



S/2017/726:

Report of the Secretary-General:

On the Implementation of Security Council resolution 2323 (2016) in Libya

Date: 22 August 2017

Period: April-August 2017

MANDATE

United Nations Security Council Resolution (UNSCR) [2323 \(2016\)](#) encourages the full, equal and effective participation of women in all activities related to the democratic transition, conflict resolution and peacebuilding in Libya and calls on the Libyan authorities to prevent and respond to sexual violence in conflict and to address impunity for sexual violence crimes in line with relevant UNSCRs, including 1325 (2000), 2106 (2013), 2122 (2013) and 2242 (2015) (PP9). It also extends the mandate of the United Nations Support Mission in Libya (UNSMIL) until 15 September 2017. The mandate includes the implementation of the Libyan Political Agreement and subsequent phases of the Libyan transition process (OPs1,2). An adoption is scheduled for the renewal of the mandate of UNSMIL ahead of its expiry on 15 September.

GENERAL ANALYSIS

The report highlights the political and security-related developments in Libya. First, it emphasises some efforts in the revitalisation of the political process such as the finalisation of [a draft constitution](#), [a proposed transitional roadmap](#), and the formation of a 24-member dialogues committee, which includes three women, for the implementation of Libyan Political Agreement (para. 5). It also mentions the development of 2017-2018 national strategy on Women, Peace and Security (para. 53), and efforts achieved through regional and international engagements (paras. 6-9). Lastly, the Secretary-General reported on improvements in the security situation (i.e.: the improved security control of Tripoli (para. 2) and ISIS' lack of control in Libya (para. 16)), taking place against the backdrop of a highly volatile security environment (i.e.: escalating violence in eastern and southern regions of Libya (paras. 12-15)). Ongoing violence caused significant human losses (paras. 10, 12, 27) by the uncontrolled spread of arms and ammunition, as well as numerous instances of abductions and detention torture perpetrated by all actors (paras. 27-33). However, many people are returning to their homes across Libya¹. The Secretary-General suggested returns to communities of origin increased considerably during the period, with

¹ For example, on 18 May 2017, an agreement was reached between the Mashashiya and Zintani communities on the return of persons displaced in the region since 2011 and on the establishment of independent mechanisms to address the issues of reparation, compensation and missing persons (para. 42).

about 250,000 returnees identified as of May, especially to Benghazi, Sirte and Ubari (para. 63). Humanitarian situation however remains unchanged during the reporting period, with sporadic escalations of violence and insufficient funding remaining the biggest challenges to the process (paras. 61, 62). After the strategic assessment review of the role of UNAMI in Libya, the Secretary-General concludes that political process should remain the biggest priority to address the situation in Libya along with strengthening security architecture and securing predictable support for humanitarian assistance (para. 87).

Of 100 paragraphs in the report, 18 (18%) include references to women and gender. This report specifically references the efforts on UNSMIL to promote the role of women in the political process through dedicated programmes, including the 2017-2018 national strategy on Women, Peace and Security (para. 53), the inclusion of women in a 24-member dialogues committee for the implementation of the Peace Agreement (para. 5) and the launch of a study on Libyan women's leadership (para. 54). However, the report also identifies that women are often subjected to violence and deprivation of liberty, including through prisoner exchange (para. 37).

GENDER ANALYSIS

Participation

Women and youth, along with tribal councils, elders, civil society organisations and municipalities, are reportedly engaged in reconciliation and other transition processes at the local and community levels (paras. 43, 47). However these references lack an in-depth comprehensive analysis of the status of women's participation in the country. As reported by WILPF's partners in Libya, women's meaningful participation in the peace efforts is currently limited by many factors, including, [the lack of mobility, increased levels of violence against women, incorrect representation of women in the media and the general lack of understanding of the value of women's agency and experiences for sustainable peace](#). While some efforts are undertaken to strengthen women's leadership in the country, as reported by the Secretary-General, these efforts lack the respect for diversity. The Secretary-General actually never questions how are the women engaged in politics and whether they have credibility to represent women's voice in their respective positions; the section on electoral assistance misses a necessary focus on the need for women's meaningful political participation. Finally, despite outlining efforts to prevent arms proliferation and strengthen humanitarian support, the Secretary-General provides no information on UNSMIL efforts to empower women to participate in the design and implementation of such efforts (S/RES/2242 (2015), OP15).

Protection

While torture, arbitrary detentions and sexual violence remain prevalent across the country, the report does not provide a comprehensive discussion of women's human rights violations, including sexual and gender-based violence (SGVB), and detail efforts undertaken by Libyan authorities to develop protection and early-warning mechanisms, strengthen the rule of law and ensure accountability for human rights violations. As SGVB continues to be identified as the main area of concern, the report fails to outline specific steps to ensure effective prevention of, and protection from, conflict-related SGVB, as mandated by UNSCR 2323 (2016). Specifically, [the needs of women in refugee- and IDP camps](#), the problem of food insecurity, housing and unemployment and the limited availability of financial liquidity and inflation, among many others, are also not taken into consideration in the reporting.

Prevention

In the context of deteriorating political situation in Libya, the report notes the work of UNSMIL and the support of international partners to strengthen the country's security institutions; however there are no references to gender mainstreaming in this context and there are no references to the ways in which arms transfers facilitated by the very same actors cause multidimensional insecurities in the country. [Militarism is not only decreasing women's safety](#) but also influences their political opinion and affects their meaningful participation in politics because it makes it hard for them to identify and understand, let alone comment on or critique, "national security" decision-making and actions.

Stabilisation

In this report, the UN Secretary-General commended Libyan women for actively engaging in peacebuilding initiatives and encouraged all Libyans to continue to strive for the implementation of UNSCR 1325 (2000) on women and peace and security and UNSCR 2250 (2015) on youth and peace and security (para. 96). The report however does not provide any details regarding UNSMIL's efforts to engage with women's civil society organisations on this matter. Report does not reflect the shrinking space for civil society in Libya, especially for women's organisations. The report does not discuss the gender dimension when it comes to the support provided by relevant international and regional actors during post-conflict needs assessments and planning (S/RES/1889, OP9).

RECOMMENDATIONS

Implementation/Stabilisation

It is imperative that the Secretary-General's reports on the situation in Libya integrate gender analysis throughout each section of the report to ensure women's concerns are adequately represented, providing a balance between the protection and participation aspects. The Secretary-General should also call upon UNSMIL to regularly engage women's civil society organisations, including through formal consultative mechanisms, and further, build the capacity of women's groups to challenge violence and violent tactics by any actor. Finally, [the mission should be explicitly called upon to investigate and monitor human rights violations](#), including SGBV, and address ongoing threats to Women Human Rights Defenders (WHRDs) and civil society leaders.

Participation

UNSMIL's consultation with women house of representative members in October 2016 can be considered as a good practice example. The Secretary-General should encourage relevant actors to undertake these consultations on a regular basis as part of the establishment of a consultative mechanism with women's civil society groups in all activities, including conflict resolution, peacebuilding and counterterrorism efforts. Although the information on the UNSMIL assistance to women is positive, these references must be improved to exemplify the outcomes of engagement with women's organisations and provide specific information on technical assistance provided to raise women's participation in political processes and transitional bodies. Women peace activists from diverse backgrounds and those who have proven themselves able to represent bigger women's groups and voice should also be included in developing local security plans, which contribute to national and regional security. UNAMI should also partner with both parties of conflict to [prevent armed groups and militias from controlling local institutions](#), which has led to the exclusion of women from public office.

Protection

Honouring international commitments, as outlined in SCR1325 (2000) and subsequent women, peace and security Resolutions, the Arms Trade treaty and CEDAW, the Secretary-General should call upon all parties to the conflict to prevent the disproportionate impact of war violence on Libyan women and their children. Ongoing military interventions in Libya only strengthens extremist groups already active in both countries. As (SGVB) continues to be identified as the main area of concern, the report should outline specific steps to ensure effective prevention of, and protection from, conflict-related (SGVB), as mandated by UNSCR 2323 (2016).

Prevention

The UN Secretary-General should inquire UNSMIL to strengthen its disarmament work, as disarmament is a key element for preventing further escalation of the conflict and promote the full and effective participation of women in all discussions on disarmament and arms control. He should also publicly call upon relevant parties to stop directing financial aid, vitally needed for humanitarian actions, to military operations intended to 'end terror' or 'control extremists' and start funding long-term development interventions that address the root causes of the unrest. Human rights crisis faced by refugees, the internally displaced and migrants from the crises, who continue to lack services and are especially vulnerable to trafficking, torture and other ill-treatment, unlawful killings and sexual exploitation, must be addressed, including the proper financing of humanitarian work should be provided. Finally, the Secretary-General should call upon the UN Security Council to consider sanctions against countries violating the Libya arms embargo.