forum to hear about their plans for a nationwide youth consultation to develop a suggested road map for the country.

76. With support from the United Nations trust fund for human security and in partnership with the World Food Programme (WFP) and UNDP, UNFPA organized a series of workshops in Sabha from 31 January to 5 February, which, among others, covered the topics of economic opportunities for youth, social cohesion, public services and access to the health-care sector.

## **F. Coordination of international assistance**

77. On 13 December, the United Nations in Libya launched the United Nations Sustainable Development Cooperation Framework for the period 2023–2025 with government and development partners. The Framework includes four strategic priorities, covering the areas of peace and governance; sustainable economic development; social and human capital development; and climate change, environment and water. It also sets out two collective outcomes on durable solutions for internally displaced persons and migration management. The Special Representative, the Prime Minister of the Government of National Unity, representatives from the Ministries of Planning, Local Governance and Foreign Affairs, together with the Deputy Special Representative of the Secretary-General and Resident and Humanitarian Coordinator for Libya and various heads of United Nations entities, participated in the launch. Participants at the event underscored the importance of coordinated and coherent support from national and international stakeholders for the programmes and the financing of the Framework.

78. The United Nations in Libya, acting in parallel with donors and NGOs, has begun to transition from humanitarian to development programming. In this context, no humanitarian response plan for Libya was issued for 2023, and the humanitarian country team was replaced by an advisory group to guide the operationalization of the humanitarian-development-peacebuilding nexus, support residual humanitarian and protection needs and address the root causes of fragility in Libya, including with a view to reaching the two collective outcomes on durable solutions for internally displaced persons and migration management.

79. As part of the third phase of the national coronavirus disease (COVID-19) vaccination campaign, IOM, in close coordination with and under the leadership of the National Centre for Disease Control, conducted COVID-19 vaccination campaigns in different detention centres and migrant-dense locations. By 4 March, a

total of 30,728 individuals (1,980 women and 28,748 men), including 29,803 migrants and 925 Libyans, had received COVID-19 vaccines, out of whom 5,693 people (19 per cent) had received two doses and 1,361 (4 per cent) had received three doses. In December, the United Nations Children’s Fund (UNICEF) and the National Centre for Disease Control launched the “No one is safe until everyone is safe and vaccinated” campaign to increase COVID-19 vaccine uptake.

## **G. Humanitarian, stabilization and development assistance**

80. Bureaucratic and administrative impediments negatively affected the effective programme delivery of several humanitarian and development partners in Libya. As at 28 March, the issue of registration and timely issuance of visas for staff of international NGOs operating in Libya remained unresolved.

81. Under its voluntary humanitarian return programme, IOM helped a total of 977 migrants to return to their countries of origin, including 448 individuals to Bangladesh, 166 to the Sudan, 156 to Chad, 112 to the Niger and 95 to Mali. Between 9 December and 12 March, a total of 561 asylum-seekers and refugees had departed from Libya with the assistance of UNHCR. This included 324 individuals through humanitarian evacuation flights and 230 persons through resettlement flights. An additional seven individuals were assisted through complementary pathways, including humanitarian visas and family reunification.

82. On 17 December, the Peacebuilding Fund approved a \$5 million programme to build peace through community stabilization in the southern Libyan municipalities of Ghat, Sabha and Awbari, involving IOM, UNDP, UNICEF and WFP. The programme is intended to catalyse the programming and presence of the United Nations in the area, facilitating the implementation of the Sustainable Development Cooperation Framework.

## **IV. Deployment of the Mission and security arrangements**

83. The United Nations maintained an average presence of around 130 international staff members in Libya, allowing for continued engagement with Libyan interlocutors on the political, security and economic tracks. Assistance and advice on international human rights and humanitarian law, in addition to humanitarian and development support, were also provided. UNSMIL international staff in Tripoli continued to be accommodated at the Oea compound, protected by the United Nations Guard Unit, with a troop strength of 234. In Benghazi, staff continued to operate from the United Nations hub. All movements of staff between locations in Libya were conducted in compliance with security risk management measures.

84. The United Nations in Libya regularly reviewed and adjusted applicable COVID-19 protection and prevention measures, including on all United Nations flights, based on evolving advice from the World Health Organization and UNSMIL medical staff and to ensure alignment with measures put in place by Libyan and Tunisian authorities. As at 14 February, under the COVID-19 vaccination programme for United Nations personnel in Libya and international NGO partners, the fourth dose and second booster dose were administered to 305 personnel.

85. During the reporting period, UNSMIL initiated preparations for the next rotation of the United Nations Guard Unit, scheduled for May 2023.

## V. Implementation of the recommendations of the 2021 independent strategic review

86. From 14 to 23 January, the Secretariat deployed a joint assessment mission to UNSMIL. The mission was composed of representatives from the Department of Political and Peacebuilding Affairs, the Department of Peace Operations, the Department of Operational Support and the Department of Safety and Security. It was deployed at the request of the Special Representative to provide strategic advice and support to the UNSMIL leadership on the operationalization of the recommendations of the independent strategic review (see [S/2021/716](#), annex).

87. In accordance with Security Council resolutions [2629 \(2022\)](#) and [2656 \(2022\)](#), the joint assessment mission identified ways to increase efficiency and redeploy existing resources, including through the prioritization and reconfiguration of tasks. Taking into account key political, operational, security, logistical and medical considerations, the mission focused on the following aspects of the review: (a) the structure of UNSMIL; (b) the priorities and capacity of UNSMIL, including in order to re-evaluate the necessary resources, capacities and support for the UNSMIL ceasefire monitoring component; and (c) the footprint of the United Nations in Libya.

88. Based on its findings, the mission issued a report in which it made recommendations to enable the continued operationalization of the recommendations of the independent strategic review and to further enable UNSMIL to successfully implement its mandate. By implementing the recommendations reflected in the mission's report, UNSMIL would be able to visibly expand its presence in some major cities in Libya, conditions permitting.

## VI. Observations and recommendations

89. The political stalemate in Libya continues to thwart the aspirations and rights of the Libyan people to choose their own leaders and representatives through free, fair, transparent and inclusive elections. The Libyan people, who registered in great numbers to participate in the December 2021 elections, have a right to live in peace, to select their leaders through the ballot box and to share in the prosperity of their country. There is no alternative to elections. The United Nations will continue to support a Libyan-led and Libyan-owned path to elections and to sustainable peace and stability.

90. The high-level panel for elections proposed by the Special Representative is aimed at generating the consensus necessary to end the political stalemate. I encourage all national, regional and international actors to cooperate in good faith to place the aspirations of the Libyan people first and to support our Libyan partners in finalizing the preparations for and the conduct of free, fair and inclusive nationwide elections.

91. The progress achieved by the two Chiefs of Staff and the 5+5 Joint Military Commission in the implementation of the initial framework for the unification of the armed forces is commendable. I also welcome the establishment of the 5+5 Joint Military Commission liaison committees of Chad, the Niger, the Sudan and the African Union. This enhanced coordination on the withdrawal of foreign fighters and mercenaries is essential to mitigate the potential impact of the withdrawal on the Sahel countries.

92. There is a need for a victim-centred and rights-based national reconciliation process to address the root causes of the division within Libya. It is remarkable that more than 150 Libyan participants, including women's groups, engaged in the

preparatory meeting for the national conference on reconciliation organized by the Presidential Council in January, with the support of the African Union. Only a transparent, inclusive and participatory transitional justice process, implemented through nationwide consultations and grassroots outreach, can lead to sustainable peace. Additional steps need to be taken towards the organization of an inclusive national conference on reconciliation, under the leadership of the Presidential Council and with the support of the African Union. It is critical for the national reconciliation process to include the meaningful participation of women and youth, ethnic minorities and other vulnerable groups. I reiterate that the United Nations will continue to support Libyan partners and the African Union in this regard.

93. I welcome the launch of the United Nations Sustainable Development Cooperation Framework for the period 2023–2025, which is a demonstration of the commitment of Libyan stakeholders to work together, with support from the United Nations, towards achieving the Sustainable Development Goals and the 2030 Agenda for Sustainable Development.

94. Efforts by the Government of National Unity to improve transparency and accountability in the use of State funds through regular reports are welcome. The Government is also encouraged to swiftly address remaining shortcomings. Regrettably, the political stalemate remains a key obstacle to promulgating the national budget and resuming the reform and reunification of the Central Bank of Libya. The country's wealth and resources need to be managed in an accountable, transparent, equitable and efficient manner and with appropriate oversight, for the benefit of the Libyan people.

95. The civic space in Libya has continued to shrink as security actors deploy increasingly aggressive approaches to intimidate and arbitrarily detain human rights defenders and humanitarian actors. This situation remains alarming. I urge Libyan authorities to end the intimidation campaign against civil society actors exercising their rights to peaceful assembly and to freedom of expression, opinion and association.

96. Patterns of violations against refugees and migrants continue, including in detention centres. Rights-based alternatives to detention should be found, including by establishing legal and policy frameworks to manage migration in line with international law. I reiterate that Libya is not a safe port of disembarkation and that any refugees and migrants intercepted along the central Mediterranean route should be assigned a safe port of disembarkation, in accordance with the law of the sea, international maritime law, international human rights law and refugee law.

97. The continued support of regional actors, including the African Union, the League of Arab States and the European Union, and of concerned Member States, for the activities and mediation efforts of the United Nations remains critical to enable the provision of coherent support to the Libyan people. It is essential that the international community speak with one voice. In this regard, I welcome the support expressed by the Security Council on 16 March to the Special Representative and his efforts aimed at conducting elections in Libya by the end of 2023.

98. I thank my Special Representative, the Mission leadership, the staff of UNSMIL and the United Nations country team for their dedicated efforts and support to the Libyan people. I reiterate my gratitude to the United Nations Guard Unit in Libya, generously provided by the Government of Nepal.